



Institut universitaire de hautes études internationales, Genève  
Graduate Institute of International Studies, Geneva  
Genfer Hochschulinstitut für internationale Studien

**PSIO** PROGRAM FOR THE STUDY OF  
INTERNATIONAL ORGANIZATION(S)



# THE MAOIST INSURGENCY IN NEPAL: A MONOGRAPH

## CAUSES, IMPACT AND AVENUES OF RESOLUTION

*Edited by Shambhu Ram Simkhada and Fabio Oliva*

*Foreword by Daniel Warner*

Geneva, March 2006

Cover Pictures – clockwise from the top: 1) King Gyanendra of Nepal; 2) Madhav Kumar Nepal, leader of the CPN-UML Party; 3) A popular peace rally; 4) Girija Prasad Koirala, President of the Nepali Congress party; 5) The Maoist leadership; 6) The Maoist People’s Liberation Army (PLA); 7) A political rally of the Seven-party Alliance in Kathmandu; 8) Soldiers from Royal Nepal Army (RNA).

**This publication has been possible thanks to the financial support of the Swiss Agency for Development and Cooperation (SDC), Bern, and is part of a larger project on the “Causes of Internal Conflicts and Means to Resolve Them: Nepal a Case Study” mandated and sponsored by the SDC in May 2003.**

The views expressed in this publication are those of the authors and do not reflect the views of the PSIO.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form by any means - electronic, mechanical, photo-copying, recording or otherwise - without the prior permission of the Institut universitaire de hautes études internationales (HEI)

Copyright 2006, IUHEI, CH-Geneva



## TABLE OF CONTENTS

---

|  |     |
|--|-----|
| <b>LIST OF ABBREVIATIONS</b> .....   | 5   |
| <b>FOREWORD</b> .....  | 7   |
| <b>ACKNOWLEDGMENTS</b> .....   | 9   |
| <b>INTRODUCTION</b> .....  | 11  |
| <b>CHAPTER 1:</b> Locating the 'Structural Causes' of the Maoist Struggle..... | 19  |
| <b>CHAPTER 2:</b> Proximate Causes of Conflict in Nepal .....                  | 62  |
| <b>CHAPTER 3:</b> The Role of the Media in Nepal .....                         | 104 |
| <b>CHAPTER 4:</b> Development Cooperation and Conflict.....                    | 135 |
| <b>CHAPTER 5:</b> Peace Process and Negotiation in Nepal.....                  | 175 |
| <b>CHAPTER 6:</b> A Vision of Democracy, Peace and Prosperity.....             | 205 |
| <b>INDEX</b> .....   | 230 |

## LIST OF ABBREVIATIONS

---

|          |  |
|----------|--|
| ADB      | Asian Development Bank   |
| APF      | Armed Police Force   |
| BOGs     | Basic Operating Guidelines   |
| CCOMPOSA | Coordination Committee of Maoist Parties & Organisations of South Asia |
| CIAA     | Commission for the Investigation of the Abuse of Authority             |
| CNAS     | Centre for Nepal and Asian Studies                                     |
| CPN (M)  | Communist Party of Nepal (Maoist)                                      |
| CPN-UML  | Communist Party of Nepal (United Marxist-Leninist)                     |
| CRZ      | Compact Revolutionary Zone   |
| DDC      | District Development Committee   |
| DFAE     | Swiss Department for Foreign Affairs                                   |
| DFID     | Department for International Development (British government)          |
| EU       | European Union   |
| GTZ      | German Technical Co-operation  |
| HEI      | Graduate Institute of International Studies (Geneva)                   |
| HMGN     | His Majesty's Government of Nepal                                      |
| ICG      | International Crisis Group   |
| IDP      | Internally Displaced Person  |
| IISDP    | Integrated Internal Security and Development Programme                 |
| IHDP     | Integrated Hill Development Project                                    |
| IMF      | International Monetary Fund  |
| JICA     | Japan International Co-operation Agency                                |
| MLM      | Marxist-Leninist-Mao-thought   |
| MTEF     | Medium Term Expenditure Framework                                      |
| NC       | Nepali Congress (Party)  |

|        |  |
|--------|--|
| NC (D) | Nepali Congress (Democratic)   |
| ND     | <i>New Democracy</i>   |
| NDF    | Nepal Development Forum  |
| NGO    | Non-Governmental Organisation  |
| NRM    | Natural Resource Management  |
| NHRC   | National Human Rights Commission                                       |
| PMRD   | Popular Movement for the restoration of Democracy                      |
| PRSP   | Poverty Reduction Strategy Paper                                       |
| PSIO   | Program for the Study of International Organisation(s)                 |
| PW     | People's War   |
| RIM    | Revolutionary Internationalist Movement                                |
| RNA    | Royal Nepal Army   |
| RPP    | Rashtriya Prajatantra Party  |
| RRR    | Reconciliation, Reform and Reconstruction                              |
| SDC    | Swiss Agency for Development and Co-operation                          |
| SPA    | Seven-Party Alliance   |
| TADA   | Terrorist & Disruptive Activities Ordinance (control & punishment) Act |
| TADO   | Terrorist and Disruptive Activities Ordinance                          |
| UF     | United Front (Maoist political wing)                                   |
| ULF    | United Left Front  |
| UN     | United Nations   |
| UNDP   | United Nations Development Programme                                   |
| UPF    | United People's Front  |
| USAID  | United States Agency for International Development                     |
| VDC    | Village Development Committee  |
| WB     | World Bank   |

# FOREWORD

Daniel Warner<sup>1</sup>

---

The Program for the Study of International Organisation(s) (PSIO) of the Graduate Institute of International Studies (HEI) was launched in 1994. Over the past decade, the PSIO has functioned as an umbrella organization for a wide range of activities from conferences to publications to training programs to outreach activities. These activities are all related to the field of international organization(s) and serve in one way or another to promote the reputation of the Graduate Institute, Geneva and Switzerland.

The PSIO was founded with the aim of harkening back to the original mandate of the Graduate Institute of International Studies as a venue to contribute to peace and security. Geneva, as the world center for multilateral diplomacy and the Graduate Institute as the second oldest institution for the study of international relations in Europe, have a privileged vantage point from which to carry out numerous projects. The PSIO had been fortunate to be able to expand its activities geographically as it continues to be of special service to the Swiss Government and Geneva.

During the past years our activities have included projects in the Caucasus, Tajikistan, Algeria, Afghanistan, Sri Lanka and Nepal. Much of this work has moved from merely academics, research and training, to work involving peacebuilding and, to some extent, even peace-negotiation.

In the last decade, the Kingdom of Nepal has been affected by a complex conflict. On 13 February 1996 the Communist Party of Nepal (Maoist) – or CPN (M) – launched a “people’s war” aimed at replacing the monarchy with a communist republic. In 10 years more than 13,000 lives have been lost, mostly civilians. Thousands of people have been displaced – either directly or indirectly – by the conflict. Cities have become overcrowded and the quality of life in the rural areas has deteriorated.

This Monograph is part of a larger inquiry and a long process. In June 2003, the Swiss Agency for Development and Co-operation (SDC) mandated the PSIO and the Graduate Institute of

---

<sup>1</sup> PSIO Executive Director – Graduate Institute of International Studies (HEI), Geneva

International Studies (HEI) to carry out a study on the “Causes of Internal Conflicts and Means to Resolve Them: Case Study of Nepal” .

The research team, under the supervision of an International Advisory Team, carried out extensive research in Nepal during 2003 and 2004.

A two-day workshop was organized in Nepal on 22 and 23 February 2004. The preliminary drafts of the research papers commissioned to some Nepali scholars were presented and they received the comments from a varied and competent audience.

The report was then presented in Geneva in April 2004 and again in Nepal in May 2004.

A Comprehensive Annotated Bibliography (CAB) on the Maoist insurgency in Nepal has also been prepared and published in November 2005. This Monograph comes therefore at the end of an inclusive and long process. Practitioners and experts on Nepalese affairs will hopefully benefit from this comprehensive endeavor. At the same time, the general audience will also have the opportunity to know and become more familiar with the history, the actors and the dynamics of a very particular armed conflict that has yet to receive the deserved attention.



## ACKNOWLEDGMENTS

---

I express my sincere appreciation to a number of individuals and institutions for making this publication possible. The inspiration and support to this study by Ambassador Walter Fust, Head of the Swiss Agency for Development and Co-operation (SDC), is a reflection of his desire to assist developing societies prevent and mitigate internal conflicts so that the objectives of the rights-based approach to development can be achieved. I must also express appreciation to others in the South-East Asia Division of SDC, in particular the Head of the Division Mr. Walter Meyer, Mr. Markus Schäfer, Ms. Catherine Favre and Laure-Anne Courdesse as well as Dr. Jörg Frieden, Director of the SDC Nepal Office and Mr Marcel Von Arx responsible for Governance Desk in Kathmandu for their cooperation. I owe a special appreciation to Dr. Daniel Warner, PSIO Executive Director, Graduate Institute of International Studies, Geneva for the Visiting Fellowship at the Institute and for the opportunity to lead this particular study and this publication.

I have greatly enjoyed working with a distinguished group of scholars in the International Advisory Team consisting of Prof. Nicholas Haysom from South Africa, Prof. Liz Philipson from the UK and Prof. Astri Suhrke from Norway. I am also thankful to Dr. Günther Baechler the Special Adviser for Peacebuilding in Nepal, Swiss Ministry of Foreign Affairs.

Seven distinguished Nepalese scholars, Prof. Chaitanya Mishra, Prof. Dhruva Kumar, Bharat Dutta Koirala, Dr. Ratna Rana, Dr. Sharad Sharma Dr. Bishnu Upreti and the Speaker of the first post-1990 House of Representatives Rt. Hon. Daman Nath Dhungana agreed to write the five papers included in this monograph. I am thankful to Prof. Dr. Mohan P. Lohani for editorial assistance and to Prof. S. D. Muni of the Jaharlal Nehru University, New Delhi, Professor Walter Kälin from the University of Bern and Dr. Michael Kollmair from the University of Zurich for their most thoughtful comments. Various commentators made observations on those papers during the workshop in Nagarkot for which I express my most sincere appreciation. I must also thank the HEI Project coordinator Fabio Oliva and the project assistant Bimal Raj Pandey for their assistance in the course of the research as well as in finalizing this publication.

Able and always willing assistance of Ms. Catherine Rebord and HEI/PSIO secretariat has been a great help for which I would like to convey my most sincere appreciation. There are many others whom I have to thank for their contributions. I am personally responsible for any shortcomings.

Shambhu Ram Simkhada  
Geneva, March 2006



## INTRODUCTION

Shambhu Ram Simkhada and Fabio Oliva<sup>2</sup>

---

For the first time in its annual report, in 2003 the Stockholm International Peace Research Institute categorized Nepal as a country razed by violent domestic conflict (SIPRI, 2003). Why are violent internal conflicts spreading to countries and regions hitherto untouched?

**The Analytical Construct:** In his classic *Asian Drama, An Inquiry Into the Poverty of Nations*, Gunnar Myrdal noted "Every theory contains the seed of an a priori thought" (Myrdal, 1985). Human struggle for greater *freedom from fear and want* generally is at the root of conflicts in societies in transition from tradition to modernity, authoritarianism to democracy. But popular aspirations for change towards greater democracy, development and human rights are the first casualties when societies are unable to pursue peaceful and positive social transformation and conflicts take violent forms. So, conflict studies and more importantly exercises aimed at conflict resolution, transformation, mitigation in societies in transition must address a dilemma: change in traditional feudalistic structures and behaviours in the exercise of political power and distribution of resources is not only desirable but necessary, assuming, of course, that democracy, development and human rights are worthwhile goals and should be pursued by the demanders and supported by promoters of the *Rights-Based Approach* to development co-operation. However, when major actors responsible in the exercise of political power and distribution of resources are unable or unwilling to reconcile with popular desire and demand for change, change itself becomes the central point of contention and the process of change often painful and violent. Politics, as a "social process characterized by activity involving rivalry and cooperation in the exercise of power, and culminating in the making of decisions for a group" (Bluhm, 1965), takes a violent form. The weakness of the political leadership to effectively manage what Paul Kennedy calls the *Challenge of Change* (Kennedy, 1994), in critical times of transition are exploited by actors seeking regression on the one hand and radical change on the other. Conflict and violence often escalate in the nexus between internal political dynamics and external demands. Violence and counter violence begin to erode systemic legitimacy in the Hobbesian sense that the state no longer provides security, although security is *quid pro quo* for citizens giving up part of the desire for liberty. Squeezed in between are democracy, development and human rights.

---

<sup>2</sup> PSIO Visiting Fellow and Project Coordinator, Graduate Institute of International Studies (HEI), Geneva <simkhada@hei.unige.ch> , <oliva2@hei.unige.ch>

**Matrix of Change:** The current conflict in Nepal is best explained within a *Matrix of Change* in the exercise of political power, politics itself being identified with *the authoritative allocation of values in society* (Easton, 1953) or in Harold Lasswell's classic phraseology *Who gets What, When, How?* (Lasswell, 1972). Within this *Matrix of Change*, the current conflict in Nepal could be seen as the violent escalation of the conflict between the way political power and sharing of economic resources has been monopolized by the ruling dynasties and their feudal beneficiaries<sup>3</sup> for centuries and popular aspirations for change represented historically by the Nepali Congress (NC) party with the dawn of the democratic awakening in the 1940s. The conflict took a triangular shape after the emergence of the Marxists-Leninists (ML) as a major political force after the MRD. As the ML represented by the United Marxists-Leninists (UML) party also evolved towards the political center to introduce its vision of change through competitive democratic process, the Communist Party of Nepal (Maoist) – CPN (M) – is trying to replace them as the main advocates of radical change, with violence as a necessary means, in their view, in replacing the "old State" with their form of *New Democracy*. According to Mishra, dissatisfied conservatives coalesce with frustrated revolutionaries with the shared purpose of destabilizing and undermining the new exercise in democracy.<sup>4</sup> Explaining the escalation of the conflict, as Dhruva Kumar has argued, latent historical and traditional causes of conflict militate against popular assertion of rights in relation to questions of identity and livelihood.<sup>5</sup>

**Impact of the Violence:** Over 13,000 Nepalese have lost their lives since violence began in 1996.<sup>6</sup> Human rights violations have reached crisis proportions with both the rebels and security forces reported to be engaging in serious atrocities, torture, disappearances and summary executions<sup>7</sup>. For a Least Developed Country (LDC) like Nepal with a per capita income of around \$240 and over 31 percent of the people living below the poverty line<sup>8</sup>, the developmental cost of the conflict, destruction of infrastructure, decline in economic growth as well as delivery of even the basic services to the most needy have been devastating. Unquantifiable social and psychological costs are no less damaging. A sense of helplessness has overtaken not just the ordinary citizens but even organized political parties. People have started to lose faith in the

---

<sup>3</sup> The notion of the middle class is a recent development in Nepal. Historically, until the dawn of the democratic awakening in the 1940s Nepalese were basically divided between feudal beneficiaries thriving on the reward and patronage of the ruling dynasties and the rest as rural peasantries barely surviving on subsistence farming.

<sup>4</sup> Chaitanya Mishra, *Locating the Structural Causes of the Conflict* (see *infra* Chapter 1)

<sup>5</sup> Dhruva Kumar, *Proximate Causes of Conflict in Nepal* (see *infra* Chapter 2)

<sup>6</sup> INSEC (Informal Sector Service Centre)

<sup>7</sup> Amnesty International reports that Nepal has the highest number of disappearances in the world. *Amnesty International Annual Report 2004*

<sup>8</sup> United Nations Development Programme (UNDP) "Millennium Goals Report – 2005 Nepal Report" also available at: <[http://www.undp.org.np/publication/html/mdg2005/04\\_MDG\\_NPL\\_Goal1.pdf](http://www.undp.org.np/publication/html/mdg2005/04_MDG_NPL_Goal1.pdf)>

ability of the state to fulfil its most fundamental responsibility of ensuring the safety and security of the citizens.<sup>9</sup>

Politically, democracy and a democratic constitution have been the principal targets; advocates of change through peaceful political competition the primary casualties. The emerging polarization signals further radicalization of politics. Forces of *regression* consolidate around the monarchy, using the institution to resist the popular aspirations for change. Advocates of radical change take the view of the monarchy as the root cause of all of Nepal's miseries and its removal the ultimate remedy. Believers in multiparty democracy and constitutional monarchy, who consider it possible to introduce needed changes through amendment of the 1990 Constitution by the elected legislature, are being forced to choose between "constructive" monarchy and republic. The impact of this polarization is the further militarization of the conflict as it seems difficult for the two sides to come together politically and unrealistic to expect victory against the other side militarily.

Neither authoritarian Monarchy nor Maoist totalitarianism is viable option. Both the extremes of the political spectrum will ultimately have to converge to the democratic-progressive political centre. Mainstream political parties the Seven Party Alliance (SPA) are agitating for the restoration of the derailed constitutional process they themselves are partly responsible for distorting. Although the *Democratic Centre* has been considerably weakened, it will have to be re-energized and re-strengthened for it to be able to significantly influence the situation and force the warring sides to stop the violence and restore democracy, peace and prosperity.

**External Demands:** Conflict and violence often escalate on the nexus between internal political dynamics and external demands. In this sense, the conflict in Nepal may also have significant external dimensions, particularly in the context of the US-led *War on Terror*, obvious keen interests of the two immediate neighbours, India and China and the growing humanitarian and human rights concerns of the EU, Switzerland, Norway, Japan as well as the United Nations and other international organizations and INGOs.

**Role of Development Cooperation and the Media:** No change comes without the pressure of public opinion. In view of the democratic centre being squeezed from both the Maoists and the monarchists, media, civil society and the international community have a particularly important role in rejecting legitimacy to the power of the gun. Besides providing assistance in building physical infrastructure, delivery of social services or assistance in military hardware,

---

<sup>9</sup> See the *Kantipur Daily* July 21, 2004 for details on the abduction and release of 84 students including 41 teachers by the Maoists from a school in Kathmandu valley

donors share experiences of structural, institutional and behavioural change so that society collectively can respond positively to the *Challenge of Change*. In other words, the civil society, the media and actors in development cooperation have a complex, sensitive but important role to play in strengthening the democratic political centre and helping to prevent the society from falling into the quagmires of violent conflict and state failure. What happens now in Nepal will affect the Nepalis profoundly but it may also reflect what happens to many other peoples in many other places in 2006 and beyond. In that sense the conflict in Nepal may have a much broader implications than just what happens in Nepal.

**Causes of Internal Conflicts and Means to Resolve Them: Nepal a Case Study:** This research-study *Causes of Internal Conflicts and Means to Resolve Them: Nepal A Case Study* undertaken by the Program for the Study of International Organisation(s) (PSIO), Graduate Institute of International Studies (HEI), Geneva with the financial assistance of the Swiss Agency for Development and Co-operation (SDC) focuses on the ongoing violent internal conflict in Nepal, especially after the declaration of the “people’s war” by the CPN (M). The objective of this exercise is to create a better understanding of the conflict, reinforce the ongoing search for a political settlement and restore the process of peaceful and positive social change by contributing to the restoration of democracy, development and human rights in Nepal. In the process this study could also contribute to some new insights into the causes of growing internal conflicts in many Developing parts of the world and how they could be transformed or resolved.

**The Research Team:** An International Advisory Team (IAT) consisting of Prof. Nicholas Haysom, Prof. Liz Philipson, Prof. Astri Suhrke, Dr. Shambhu Ram Simkhada and Dr. Daniel Warner, with Dr. Günther Bächler and Mrs. Elisabeth Reusse-Decrey as external consultants prepared the initial program design of the research project. Dr. Simkhada led the research team with Fabio Oliva as Project Coordinator and Bimal Pandey and Bhupal Lamichhane in Kathmandu as Project Assistants. Eminent Nepalese scholars prepared five research papers: Prof. Chaitanya Mishra on *Structural Causes* and Prof. Dhruva Kumar on *Proximate Causes of the Conflict*, Bharat Dutta Koirala on the *Role of the Media*, Dr. Ratna S. Rana and Dr. Sharad Sharma on the *Role of Development Co-operation* and Daman Nath Dhungana and Dr. Bishnu Raj Upreti on the *Analysis of 2001 and 2003 Peace Talks* between the Government and the Maoists. Comments from scholars able to reflect the views of the main actors in the conflict were invited on each of the five papers.

**The Workshop:** A two-day workshop in Nagarkot, Nepal (22 and 23 February 2004) organized as part of this research study brought together the paper writers, a group of commentators on

the basis of their ability to reflect the views of the main actors in the current conflict with the IAT, the research team and Senior SDC officials including its Director General.

**Follow-up Consultations:** Following the workshop, the research team prepared a summary report in Geneva and returned to Nepal to undertake further consultations several times. A series of discussions were organized in 2003 and 2004 with the paper writers, some of the commentators as well as representatives of the major political parties, other academics and representatives of the civil society. A number of further follow-up discussions have been undertaken both in Nepal and outside since then.

**The Geneva Seminar:** The report was then presented at a seminar at the HEI in Geneva in mid 2004. A number of in-house and some outside scholars were invited to comment. Prof. S.D. Muni from Jawaharlal Nehru University-New Delhi, Prof. Walter Kälin from the University of Bern and Dr. Michael Kollmair from the University of Zurich were some of the external scholars who gave their comments.

**PSIO Occasional Paper:** During the Nagarkot workshop as well as in the follow-up consultations with the paper-writers and senior representatives of the mainstream political parties in Kathmandu in April/May 2004, the need to further elaborate the steps identified as *Path to Peace* became clear. Many participants also emphasized the importance of presenting the findings to key-stakeholders in an appropriate forum. It was agreed that publishing the papers and comments would also help in the dissemination of the findings of the present research to a larger audience. With this in view, the PSIO-HEI first published the *PSIO Occasional Paper 3/2004* as an abridged version of the findings of the research study in October 2004.

**Comprehensive Annotated Bibliography:** A large body of literature indicates the widespread interest in as well as search for a resolution of this crisis. Based on a thorough review of existing literature, a Comprehensive Annotated Bibliography (CAB) has been prepared and published in November 2005. It will serve as a useful reference as well as a tool to identify areas for further research. The CAB is also available at the PSIO website.<sup>10</sup>

**The Monograph:** As it contains valuable work undertaken by eminent scholars and personalities in Nepal in their respective areas of expertise, it was believed that these works should be available for a wider readership. In this process it was felt that publishing all the papers prepared for the Nagarkot workshop along with the various stages of work undertaken since then would serve a valuable purpose. It is with this objective that the PSIO-HEI has decided to publish this Monograph.

---

<sup>10</sup> <<http://www.hei.unige.ch/psio>>

This book is divided into seven chapters: the first five chapters contain the papers prepared by the seven Nepali scholars for the Nagarkot workshop. Besides this introduction, the last chapter, "A Vision of Democracy, Peace and Prosperity" by Dr. Shambhu Ram Simkhada includes some concluding remarks and suggests five concrete steps for the resolution of the current conflict in Nepal.

---

## REFERENCES

- Ballentine K., Sherman J. (eds.) (2003) *The Political Economy of Armed Conflict: Beyond Greed and Grievance*, London: Lynne Rienner Publishers.
- Bluhm, W. (1965) *Theories of Political System*, Englewood Cliffs-New Jersey: Prentice-Hall Inc.
- Dougherty, John E. & Pfaltzgraff, Robert L. (1981) *Contending Theories of International Relations. A Comprehensive Survey*. New York: Harper and Row, Publishers
- Easton, David (1953) *The Political System: An Inquiry into the State of Political Science*. New York: Alfred A. Knopf
- Huntington, Samuel (1968) *Political Order in Changing Societies*. New Haven; London: Yale University Press
- Kennedy, Paul (1994) *Preparing for the Twenty-First Century*. New York: Vintage Books
- Kumar Dhruva "Proximate Causes of Conflict in Nepal" in Simkhada, Shambhu R. and Oliva, Fabio (2006) *The Maoist Insurgency in Nepal: A Monograph*, Geneva: The Graduate Institute of International Studies (Chapter 2 in this publication)
- Lasswell, Harold, D. (1972) *Politics. Who Gets What, When and How*. New York: P. Smith
- Mishra Chaitanya "Locating the Structural Causes" of the Maoist Struggle" in Simkhada, Shambhu R. and Oliva, Fabio (2006) *The Maoist Insurgency in Nepal: A Monograph*, Geneva: The Graduate Institute of International Studies (Chapter 1 in this publication)
- Myrdal, Gunnar (1985) *Asian Drama. An Inquiry Into the Poverty of Nations*. New Delhi-Ludhiana: Kalyani Publishers.
- Simkhada, Shambhu R. with Warner, Daniel and Oliva, Fabio "Causes of Internal Conflicts and Means to Resolve Them: Nepal a Case Study" PSIO Occasional Paper No. 3/2004, Graduate Institute of International Studies (HEI), Geneva. Also available at:



<[http://www.hei.unige.ch/psio/fichiers/Nepal%20Occasional%20Paper%20\\_frutiger\\_%20.pdf](http://www.hei.unige.ch/psio/fichiers/Nepal%20Occasional%20Paper%20_frutiger_%20.pdf)>

Simkhada, Shambhu R. and Oliva, Fabio (2005) *The Maoist Insurgency in Nepal: A Comprehensive Annotated Bibliography*. Geneva; Kathmandu: The Graduate Institute of International Studies (HEI), p. 213. Also available at: <<http://www.hei.unige.ch/psio/fichiers/Nepal%20annotated%20bibliography.pdf> >

Stockholm International Peace Research Institute (SIPRI) *2003 Yearbook*, Stockholm.

United Nations Development Programme (UNDP) "Millennium Goals Report – Nepal 2005" <[http://www.undp.org.np/publication/html/mdg2005/04\\_MDG\\_NPL\\_Goal1.pdf](http://www.undp.org.np/publication/html/mdg2005/04_MDG_NPL_Goal1.pdf)>

Zartman, William I (1995) *Ripe for Resolution*. New York: Oxford.



# CHAPTER 1: Locating the 'Structural Causes' of the Maoist Struggle

Chaitanya Mishra<sup>11</sup>

---

## Introduction

This paper seeks to locate the "causes" of the rise of the Communist Party of Nepal (Maoist) – CPN (M) –and the "people's war" (PW). It must be admitted right away, however, that, in strict scientific terms, the identification of causes and effects—and the specification of their interconnection—is a very difficult task. The paper does not aim to meet such a standard. The causes identified in this paper, for example, and except for the cause related to worldview, do not necessarily lead to a Maoist "effect". In other words, the causes identified are necessary but not sufficient conditions for the rise of the CPN (M). Such causes, illustratively, have also laid the basis for the rise of political forces other than the CPN (M). Second, the post-1996 "causes" identified for the rise of the CPN (M), because of the agency-role of the CPN (M), have to be interpreted as correlates rather than as causes as such. Third, and on the other hand, the causes identified focus on the nature of the existing state and its agency-actions rather than on the agency-actions of the CPN (M).

This paper is divided into six sections. The first section describes the historical conditions of the birth and rise of the CPN (M) and the PW within the context of the international and national communist movements, the 1990 movement for the restoration of democracy (MRD) and the ideological and political struggle within the communist parties in Nepal. The second section advances the argument that, at *one* level, the Maoist struggle has to be interpreted in relation to the world-historical political and military experience of the communist movement and the encompassing and synthesizing character, as well as politically powerful role, of ideology. It describes how the CPN (M) considers itself to be a worthy inheritor of the MLM legacy and how this perception may shape its actions. The third section describes and analyses the CPN (M), academic and journalistic and other versions of the "structural" causes which may lie behind the Maoist struggle. Among the causes described and analyzed are: absolute poverty, underemployment, inter-household and regional economic inequality, caste, gender, ethnic and region based oppression, and the relationship between the household and livelihood. The analysis emphasizes the changing configuration of these causes. The fourth section focuses on the post-1990 scene and examines the significance, among others, of the theory and practice of

---

<sup>11</sup> Tribhuvan University and Nepal South Asia Centre, Kathmandu - E-mail: <nesac@info.com.np>

the 1990 constitution for the rise of the CPN (M) and the PW. In particular, the section examines the relationship between "constitutional blockage"—in relation to popular sovereignty and the question of a constituent assembly and control over the military apparatus, linguistic and religious identity, local government and devolution-political openness, popular political assertiveness, press freedom, the nature of political parties, intra and inter party conflict, conflict between political parties and the king, and resistance against state organs on the one hand and the rise of the CPN (M) on the other. The fifth section examines the linkages between the rise of the CPN (M) and international structures and processes, with particular emphasis on the policies of the Indian government. The last section revisits the current political debate and weighs the merits of different political options.

### **Birth of the Communist Party of Nepal (Maoist) and "people's war"**

Most Nepalis and well-wishers of Nepal across the world supported the 1990 movement for the restoration of democracy (MRD) and rejoiced its culmination in a new constitution which was promulgated the same year. The movement had led to the abolition of an autocratic monarchical system and enshrined popular sovereignty and constitutional monarchy. The constitution also instituted a competitive multi-party parliamentary political system patterned on the British mold. It also enshrined a host of other liberal democratic values and structures, e.g., freedom of association and political organization, freedom of speech and expression—in addition to other fundamental rights, separation of power of the three principal branches of government as well as a number of other constitutional organs which oversee the operation of the government, an independent and powerful judiciary. The state was mandated to adopt and implement policies which, among others, promote people's welfare, human rights and self-reliance in national economy, remove social and economic inequalities among different caste, ethnic, religious, linguistic and community groups, and disallow class-based and other economic exploitation. The political atmosphere generated by the movement, the promulgation of the constitution and the first democratic elections, despite occasional hiccups, was almost euphoric. The present was being celebrated and the future course was regarded as settled.

There were, however, other assessments of the present and imaginations of future. Frequently troubled negotiations with the king during the political transition and the making of the constitution had indicated that the monarchy had not fully reconciled itself to a completely constitutional role. Salient ambiguities in the constitution, particularly those related to the command of the army, bore this out. The monarchy apparently saw this ambiguity as the key to keeping the army "de-politicized" at best and fully within the royal command—and in away from, and in opposition to, popular, democratic and constitutional and political control—at worst.

The Communist Party of Nepal (Unified Marxist-Leninist) (CPN-UML)—which was the principal constituent of the seven-party United Left Front (ULF) which had joined together with the Nepali Congress (NC) to organize and implement the movement—had accepted the constitution with several reservations. Much more significantly, as events would later show, not all of the left and communist parties had agreed to remain under the umbrella of the ULF. In particular, several communist parties which expressed faith in Maoist programs and strategies participated in the movement independently. Three out of four such Marxist-Leninist-Mao-thought (MLM; same acronym also used for Marxism-Leninism-Mao-thought as well as Marxism-Leninism-Maoism) parties had decided to join forces under a newly organized CNP-Unity Center (UC) by the same year the MRD was concluded and the new constitution implemented.<sup>12</sup> All four parties were severely critical of the objectives of the MRD. They were also critical of the strategy and tactics of the MRD. The major chunk of all MLM parties had remained underground and only a rump "political front" organized by three of the parties had openly engaged itself during the 1990 movement.

The newly organized CNP-UC, which comprised three MLM parties, engaged in an intense and powerful political debate on three different fronts during 1990-94. The first, which was relatively less significant, related to its participation in the national and local elections. The UC did participate in the 1991 national elections. It won nine seats in the parliament and was the third largest party there. It also made an abortive attempt to participate in the 1994 mid-term elections. However, it did not participate in the elections as a party but through a front organization. Further, it declared that its electoral participation was not intended as an engagement with the new political system but as a tactic which would allow it to "lay bare the contradictions and limits of the parliamentary system". Later, in 1994, it foreswore participation in all elections under the 1990 constitution. Second, the CNP-UC sought to develop a political program which was "faithful to the tenets of the MLM ideology and to the specific political, economic and cultural conditions" in Nepal (e.g. CNP-UC 1991a, 1991b). Finally, it sought to build a party which would be capable of implementing the political program against sustained political, military, economic and other onslaughts by the state. The churning created by these political debates and organizational activities—and, inevitably, personal differences and recriminations—resulted in a purge, by May 1994, of 11 of the 23 central committee members

---

<sup>12</sup> The MLM parties force a fundamental distinction between "Maoism" and "Mao-thought". "Maoism" is held to signify the conferring of a "sovereign" and *universal* quality to the ideology developed by Mao Zedong. "Maoism", in this sense, stands at par, in terms of its universality, with Marxism and Leninism. Those who hold to "Mao-thought", on the other hand, refuse to attribute full-scale universality to the ideas developed by Mao Zedong. They do, on the other hand, agree that even as the ideas developed by Mao were linked to specific conditions in China during a specific historical context, *some* of the ideas have a universal applicability. In this view, while there is much to learn from Mao, they are not at par with Marxism and Leninism in terms of providing a full-scale world-historical outlook and, therefore, Mao's ideas cannot be synthesized into a full-scale ideology. Hence the tag of "Mao-thought".

of the CPN-UC on account of "indiscipline". One additional member resigned immediately (For an extended treatment of these events, see CPN-UC 1994). The remaining members, most of whom belonged to one of the constituents of the UC, following one year of underground programmatic and organizational preparations for the initiation of the "people's war" (PW), declared the formation of the CPN (Maoist) (CPN (M)) in 1995. (See Thapa and Sijapati 2003: 35-45 for the chequered background of MLM parties and the birth of the CPN (M).) The PW began in earnest in February 1996.

The unleashing of eight long years of PW, directly and indirectly, has violently and progressively shaken the political-legal framework and practice of the 1990 compact. The political structure envisaged by the MRD and the 1990 constitution lies in tatters. While large-scale violence began in September 2000 when the Maoists overran a district headquarter, the process of political unraveling began with the state's simultaneous implementation of the Terrorist and Disruptive (Control and Punishment) Ordinance, declaration of a state of emergency (rescinded nine months later) and the mobilization of the army in November 2001. As of now, a constitutional monarch, who is forbidden to rule—except within the framework of "king in parliament", not only effectively exercises state power but state power remains completely centralized under monarchy. The invocation of a seemingly innocuous act of the 1990 constitution (i.e. Act 127 titled "Power to remove difficulties"), which was meant to lead to a solution of specific unanticipated problems which obstructed the implementation of the constitution, has been utilized to effectively evade and nullify most other acts of the constitution, including those related to the appointment of the prime minister. Such an invocation cannot be popularly validated at present, as required by the constitution, because the House of Representatives stands dissolved. The notions of "unified command" and "civil-military alliance" and arming of local citizens' groups by the state being formulated and practiced by the state, which rivals the extreme "wartime centralization of power" within the CPN (M) hierarchy, is predicated on the leadership of the military organs and commanders. Representative political institutions both at the national and local levels have been dissolved or remain vacant. There is little chance that national-scale and free and fair elections to these institutions can take place without a political settlement with the CPN (M). The established political parties which have been mired in internal dissension and internal split for close to a decade, and which have failed to take a definite and united political position *vis-a-vis* the CPN (M) and the king and to rally citizens in favor of such positions have, as of yet, taken a backseat during this period of intense political transition. The political parties which "represent" 80 percent of the electorate—as indicated by the last election to the national legislature—did *not* even lay a claim to a seat during the two *encompassing political negotiations* (otherwise known as "peace talks") held between the government and the CPN (M). Neither did the two governments—one popularly elected and the other constituted by

the king—invite the parties to the political negotiations with the CPN (M). Nor did the CPN (M), despite its frequent call to the political parties to "join the struggle". In view of the disregard shown by the CPN (M) to the political parties in the encompassing political negotiations with the state, it was politically immature, if not altogether downright condescending and hypocritical, of CPN (M) Chairman Prachanda to argue on February 13, 2003, that "Rather than viewing the [upcoming] talks as between the establishment and our party, it should form part of the dialogue process among all political parties, the intelligentsia and the common people" (in Thapa and Sijapati 2003: 176). The political parties themselves, on the other hand, apparently prized their parliamentary status over than their responsibilities and obligations as popularly based *political* parties. In doing so, they largely transformed themselves into organs of state rather than agencies of peoples.

The economic costs of the war have been phenomenal. Displacement, violence and uncertainty induced loss off production—agricultural production in particular, *bandh*, violence and extortion induced loss of production and transportation in the industrial and service sectors—including in educational establishments, and the destruction of physical infrastructure, e.g. government and public buildings, power stations, telecommunication station, has been massive in scale. The financial loss due to the destruction of physical infrastructure during February 1996-May 2002 has been estimated at Rs. 18 billion (DFID 2002: 20; Seddon 2002: 28 quotes a World Bank estimate of \$300 million for the same period; another more recent estimate puts the figure at Rs.66 billion (K.C. 2004)). Capital flight to the order of Rs.15 billion has also been reported (K.C. 2004). The GDP growth rate during FY 2001/02 was in the negative. While the CPN (M) has reduced the dismantling of the physical structures "within the areas which it controls" beginning October 2003, the primary motif of "the early phase of people's war", the CPN (M) has declared, is necessarily centered on destruction.

In the meantime, the CPN (M) military forces (the People's Liberation Army and the militia; PLA) and the state military forces (Royal Nepalese Army, the Armed Police Force and the Nepal Police; RNA) have, for the last two years, been at each other's throat across the country. Much more significantly, a large number of innocent civilians, including the very old and the very young have been killed, severely injured and displaced. The recorded death toll has exceeded 9,000 and the number of "disappearances"—mostly at the hands of the state, has exceeded 700. Some estimates of "disappearance" are larger (see INSEC email of December 29.) While the PLA initially engaged—and continues to engage-in barbaric modes of killing and maiming, the RNA, particularly during 2003, has been widely reported to stage fake "encounters". Several such fake encounters have been authenticated by human rights organizations. There is no record of the injured but it must run in the tens of thousands. The scale of displacement, although

estimated at 100,000-200,000 (recheck source: *The Rising Nepal* of December 15?) is, in all likelihood, much larger. The specter of terror haunts the length and the breadth of the country and only the exceptional soul remains untouched by fear. In addition, the intensity of killing, maiming, abduction, contributions or taxes or extortion, dispossession, threat and insecurity and fear have been escalating rapidly. (For a summary view of "costs" including "human costs", also see Thapa and Sijapati 2003: 139-63; For case studies of "human costs", see, among others, Dhakal, Sangraula and Bartaman 2003, Gautam, Bankota and Manchanda 2003, Sharma, M. 2002.)

### **Reinterpretation: World order, "old state" and "new state"**

Most reviews of the current "Maoist conflict" in Nepal (e.g. the Deuba Commission Report, the Dhimi Commission Report, the CPN-UML Report, Sharma, S. 2002, Karki and Seddon 2003: 3-48, Thapa and Sijapati 2003: 51-81, Philipson 2002, Seddon 2002, Harvard University 2001) have tended to locate the "causes" of the struggle exclusively within specific features of Nepal's history, polity, economy and culture. The focus in almost all such reviews has been on poverty, economic inequality, spatial and social inequality and oppression, "frustrated expectations" during the post-1990 democratic period, corruption among political officials, mis-governance, rivalry within and between political party(ies), etc. While such causes and correlates are significant—and while the next section will also seek to build such linkages—such causes are inadequate to explain the rise of the CPN (M) and its program of new democracy (ND) and its strategy of people's war (PW). Such "causes", in addition, also often misread the CPN (M) program. Illustratively, not all kinds and levels of inequality are inconsistent with the goal of the CPN (M): The CPN (M) program calls for a definite form of capitalism *and* argues for the protection of the "rich peasant" (or the "large farmer"), both of which, to put it mildly, are not inherently friendly to equality. In addition, such "causes", it may be surmised, could possibly be "resolved" in several ways, e.g. along the path laid down by the 1990 compact. What this means is that even if the causes identified are "authentic", an assessment of the Maoist struggle requires that the causes be read within the overall context of the *worldview and ideology* of the CPN (M).

It should be emphasized that ideological preparedness—and ideological purity, sharpness and uniformity—has been extremely highly valued by the CPN (M). "Ideological correction", driven primarily by the CPN-ML (the principal constituent of the later CPN-UML) on the one hand and the MLM parties on the other, was the primary motif of the sharp polarization among the communist and left parties during 1985-1990. It was also the single most pressing agenda of party building for the CPN-UC during 1990-1995. The CPN-UC engaged in an intense five-year



intra-party struggle to develop and sharpen a correct ideological line, "purge" the "minority faction" and eventually to transform the "majority faction" of the CPN-UC into a CPN (M) in 1995 (see CPN-UC 1991a, 1991b, 1994, 1995; also see Nepal National Intellectuals' Organization 1997: 16-84.) It may be noted that the ideological debate was centered, among others, on whether or not Mao's distinctive contributions had the same level of universality and "sovereign" quality as Marxism and Leninism—and whether or not Maoism as such, rather than a less exalted "Mao-thought", ought to be the guiding ideological line of the party (cf. Prakash 2002: 1-15). The debate was also focused on whether or not an expanded and intensified preparatory program of political education at the party and popular levels was required prior to a "decisive", i.e. armed, struggle—the "minority faction" was roundly decided for "justifying the need for a preparatory [rather than a 'real'] communist party", the relative balance between political struggle and armed struggle and the relative balance between rural "people's war" and urban insurrection. In addition, the CPN (M) documents repeatedly stress that ideological "correctness" will continue to remain a site of key struggle within the party.

The CPN (M), in the tradition of most radical and revolutionary organizations and political parties which aim at a programmed and encompassing transformation of life and society, places a singular emphasis on the formulation of an appropriate worldview and ideology. This worldview interprets life and society—and political, economic and cultural history, structures and processes—in definite ways and charts and sharpens specific strategies to realign and reorient the seemingly "natural" order of structures and relationships. The ideological lens is utilized to filter, validate and re-synthesize information in specific ways and to impose a pattern on them. These patterns constitute the grammar of ideology, the application of the rules of which is fundamentally necessary to make sense of the evolving social world and to prepare a course of action for the future. The CPN (M) ideology is based not merely on a reinterpretation of Nepal's history, but on a specific, MLM-based, reinterpretation of world history and global, regional and local structures and processes as well as their interconnectedness.

The CPN (M) worldview claims inheritance to the vast tradition of MLM political experience and literature. Regardless of the authenticity and fealty of the allegiance, this inheritance facilitates and forces the CPN (M) to engage in a specific reinterpretation of history, polity and economy at the world, regional, national and local spaces and of the nature of interconnectedness among these spaces and within and across specific historical settings. It also mandates the CPN (M) to prepare longer run and immediate programs, strategies and tactics aimed at "forcing the resolution of key contradictions" which beset political, economic and cultural structures and impede progress. "Progress", of course, is a relative term and has to be concretized both with reference to a desired and possible future on the one hand and the relative severity of the

contradictions—and the relative political, economic, cultural and, for the CPN (M) currently, military, strength of the adversary structure which upholds the oppressive, exploitative and, therefore, contradiction-ridden present. Even as the CPN (M) expresses commitment to socialism and communism in the long and indeterminate run, its immediate program is directed to the establishment of new democracy which, of course, is the distinctive contribution of Mao Zedong and which was formulated during 1928-1940 (Tse-tung 1965a: 339-384, 1965b: 228-74).<sup>13</sup>

The CPN (M) documents are replete with references to the ideology of MLM—and the program of ND and the strategy of PW. Further, it regards Maoism as the distillation of Marxism-Leninism, i.e., as the "Marxism-Leninism of the present era". It regards itself as committed to raising the flag of internationalism and visualizes itself as a vanguard of the international communist movement. Let us consider some samples:

*This plan of ours would be based on the lessons of Marxism-Leninism-Maoism. ... the Party once again reiterates its eternal commitment to the theory of people's war developed by Mao as the universal and invincible Marxist theory of war. ... This plan would be based on the aim of completing the new democratic revolution after the destruction of feudalism and imperialism, then immediately moving towards socialism. ... This plan of ours would be based on the great spirit of proletarian internationalism. The Nepalese revolution is an integral part of the world proletarian revolution and this will serve the world revolution. In this context our party takes it as a serious responsibility to contribute towards the further development of Revolutionary International Movement (RIM) (of which our Party is a participating member), which is marching forward to advance world revolution under the guidance of Marxism-Leninism-Maoism and to create a New International (in "Theoretical Premises for the Historic Initiation of the People's War," by CPN (M), September 1995, in Thapa and Sijapati 2003: 46-7).*

*This great beginning, and the impact and success, is an indicator of the victory and glory of the almighty ideology of Marxism-Leninism-Maoism of the world proletariat in general ... (in "Review of the Historic Initiation of the People's War and Future Strategy of the Party, by CPN (M), March 1996, in Karki and Seddon 2003: 194)*

---

<sup>13</sup> The program of ND was gradually formulated during the anti-colonial war principally against the Japanese occupying forces and during a period when feudalism had been, and was being, suppressed by the Communist Party of China. As such, it was, to a large extent, although not exclusively, a "nationalist" program which aimed to unite the majority of the Chinese—sans absentee, non-laboring "large" landlords and comprador capitalists—against colonialism and imperialism. The expressedly transitional character of the program of ND was predicated not primarily on the projected promotion of progressive national capitalism during the transitional period but on the projection that a progressive nationalist coalition would lead to an early defeat of the colonial powers.

*Within this period, our relationship with RIM ...has become qualitatively more vital and stronger. ... the international responsibility of our Party [has] increased qualitatively. ... The Nepalese People's War has proved to be a slap in the face of the world imperialist system ... the Nepalese People's War has become a new challenge to international imperialism and revisionism ... (in "Two Momentous Years of Revolutionary Transformation" by Prachanda, General Secretary of CPN (M), 1998, in Karki and Seddon 2003: 226-27)*

*In Nepal, our first effort was to correctly grasp the science of Marxism-Leninism-Maoism. To this end, we strove to link ourselves with the arduous and challenging ideological struggle waged by the genuine communist revolutionaries of the world against the Chinese counterrevolution after the death of Comrade Mao Tse-tung. ... We made a particularly fervent study of the ... Communist Party of Peru ... the Revolutionary Communist Party ... in the United States and in other countries. Through continuous ideological interaction with the ... RIM we tried to acquaint ourselves with the principal tendencies in the world today and to attain the highest collective understanding of the international proletariat. Also, we ...[studied] the revolutionary and national movements of ... India, the Philippines, Turkey, Iran and Sri Lanka. (in "However Tortuous the Road, the Victory of the World Proletarian Revolution is Certain" by Prachanda, 2001, in Karki and Seddon 2003: 261-62).<sup>14</sup>*

In line with Lenin's analysis (Lenin 1975), the CPN (M) characterizes the existing world order as rife with imperialist domination but, in a necessarily dialectical obverse, as also one which is characterized by the anti-imperialist resistance and struggle being waged at various levels and in various forms by peasants and workers in particular and all imperialism-oppressed peoples of the world. In line with the 1924 enunciation of Sun Yat Sen and, later, Mao (Tse-tung 1965c: 57), it interprets imperialism as a structure which is inherently inimical to democracy and nationalism as well as the livelihood of the vast majority of the peoples of the world. At the regional level, according to the CPN (M), Nepal has, at least since the 1816 Sugauli treaty, been forced into a semi-colonial relationship with the East India Company, British India and, after 1947, independent India. Finally, at the national level, and not the least because of imperialist and semi-colonial structures and relationships with the outside world, the CPN (M) interprets the dominant motif of Nepal's political economy as that of semi-feudalism. While the CPN (M) has put forward ambivalent positions (witness the Maoist statements immediately following the June 2001 "palace massacre"), of late—particularly following the mobilization of the RNA against the

---

<sup>14</sup> It is important to underline here that references to the RIM in the preceding extracts were no "academic" exercises of attribution. The RIM played a highly significant role in the ideological and political *nurturing* of the CPN-UC since its formation in 1990. It made key interventions in the finalization of the strategy of "people's war". Indeed, in all likelihood, it played a highly salient role in the *formation* of the CPN (M) itself. The RIM sent detailed, scathing and exhortatory reactions on the interim political program prepared for the National Unity Convention of the CPN-UC at the end of 1991 (CPN-UC 1991a: 1-10).

CPN (M) in November 2001, it has come to regard the monarchy as constituting the bulwark of the semi-feudal—as well as the imperial and semi-colonial—order. The CPN (M) also interprets the dominance of Hinduism, the high-caste groups and male dominance as features of the semi-feudal order. Even as the CPN (M) interpretation does acknowledge that it is undergoing a capitalist transition, it interprets the transition as one which is under the stranglehold of comprador and bureaucratic capitalism, not national capitalism. According to the CPN (M), the struggle that it is spearheading is targeted against the existing state, the "old state" in CPN (M) terminology, which upholds these historically outmoded and contradiction-ridden features and, thus, blocks progress towards the "new state", i.e. new-democratic state, which would, in the course of a much more nationally united struggle against imperialism, semi-colonialism and semi-feudalism, fortify itself and make a transition to socialism. National unity in the new-democratic state would be predicated on the alliance among the democratic, patriotic and progressive forces on the one hand and the communist party on the other and on the united struggle the alliance implements against forces of imperialism, semi-colonialism and semi-feudalism. The CPN (M) believes that the "new state" constituted through this alliance, within the specific context of Nepal, will also necessarily wage a struggle against caste, ethnicity, gender and regional oppression.

The CPN (M), while seeking to locate the past and present of Nepal within this large-scale and long-term world-historical processes and struggles as synthesized within the MLM experience, visualizes itself as a link in a long line of world-historical communist struggle. At the present juncture—and with the demise of the "Shining Path" faction of the Peruvian Communist Party, it arguably regards itself as the single-most potent revolutionary organ within this tradition. It is this encompassing synthesis and its self-location in the forefront of a world-historical as well as regional and national struggle which provides the CPN (M) with a powerful sense of belongingness and mission and fortifies its strength and dedication.

In keeping with the MLM worldview, the "majority faction" within the CPN-UC and the CPN (M) read the 1990 MRD, the 1990 constitution and the post-1990 state differently than most liberal and "left" political parties and analysts. The CPN-UC, as noted earlier, did not fully agree with the objectives and strategies of the 1990 MRD participated in it independently. There was a major split within the CPN-UC on how to read the 1990 movement and its "gains" (cf. CPN-UC 1991a: 58-70, 100-01). Even the "majority faction" within the CPN-UC tended to equivocate on the significance of the 1990 transition (CPN-UC 1991b: 52-61). In general, however, the CPN-UC regarded the 1990 MRD and the 1990 constitution as having made "important but not fundamental" and "limited" gains in "exposing the nature of monarchy, spelling an end to the autocratic *Panchayat* political system and ushering a multi-party system". On the other hand, it

also argued, that the 1990 compact as well as the post 1990 state as constituting a net gain for imperialism and expansionism (CPN-UC 1991b: 56-59).

The forging of a "new state" was predicated on armed struggle, "people's war" in particular. However, while the MLM worldview highlights the "necessity of armed struggle" for the successful conclusion of a proletarian revolution, and while Mao, in particular, emphasizes a similar necessity for the forging of a ND state, and even as the MLM worldview elaborates specific rationales for various types and combinations of armed struggle, the CPN (M), despite its voluminous ideological production, has not put forward a focused, succinct and specific justification for armed struggle and PW. Nonetheless, the general CPN (M) rationale for the strategy of PW appears to be as follows. The ND state is qualitatively different to a state which is under the yoke of world imperialism. The ND state, in contradistinction, explicitly aims to forge national unity in order, among others, to struggle against world imperialism and to contribute to its demise. The ND state is also fundamentally different from a state which is dominated by semi-colonialism and expansionism in as much as it seeks to establish peasant and worker-led national capitalism. Finally, the ND state is also fundamentally different from a state which is semi-feudal because the feudal and semi-feudal society and mode of production is both oppressive and exploitative. The overthrow of a state which is friendly to, and dominated by, imperialism, semi-colonialism, expansionism and semi-feudalism is necessary because such an overthrow unblocks progress to "higher forms" of political, economic and cultural organization and resolves key historical contradictions. Finally, and in the general formulation, the overthrow of such states necessarily demands a strategy of armed struggle and PW, in as much as the states and the classes which uphold such a state are themselves are erected on the foundations of structural as well as military violence.

As noted, the CPN (M) has not been altogether decisive and successful in elaborating on the rationale of the strategy of an armed struggle of the PW form within the *specific* context of Nepal—notwithstanding Bhattarai's pointedly titled 1997 article, "The political-economic rationale of people's war". (It may be noted that the subsequently published English-language version of the article (Bhattarai 2003: 117-64) has a less pointed title, "The political economy of people's war".) While the overall and general deductions drawn from world-historical experiences are clear enough, the preceding analysis, as well as analyses contained in a host of other party documents, articles by-and interviews with-Prachanda and other leaders of the party have not sufficiently buttressed the case for the strategy of PW within the specific conditions of Nepal. In particular, it can be argued that the CPN (M) has consistently avoided the key task of elaborating the justification for the strategy of PW within the context of post-1990 Nepal where the newly legitimized freedom of political association and political organization and freedom of

speech and expression could have been instrumentally utilized in order to advance and fortify a popular political movement and to seek a *basically political* resolution to the political, economic and cultural contradictions. It was within this altered political-legal, although not military, frame that four out of five significant MLM parties had agreed to engage in an expanded and intensified program of politicization and popular struggle-without foreswearing the "inevitability" of armed struggle as the culmination of the popular struggle. On the other hand, and even as the CPN (M) remained ambivalent with respect to the relative gains of the 1990 compact, it pushed headlong into the program of ND and the strategy of PW. Whether the CPN (M) nearly-totally devalued the political significance of the 1990 compact in the run up to the declaration of PW or whether it reached the conclusion that a successful implementation of the strategy of PW would be more likely precisely *because* of the 1990 transition, given high levels of intra and inter- party as well as monarchy-political party contradictions-in addition to larger political, economic and cultural contradictions-remains unclear.

In any case, it appears that the CPN (M), once again, decided to deductively draw upon "global and historical lessons"-rather than Nepal-specific historical lessons-to justify the strategy of people's war. It argues that, given the oppression and exploitation under imperialism, expansionism and semi-colonial and semi-feudal conditions, the objective conditions for the initiation of people's war and revolutionary transformation are ripe enough. A revolutionary process, given such conditions, remains uninitiated only because of specific subjective conditions. Further, and apart from a committed party, it is people's war itself, much more than any other kind of preparation, which leads to the creation of subjective conditions which are progressively favorable to revolutionary transformation. In the words of Prachanda (2000; in Karki and Seddon 2003: 80):

*... in oppressed countries, according to Marxism-Leninism-Maoism, an objective revolutionary situation always prevails in one or another part of the country. The development of such countries as Nepal is uneven. Therefore in any part of the country there is the possibility of initiating armed struggle and then of sustaining and developing the struggle ... In oppressed countries, the question is the subjective preparation-the main question, the principal factor is subjective. And subjective means...the revolutionary communist party, armed with Marxism-Leninism-Maoism.*

Further, the CPN (M) has argued that,

*... on the basis of this live practical experience [earned through the initiation of people's war], the door is opened for further development and refinement ...[It]... has been a scientific and powerful blow to the revisionist proposition of from "thought to thought" and from "reform to reform" ...not only the positive aspects but the limitations and weaknesses of the Party hav ...come to the surface ... This great*

*process has opened a treasure house of knowledge ... The process of learning war through war has started in practice* (in Karki and Seddon 2003: 194).

The CPN (M), thus, even as it successfully makes a case for the strategy of armed struggle and PW in general world-historical terms, has not made a full-scale, substantive and credible enunciation of the rationale of PW within the context of post-1990 Nepal although Bhattarai (2003b: 119) has argued that PW is the only recourse available since the prospects of reform have been exhausted: "... the 'reformist' path will only remain viable as long as there is possibility of developing productive forces within the old production relations; when that possibility is exhausted, the 'revolutionary' path becomes necessary." The CPN (M) has argued that the post-1990 state, by its very nature, is incapable of resolving the central problems of generated by imperialism and expansionism as well as "semi-feudalism" and "semi-colonialism". The strategy of PW has also been justified on account of the history of uneven development which has given rise to the "national question" (Bhattarai 2003b: 149-54), e.g. the question of regional and ethnic autonomy. More recently, the control exercised by monarchy—rather than the elected government—over the RNA, the mobilization of the RNA against the CPN (M) since November 2001, the dissolution of the parliament in May 2002 and the unconstitutional resurgence of monarchy since October 2002, on the other hand, have given CPN (M) specific justifications for the strategy for PW. Bhattarai (*locate reference*), in particular, and lately, also argued monarchical control over the RNA was the prime "cause" of the strategy of PW. The key focus of CPN (M) during the later years of the PW has been monarchy.

Indeed, Bhattarai has recently (September 2002) stated that "the bourgeois (capitalist) democratic revolution is the immediate political agenda and abolition of monarchy is the core issue of the entire project" (in Karki and Seddon 2003: 281). The political—rather than military—solution for the abolition of monarchy—which the CPN (M) formulated rather late during the second leg of the "peace talks" with the government in September 2001, calls for the setting up of a constituent assembly. It has also spearheaded the argument which, of late, appears to be gaining legitimacy among many other "constitutional-monarchical" political forces, that the 1990 compact is no longer operative. Unlike the latter set of political forces, however, the CPN (M) appears to have come to the conclusion that that a genuinely constitutional monarchy is structurally compatible only with developed capitalist states (Bhattarai 2003a: 29). How the CPN (M) proposes to cobble together a republican alliance—given its contradictions with the political parties and elected institutions, including the parliament, however, remains unclear at present.

## Structural causes

The CPN (M) ideology, as any other ideology, is based on a necessarily selective reading of global, regional, national and local polity, economy and culture and their interconnected history. An ideology that remains untied or very loosely tied to the objective and evolving context can hardly sustain itself. Only a perceptive, historical and encompassing interpretation of the objective world can give rise to or strengthen an ideology which has at least a fair degree of political validity and credibility. Regardless of how one weighs in with respect to the validity of the program of ND and the strategy of people's war, there is little doubt that the CPN (M) has read the objective conditions rather well. It has also mapped the nature and intensity of contradictions (i.e. "causes") which underlie the objective conditions in a refined and politically potent manner. The CPN (M), however, has not only read the contradictions well, it is also becoming more adept and effective in forcing contradictions.<sup>15</sup>

What are structural or fundamental and long run causes of the struggle? Most analysts, as noted earlier, have concurred that poverty, illiteracy and low level of educational attainment, unemployment and underemployment, inter-household economic inequality—primarily in terms of landownership and income, and caste, ethnic, regional/spatial and gender oppression and inequality are the primary referents of the Maoist struggle—despite the fact that analysts, expectedly, have differed with respect to the primary (set of) causes. The CPN (M) interpretation agrees with these diagnoses up to a point. Indeed, the widely quoted article "The political economy of the people's war" Bhattarai (2003: 117-164), the Nepali language version of which was published in 1997, begins with statistics on poverty, inequality and unemployment and underemployment. Detailed empirical analyses carried out by Bhattarai in the mid-1980s also highlight such issues at great length (Bhattarai 2003c). More popular-level CPN (M) and "sister-organization" assessments also put forward these causes as explaining the rationale of the Maoist struggle. A number of other analysts largely concur with this view (e.g. Integrated Organization Systems 2003, Bhattachan 2000: 135-62, Hachhethu 2003).

The identification of the set of principal causes by the CPN (M)—which *underlies* the multiplicity of proximate causes identified by various analysts noted above, however, is of a different order of aggregation and synthesis. While the CPN (M) has not yet specifically addressed the question in a frontal manner, writings, interviews and press statement by the CPN (M) and its principal

---

<sup>15</sup> The CPN (M) has been effective in reading and forcing contradictions not primarily because of the individual and collective qualities of its leaders or because of their first-hand and intense political and military experience in the battlefield and outside, but because of the synthesizing character of an ideology.



leaders make it obvious that the CPN (M) locates the structural condition which gives rise to the different proximate causes in capitalist imperialism, Indian expansionism and the associated conditions of underdevelopment characterized by "semi-colonialism" and "semi-feudalism".<sup>16</sup> In other words, for the CPN (M), the proximate, validly enough, is merely a multifarious manifestation of the structural. The difference between the structural and the proximate is one of level of aggregation and synthesization. In addition, the structural can itself be fathomed not at a single but several levels. The CPN (M) provides a more synthetic, theoretically anchored, and *politically powerful* identification of the "causes" of the struggle. Asked to "give a basic picture of the objective situation and the material basis in Nepal for initiating the "people's war", Prachanda, the chairman of the CPN (M), replied (in Karki and Seddon 2003: 77- 8):

*First of all, I want to respond to this question in ideological terms. Nepal is a semi-feudal and semi-colonial country, and MLM suggests that in [similar countries] an objective revolutionary situation prevails. This is the ideological basis from which we started to study the concrete situation, because the main thing is ideological clarity ... Nepal is a small and poor country. More than 85 percent of the population lives in the rural areas, and the people are very poor—they are very oppressed. Feudal relations—the feudal forms of exploitation and oppression—are very severe in the rural areas ... [Because of specific nature of Nepal's relationship with British India] Nepal evolved into a semi-feudal country. When the British left India, Nepal became a semi-colony of Indian expansionism.*

Bhattarai (2003b: 117-8) explains the structural causes in similar terms:

*The People's War was initiated with the proclaimed aim of establishing a new democratic socio-economic system and state ... Seventy-one per cent of [Nepal's] population falls below the absolute poverty level; nearly half of the national income is in the hands of the richest 10 per cent ... More than 60 per cent of the total population is illiterate, more than 90 per cent of the population lives in rural areas and 81 per cent of the labour force is engaged in backward agricultural occupations. Ten per cent are unemployed and 60 per cent are underemployed or in disguised unemployment ... It is no secret that the present reactionary state has been peddling various [reformist] slogans ... In this context it is necessary to identify the root cause or causes of this condition and to provide a scientific solution instead of merely looking at the visible symptoms of problems and trying to solve it in a partial and disjointed manner. For this, it is necessary to analyse the problem with a historical materialist methodology, using the concepts of Marxist-Leninist-Maoist political economy.*

Bhattarai then goes on to identify several structural causes of the Maoist struggle: imperialist oppression, expansionist oppression, semi-feudal relations and underdevelopment in agriculture,

---

<sup>16</sup> Bhattarai's 1986 treatment of underdevelopment (Bhattarai's (2003c: 1-14) formulation, in as much as it alternately characterizes Nepali society and economy "non-developed", "precapitalist", "backward", "underdeveloped", etc., remains confused and invalid.

decline of industry, expansion of comprador and bureaucratic capitalism, regional inequality and the question of the nationalities. He (2003b: 154) has further argued that

*... history compels us to dispense with the feudal, comprador, and bureaucratic capitalist classes hindering the development of Nepal and to hand over the responsibility of organizing a new and higher form of social system (the New Democratic system) to the progressive classes (i.e. workers, peasants, petty bourgeoisie, and national bourgeoisie). The People's War is the inevitable instrument of this historic New Democratic revolutionary transformation.*

Let us review the evidence regarding the structural causes in greater detail. The proportion of the absolutely poor, i.e. persons unable to access a minimum defined basket of food and other basic human needs, has been estimated by the government at 40 percent. (Other estimates put the proportion of the absolutely poor higher—some as high as 70 percent.) This, of course, is the national figure. The incidence of poverty is much higher than the national norm in the Western, Mid-western and Far-Western Mountains and Hills and some other locations. In addition, the percentage statistic, which has been the staple of development and poverty literature, as well as burgeoning literature on the rise of the CPN (M), been very effective in hiding the fact that despite the relative constancy in terms of proportion across last 25 years, the absolute number of the absolutely poor persons has nearly *doubled* between 1977 and 1996 (NESAC 1998: 128, 2002: 169). The size of the absolutely poor has increased since. Growth rate in the agricultural sector, in particular, has remained low and has not been able to keep pace, among others with the rate of growth of rural population. This massive increase in the size of those in absolute poverty and the *political significance* of this enlargement has received little attention in journalistic, governmental, academic and even Maoist literature. Hunger, indebtedness, ill-health, lack of access to productive resources and unemployment—all components of absolute poverty—necessarily contribute to painful uncertainty and despondency and bear high potential for *radical* political alignment.

This expanded, and possibly intensified, poverty has several *novel temporal and social attributes* which have not been discussed in literature. First, unlike in previous generations, it is no longer possible, for a significant proportion of the poor, to cultivate new public land and ameliorate poverty. Second, the size of intergenerational transfer of agricultural land has become progressively smaller. Third, de-industrialization and deskilling, particularly of the poorest Dalit community has, in all likelihood, expanded and deepened further. Fourth, a large proportion of the current generation is literate—and a significant proportion has gone through several years of schooling—and is seeking openings other than low-productivity agriculture. This group can also access information on other locations and therefore bears the burden of being able to weigh alternate possibilities even as the realization of such possibilities remains relatively closed. Fifth,

the magnitude of "socially required" consumption, particularly of basic non-food items, e.g. costs related to the schooling of children, medical costs, etc. has increased considerably in the last two decades. Finally, the post-1990 citizenry, including the poor, has made a definite gain in political voice and assertiveness. Enhanced political assertiveness, in turn, bears powerful implications for the radicalization of politics as well as the structure of the state.

Underemployment is often a characteristic "off-season" feature of pre-capitalist agricultural societies and economies. However, in such agricultural societies, crafts, cottage industries and other non-agricultural pursuits tends to keep the agricultural off-season employed and productive. The capitalist transition, however, and even as it may lead to agricultural intensification in specific areas—those equipped with transportation and technical support facilities in particular, generally erodes the economic, and eventually the cultural, bases of crafts and cottage industries as well as many other non-agricultural pursuits. The result is widespread de-industrialization and deskilling, and expanded seasonal underemployment, of the rural and agricultural societies. The open-border regime with India, which has a much larger indigenous capitalist base, undercuts the base of industrial development in Nepal and retards the growth of the employment in Nepal (cf. Mishra 1987). Further, the openness of the border with India and the largely inefficient and extremely corrupt customs administration system in Nepal seriously obstruct the realization of legally mandated customs revenues, which could potentially be utilized to reduce the scale of underemployment. In addition, agricultural underemployment and unemployment is also an outcome of an agrarian structure—and of a state which upholds such a structure—which, in effect, and legally and financially, refuses to discourage land holders, particularly large land holders, from keeping the land idle. Such a refusal generates high levels of underemployment and creates a potent political *disjunction* between labor power and landownership.

The preceding conditions and processes essentially explain the large scale of underemployment in Nepal, which has been conservatively estimated by the government at 47 percent. (Some estimates, which employ a more liberal definition, put the ratio even higher.) It needs to be emphasized again that despite the relative constancy in proportion since the 1980s (cf. NESAC 1998: 102), the absolute number of the underemployed has *grown rapidly*. It is a much larger "mass" than was the case during the 1980s. The underemployment ratio is higher in the rural areas compared to the urban location (NESAC 1998: 102). Rather highly skewed structure of landownership, laws which do not adequately value and compensate labor—and, therefore, tenants, relatively unregulated and high-cost agricultural credit regime, and the *withdrawal* of small-scale *subsidies* on agricultural inputs as well as food grains—which have been enforced under the neo-liberal pressures of international financial institutions—have contributed to the

high level of underemployment. The higher level of capitalist development in India, the openness of the Indo-Nepal border and ineffective and corrupt customs administration in Nepal also contribute to underemployment.

While the unavailability of data precludes definitive conclusions, unemployment and underemployment may be higher among the landless, the marginal landholders, the very poor and the Dalits. These groups have historically been at the receiving end of this "project" at deskilling and de-industrialization. Within these groups, the Dalits—which account for approximately 15 percent of the total population—have probably been hit the hardest. The progressive loss of livelihood has seriously *compounded* the problem of political and cultural oppression.

The magnitude of inter-household economic inequality, both in terms of income and landownership, are high. In terms of income, and according to 1996 data, the share of the top 10 percent of the population in total national income is 52 percent while the bottom 40 percent has a share of only 11 percent. There are also indications that inequality in per capita income at the national level *widened* during the 1985-1996 period. Similarly, there is a sharp skew in the distribution of landownership: The top 6 percent of households owns as much as 33 percent of all agricultural land while the bottom 40 percent owns only 9 percent (all data in this paragraph is from NESAC 1998: 115-8; also see UNDP 2002: 196 for inequality in *consumption*.) There is little doubt that inter-household income inequality has increased *progressively* within last three decades. Progressive inequality, much more than a stable level of inequality, is likely to intensify politicization.

The data on income inequality cited above has a distinct spatial correlate. In particular, income inequality between the rural and urban areas is very *high and widening*. The district headquarters, the larger India-Nepal border towns, a few other market towns—mostly along the East-West Highway and, above all, the Kathmandu Valley have witnessed a boom in household income during the last three decades. These areas have benefited from a host of sources: disproportionate public and private investment, expansion and centralization of public and governmental services, remittance from workers abroad who seek to invest in real estate as well as other more productive sectors, wholesale and retail trading, banking, etc. The political consequences of spatial income inequality, when overlapped with social inequality in particular, can become intense. It can also invite sharp political resistance. Witness a highly prescient commentary by Pasupati SJB Rana and Kamal P. Malla published in 1973 (in Thapa and Sijapati 2003: 61-2).

*In terms of [public] development expenditure, a large part of the total investment in the last two decades has gone to Kathmandu and ... surrounding areas ... this has so far that the gulf between Kathmandu Valley and the subsistence economies of the hills areas of Nepal is growing similar to the gulf between the developed countries and the under-developed "third world" ... To the problems of cultural heterogeneity ... the process of development is adding the problem of economic heterogeneity to such a degree that truly disturbing dualities may emerge in the nation.*

While a few other towns have begun to serve as centers of investment within last three decades, the preeminence of the Kathmandu Valley remains undisputed. Investments in these towns and cities, however, remain largely untied with agricultural production and productivity—and crafts and other industrial products—in the vast impoverished, underemployed and politically unorganized and weak rural "hinterlands". Urban economic growth, in essence, remains largely unarticulated with the rural economy.

There are other axes of spatial economic, financial and income inequality. The Mid-Western and the Far-Western Mountain and Hill regions—the "core areas" of the CPN (M), in particular, have a significantly higher incidence of poverty compared to other regions and sub-regions (NESAC 1998: 128). Both private and public investments have historically been meager there. It has historically also been an area with relatively strong feudal presence. Marketing of locally produced goods, in addition, remains extremely difficult. Several districts in these two regions continue to lack motorable roads. The density of other public infrastructures and services, including those related to health and education, is also the lowest there. Further, like in the case of inter-household income inequality, *regional* inequalities have increased progressively.

Oppressive structures of caste and gender and ethnic, religious, linguistic and regionalist dominance have also frequently been marked as constituting the structural causes of the Maoist struggle. The caste system, while often regarded as a "cultural" feature of the Hindu society, bears highly pronounced political and economic significance. This significance is particularly salient in relation to the "upper-caste" groups and ethnic groups on the one hand and the "untouchable" Dalits on the other. The vast majority of the Dalits rank at the bottom of the political, economic and cultural hierarchy. The life chances of the Dalits, in relation to landownership, employment, income, literacy and education, health and life expectancy, indicators of political empowerment, etc., remain highly constricted compared to those of all other caste and ethnic groups.

Political, economic and cultural structures are also highly "gendered" and oppressive and discriminatory against women. Patriarchy is a key organizing principle within the domestic as

well as public spheres. Rules and practices of ownership and inheritance of productive and other assets have historically and sharply discriminatory against women. Rules and practices governing marriage, dissolution of marriage, sexuality, physical mobility, and widowhood also largely favor men. Such rules and practices have historically suppressed the level of public and political engagement of women. (A new set of laws, which came into force in 2002, however, is considerably more women-friendly, including in relation to inheritance and sexual relationship.)

Ethnic, religious, linguistic and regionalist dominance have more recently come to be regarded as a particularly salient cause of the Maoist struggle. The "ethnic cause", to a significant extent, encompasses linguistic, regional and religious causes as well, although the overlap is far from perfect. The dominance of upper-caste groups, which has also translated as the dominance of Hindu religion over those belonging to the Buddhist, animist, Islamic, Christian and other faiths, the dominance of the Nepali language over other languages—and the privilege enjoyed by Nepali speakers over the speakers of the other languages—and the dominance of the dwellers of the Hills region over those in the Tarai has a long history. These patterns of dominance have also been resisted, including, sporadically, in an organized manner. This dominance, among others, has also been expressed in questions of identity as well as access to education, public and political office and citizenship. The current resistance, while set in the backdrop of this historical dominance, also constitutes a resistance against specific features of the 1990 constitution.

Illiteracy and the sheer large size of the young persons (relative to the total population) have also been suggested as "causes" of the Maoist struggle (for the latter, see Kumar 2003). Illiteracy, because it would close off significant avenues of employment and income generation, would certainly create uncertainty and despondency and, therefore, volatility. The more relevant "cause", however, may be sought in the *rapidly enlarging* body of young persons in the school system, particularly at the secondary (grades 6-10) and higher-secondary (grades 11-12) schools and colleges (grades 11-12 and beyond). Enrolment rates at all educational levels have been increasing rapidly and the ratios exceed those in Bangladesh, Pakistan and India (UNDP 2002: 151). Such an enlargement, by itself, is not a sufficient cause for enhanced politicization. But it is also the case that politicized and nationally federated *student unions* are active in almost all schools and colleges and many students are bona fide members of such unions. Places of education and work, in any case, have been the prime sites of political organization historically and across the world. Secondary schools and colleges in Nepal have also historically been a congenial and potent setting for politicization, particularly in relation to anti-systemic and radical political organization and political work. Most political leaders of Nepal today had their early training in politics and political organization during their teen years at school. The *diminishing* prospects of after-school employment as well as widespread belief that access to jobs depends

upon "contacts" rather than, or in addition to, professional qualification provides further impetus to politicization among students.

*New and intensified shifts* in the structure of the family, familial relationship and the nature and scale of intergenerational transfer may also have contributed to recent social and political volatility. (There is little empirically verifiable information on this front, but comparative studies on family systems can be utilized to make deductions and informed judgment.) The possibility of living off inherited productive assets has become *thinner* for a large majority of the youth. Second, a relatively rapid rise in life expectancy may very well have led to a "*postponement*" of intergenerational transfer of productive assets to the youth. Average life expectancy, it should be noted, increased by 13.5 years between 1976 and 1996 (NESAC 1998: 57). In addition, within last seven years, it has grown by four more years. Third, the diminution of the scale of intergenerational transfer and its postponement—or the imminent prospect of such diminution and postponement—is likely to have narrowed the scope and "loosened" the intensity of intergenerational familial relationships and *diminished* the level of control of the elders over the youth. Fourth, the intensification of routines of labor migration has further *eroded* the intactness and relative "sanctity" of the family. Finally, increasing age at marriage has tended to delay the process of family formation and *postponed* the responsibility of raising the family. All of these processes, within last two decades, have intensified the loosening of intra-family ties based upon the inheritance-based generation of livelihood intergenerational continuity and subsistence production and *forced* the youth off the social protection of the family and into an uncertain search for individuality and individual initiative, particularly in relation to employment and livelihood, the chances of which, for the majority, remains bleak.

### **Theory and practice of the 1990 compact**

The atmosphere during the late-1980s—when the resistance against the monarchy-supreme *panchayat* political system was gaining momentum and the 1990 popular movement—when the struggle reached its peak, was politically charged and appeared to be pregnant with multiple political possibilities. The atmosphere was one of pervading sense of popular empowerment and political assertiveness. The atmosphere also redefined and expanded the scope of the public domain. The 1990 constitution constricted the realm of such possibilities significantly but the relative openness generated by the constitution, particularly in relation to freedom of political association and freedom of expression—including press freedom, led to the formulation of multiple agendas for the future and gave voice to multiple political, economic and cultural groups. Against the background of the contained, controlled and relatively closed structure of the pre-1990 political and cultural life-world, the 1990 constitution opened the gateway to

popular and democratic political and cultural openness, assertiveness as well as political *initiative*.

The CPN-UC, the United People's Front—an apparently internally contested political front of the semi-underground CPN-UC and later, the CPN (M), among others, were successful in utilizing such freedoms. The media and the press, in particular, and from the point of view of the CPN-UC and the CPN (M), played a *significant* political role, among others, by reporting alternatives to the MRD, educating on "left options" beyond those charted by the CPN-UML, exposing state brutalities and abuses of human rights during the 1995 Romeo and 1997-98 Kilo-Shera II police operations against the CPN (M) as well as later RNA operations, reporting the anti-alcohol-abuse campaign—led by a CPN (M) sister organization—as well as other "reformist" activities of the CPN (M), publishing CPN (M) statements and articles by and interviews with CPN (M) leaders, providing expanded coverage to the CPN (M) agenda during the two peace talks with the government, and by highlighting the contradictions within and among parliamentary parties on the one hand and the parties and monarchy on the other. While the press has continued to remain somewhat muzzled following the declaration of emergency in November 2001 and while the press organs of the CPN (M) have largely been "banned"—and several "CPN (M) journalists" killed or incarcerated, the press continues to provide significant space to the political and military activities of the CPN (M). In doing so, the press is, of course, also assisting the public in making an informed judgment on the course of politics and the character of political actors.

The 1990 MRD and the resultant constitution, negotiated between the monarchy, the NC and the ULF, mandated, among others, popular sovereignty, rule of law, constitutional monarchy, multi-party parliamentary system, periodic elections at the central and local levels, independent judiciary, separation of power between the three principal organs of the government and a host of fundamental rights including freedom of expression—including press freedom, freedom of political association and unfettered rights to private property. It also, as a matter of policy, envisioned a state which was committed to gradually dismantle specific structures of oppression and reduce economic inequality. It took shape, essentially, as a liberal-democratic and capitalist compact which also sought, marginally, to incorporate specific provisions of the social-democratic persuasion. Against the backdrop of a monarchy-supreme, i.e. autocratic, political system which gave no space to popular sovereignty and to political parties, the transition was characterized as "progressive" by almost all political parties.

The nature and extent of progressiveness of the 1990 compact were read substantively *differently* by a few "small" communist parties, most prominently those which later coalesced under CNP-UC. Fundamental differences existed over whether the constitution ought to be



promulgated under the authority of a popularly elected constituent assembly-or whether it could be promulgated through monarchical authority. It has to be emphasized that this was not merely a question of the process of preparing and promulgating the constitution; it impinged on the fundamental question of the supreme authority which was empowered to lay down and back up the political, economic and legal framework of the state. The 1990 constitution, in this sense, imbibed a key contradiction: It honored popular sovereignty but denied the people and their representatives the authority to prepare and promulgate the constitution. The constitution did empower the legislature to amend specific clauses there but inter-party contradictions and contradictions between the parties on the one hand and the monarchy on the other nullified the prospects of such amendment. It has been argued by several analysts (e.g. Khanal 2003), in particular, that the May 2002 dissolution of the House of Representatives (HOR)—although recommended by an elected prime minister, was instigated by political forces which resisted the authority of the legislature to amend the constitution. It should be noted that the dissolution of the HOR was preceded by an intense initiative among the political parties and members of the HOR aimed, among others, at giving an *opening to the CPN (M)* by means of a constitutional amendment which would have upheld the legal and political validity of a popular referendum on issues of key national significance, e.g. the desirability or otherwise of a constituent assembly.

The 1990 constitution contradicted the principle of popular sovereignty also because the provision and structuring of the National Defence Council (NDC) which obliges an elected prime minister to share authority with other officials, including the army commander-in-chief, with respect to the operations of the RNA. The constitution also remains equivocal on whether the king, the elected prime minister or the NDC has the ultimate authority over the RNA. The implications of this equivocal provision took a concrete expression beginning July 2001, when the king apparently did not agree to the counsel of the prime minister to move the RNA against the CPN (M). This event not only sharpened the contradictions between the king and the elected prime minister, but apparently also allowed the CPN (M) to make a military gain in as much as the conflict allowed the PLA the time to plan ahead for an armed struggle against the RNA. The CPN (M) also made a tactical political gain because of the intensification of the conflict between the king and the elected prime minister. The CPN (M) also utilized the opportunity to argue that the 1990 compromise, contrary to the assertion of parliamentary parties, had not, after all, established popular sovereignty in as much as the king, rather than the prime minister, retained effective control over the RNA. The CPN (M) argument received wide and sympathetic hearing among the political parties and the civil society. In addition, the CPN (M) struck a responsive chord among the established political parties and political analysts in its argument that the character of the leadership of the RNA has had historically been "royal" rather than "national".

It has been reported, for example, that 26 out of 30 RNA commanders-in-chief to date have belonged to the Rana and Shah clan groups (Sharma, S. 2002: 7), who ruled Nepal through much of its history.

The 1990 constitution, despite its relatively progressive nature, not only failed to resolve several longstanding and key contradictions within the "cultural" domain but also continued to provide primacy to the Hindu religion and the Nepali language. Several social groups, the non-Hindu ethnic groups in particular, had been raising their voice, since the 1980s, against the old constitutional provision which identified Nepal, among others, as a Hindu state. Many non-Nepali speakers were also, for long, resisting the primacy of the Nepali language. The 1990 constitution, even as it acknowledged that Nepal was a multiethnic and multilingual state, nonetheless, identified Nepal as a Hindu state and gave primacy to Nepali as the "official language". These provisions sharpened the historical contradiction between the state on the one hand and the non-Hindu ethnic groups and non-Nepali speakers on the other. The perceptive juxtaposition by the CPN (M) of such longstanding cultural oppression with uneven spatial economic development, on the other hand, despite its relatively limited validity-as applied, for example, to much of the Mid-western and Far-western Mountains and Hills and the residents there, not only invalidated the state's claim of equal citizenship but also cleared a space for the alliance of the CPN (M) with groups and individuals who were resisting both cultural oppression and uneven development and struggling for equal citizenship.

The 1990 constitution, even as it professed equal citizenship and gender equity-and even as it expressed friendliness to positive discrimination in favor of women-largely remained benign to the structures of patriarchy and discrimination. (As noted, some corrections at the legal level have been made on this front during last two years.) While there is little information on the on-ground measures taken by the CPN (M) against women's oppression and discrimination-and while available information is ambiguous (Dhakal, Sangraula and Bartman 2003, Comrade Parvati 2003), it is certain that patriarchal, caste-ridden and sexist rules of inheritance, marriage and separation, education, training and employment, familial violence, as well as impoverishment have encouraged some women to participate in, and make a *common cause* with, the Maoist struggle (cf. Sharma, M. 2002, Gautam, Banskota and Manchanda 2003).

The failure of the 1990 compact to initiate measures to counteract the ostensibly "caste-based" but longstanding, *broad and sharp* political, economic and cultural oppression of the Dalits has also served the CPN (M) cause. The Dalits rank at the bottom of all indicators of income poverty, human development (NESAC 1998: 44, 129) and political participation. The broad-scale and intense suppression and powerlessness of the Dalits, the near-absence of Dalits within the

leadership of political parties-together with the dispersed nature of Dalit settlements-has meant that few Dalits have held national and local level electoral offices during the post-1990 period. The Dalits have made no economic and employment related gains during the period. The level of "cultural" oppression of the Dalits, except in the urban and other "anonymity-friendly" locations has, on the other hand, remained intact. For those who are being progressively economically dispossessed, such oppression has acquired a sharper edge. In essence, from the point of view of almost all Dalits, the state—including the post-1990 state, has been *undemocratic and oppressive*.

The extremely *weak and instrumental vision* of devolution in the 1990 constitution also provided the CPN (M) with significant political space. While a few of the serious gaps and shortcomings in the constitution have been remedied through the 1998 act on local self-governance, the act continues to deny full autonomy to local governments in policy-related, administrative and financial domains. Illustratively, the executive officer of the local government is appointed by the central government. The effective operational domain of the local government is highly restricted in as much as the line agencies of the central government, which can access much larger financial and technical resources, successfully compete against-rather than being coopted under-the local government. On the other hand, local governments have little role in social protection, delivery of social services such as education and health, regulation of the agrarian regime and promotion of agriculture and administration of justice-domains which are intimately connected to local life. Both the scope and density of engagement between the residents and voters on the one hand and the local government on the other, in consequence, remains shallow. Most local governments are also strapped for funds and technical know how. Electoral rules do not adequately value the political significance of the inclusion of plural political, economic and cultural forces within the local government (The 1998 act, however, has shown significant, although far from adequate, sensitivity in this regard). The very poor, the marginal farmer, the landless, the farm worker, the tenant farmer, the woman, the member of an oppressed ethnic group or the Dalit are often systemically excluded from being elected to the local government. In consequence, the electoral, political and cultural *legitimacy* of the local government, even at the rather face-to-face village (or village development committee) level, remains low. A political structure which has a low level of popular legitimacy, in turn, can be dismantled relatively easily and quickly. The absence of significant *opposition* to the furious campaign of the physical liquidation of a large number of elected local government officials and local politicians and, later, of physical dismantling of the buildings housing the local government by the CPN (M) - and CPN (M)-led displacement of thousand of such officials as well as local government administrators, was a telling indicator of the low level of legitimacy of local political and local government structures.

In essence, while the constitutional provisions of Hindu state and the primacy of the Nepali language sought to suppress pluralism and to *submerge or dwarf* the identity of many of the ethnic and regional groups or members thereof, the severe neglect of the principles and policies of the state as enunciated in the 1990 constitution - policies related to social protection, promotion of equity and equality among various social groups, selective positive discrimination, devolution and expanded political participation – and the failure to initiate a *political process* fundamentally necessary in order to translate such policies into concrete programs have led to the alienation of many constituent social groups and citizens from the 1990 compact. The simmering *tension* between the social democratic and liberal democratic poles contained in the 1990 constitution has further been heightened and complicated by the ideology and practice of neo-liberal political-economic policies and programs. Like Rana and Malla twenty years earlier (1973) Nickson, writing in 1992, had read the early 1990s well and presciently warned that the failure of the state to steer a new economic, financial and cultural-political path would probably lead to a resurgence of Maoist politics.

Sharp contradictions between monarchy, which has, under the subterfuge of article 127 of the constitution, broadly and sharply *derogated* from constitutional monarchy and taken a decisive autocratic and regressive turn since the dissolution of the HOR in May 2002 on the one hand and the established parliamentary political parties, have saliently served the politics of the CPN (M). The NC, the NC-D (Nepali Congress-Democratic) and the CPN-UML, the three largest parties in the dissolved HOR remain attached to the principle of constitutional monarchy. However, the refusal, to date, by the king to restore the dissolved HOR (which would, apparently, have to be cleared by the Supreme Court) and/or to hand over the executive powers of the state to a parliamentary party (or an all-parliamentary party) government, is intensifying such contradictions.<sup>17</sup> Even as the political parties continue to commit themselves, in keeping with the 1990 compact, to constitutional monarchy, and even as parties continue to place themselves politically closer to the king rather than the CPN (M), further intensification of this contradiction between the king and the parties is likely to erode this "closeness" rapidly and *lower* the level of contradictions between the political parties and the CPN (M). The militant protest movement which started in the middle of December 2003, notwithstanding several salient internal contradictions—as well as the fact that the student unions involved remain faithful to the NC and the CPN-UML stand of a diminished and politically and militarily

---

<sup>17</sup> It would appear that, in the king's political and military calculations, and within the short run, the question of ultimate authority over the RNA looms large while following either of the preceding options. In the longer run, the adoption of either of the options may, of course, open the door to constitutional amendments which, in turn, and among others, may open the door to a constituent assembly—the key demand of the CPN (M), which, in turn, may lead to the abolition of monarchy and the establishment of a republican state.

powerless constitutional monarchy, is poised on the margins of taking a republican political line. While the NC and the CPN-UML are unlikely to change their position on constitutional monarchy within the short run—in part because of the military prowess of the CPN (M), and while a decisive rapprochement between the political parties and the CPN (M) appears unlikely at present, the usurpation of state power by the king during the last two years has reduced the legitimacy of both the king and the monarchy as well as that of the monarchy-dominant state. Executive monarchy, in effect, is serving the cause of a republican state. This has suited the CPN (M) cause well.

The restoration of the multi-party system in 1990 was greeted with much hope by most citizens across the country, particularly those in the urban and semi-urban areas. While the interim government did complete the task of preparing the constitution and holding the first general elections, political parties failed to prepare and work on a common agenda following the restoration of democracy. More significantly, the two major political parties, the NC and the CPN-UML made salient shifts in their respective ideological-political positions. The NC moved away from its traditional social-democratic platform towards a liberal democratic position. The CPN-UML, and in the wake of the demise of the Soviet Union, ongoing "market socialist" development in the People's Republic of China and the continuing rise of global neo-liberalism, pushed itself away from the new-democratic position towards a relatively undefined and unanchored center-left social-democratic line. The major political parties thus effectively *vacated* the social democratic, new-democratic and socialist ideological-political positions. The CPN (M), in turn, interpreted these shifts, the CPN-UML shift in particular, not only as betrayal of the new democratic cause but also decided to *occupy* the rather broad and vacant ideological-political space itself.

Intense, leadership rather than ideology based, intra-party and parliamentary struggles during the latter half of the 1990s also served the CPN (M) cause. Some of these struggles were also direct fallouts of the CPN (M) and the PW. The NC and the CPN-UML underwent a debilitating split during the period. Several other parties, e.g. the Rastriya Prajatantra Party, the Sadbhavana Party, also either split or developed sharp divergences with respect to strategy, tactics and leadership. Such struggles had led to the formation of 12 separate governments prior to the dissolution of the HOR in May 2002. The intensity of inter and intra political party struggle and the intensity of political instability and uncertainty these struggles created is also amply demonstrated by the facts that within the first 10 years (*recheck*) of the restoration of democracy, 4 national elections were carried out, the prime minister recommended that the HOR be dissolved 6 times and a special session of the HOR was called 7 times (*locate source*). The 1998 split in the CPN-UML, in particular, is believed to have swelled the ranks of the

middle-level cadre in the CPN (M). More broadly, intense intra-party struggles have unhinged the party agenda, led to political disengagement of a large section the party cadre from political organization and action and eroded the faith of party sympathizers at the grassroots level. This specific course of depoliticization has had the effect of "clearing the field" for the rise of the CPN (M).

Intense intra-party as well inter-party also necessarily meant that no coherent program – despite several reports prepared by the parties and the government, e.g. Jhalanath Commission Report of the CPN-UML and the Deuba Commission Report and the Dhimi Commission Report submitted to the government, was charted out and implemented in order to address issues raised by, and/or for containing, the CPN (M). Indeed, it has been argued that leadership of the NC initially believed that the CPN (M) actions will "diminish the mass base of its nearest political rival, the CPN-UML" and that the CPN-UML, in turn, believed – on account of the early-stage targeting of NC cadre by the CPN (M), that "the long-run effects of the [PW] would be to weaken the Nepali Congress" (Roka 2003, also see Hachhethu 2003).

Such struggles, in addition, also led to an under-emphasis on seeking political resolutions – and an overemphasis on seeking administrative solutions – to political problems. State brutality in the Rolpa district – the "home base" of the CPN (M), during the early 1990s, as well as during the 1995 Romeo police operation, is believed to have both politically and militarily strengthened the CPN (M) resolve to carry out armed struggle against the state, among others, by winning new converts to the cause. Similarly, the 1997-98 *Kilo-Serra II* police operation, carried out against the CPN (M) across 18 of the 75 districts, is also believed to have led to a further expansion of the Maoist cadre. Each police operation, it is believed led to the enlistment of family members and close relatives of the brutalized citizens within the fold of the CPN (M) and the PLA.

The significance of the legislature as a key site for the promotion of democracy was devalued both by the political parties and the members of the HOR, and the legislature was largely utilized merely as a jumping board to the executive. The legislature was reduced into playing second fiddle to the executive. The legislature rarely deliberated on encompassing issues such as poverty, unemployment, ownership of productive resources, education, health, social protection, devolution, revenue generation, except within the highly restricted ambit of the routinized discussion on the annual budget. The Maoist struggle, the single-most pressing political issue of the latter half of the 1990s, failed to be saliently and systematically *deliberated* within the legislature until right before the dissolution of the HOR.

Political parties gradually and rapidly bureaucratized themselves through the 1990s and lost the transformative zeal which was evident during the 1990 MRD and to a significant extent, through the tenure of the initial interim government. The parties failed to develop *historically and politically warranted* visions and programs, among others, in relation to pluralism, devolution, agrarian structure and agricultural growth, poverty reduction, employment promotion and social protection, which would have strengthened the level of stake-holding in the post-1990 state. This does not imply that no gains were made during the 1990s. Indeed, salient gains were made, among others, in the promotion of literacy and education, health, and communication infrastructures. Nonetheless, the domain of the political was rapidly reduced to the domain of the governmental. Political parties, even those which were not in the government, *failed* to identify the key sites of popular struggle and resistance and/or devalued the political significance of such struggle and resistance. Political parties, in consequence, also failed to synthesize and draw *lessons* from such struggles and resistance. Increasing centralization of party authority, weak development and observation of democratic norms within political parties, "rigged" rules of entry to party-leadership positions – and financial corruption by some parties, party leaders and government ministers who, among others, sapped the political faith and energy of the party cadre – lie at the heart of the disengagement with popular political struggle and resistance. The CPN (M), in turn, has been utilizing and expanding some of this vacated political space and nursing and promoting popular struggle and resistance.

Widespread and longstanding resistance against the *administrative, security, and judicial* organs of the state has also contributed to the CPN (M) cause. The civil administration has for long been regarded as being unresponsive to local problems and voices, corrupt and extremely tardy. Similarly the security organs, the police force in particular, has long been perceived as a repressive apparatus. The judiciary, in turn, is extremely costly, slow and inefficient as well as corrupt (also see NESAC 1998: 160). It has been argued, in addition, that the civil administration, including the police and the judiciary, regards itself as an agent of the government rather than as a servant of the people (NESAC 1998: 154-56).

### **Global and Indian Connections**

As is the case with many underdeveloped countries where the bourgeoisie is not economically powerful enough to engage with the capitalist-imperialist world and regional systems to local as well as mutual advantage or where class and political configurations do not allow the emergence of a strong anti-imperialist, nationalist, new-democratic or socialist resistance against imperialist structures and processes, the economy of Nepal has long acquired a peripheral and dependent (Blaikie, Cameron and Seddon 1980, Mishra 1987, Bhattarai 1997, 2003b, 2003c).

Such an economy strongly resists the creation of an internally articulated labor and commodity market system and its axes of growth remain socially, spatially and sectorally narrow and tied to the international economy. Within an overall pattern of uneven development and unequal exchange, growth is centered along the international trade and "modern" sectors and the urban and semi-urban areas. The rural areas, the agricultural sector, and rural wage and skilled workers, in turn, experience a much lower rate of growth as well as impoverishment, underemployment, deskilling and dis-investment. The political clout of citizens and workers within the latter set, in consequence, declines. This process, in turn, encourages political groups and parties to cater to the interests of those within the first category. The interests of those in the first category also become paramount in the formulation of political, economic and cultural policies of the state. On the other hand, this process also gives rise to widespread political resistance which can be organized, sustained and further radicalized. In essence, this process leads to a sharp polarization of the economic and political, as well as cultural, spaces, and to the intensification and consolidation of resistance and struggle. The rise of the CPN (M), in part, has to be understood within this context.

The global rise of neo-liberalism, within last two decades, has been intimately connected to the processes outlined above as also to the shifts in the ideological-political position of the two major political parties, the NC and the CPN-UML. The political pressure to conform to shifting global economic transition remains high within all underdeveloped states, particularly following the liberal-democratization of such states and within the existing design of "globalization". This is particularly the case for the existing state in Nepal which has long relied on international loans and grants to finance the bulk of its public expenditure. On the other hand, both liberal-democracy and neo-liberalism have rendered the sustenance of the existing state – "old state" in CPN (M) phraseology—difficult because of popularly based political assertiveness and organized nature of resistance as also because of the withdrawal of productive and distributive functions from the hands of the state. As noted earlier, the 1990 constitution opened the floodgates to the expression of and organization of resistance. Neoliberalism, in turn, has reduced the legitimacy of the state by reducing the level of protection to local producers as well as labor, weakening trade unions, privatizing state enterprises and by withdrawing the very small-scale subsidies on agricultural inputs, agricultural product marketing and transportation of food grain to the extremely food-scare mountain and high hill areas. While the precise extent to which the "liberalization" and subsidy-related conditionalities of international financial institutions contributed to the rise of the CPN (M) is not known, the correlation between the emergence and growth of radical politics and violence on the one hand and the withdrawal of agricultural and food subsidies on the other has been empirically established in a number of other instances, e.g. Sri Lanka in the 1980s.



Nepal and India share a long border as well as the sub-Himalayan ecosystem which is, among others, a "storehouse" of very large-scale and perennial river water. The two countries historically have had an extensive and multi-layered political, economic and cultural relationship. The relatively advanced stage of capitalist development in India, the increasing political clout of the bourgeoisie in the Indian state, and the far more encompassing and expanding regional and global political, economic and military standing and ambitions of the government of India (GOI), the GOI's political, economic and military strategies vis-à-vis the People's Republic of China (PRC) – which also borders Nepal, and the longstanding "compromise"-prone nature of Nepali state and governments vis-à-vis the GOI has lent this relationship a specific character. In particular, political, security and economic policies of the government of India (GOI) have historically impinged closely on political and other transitions in Nepal. It was within the ambit of such a relationship that the 1950 security and economic treaty between the two countries was formalized (Significantly, the GOI had also formalized somewhat similar treaties with Sikkim and Bhutan, the two other "buffer" countries during the late 1940s, i.e. immediately following the emergence of independent India and the imminent formation of the PRC). It is important to note that part of the treaty signed in 1950 remained secret for nearly a decade. The 1950 treaty, parts of which remained secret for nearly a decade, and which, despite several transgressions by either of the sides – some of which have been mutually tolerated – in addition to the periodic trade and transit treaties, continue to define and govern Indo-Nepal security, economic and cultural relationships. Garbed within the phraseology of reciprocity, the treaty, not the least because of the much higher level of capitalist development in India, caters largely to the security interests of the GOI and the economic interests of the capitalism in India. The treaty, in particular, and in effect, provides for an open border and open and preferential access to Indian agricultural, industrial and service sectors in Nepal. On the security front, it severely restricts the flow of arms and military equipment from both Indian and non-Indian sources to Nepal even as it ties the security of India to that of Nepal, thus, in effect, reducing Nepal to a client state in the sphere of military security.

In addition to economic openness and security dependence enforced under the 1950 treaty—as well as another secret security agreement entered into by the GOI and the domestically politically embattled and autocratic regime in Nepal in 1965 (which, however, came to light only in 1989), i.e. following the Indio-Chinese war of 1962 and the rumblings of the Cultural Revolution in the PRC, the GOI has, for last three decades been increasingly pushing for an overall as well as "project" specific agreement for the "sharing" of the large-scale river water resources which originate in the Nepali territory and flow to India. The existing and projected demand for water—for drinking and irrigation water purposes as well as for the production of

hydropower – in India is very large. (Most promising hydropower dam sites, however, are located within the territory of Nepal.) GOI policies on Nepal for the last two decades, in consequence, have focused on ensuring access and control over water resources, in addition to security and economic openness. The GOI has also, during this period, lobbied against HMG's efforts at seeking credit for irrigation projects from several international financial institutions on claims of "prior use". The 1989-1990 draft treaty proposed by the GOI to HMG sought to revalidate and further strengthen the 1950 provisions on border and economic openness and security dependence while also seeking to gain access to and control over water resources (See Mishra 1992 for texts and implications of some Indo-Nepal treaties in force as well as the proposed 1990 treaty). It should be emphasized that the proposal was preceded by the enforcement of a debilitating trade embargo by the GOI and within the fluid political context of the 1990 MRD.

The sustainability of a treaty or an agreement, however, and from the point of view of the GOI, is crucially contingent upon the character of the Nepali state, government, political parties and other political forces. The GOI has, to this end, has been highly vigilant in order to ensure that political forces in Nepal in general and the government in particular, remains friendly to the treaty. This, however, has not been an easy task: Successive governments in Nepal since 1990, including the NDP government, have communicated to the GOI that they wish to initiate a process for "reviewing and redesigning" the treaty, even as none of the governments has been definitive on how the treaty ought to be redesigned (or abrogated altogether). The single largest "nationalist" resistance in Nepal during the last decade manifested itself against the "Tanakpur agreement" and the Mahakali treaty signed between the GOI and the GON. Much more generally, however, it has, primarily because of the consistently hegemonic stance of the GOI, become nearly impossible, politically and electorally, for any political force in Nepal to be counted as overtly "friendly" to the GOI. The provision in the 1990 constitution which mandates that any "resource-sharing", in effect water-sharing, international treaty be ratified not by a simple but a two-thirds majority of the parliament has been specifically and deliberately addressed to this hegemonic stance of the GOI as well as the widespread resistance against such a stance among voters in Nepal.

The sustainability and forcefulness of a bilateral arrangement such as those specified by a treaty—or successful bargaining for or forcing of a new economic or security arrangement, from the point of view of the GOI – is also contingent upon the relative unity and strength (or disunity or weakness) of the state structure, government or political forces in Nepal. This has been well recognized by the GOI and fits well with the classic *realpolitik* stance in international relations. Periods of domestic political turmoil—which have invariably taken shape as struggles waged by

popular and progressive forces against autocratic and regressive structures, e.g. late 1940s and 1950, early-1960s, late 1980s and 1990, in which domestic political forces are particularly polarized and weak have, in particular, provided the GOI with opportune moments for political and economic intervention and for playing off one political force against another.

If history is any guide, the present period is no exception. The GOI is certain to utilize this domestic political turmoil to further fortify its economic and security interests and to make a hard bargain in relation to water resources (in relation to recent contours of Indo-Nepal "negotiations" on water resources see Pun 2003, also see Dhungel 2003). As elaborated earlier, the rise of the CPN (M) is fundamentally based on a host of "domestic" political, military, economic, financial and cultural conditions or "causes". In all likelihood, however, sustained armed struggle by the CPN (M) has also been predicated, among others, upon a generous dose of "willed loss of vigilance" within its territory on the part of the GOI (also see Rajamohan 2004). The GOI, it should be emphasized, had engaged in a similar "willed loss of vigilance" in 1950 and in the early-1960s.

There appears to be an astounding riddle here. Why has the GOI willed itself against the vigilance of an armed political force which, among others, aims to dismantle the hegemonic "semi-colonial" and "expansionist" hold of the GOI in Nepal? Why does the GOI exercise a willed loss of vigilance against the CPN (M) which aims to break off Nepal's dependence on India, among others, by nullifying the "oppressive and unequal" 1950 Indo-Nepal treaty? Why does the GOI exercise a willed loss of vigilance against the CPN (M) which is avowedly internationalist and which has declared its intentions to work with political forces which wage armed struggle beyond Nepal, including in India (also see Gyawali 2003)? These questions acquire a particular salience in view of the fact that the GOI would leave no stone unturned in order to ensure that the CPN (M) does not become a major political player—not to speak of the main political power holder—in a new state of Nepal. Such a scenario, among others, would bear, even within the short run, vast anti-systemic political consequences through North-Central India. On the other hand, and correspondingly, why does the CPN (M), which vows, among others, to dismantle longstanding GOI hegemony over Nepal, partially rely on GOI's willed loss of vigilance to push its agenda forward?

The riddle, however, is quite amenable to resolution. Both the CPN (M) and the GOI are seeking to use each other in specific and *separate* ways in order to attain their respective objectives. Both are also simultaneously preparing to outsmart the other during the endgame. The CPN (M) strategy is based on the notion of optimal utilization of all possible, national as well as international—including those outside India, spaces and avenues to wage its struggle against

the existing state of Nepal. It also apparently believes that it can, during the endgame, foreground politics rather than armed struggle, gain political legitimacy within Nepal and internationally and, thus, shake off "political capture" by the GOI. The negotiating positions of the CPN (M) have gradually taken shape accordingly.

The GOI, in turn, and in all likelihood, expects to utilize the enveloping struggle within Nepal, as well as the "space advantage" it thinks it holds over the CPN (M), to drive wider and deeper bargain over security, economic and border openness and water resources with whoever controls the government and the state in Nepal. This is why, despite worldwide concern over the expanding civil war in Nepal, "India continues to resist all but the mildest forms of international engagement with the conflict [including in relation to outside mediation or negotiation]" (International Crisis Group 2003: 6). Clearly, the GOI wishes to become the mediator as well as the enforcer of a political settlement between the CPN (M) and the existing state of Nepal. It expects the settlement to fully heed its interests. The subtext underlying the frequent invocation by the CPN (M), the existing state, the political parties and the civil society in Nepal, to resolve the contradictions by foregrounding "national interests" seeks to address this specific strategic course drafted by the GOI. It also constitutes a statement of resistance against the GOI position.

## **Conclusion**

The CPN (M) has astutely reinterpreted certain specific and key strands of the evolution and structure of the existing Nepali state, including its relationships with the outside world. It has also firmly seized the political, economic and cultural contradictions within and among the strands. It has been, for the last eight years, been sharply, furiously, violently and progressively unweaving the contradiction-weakened strands in order to pry them looser, force them apart and to disconnect and dismantle them. It has, among others, been forcing the contradictions between land and labor, gender equality and women's oppression, equal citizenship and democracy *and* high-caste, religious and linguistic dominance, uneven regional development and centralization *and* local and regional autonomy, parliamentary political parties and popular demands, and monarchy and popular sovereignty. In doing so, it has effectively challenged the legitimacy of the 1990 constitution and its practice. As against declared objectives, on the other hand, its forcing of contradictions between imperialism, "semi-colonialism" and "expansionism" on the one hand and national autonomy on the other have remained at the level of the symbolic.

The political implications of such a forcing of contradictions have been phenomenal. The country is in a virtual state of civil war. The presence of the existing state has been nearly obliterated in

nearly three-fourths of the geographical expanse of the country. Beyond geography, and in such areas and beyond, the struggle has come close to de-legitimizing the existing state and governmental structures, laws as well as the course of "normal" politics and political—and to a significant extent economic and cultural—norms and values. It has declared the formation of new national, regional and local legislative councils and governments in large expanses of the country. While the political legitimacy of the CPN (M) councils and governments remains in *serious* doubt, there is no doubt whatsoever that the national as well as local governments under the "old state" have been effectively dismantled. The CPN (M) claim of the concurrent existence of "two states and two governments" in the country today—as also of the claim of "strategic parity in military terms"—cannot no longer be regarded as an outlandish claim. The only question—and the most important question at that—is whether or not such a claim has a democratic as well as progressive *political* basis.

There is also little doubt, on the other hand, that the CPN (M) strategy of PW has tended to the *military* rather than the political option in forcing and resolving the contradictions within the existing state. This was certainly the case prior to the second leg of the first "peace talks" in September 2001. The military option, nevertheless, continues to be dominant within the CPN (M) to this day. The results of CPN (M) militarist strategy—and without excusing the grave consequences of counter-militarization adopted by the increasingly autocratic state – have been devastating, as previously noted, on lives and livelihoods. In addition, insecurity and fear, uncertainty and normlessness, physical as well as social and economic displacement and damage in relationships and mutual trust, and a foreboding sense of mutual hatefulness have been pervading. Damage to infrastructure has been large in scale. At times, the CPN (M) has appeared to be celebrating the military sphere and the sphere of violence. The frequency, indiscriminateness and the gruesomeness of some of the "killings" by the CPN (M) have had a murderous, rather than "revolutionary", quality. There can be little doubt that such "killings", have been deliberately designed to generate terror in the wider society and among the lay citizens. In such instances, which have not been infrequent, and remaining within the lexicon of the CPN (M), militarism and violence has taken shape as a program rather than as a mere strategy. In such instances, the CPN (M) has let the military domain control the political domain—rather than vice versa. In consequence, and as several analysts have noted, the CPN (M)'s PW has not been faithful to Mao's strategy of a *people's war* and has been bent on forcing a "people's war". Such cases have hollowed the CPN (M) justification of people's military violence as a historically valid response to the structural violence perpetrated by the state.

On the other hand, it is certainly the case that the CPN (M) has successfully synthesized and organized longstanding, wide and deep popular resistance against the pre-1990 as well as post-1990 Nepali state. It *is* spearheading a resistance movement against, among others, absentee and rent-based and oppressive landlordism, exploitative labor relations in the agricultural and other sectors, gender, caste, ethnicity, religion, language based oppressions, enforced loss of regional and local autonomy, the imposed limits on the exercise of popular sovereignty and imperialism and hegemony. As a force spearheading a resistance movement, it has set itself up as a political organization. Its objectives and demands are of a *political* nature.

This sharp disjunction between political *ends* and the primarily, although not exclusively, military *means* employed by the CPN (M) may, at one level, be comprehended as a disjunction between the *two* different political programs projected (by the CPN (M)). The initially projected CPN (M) program of ND, because it involved a far more radical political- economic realignment of the state and society, might conceivably have demanded the foregrounding of the military option. The program of ND, therefore, was *predicated* on the strategy of PW—and the consequent primacy of the military option. That is, the ND and the PW constituted mutually coherent components of a *single* political project. The new CPN (M) political program which aims to *complete* the bourgeois democratic transition (CBDT) ("completion of bourgeois democratic revolution", in CPN (M) language), on the other hand, since the process of transition has been taking place, by means of definite structures, e.g. the relative strengthening of the urban, capitalist, "middle class" as well as proletarian culture in general and the political forcing of 1950, 1980 and 1990 in particular, it can be argued, has seriously suffered because of a lack of commensurate strategy on the part of the CPN (M).<sup>18</sup> In other words, the PW and other military-dominant strategies are likely to prove *incommensurate* and possibly obsolete, costly and counterproductive in relation to the program of CBDT.

It appears that the CPN (M) is aware of this disjunction. The absence of large scale and concentrated military offensive by the CPN (M) and its October 2003 declaration, which promised not to "severely punish" the cadre of other political parties and its political initiatives at engaging other political parties and forces in the struggle indicate that it is *intensifying* the search for a political solution as well as political allies. The recent campaigns by the CPN (M) at political consolidation in the areas it retains relative control—rather than actively seeking to militarily control additional areas—also indicate that it has become more engaged at the political

---

<sup>18</sup> The CPN (M), however, may assert that the programs of ND and CBDT, rather than constituting two separate programs, must be seen as two specific moments of a single sequence. The second-stage transition, i.e. the transition to ND, however, will require a second-round seizure of history—and unweaving and dismantling of the remaining as well as emerging contradictions. The second-round churning, however, belongs to a relatively undefined future and does not constitute an immediate agenda of the CPN (M).

level. In doing so, the CPN (M) is, at the same time, making a deliberate effort at de-escalating the contradictions with other political parties and responding positively to the parties' political struggle against the king's usurpation of the constitutional process. The relatively positive response of the CPN (M) to the CPN-UML "9-point plan" of mid-January 2004 may also indicate a CPN (M) stance which seeks to upstage the political sphere. In essence, while the CPN (M) is not at all likely to shelve the military option, it is likely to balance the two options much more evenly than in the past. This process is also likely to unclutter the somewhat shifting CPN (M) political vocabulary and lead to the formulation of a political agenda which engages other political parties as well. The *long run* success of the struggle hinges on a much wider and *political* – rather than military engagement – than the CPN (M) can muster by itself.

Surely, there are major, possibly insuperable, substantive as well as procedural differences between the CPN (M), the political parties and monarchy—which subverted the 1990 constitution and politically asserted itself, as also among the political parties themselves. The raging issue, of course, has related to the institution of monarchy—whether or not political forces can legitimately, legally and politically interrogate it, the form in which it may continue and the manner in which it may re-establish its legitimacy. The extremely highly charged debate on monarchy, however, has overshadowed several other issues which are arguably much more significant from the long run perspective, e.g. the structural issues discussed earlier, including those related to imperialism and hegemony, as well as the ills of post-1990 regime (indeed, *successes* of the post-1990 era also need to be politically carefully channeled and nurtured.). These issues are intimately connected to the simultaneous nurturing of democracy *and* resistance. These issues also bear heavily on questions of identity, livelihood and nationalism. More immediately, there is the sanguine issue of the RNA and the PLA, the arms they possess and how these should be handled during the *transition* as well as *thereafter*.<sup>19</sup>

All of these issues are extremely significant and pregnant. The manner in which these issues are resolved is likely to make or break the future of the 25 million people and, possibly, of Nepali nationhood. The procedure for resolving such issues, however, has remained under extremely

---

<sup>19</sup> It would appear, given the militarized nature of both the existing state and the CPN (M), and the high-profile political role the RNA and the PLA have been entrusted with, *and* regardless of the outcome and character of the oncoming transition, that the military institutions—whether RNA, PLA or an "integrated national army"—would aspire to assume a political role. If the aspiration holds good, politics, once again, will not be in command and military institutions may stifle the evolution of a democratic and progressive agenda. In view of such a possibility—indeed, high probability—civil society and political party debate also needs to consider whether an internationally guaranteed instrument—one guaranteed, illustratively, by the United Nations, SAARC, EU, India and China—may not serve national military security better. The experience of a few countries, e.g. Costa Rica, which have disbanded their military forces and, among others, utilized the financial "savings" thus generated, as well as the skill and dedication of the army personnel, on poverty reduction and the promotion of education and health, can be instructive in this regard.

heated debate and, indeed, has become the crux of the enveloping civil war. (See below, however.) Given the inordinate national political significance of these issues, *and* given the fact that the political legitimacy and jurisdiction of the existing state has been seriously compromised and dismantled through acts of commission both by the CPN (M) *and* the king and largely by acts of omission by the political parties, the formulation of a new constitution can no longer be avoided. The new constitution, in turn, necessarily needs a national ownership.

The formulation of a new constitution, in the past, i.e. in 1990, been accomplished through the agencies of a constitution drafting commission and a government endowed with legislative powers. The path recently charted by the CPN-UML opens up the way for CPN (M) participation in an encompassing political conference and an interim government which, in turn, administers the election to the HOR. According to the CPN-UML plan, the elected HOR, with the assistance of a constitution drafting commission, finalizes the constitution. The NC path, on the other hand, demands the restoration of the dissolved HOR. According to the NC plan, the restored HOR will lead to the formation of an all-party "national" government, which, in turn, will open up the path to constitutional reform as well as the political participation of the CPN (M). The third path is that of an elected constituent assembly (CA) which, by virtue of the fact that it is democratically and popularly elected, possesses plenipotentiary powers to draft and promulgate a constitution. The CPN (M) has staked its entire political power and military prowess on the adoption of this path. It should be emphasized that this path was politically validated as early as 1951, notwithstanding the fact that it remained unimplemented. As discussed earlier, the political validity of this path was widely discussed in 1990 and the MLM parties, in particular, had supported the path of CA in the aftermath of the MRD.

For the monarchy, however, the CA option is *not* merely a procedural question. As an authority whose legitimacy is, at least in part, based on tradition, the question of relinquishing the ultimate authority to promulgate a constitution, i.e. of laying down and backing up the fundamental rules of the state, is a *substantive* question as well. This is why monarchies, even constitutional monarchies, have historically resisted popular sovereignty—which is concretely expressed in the substance and mechanism of the CA. The 1990 constitutional monarchy, in this sense, constituted a compromise between traditional authority and popular political forces. The dismantling of the 1990 compact by the CPN (M) *and* the king—particularly during the last two eventful, militarized, violent and constitutionally-vacant years, as well as the political parties, demands the framing of new, popularly legitimate, democratic and progressive rules which can govern state and society within the short run *and* open up the constitutional process for peaceful transitions in the future.



Even as a referendum on the CA, because it would be able to bridge the past and the future, would appear to be a legitimate mechanism to frame new rules to govern state and society, returning to the past—or the present for that matter—is not a viable option at all. The CA option, therefore, is the only possible option that can lay out and back such rules. Apart from establishing popular sovereignty, the exercise of the CA option would democratize and politically – rather than militarily – empower the citizens. It will also provide the CPN (M) with a political basis for laying down arms and for political engagement. The exercise of the CA option, because it would democratize and unify the political forces, would also be much more likely to lead to the evolution of a progressive political and economic program which would centerstage the agendas of livelihood and nationalism. A unified state would also be more able to resist imperialism and hegemony.

While the CPN (M) has spearheaded the call for a republican state, it has also, at times, hinted that it might live by a completely politically powerless monarchy. The NC and the CPN-UML, in turn, have not, as of yet, and despite the increasing clamor among some sections of party cadre, relinquished the principle of a constitutional monarchy. Under a sincere and suitable plank, the monarchy would – notwithstanding the king's political and military stances during the last two years, appear to stand a good chance for negotiating a ceremonial and respectful role for itself. Indeed it will be credited for the return of peace and democracy and for reopening the way for the exercise of popular sovereignty. An executive monarchy, on the other hand, necessarily lives dangerously and in borrowed time. Political movements right from the Praja Parishad years in the 1930's to the movements of 1950, 1980 and 1990 were directed specifically against regimes which were autocratic. While these movements have generally been interpreted discretely, the underlying running thread was the centerstaging of popular sovereignty. Rapidly-weakened feudalism, the growth of capitalism, the rise of urban and semi-urban categories, the assertive and ascendant skilled and semi-skilled workers, the "middle class" and the bourgeoisie, as well as the impoverished, marginalized and proletarianized citizens and their organizations, while mutually "unfriendly", nonetheless have the commonality that they are intolerant of traditional and ascribed authority.

---

## REFERENCES

Bhattachan, Krishna, 2000. "Possible ethnic revolution or insurgency in a predatory unitary Hindu state, Nepal." Pp. 135-62 in Dhruva Kumar (ed.), *Domestic Conflict and Crisis of Governability in Nepal*. Kathmandu: Centre for Nepal and Asian Studies, Tribhuvan University.

- Bhattarai, Baburam, 1997. Rajnaitik Arthasastrako Ankhijhyalbata [From the Perspective of Political Economy]. Kathmandu: Utprerak Prakashan. (in Nepali)
- Bhattarai, Baburam, 2003a. Barta ra Tatkalik Nikasko Prasna [ Dialogue and the Question of a Short-term Resolution. Prabaha Prakashan. (in Nepali)
- Bhattarai, Baburam, 2003b. "The political economy of the people's war." Pp. 117-64 in Arjun Karki and David Seddon (eds.) The People's War in Nepal: Left Perspectives. Delhi: Adroit.
- Bhattarai, Baburam, 2003c (1986). The Nature of Underdevelopment and Regional Structure of Nepal: A Marxist Analysis. Delhi: Adroit.
- Blaikie Piers, John Cameron and David Seddon, 1980. Nepal in Crisis: Growth and Stagnation at the Periphery. New Delhi: Oxford.
- Comrade Parvati, 2003. "Women's participation in the people's war." Pp. 165-82 in Arjun Karki and David Seddon (eds.), The People's War in Nepal: Left Perspectives. Delhi: Adroit.
- CPN-UC (Communist Party of Nepal-Unity Centre), 1991a. Bichardhara [Ideology], A Party Journal 1(October). (in Nepali)
- CPN-UC (Communist Party of Nepal-Unity Centre), 1991b. "Rajainaitik pratibedan" [Political report] in Political Documents Presented to and Approved by the National Unity Convention. (in Nepali)
- CPN-UC (Communist Party of Nepal-Unity Centre), 1994. Nepal Communist Party (Ekta Kendra) ko Ekta Mahadhivesandwara Nirbachit Bhinnamat ka ke.sa haru tatatha Rastriya Sallahakar parishadka Adhyakshyadwara Sampurna Party Sadasysaharulai Appeal [Appeal of the 'minority faction' of the CPN-UC to all party members] (in Nepali)
- CPN-UC (Communist Party of Nepal-Unity Centre), 1995. Bartaman Paristhiti, Sangathanatmak Awastha ra Hamra Agami Karyabharharu [The Overall Context and Our Organizational Situation and Future Responsibilities]. (in Nepali)
- DFID (Department for International Development, UK), 2002. "Economic aspects of the conflict in Nepal: A background paper." Kathmandu.
- Dhakal, Suresh, Khagendra Sangraula and Govind Bartman, 2003. "Cost of war: Political, economic and socio-cultural impacts of the 'people's war': Role of civil society in peace building in Nepal". Draft report submitted to the NGO Federation, Kathmandu.
- Dhungel, Dwarika, 2003. "Nepal-India water-resources relationship: Looking ahead." Paper read in a seminar on India-Nepal Relations: Perspectives for the Future, organized by ORF Institute of Asian Studies, February 13-14, New Delhi.
- Gautam, Shova, Amrita Bankota and Rita Manchanda, 2003. "Where there are no men: Women in the Maoist insurgency in Nepal." Pp. 93-124 in Deepak Thapa (ed.) Understanding the Maoist Movement in Nepal. Kathmandu: Martin Chautari.

- Gyawali, Pradeep, 2003. "Sandehako gherama Maobadi 'rastrabad'" [Maoist nationalism under suspicion]. Kantipur, December 18, p.6. (in Nepali)
- Hachhethu, Krishna, 2003. "The Maoist uprising in Nepal: From insurgency to negotiation." Paper presented to a regional workshop on Strengthening Security and Cooperation in the South organized by Bangladesh Enterprise Institute, July 1-3, Dhaka.
- Harvard University (Harvard Program on Humanitarian Policy and Conflict Research), 2001. "Setting priorities for preventive action in Nepal: Final report of the conflict prevention initiative web conference." Cambridge: Harvard.
- INSEC estimate of the "disappearance", Dec 29 email
- Integrated Organization System, 2003. Threats to Nepali Democracy. Kathmandu. IOS.
- International Crisis Group, 2003. "Nepal: Back to the gun." ASIA Briefing. Kathmandu/Brussels, 22 October.
- Karki, Arjun, and David Seddon, 2003. "The people's war in historical context." Pp. 3-48 in Arjun Karki and David Seddon (eds.), *The People's War in Nepal: Left Perspectives*. Delhi: Adroit.
- K.C., Rajkumar, 2004. "Conflict causing major setback to economy." *The Rising Nepal*, Friday Supplement, January 9, p.1.
- Khanal, Krishna, 2003. "Kina chahiyo sambidhansabhanai yatibela?" [Why is a constituent assembly required now?]. *Mulyankan* 114(Mangsir/Push): 8-12. (in Nepali)
- Kumar, Dhruva, 2003. "Dwanda ra ausat umerko sambandha" [The relationship between average age and conflict]. *Himal Kahabarpatrika*, 16-29 Mangsir, 2060 B.S: 20-1. (in Nepali)
- Lenin, V.I., 1975 (1916). *Imperialism, the Highest Stage of Capitalism*. Peking: Foreign Languages Press.
- Mishra, Chaitanya, 1987. "Development and underdevelopment: A preliminary sociological perspective." *Occasional Papers in Sociology and Anthropology*, vol. 1, Tribhuvan University, Kathmandu.
- Mishra, Chaitanya, 1991. "Indo-Nepal relations: A view from Kathmandu." Pp. 123-155 in Bertram Bastiampillai (ed.), *India and Her South Asian Neighbours*. Colombo: Bandarnaike Centre for International Studies. Also published, Pp. 179-93, 325-40, in Shelton Kodikara (ed.), *External Complusions of South Asian Politics*. New Delhi: Sage.
- Nepal Rastriya Buddhijibi Sangathan, 1997. *Neplama Janayuddha* [People's War in Nepal]. Kathmandu. (in Nepali)

- NESAC (Nepal South Asia Centre), 1998. Nepal Human Development Report 1998. Kathmandu: NESAC.
- NESAC (Nepal South Asia Centre), 2002. "Review of poverty alleviation initiatives in Nepal." Report submitted to South Asia Poverty Alleviation Programme, UNDP, Kathmandu.
- Nickson, R. Andrew, 2003. "Democratisation and the growth of communism in Nepal: A Peruvian scenario in the making?" Pp. 3-33 in Deepak Thapa (ed.), Understanding the Maoist Movement in Nepal. Kathmandu: Martin Chautari.
- Philipson, Liz, 2002. "Conflict in Nepal: Perspectives on the Maoist movement." Report for the DFID, Kathmandu.
- Prakash, 2002. Krantikari Marxbad ra Nepali Kranti [Revolutionary Marxism and Revolution in Nepal]. Ekta Kendra. (in Nepali)
- Rajamohan, P.G., 2004. "Changing dynamics: Maoist incursions across open borders." The Himalayan Times, January 6, p. 6, Kathmandu.
- Roka, Hari, 2003. "Militarisation and democratic rule in Nepal." Himal South Asian, November: 56-61.
- Seddon, David, 2002. "The Maoist insurgency in Nepal: Revolutionary theory and practice." Paper presented to the Symposium on South Asia—Conflict in South Asia, organized by the School of Development Studies, University of East Anglia, June 18.
- Sharma, Mandira, 2002. "Gender dimension of the 'people's war' in Nepal: Some reflections on the experiences of rural women." Kathmandu: Advocacy Forum.
- Sharma, Sudheer, 2002. "The ethnic dimension of the Maoist insurgency."
- Thapa, Deepak and Bandita Sijapati, 2003. A Kingdom under Siege: Nepal's Maoist Insurgency, 1996 to 2003. Kathmandu: Printhouse.
- The Rising Nepal, December 15, 2003: 1, 7 (cite title)
- Tse-tung, Mao, 1965a. Selected Works of Mao Tse-tung, vol. II. Peking: Foreign Languages Press.
- Tse-tung, Mao, 1965b. Selected Works of Mao Tse-tung, vol. III. Peking: Foreign Languages Press.
- Tse-tung, Mao, 1965c. Selected Works of Mao Tse-tung, vol. I. Peking: Foreign Languages Press.
- UNDP (United Nations Development Programme), 2002. Human Development Report 2002. New York: Oxford.



## CHAPTER 2: Proximate Causes of Conflict in Nepal

Dhruba Kumar<sup>20</sup>

---

### 1. Introduction

The Stockholm International Peace Research Institute has made the entry of Nepal as a country razed by violent domestic conflict for the first time in its annual report SIPRI 2003. This is a loud expression of internal conflicts expanding to hitherto untouched territories, and interests generated by such conflicts for scholarship to focus on understanding domestic political violence that previously was simply dismissed as an affliction of the weak states. Despite a considerable decline in such episodes in 2003 from its peak period between 1989 and 1996 (Gurr, Marshall and Khosla 2001; Wallensteen and Sollenberg, 1996; SIPRI 2003), this global trend, however, is reversed in the case of Nepal where violence exploded in 1996 as “People’s War” for the seizure of state power and continued as a protracted or persistent conflict. This deadly conflict is neither near to seize state power, nor militarily defeated, nor has achieved mass support. But the Maoists have vigorously pursued their agenda for establishing a Republican state by dethroning monarchy even when negotiating with different governments in the past. The government, on the other hand, has mobilized its security forces under a unified military command to crush the Maoist uprising (Rising Nepal November 5, 2003). Nepal, therefore, indicates a case of the spread of internal conflict along with the process of globalization (Keane 1996).

Some commissioned reports and other publications on the “People’s War” in Nepal have proliferated in the recent past (e.g. ICG 2003a; ICG 2003b; ICG 2003c; Karki and Seddon 2003; Thapa 2003; Sharma 2002; DfID 2002) identifying various causes of conflict. Among them poverty, destitution and discrimination are poignantly presented as cases for breeding conflict. Social inequality and social exclusion are attributes for rationalizing conflict in a country like Nepal where rural-urban gap is widening and the neglect of the periphery by the centre is pervasive. This oppressive situation, according to Bhattarai, is not only related to the question of nationality but has become a national question to be addressed and resolved (Bhattarai 1998). The national question remains the state’s neglect to deal with the burgeoning crises concerning centre-periphery relationships.<sup>1</sup> Shrinking resource base and denial of social opportunity are largely identified as causes of conflict and violence. Of the 40-point demand, the Maoists have enlisted 14 points directly related to the question of livelihood of the people and the situation of

---

<sup>20</sup> Centre for Nepal and Asian Studies – Kathmandu, Nepal E-mail: <dhrubakm@hotmail.com>

underdevelopment. Understandably, Nepal is, therefore, a minefield of latent conflict given the context of social disequilibria created by misgovernance. These being the cases of propensity to violence have thus largely displaced the “development diplomats” in Nepal by a tribe of “conflict resolution experts.”<sup>2</sup> And, the conflict study has become a growth industry in a country facing catastrophic impact of the Maoist insurgency and economic decline.

Conflict studies, particularly in the context of the Third World, have contextualized the causes of conflict basically to the situation of social exclusion and the centralized control of the state resources by a minority elite group. The economic determinism as a core of conflict has been taken as an explanatory tool for investigating social discrimination and increasing inequalities fuelling socio-political and economic antagonism internally (Muller 1985). The discourse in Nepal has also continued to revolve around development and conflict. Economic inequality, regional disparities and social exclusion prominently feature the conflict narratives, as most of the conflicts are concentrated in the low-income underdeveloped regions. But the question: “Does economic inequality breed conflict?” (Lichbach 1989) has yet to be answered properly. Quantitative methods used in studying the problem have not resolved the conflict puzzles. Nor had case studies based on grievance theories been helpful in unravelling the problem.

Perhaps economic inequality is an important cause but may not be the one that led to rebellion. Deprivation (Gurr 1970; Tilly 1978) has also led to grievance making it a potential cause of conflict: grievances in relations to social, economic and political segregation have persisted. Severe economic disparities causing abject poverty have pointed to grievances as a catalyst for conflict (Bray, Lund and Murshed 2003:107-32). Keen (1998), on the other hand, has observed that internal conflict also comprises of economic function for protagonists making short-term economic benefits. But, in the case of Nepal, economic inequality, deprivation, grievances or even economic benefits cannot be rationalized as the root causes of conflict. Violent insurgencies have erupted in Nepal not from the areas of abject poverty and deprivation, but from the relatively well-off areas. For instance, the relatively rich Jhapa district in the eastern Nepal was the first site of the Naxalite violence in the early 1970s, where the government had launched the land reform pilot project with American aid. Similarly, the Maoist movement has sprung up from the area where the USAID had invested \$60-70 million in the 1970s through 1980s on the Rapti Doon Integrated Development Project. The unintended effect of investing into development, however, is negative. Coupling development with conflict thus would be less explicable unless the structural impact of development is thoroughly explored and understood. The question therefore is that does development deliver?

Besides this, the ideational quest of the people related to their politico-religious beliefs and cultural practices have challenged the static view premised on the traditional concept of sovereignty and territorial integrity of the state crafted by the Westphalian system. The assertion of the people's sovereignty over the state's sovereignty has become one of the most contending issues as the discourses on democratisation are increasingly being focused on the individual rather than collective entity like the state. Thus, conflict studies in the post-Cold War period have empirically testified that most of the conflicts are internal, and civil wars occurring in the poorest countries of the world and erupting into crises in places where there are human rights abuses in extremity. A significant drift in the conceptualisation of conflict from state-centrism to people-centrism has occurred in the process of the assertion of people for their legitimate rights as citizenry of a given state. This has led to a "problem situation" in the state-society relations and the tensions created by the change-resistant states have led to overt violent conflicts.

Political conflicts are features of the state management process and challenges to governance, particularly under democracy. Societal tensions, conflicts and grievances leading to political competition under democracy, if managed properly by the state machinery would be the constructive contribution to the advancement of the people and the state in question. The failure of managing grievances would certainly have negative impact on the state opening vulnerabilities with different consequences. The case of Nepal reflects this "problem situation" to which the government has yet to formulate a sustained response. Assertion of rights in relation to the question of livelihood requires mediation by the institutions to prevent the estrangement of the people from the state. Conflict theorists in Nepal have largely ignored the case of state failure, which is crucially linked with the leadership problematique in exploring causes of conflict. Most of the conflict literature on Nepal has confined analysis to the structural/motivational preconditions for conflict that had long existed but not on the elite behaviour as a crucial factor in generating conflict.

To my mind, there is still a theoretical deficiency in explaining how and why violence erupted in Nepal. Besides an assortment of conflict inducing factors related to structural conditions, which are adequately combustible and inflammable materials for explosion, what actually spur violence is not easily understandable. Because the Nepali case is unique: conflict in Nepal is neither generated for secessionism nor for separatism nor for self-determination, it is rather understood as an upheaval for grabbing state power through armed revolution. Power politics verging to the point of zero-sum game, thus, could be an explanatory cause of conflict under democracy where the competitive elite objective could rebound to the purse of the state through the control of state power. The precipitant cause of conflict in this paper, therefore, relates to the



process of democratisation opening the floodgate of demands and political activities of all kinds not necessarily confined to the legitimate channels. My argument is based on the situation of democratic transition where intense pressure for democratisation is constrained by the structural incongruity as well as institutional infirmities undermining the process of democratic consolidation. Thus, the process of democratisation remains unarticulated because the need of the continuous dialogue was largely discounted by the urge for reprisal. My concern, therefore, is to locate the proximate cause of conflict under turbulent democracy wherein the role of the leadership becomes more ascertained in determining the scale of cooperation and conflict in the competitive foray for political power. This paper therefore addresses the case with exploring the plausible and possible causes of conflict with an objective of transforming the “problem situation” to “problem solving.”

To further understand the case, it should, at the outset, be noted that the facts before us are obvious: (1) Nepal remains constitutionally a Hindu State in a multireligious society (2) politically patrimonial, (3) economically exploitative, and (4) functionally incompetent and corrupt in the case of governance. These are the defining categories to which the leadership of the country is intertwined. These are also some of the major reasons constantly interrogating the Nepali society and continuously undermining the political process against the creation of an inclusive society by broadening the sphere of political participation, provisions of safety and welfare to the people and develop national resilience in achieving human security. Perhaps these are the indices fertile enough to produce conflict in Nepal.

### **Conflict Puzzles: Identifying the proximate causes of conflict**

Do the above indices explain the questions “what lies behind conflict and violence? What are the reasons and propensity for violence? How and why has violence erupted?”. In relative terms, violence is associated with the people, defined pejoratively as a social category, which is principally illegitimate. Violence is generally described as a sickness, a social pathology. Men committed to violence are described as psychologically abnormal and their sense of status inconsistency and social marginality cause violence. However, the underlying causes of violence and conflict are universally defined as the persistent and pervasive socio-economic inequalities. Despite this, the fundamental structures of the Nepali culture have been that it has continued to produce greater social inequality by locking itself into a self-replicating culture of poverty. The social order established with the emphasis on the material wealth as a source of status and power as vividly expressed through the “thatched huts and stucco palaces” (Regmi 1978:152) and denial of rights and resources to the majority by minority have continuously reproduced poverty ever since the abstract notion of state as a modern entity took shape in Nepal through

violence, war and conquest that began with civilization.<sup>3</sup> (Regmi 1995; Stiller 1978). Despite violence being modern and a product of Enlightenment closely associated with the progress in science and society, the term “violence” has ironically become a social evil as “violence from above” is now being questioned by the “violence from below.” Violence from below is a label tagged to the activities of the non-state actors who disturbingly challenge the essence of the supremacy of the state as a category defined to monopolize violence as the state property with the rights to inflict it on the people in the name of preserving and maintaining law and order and securing compliance.

In contextualizing violence and conflict in the case of Nepal, the question again is why have the seemingly peaceful and law-abiding people of Nepal suddenly turned to violence critically impairing the functioning of the state in response to their development needs? Why has violence erupted under democracy not under autocracy? There are some theories answering the question why has not conflict occurred before but now. According to one theory, the absence of deadly conflict before was the presence of the authoritarian regime, intolerant and repressive, leaving no room for compromise. The element of fear was the most considered aspect for the absence of violence. Closely associated with this theory is the notion that the collapse of authoritarianism/totalitarianism in the 1990s has brought the clashes and competitions between integrationist and fragmentationist forces to the open that have long embedded intra-state tensions. Accordingly, the process of tribalization has occurred in which primordial and ancient hatred subsisting amongst the people exploded<sup>4</sup> (e.g. Gaddis 1991; Brown 1993; Kumar 1997; Shurke and Garner 1997). Thus, multiethnicity – the ethnic dimension – has prominently surfaced as the most important case for numerous states in turmoil in the recent past (Gurr 1993, 1994, 1997; Brown 1996).

Inevitability of conflict in a multiethnic society of Nepal is, therefore, projected as a given phenomenon (Gurung 2003a; 2003b; Sharma 2002; Lawoti 2002; Bhattachan 2000; 1995; Neupane 2000). In essence, the ethnic revivalism in Nepal has its origins in democratic constitution of the 1990 recognizing the country as the “multiethnic [and] multilingual” state (Constitution 1990: 3). Howsoever inadequate the stipulation may have been, it has ultimately outstripped the “harmonic model” pursued by the authoritarian regimes as an agenda for nation-building (Sharma 1986). The Constitution 1990, following the *Jana Andolan*, has rejected the process of nation building hitherto practiced by inadvertently recognizing the failure of governance in Nepal. The constitution itself has, ironically, become a controversial document with the assertion of being a Hindu state, however. The conceptual anomaly of being Hindu state catering to the interests of religious majority but recognizing multireligiosity while attempting to project a secular posture has itself generated societal tension questioning the

formation of the identity of the state. Politics therefore has been ethnicised by the constitution by refurbishing the social structure predominated by the religious Hindu majority encouraging ethnic revivalism. Ethnopolitics in Nepal has therefore one common plea to make against the manufactured truth of Nepal being one nation, one religion, one language and one cultural determinism seen by the indigenous people as the continuation of the legacy of the authoritarian past.

Authoritarian regimes, though unpopular to their core, are singularly driven by the urge of preventing dissent by cajoling, co-opting, threat of suppressing and actually repressing challenges to its authority illegitimately derived from the expression of raw power of the state. Democracy, however, is born with a twin called dissent where power and authority are in desideratum. A critical question in relation to Nepal under democracy has been the state of authority building by the elected representatives of the people in the government in which the state capacity to control remains seriously circumscribed as the maintenance of democratic regime become the priority rather than a process of governance. The circumstances under which the democratic regime in Nepal functioned was characterised by the process where "political institutions were too feeble to contain the centrifugal pluralisms emitted by political development, impotence rather than omnipotence to rule... [and] where authority was not deeply veined with custom and tradition, where it rested solely on the shifting sands of performance." (Keehn 1974: 333-337). On the question of performance, Nepal under democracy has not reformed, but sadly deformed (Kumar 2000: 18).

The power vacuum, thus, was a context in which political authority was challenged both legitimately and illegitimately as the performance of the governments narrowed down to seeking compliance through resource manipulation but driving dissatisfaction to the point of explosion. Conflict is, therefore, caused by the obvious power vacuum at the central level accompanied by the erosion of authority. Unlike in the authoritarian regimes, democracies are dispensed with the task of mediating demands channelled from several fronts constitutionally balancing the societal demands against institutional performances. The objective of the ruler's in preserving their position of power in authority clashes with the demands for performance. Failing which, when the rulers/ governments rely upon force, according to Nordlinger, "they tend to overreact to demands with the application of excessive force; the value of organizations with force at their disposal (the army and the police) is heightened; there is consequently a further loss of legitimacy; and finally the population itself turns to violence." (Nordlinger 1968:508). Simply stated, Nepal exemplifies the case. Attempts at suppressing the Maoist rebellion, particularly with "Operation Romeo" in September 1995, had brutalized the conflict. Hence, the leadership becomes a crucial factor in instigating conflict despite the consequence.

Perhaps the growing literature on the Failed State Syndrome intertwined with leadership behaviour can be useful in understanding conflict. The Nepali case can be understood under this rubric primarily because it resembles a situation of a failed state. Nepal reflects all the attributes of a failed state as defined by the State Failure Task Force (King and Zeng 2001: 625). According to the Task Force, the indicators of a state failure are: (i) sustained military conflicts between insurgents and governments, aimed at displacing the regime; (ii) sustained policies of protagonists resulting in the death of a substantial number of people or political group, and; (iii) an adverse and disruptive regime transfer with a major abrupt shifts in the pattern of governance leading towards authoritarian rule (King and Zeng 2001: 625). This situation perforce the people as the victims, their rights, their welfare and survival as both the contending forces have made them the prime target for their struggle for power. As a consequence of the participation and empowerment foregone, the state capacity to resist the violent upsurge has dwindled with the spread of insurgency in the country. In addition to this, the Nepali state is mired by social anomalies ranging from the discriminatory practices of the caste system, bonded labour to human trafficking despite laws prohibit such practices.

There is another theory based on the correlation between demography and violence developed on the basis of the empirical evidence provided by the pattern of violence factoring the age of the population as the crucial determinant of conflict. This theory consigns violence to the youthfulness of the population size of the country. Accordingly, the pacifist countries are those where the median age of the population is older than those found to have been involved in conflict.<sup>5</sup> Taking demographic structure as a clue for defining criterion of conflict, the case of Nepal can be explored as a category of states where conflict proneness is naturally higher because of the youthfulness of its population size. Nepal is a country of teenagers. There are 49.86 per cent of the people below 20 years of age out of 22,736,934 persons recorded (NPC 2002:24). The people of the 20-29 years age group constitute 3.75 million. The median age of the population in Nepal in 1991 was 18.8 when the total population was 18.49 million. By 2001, the population of the country was 23.15 million and the median age 20.1 (MoPE 2002). A comparable data on median age of population for 1961, when the country was in turmoil after the Royal coup in December 1960, was 20.9 years. The median age of the Nepali population was 20.3 in 1971, when the Naxalite movement in India and the liberation war for Bangladesh had energised the armed rebellion in Nepal. Similarly, the country was in tumultuous situation immediately after the national referendum in 1981 as the median age of population then was 19.9. Although the median age of the population was not exactly known in 1951, when the Nepali Congress led armed rebellion had succeeded to overthrow the century old Rana oligarchy from Nepal, it was inferred to be relatively younger because, according to the

population census held in two phases in 1952/54 covering the Eastern districts first in 1952 and Kathmandu Valley, Mahottari and rest of the Western districts in 1954 (DoS 1954:), the median age derived from this census report was 21.1 (NPC 1987:66).

Conjecturally, it can, therefore, be inferred that the median age of the Nepali youths during the *Jana Andolan* in 1990 was the crucial factor for the mass upheaval. Likewise, when the Maoists' movement surfaced in 1996, 52 per cent of the population in Nepal then was below 18 years old.<sup>6</sup> Of every 100 children 93 lived in villages and dropouts from the schools were over 45 per cent. Their youthfulness, illiteracy and unemployment and the challenges for survival can generate conflict the probability of which cannot be ignored.<sup>7</sup> Although inferences cannot be drawn from some cases to generalize youthfulness as being a tempting recipe for conflict in every country, can this phenomenon of being a country with nearly 50 per cent of young population, be taken as a clue to an understanding of the conflict puzzle in the case of Nepal? Perhaps juvenile literature can be a guide to a reflection on this state of affairs. The generational shifts in the attitudes of the young people, their values and aspirations and perhaps their sense of denial and desperation have led them to violence as recourse to achievement and attention. This leads to some complex questions: Are discipline, order and sanity the properties of the adults and vandalism and antisocial behaviour are cases of vulnerabilities of the children significantly causing social disorder? Is rigid social order hindering a creative use of their potentiality the causes of conflict. Or there is a difference between the motivational factors of the people determined to preserve the given social order against those bent on to destroy it? The sanitized defensive measures undertaken by the "matured" moving towards a gated community have further repercussions as the government has dispossessed those in the lower hierarchy of social order. The situation, therefore, is complicated by the notional confusion that how much these theories explain the causes of conflict in the case of Nepal where the propensity to conflict points to every direction.

Knowledge construction by engaging the prior experiences in understanding a problem situation could be a basis for deriving insights on the subject of inquiry. One can build knowledge from the experience of other countries facing similar situation without being trapped by the rigidity of others' experiences and the lessons emanating from them. It helps construct indigenous knowledge emanating from the national experience making it the best guide for understanding a situation. For example, both the Dhimi Commission (1997) and the Deuba Commission (2000) reports had identified abject poverty and destitution being the genuine causes for rebellion. Looking at the clue to the Maoist insurgency in Nepal, the indigenous perspectives that these reports have provided are similar, if not identical.

On the other hand, the Maoists have also pointed out the same, in addition to exploitation, discrimination and external dependency as compulsive reasons for taking up arms against the government(s). Socio-economic inequalities have been projected as the perennial problem causing national woes to which both the reports and the Maoists had pinpointed. Accordingly, the Maoists assert that they are, in fact, not the problem, but solution to the problems facing the country (e.g. Bhattarai 2003). "The principal objective of the People's War" that the Maoists have defined, "is thus to develop the social productive forces and create a higher form of society through a continuous revolution... by putting 'politics in command' "(Bhattarai 1998). Rationalizing the insurgency in the political-economic perspective the Maoists have clearly targeted their struggle against the "semi-feudal and semi-colonial" situation the state is experiencing under monarchy (Bhattarai 1998). So whence the threat and what is the dilemma for resolving the problem as the problem has been identified by both the contending parties to be the same? A comparable identification of the problems can also be found in the consecutive Five Year Plan documents produced by the governments since 1956 and the 40-point demands posed by the Maoists in 1996. Between these two dates comprising a period of four decade, the problem facing the country has been the same, the issues raised are the same, and the commitments made by different governments are the same. The problem is poverty and underdevelopment, social inequalities and marginalisation, discrimination and destitution, social craving and denial. The recent "position paper" presented by the Thapa government during the third round of talks with the Maoists has also reiterated commitments for reform (Kantipur July 26, 2003). If there is no divergence but convergence of views between the two protagonist groups why are they essentializing violence through rationalizing armed conflict? Is repackaging of their interests to resolve the conflict an inadequate measure in understanding the causes of conflict?

What factors should then be essentialized for the causes of conflict and violence in Nepal? Theories rebound to point out the challenges /neglects of development as progenitor of conflict (e.g. Lichbach 1989; Auvinea 1995; Thapa 2003:53-81). There is inescapable truth in identifying the socio-economic situation related to development as the cause of conflict, which the Maoists have also explained as being "oppressive situation" in Nepal (Bhattarai 1998). The characterisation of Nepal as overwhelmingly agricultural, primary material exporting country with low level of development and urbanization and even with low energy consumption are all features of high propensity to conflict. Besides, there are some other common factors explaining casual pathways to most civil conflicts such as :

1. The key to the politics of violence in specific countries is the exercise of state power and government policy to handle violence within society and by the state;

2. Political regime change including recent transition to democracy, commonly inflames violence among groups;
3. Persistent pattern of violence along with state rights abuses exist in every country;
4. Large scale economic change, including programme for economic reform, are associated with rising level of violence, particularly among distinct groups and classes;
5. Violent scapegoating of racial, religious, ethnic and sexual mischief persists in many countries;
6. Violence remains a component of many groups' responses to the state, from spontaneous protests to armed rebellion (Ungar, et al 2002:2).

In the case of Nepal, there are other indicators of which some may be endemic; some others could be temporary but all are pervasive. The existence of any one of the following indicators would be sufficient to mark the state as being weak, instable and conflict-prone:

- low level of socio-political cohesion;
- high level of political violence occasioned with state repression;
- political conflict over organizing ideology of the state;
- major recent change in the structure of political system;
- existence of a proportionally small urban middle class;
- rampant corruption and government unaccountability;
- low absorbing capacity of foreign aid and its utilization;
- high level of external penetration (Kumar 1997: 13).

These classificatory notes explain both the existence of the subaltern and elite level factors for inducing conflict. Perhaps these factors in combination have influenced the Maoists' decision to enter into a violent confrontation against the state once the government foiled their efforts for amelioration through seemingly negotiable agendas (40-point demands). Capturing the state power through violent struggle becomes the norm in which the monarchy with its feudal attributes remained the target for restructuring the Nepali state (The Worker 1996). The Maoists have projected monarchy as the embodiment of all the evils in their revolutionary rhetoric. They have therefore gambled for the elections to the constituent assembly if negotiated settlement to the problem is to be found in order to clear the pathways for the future. They have made the issue of constituent assembly as the ultimate test case both for the monarchy and their republican position by determining sovereignty to actually reside on the people (Rajdhani April 28, 2003). The crucial reason for the deadlock to ensue during the third round of talks and the Maoists' resumption of arms conflict<sup>8</sup> after declaring the 'ceasefire' to be void on August 27, 2003 was the government's inability to engage the Maoists on the issue and the modality for drafting a new constitution. The situation is further complicated by the marginalised political

parties' defiance to the government nominated by the king and their nonconformist posture towards the actions taken by the government against the Maoists.<sup>9</sup>

The complexity of situation can be further explicated with enumerating some noticeable trends in the context of Nepal. First, as the Nepali state has become utterly incapable of sustaining itself with civilian measures, it has slipped into a militarisation trap as a coping strategy against the internal violence. Second, the process of militarisation has further heightened the level of social tensions making the context intensely violent leading to the appalling domestic situation essentially undermining the judicial system. Third, the state has completely stopped delivery to the citizens the public goods they rightfully require. And, finally, the leadership void, particularly after the assertion of executive power by the king on 4 October 2002 (as monarchy is above the law of the land, his acts cannot legally be questioned as constitutional authority), has led the state verging towards anarchy. Again, the situation has been further problematised in the name of stability with centralisation of the state power. Democratic reversal has led to the emergence of a dominant power system with privatisation of power without any prospect of reform in the near future.<sup>10</sup>

### **Conflict Triggers: Conventional praxis**

In the case of Nepal, conflict has, thus, multiple causes. What keeps a conflict violent and continuing is different from what led it to start. There need not be any compulsive reason for the onset of conflict despite there exists sufficient condition for conflict to occur<sup>11</sup> (Kumar 2000: 31). Notably, numerous conflict-inducing factors exist. Societal cleavages have persisted and these can be all encompassing factors generating conflict. Nepal is also not a stranger to the clandestine political activities and violence in its history.<sup>12</sup> Retrospectively, both indigenous and extraneous factors were behind the birth of political parties in Nepal. Political Parties in Nepal were formed initially as groups opposed to the existing regime. Of these the Communist Party of Nepal formed in 1949 had singularly addressed the cause of conflict to be the structural problem emanating from the monarchical system with different degree of emphasis. The problem situation identified by the Maoists remains the institution of monarchy as the cause of conflict (Bhattarai 1998; 2001).

An understanding of the cause triggering conflict can therefore be made within the framework of the nature of the state evolved under the monarchical system of governance since the formation of the Nepali state in 1769 under the rubric of which multiparty democracy had functioned for slightly over a decade in the 1990s and collapsed. Democracy in Nepal has a long history of struggle against autocracy that culminated into violent conflict in 1990 leading to a political change with the establishment of multiparty parliamentary system along with



constitutional monarchy. Unfortunately, democracy proved structurally incongruent with the expectations of the masses and congruent with the nature of the state. Democracy was problematised by the constitutive principles of the Nepali state that has built the power matrix in the country since its inception. Four key ideas were laid behind the constitutive principles. The first was the indispensable power and authority of monarchy that the Hindu king of Gorkha has established. Second was the supremacy of the Hindu ethos in national life. Third, the Hindu social system based on caste division was promoted for social integration. And lastly, the Khas language – later to be known as Nepali language – spoken by the king and his courtier was recognized as the lingua franca (Sharma 1992). State building thus becomes a process in which the ruler(s) through combination of power of coercion, manipulation and co-option, imposed the cultural and moral values it uphold on population found within its boundaries (Bendix 1964; Connor 1972). The process of Hinduisation of the state therefore has become an intrusive category conforming to the pattern of social segregation based on the caste system with ‘monoethnic and religious’ supremacy.

This structural incongruity inadequately defining the Nepali state is reflected in the Constitution adopted in 1990 by declaring the country being a “Hindu and constitutional monarchical kingdom” that diluted the essence of Nepal being recognized as a “multiethnic and multilingual” state [Article 4]. Although the state as a provider of fundamental rights to its people asserts that the rule of law would prevail and it shall not discriminate citizens on grounds of religion, race, sex, caste, tribe or ideological conviction” and none of the citizens shall be “deprived of the use of public utility” (Article 11.3 and 11.4), the *Muluki Ain* (Law of the Land) amended in 1992, however, has upheld the preservation of “traditional practices,” continuing social exclusion (Gurung 2003b: 3-4). The constitution has refused either to mediate or to negotiate with the popular aspiration of secularising the Nepali society. Assertion of the exclusive position of being a ‘Hindu State’ has essentially delegitimised the process of democratisation of the Nepali society in which the projection of the national identity becomes contestable. Undeniably, the democratic constitution, thus, in itself becomes the precipitant to conflict. The constitution has failed to impart a sense of change in the caste-laden society that has continued to reinforce social segregation since the adoption of the *Muluki Ain* in 1854.<sup>13</sup> Thus, the constitution becomes a document of contradiction in its assertion of Nepal being a “multiethnic, multilingual,’ state on the one hand, and the “Hindu” kingdom, on the other (Article 4). The problem situation from the standpoint of non-Hindus therefore revolves around the issue of Nepal being a theocratic state. Religiosity has become a largely contested domain in national discourse because this state ideology has reproduced social exclusion and cultural hegemony of the dominant group even under democratic dispensation. Although the constitution has apparently recognized the minority rights, there is however, little discernible

impact in practice. The limits to minority rights under democracy despite pressure for democratization of the social sphere have exacerbated social tensions as the majoritarian multiparty democratic process clashes with the non-majoritarian demands for broader representation.

Complexities, thus, abound in Nepal's democratic transition in the 1990s, particularly, because of the compromise between the political leaders and non-elected traditional elites who remained decisive actors in the dominant power system. The constitution was framed to appease the traditional power structure rather than appealing the popular aspirations. The constitutional provisions defining the executive authority remained vague in crucial decision making arenas wherein monarchy retained the rights to command ultimate authority. Thus, despite the preamble of the 1990 Constitution has theoretically transferred sovereignty to the people, the constitutive dimension of sovereignty in practice was vested on monarchy.<sup>14</sup> The constitution vests monarchy with a right to a decision on national emergency and his discretion on the use of Article 127 in exceptional situation along with power to the use of force as the supreme commander of the armed forces. In these three crucial aspects of the national decision making processes – namely, emergency power, exceptional situation and the use of force – the position of monarchy remains unaltered as well as undisputed. Again, the sovereign power of the state is related to “the exceptional case [that] has an especially decisive meaning which exposes the core of the matter... [that is also characterised by] principally unlimited authority, which means the suspension of the entire existing order” (Schmitt cited in Gross 2000: 1839-40).

Testimonies to these can be found in the Nepali case where exception has become the rule and return to political normalcy an exception. Political development in Nepal throughout the 1990s had attempted to make certain discontinuity in normal practices. But the question of devolution of power against the centralised authority, however, was never seriously pursued. The leaders who had failed to create any enduring social base for democratic continuity acceded to no constitutional limits on the power of the centralised government. Democratic practices did not diffuse authority, but made the central government a locus of authority of the unitary state. The unintended consequence was the encouragement to the traditional power centre to manoeuvre the centralised authority in its favour. Politics simply subsisted with the fusion of the elected and non-elected authorities reducing democracy to the rites to passage for power. Circumstances against which the national emergency was declared, the parliament was dissolved and the assertion of the executive power by the king occurred are clear manifestations of democratic delusion caused by the political elites who had refused to reform themselves as well as democratise their political parties' function. Obsessed with the position of power and purse of

the state the political elites had sacrificed the norms of being representatives of the people making intra-party factionalism and personal antagonism crucial to decision making.<sup>15</sup> The dissolution of the parliament in May 2002<sup>16</sup> had no other compelling reason than intra-party rivalries that led to the split of the ruling Nepali Congress party and discontinuing of the local governments had put the final nail on the coffin of democratic polity.

Hence, besides the subaltern level analyses, the leadership can be considered as one of the most prominent and integral factors for the causes of conflict in Nepal. As the state in its functional terms is intertwined with the leadership that is embedded with the responsibility to provide welfare, representation and security to its citizenry, the leadership can, therefore, be considered and explained as a crucial catalyst for conflict because it relates to the situation of governance. As described above, democratic transition was not made by thoroughly discrediting the authoritarian regime but by striking a compromise between the continuity of the constitutive principles of the state and change in the mode of governance from non-party to party politics. In the scheme of multiparty democracy, the leadership has, although, broadly become the representative of the people, it has, nevertheless, remained loyal and tied to the constitutive principles of the state, which was not constitutionally deligitimised. Rather the constitution has deligitimised "any act which may jeopardize the harmonious relations subsisting among the peoples of various castes, tribes or communities" in Nepal (Constitution Article 12 e1, 3, 4). Similarly, through enactments of laws, both ethno-religious and regional based political parties were discouraged in the country in order to prevent the ethnic, caste and community polarization. It appears a sensible decision taken by the political leadership in preserving the status quo ante but proved insensitive to the popular aspirations demonstrated during the constitution-making period (e.g. Hachhethu 1994).

The act of desecularizing the state through constitutional design has, therefore, jinxed the process of democratisation that the political leadership reduced to procedural phenomenon through periodic elections. Subsisting representation through elections as the sine qua non of democracy the political parties have transformed democracy to the "tyranny of majority" by using the electoral legitimacy as licence to abuse power and authority. The ballot box democracy led to criminalization of politics making political participation myopic<sup>17</sup> (Kumar 2001). Politics therefore entered a "grey zone" in which "winner takes all" led to institutional dysfunctionism of democracy compounded by political instability. In addition to this, the leaderships' inertia, their greed and grandeur, horse-trading and criminal enterprises caused political instability rather than the phenomenon arising out of spontaneous popular protests and violent opposition.

The unfair political competition revived the embedded psychological insecurity of leaderships belonging to different political parties with the uncertainty caused by severe intra-party factionalism, leadership centralization, organizational deficiencies of the party and government and over all by the impending elections. Since 1994 each and every succeeding governments had to function with a single agenda of commencing elections under its tenure in office. The priority for commencing elections had not only led them to amass elections funds through manipulation of the state purse for the party, personal or private regarding but also encouraged strategies to win elections through all means. The state, as being the lucrative institution for the flow of money, power and privilege, became the hub of political activities. The priorities of the political leaderships were therefore confined to the spoils of tenure in government and their terms in the parliament. Hence, both the parliament and government become embroiled in corruption (Thapa 2002; Shrestha 2001) leaving opposition to the state of “feckless pluralism” (Carothers 2002).

Parliamentary practices in Nepal had a compendium of records in adopting 275 bills of which the women’s property rights bill and the bill regarding destitute and dalits are significant. But a majority of decisions were made outside the parliament on the basis of internal and external compulsions and the House of Representatives was used simply as a rubber stamp by the political parties (Kumar 2004: 146-171). Political parties become the umbrella organizations operating as patronage network by virtually transforming democracy to kleptocracy in which the political leadership functioned as “protection racketeers” with the sanctity of governments formed under the party flags as organized criminals. This contention has been substantiated by the self-confession of leadership suggesting that the governments functioning in Nepal were under the grips of mafia.<sup>18</sup>

Unfortunately, there was no sign of improvement. Governments functioned as musical chair game. Nepal had 12 prime ministers within the twelve years of parliamentary democracy. Most of the legislatures from the mainstream political parties had opportunities to become ministers. Even independent legislatures were incorporated as ministers in different coalition governments. The politics of patronization had led to ministerial portfolio distribution to 48 persons even to the extent of comprising four cabinet ministers without portfolio. Inter-party and intra-party wrangling had become so prominent that the government of the day had to survive on account of the numerical equation in the parliament. The crux of the problem of political stability depends on the tantrums of the parliamentarians not with the simmering discontent of the people excluded from the political mainstream. Demands related to governance were raised since early 1992, initially with 8-point demand put by the United Peoples’ Front Nepal (UNFP) to be extended to 14-point. During the period of the CPN (UML) government, the demands

swelled to 36-point in January 1995, but were ignored in totality. Four more points were added to these demands to the successor coalition government led by the Nepali Congress Parliamentary party leader Sher Bahadur Deuba on February 4, 1996, but to no avail (Maharjan 2000: 168; Thapa 2003). The latter demand made after the repressive measures taken by the Deuba government in September 1995 had also urged the government to refrain from such heinous acts in the future (See Demand No.15 of 40 point Demand in Maharjan 2000).

Although one cannot refute the importance of the subaltern level factors in understanding the causes of conflict, as the 40-point demand has catalogued, the elite-level factor as being crucial cannot be ignored either. Since the leadership deliberately makes decisions, the elite-level becomes the catalyst for the causes of conflict. Vulnerabilities to conflict existed in Nepal at the subaltern level as preconditions, which demanded the leadership attention and response. But the leadership void under democracy left the challenges unarticulated, as the government did not seek out to defuse the challenge through mediation. Instead, the mode of managing challenge through repression made the leadership instrumental in triggering conflict.

Why? An explanation can be found both in perceptual level and traits of the leadership. First, at perceptual level, democracy has opened up all hitherto suppressed demands of the masses leading to the state's inability to cope with the challenges. Second, at the trait level of the leadership, the articulation of demands at the mass level was perceived to have escalated threats to the incipient democratic order duly established after the success of the *Jana Andolan* in 1990. The legitimate opposition spearheaded by the major opposition party – the CPN (UML) – in the parliament as well as on the street with a slogan of “sadan dekhi sadak samma” (from the parliament to the street) and determination to unseat the government within a week of its formation had already posed a handful of problems to the government headed by the Nepali Congress party formed in 1991 with majority in the parliament. The opposition was led by the major communist party in the parliament with the support of the United Peoples' Front Nepal – then the Maoists' front organization – with nine seats in the House of Representatives that had immobilized the government early in April 1992, thus, inviting repression by reported killings of 16 people in Kathmandu. This event shook the people and their hope in democracy being less repressive. On the other hand, the leadership had justified repression as being anti-communist in a world that had just graduated from the Leninist extinction. The threat that democratic leadership had inculcated ever since the inception of the multiparty polity in the country was therefore related to the threats manifested with the communists' unruly behaviour. Thus the level of threat inculcated by the leadership was related to the demands of the opposition determining the response.

Though the parliamentary opposition in Nepal was a quite different case from the Maoist insurgency that was later fuelled by the leadership idiosyncrasy, it is however pertinent to understand the perceptual, interpersonal and intra-party relations contributing to violent conflict. First, the CPN (UML's) ascendancy as a formidable opposition party in democratic Nepal was historic in the sense that the party has surfaced from underground movement and its leaders were unknown and faceless figures. By reluctantly endorsing the Constitution 1990, it has participated in the democratic process merely as a survival strategy which was rewarded by a massive electoral support in 1991 elections leading it to move confidently towards locking horns with the government through coercive bargaining. The CPN (UML), until very late, had treated the Maoists as "friendly forces," even with monetary assistance because the ultimate goal of both groups was described as establishing a republican state in Nepal.<sup>19</sup>

The experience of the elections to the local bodies in 1997 had clearly established this fact, when the CPN (UML) in government as a major coalition partner manoeuvred to win elections by an overwhelming majority with the alleged assistance of the Maoist insurgents by displacing the rival parties' strongholds. This caused further consternation in inter-party relations leading the President of the Nepali Congress Party, Girija P. Koirala, to publicly accuse the CPN (UML) as the real Maoists responsible for the political violence in the country over the years, while posing as a member of the ruling coalition only in the broad day light.<sup>20</sup> Despite the electoral violence, there are, empirical evidences to suggest that when the CPN (UML) ruled the country the magnitude of the Maoists' violence was at the lowest ebb (Maharjan 2000: 172).

The Nepali Congress leaders, on the other hand, were dead sure in their perception that they were confronting a two front attack on democracy – one from the legitimate political opposition party led by the CPN (UML) and another from the underground extremist group comprising the Maoists to destabilize and destroy the democratic process through complicity. They were led to define violence in the country as a power struggle requiring reprisal than accommodation and compromise. The target of the opposition – both legitimate and illegitimate – was to thoroughly discredit the Nepali Congress party and destroy the democratic process. Ideologically, these two political parties had antagonistic history since their inception in the late 1940s. Particularly, the lurking feelings of the communists in Nepal being used by monarchy since the December 1960 Royal coup against parliamentary democracy have not disappeared from the leadership mindset of the Nepali Congress party. The sheer opportunistic political behaviour of the CPN (UML) under democracy has further entrenched this feeling when that party invoked nationalism as a criterion for alliance formation with monarchy against the alleged pro-Indian and, therefore, unpatriotic Nepali Congress party.

The CPN (UML) as the mainstream communist party both in opposition and government was also undergoing a complex transformation as a consequence of the challenges posed by the Maoists questioning their Marxist credentials. Although the CPN (UML) remains ideologically opposed to the parliamentary system of governance, the party has however realistically appraised that there is no route to power other than competitive electoral process. Even their tactical support to multiparty democracy therefore becomes an imperative because they have refrained from the risk of taking uncertain course through violence in which there is a certainty of them becoming a second fiddle to the Maoists. Thus, on the question related to the Maoists and the ensuing insurgency, the CPN (UML) had, nevertheless, taken both carrot and stick measures to emerge as a central and powerful communist force in the country. On the one hand, the party had used the Maoists to serve its short-term interests through ideological complicity, as was evident in the case of the 1997 local elections. Similarly, the party as an influential member of the coalition government had also declared the Maoists as “terrorists”<sup>21</sup> expressing hardening posture against them through reaching a cabinet decision to adopt anti-terrorist law, on the other. Though the anti-terrorist act never got through the parliament due to the mounting public pressure against the proposal, every successor governments, after the fall of the CPN (UML)-RPP-NSP government, were encouraged to probe on the bill. Likewise, every government since 1997 had probed the idea of military mobilization against the Maoists, only to be rebuffed until the national emergency was declared on November 26, 2001 and the anti-terrorist act was subsequently adopted.

Every government formed after the eruption of the Maoist insurgency was, therefore, inclined to use force to deal with the problem. None had seriously thought about the alternative to resolve the problem through negotiation. Though there are instances of the efforts towards negotiating conflict, these were half-baked and therefore unpersuasive. The three rounds of negotiations that the Deuba government held with the Maoists between August and November 2001 embroiled their differences rather than developing mutual compliance with sustained engagement. Another three rounds of negotiations held under the king’s government in the recent past were not substantially different from the previous ones, as the problem remained unaddressed forcing the Maoists to break the talks and raise arms after August 27, 2003 (Kumar 2003; ICG 2003c). Negotiations had therefore stymied the situation from being encouraging for both parties to build trust as a precondition for peaceful settlement of the problem.

The pursuit for repression of the Maoists, thus, becomes an agenda for government of any kind. The Nepali Congress party government had earlier pursued this agenda against the Maoists with massive combing operation code named Kilo Serra Two for a year between May 1998 and May

1999 till the national elections were held. This repressive measure was keenly supported both by the CPN (ML) – a splintered faction led by Bam Dev Gautam – and CPN (UML) led by Madhav K. Nepal, after securing their berth in the coalition governments formed by the Nepali Congress, one after another. Nearly 600 persons were killed during the yearlong operation in which the Maoists suffered heavily (Maharjan 2000: 172). This led to the renewal of efforts on the part of the Maoists to strengthen their guerrilla strongholds with the development of the People’s Army along the military formation despite their earlier claim of the existence of the Central Military Commission in February 1998 (Sharma 2001). Excessive reliance on force has become a single agenda for the governments in their counter-insurgency drive, particularly after November 26, 2001 (against the backdrop of the 9/11), with the official declaration of the national emergency for nine months and continuation of the anti-terrorist law with the provision of impunity to the security forces.<sup>22</sup>

The critical question that relates to this narrative is what has triggered the conflict and why has conflict remains thriving? My submission is that despite the causes of conflict being numerous and latent, the leadership could have minimized the impact of societal challenges through mediation and sequential response, which was conspicuously absent in the policies and programmes of the governments. Instead, power politics at the macro-level led to the progressive breakdown in the authority of the executive and the governments ensuring the legitimacy crisis in general. Governance therefore becomes an alien concept for the leadership who were made and unmade by the numerical support in the parliament, not by their function of managing the affairs of the state. The leaderships spent most of their times on bean counting the intra-party and inter-party equations than equating their roles with the responsibilities they were bestowed with. Political authority was abused rather than used on the questions of national imports. As a mid-term evaluation of the democratic governance revealed, people at large were rather dispossessed than possessed by the governments formed under different party flags that had not even minimally met the basic needs (CSD 1996). This situation has been reflected in other studies because the leadership has confined to the social strata overwhelmingly composed of the high caste Hindu group constituting traditional elites who are temperamentally inclined to preserve the status quo (Dahal 2000; Baral et al 2001; 2004). As the democratic leadership becomes the inheritor of authoritarianism, the historical burden of expectations posed by different categories of people remained unarticulated while confronting the post-authoritarian polity.

The conflict trigger can thus be located in the form of unhealthy elite competition and conflict within the parliamentary system racing for the winning support of the traditional institution of monarchy rather than sustaining public support through governance. At the heart of conflict in



Nepal is the failure to implement any substantial and sustainable programmes directly affecting the welfare of the masses as indicated by the governments formed under the dominant political parties as a majority, minority and coalition. Electoral politics reinforced elitism and popular aspirations remained unacknowledged. Subalternity persisted and the political leaders to construct their power used the people at the margin as raw materials. Understandably, the pressure for democratisation, therefore, caused conflict that was coupled with the post-authoritarian dream of discontinuity from the past, making the political elites more vulnerable to their electoral positions in the absence of performance. The self-perpetuating behaviour of the leadership has further exacerbated the desperate situation to a point of reconfiguring the precipitants triggering conflict.

It requires further explanation in positing why and how has the leadership become more important than other factors for triggering conflict? Is there any irrefutable evidence to support this contention? Can this single factor explanation make a satisfactory understanding of conflict in Nepal? A definite answer to these posers would be difficult to arrive at this juncture. Certain indicators, however, lead to following postulations. First, the post-authoritarian politics in Nepal was the consequence of the long and arduous struggle made by the democratic leadership with popular support. Leadership, therefore, has become the strategic factor with a pivotal role to mediate social tensions through maintaining a working relationship among members of different social groups. Instead, the democratic leadership has spent energies and power in blocking challenges posed by real or imagined threats. Political parties functioned merely as an instrument for capturing power and thrived on the personal popularity of the leadership than on its programme and commitment. Hence, for those in the leadership, the personalistic power holders tend to look at the others within from their own parties and the rules and the institutions they represent as constraining and impinging on their will to rule. The leadership did not disavow continuity with the authoritarian state. The recurring tendency was to build the hierarchy of the loyalists from top down than democratising the function of the party and the state. The leadership objective remained excessive centralization of power leading to the dissolution of the popular convictions about power diffusion. Thus the leadership under democracy has provoked the conflict against the process and pressure for deeper democratisation.

The popular assertions of differences were in search of a platform for dialogue by addressing an audience, which, unfortunately have failed to achieve any substantial response from the part of the leadership. The incendiary effects of the demands, particularly posed by the Maoists in their previous form of the United People's Front Nepal, were ignored but not contemplated by the leadership. The democratic leadership neither engaged nor influenced nor responded to the

threshold of conflict inherent in ever expanding demands from the forces of alienation. Rather the measures that the leadership took to restore the situation from being explosive through the use of force had unintended effect of exploding the conflict. The reason for this was obvious. There was no adequate preparation for counterinsurgency mobilization either. Thus the sheer neglect of the leadership in every dimension of statecraft remains a proof for triggering the conflict.

Second, the democratic leadership in Nepal in the 1990s was operating in the most congenial domestic as well as international situation with donors' liberal assistance towards the consolidation of democracy. But the trust and expectations of both domestic and international popular support were belied by the leadership as the Nepali leaders failed to relate themselves to the institutional dynamics of democracy and the process of governance. The leadership was, therefore, characteristically democratic deficit type. The leadership is temperamentally found inegalitarian to democratic ideals identified with constitutional liberalism. It was just unethical and immoral on the part of the leadership to conceptualise a heterogeneous society as a Hindu Kingdom and continue to profess democratisation. The leadership has not sought to resolve the problems within democracy through social consensus but relied heavily on rules designed by the authoritarian regime to contend political activities during Panchayat period.

Third, the leadership has unlearned the lessons from their past oblivious political experiences of being marginalised by the traditional monarchical forces after 1960 coup in the post-authoritarian atmosphere. Ironically, the democratic leadership forged alliances with the same forces in order to marginalise the emerging social forces from the political mainstream creating rupture in the state-society relations. Hardly had the leadership made any efforts to make the state responsive to the societal demands, tried for consensus-building with the disgruntled groups to bring them back to the political mainstream and initiate any programme for changing the character of the state through social inclusion. Reform agendas with the contents of subaltern aspirations remained untouched, the restructuring of which could have become amenable for institutionalisation of the democratic process. As a consequence, there was a decisive breakdown of popular consensus forged for the democratic future of the state. The conflict today is therefore shaped by the same reform agenda on how to devolve and share state power through a comprehensively restructured polity bordering on the demand for republicanism.

Finally, the political/power elites have failed both at the macro-and-micro level of being a change agent. At the macro level they could not capitalise on the popular support garnered by the democratic movement and translate it into expanding their power base with policy

measures. The political space opened by democratic upsurge in the 1990s was mostly filled by the traditional elites as the parties functioned as oligarchic heritage encouraging familial link and redrawing support from the pre-democratic politicians/bureaucrats by filling different party hierarchies and government positions rather than neutralising their political as well as policy influence in decision making process. The elite structure remained unchanged (Dahal 2000: 131). Evidently, the traditional high caste groups dominated the political representation in the House of Representatives, the combined strength of which between 1991 and 1999 ranged from 62.91 to 67.70 per cent (EC 1991, 1994, 1999). Thus authoritarianism is formatted in the state-society relations through constraining participation by forcing the unorganised communities to support the populist electoral agenda. However, the legitimacy derived from the electoral process was salutary. The failure of performance of the leadership to anticipatory transformation of society has a corrosive effect on legitimacy. The consequent effect was the neutralisation of the citizenry in their identification either with the leadership or the government and decay in the support base to the leadership. This is evident at the moment with the absence of the popular support either for the reinstatement of the dissolved parliament or for the forming of the All-Party government by the leaderships of the marginalised political parties after 4 October 2002. To sum up, it should also be noted that none of the agitating political parties or the leaderships in their march to the streets have addressed the popular agenda for restructuring the state except for demanding power sharing by the king with the political parties.

### **Some Observations**

In the case of Nepal, if one were to look at the maze of underlying causes of conflict, there is the certainty of creating a Tower of Babel. I have, thus, identified and chosen the leadership as the discrete problem and the underlying power struggles primarily responsible for triggering conflict in Nepal. The first factor contributing to conflict is political, which can be prominently observed in the behavioural pattern of the leadership whenever the question of redistribution of power and imparting social justice arises. The leaderships' inclination towards repression rather than conciliation on social demands; the absence of democratic practices and institutions providing a means for the people to mediate conflict without resort to force; alienation of the majority of the people from political process of the country have compounded the crises.

Secondly, the monarchy as an intervening factor in national polity has continued to be the problem situation structurally imbued with unending antagonistic elite history of political development in Nepal. The institution of monarchy has temperamentally displayed its uncongeniality with the democratic process by exploiting the tensions persisting between the political leaderships conducive to its emergence as a critical central authority even at the cost of

suspending the existing political order. The current impasse created by monarchy with authoritarian streak in regime transformation from democracy to autocracy is reminiscent to what happened in December 1960 against similar situation, though, of lesser magnitude. Had monarchy and political leadership worked with a sense of obligation to history and ingenuity, they could have, perhaps, averted the misfortune of being the victims of popular contempt. Rather than becoming instrumental in regulating and maintaining systemic process they have become culpable for destroying the political order creating further space for the anarchists and the Maoists to thrive. Although defeating insurgency remains the primacy of current politics, the case of the paralysis of the democratic system has caused another crucial problem making the conflict triangular in nature wherein the monarchy has become the major target of contending forces. The issue of democratic deficit has conspicuously disoriented the political thrust of addressing the violent conflict caused by the Maoists.

Thirdly, the economic and social factors are prominently seen as conflict multipliers. The gross domestic economic inequalities leading to resources dispute among the masses against the background of depleting sources of sustainability provide a fertile ground for conflict in any social setting. Finally, there is a psychological factor concerning ethnopolitics that has continued to marginalize the ethnic masses by the high caste Hindus. Native thinking is becoming entrenched in projecting the conflict between the indigenous people and the settlers, as the high caste Hindus are defined in this category. This psychological factor has fuelled the urge for broadening representation in the national polity as well as equitable sharing of the national resources any delay in denial of which could embroil Nepal into ethnic violence. Fortunately, ethnic separatism is not the demands, although the Maoists have tried to cultivate the support of the *Janajatis* (indigenous people) by advocating rights to “self-determination even to the point of conceding to secession.” These mass-level factors have persisted requiring proper response from the state. The Maoists have, to certain extent, been succeeded in raising the voices of subalternity even though their violent forays have failed to proceed with subaltern mobilization.

Looking to the future, it should however be critically articulated that to think of democracy as answer to Nepal’s problem is naïve because democracy is a process which is inherently conflictual. The marked failure of leaderships to manage diversity has proved the inadequacy of the parliamentary process to absorb the thrust of societal demands in the absence of public accountability and institutional responsibility. Thus interrogating leaderships to make a dimensional change in their party organisation with democratisation of the social base and abide by the law of the land is a prerequisite for mitigating conflict. Besides, the classical situation that Nepal faces in the power matrix is the presence of monarchy both in its ‘active’

and 'constructive' forms. Unless this problem situation is settled or neutralised the chances for this traditional and conservative institution to manoeuvre against democratic desideratum would persist. Thus, the right question for Nepal to ask should be, how would the political leadership consciously arrive at a binding consensus to patch up their differences?

Comprehending the problem situation it can be stated that an enduring bequest of over a decade of parliamentary democracy was the crisis of state pronounced with the violent Maoist uprising, economic decay and political uncertainty with the return of monarchy to the central stage of national politics. The institution of monarchy after 4 October 2002 has become the most prominent power contender arrayed against the legitimate democratic forces it has unseated on that fateful day and the Maoists as the extra-constitutional opposition. This situation has led to a triangular contestation for power where there are likely and unlikely pairs for power grabbing. On the one hand, monarchy and democratic forces can be the most likely pair against the Maoists, which is yet to be presumed. On the other hand, monarchy and the Maoists can be another likely pair against the democratic forces as the preference of the king to directly negotiate with the Maoists by marginalizing democratic forces had demonstrated. The third pair can be a combination of democratic forces with the Maoists to build pressure against the monarchy (as is evidenced by the 19-20 November 2003 Lucknow [India] meetings between the CPN (UML) General Secretary and the Maoists' top brass). But unless the Maoists forsake violence the democratic forces would not consider them as a likely option. Finally, the possibility of these three forces coming together with a mutual agenda for dialogue can also not be negated outrightly provided that they agree to a minimum condition for normalcy.

Provided that the pairing of the democratic forces and monarchy is likely, this initiative should be made by the monarchy by either reviving the dissolved parliament or conceding to form the all-party government demanded by the parliamentary parties as a precondition for restoration of democracy. By this act the monarchy would be facilitated with the power to use an "exception" sensitising the circumstance. Though this decision will constitutionally be a "normless exception," because the Nepali constitution has no provision for restoring the dissolved parliament, such decision can nevertheless be made with a condition to hold elections to the local bodies or the House of Representatives within the six months of the revival of the parliament. Though the practicality of this decision against the ensuing Maoists' terror can be questioned, such decision can, however, be influenced by three crucial factors. First, there should be intensive negotiations between the two-likeminded parties clarifying their respective positions for future political dispensations.<sup>23</sup> The king's commitment to democracy should remain supreme, and the third, the parties must reform. But to realise this objective of the pair the king and the democratic parties have now also to take the armed forces of the country into

confidence. Although the Royal Nepal Army is practically under the king's domain, it can also act independently in case its ambitions are undermined. It can be a threat both to monarchy and political parties in the event of unsettling of its priorities. Experiences have shown that the army is distrustful of political parties. Their disdain towards politicians has increased along with increase in their profile as a decisive factor in national decision-making process in counterinsurgency operations and their direct contact through the forging of military-to-military relations with foreign powers. Therefore the fundamental question of civilian supremacy that remains in the sphere of civil-military relations require to be decisively resolved if the pairing of monarchy and political parties agrees to return to normalcy.

The monarchy, however, has taken a different track rather than giving up the executive power of the state to the legitimate political parties. In his address to the nation on constitutional day on 9 November 2003, the king has asked all the democratic forces for their support to the "national government" formed by him in the interest of preserving the constitutional sanctity as well as peace, security and governance (Kathmandu Post November 9, 2003). The "national government" on the other hand, has become reckless in appointing partisan people to the vacant seats of local bodies and rhetorically preparing for the national elections to the House of Representatives without any groundwork to create a favourable national situation. This has further widened the gulf between the king and the political parties.

Second, the pairing of the monarchy and the Maoists would be possible only in case the Maoists agree to completely disarm and pave the way for normalcy by joining the electoral politics with general amnesty by the king. This would facilitate a radical change in the political alignment and structural reform in the country provided that the army and political parties endorse the move. This is not likely at the moment because neither the monarchy nor the Maoists have shown any sign of relapse or fatigue caused by the war weariness. Forces belonging to both the contending parties are better organized now than ever before. Their fighting skills have improved and their determination to cow each other increased.<sup>24</sup> It can therefore be assumed that unless a final showdown occurs between the armed forces and the Maoist guerrillas, the persistent confrontation cannot easily be transformed to cooperation.

Third, alienation from monarchy has significantly increased the possibility of the formation of a united front by pairing of the political parties and the Maoist guerrillas. This pair can make a common cause on the demand for the election to constituent assembly for restructuring national polity provided both agree to peaceful mobilization of the masses. Alternatively, if and when the pairing occurs by resorting to arms, there is certainty of increase in bloodshed but uncertainty in the form of the government to be established after the war ends. The full-blown

civil war in Nepal could also be a recipe for humanitarian intervention from abroad. This could become a catalyst for the political future of Nepal, as external forces are particularly averse to violence and coming to power of extreme radical forces in the country. Given the situation confined to a diametrically opposite motive pursued by the political parties for the restoration of parliamentary system, not a republic as posed by the Maoists, the pairing of the democratic political forces with the Maoists is most unlikely unless the monarchy becomes more repressive against the agitations launched by the political parties. Though the Maoists had earlier considered the political space for the disgruntled political parties by apparently recognizing their strength congenial to their cause, they have however assessed that political parties' infirmities are turning to self-extinction (Bulletin 2003). Analysing the conflict in Nepal from the standpoint of class relationship, the Maoists have firmly concluded that there is no third force between the forces of reaction and the forces of revolution.

Thus the nature of resistance and challenges posed by the Maoists are substantially different from what the political parties have normally aspired for. The undercurrent of tensions and antagonism between the political parties and the Maoists has been freshly addressed after the Lucknow talks between the CPN (UML) and the Maoist leadership in the former's outright rejection for the joint struggle for a republican state (Mulyankan 2003; Koirala 2003). Despite political consternation developing to the demand for constituent assembly elections has been strongly articulated, political parties are yet to endorse it as an option for resolving the conflictual relations between monarchy and themselves. In the absence of any sign of reconciliation between monarchy and political parties, the situation therefore is in a flux.

My experience suggests that politics has become the real site of dispute articulated both in the shape of violence from the margin as well as structural violence pushing the country to a dead end. The Maoist movement has an unique feature in Nepali history in the sense that this is the first ever rebellion that originated from western Nepal that has consecutively spread all over the country in comparison to the sporadic and short-lived rebellions originated in eastern Nepal against the state. The insurgency has polarized the national scene and exposed all the protagonist forces to desperation. Maoist violence, however, has become a catalyst for the rise of conservatism with dangerous imprints of the assertion of political right by pushing democratic ethics to the edge. Besides this, the Maoists' ruminations of the guerrilla war, the pattern of violence they have unleashed has nurtured terrorism that can be understood in the shape of the "warfare deliberately waged against civilians with the purpose of destroying their will to support either leaders or policies that the agents of such violence find objectionable" (Carr 2002: 6). Their heinous crimes against the citizenry, particularly since 1999, committed through indiscriminate killings, extortions, rustification of people from their domiciles and infringement

of their personal faiths along with alleged destruction of religious and cultural sites had earned them a bad name fuelling popular alienation.

This brings in the interests of the fourth actor(s) in the shape of the external powers/friendly states in becoming an intervening variable in the violent conflict in Nepal. Their initial interests concern with the type of insurgency launched by the radical left forces against the democratic state that has been strengthened by their anti-terrorist resolve after 9/11 led by the United States. The sequence of domestic conflict in Nepal changed in the aftermath of the visit of the American Secretary of State Colin Powell in January 2002 and tied Nepal to a partnership on "war on terrorism." The avowed purpose with which the American military assistance begins is to facilitate the restoration of stability in Nepal. Besides this, three prominent criteria have guided the American decision to aid the country militarily. First, Nepal has been a struggling democratic country in proximity to a powerful communist neighbour. Second, the country has plunged into a violent domestic conflict generated by the ultra-leftist elements leading to a near collapse of the democratic state. Third, the counter-insurgency support against the communist forces remains the political-strategic domain of the American foreign policy. Fourth, the most important and undisputable factor influencing the American rush to aid Nepal militarily is the "war on terrorism" that has become its doctrinal pursuit against the forces of terror after 9/11.

The United States has entered Nepal with a mixture of twin interests. Though its unilateral agenda has an element of consultation, it is however determined to aid one side in a conflict either deterring through presence or threat to act. Perhaps this is the reason why the United States has enlisted Maoists in the terrorist category. The pattern of the Maoists' violence has been comprehended as terrorist rather than violence caused by insurgency, as the victims of violence are mostly innocent people or security personnel remaining outside the zone of conflict. Thus the American policy in Nepal can be cloaked behind the façade of "humanitarian intervention" against terrorism for which the US has set "no clear temporal or spatial limit," in order to undertake actions to prop up a failed state (Farer 2003:59-90; Frost 2001:33-54).

The second, perhaps – the long-term American interests – involves establishing and consolidating institutional links between the armed forces of the United States and Nepal. Entrenching military to military link between the armed forces of the two countries would be a novelty reflecting on the deepening of American interests in the post-Cold War period when, despite the rhetoric to the contrary, coercion and the use of force have normally become a primary option. The Americans can possibly exploit this institutionalised military relation for its benefits in the future to avoid domestic intolerance of casualties of the Native American Soldiers by employing the "Ghurka model." By recruiting and deploying Gorkhas as soldiers of fortune,



if not from Nepal or the Royal Nepal Army itself, the United States can use these “mercenaries” as infantry units and circumvent opposition to combat casualty of the indigenous American soldiers in far flung conflict zones with American involvement. None other than the distinguished American strategist Edward N. Luttwak has cautiously suggested this model nearly a decade ago reminding the US government of its previous practices (Luttwak 1994:28). The military to military institutional ties that the United States is establishing with the Royal Nepal Army could exemplify a case of comprehending the quality of soldiers of Nepal and the prospective use of the Gorkha model in the future eventuality.<sup>25</sup> Perhaps this has been the reason behind the indirect American push for the qualitative upgrading of the Nepali armed forces with military training, arming and logistic support with numerical increase in the security forces. The Americans are firmly behind the government, which is evident by their declaration of the Maoists as the full-fledged terrorists group and a potential threat to US security interests.<sup>26</sup>

Contrarily, the European Union’s policy towards the conflict in Nepal has been concerned with the situation of human rights from the beginning. Perhaps this was the crucial reason behind Germany’s refusal to supply arms to a conflict laden country like Nepal. It has also been reliably learnt that the two European Commission’s (EU) Ambassadors had in their secret meetings with certain Central Committee members of the Maoist party in Kathmandu recently have clearly warned them against the destruction of infrastructure, private property and indiscriminate killing of the civilians. They have also assured the Maoists that they would put pressure on the government to concede to legitimate social demands of the Maoists. The envoys have told the Maoists that the EU’s policy towards them and Nepal, as a whole would be contingent upon the human rights situation in the country. They have also revealed the fact that the Maoists’ destructive activities had given enough reason for the Americans to enlist them as a full-fledged terrorist group.

This is the background against which the Maoists had convened their politburo meeting and promptly responded to public concern with corrective measures on 20 October 2003(Bulletin 2003). Neither Britain nor the EU in combination has considered the Maoists in Nepal as terrorists. As a matter of fact, these states are mostly disillusioned by the Nepali state’s refusal to renovate and with the “childish” reactions of the high government officials to the crucial national agendas than the Maoists’ mission for reforming and restructuring of the state machinery. For instance, a senior UN official had to personally express a serious concern to the COAS over the misuse of the UN vehicles by the army in patrolling the streets in Kathmandu in extreme violation of their use in designated peacekeeping missions. Meanwhile, the EU’s Deputy Charge d’ Affairs to Nepal, Wenk Rudiger has publicly expressed his reservation against the use of force to resolve the Maoist problem. He chided the American belligerency against the Maoists

asserting, “we don’t see any basis for military force. Only way is sticking to talks if you can’t win militarily.” He has also hinted at certain foreign country helping the Maoists (Kathmandu Post 17 November 2003).

That certain country under suspicion remains none other than India. With its formidable presence in the neighbourhood, India figures prominently in the calculus of conflict in Nepal. Looming suspicion both in the elites and the masses that India is behind the Maoist uprising dies hard. Despite India’s declaration of the Maoists as the terrorists and the massive supply of arms and ammunition to the government, the India factor remains crucial in resolving the conflict. India has earned a bad name in Nepal because of the structural incongruity in bilateral relationships. Although both Nepal and India recognize that the need of cooperation between the two neighbours with open border is a must in order to thwart the threat of cross border terrorist activities<sup>27</sup> India, particularly the adjoining state of Bihar, has, however remained the unbridled conduit for Maoist activities against Nepal. A testimony to this has recently been provided by the state government of Bihar in a report submitted to the Union Home Secretary of India stating that the Nepali Maoists are jointly training with the Indian Maoists Communist Centre (MCC) and the People’s War Group (PWG) to mount cross-border attack on Nepal (Cited in Spotlight 7 November 2003:5). Deployment of the paramilitary forces by India along the stretches of Nepal-India border since 2001 has yet to prevent infiltration causing ruminations from both sides.

One of the obvious implications of the burgeoning interests of foreign powers in the internal conflict in Nepal is reflected in the ever-growing military cooperation inadvertently encouraging the process of dependent militarization. This issue has not only become critical but crucial in determining the course of politics in Nepal impacting on its future development. Under the façade of the Maoist insurgency, the relationship between the state and military is rapidly undergoing change where the military, as the instrument of state policy, is becoming the major determinant for the state policymaking. This situation is ascertained with the bilateral military cooperation between Nepal and the United States supplemented by the arms supplies both from India and the United Kingdom. With the Maoists’ violence and increasing American interests in assisting Nepal to cope with the challenge, Nepal has been able to diversify its traditional dependent relations with India. As the hallmark of military cooperation is national interest, it has become a strategic issue to be concerned with as there is only a hair split distinction between the military cooperation and the military pact, particularly between the client and protector state. Though the military cooperation between Nepal and the United States appears to be goal specific in developing the counterinsurgency capacity of the Royal Nepal Army through training, arming and logistics supplies and preventing the regime collapse, it is

the easiest means for the protector state to penetrate the most sensitive apparatus of the state and therefore influence policymaking.

This is the reason why India has shown a considerable reservation against the growing military ties between Nepal and the United States, despite its closer collaboration with Britain and the United States against terrorism in Nepal (Sibal 2002). For example, an editorial in the *Times of India* has questioned the US arms transfer to Nepal, "If Pakistan based cross-border terrorism violates Indian sovereignty, the same *sovereignty* is no less transgressed when, despite the 1950 treaty with Nepal, Indian sensibility is ignored by Mr. Powell's explicit offer of military aid to the Himalayan Kingdom...[D]espite Nepal falling within New Delhi's area of 'security interest,' [it] is now being brazenly mocked by Washington's overflying of Indian prerogatives... [I]t is a situation that does little credit to India as it undermines its primacy... ." (TI 2002, emphasis added). India has obviously not compromised its normative thrust in policymaking towards Nepal that remains constant in preserving its national interests of monopolistic stakeholder in the power equation and keeping the rest guessing. This is natural for a country like India, which not only absorbs the displaced people from Nepal but also provides a safe haven for the "terrorists" from Nepal against whom the Indian government is officially committed.

Thus, the situation in Nepal is becoming more complicated than normally understood. Internally, the governmental paralysis caused by the Maoist insurgency and the popular disapproval of the suspension of democratic process by the monarchy have led to a situation in which the domestic complexities are portioned with the zero-sum game. Neither the Maoists, nor the political parties nor the monarchy has climbed down from their rigid positions and have come forward to seek mutually acceptable solution to the problem confronting the state. Irreconcilable domestic dissensions in Nepal have adequately provided external forces to show their legitimate concerns. The question therefore remains: how can this situation be dismantled and open up the political space for reconciliation?

### **What has to be done?**

The measure that should be taken to change the situation from hopelessness and despair to a situation of hope and optimism is first to recognize the real problem situation. Are monarchy and its insatiable ambition to rule the country unassailable by any forces the real problem? Or are the political leaderships with proven inefficacy to govern the state a fundamental reason for conflict and consternation? Do the Maoists pose a problem or are the Maoists a consequence of the problem? For a general observer of the national scene these posers are themselves a problem to understand correctly because none of the protagonists concede that either of them is the problem. But solutions to the problem have become like chasing mirage. Thus, what is to

be done? To my mind, these three protagonist forces should break the shell of cocoon of their self-righteous assertion of their role in the state in favour of making a breakthrough in the deadlock. This requires a thorough review of previous positions taken by the three contending parties in order to assess correctly the present situation and move from the past to the future. If their positions are unbridgeable the ensuing deadlock can be frozen temporarily to clear the mess with voluntary compliance. Within the framework of voluntary compliance the three contending parties can agree to discard mutual acrimony and build confidence. Trust that requires to be built should not be at the cost of sacrificing their important values. But while attempting for mending fences neither should be overzealous in preserving and protecting one's value at the cost of others.

First of all, the contending parties have, thus, to recognize that the tradition of statecraft practised in Nepal is a failure and reverting back to the prior process for retaining the status quo would be horrendous for the national future. Second, violence, both from above and below, is neither a substitute nor a remedy for all-pervasive social ills. Third, the need of a retooling of the state should thus be recognized as a priority concern of all. The beginning can be made by the monarchy with sensitising the national scene through its avid commitment to nation building process as a partner not as a proprietor of the Nepali state. The monarchy should convene a meeting of the national human rights groups; involve credible members of the civil society and the political parties in order to evolve a political consensus with the Maoists leading to the announcement of a truce as a standstill agreement for at least six months with strictly abiding by the code of conduct. The responsibility for monitoring the code of conduct impartially should be given to the SAARC Secretariat by activating the interests and stakes of member states in establishing peace and stability in a co-member state. It should also be ensured that none of the major powers interested particularly on domestic conflict in Nepal should be permitted to promote partisan interests.

Step two should be the priority vested on political parties and multiparty democracy by drawing all-party consensus for the formation of a national government for elections. The elected government will initiate negotiations with the Maoists on core issues of national restructuring. Through negotiations and bipartisan consensus arrived at by the government and the Maoists they can either opt for drafting a new constitution or decide for the elections to the constituent assembly for drafting and adopting a new constitution. Step three would be the national elections for the tenured government in accordance with the consensual constitution.

Perhaps these measures could be a painful process towards building peace in Nepal. But they are worth considering against the uncertainty of continuing violence and national devastation. A

win-win situation for all leading to self-implementing rather than enforced agreement in resolving domestic conflict is the best choice.

---

## ENDNOTES

1. See among others, Blaikie, et al. *Nepal in Crisis*, 1980.
2. There is massive literature on the Maoist insurgency in Nepal based on journalistic and mushrooming conflict resolution experts' accounts. A majority of literature produced so far is recycled materials rather than serious endeavour in understanding the subject. The value of these materials, however, is in their use in developing general perspectives on ensuing conflict in Nepal.
3. According to Quincy Wright, " War in the sense of a legal situation equally permitting groups to expand wealth and power by violence began with civilization.... Only among civilized people has war been an institution serving political and economic interests of the community, defined by a body of law which states the circumstances justifying its use, the procedures whereby it is begun and ended, and the methods by which it is conducted." See his monumental work, *A Study of War*, p. 39. The state system, in fact, is the war system. "The state system has evolved into a specific type of world order in which war plays a central role." War is still fought in the name of preserving the world order as glaringly exemplified by the case of Afghanistan and Iraq. For the latter citation see, Falk and Kim, eds., *The War System*, 1980: 11. Resistance is a phenomenon, which is, however, called violence and therefore illegitimate.
4. After the disintegration of the Soviet empire, the Balkan tragedy has been mostly explained under the premise of the ancient ethnic hatred subsisting amongst the Serbs, Croats and Muslims, particularly in Bosnia, dehumanising bloodshed in Sarajevo and the fragmentation of Yugoslavia, ignoring the fact that these ethnic people have coexisted for centuries even to the extent of maintaining marital bonds and celebrating interethnic harmony. The conclusion therefore is obvious: ethnicism cannot be contextualized as a single explanatory tool for eruption of violent conflict in the case of Nepal. Had the ethnopolitics been the crucial element in the violent conflict, the people of Tarai would have been naturally pitted against the Hill people of the country whose exclusion from the national mainstream has been pronounced even by the former Deputy Prime Minister Badri Prasad Mandal as denial of the citizenship rights to some 4 million Madeshi people (inhabitants of Tarai) immediately after he was appointed by King Gyanendra as a member of the Chand Cabinet (November 2002 - May 2003).
5. This theory based on the relationships between the population group and conflict is fairly advanced recently by the Centre for Strategic and International Studies, Washington DC. Based on the study of the world's 25 most youthful countries, the Centre has identified that 16 of them are undergoing major violent conflict since 1995. The most notable exception, however, is the case of Croatia where the median age of population is 38.8 years old. Correlating youthfulness and violence, the study asserts that China's median age during the Cultural Revolution was 19; Iran's median age when the Shah was deposed was 17; Palestine's is 17 and Yeman has 15 years of median age. Iraq, Syria and Pakistan all have median age of less than 19. Liberia has 16.6 years as the median age. In Sierra Leone it is 17.9. All these countries have undergone and experienced violent conflicts and some are still in the vortex of conflict. Contrarily, the median age of the most pacifist countries like Japan is 41.3. Europe is another example of the pacifist countries where demographic change caused by ageing has created another sorts of problem. The study also suggests that all of the youthful countries are not necessarily embroiled in violent conflict. Perhaps democratic stability and the provision for social security are insurance against violence in some countries younger than Nepal in the median age of population. But the absence of violence in some youthful liberal democracies and economically well endowed countries cannot be made a case to refute the

correlations between youthfulness and violence as a perceptible research agenda, particularly, in the case of Nepal.

6. The average population growth per annum in Nepal is 2.24 per cent. The youthfulness of the population is an indicator of the higher fertility rate. According to the 1991 census data the median age for marriage for male was 22.4 and female was 18.1 which has slightly improved in 2001 with 22.9 for male and 19.5 for female median age for marriage (MoPE 2002:31). 1996 is the year denoting a 5 years gap between 1991 and 2001 census record.
7. Citing the statement an UNICEF official, a newspaper reports " some 235 youngsters die everyday in Nepal from largely preventable diseases, while more than 40 per cent suffer from malnutrition and less than 40 per cent complete a basic five year education.... At least 30,000 children have been separated from their families and forced into labour. And the problem was getting worse." See *The Himalayan Times*, October 18, 2003:1. Human poverty in rural area is almost double than the urban area of Nepal. The Human Poverty Index (HPI) for urban area is 23.9 and for rural area is 41.4. The HPI for Nepal is 39.2, which is among the worst in South Asia. See, UNDP, 2002. *Nepal Human Development Report 2001*: 20-21. Some 300,000 people join the labour market every year of which some 80 per cent remain unemployed.
8. Actually the army pulled the trigger for the Maoists' resumption of the armed conflict on the day the third round of negotiations begun by brutally killing 19 unarmed Maoists in Doramba, Ramechhap district signalling their defiance of the truce.
9. There are 18-point programme that the agitating political parties have mutually publicised to implement whenever state power would be restored through parliamentary means. Prominent among these are the confining of the title of Sri 5 to the three members of the Royal family only – the king, the queen and the crown prince. They have also advocated for making the royal family abiding to the law of the land as well as bringing the Royal Nepal Army under the firm control of the parliament. For details see, NC, 2060 (2003).
10. For a fresh controversy over the king's dictates to change the recommendation of the Constitutional Committee in accordance to his wishes see the disclosure of the speaker of the defunct House of Representatives, Tara Nath Ranabhat made at the Central Committee meeting of the Nepali Congress Party on November 26, 2003. *Rajdhani Daily*, November 27, 2003:1. See also, Harihar Birahi, "Kahilesamma Chalachha Yo Nautanki?," (How Long will this Drama Continue?), *Saptahik Bimarsha*, November 28-December 4, 2003:1 and 23. The planned enlistment of 8,000 recruits for the army and diversion of Rs.1.70 billion for the defence purpose again is the fresh indication of the government's resolve to suppress the Maoists through the use of force. See *Kathmandu Post*, November 22, 2003:1.
11. Personal conversations with the people in different districts of Nepal that I have occasioned to visit between 1997 and 2003 point out numerous factors as being responsible for the Maoist insurgency that can be broadly divided into political and economic causes. The political causes are: (i) the active role of monarchy in government decision making; (ii) increasing corruption and criminalization of politics; (iii) challenges to free and fair elections; (iv) minimum representation of women and Janajatis; (v) privatisation of education; (vi) human rights abuses; (vii) dual ownership of land and the absence of scientific land reform programme; and (viii) lack of political commitment and misgovernance. Similarly, the economic causes are: (i) growing unemployment; (ii) increasing social inequalities leading to widening gap between the "haves" and the "have nots"; (iii) unbalanced growth causing rural-urban division; (iv) politicization of rural development programmes; (v) neglect of agricultural sectors; and (vi) growing corruption with predominance of commission agents in economic decision making promoting external interests. The causes of conflict described by the people are mostly related to their everyday life and are closely linked with the questions of their survival.
12. As a matter of fact, opposition politics in Nepal begun as an underground social movement against the hereditary Rana regime in the early 1930s leading to the birth of Prachanda Gorkha in 1931 and Praja Parishad in 1935 in Nepal. Though the ultimate goal of these parties was to overthrow the Rana oligarchy, their open

- advocacy was social and religious reforms. Ethnic revolts were also episodically sporadic ever since the conquest of the Kathmandu Valley in 1769. For example see Gurung (2003b: 14; Bhattachan 2000:140).
13. The Muluki Ain 1854 asserting the hierarchical mode in the society has categorised the people following the Hindu social code into five distinct groups to impart a sense of distinction between the rulers and the ruled defining caste and outcasts. For details see, Sharma, 1977; Adhikari, 1984; Bista, 1991; and Stiller 1968.
  14. The way the proclamation of the constitution was made by King Birendra in November 1990 was itself a tricky affair. King Birendra pulled out the document from his pocket, instead of the one presented to him by the Interim prime minister. This behaviour of the king signifies the retention of the state authority by monarchy in Nepal. See the *Constitution of the Kingdom of Nepal 1990*:1. Controversy over sovereignty however remains. But in the Nepali case, Carl Schmitt's dictum on sovereignty appears more relevant than legal interpretations. According to Schmitt, "sovereign is he who decides on the exception.... [I]t is precisely the exception that make relevant the subject of sovereignty, that is, the whole question of sovereignty." (Gross 2000: 1831). In the case of Nepal the emergency power is vested on the king. Although the emergency power is an exception, the decision of the monarch, however, remains supreme. His entitlement to use Article 127 of the Constitution is not questioned despite his direct intervention in national polity under the façade of the same constitutional provision remains controversial.
  15. Here it would be of interest to note how crucial decisions are being made. According to the former Prime Minister Sher Bahadur Deuba, he was being advised by the incumbent Prime Minister Surya Bahadur Thapa to postpone elections for the House of Representatives scheduled for November 2002. The presently incumbent Minister for Communication Kamal Thapa drafted the letter he had submitted to the king requesting for the postponement of elections. See his interview in *Dristi Weekly*, 18-24 November 2003:5. Both of these politicians belong to the rival Rastriya Prajatantra Party not the party led by Deuba after his split with the Nepali Congress Party that elected him.
  16. The intra-party rivalries within the ruling Nepali Congress Party was caused by the party's decision against the extension and endorsement of the national emergency for further three months by the parliament. Apparently, the Nepali Congress along with other parliamentary parties had opened the back channel negotiations with the Maoists to ease the violent situation through consensus building for a progressive amendment of the constitution leading to political reform. The parliamentary parties had reached a consensus towards this end to table the constitution amendment bill with the opening of the parliamentary session. Unfortunately, the parliament was suddenly dissolved with the executive feat of the prime minister. Sher Bahadur Deuba, who was then instrumental in dissolving the parliament as the prime minister, has, in a recent interview said that " In fact, there is a constant tussle [for power] between monarchy and the political parties ever since 1951. How long will the country bear this situation? This is the core of the problem...." *Dristi Weekly*, 18-24, 2003: 5.
  17. Although the total votes cast during the three General Elections were over 60 per cent on average, analyses of the ways elections were conducted in the five districts show a majority of voters had never seen the ballot paper but a vote is cast in their names. Elections, in fact, were synonymous to the use of money and muscle power. For details see, Dhruva Kumar, " Social Structure and Voting Behaviour," pp. 205-06 and 223-26.
  18. The notion of 'protection racketry' and 'organized crime' has been borrowed from Charles Tilly, 1985: 69-71. For the latter remark see the self-confession of Prime Minister Girija P. Koirala's in the parliament. *Kathmandu Post*, August 12, 2000.
  19. Citing Deputy Prime Minister and Home Minister, Bam Dev Gautam, a newspaper stated, "The Maoists and the UML are friendly forces although their path differs." See *Jana Astha Weekly*, May 7, 1997. The CPN (UML) had donated Rs. 800,000 to the Maoists when it was an influential coalition partner of the RPP-CPN (UML) government in 1997. For details see *Deshantar Weekly*, July 13, 1997. According to Padma Ratna Tuladhar, an MP of the CPN (UML), "The Maoist People's War is the product of the Marxist philosophy, therefore, the CPN (UML) and the Maoists are not different in principle." He was clear in his view in suggesting, "communists

cannot be monarchists. The UML has the long-term goal of establishing a republican state in Nepal. As the present situation is not favourable, the party had to play a dual role. After it increases its strength, there will be another revolution in Nepal, which will abolish monarchy and adopt a presidential system....” See his interview given to the *Saptahik Bimarsha*, May 16, 1997. In fact, the CPN (UML) and the CPN (Maoist) had drawn their inspirations from the Naxalite movement in India. The former Maoists who had wrecked havoc through Jhapali movement in early 1970s today largely constitute the CPN (UML) leadership.

20. *Himalaya Times*, May 15, 1997, *Kathmandu Post*, May 15, 1997. Subsequently, a member of the ruling coalition government and the spokesperson of the RPP, Kamal Thapa also endorsed the views expressed by Koirala. *Himalaya Times*, May 16, 1997. The General –Secretary of the RPP, Pashupati Shumsher Rana also deplored the violence and anti-social activities being supported by political parties, by indirectly pointing his fingers towards the CPN (UML). *Kathmandu Post*, May 16, 1997.
21. Bam Dev Gautam, as the Deputy Prime Minister and Home Minister of the CPN (UML)- RPP-Sadbhavana coalition government had accused the Maoists as being terrorists, which was immediately contradicted by his party colleagues like Tulsi Lal Amatya (deceased) and Padma Ratna Tuladhar. For the latter’ view see note 19.
22. The National Emergency was declared on November 26 2001 for three months period to be endorsed and renewal by the parliament. The Terrorist and Disruptive Activities (Control and Punishment) Act was promulgated on the same day through an Ordinance, which was passed for two years by the parliament in April 2002. Under Section 20 of TADA, the members of security forces are provided immunity from prosecution or “any other person” for “ any act or work performed or attempted to be performed by him in good faith under the Act” (Informal 2002).
23. There are 18-point programme that the five agitating political parties have mutually publicised to implement whenever the state power would be restored through parliamentary means. Prominent among these are the confining of the title of Sri 5 to the king, queen and the crown prince. They have also advocated making the Royal family responsible to the law of the land as well as bringing the Royal Nepal Army under the firm control of the parliament (NC 2003).
24. While addressing a meeting of the government secretaries on 22 October 2003, Prime Minister Surya Bahadur Thapa has disclosed his decision to militarily defeat the Maoists for resumption of peace in the country (Himal Khabarpatrika 2-16 November 2003:39). Accordingly, on 4 November, the government announced its action plan prioritising peace and security under a “unified command” to be led by the Royal Nepal Army (Rising Nepal 5 November 2003). The action plan has emphasised on the civil-military campaigns as a means to tackle the Maoist problem (Kathmandu Post 5 November 2003). On the other hand, the resolution adopted at the conclusion of the Politburo meeting of the CPN (Maoist) on 20 October 2003, has shown determination for a centralized offensive against the enemy despite making certain tactical changes in programme affecting the common people (Maoist Information Bulletin No.6, 25 October 2003).
25. Under the contract of the British firm Global Risks Strategies, the Americans have already deployed some of the ex-British Gurkhas in the Iraqi theatre on guard and patrolling duties. See Krane 2003.
26. The US Deputy Secretary of State Richard Armitage has designated the Maoists as a terrorist group through a notice published in the Federal Register (*Himalayan Times*, 1 November 2003). For a non-official but important American perspective o Nepal see also the Executive Memorandum # 862 prepared by Dana Robert Dillon of the Heritage Foundation, Washington D. C., entitled “Preventing the Maoist overthrow of Nepal,” and another piece on “Nepal’s Maoist Insurgency” by Steven C. Baker of the Centre for Security Policy, Washington D.C., posted on FrontPage Magazine. Com on 25 July 2003.
27. The Indian Ambassador to Nepal, Shyam Saran, has repeatedly reiterated that the terrorist activities of the Maoists have also impinged on the security sensitivities of India. [Thus] there is no question of India being unhelpful on this particular issue. For instance, see his interview to the *Rajdhani Daily*, 26 January 2003:5.



---

## REFERENCES

- Adhikari, Krishna Kant, 1984. *Nepal Under Jang Bahadur 1846-1877*, Vol. I, Kathmandu: BUKU.
- Auvinea, Juha Y., 1995. "Socio-Political and Economic Indicators for Conflict Early Warning," paper presented at the 36<sup>th</sup> Annual ISA Convention, February 21-25, 1995, Chicago, IL., USA
- Baral, Lok Raj, Krishna Hachhethu, Krishna P. Khanal, Dhruva Kumar and Hari Sharma, 2004. *Nepal: Local Leadership and Governance*, Delhi: Adroit Publishers.
- Baral, Lok Raj, Krishna Hachhethu and Hari Sharma, 2001. *Leadership in Nepal*, Delhi: Adroit Publishers.
- Bendix, Reinhard 1964. *Nation-Building and Citizenship*, New York: John Wiley and Sons.
- Bhattachan, Krishna B., 2000. "Possible Ethnic Revolution or Insurgency in a Predatory Unitary Hindu State, Nepal," in Dhruva Kumar, ed., *Domestic Conflict and Crisis of Governability in Nepal*, Kathmandu: Centre for Nepal and Asian Studies.
- Bhattachan, Krishna B., 1995. "Ethnopolitics and Ethnodevelopment: An Emerging Paradigm for Nepal," in Dhruva Kumar, ed., *State, Leadership and Politics in Nepal*, Kathmandu: Centre for Nepal and Asian Studies.
- Bhattarai, Baburam, 2003. "Maobadi Samasya ki Maobadi Samadhan?" in Baburam Bhattarai, "*Barta Ra Tatkalin Rajniti Nikasko Prashna* (The question of contemporary political resolution through negotiation), Kathmandu: Prawaha Prakashan, February.
- Bhattarai, Baburam, 2001. "Naya 'Kotparva' lai Manyata Dina hunna," (New 'Kotparva' should not be legitimised), *Katipur Daily*, June 6, 2001.
- Bhattarai, Baburam, 1998. *Political Economic Rationale of the People's War in Nepal*, Kathmandu: Utprekashan.
- Bista, Dor Bahadur. 1991. *Fatalism and Development: Nepal's Struggle for Modernization*, Hyderabad: Orient Longman.
- Blaikie, Piers, John Cameron and David Seddon, 1980. *Nepal in Crisis: Growth and Stagnation at the Periphery*, New Delhi: Oxford University Press.
- Bray, John, Leiv Lund and S. Mansoob Murshed, 2003. "Economic Drivers in Nepal's Maoist Insurgency," in Jack Sherman and Karen Ballentine, eds. *Beyond Greed and Grievance: Studies in the Political Economy of Armed Conflict*, Boulder, CO: Lynne Rienner.
- Brown, Michael E., ed., 1996. *The International Dimensions of Internal Conflict*, Cambridge, MA: The MIT Press.

- Brown, Michael E., 1997. "Causes and Implications of Ethnic Conflict," in Michael E. Brown, ed., *Ethnic Conflict and International Security*, Princeton, NJ: Princeton University Press, 1993:2-24.
- Connor, Walker, 1972. "Nation Building or Nation Destroying?", *World Politics*, April: 319-55.
- CSD, 1996. *Nepal, People, Polity and Governance: A Survey Analysis of People's Response to the Democratic Governance, 1991-1995*, Kathmandu: Centre for Consolidation of Democracy.
- Dahal, Dilli Ram, 2000. "Nepal's Governing Elites: Their Composition and Role in Constituting the State," in Dhruba Kumar, ed., *Domestic Conflict and Crisis of Governability in Nepal*, Kathmandu: Centre for Nepal and Asian Studies: 117-134.
- Deuba Commission, 2000. *Maobadi Samasya Badhanuko Karan Ra Samadhanka Upayaharu* (The Reason for the Increase in the Maoist Problem and Means to Resolve Them), (The Report of the High Level Task Force Constituted by the Nepali Congress Government under the convenorship of the former prime minister Sher Bahadur Deuba).
- DfID, 2002. "Security and Risk Management Report for DFID Nepal," (A Report Prepared by the Huntington Associates, London, February).
- Dhami Commission, 1997. *Maobadi Kriyakalapa Ra Samadhankho Khoji Karyadal*, (The Task Force for Studying the Means to Resolve Maoists Activities) (The Report of the Task Force constituted by the CPN (UML) party under the convenorship of the late MP Prem Singh Dhami).
- DoS, 2011 (1954). *Government of Nepal, Interim Report of Population Census*, Kathmandu: Department of Statistics.
- EC, 1991,1994,1999. *House of Representatives Elections*, Kathmandu: Election Commission.
- Gaddis, John Lewis, 1991. "Towards the Post-Cold War World." *Foreign Affairs*, Spring: 101-122.
- Falk, Richard A. and Samuel S. Kim, eds. 1980. *The War System: An Interdisciplinary Approach*, Boulder, CO: Westview Press.
- Farer, Tom J., 2003. "Humanitarian Intervention Before and After 9/11: Legality and Legitimacy," in J. L. Holzgrefe and Robert Keohane, eds. *Humanitarian Intervention: Ethical, Legal and Political Dilemma*, Cambridge: Cambridge University Press.
- Frost, Mervyn, 2001. "The Ethics of Humanitarian Intervention: Protecting Civilians to Make Democratic Citizenship Possible," in Karen S. Smith and Margot Light, eds., *Ethics and Foreign Policy*, Cambridge: Cambridge University Press.

- Gross, Oren, 2000. "The Normless and Exceptionless Exception: Carl Schmitt's Theory of Emergency Powers and the "norm-Exception" Dichotomy," *Cardozo Law Review*, Vol.21:1831.
- Gurr, Ted Robert, 1994. "People Against States: Ethnopolitical Conflict and the Changing World System," *International Studies Quarterly*, Vol.38.
- Gurr, Ted Robert, 1997. "Minorities, Nationalists, and Ethnopolitical Conflicts," in Chester A. Crocker and Fen Osier with Pamela Aall, eds. *Managing Global Chaos: Sources of and Responses to International Conflict*, Washington DC: United States Institute of Peace Press.
- Gurr, Ted Robert, 1993. *Minorities at Risk: A Global View of Ethnopolitical Conflicts*, Washington DC: United States Institute of Peace Press.
- Gurr, Ted Robert, Monty G. Marshall and Deepa Khosla, 2001. *Peace and Development 2001: Global Survey of Armed Conflicts, Self-Determination Movements, and Democracy*, College Park, MD: University of Maryland.
- Gurung, Harka, 2003a. "Nepal: Maoist Insurgency and Indigenous People," *Nepali Journal of Contemporary Studies*, September.
- Gurung, Harka, 2003b. *Trident and Thunderbolt: Cultural Dynamics in Nepali Politics*, Lalitpur: Social Science Baha, 24 April.
- Hachhethu, Krishna, 1994. "Transition to Democracy: Negotiation Behind Constitution Making, 1990," *Contributions to Nepalese Studies*, January.
- Himalayan Times 2003. "US brands Maoists a Security Threat," *Himalayan Times*, 1 November.
- ICG, 2003a. *Nepal: Obstacles To Peace*, Kathmandu/Brussels: International Conflict Group, ICG Asia Report No. 57, 17 June.
- ICG, 2003b. *Nepal Backgrounder – Ceasefire, Soft Landing or Strategic Pause?*, Kathmandu/Brussels: International Conflict Group, ICG Asia Report No.50, April 10.
- ICG 2003c. *Nepal: Back to the Gun*, Kathmandu/Brussels: International Conflict Group, Asia Briefing, 22 October.
- Informal 2002. "Terrorist and Disruptive Activities (Control and Punishment) Ordinance 2001," *Informal*, January.
- Karki, Arjun and David Seddon, eds., 2003. *The People's War in Nepal: Left Perspectives*, Delhi: Adroit Publishers.
- Keane, John. 1996. *Reflections on Violence*, London: Verso: 68-71.
- Keehn, Norman H., 1974. "Building Authority: A Return to Fundamentals," *World Politics*, April.

- Keen, David, 1998. "The Economic Functions of Violence in Civil Wars," *Adelphi Paper 320*, Oxford: Oxford University Press for International Institute for Strategic Studies.
- Koirala, Tirtha, 2003. "Amaleko Lucknow Yatra," (The Lucknow Trip of UML), *Nepal Fortnightly*, 2 December.
- Krane, Jim, 2003. "Private Firms Do US Military's Work," *Associated Press*, <<http://www.globalpolicy.org/security/peacekpg/training/1029private.htm>>, 29 October 2003.
- Kumar, Radha, 1997. *Divide and Fall?: Bosnia in the Annals of Partition*, London: Verso.
- Kumar, Dhruva, 2004, "Parliament and Public Policy Making: A Case Study of the Mahakali Treaty," in Lok Raj Baral, ed, *Nepal: Political Parties and Parliament*, Delhi: Adroit Publishers.
- Kumar, Dhruva 2003. "Ashphal Bartale Shikayeko Paath," (The Lessons of Failed Negotiation), *Himal Khabarpatrika*, 2-17 September, pp.12-13.
- Kumar, Dhruva, 2001. *Social Structure and Voting Behaviour in Nepal* (A Report Prepared for the project on "Electoral Politics in Nepal" undertaken by the Nepal Centre for Contemporary Studies, Sanepa, Lalitpur, Nepal, June 30).
- Kumar, Dhruva, 2000. "What Ails Democracy in Nepal?," in Dhruva Kumar, ed., *Domestic Conflict and Crisis of Governability in Nepal*, Kathmandu: Centre for Nepal and Asian Studies.
- Kumar, Dhruva 1997. *Nepali State and Politics: Inevitable Crisis and Harrowing Transition* (A Book length Study Report Submitted to the Centre for Nepal and Asian Studies, December 12).
- Lawoti, Mahendra, 2002. "Defining Minorities in Nepal," *Nepali Journal of Contemporary Studies*, March.
- Lichbach, Mark Irving, 1989. "An Evaluation of Does Economic Inequality Breed Political Conflict?," *World Politics*, XLI: 4: 431-70.
- Luttwak, Edward N., 1994. "Where Are the Great Powers? At Home with the Kids," *Foreign Affairs*, July/August.
- Maharjan, Pancha N., 2000. "The Maoist Insurgency and Crisis of Governability in Nepal" in Dhruva Kumar, ed., *Domestic Conflict and Crisis of Governability in Nepal*, Kathmandu: Centre for Nepal and Asian Studies.
- MoPE, 2002. *Nepal, Country Report: Fifth Asian and Pacific Population Conference, 11-17 December 2002, Bangkok*, Kathmandu: HMG/Ministry of Population and Environment, August: 31 (Appendix 1).
- Muller, Edward N., 1985. "Income Inequality, Regime Repression, and Political Violence," *American Sociological Review*, February: 47-68.

- Mulyankan 2003. "Lucknow Barta," (Lucknow Talks), *Mulyankan Monthly*, December.
- NC, 2060 (2003). *Santipurna Samyukta Janaandolan 2060* (United Peaceful People's Movement 2003), Kathmandu: Nepali Congress Central Office.
- Neupane, Govinda, 2000. *Nepalko Jatiya Prashna: Samajik Banout Ra Sajhedhariko Sambhavana* (The Ethnic Question in Nepal: Social Structure and Possibility of Cooperation), Kathmandu: Centre for Development Studies.
- NPC, 2002. *Population Census 2001: National Report*, Kathmandu: National Planning Commission/Central Bureau of Statistics, June.
- NPC, 1987. *Population Monograph of Nepal*, Kathmandu: National Planning Commission - Central Bureau of Statistics.
- Nordlinger, Eric A., 1968. "Political Development: Time Sequence and Rates of Change," *World Politics*, April.
- Rajdhani, 2003. "Bartama Nepal Kamunist Party (Maobadi) ko Tarfabata Prastuta Prastavko Sarsanchhep," (The Summary of the Proposal submitted by the Nepal Communist Party (Maoist) for the Talks), (Document), *Rajdhani Daily*, 28 April.
- Regmi, Mahesh Chandra, 1995. *King and Political Leaders of the Gorkhali Empire 1768-1814*, Hyderabad: Orient Longman.
- Regmi, Mahesh C., 1978. *Thatched Huts and Stucco Palaces: Peasants and Landlords in 19<sup>th</sup> Century Nepal*, New Delhi: Vikas Publishing House.
- Rising Nepal*, 5 November 2003.
- Sharma, Prayag Raj, 1992. "How to Tend This Garden?," *Himal*, May/June, p.7.
- Sharma, Prayag Raj, 1986. "Ethnicity and National Integration of Nepal: A Statement of the Problem," *Contributions to Nepalese Studies*, April.
- Sharma, Prayag Raj, 1977. "Caste, Social Mobility and Sanskritization in a Tribal-Hindu Society: A Study of Nepal's Old Legal Code," in S. Iijima, ed., *Changing Aspects of Modern Nepal*, Tokyo: ISLCAA.
- Sharma, Sudheer, 2002. *Ethnic Dimension of the Maoist Insurgency*, (A Report submitted to the Department for International Development (DfID), Kathmandu), May.
- Sharma, Sudheer, 2001. "The Maoist Movement: An Evolutionary Perspective," (A paper presented at a Seminar on "The Maoist Movement in Nepal: Context, Causes and Implications" organized by the School of Oriental and African Studies, London, 2-3 November).

- Shrestha, Aditya Man, 1999. *The Bleeding Mountains in Nepal*, Kathmandu: Ekta Books.
- Sibal, Kanwal, 2002. "Challenges Ahead – India's Views on Regional Development," speech given by the Indian Foreign Secretary to the French Institute for International Relations, Paris, 17 December 2002 (as published in the *Indian Express*, 3 January 2003).
- Spotlight, 2003. "Bihar: Launch paid for Maoists?," *Spotlight Weekly*, 7 November.
- Stiller, Ludwig F. 1975. *The Rise of the House of Gorkha*, Kathmandu: Ratna Pustak Bhandar.
- Stiller, S. J., Ludwig F. 1968. *Prithwinarayan Shah in the Light of Ditya Upadesh*, Ranchi, India: Catholic Press.
- Suhrke, Astrid and Lela Garner, 1997. *Ethnic Conflict in International Relations*, New York: Praeger Publishers.
- Thapa, Hari Bahadur, 2002. *Anatomy of Corruption*, Kathmandu: Sangita Thapa.
- Thapa, Dipak with Bandita Sijapati, 2003. *A Kingdom Under Siege: Nepal's Maoist Insurgency, 1996 to 2003*, Kathmandu: The Printhouse.
- The Constitution of the Kingdom of Nepal 2047*, 1990. Kathmandu: HMG/Ministry of Law, Justice and Parliamentary Affairs.
- The Worker, 1996. "Theoretical Premises for the Historical Initiation of the People's War," No.2, June.
- TI, 2002. "The Terror Error," *Times of India*, 22 January 2002.
- Tilly, Charles, 1985. "War Making and State Making as Organized Crime," in Peter Evans, Dietrich Rueschemeyer and Theda Skocpol, eds., *Bringing the State Back In*, London: Cambridge University Press.
- Tilly, Charles, *From Mobilization to Revolution*, New York: McGraw Hills, 1978.
- UNDP, 2002. *Nepal Human Development Report 2001: Poverty Reduction and Governance*, Kathmandu: United Nations Development Programme.
- Ungar, Mark, Sally Avery Bermanzohn and Kentor Worcestor, 2002. "Violence and Politics," in Kentor Worcestor, Sally Avery Bermanzohn and Mark Ungar, eds. *Violence and Politics: Globalization's Paradox*, New York: Routledge.
- Wallensteen, Peter and Margareta Solenberg, 1996. "The End of International War?: Armed Conflict 1989-95," *Journal of Peace Research*, Vol. 33:3, August.
- Wright, Quincy, 1942. *The Study of War*, Chicago: University of Chicago Press.



## CHAPTER 3: The Role of the Media in Nepal

Bharat Dutta Koirala<sup>21</sup>

---

### A. Introduction

All major landmarks in the history of the Nepalese press have coincided with important political events. The first newspaper, established by Rana Prime Minister Dev Shumshere in 1901 remained the only newspaper for the next fifty years until the Rana family was overthrown in a popular movement. The *Gorkhapatra* served as the official mouthpiece of the government and was circulated among the family members and courtiers.

With the advent of democracy in February 1951, a number of individuals started small newspapers with strong political views. These were free and independent but often aligned to the political parties that were beginning to mushroom. They often served as mouthpieces for the different political parties. But, just as a free press was beginning to flourish in Nepal, another major political event took place in December 1960.

The establishment of the Panchayat System with absolute monarchy marked a significant setback in the functioning of the press. The Nepalese media suffered continuous repression under a series of draconian press laws for the next 30 years. Even though a private press continued to exist side by side with the official media, the growth of an independent media was slow and stunted. The Press and Publications Act contained provisions that could ban newspapers, jail editors and even close down printing plants. Any criticism of the Monarchy, the political system or the non-aligned foreign policy could lead to such harsh punishments. The question of a free, independent and pluralistic media seemed very remote during the entire Panchayat regime.

Even though the Nepalese press failed to enjoy full freedom of expression during the three decades of the panchayat system, there existed throughout the period a section of the press that was critical of the government. The Nepalese press could be easily divided into three broad categories: the government press, the pro-government private press and the anti-government private press. Most of the newspapers were small tabloids with very little circulation and limited readership, often owned and operated by individuals or as family

---

<sup>21</sup> Nepali Press Institute, Kathmandu



enterprise. The newspapers were also associated with the name of the owner or editor who could be identified as being close to the government or the political parties that challenged the totalitarian system.

The government media comprised the Gorkhapatra, which commanded the largest circulation and nation-wide distribution even though in limited numbers. The Rising Nepal daily came into circulation from December 1965. This English daily was intended to provide news and official views to the rising number of foreigners in the country that included the employees of the embassies and U.N. agencies, the English-reading public and the tourists. Radio Nepal, which started broadcasting in 1951 in the Kathmandu valley with a low-power transmitter, was able gradually to reach large parts of the country through a systematic programme of expansion. It also served the government as an effective medium of propaganda. It was only in December 1985 that Television broadcasting came to Nepal. Nepal Television too became an organ of the Nepalese government, used mostly for political objectives.

Viewed in the socio-political context, the government media always supported the government and acted as its mouthpiece, while the private sector media remained either supported the government and enjoyed its largesse or continuously opposed the political system.

The roles changed dramatically after the restoration of democracy in 1990. The Constitution of 1991 has granted full freedom of expression, freedom of the press and the right to information. These provisions provided the Nepalese media a breath of fresh air and a sense of security. This has led to greater institutionalization of the press, increased investment and improvement in the quality of journalism and printing. It has also led to the establishment of private radio and television. The roles have, thus, changed. The role of the government media has diminished and the private media has become more influential.

Some major landmarks in the development of the Nepalese media after 1990 should be mentioned. As mentioned earlier, the Constitution of Nepal 1991 has been instrumental in changing the face of the Nepalese media. Increased investment, institutionalization and facilities for training of journalists have all helped in developing a free and independent media. Investment in hardware and training has led to improvement in the quality of the products both in the print and electronic media.

Mention should also be made of efforts on the part of some individuals and institutions to establish and foster the community media. Wall newspapers, village and district newspapers, audio towers and community radio stations have already become integral part of the Nepalese

rural scenario. Many areas are now served by what we can call the alternative media, bringing in its wake greater awareness among the people and increased flow of information both to and from the rural areas.

With respect to the Maoist conflict, several studies and media monitoring efforts have indicated that the volume of news and opinions published in the newspapers and broadcast by the radio and television stations has increased dramatically. But, the quality of the content, specifically in the area of conflict resolution, has yet to be improved. The role of the media in conflict resolution has to be strengthened and made more effect.

### **i. Role of the Media in the socio-political context**

The Nepalese media has never been an effective means of communicating with the people. It has largely been an urban phenomenon. In order to understand the reasons it may be useful to examine some of the main constraints.

1. **The geography:** Nepal is geographically a difficulty country. Because of difficult topography and under-developed transport and communication infrastructure the distribution of newspapers and the establishment of radio and television are difficult. The total circulation of newspapers published in Kathmandu and the districts is still very low compared to the population growth and growing literacy.
2. **Illiteracy:** The literacy rate is still very low. The official figure of 50% literacy is considered inflated. In practical terms the number of people who can read newspapers is very small. An individual is considered literate when he or she can write their name.
3. **Poverty:** Because of massive poverty, people are not able to buy newspapers even if they were available in the local markets. This limits the circulation of newspapers and their impact on the people.
4. **Lack of a reading culture:** The Nepalese by nature do not like reading. They prefer to be read to. Story-telling is much more popular than reading.

If we examine the characteristics of the mass media in Nepal, it is easy to understand why it has very limited reach and minimal impact in terms of its role in social, political and economic development. The following characteristics of the Nepalese media greatly limit its role in its primary function to inform, educate and entertain.

The character of the mass media in Nepal too restricts or limits the role of the mass media. If we examine the characteristics of the media, as it exists today, this can be easily understood. The Nepalese media is:

1. **Too politicized.** Over 90% of the news and opinions contained in the newspapers is about politics, especially politics at the Centre. What happens in Kathmandu is often of little relevance to the rest of the country and yet the newspapers are predominantly pre-occupied with national-level politics.
2. **Emanate from the Centre:** Over 50% of the newspapers are published in Kathmandu. The news and opinions are again Kathmandu-centric. There is very little about the rest of the country.
3. **Too sensational:** The majority of the newspapers are vernacular weeklies. Most of them thrive on sensationalism.
4. **Little Development content:** There is very little in the Nepalese media about social and economic development in the country. There is little to inspire readers. There is little to motivate development.
5. **Difficult language:** The Nepalese media still uses a lot of Sanskritized Nepali. It is difficult for the average reader to understand the content of most newspapers.

The Nepalese media has largely failed to become an instrument of social and political change. While many third world societies have used the media effectively for motivating change and functioning as a catalyst, the Nepalese media has failed to effectively reach the masses of people and motivate them to change their lives. This applies equally to political change. Whether under the panchayat system or the present democratic dispensation, the media has large failed to affect the lives of the majority of the people living in the rural areas.

Some recent developments may be viewed as instruments that could lead to greater media impact on socio-political change:

1. **Establishment of the media development fund.** This fund, operated by the Press Council, was initially established with a grant of ten million Rupees from the Danish Government and a matching fund of another ten million from the government, issues loans to small publishers in the districts to modernize printing and publishing. The use of modern equipment has helped publishers of newspapers in many parts of the country to improve the quality of their journals and make them more saleable. The flow of information in the rural areas has improved in the last few years. Loans are also issued for other innovative media projects.

- 2. Training of journalists.** Hundreds of journalists have been trained in the past decade. Institutions like the Nepal Press Institute, Media Point, Nepal Forum of Environmental Journalists and Federation of Nepalese Journalists have trained young, educated individuals in the skill of journalism and knowledge of the basic principles. The result has been a large cadre of trained journalists in both the mainstream and the alternative media. Many trained journalists are already publishing their own newspapers in the districts.
- 3. Growth of the alternative media.** Many wall newspapers, newsletters, village newspapers, audio towers and community radio stations have come up. These are run entirely by local people with local content. These reflect democracy at the local level with local, news, views, debates and quest for solutions to local problems.

## **ii. Quality, coverage, ownership affiliation and political perspective of reporting**

The quality of the Nepalese media has perceptibly changed since the restoration of democracy in 1990. These changes can be seen in the use of modern technology, improved reporting, increased flow of information to and from rural areas, more investigative journalism and less self-censorship. The use of computers and the Internet has made newspapers more current and the offset printing technology has changed the way newspapers look. The use of pictures, graphics and cartoons has improved the general layout and content of the newspapers.

Similar is the case with the electronic media. The radio stations, commercial and community, use modern broadcasting equipment and computers and the Internet. Many of the stations are known to be extremely interactive and efficient in transmitting information to their listeners. Radio listening is becoming a way of life in many parts of the country, including the very remote districts. Television too has changed dramatically. With the establishment of private television stations, the quality of reporting has changed. The news on Channel Nepal and Kantipur Television are more objective, more extensive and interesting. The monopoly no longer exists and the era of official events dominating the television screen is over. On the whole the private channels are more professional and popular.

The coverage, however, is still limited largely to the Kathmandu Valley and some of the more prominent towns. News of personalities and events in Kathmandu still dominate the media. Even minor events in Kathmandu receive greater prominence over events of far-reaching significance in other parts of the country. This is due to the very limited number of reporters that the media have in the districts and the inability of television stations to establish offices in key areas. They operate with very little equipment and manpower.

This has become more glaring in the case of the Maoist conflict. The news media still depend a lot on official information. This is due largely to the inability of the media to station their own correspondents in many parts of the country. It is also due, as claimed by reporters stationed in the sensitive areas, to threats from both the Maoists and the army.

However, compared to the past, the coverage of news, both within Kathmandu and the districts has vastly improved. Many of the larger newspapers, radio stations and to a certain extent television stations have their regional, district or local reporters. Many of these reporters have received basic training in journalism through the outreach programmes of Nepal Press Institute or other journalism training institutes. This has led to a general increase in the coverage of events in the districts. The quality of the coverage, of course, could be improved with more training in conflict sensitive reporting, increased facilities for reporters to travel, training in personal safety for journalists and pressure on both the Maoists and the government to allow reporters more freedom to travel and write.

Traditionally, the Nepalese newspapers were owned and operated by individuals, with or without affiliations with the political parties. When private newspapers first came into the media scene, a number of enterprising individuals with a sense of mission published newspapers with a lot of hardship. Because there was very little advertising, limited sale and circulation, the newspapers did not make much money. Journalism, for a long time, was not a viable business. During the Panchayat period, the government provided a small subsidy to the newspapers. All newspapers, irrespective of their political affiliation, received a small amount of money on a monthly basis. This was intended more to win support for an unpopular government than to help foster the private media. Even newspapers which were critical of the administration received the subsidy. Those that supported the government received favours in other ways, as well.

This has changed since the restoration of democracy. With freedom of the press guaranteed to by the new constitution there has been an unprecedented growth in the mainstream and alternative media. Article 12 of the Constitution provides full freedom of expression, Article 13 specifically mentions freedom of the press and Article 16 guarantees the right of the citizen to information on issue of public importance. A number of well-endowed media houses have come up. The result has been almost dramatic. Some of the changes brought about by the advent of business houses, large investments in media hardware and a free and vibrant media environment are:

- 1. The institutionalization of the media.** Traditionally, the Nepalese media had been a one-man show. The only organized media sector was the government media, owned and operated by government corporations. All of a sudden business houses became owners and operators of large newspapers, and more recently of radio and television. All of them are organized as media companies with structures similar to media organizations in other parts of the world.
- 2. Quality of media products.** The quality of the media products produced by the new business houses is far superior to the products of the government media, which, because of a monopoly situation, has never been an example of excellence. In respect to production quality, coverage and administrative structures, the private sector media has improved a lot.
- 3. Growth in advertising revenue.** The private sector newspapers, radio and television are earning more revenue from advertising and sale than ever before. Not only are they attracting more advertising than the government media but the volume of advertising has also grown substantially since the establishment of new media houses. This is due both to improved marketing practices by the new media houses and also substantial growth in advertising of Indian products.
- 4. Higher consumption level.** The circulations of newspapers published by the new media houses have grown beyond expectations. There are more and more radio listeners and the number of households with television is constantly growing. This again, is the result of better marketing and improved transportation networks within the country.
- 5. Reading habits.** More and more people are reading newspapers. The newspapers in general have become more readable and relevant to the lives of the people. With growing competition among media houses, the quality and coverage have improved. There is more variety, and an attempt on the part of the publishers to cater to a more diverse readership. Coverage of the Maoist conflict has also increased. For the first time, the Nepalese are developing the habit of reading newspapers. Local editions of some Kathmandu-based newspapers have found a growing market in the districts they serve.
- 6. Growth of journals.** The new media houses are also involved in the publication of journals, other than daily newspapers. Some of them publish journals that have already been very popular in a short span of time. More and more titles are appearing in the market.

Two issues regarding ownership need discussion. One pertains to the ownership of weekly newspapers. Even though most of the weekly newspapers are either affiliated with or are close to certain political parties or individual politicians, by and large the pulse of the country can be judged by reading these weekly newspapers. The editors and publishers are usually well-

informed, keep abreast of what is happening in the country, discuss or write about issues with a sense of courage and boldness, and are ready to face consequences. While at times they become examples of good journalism at other times they are seen to practice what journalism should not be. Yellow journalism is often associated with the weekly newspapers. With stiff competition from the more organized section of the private media, the weekly newspapers are facing a severe crisis. Circulations, which had increased perceptibly after the restoration of democracy, have gone down. Most of them are facing a financial crunch. Some of the papers have found new investors but in general the future of the weekly newspapers is very much in question.

The second and equally relevant issue is that of foreign investment. Should foreign investment be allowed in the media sector? is a question that was not adequately discussed and decided upon when an Indian company surreptitiously entered the Nepalese market. Newspapers that are adversely affected by this development are also calling on the government to come up with a firm policy on foreign investment in the media. Such a policy has not been formulated.

The reason that foreign investment is looked upon with suspicion is the motive for investing money in the Nepalese media market. The size of the media market is very small, the revenue from advertising is extremely limited and illiteracy and poverty continue as constraints in the growth of the media. Prospects of big profits are negligible.

Why then do foreign groups and companies show interest in investing in the media in Nepal? Many feel that investment in the media is to manipulate the media to promote the interests of the countries in which the capital originates. In other words, these developments are the result of geopolitical interests rather than business interests. Where is the money coming from? is a question that is difficult to answer. Had Nepal been a country with strong economic prospects such investments would have been easy to explain but it is still one of the economically poorest countries without many natural resources.

On the question of ownership, the recent shift from individual ownership to corporate ownership has been a positive development. Whereas the newspapers were all owned and operated by individuals without much capital or prospects of expansion, the corporate ownership has led to qualitative improvement and more extensive coverage. However, this has also led to the demise of mission journalism. Since most of the owners were not very familiar with the mission of journalism and invested their money for profit and prestige, the clear-cut demarcation of responsibilities between management and editorial has become blurred. Many

of the media managers fail to understand the value of good journalism or the ethical values with which journalists are expected to operate. They are guided mostly by profit motive.

What is dangerous and not in keeping with the true spirit of journalism is the newspaper's affiliation with political parties. Many of the newspapers function almost like the mouthpieces of the political parties without saying so. In fact, most claim to be free and independent publications. But, the contents of these newspapers clearly reflect the thoughts and viewpoints of the parties they support. They do not leave much room for the development of a free, independent and pluralistic media.

An important issue related to ownership is the question of cross media ownership. Can a newspaper publisher also own a radio station? Can an organization that owns a newspaper and radio also own a television station? Even before these questions were fully discussed among professionals or the government, certain companies have already begun to extend their wings into media other than what they started with. For instance, *Kantipur Publications* also owns newspapers, a radio station and a television station. Image Channel that has been operating a radio station for the past five years now has a license to operate a television channel in Kathmandu. *Spacetime Network* has a newspaper, a cable service and satellite television.

Cross media ownership is a big issue in some countries where certain companies that own more than one media are known to misuse the newly acquired media power to further their own interests. Allowing media organizations to operate more than one media has given the organizations monopolistic powers to suppress their rivals or use their vast power for selfish ends. This issue needs further discussion and prompt action.

Media ownership has also had some impact on the contents of both the print and electronic media. Three very essential elements of journalism: accuracy, impartiality and responsibility are often missing in media content. Distortion of facts, biased reports and lack of sympathy or compassion are very common. There have been instances of newspapers attacking rival newspapers over certain reports affecting them. These attacks, often of personal nature, reflect not only the existing rivalry among media houses but also the dominant role of the owners of the media over editorial rights. This is even more distinct in political reporting where the interests of the political parties, groups or individuals that the media supports are always supported. It is said that in order to understand an issue one needs to read a number of newspapers.



### **iii. Role of non-traditional press and NGO activism**

Nepal has had some success in creating and using the non-traditional, alternative media. Principal among these are the wall newspapers, village newspapers, the audio towers and local cable TV. Started as small experiments, these non-traditional media have spread to many parts of the country and even to neighboring countries.

The wall newspaper was a concept developed by Nepal Press Institute in collaboration with the Agriculture Development Bank and UNICEF in 1987 as a medium of communication for the small farmers living in the rural areas. Success stories and useful information for farmers were published every month and sent out to small farmer groups. The wall newspapers were put up on walls of public buildings, schools and teashops. The popularity of the first wall newspaper "Gaon Ghar" led to the publication of other wall newspapers. Now, there are hundreds of locally produced wall newspapers in many parts of the country. In cities like Dharan, Biratnagar and Nepalgunj, children are putting out their own wall newspapers to assert child rights. With basic training in journalism, the "child journalists" design and prepare wall newspapers for their own localities. UNICEF provides the funds and display boards in strategic locations.

A number of small towns in Nepal have their own local newspapers, which are referred to as village newspapers. The most well-known among these is "Deurali Village Newspaper" published in Tansen, Palpa. It publishes local news, views and success stories and reaches many areas of the district. It also has subscribers in many other districts. Its news stories are supplied by the "barefoot journalists". The Publishers of the newspaper, Rural Development Palpa, initiated the barefoot journalist training programme, which succeeded in training local teachers, students and housewives to practice basic journalism. There is now a cadre of barefoot journalists in a number of districts writing development stories for local newspapers.

While discussing the non-traditional press, it may be worthwhile to mention the audio towers and local cable TV as alternative media that could play a significant role in conflict resolution. These media, now found in a number of towns in rural areas, are popular among the local people and enjoy more credibility than the mainstream media that have very limited access. The audio tower comprises an amplifier, microphones and loudspeakers placed in different village clusters. The audio towers are used to transmit useful information and entertainment programmes to the villagers. Similarly, cable services in a number of towns are using locally produced material in their programmes. This kind of service was first introduced by Ratna Cable in Palpa. Now, it is popular in many cities. While many development agencies are beginning to use these non-traditional media for reaching the rural public, they are yet to be used effectively for conflict resolution and peace-building.

Some Non-governmental organizations are actively involved in promoting and preserving freedom of express and freedom of the press. Some of them like INSEC, CEHURDES, IHRON and FNJ are routinely publishing accounts of attacks on the press or journalists both by the authorities and the Maoist rebels. They appeal to both sides to spare the journalists on grounds of human rights and their challenging profession. CEHURDES and INSEC publish detailed accounts of attacks on the press in their annual reports. The Human Rights Year Book published by INSEC has a section specifically on the media, its performance and human rights violation involving the media. The Federation of Nepalese Journalists has established a hotline to register all cases of violations against the press and routinely publish details of all the reports received from different parts of the country.

There are also NGOs that have programmes to train journalists and promote freedom of the press. More recently these training institutes have introduced training in conflict reporting and other activities designed to resolve the conflict and build peace. Peace journalism is slowly becoming a part of journalism training activities. According to the Centre for Investigative Journalism, as many as 13 training activities related to the Maoist conflict were organized in recent months by a number of such NGOs like Nepal Press Institute, Centre for Investigative Journalism, Federation of Nepalese Journalists, International Federation of Journalists, International Media Support (Denmark) and GTZ. The Peace and Development Fund established by a consortium of U.N. agencies under the aegis of UNDP has also funded a number of peace journalism training exercises through Worldview Nepal. The Far West Media Development Centre has recently trained 18 journalists in western Nepal, particularly those working in the Maoist-affected areas of mid and far western Nepal. FNJ recently took steps to provided insurance to journalists working in the most dangerous areas, something the individual journalists or their organizations were not able to do.

International Media Support, an international NGO based in Copenhagen, has been funding a number of conflict-related activities in Nepal and many other countries. In Nepal, it initiated its activities with support to Nepal Press Institute to organize a Conflict Sensitive Journalism training that brought together reporters and editors reporting from or writing about the Maoist conflict in 2002. It was followed by a Safety Training programme conducted by International Federation of Journalists.

As a follow up to the Conflict Sensitive Workshop, Nepal Press Institute developed the concept of team reporting under which several teams of journalists were sent to investigate and write about specific incidents in the Maoist affected areas to be published and broadcast by their

papers or stations. This was a very successful exercise and NPI is presently working on a similar project in other areas.

IMPACS, Canada has decided to open an office in Kathmandu and work with three organizations as partners in conflict and peace-building media activities: Nepal Press Institute, Sancharika Samuha (a women's media NGO) in the near future.

In short, NGO activism continues to help bring into focus the threats that exist to freedom of the press and expression in Nepal. Their voices are also being heard both in the government and Maoist circles.

## **B. Censorship and self-censorship**

It is interesting that the Nepalese media has never been subjected to official censorship. Even the government newspapers, radio and television have never experienced censorship. There is, in fact, no mechanism or expertise within the government structure to carry out censorship of the media.

During the Panchayat period, newspapers were frequently banned for what they wrote. There were many instances of editors being jailed for what was published. Even printing presses were closed down for what was published. There have been instances, even after the restoration of democracy, of police raiding newspaper offices and even carrying off computers. Pro-Maoist newspapers have from time to time been raided in this manner. But, no newspaper ever reported government censors coming to the editors to censor copies before they were published.

Self-censorship is something that has been in practice in the government media. There are certain restrictions that journalists working in the official media are expected to observe. These restrictions limit the degree of freedom that the journalists exercise. This is an understanding that the journalist already has before working in a government media. For instance, the journalists cannot bring the Monarchy into controversy, criticize the government, or write anything in contravention of the policies of the government or even criticize the actions of the government's senior officials. These restrictions are often not written down and there are always ambiguities regarding the rights and duties of journalists working in the official media. Fear of being punished or losing their jobs prevent journalists in the official media from asserting the freedom provided by the constitution. There is, therefore, a very heavy dose of self-censorship in the official media.

In the private media there have been instances of self-censorship. Some of these instances are:

- 1. Towards the end of the Panchayat system.** The more vocal and aggressive section of the press had carried out a relentless campaign against the Panchayat system. Those newspapers were sternly warned by the administration not to write against the King or the political system. Some continued attacking the government and the political system while others gave in to self-censorship.
- 2. Immediately after the Royal Palace massacre.** Even though many of the private newspapers and radio stations knew the King, Queen and other members of the Royal Family had been shot dead, there was hardly any mention of the incident in the media the next morning. The international media broke the news. Confused and not sure how to report, the media resorted to self-censorship.
- 3. During the emergency.** Since all civil liberties were suspended, neither the government nor the media knew exactly how to deal with the situation. Fear of government action prevented the media from reporting fearlessly about incidents connected with the Maoist insurgency. The Media published or broadcast bland statements from the Home Ministry mentioning how many Maoists or soldiers and policemen were killed. No attempts were made by the media to verify the reports. It was a clear case of self-censorship.
- 4. The King's action on October 4, 2002** also caused some sections of the media to hold back and not write critically of the new political developments. The reason for this kind of self-censorship was again the confusion caused by the action. Was it a constitutional action as claimed by the King or was not an arbitrary action taken against the letter and spirit of the constitution? In the absence of a clear-cut answer, self-censorship was resorted to.

#### **i. During the Conflict**

Specifically during the present Maoist conflict the condition and functioning of the press has perceptibly deteriorated. Whereas in the first decade of multiparty democracy, the Nepalese press made notable progress with respect to freedom of expression and general improvement of the condition of the print and electronic media, in the last few years the condition has changed for the worse. Journalists have been attacked, killed, imprisoned and made to function in a state of constant threat. International media watch agencies like IFEX, Committee to Protect Journalists and *Reporters Sans Frontiers* as well as human rights organizations are constantly issuing reports of Nepalese journalists being persecuted both by the Maoists and the army. Such cases are increasing day by day.

In such a condition it is natural for the press to exercise some degree of self-censorship. Reporters in the more sensitive areas of mid-western and far-western Nepal have openly expressed their fears from both the army and the Maoists. They are not able to write freely because of the fear that their reports may cause reprisals from the army or the Maoists. This has clearly led to self-censorship.

Having to rely on government figures in the actions against the Maoists is another form of self-censorship. Even though the press does not always have to rely on government figures, in most cases the media has no way of immediately reporting on the incidents or of verifying the figures later on. Independent media reports have been published or broadcast from time to time following government or Maoist claims, but this has not been possible in all instances. In many cases local people are known to have contradicted the army claims and reported instances of gross human rights abuses. But still, many unverified reports have gone without contradictions in the media. Not being able to independently verify reports or even quote local witnesses is indeed a form of self-censorship. Local people have often been found shy or afraid to talk because of the fear of reprisals.

## **ii. During the State of Emergency**

During the nine months of the emergency between November 2001 and August 2002 this was even more glaring. In the book "Nepali Press during the State of Emergency" the Federation of Nepalese Journalists (FNJ) describes those nine months as "the darkest period in the history of Nepali press". Eight journalists were killed during this period and the subsequent months. Neither the government nor the rebels ever informed the families of the fate of those killed or missing. Many journalists were arrested and abducted during this period but their details could never be acquired nor could FNJ acquire information on instances of assaults and torture. Many newspaper offices were raided and their property stolen. In the absence of access to information, some newspapers were forced to close down and acts of suppression and intimidation from both sides continued to plague the newspapers and private radio stations. Even the voices of the civil society organizations became hushed because of threats and intimidations.

With the announcement of the State of Emergency, various articles of the constitution including Article 12, 13 and 16 were suspended. As a result the freedom of speech, freedom of the press and the citizen's right to information were all suspended. Three pieces of communication from the authorities confirm the restrictions on the press and the heavy dose of self-censorship brought about by the State of Emergency: a. A circular from the Ministry of Information and Communication asking journalists "not to print or broadcast any interviews, articles, news, views

and other reading or audio-visual material that may tend to support or encourage the ways of Maoist terrorists, or the acts of confrontations, loots, kidnappings, arson, murder and violence that may be related to them”; b. A notice issued by the Royal Nepal Army on November 27, 2001 “asking the journalists and publications/broadcasting houses to carry army-related news and reports only after getting them confirmed from the military news desk of the Army headquarters”; c. A list of do’s and don’ts from the Ministry of Information and Communication for journalists and publishers.

The result of these developments was, as already stated, a heavy dose of self-censorship in the media. The Nepalese media continue to suffer threats and intimidations and a Damocles’ sword hangs almost permanently above its head. But, the Nepalese media continues, by and large, to assert its constitutional rights and report fearlessly on all issues including the Monarchy and the Maoist conflict. Media monitoring reports from the Media Services International mentions that “the media may have treaded a cautious path during the Emergency but it never gave in completely to threats and intimidations”.

In “Covering the Crisis” (a content analysis of six Nepali broadsheet newspapers during the state of emergency in Nepal), journalist Binod Bhattarai finds that flaws and shortcomings in reporting the Maoist conflict during the emergency were due not only to restrictions but also lack of training and knowledge of the essential elements of the conflict among the reporters and writers.

### **iii. During the peace talks**

During the seven-month cease-fire (from 27 January 2003 to 27 August 2003), the Nepalese media was able to enjoy a breath of fresh air. It began to slowly to return to normalcy. It was during this period that the private media became more vocal in criticizing the King for his actions. It became more aggressive in criticizing the government.

The following analysis of the media during this period given in Media Services International’s media monitoring report gives a picture of the media’s performance.

It mentions that “All the news related to Maoist insurgency’ received prominence in the front pages of the Nepalese dailies and weeklies.” Even though there were no major clashes and casualties in this period news and views related to conflict continued to receive prominence and political debates became possible because the media asserted their freedom to publish what they thought was worthwhile. It also observed that the daily newspapers were fair and objective

in their presentation of the conflict-related news. Some of them were biased in their editorial columns but most pleaded for peace.

According to the MSI report the weeklies “covered mostly the view and stand taken by their affiliated parties”.

The survey included Radio Nepal, Kantipur FM and Radio Sagarmatha. “All of them broadcast news of the Maoist conflict as the lead items”. The survey glaringly showed the difference in the way the same news is treated by the government media and the private media, especially with respect to casualty figures and actions of the army and the conflicts.

It is evident that the media performance during the ceasefire and dialogue improved a great deal and there were interesting and useful debates in the media. Conflict-related news and views were given special significance. But, not much appeared in the press to help the dialogue achieve peace. It was due mainly to lack of experience and knowledge of journalists and media owners of the basic elements of peace journalism. The need for training in journalism that promotes conflict resolution and peace-building was felt in professional circles.

### **C. Political influence of an independent media sector on conflict resolution**

An independent media can be an instrument of conflict resolution in the same way that the media can be a frightful weapon of violence. When the information that the media presents is reliable, respects human rights and represents diverse views it can help resolve a conflict. But, when the media propagates messages of intolerance or disinformation that manipulates public sentiment it can only fan fires that aggravate the conflict. There are many examples around the world to corroborate both these scenarios.

Thus, traditional journalism, by presenting facts and viewpoints that enable citizens to make sense of their world and exercise choices, seems to be a logical way of helping conflict resolution. But, the new category of media-related peace-building goes beyond the traditional disengaged journalistic role. It is designed to have an intended outcome: a reduction of conflict among citizens. Rather than merely informing, material is selected for its potential in transforming conflict, by shifting attitudes of the parties involved in conflict by providing essential information. This approach also extends from traditional journalism into avenues such as popular music, soap operas and call-in shows, community radio and video projects, and street theatre, wall posters, or concerts.

With this recognition emerges a journalism that is sensitized to conflict resolution techniques and seeks to maximize understanding of the underlying causes and possible solutions. In some conflict environments, journalists see their role as more complex than simply carriers of information, and they actively seek to facilitate the most important peace-building dialogues needed in their communities.

But, this can be done only if the country has a politically independent media. In its absence the natural scenario would be the government media being used as an instrument of official propaganda and a biased, partisan press fan rather than solve the conflict. In the light of these two possible roles of the press, we can examine the Nepali media.

### **i. The Nepali language press**

The Nepali language press comprises 83 % of all periodicals registered with the government on the basis of languages. Of the total number 1,879 periodicals in the various languages, there are 1,555 in Nepali. According to the latest Annual Report of the Press Council there are 217 dailies, 1,132 weeklies and 186 fortnightlies registered. Of course, all of them are not published on a regular basis. However, this shows that the stronger and more popular section of the press is the vernacular press. The Nepali language newspapers have the largest circulations and reach more people in the districts. Two of the larger daily newspapers, Kantipur and Samacharpatra have local editions in eastern Nepal.

What is glaring in the Press Council's list of newspapers is the large number of weeklies in Nepali. The growth and development of the weekly newspapers is a unique phenomenon in Nepali journalism. Throughout the history of Nepali journalism after the historic change in 1951, the development of the Nepalese press is reflected in the growth and expansion of the weekly press. Throughout the Panchayat period there were weekly newspapers that supported the political system and those that vehemently opposed the system. There were those that remained on the fence and those that changed sides.

The weekly newspapers had certainly distinct characteristic for a long time. The newspaper was owned by an individual and the title was always connected with the publisher who also assumed the role of the editor. In order to promote sale, the weekly newspaper contained sensational stories of crimes, often fabricated in the newspapers, often involving politicians. Stories of public scandals were often of libelous nature. In journalism schools, the weekly newspapers were often indicated as examples of yellow journalism. Commitment to truth, fairness and accuracy in reporting was often missing in weekly newspapers.



However, it is often said that in order to understand the pulse of the Nepali society an individual must read the weekly newspaper. The reason is that the editors are often knowledgeable on issues of public importance. As editors and publishers they often enjoy a social status that makes them more accessible to information, especially within the government hierarchies. Information thus acquired through resourcefulness or underhand dealings are often presented in a sensational way to catch the attention of their readers.

On the more negative side, the weekly newspapers reflect a bias in favour of the political parties or individual politicians they favour. This became distinct after the restoration of democracy in 1990. The weekly newspapers today not just reflect the views or attitudes of certain political parties on public issues but they actually function as their mouth-pieces. Each title is associated with a particular party, a faction or a political leader.

Immediately after the restoration of democracy, the Nepali language press began doing very well. The weeklies became very popular and their circulations soared to unprecedented levels. The newfound freedom in writing and reporting made the newspapers much more readable. A new cadre of reporters have been born and trained in the newly established training institutes. There was also a revolution in printing technology that made the newspapers much more attractive. Cartoons and dramatic pictures added to their popularity. The new constitution guaranteed their freedom.

However, over the last few years, the popularity of the weekly newspapers has diminished substantially. Some of the larger ones have taken steps to go into joint ventures with business houses, whereas the others are struggling to exist. Some have closed folded. On the whole the weekly newspapers are faring well.

Traditionally the weekly newspapers have survived with income from sale and support from the political parties or governments in power. Weekly newspapers are also known to indulge in various kinds of blackmail and influence peddling. Now, many publishers and editors are seeking new ways of existing. They are even asking for seminars to discuss the future of weekly newspapers.

One of the reasons for the falling popularity of the Nepali language weekly newspapers is the growing popularity of the Nepali daily newspapers that have come into publication in the last ten years or so. Being the first to appear, Kantipur daily still leads in circulation, advertising and editorial content. However, the others like Samacharpatra, Rajdhani and Annapurna Post are also very competitive and claim higher circulations in some specific areas. There is at present

also a price war in which the cheapest becomes the largest, since in terms of the main news they are almost the same. Not many readers are able to discriminate the editorial contents of the newspapers. The government daily Gorkhapatra, which was the largest newspaper for a long time, is fast losing its popularity.

What is heartening is that the reach of the newspapers is growing. More and more people in the district are reading newspapers. Many of the Nepali dailies and the older weeklies are reaching even the remote districts, even though in small numbers.

The Press Council Report also presents a picture of the Nepali press as it exists in the district. Ten years ago the newspapers in the district were small tabloids, printed on obsolete letterpress machines with no advertising and hardly any sale. Most newspaper editors were known to thrive on blackmail and political favours. The establishment of the Media Development Fund at the Press Council and an extensive training programme launched by the Nepal Press Institute with support from the Danish Government has changed all this. With loans from the Media Development Fund, many small publishers in the districts bought modern offset printing presses and computers. Others have modernized their printing facilities with their own resources. Even remote districts like Dandeldhura, Doti and Pancthar have their own offset printing machines and desktop publishing units. The newspapers have suddenly become more saleable and attractive.

The training of journalists, as a result of the establishment in Nepalgunj and Biratnagar of Regional Media Resource Centres, has become a routine affair. Young, educated individuals even in remote districts have received basic training in journalism. Many of them are working as reporters for the daily and weekly newspapers in Kathmandu. Some have started their own small newspapers. These Regional Media Resource Centres, functioning as branches of Nepal Press Institute, have regular journalism courses in Biratnagar and Nepalgunj and outreach programmes to promote journalism in the remote districts. The result has been very encouraging. Many of the reporters who are sending in reports from the conflict-ridden districts of mid-Western Nepal are products of these training programmes.

A relatively new phenomenon in Nepali language press is the growth of the fortnightlies. The two most popular periodicals in Nepal are both fortnightlies. Himal and Nepal are both extremely popular, are known for excellent journalism, are attractively laid out and printed and have a nation-wide circulation. Having started two years earlier, Himal sells more copies, but there those who enjoy reading Nepal. In addition to there are a number of popular literary magazines in Nepali.

The Nepali language press certainly has a wide reach and has adequate capacity to play a significant role in conflict resolution. Any initiative to use the media in improving the conflict situation in the country must take into account the role of the Nepali language press.

## **ii. The English language press**

The phenomenal development of journalism after the restoration of democracy in 1990 has also seen an unprecedented growth in English language press. A survey made 1992 by the Asian Media Information and Communication Centre (AMIC) in Singapore of the English press in Nepal showed that the number of English journals had actually gone down. Now, the number is going up. New English titles are appearing in the market with increased frequency.

The first non-tabloid English daily to be published in Nepal was the Rising Nepal in 1965. The others like the Commoner and the Motherland were small tabloids, which were read more for their opinions than the news. But, following the restoration of democracy the first English daily to be published was the Kathmandu Post. Now, there are three large-size English dailies, The Rising Nepal, Kathmandu Post and the Himalayan Times.

The fact that the English language newspapers have a limited market is indicated by the fact that two of daily newspapers have folded. Lack of advertising, poor sales and shortage of capable staff were the main causes for their failure. Even now existing English language publications face these constraints. Since the Nepali papers have better circulations and sales, much of the advertising appears to go to them. Traditionally, the Gorkhapatra has always subsidized the Rising Nepal.

Some relatively new English language periodicals seem to be doing well. The Nepali Times is known to be making a profit, whereas its sister publication Himal with a much larger circulation is struggling to break even. The reason is both the editorial excellence of the paper and good marketing strategies. The paper is known for its good content and growing advertising and sale revenues. On the other hand, another weekly Spotlight is said to be in a permanent state of struggle for survival. People's Review, too seems to survive with difficulty. Poor editorial content, lack of advertising and sale appear to plague most English language newspapers.

But, the English language press has always had its own value. An English language newspaper is considered a source of international prestige for publishing houses. It is an ideal medium for large publishing houses to reach an international readership even though on a very small scale. It is considered a status symbol. It is also considered a medium for reaching the large expatriate

population in Kathmandu, the employees of all the embassies, the U.N. agencies, the international NGOs and the tourists. There is also a growing English reading public; especially university students and those that have returned from study abroad. The impact of the English language press, the publishers feel, is quite substantial since many of the readers are those that have a decision-making role in the country. But as a viable business, the English language press is still weak. The circulation even of the larger daily newspapers is miniscule compared to those of the Nepali language newspapers.

It is for this reason that the English language press is limited to the Kathmandu Valley. Even in a major industrial town like Biratnagar the number of the Rising Nepal or Kathmandu Post sold is very small.

The influence of the English language press must, thus, be gauged in terms of impact rather than circulation or sale. Since most of the English dailies are owned by the larger publishing houses they are able to reach a large expatriate population with their news and views at the same time as their Nepali counterparts. This is also with respect to the Maoist conflict, which is being closely watched by the international community. The MSI report on media monitoring mentioned that the English language papers did cover the conflict quite extensively and “the opinion pages were full of news, views and arguments of different shades and controversies.”

### **iii. The electronic media**

Radio Nepal was established in 1951 following the overthrow of the Rana autocracy. But, its broadcasts were limited to the Kathmandu Valley. It was much later that Radio Nepal could claim its broadcasts to have become national. But, for the next 45 years or so, Radio Nepal enjoyed complete monopoly in Radio Broadcasting. Having started with a small short-wave transmitter in Kathmandu, it began a policy of expansion that ended with the completion of its Medium Wave project funded by the Japanese government. Presently, over 60 of the Nepalese households can hear the broadcasts of Radio Nepal.

Even though Radio Nepal stood out as the only broadcasting authority in Nepal, it never enjoyed much credibility because it functioned as the mouth-piece of the government. The monopoly situation also prevented access to the people. As the only radio station broadcasting in Nepali language, most people listened to Radio Nepal whether they liked it or not. Over the years the number of households listening to Radio Nepal did go up. By 1995 when Radio Nepal carried out a listenership survey it was found that as much as 60% of the households listened to Radio Nepal's news broadcasts and other programmes.

Many national and international Non-governmental Organizations have always shown interest in using Radio Nepal's broadcasts for reaching the masses with development messages. Some agencies like UNICEF have quite effectively promoted programmes that have benefited many people, but most development agencies have become frustrated with Radio Nepal's policies regarding extremely high tariffs for both production and airtime. It was said that advertising cigarettes and liquor cost much less than broadcasting development programmes.

This, however, changed somewhat after the private FM radio stations started broadcasting. Radio Sagarmatha became the first private radio station to broadcast when it went on the air in May 1997. Since then as many as 26 private radio stations were broadcasting from many towns and rural areas by July 2003. When the government issued new licenses as many as 30 new groups have received licenses to establish and operate private radio stations. By the time they start broadcasting as many as 56 private radio stations would be broadcasting programmes in many areas of the country including some remote districts like Jumla and Bajhang.

A new revolution in broadcasting came to Nepal in 1992 when a task force appointed by the government to recommend a new communication policy suggested, among other things, the establishment of private radio stations on the FM band. This led to the promulgation of the National Broadcasting Act in 1993 and the National Broadcasting Regulations in 1995. But, it was only in 1997 that the government issued the first license for a private radio station. Radio Sagarmatha became the first private radio station in the whole of South Asia when it went on the air in 1997.

The establishment of these private radio stations has opened up large areas of the country to new forms of information and entertainment. Many of the radio stations are able to broadcast their own news. They are also able to broadcast news and information provided to them by private agencies like the Communications Corner. Many stations are, for instance, able to receive important national and international news from Communication Corner early in the morning and broadcast them to their listeners. In fact, this programme has become the most popular programme among Nepalese radio listeners. Soap operas on HIV/AIDS are distributed to radio stations by using satellite radios that use direct satellite broadcasts. These are examples innovative approach to radio broadcasting that Nepal is presently experimenting with.

While many of the private radio stations are of commercial nature, some are identified as community radio stations. When all of the 56 licensees have established their stations and started broadcasting, there will be as many as 18 community radio stations in Nepal. At present there are about 6 community stations. The community stations are called so because they are

owned and operated by local communities, and the public service nature of their programmes entitle them to be called community stations. The principal motivation for these stations is to serve, rather than to make a profit.

Nepal's experience in the establishment and operation of community radio has become a model for other Asian countries, especially countries of South Asia. In 1997 Nepal became the first country to grant license to operate private radio stations and Radio Sagarmatha became the first community radio station in South Asia. Since then 56 groups and communities have received licenses. Some of them are being located in remote hill districts like Jumla, Bajhang, Surkhet and Solu Khumbu. It is hoped the process of granting licenses to private stations will continue and there will be many more communities operating their own radio stations.

There are certain elements of community broadcasting that seem especially suited for a country like Nepal. First, Nepal is a geographically a difficult mountainous country with many hills and valleys. Centralized broadcasting from the capital or regional centers will never be able to reach the villages where 80% of the people live. It is only through local radio stations covering certain specific geographical area can be effective. Second, Nepal is a country with vast cultural and linguistic diversity. The radio programmes will, therefore, be most effective if they are broadcast in the local languages and reflect local customs, attitudes and beliefs. Third, a community radio is inexpensive, easy to operate and programmes can be designed and broadcast with great flexibility. Local programmes tend to solve local programmes and help promote democracy at the grassroots since community radio facilitates interaction among individuals, groups and political parties at the local level. Fourth, there is a high level of volunteerism in the community radio and the chances of sustainability are very high since costs are kept to the minimum. And finally, participation of various elements and groups within the community tends to help promote democracy, good governance and transparency.

It is heartening to find that all of the community radio stations presently operating in the country are doing very well. All of them have expanded their facilities, improved their programmes, extended their reach beyond the anticipated geographical area and have begun to produce results. All of them are very popular and are widely supported by members of the community they serve. All of them are operated by locally trained programme producers and technicians. They are effectively serving as models of community radio stations to be emulated by communities in other countries.

With respect to the Maoist conflict, the community radio stations continue to walk a tight rope. They are constantly watched both by the Maoists and the authorities. But, all of the stations

have kept themselves as neutral as possible in their programmes and their behaviour. Swargadwari FM at Ghorai in Dang District was established during the State of Emergency and operated under fear that it would be attacked and destroyed by the Maoists. But, instead the radio discovered that both the government authorities and the Maoists were constantly monitoring their programmes to learn what the other side was doing. The radio station was able to broadcast its programmes without any overt threat from any side. While Radio Nepal's transmitters in several places have been destroyed by the Maoists, none of the community radio stations have been attacked.

It can, therefore, be concluded that community radio stations can play a positive role in conflict resolution. They can educate their listeners on the nature and genesis of the conflict, the present situation and where the solutions could lie.

Television came to Nepal in December 1985 but its growth has been slow. Till recently only Nepal Television (NTV) was allowed to broadcast. NTV started broadcasting only in the Kathmandu Valley, but gradually expanded its terrestrial network to other parts of the country, principally the eastern region. But, two years ago NTV decided to go into satellite broadcasting so that they could reach a larger audience at home and an equally large Nepal speaking population abroad. This is now a reality but the quality of NTV broadcasts needed to be improved in order to compete with other channels.

This has in recent months changed. The government issued licenses to six private television companies. Kantipur Television is using terrestrial system, while Channel Nepal has been using satellite transmission. Two Metro channels, one owned by NTV and the other by Image Channel, are already broadcasting to a growing audience in Kathmandu. Two others, Shangri-la and Ad Avenue, are yet to start.

A question that is often asked is whether the limited advertising market and size of audience can sustain so many television stations. Besides, it is a costly medium, both in terms of programme production and its expansion among the masses. NTV presently claims to reach about 50% of the population but in real terms the number is much lower. However, this is a medium that is bound to expand.

#### **iv. Impact of Information and reporting**

There has definitely been a perceivable impact of the press on the conflict. The Nepalese media has been able to exercise full freedom and independence in reporting and writing. With the capacity of reporters to travel to different parts of the country to investigate and write on

different issues, including the Maoist conflict, the availability of information has grown. Reporters are able to write what they see or hear. They are traveling more and more to the sensitive areas. The number of reporters working in the districts has grown and many of them are trained.

The development of human resources in the field of mass media has been a noteworthy development since the restoration of democracy. With the mushrooming of newspapers and radio stations, and the establishment of new television stations, the number of journalists working in the print and electronic media has grown by leaps and bounds. Many of the larger newspapers in Kathmandu have stationed reporters in the districts. The number of newspapers coming out from the districts is also constantly growing. All of them employ a certain number of journalists. With these journalists seeking information, including different elements of the Maoist conflict, the availability of interesting information from the districts has suddenly grown.

With respect to reporting from the districts we have already pointed out that there has been a growing tendency among reporters to exercise more self-censorship because of fear from both the Maoists and the army. Both these elements are known to have threatened many journalists with dire consequences if they report anything not in their favour. This has put many journalists, principally those working in the more sensitive areas, to danger and thus it is understandable why they are resorting to self-censorship.

In addition, stories of journalists being killed, abducted or simply beaten up are becoming quite common. Whereas in the first ten years of democracy, Nepal had a spotless record with respect to the persecution of journalists, the situation has changed for the worse. Almost every day there are stories of journalists suffering one or the other types of persecution. Some are flagrant violations of human rights. Even though human rights organizations are constantly raising their voices in support of the journalists, acts of persecution go on unabated. Such acts are carried out both by the Maoists and the authorities. In a recently published book prepared by the Federation of Journalists, it is mentioned that many journalists were killed, imprisoned, abducted and beaten up during the National Emergency between November 2001 and August 2002. Since the publication of that book, things have got worse for the journalists.

In spite of such cases, reporters are still sending in accurate accounts of events involving the government and the Maoists. On the whole the volume of reportage on the Maoist conflict is growing. The accuracy of most of these reports is also confirmed.



## D. Observations and Recommendations

Based on what we have discussed above with respect to the Nepalese media and its role in the Maoist conflict we can make the following observations. Based on the observations we can also make appropriate recommendations to enable the Nepalese media to play a more effective and meaningful role in influencing and solving the conflict.

1. The Nepalese media has never been very effective in Nepal's social and political development. Elements like illiteracy, mountainous topography, poverty and underdeveloped physical infrastructure have been the principal constraints. However, some journalists with a sense of mission have, throughout its recent history, played an important role in bringing about democracy and social change. Following the restoration of democracy there has been an unprecedented growth and development in the media and there is likelihood that the media will be able to play a more important role in future. Here, we are concerned with its role in conflict resolution.

**Recommendation:** Steps should be taken to encourage the media to write and report more on the conflict. While reporting of events related to the conflict, like armed engagements between government troops and the Maoists, figures of casualties and speeches made by officials or reports of seminars, workshops and conferences are routinely published or broadcast, very little is written on the sorrows caused by the conflict, there are hardly any human interest stories of suffering in villages and positive results of peace and ways and means of achieving peace.

The skills to write such stories come from training and interactions. Training institutes should be encouraged to organize training activities that provide journalists the skill to write on peace-building. The concept of peace journalism is new but it is time to start.

2. Persistent threats from both the army and the Maoists have created in reporters and editors a feeling of self-censorship. Even though the media is still exercising its freedom granted by the constitution, the underlying fear may affect the further growth of a free, independent and pluralistic media.

**Recommendation:** Media and human rights organizations must get together to discuss growing fear of censorship or self-censorship. Since this can destroy the freedom enjoyed by the Nepalese media in the past 13 years, concerted efforts must be made to prevent it from happening.

3. There has been gross violation of human rights against the journalist community. According to the latest statistics issued by the Federation of Nepalese Journalists as many as 4 journalist have been killed, two by the army and the other 2 by the Maoists, 65 journalists have been arrested (55 have since been released), 10 are still missing and their whereabouts not known, 2 have been abducted by the Maoists, 3 have been expelled from their stations and many have suffered other forms of persecutions. Many have received explicit threats from the Maoists and the authorities.

**Recommendation:** Journalist and human rights organizations must continue to raise their voices against such acts of human rights violations. International media and human rights watch agencies must be promptly alerted whenever violations against journalists take place. They can exert immense pressure against both the government and the Maoists, both of which seek international support. Both media organizations and human rights agencies have agreed to do whatever is possible to continue watching the situation and alerting the parties to the conflict. In a recent initiative taken by Media Services International, all human rights organizations and media institutions agreed that freedom of expression must be protected through concerned efforts of the media and human rights activists because a free and independent press is necessary for democracy. Such initiatives and efforts must be continued until all threats to journalists and free media cease to exist.

4. Media monitoring reports have all indicated that the volume of reporting has substantially increased. They also show that much more opinion pieces are written on various aspects of the conflict. This is a healthy sign and it can lead to positive impact on conflict resolution. However, it was also pointed out that the quality of the material has to be improved. Many journalists and other writers do not seem to be too familiar with the issues, especially the root causes of the conflict and possible initiatives that can lead to a solution. Journalists much be given access to more information and knowledge regarding conflicts in Nepal as well as other countries. They must also learn about peace-building efforts in other parts of the world, including accounts of successes achieved.

**Recommendation:** The national and international agencies that have been assisting conflict resolution efforts in Nepal with financial and technical resources must consider this need in the Nepalese media. Exchanges of visits among journalists in conflict-ridden countries or sharing of experiences through regional or international gatherings must be considered. Presently Panos South Asia and MSI are involved in a project that brings Sri

Lankan and Nepalese journalists to share their experiences in using the media for conflict resolution. Such efforts need to be expanded.

5. Training of journalists seems to be one way of improving the role of the media in resolving conflicts. How to right in a way that helps create improved environment for peace rather than aggravate the conflict is something that can be learned from training in peace journalism. Since this is a branch of journalism that is relatively new, there is the need to bring in expertise from other conflict areas around the world where such journalism has had salutary effect on peace-building. The training activities carried out so far in Nepal with the help of experienced journalists like Ross Howard of Canada through assistance from international agencies like IMS seem to have been favorably received by the Nepalese media. There is already a growing demand for conflict sensitive journalism training and safety training for journalists working in the most sensitive areas.

**Recommendation:** Training of this nature should be made on-going exercise. Media training institutions and NGOs involved in conflict resolution must include such training activities in their regular agenda.

6. Media Monitoring has been very helpful in bringing the Maoist conflict into both national and international focus. International media watch organizations like IFEX, CPJ, IFJ, IMS and *Reporters Sans Frontiers* are routinely watching cases of human rights violations and encroachment on freedom of the press. Their statements help alert the authorities and the Maoists when excesses occur. Nepalese organizations like FNJ and CEHURDES are involved in monitoring all cases of violations against working journalists and encroachment on media freedom.

**Recommendation:** Organizations like FNJ, CEHURDES and MSI do not have adequate resources to continue their monitoring activities without support. Since these are worthwhile efforts in conflict resolution, international agencies including donors must consider sympathetically the needs of these organizations to help them continue their good work.

## E. Conclusion

The Nepalese media is finally learning to play its due role in creating a favourable environment for conflict resolution in Nepal. It is clear that to be able to provide reliable information to the public in times of violent conflict needs special knowledge and skills. Journalists must learn to

delve into the causes of conflict rather than just reporting events relating to the conflict. They must analyze the processes at work, not just look at incidents of violence. They must make the public well-informed about the conflict beneath the violence and, thus, help in resolving the conflict.

In order to help the Nepalese media acquire these skills, concerted efforts must be made by the media and human rights organizations as well as the international donor agencies.

The Nepalese media has achieved a lot since the restoration of democracy. Now, it must play its new role in solving a violent conflict that has afflicted the country and its people.

---

## REFERENCES

Bhattarai, Binod "Covering the Crisis" a content analysis of six Nepali broadsheet newspapers during the State of Emergency, Centre for Investigative Journalism, Himal Association, Kathmandu, March 2003

CEHURDES "Practical Guides for Journalists", Kathmandu 2003

CEHURDES "State of Freedom of the Press and Expression – Nepal Report 2002", May 2002

Centre for Investigative Journalism "Sankatkalko Nepali Patrakarita" Kathmandu, 2003.

Dahal, Tara N. (supervised by) *Nepali Press in Emergency*. Nepal Federation of Journalists, 2003

Gunaratna, Shelton *A Handbook of the Media in Asia*, Sage Publications, 2000

Howard, Ross "Conflict Sensitive Journalism, a Handbook" by Ross Howard, IMPACS - Institute for Media, Policy and Civil Society and International Media Support, 2003

Howard, Ross "An Operational Framework for Media and Peace-building", IMPACS - Institute for Media, Policy and Civil Society, Vancouver, January 2002.

INSEC "Human Rights in News Reporting" Kathmandu, 2002.

Media Services International (MSI) "Nepali Media and Conflict (Action Plan to improve the coverage of conflicts in Nepal)", report submitted to ESP, Tripureshwar, Kathmandu, April 2003

Media Services International (MSI) "Media Monitoring on Conflict Coverage" a report covering the period December 2002 to March 2003.

Media Services International (MSI) "Royal Proclamation of October 4, 2002" Media Monitoring Report, 2003

Nepal Federation of Journalists "Hotline Service 2003-2004", Kathmandu 2004

Nepal Press Institute, *Conflict Conscious Reporting Handbook*, December, 2003

Nepal Press Institute "Peace Journalism Training Course", 2002

Pokhrel, Gokul P. and Koirala, Bharat D. *Mass Media Laws and Regulations in Nepal*, Nepal Press Institute, Kathmandu and AMIC, Singapore, 1995

Press Council Nepal "Press Clipping Service 2002-2003", Kathmandu 2003

Press Council Nepal "Annual Report (2002-2003)", Kathmandu, 2003.

Pyakurel, Sushil and Aryal, Kundan *Human Rights and Press*, Nepal Press Institute and INSEC, September 2002

Thapa, Deepak. *Understanding the Maoist Movement of Nepal*, Kathmandu: Martin Chautari, 2003



## CHAPTER 4: Development Cooperation and Conflict

Sharad Sharma and Ratna S. Rana<sup>22</sup>

---

### A. INTRODUCTION

The sharp rise in the internal conflicts in Nepal since 1996, less than a decade ago has, among major losses including more than 9000 human lives, made too much damage of the poor, underdeveloped and mainly subsistence oriented economy of this country. Internal conflicts originating from various sources including caste and class etc previously dormant may have found their new avenues fueled by the Maoist insurgency. The continuous prevalence of conflicts has brought into focus many issues escalating the vulnerability of the economy in total including those activities closely associated with development cooperation. In the context that Nepal has been the recipient of foreign aid since 1950s and currently around 70 percent of the country's development expenditure financed by international development, the issue of economic vulnerability is more serious. This section of the case study attempts to address some of these crucial issues confronting Nepal in the arena of development cooperation and conflict.

Foreign aid entered into Nepal's development efforts early, since the preparation of the First Plan (1956-61), and has indeed played a key role in the country's development. However, the immense hopes evoked by foreign aid to herald rapid development, even after half a century of planning efforts have not been fulfilled, and it appears that there is a sense of frustration and disappointment with regard to development achieved thus far. It is argued that the Maoist insurgency is basically the manifestation of deep social and economic grievances produced and sustained by failed development (Panday, 1999).<sup>23</sup>

It is obvious that the donor community has been the partner in Nepal's development efforts and therefore, answerable in many ways both for its failures and successes. As such, questions have been raised as to whether development assistance has contributed to the current conflict.<sup>24</sup>

---

<sup>22</sup> Prof. Sharma teaches Economics at the Tribhuvan University, Kathmandu. Dr. Rana is former Vice-Chairman of the National Planning Commission, Nepal.

<sup>23</sup> Devendra Raj Pandey: Nepal's Failed Development, Nepal South Asia Center 2001. In Panday's view, development fails "when planning and development become a bureaucratic ritual at the service of dominant interests at the center as opposed to the needs of the districts and rural communities (p. 16).

<sup>24</sup> The word "conflict" has been defined with a number of different emphases. For our purpose, we understand it as used by Dahal in his article "Conflict Resolution: A Note on Some Contending Approaches" (in Ananda P. Shrestha & Hari Uprety (eds.) *Conflict Resolution & Governance in Nepal*, Kathmandu: NEFAS, 2003, p. 3-21). Briefly, it may be viewed as a situation in which individuals or groups pursue disharmonious goals, values and interests in which the aim of the opponents may be to neutralize, injure or eliminate their rivals or opponents.

Shrestha has observed: "The paradox is that 50 years of foreign aid to Nepal has ended up breeding Maoists. There has been a fundamental flaw in the way foreign aid has been designed and dispensed" (Nepali Times no. 179). As the patterns and pace of Nepal's development have been greatly influenced by development co-operation, it seems logical to suspect its role in the current conflict. However, the corollary of this would also be that development cooperation could rather be an intervening factor in fuelling its continuation.

## B. ECONOMIC IMPLICATIONS OF CONFLICTS

A sharp increase in defense expenditure has been observed in the Nepalese economy in the name of controlling terrorism. Table (1) indicates that in the recent years this trend has escalated. Due to this expenditure, there has been scarcity of funds for development activities.

**Table 1: Defense Expenditure in Nepal (Rs. Billion/Year)**

| Year    | Royal Nepal Army (Rs. Billion) | Police (Rs. Billion) | Total (Rs. Billion) | Annual Growth (%) | % of Regular Expenditure | % of Total Expenditure | % of GDP Nominal |
|---------|--------------------------------|----------------------|---------------------|-------------------|--------------------------|------------------------|------------------|
| 1997/98 | 2.68                           | 2.53                 | 5.16                |                   |                          |                        |                  |
| 1998/99 | 3.03                           | 2.92                 | 5.95                | 15.3              |                          |                        |                  |
| 1999/00 | 3.51                           | 3.32                 | 6.83                | 14.8              | 19.8                     | 10.3                   | 1.7              |
| 2000/01 | 3.90                           | 5.27                 | 9.17                | 34.3              | 21.4                     | 11.5                   | 2.3              |
| 2001/02 | 5.88                           | 7.28                 | 13.16               | 43.5              | 27.1                     | 16.4                   | 3.1              |
| 2002/03 | 7.50                           | 7.59                 | 15.09               | 14.7              |                          |                        |                  |

Source: (i) Sharma, S. *Sena Thapiyo Kharcha Badyo (Increase in Expenditure due to increase in number of Army)* in Nepal Magazine (Year 4, Issue 12), Fortnightly Publication of Kantipur Publication P, 16-19 Feb, 2004; (ii) Economic Survey, 2002/03, Ministry of Finance, HMG, Kathmandu.

**Table 2: Cost of Conflict in Nepal (Estimated Data for 2001/02 & 2002/03)**

| Expenditures/Loss   | Cost                                       |
|---|--|
| <b>Direct cost</b>  |  |
| Direct expenditure on security (Govt.)                    | 39.63 billion (10% of GDP at factor cost)* |
| Maoist Army's Expense                                     | 1.94 – 2.13 Billion                        |
| Damage on physical infrastructures and banks              | 25 Billion**                               |
| <b>Sub-Total****</b>                                      | 66.63 Billion                              |
| <b>Indirect cost</b>                                      |  |
| Loss in business due to strike and <i>Banda</i> (closure) | 1 billion                                  |
| Loss due to decrease in the number of tourists inflow     | 11.05 billion                              |
| Impact on the income due to damage in human resources     | 14.04 billion                              |
| Loss in income due to displacement                        | 8 billion***                               |
| Loss due to shift of development expenditure for defence  | 12.30 billion                              |
| Impact on the direct foreign investment                   | 6.05 billion                               |
| Sub-Total   | 52.44 Billion                              |
| <b>Total</b>  | <b>119.07 Billion</b>                      |

\* Including foreign aid for security expenses (US Aid: 1.33 billion; UK: 780 million; India: 3.2 billion and additional 1.6 billion rupees)

\*\* Loss due to damage in infrastructure construction: 20 billion

\*\*\* Loss due to closure of agriculture production and cottage industries

\*\*\*\* With adjusted estimates of Rs. 2 billion for Maoist army expenses

Source: Data derived and adjusted from Dhurba Kumar, *Yuddha Ko Arthasastra (Economics of War)* in Nepal Magazine (Year 4, Issue 12), Fortnightly Publication of Kantipur Publication P, 16-19 Feb. 2004.



The overall loss of development potential as a result of the ongoing conflict is difficult to assess but it is serious and increasing with the continuation of open conflicts. One alarming feature of the current Nepalese economic situation, as reviewed by the Nepal Rastra Bank, the Central bank of Nepal is that in the first five months of the current Fiscal Year (2003/04), the development expenditure has reached to only Rs.3.36 billion against the annual target of around Rs.41billion. This situation has led to the reduction in external support fund, as almost all development projects have counterpart fund implications for their implementation. This has resulted in the great setback in the economy and has produced multiple retarding effects of which the price rise has been to the extent of 4.9 percent compared to 2.7 percent last year. The price of food items rose to the level of 3.9 percent compared to 1.7 percent last year. The price of edible oil and ghee products has gone up by almost 13 percent followed by 8 percent for vegetables. Similarly, the price of nonfood items and services has also increased by 6 percent compared to 3.7 percent last year. The price of household goods has gone up by 9.4 percent and in transport and communication the price rise has been at 12.7 percent. The price rise is highest in Kathmandu (6.4 %) compared to the Hills (4.6%) and Terai (4.2%) and it has an increasing trend as the inflow of Maoist affected people continues in the capital city. Another alarming fact is that the state had to pay NRs. 1 billion as compensation for the loss of lives. There is no report on financial damages caused to Maoist from security forces.

Maoist activities have also led to economic burden from forced donation and demand for food, disruption of market and increase in transaction cost, loss of farm labor, and decrease in productivity. However, on the positive side, the conflict has contributed to more transparency among development projects, the decline in corruption, lowering the interest rate in the rural areas, increase in direct entitlement of land and assets to certain households decrease in exploitation by landlords etc. But the lack of fund is a crucial issue as many development projects have ceased to function.

## **C. INVENTORY OF ONGOING DEVELOPMENT PROJECTS**

### **i. Evolution of International Development Cooperation**

Approaches and strategies to push underdeveloped countries out of poverty have been evolving over the five decades since the end of the World War II. This process, which may be called development assistance, is a reflection of dynamic and continual interplay among intellectuals, world events and assistance efforts.

One such approach was that power of the open markets was key to the development of the poor countries. The development cooperation of the 1980's was influenced by this idea. Led by the World Bank, the international financial institutions made loans conditional on market-

liberalizing policy changes. This was the time of the “structural adjustment loans (SALs)” and “sectoral adjustment loans (SECALs), which were primarily devised for the African and Latin American developing countries and spread to Asian countries including Nepal. But the net results of this development co-operation were disappointing for the economic development and poverty alleviation of the low-income countries.

Consequently, this eventually yielded to softening of the market-based/ intervention-based dichotomy, and an emphasis on poverty reduction and strong views on incorporating human factors and institutions. This underlies the present development cooperation strategy with a wide ranging poverty reduction strategy by the donors’ community at large, including the World Bank. This philosophy is “pro-poor” (previously called people-oriented development) and considers poor people rather than their government as clients. Its avowed aim is to institute improvement in their clients’ conditions from the grassroots level. This is to be accomplished through participation and ownership created by putting responsibility for people’s well-being firmly in the hands of their local governments with technical and financial support from development organizations.

European donor countries strongly support linking assistance, poverty reduction and institutional reform. It should be noted that, historically, European countries have demonstrated a pattern of relatively strong support for development cooperation. This may be attributed to some extent to their cultural values. For example, entitlement to social services and a social safety net has traditionally been more accepted and protected within Europe than within the US or Japan. From the above, it can be noted that changes in development cooperation strategy have resulted from disillusionment with prevailing theories. It is seen that at any given time the focus or emphasis of development cooperation echoes what is “fashionable” at the time and overshadows other viewpoints. This was the case with capital accumulation during early years of development cooperation and with poverty reduction in recent years. Presently, there seems another trend emerging, viz. joining the bandwagon of the Millennium Development Goals.

## **ii. Some Aspects of Development Dynamics**

Nepal’s strategic location between India and China was a factor which prompted several countries as well as international aid organizations to extend development assistance or cooperation. Thus Nepal’s socio-economic problems were taken out of the realm of local policy and decision-making process, which may be said to continue to some extent even to this day.<sup>25</sup>

---

<sup>25</sup> It will be interesting to note that one of the earliest statements of development goals in Nepal was formulated by an American, not a Nepalese. In the opinion of Paul W. Rose, the Director of this first report, goals which Nepal could and should carry out included: sufficient production of food and clothing to provide adequately for the needs of each citizen, universal education, development of water power to provide adequate electricity and irrigation, elimination of disease, roads to supply markets, creation of rural credit system, land reform, reforestation and exploitation of mineral

As Nepal moved further into the community of nations and as her isolation began to crumble, the urgency of economic problems became more obvious and donor communities moved in to help the country and did much "development thinking" for Nepal without perhaps realizing that the Nepalese would need to do the thinking themselves in order to develop.<sup>26</sup> Anyway, while the stage was set for achieving rapid socio-economic development, given the country's combinations of problems, the development process turned out to be slow, agonizing and unspectacular.

Nepal is now in Tenth Plan (2002-07) but the character of the country's dependence on development assistance does not seem to have changed materially. On the contrary, it might have increased even though the structure of development assistance has changed considerably over time. For example, the emergence of NGOs and INGOs which conduct a large number of development activities that were previously carried out by the government.

From the point of view of the government, any development assistance has some merit, even though a particular project may not coincide with the government's current system of priorities. Nepal had but scattered several policy statements, and the recent one has been well articulated by the MOF as a separate policy document as Foreign Policy Document, (2002). Nevertheless, a profusion of projects appear in the annual development programs, although several might not have progressed beyond the proposal stage.

The Annual Program-Budget Document<sup>27</sup> of the FY 2003/04 (July 2003-July 2004) lists a total of 443 development projects to be implemented by different ministries, secretariats, departments and various offices or agencies under their jurisdiction. These projects have been classified according to priorities of the poverty reduction strategy of the Tenth Plan and the Medium Term Expenditure Framework (MTEF), which itself is linked with the Tenth Plan, in terms of availability of adequate resources. The poverty reduction strategy is based on four pillars: (a) broad-based high and sustainable growth, (b) social sector development with emphasis on human

---

wealth. To achieve these goals he proposed the formulation of a development plan which generally remained central to development goals of successive medium term plans (Rose, "The First Years", undated, unpublished mss.). It was ironic that a small country such as Nepal had to become the area in which several major donor countries divided between their ideological camps should meet. It was also lamentable that that the objectives and methods of these nations should be drastically different. The result thus has been that government policy has had to weave a gossamer web around the activities and intensions of these protagonists and by some means emerge with a program which will benefit the country ultimately.

<sup>26</sup> Development induced by foreign assistance some times fail to realize that the changes that are requisite to develop must come from within the indigenous sources. That is, people have to want it so that they will keep it and nurture themselves.

<sup>27</sup> This analysis is primarily based on NPC's Annual Program Budget Document and the Tenth Plan and the Budget Speech, 2003/04.

development, (c) targeted programs with emphasis on social inclusion, and (d) improved governance.

Of these 443 projects, there are 271 under the “economic services” category, among which 115 projects are to be implemented under agriculture, forest and irrigation. Under the “community and social services” category, 150 projects have been identified for implementation. Among these, there are 22 projects in education, 38 in health, 25 in drinking water, and 27 projects under local development. A total of 88 projects are to be implemented under the “industry, mining, power and other economic sector” category. There are 68 projects under the “transportation and communication” category; 11 under the “general administration”; 5 under the “constitutional organs or agencies” category; and 6 projects under the “miscellaneous” category.

According to the MTEF, of the total projects, 206 projects (47%) have been given 1<sup>st</sup> priority (P1). A total of 164 projects (37%) have been assigned 2<sup>nd</sup> priority (P2), and 73 projects (16%) the 3<sup>rd</sup> priority (P3). Likewise, 158 projects (36%) have been classified under “broad-based high & sustainable growth” category according to the poverty reduction strategy of the Tenth Plan. A total of 170 projects (38%) have been put under the “social sector & infrastructure development” category. Projects under “targeted program and social inclusion” category are 32 (7%); and there are 83 projects (19%) under the “improved governance” category.

A total of Rs.41.85 billion has been budgeted for financing the annual program of FY 2003/04. Of this amount, Rs.30.34 (72.50%) has been allocated for the projects which fall under the 1<sup>st</sup> order priority (P1). The projects under the second order category (P2) have received an allocation of Rs. 9.75 (23.30%) billion, and the lowest priority projects (P3) have been allocated a sum of Rs.1.75 (4.20%) billion.

In terms of the poverty reduction strategy of the Tenth Plan, projects categorized under “broad-based high and sustainable growth” have received Rs.17.47 (41.75%) in the budget allocation. Those projects under the “social sector & infrastructure development” category have been allocated Rs.16.30 billion (38.95%). The projects under the “targeted program & social inclusion” category have received Rs.2.98 billion (7.10%), whereas those under the “improved governance” category have been allocated Rs.5.1 billion (12.20%).

The projects under the broad category of “economic services” have been allocated 55.76% of the total development budget. The groups of projects in agriculture, forest, irrigation and land reforms have received 13.97% of total development budget; the industry, mining and power

group of projects have been budgeted 26.88%, and the transport and communication projects have been allocated 14.92% of the budget under this broad category. Likewise, the projects under the broad category of "community and social services" have been allocated 42.01% of the total development budget. Under this broad category, projects in local development, education, and health have been allocated 12.90%, 10.36% and 7.23%, respectively. The projects under the broad categories of "constitutional organs", "general administration" and "miscellaneous" have been allocated 0.41%, 0.68%, and 1.13%, respectively.

Budgetary allocation of Rs.41 billion 845 million has been set aside as development expenditures for the implementation of annual development program of FY 2003/04. Of this amount about Rs.13 billion 512 million (32.3%) will be financed by the government. The grant and loan under various foreign aid will provide about Rs.15 billion 512 million (37.1%) and Rs.12 billion 827 million (31%), respectively. The government's share of the total development expenditure is to be about 30% while the rest is proposed to be financed from grant and loan assistance under foreign aid.

The above inventory of development projects is indicative of the magnitude of the development cooperation in the overall development efforts of Nepal. This, however, does not reflect the true scope and penetration of this dependency. Previously, development assistance used to be limited to only some economic sectors. In recent years, the legislative and judicial branches as well as the cabinet secretariat and constitutional bodies have become beneficiaries of foreign aid. Indeed, foreign aid has become so pervasive to touch upon almost every sector of Nepalese society, moving from the fiscal or economic domain to the political (Panday, 2001). Without increased level of development co-operation, no Nepali government may think it can survive, which is not merely because of the economic value of aid but also because relaxation in aid flows will give opportunity to the opposition parties or political adversaries to raise issues and attack the incumbent government.<sup>28</sup>

### **iii. Some Changing Characteristics of Development Cooperation**

Altogether 14 countries and 15 multilateral organizations regularly participate in the Nepal Development Forum (formerly called Nepal Aid Group Meeting).<sup>29</sup> The government has tried to channel all foreign aid, including resources provided by INGOs, through the budget. It may be interesting to consider at this juncture the composition of development co-operation in Nepal as this has undergone tremendous changes since the beginning. First, the share of bilateral

---

<sup>28</sup> Not only the government but the NGOs of the various activist and advocacy groups as well as the neo-intellectuals will also have difficulty to survive without foreign aid.

<sup>29</sup> For details, see MOF/UNDP (2000) .Nepal's Development Partners: Profiles of Cooperation Programs, Kathmandu.

assistance in total aid has declined considerably, which at present amounts to roughly 25 percent of the total aid. Likewise, the share of grant assistance has also declined whereas that of loan has increased considerably, constituting about three-fourths of the total aid.

Another striking feature of the current pattern of development assistance is the preponderance of the technical assistance component. It roughly amounts to about 40 percent of all development assistance. Given its significant role, a brief description of technical assistance being made available on bilateral and multilateral basis, and assistance received through INGOs was presented separately at the last budget session of FY 2003/04 (Appendix I).

It is interesting to note that almost all donor communities, including INGOs, are involved in providing technical assistance in one form or the other. According to the brief description provided by the MOF at the time of the budget speech of FY 2003/04, there are some 119 technical assistance programs/ projects.<sup>30</sup> About 43 donors are involved in this technical assistance projects/programs, which amounts to around Rs.18.3 billion. The expenditures under technical assistance projects are classified under 4 categories: (a) consultant services, (b) goods & equipment, (c) training & seminar, and (d) others. What will be of interest to note is that "consultant services" appears to get the greatest share of the expenditures while "training & seminar" the least. Expenditures allocated under the category of "others" also seem significant in terms of its relative share.<sup>31</sup>

Another important aspect of development cooperation in Nepal is the contributions made by the INGOs. According to the information provided by the MOF, there are 108 INGOs supported programs for the FY 2003/04 (Appendix II). The total assistance received through these INGO programs has been estimated in the amount of Rs.10 billion. Various INGOs of about 20 countries, mostly European, are involved. The US has the most (about 33) followed by UK (16) and Japan (11). Generally, the program orientation of these INGOs is in the social services sector, especially health and education.

The INGOs are supposed to register with the Social Welfare Council (SWC) and work with counterpart local NGOs. According to the information provided by SWC, there are some 102

---

<sup>30</sup> This includes an item, the 119th in the list, called "Various Projects under Small Grant Fund" provided by GEF in the amount of \$US700,000. There are 8 technical assistance programs/project, half of which are directly related with poverty reduction and human development, under the NPC. It may be appropriate to quote D.R. Pandey in this context (1991, p. 32-33): "The rulers as well as their development partners need to understand that if we really wish someone to develop as a person or as a society, we cannot do the thinking for that person or that society. That is inherently counterproductive". He goes on to recall an advice given by Mahatma Gandhi to his activist followers "Learn the art of deep thinking and if you would do that, hardly any occasion would arise for consulting me. However, I am not preventing you from consulting me; what I want to avoid is dependence on others".

<sup>31</sup> Allocation of expenditure under the 4 categories is not available for all projects. For example, of the 119 programs/projects, expenditures for "consultant services" are available for only for 55 projects/programs. Generally, 60 percent of these projects do not indicate budgetary allocation under these 4 categories.

INGOs registered, and about 22 unregistered INGOs working in Nepal. The work of some of these INGOs is spread over wide geographical areas while a few are focused in remote districts like Rolpa, Humla, etc. Information on their program expenditures is sketchy but may be roughly estimated in the amount of Rs. 9 billion for the FY 2002/03 (Appendix III). Generally, these INGOs have local partners, usually NGOs.

It is said that sizable amounts of foreign aid is flowing through various non-governmental organizations, which has an important implication, suggesting that not only our government but our nascent civil society and various professional people in different walks of life are increasingly being dependent on foreign aid. Doubtless, these organizations are making important contribution. However, some of them have established their own priorities and *modus operandi* without due regard to development priority of the country, and also the need to create sustainability. They also lack transparency about their sources and amounts of resources.

#### **iv. Management and Effectiveness of Development Cooperation**

According to the Foreign Aid Policy-FAP (2002) there has been considerable discussion over the past few years about the mixed record of aid effectiveness, and the factors contributing to this phenomenon and possible solutions to the problem.<sup>32</sup> It is said that the major concerns identified by the donor community have been the following: (i) the government lacks ownership of development projects and programs, particularly those financed by donors; (ii) lack of leadership and direction, particularly in expenditure prioritization and taking more responsibility in designing, preparing and implementing projects and programs; and (iii) a poor, often unrealistic, and top-down planning and budgeting process and programs with little involvement of other stakeholders, including local level institutions, community groups and beneficiaries in program preparation and implementation.

On top of these, there are other concerns expressed, according to the FAP which are as follows: (i) pressure to increase development projects and programs beyond the levels that can be effectively handled within the country's limited institutional and absorptive capacity; (ii) poorly functioning institutions, particularly a dysfunctional and under-paid civil service with little incentives and motivation to improve its performance; and (iii) poor program supervision and monitoring. This, in turn, is said to lead to (i) lack of accountability and transparency, (ii) leakages and misuse of resources, and so on.

---

<sup>32</sup> This section draws heavily from "Foreign Aid Policy, 2002", MOF (Ministry of Finance), HMG/N, undated.

Going through these concerns of the donor community, one cannot help wonder where has Nepal's "development experience" of almost half a century gone and how any project or program would under the circumstances ever expect to produce any good results except in paper!<sup>33</sup> No wonder the donor community has taken recourse to their own ways to execute their development co-operation to circumvent these problems. According to FAP-2000, while urging the government to take more ownership and leadership, some donors have reduced their aid levels and formulated strong conditions in their aid programs, while others have begun to work more directly with local bodies, NGOs and community groups as well as engage their own implementing agencies and consultancy companies.

Other areas perceived by the government which contribute to less effective utilization of donor assistance include (i) absence of adequate project appraisal, (ii) less effective donor coordination due to their large number and their diverse perception,<sup>34</sup> (iii) high degree of technical assistance leading to dependency on excessive foreign expertise, (iv) lack of appropriate and effective mechanism to evaluate choice of technologies associated with foreign assistance, and so forth. Often various conditionalities, including need for international consultants, are placed with the provision of aid, and these vary between donor community and programs and projects. From the perspective of the government such conditionalities, which are at times not compatible with the prevailing situation and needs of the country (for instance, regarding use of appropriate and less costly technology, materials and services), also present problems for effective utilization of foreign assistance. Slow disbursement of assistance is also perceived as another important factor in this area. While recognizing weakness in Nepal's institutional capacities, delays in disbursement also occur as a result of the policies and practice of the donor community itself.

There are some of the major problems which are viewed as impediments to the effective management and utilization of development cooperation from the perspective of both, Nepalese and donors as mentioned in the FAP-2000. The ability of the existing administrative structure to absorb the large amounts of aid, or to sustain the recurring costs of projects, which when completed, are turned over to the government to maintain, should also pose concern. On the one hand, there appears to be a limit to the spending capacity of the government, which has expanded but not sufficiently, to absorb all the possible aid. On the other hand, what we see is that social service type programs/projects such as those favored by certain donors, are vital

---

<sup>33</sup> We might recall that donors' concerns used to be mostly about "lack of co-ordination" and delays in "fund release" several years ago.

<sup>34</sup> Difficulty to coordinate a variety of foreign aid programs/projects may be understandable, especially given the donor attitude in the past. While this would appear a simple matter of coordination, the problem may actually revolve around a difference in philosophy. For example, one donor may want to proceed on the premise that the existing institutions should be strengthened rather than adding to the proliferation of government agencies. Another donor may think otherwise and may want to set up its own administrative machinery or organization, nominally responsible to the designated program of the government department but in fact operating autonomously.



for development, but their current value must be weighed against the future costs of maintenance, if their residual annual recurrent costs are not to cause embarrassment to Nepal. Perhaps it is this latter factor, among others, which has helped to sustain heavy dependence on foreign aid.

It should also not be forgotten that the “cultural context” hampers development cooperation in achieving its intended goals of pushing development forward. Most major aid missions or development programs/projects have established substantial offices or headquarters with the attendant concentration of employment of local inhabitants in lower echelon administrative as well as service positions.<sup>35</sup> Nepal has been described by some as “over-advised and under-nourished”. To this one can add perhaps “wrongly-advised” at times because they do not have the total perspective of Nepal's development needs. The relationship may be harmonious but not totally satisfactory because of the acceptance of the *status quo* by the latter, and herein lays the difficulty (Stiller & Yadav, 1976: 41-43).

#### **v. Current Conflict and Development Cooperation**

It has been mentioned that some aid projects have created high and unfulfilled expectations in project areas and given a perception of inequality due to the expensive life-style of the project staff, giving rise to the feeling that aid goes to serve the privileged group instead to the needy poor. Some aid supported projects are said to impact the current conflict to the extent of providing involuntary transfer of resources to the rebels (Uprety, 2002: 30). It is perhaps this mixed bag, or for that matter the patterns of development with huge imbalances (or disparities in income and opportunities), that are perhaps more related to the current conflict.

Over the years the governments have made promises to the people and given hopes and “dreams” of improved quality of life. Unfortunately, they have remained only unfulfilled dreams. As such, there is a general distrust of the government among the people at large which is a legacy that will take much time to overcome, and which may handicap the ability of state apparatus to think creatively. The distrust of the government is compounded further by what appears to be a growing disillusionment with what the government can do in the name of development.

Corruption is pervasive in Nepal; it is an old scourge as in other developing countries. It works in many ways and is visible in various forms. Panday takes a abroad view of this corruption and

---

<sup>35</sup> In some cases, the face value of the amount of aid given to Nepal includes the cost of maintenance of these establishments, thus reducing considerably the real benefit value to be derived by the Nepalese economy.

calls it “a discrepancy between the job description and the actual conduct” which has contributed to the country’s poor economic and social conditions more than anything else, including the democratic process itself (Panday, 2001, p. 83). The nature and magnitude of corruption have changed over the years significantly. The increase in the country’s development budget and foreign aids, especially the entry of large projects through aid financing, have had immense influence. Thus, foreign aid is often associated with widespread economic abuse and corruption.

Interestingly, such corruption has met little opposition, although voices have begun to be heard in recent years, but little tangible actions taken against the corrupt. If people are being provided with schools, hospitals, electricity, drinking water, roads, etc, and if foreign aid has helped improve the lot of the common people, why complain about it? On the other hand, foreign aid has provided opportunities for the few people to get rich quickly through corrupt means, and appear to be doing it with impunity. Hence, foreign aid is interpreted by some as a new way to exploit the people. This situation provides ample grounds for resentment and fuel for conflict.

From this angle, there appears some relationship between development cooperation and conflict. However, this should not apply for development cooperation as such but in terms of the manner in which some development projects are formulated and implemented; the real problem rests with the modalities with which development projects are conceived and implemented to fulfill people’s aspiration, not the foreign aid itself. Regarding the current conflict, some indirect possibilities might be conjectured from some of the projects which were conceived with good intentions, but got distorted along the way, and became “failed development”. It seems that development cooperation has tended to intensify the division of classes and brought about certain distortion in priorities, but putting the blame on foreign aid as a whole is no solution; it is counterproductive.

#### **vi. Foundation of Current Conflict**

Maoist insurgency started from Mid and Far Western remote areas with widespread poverty, disparity in resource distribution and structural inequality. The districts from which the Maoists started the 'People' s War' are least developed in terms of overall composite index of development and poverty and deprivation index prepared on the basis of such indicators as per capita income, access to infrastructure, literacy, women's empowerment in the districts. There has been no remarkable change in the status of the sixteen of all seventy-five districts from the year 1997 to the year 2003 (Table 3). Failure of political structure to deliver has further triggered the Maoist movement. Furthermore, the characteristics of donors like sectoral, competing,

providing contradictory advise to the Government, imposing rigidity and conditionality in their assistance (e.g. relinquish incentive system, force to rise prices of basic goods and sources like electricity, water, removal of subsidy in agricultural inputs, reduce number of food depots etc.) which led to food crisis in Mid and Far Western Hills.

**Table 3: Ranking of 16 Maoist Affected Districts by Some Development Indicators in 1997 and 2003**

| Districts  | Ranking of Districts          |      |                                |      |
|------------|-------------------------------|------|--------------------------------|------|
|            | Poverty and Deprivation Index |      | Composite Index of Development |      |
|            | 1997                          | 2003 | 1997                           | 2003 |
| Achham     | 75                            | 74   | 75                             | 72   |
| Baitadi    | 58                            | 63   | 63                             | 62   |
| Bajhang    | 70                            | 70   | 74                             | 73   |
| Bajura     | 64                            | 72   | 68                             | 71   |
| Dadeldhura | 49                            | 52   | 61                             | 56   |
| Dailekh    | 73                            | 64   | 66                             | 63   |
| Darchula   | 41                            | 59   | 50                             | 57   |
| Dolpa      | 36                            | 69   | 56                             | 67   |
| Doti       | 67                            | 66   | 70                             | 66   |
| Humla      | 69                            | 73   | 72                             | 74   |
| Jajarkot   | 59                            | 58   | 65                             | 59   |
| Jumla      | 62                            | 67   | 69                             | 69   |
| Kalikot    | 74                            | 71   | 73                             | 70   |
| Mugu       | 71                            | 75   | 71                             | 75   |
| Rukum      | 57                            | 55   | 67                             | 60   |
| Salyan     | 32                            | 40   | 60                             | 45   |

Sources: ICIMOD and SNV, Districts of Nepal: Indicators of Development-1997, International Center for Integrated Mountain Development and Netherlands Development Agency, Kathmandu,

ICIMOD and SNV, Districts of Nepal: Indicators of Development-1997, International Center for Integrated Mountain Development and Netherlands Development Agency, Kathmandu

Note: The districts ranked 1 - 25; 26 - 50 and 51 - 75 are categorized as 'Most Developed', 'Intermediate' and 'Least Developed' respectively.

It is worth mentioning here that the foundation of the current conflict has a lot to do with the '40 point demands' raised by the Maoists to the Government in 1996. Several of the economic issues listed in demand are meaningful and development oriented e.g. end of Dalit and untouchability status; protection to orphans, disabled, elderly and children, equal property rights to women, land ownership to the cultivators; accommodation to the homeless; debt free provision for poor farmers; cheap and easy access to fertilizers and seeds; special facilities to cottage industries; etc.

Much has been written recently about the Maoist insurgency. Several causes have been mentioned, which are: (i) crisis of political leadership, (ii) corruption at all levels, (iii) discrimination, (iv) lack of equal and impartial employment, (v) failure of educational system to deliver, (vi) politicization of government functionaries, (vii) international influences, (viii) frustration among general people with the behavior of security forces, (ix) lack of good

governance, and so on (CB Shrestha, 2003). Recently, a conflict resolution specialist from Australia classified causes of conflict into various categories and summed up poverty, inequality, social exclusion, economic exclusion and the inability of the state to deliver as the primary causes.<sup>36</sup> His points are also well taken but the main foundation of the current conflict is mundane household economics, and swift politicization of the countryside, for the traditional roles of the elders in the villages have changed due to recent political development.

So, what are the main economic factors that helped breed Maoist insurgency? Acharya succinctly sums this as follows: Widespread loss of traditional sources of employment and livelihood without alternative employment opportunities and increasing disparity of income and poverty seem to be the major factors contributing to the armed insurgency in rural areas, beside the rising aspirations of the disadvantaged groups and communities for power sharing” (Acharya, 2003: 246). Also important is the frustration of the young people and semi-educated youth who are attracted by Maoist’s idea of the reformed and equitable society. Who are the Maoist recruits? It is known that they are the rural poor, generally from the service caste, disadvantaged communities and women. Until recently, the village economy used their services and paid for them. With the penetration of factory-made goods to the villages, they have lost the market for their skill. They have no land, or landlords to employ them. It has been observed that the basic foundation behind the current socio-political crisis is the accelerated market penetration into the hinterland and neglect of its impact on the people by policy-makers (Acharya, 2003: 239).

Development of transport in rural areas had been going on in Nepal since the 1960s and 1970s. But protection of the local producers and cottage (household level) industries from market penetration by imported goods were not effected. With the current emphasis on market liberalization, the local market for locally produced goods and services are fast closing down, creating unequal exchange relationship between the urban (cities) and rural areas. Nepal had relatively free land until about 1980s where the poor had user rights. They could occupy government land with immunity. The poor could raise livestock on community land. National forests were accessible to all for grazing animals, fuels and fodder. The poor could gather wild berries, herbs and firewood for sale and make a living. Unfortunately, the country’s forest resources were being depleted fast. For the rural poor, they were losing their livelihood means without the opening up of other alternatives. Then community forestry project was introduced. This was hailed as one of the effective strategies of forest management.

---

<sup>36</sup> The expert is Dr. Steven Ratuwa of Australian National University, reported by [The Himalayan Times](#) (Saturday, January 17, 2004: p. 3).

It indeed is, but for whom? Who would deny the success of the community forest project in terms of the unprecedented expansion of forests? But then, how could it be possible for a development project to deny the large number of poor people who make their living out of the forest resources in different ways? As the relationship between people, livestock, forest and poverty seems to be direct, would not this relationship have been considered in the project planning exercise?<sup>37</sup> And what about the much touted “people’s participation”, which has been part of the policies since long but exploited by rural elite to pursue their own personal agenda. The various integrated rural development projects (IRDPs), which were hailed in the campaign for rural development, might have also produced some unexpected results as most districts which have been hotbeds of Maoist insurgency had these projects. The most important issue in view of the current conflict is to ensure employment to the poor, especially the service caste and lower peasantry, who are losing the traditional means of livelihood fast, and to design development projects in terms of location-specific circumstances.

#### **D. Response of Donors to the Conflict**

Some of the major issues identified and discussed in the most recent donor meetings (January 2004) held in Eschborn and Frankfurt in Germany participated by the European Commission members indicate the following attitude of donors:

- Withdrawal of development cooperation from Nepal would be equal to punishing the rural population a second time;
- The donors support the current government under an agreement signed with the previous government;
- NL has decided to pull out of Nepal until end of 2005 (concentration on less countries);
- Norway will review its program in 2004 and the results will influence the new MoU to be signed;
- EU runs 2 conflict mitigation projects. Conditionalities in terms of Governance, Reform etc. should be connected with foreign aid. Monitoring of HR at local level is important.;
- For the next 3 years DFID will increase the budget from EURO 30 million to EURO 70 million per annum (including aircrafts to the RNA);
- The difference of US projects in comparison with projects of other donors is the perception of the Maoists;
- Communication with India could be useful and should be sought;

---

<sup>37</sup> It is said that relatively better off households in the villages have mostly monopolized the community forests. Initially, the poor households did not understand its importance and their participation was very limited.

- The 'unified command' definitely has an adverse impact on development cooperation in Nepal;
- The donor voice should be raised in the NDF;
- The donors should ask the Government to create an enabling environment to operate and fulfill the expected tasks;
- The donors welcome the establishment of a permanent office of the UN High Commissioner for Nepal and they should make pressure on HMG to sign agreement with NHRC and to take concrete steps to improve and monitor the situation;
- There is a general consensus among the donors to participate the NDF taking it as an opportunity to discuss and decide on hot issues regarding the situation in Nepal with HMG. The donors seek participation of representatives of political parties and civil society. The donors are of the opinion that the host of the NDF should not be HMG but e.g. UNDP;
- The donors view that as long as the deadlock lasts, the conflict remains unsolved.
- Regarding operating in conflict affected areas the donors view that free access to the rural population and independence of the development works are crucial to poverty alleviation. The donors also seek full respect of their common operational guidelines by the belligerents. Furthermore, the donors have decided to refuse the militarisation and the manipulation of the development work for partisan purpose, approaching together the security forces and, if possible, maybe at the district level, some representatives of the Maoists. Moreover, the donors have decided not to accept that human rights abuses are committed against their staff and partner organizations - as well as against the civilian population, especially women. If necessary, as leverage, they are prepared to abandon entire areas and to force the commanders or the administrations in charge to assume the responsibility for their departure.

The donors are seen dealing with the conflict in three approaches: (i) Working around the conflict: Not directly engaged in conflict either withdrawing program from conflict areas or shifting to low risk areas; (ii) Working in the conflict: Adopting low profile, improve security management to project, working with local partners, reducing high input programs, focusing on poverty and (iii) Working on the Conflict: Analyzing conflicts, making effort to resolve it; revising programs to address root causes of conflict, governance, poverty alleviation, social inclusion, protection of human rights etc. The donors have also established Peace and Development Trust Fund and Peace Support Group in response to the conflict (Upreti: 2002).

#### **i. Political/strategic Responses: Development and Dialogue**

There is widespread consensus on the root causes of the conflict among the donors which include inequitable socio-economic and political access, bad governance and corruption, as well

as resulting widespread poverty. These issues have been used by the Maoists to justify their challenge to the government, and they contribute to motivate certain sectors of society to openly join or at least silently support their movement and cause (Kievelitz U. et. al. 2002).

On a structural level, it can be seen that both the relative inability of Nepal to develop and the outbreak of violent conflicts in the country have similar root causes, i.e. a social and political system which leads to an inequitable distribution of political and economic opportunities and eventually to widespread poverty, coupled with poor governance and corruption. While being negatively affected by these factors, international development co-operation needs to examine its own role in supporting or challenging these structures. If international development co-operation addresses these structural issues more actively, it can both improve its performance with regard to poverty alleviation as well as contribute significantly to conflict prevention (Kievelitz U. et. al. 2002).

Most of the donors view that the violent conflict in Nepal will continue for a few years. Likewise, in their analysis, different scenarios regarding the conflict in the country are extremely difficult to substantiate at the present time, it is most likely that a prolonged period of uncertainty, insecurity, instability and potential violence will persist in the country. Therefore, they feel that the development community must be prepared to respond to a longer period of insecurity and instability. This in turn means that it should deal with the following four major issues:

- potential security issues;
- the principle of “do no harm”, i.e. ensuring that its development efforts do not unintentionally fuel the conflict;
- strategic contributions to peace building and conflict transformation;
- strategic preparation for post-conflict reconstruction.

Donors have been facing difficulty to work without grassroots leaders. Poverty alleviation programs are being kept alive by mobilizing local communities. Meanwhile, there has been no major change in international aid to Nepal in general. However, donors are exchanging information with one another. In addition, donors are independently or collectively analyzing the current conflict and reviewing their aid strategies.

For the future, donors are still in search of viable aid strategies in the rapid turn of events surrounding the Maoist problems and amid uncertain situation in Nepal. Nonetheless, donors are exploring ways to continue, rather than suspend, aid programs while minimizing the risks involved, since they understand that people in Nepal are all the more in need of assistance due

to the current disruptions. For example, UNDP is studying a number of measures, including: prioritizing programs designed to create jobs and increase income levels for many local residents; prioritizing programs designed to directly benefit the poor; encouraging youth to engage in productive activities; maintaining transparency; assigning as many local staff as possible; and maintaining a certain level of contact or dialogue with the Maoists (UNDP 2002b).

Until the late 1990s, very few of the numerous development agencies operating in Nepal, whether foreign or national, had explicitly recognized the significance of the insurgency for their operations, still less had formulated a systematic response to conflict. Since early 2002, however, most of the development agencies have begun to formulate specific strategies and tactics for dealing with or responding to conflict. However, there is still low level of sharing of intelligence and experience, let alone coordinated or concerted responses as between the various agencies, although there have been several initiatives in this direction during the second part of 2002 (Seddon D., K Hussain, 2002).

Prior to September 11, development agencies were reticent to overtly address issues surrounding the conflict in development programming and implementation. Indeed, a brief review of recent documents indicates that even as late as 2001 many international agencies continued to plan livelihoods support interventions as if stability and peace reined. This is now changing. Many are beginning to take account of the conflict in planning interventions and undertaking assessments. DFID has begun to develop its own response to conflict, and initially hoped to have substantial funds for this to allocate both to new initiatives and to existing programs and projects to enable them to move faster towards achieving visible activities/outputs, if not to move faster towards their identified purposes and goals. Implementation of the responses to conflict is in progress, and is currently being discussed by all of the projects funded by DFID. Some are concerned that they may not be able to implement the required response effectively or without serious compromises to their purpose and goal (Seddon D., K Hussain, 2002).

INGOs, like bilateral and multilateral agencies, are also beginning to formulate more coherent and systematic responses to conflict – both in the sense of developing a more careful policy on security, given the increasing risks to their field staff and in terms of monitoring and assessing the implications of the conflict. Generally, however, the response has been to commission special studies of the conflict situation – which has resulted in a plethora of specialists being hired to produce conflict analysis reports. Some of these have been well informed and are useful; others have been undertaken with very little real understanding either of the broader political-military context in Nepal or of the actual situation on the ground. Very few



development agencies have a regular in-house conflict monitoring system in place, using information and intelligence from the field staff that are best placed to provide the basic data, if not to analyze it. Those that have are generally the INGOs rather than the larger bilateral or multilateral agencies, although Deutsche Gesellschaft für Technische Zusammenarbeit GmbH (GTZ) and the United Nations Development Program (UNDP) have produced useful studies, as apparently a study (Vaux, 2002) commissioned by DFID but still not publicly available (apparently because it was too hard-hitting). Bilateral and multilateral lending agencies and development INGOs have all expressed concern at the potential threat to their activities – particularly to field based projects and programs – and to their staff and consultants, particularly to expatriates, who have tended to reduce travel outside the capital significantly, but also to local staff, who have been withdrawn in some cases or detached to constitute local NGOs in other cases. On the other hand, donor investments have, overall, remained fairly constant and, pledges of significant new aid resources have recently been made by the US, UK, India and China. Paradoxically, while commitments to increase development aid are made at inter-governmental level, the capacity of non-government development programs and projects to spend the funds effectively in the field is likely to decline rapidly, leading to accumulations of funds at the center, in Kathmandu and a greater expenditure on research, meetings, dissemination etc., and less on activities and outputs of value to local people and of material benefit to local lives and livelihoods (Seddon D., K Hussain, 2002).

Development organisations – like GTZ, UNDP with its initiative for a Peace and Development Trust Fund, the Norwegian embassy, DFID with a thorough conflict analysis and recent consultative efforts in conflict resolution as well as security issues, and SDC with a peace and conflict study – have actually started to work “on the conflict” (GTZ).

Political/strategic response of donor agencies can be observed in a number of ways. The British government, after the international meeting it hosted in London in June 2002 (which adopted a twin track approach, comprising support for development and security, to its assistance to Nepal), announced the allocation of additional 6.7 million pound sterling for military assistance and confirmed that the allocation for development assistance would also be increase. In August 2002, there was considerable political embarrassment when it was revealed that the British Government intended to provide two helicopters to HMGN; and in September there was also a political row in Belgium when it was revealed that the Belgium Government intended to sell HMGN a consignment of some 5,000 small arms.

Until 2001, the Government of India (GoI) had effectively turned a blind eye to the fact that the Nepalese Maoists had links with Indian armed revolutionary movements and to the use, by the

Maoist leadership, of safe-houses and other locations in India for meetings and organizational purposes. In the later part of 2002, as tension in respect of Kashmir and India's relationship with Pakistan has increased, Indian government has made clear its support for HMGN in its efforts to contain and suppress the Maoist movement. It has provided truckloads of military hardware to Nepal and plans to provide more assistance if necessary; it has also mobilized its security and intelligence services more effectively to block off access to eastern Nepal from northeastern India. Nepal is also calling on China and Russia for assistance; the former has already responded in a positive fashion (Seddon D., K Hussain, 2002, p 43).

#### Effort to Build a Development Activities Implementation Model in Conflict Area

In the context of development and dialogue, the Association of INGOs in Nepal (AIN) disseminated a draft discussion paper entitled " INGO/Donor Coordination on Conflict – Sensitive Development" to its members on 22 August 2002. This paper outlines an approach to help coordinate the INGOs' work and thus ensure maximum impact for INGOs' strategic priorities. The approach seeks to build on individual strengths of each INGO, and focus their talent to collectively mitigate the damaging impacts of the conflict and perhaps the conflict itself. The approach also provides a way of helping the donor community to coordinate better on conflict issues by developing a clear set of conflict principles that would provide a vehicle for strategically focused conflict-sensitive development. One of the policies now attracting intellectual attention is " No-harm policy", whose modus operandi is yet to be conceptualized. Donors in Nepal like DFID are also seeking alternative ways to initiate and continue their development works in conflict areas. For example, in September 2002, DFID launched Humanitarian and Development Situation Assessment through Huntington Associates, UK, which concluded that under current circumstances, the government of Nepal linked development, is almost impossible outside the district headquarters and pace for development is becoming squeezed. The report further discusses and suggests approaches that could be followed to initiate and possibly shore up development work within conflict regions, e.g.:

- Funding a radio and press campaign to appeal to the people in the hills for humanitarian and development access;
- Engage local NGOs, who are risk takers and willing to work outside the district headquarter, as development partners;
- Encourage development agencies to aim to work " in and on conflict" whenever possible, and to avoid working "around and on conflict" where they cannot.
- Employing more local staff will probably be the only way in which development will continue outside district headquarters under current circumstances. Local capacity building, with the aim of selecting and training locals so that they can fill in field and project

management positions is therefore considered sacrosanct. In this regard effort should be made to ensure that field staffing reflects the ethnic/caste mix of the local population.

This report and other initiatives of Nepal clearly indicate that development agencies are in search of effective approaches that can take their development support to the needy poor people of conflict-hit areas. The following box (1) shows the initiatives taken by the donors to operate development activities in conflict areas:

**Box1: Basic Operating Guidelines Published by Department of International Development (DFID), World Food Program (WFP), German Technical Assistance (GTZ) and Swiss Development Cooperation (SDC)**

Based on principles agreed internationally and in Nepal, some bilateral donors have adapted the following Basic Operating Guidelines for all development and, if necessary, humanitarian assistance in Nepal.

1. We are in Nepal to contribute to improvements in the quality of life of people of Nepal. Our assistance focuses on reducing poverty, meeting basic needs and enabling communities to become self-sufficient.
2. We work through the freely expressed wishes of local communities, and we respect the dignity of people, their culture, religion and customs.
3. We provide assistance to the poor and marginalized people of Nepal, regardless of where they live and who they care. Priorities for assistance are based on need alone, and not on any political, ethnic or religious agenda.
4. We ensure that our assistance is transparent and we involve poor people and their communities in the planning, management and implementation of programs. We are accountable to those whom we seek to assist and to those providing the resources.
5. We seek to ensure that our assistance tackles discrimination and social exclusion, mostly notably based on gender, ethnicity, caste and religion.
6. We recruit staff on the basis of suitability and qualifications for the job, and not on the basis of political or any other considerations.
7. We do not accept our staff and development partner being subjected to violence, abduction, harassment and intimidation, or threatened in any manner.
8. We do not work where staff is forced to compromise core values or principles.
9. We do not accept our assistance being used for any other military, political or sectarian purposes.
10. We do not make contribution to political parties and do not make any force contributions in cash or kind.
11. Our equipments supplies and facilities are not used for purposed other than those stated in our program objectives. Our vehicles are not used to transport persons or goods that have no direct connection with development program. Our vehicles do not carry armed or uniformed personals.
12. We do not tolerate the theft, or diversion or misuse of development or humanitarian supplies. Unhindered access of such supplies is essential.
13. We urged all those concerned to allow full access by development and humanitarian personnel to all people in need of assistance, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of such personnel.
14. We expect and encourage all parties concerned to comply strictly with their obligations under international humanitarian law and respect with human rights.

Source: The Kathmandu Post, January 16, 2004.

## **ii. Attitude towards Maoist**

There are few disagreements among donors regarding the Maoists. Most of the donors feel that the poverty and regional and ethnic disparities are the root causes of the Maoist problems, while

others regard them as terrorists. The US largely denounces the conflict in the context of its global battle against terrorism and is strongly sided with the government. Colin Powell, the first secretary of state to visit Nepal, told reporters in Kathmandu in January 2002, "Your have a Maoist insurgency that's trying to overthrow the government and this really is the kind of thing that we are fighting against throughout the world". Ambassador Malinowski was more specific a month later: Nepal is currently plagued with a terrorism that is shaking its very foundation as a nation. These terrorists, under the guise of Maoism or the so called 'people's war', are fundamentally the same as terrorists elsewhere<sup>38</sup>.

Henning Karcher, UNDP Resident Representative in Nepal (2003) was of the opinion that while the conflict in Nepal has no doubt a political, ideological and even geo-political dimension its main root causes are social and economic, related to frustrated expectation that came with the advent of democracy, related to abject poverty that persists for a large percentage of the population related to poor and inefficient delivery of social services in areas such as education and health and related to inequality, exclusion and discrimination. A large percentage of the population of Nepal, in particular Dalits and members of ethnic groups feel that they are politically and economically excluded, unable to contribute to decisions that affect their lives and unable to benefit from the economic advancement of the nation (Raj, 2004, p. 21).

India, the neighboring country sharing open boarder with Nepal views the Maoist insurgency as a threat not only to the security of Nepal but also to the security of India and has been providing increasing support in particular to combat with the terrorism<sup>39</sup>. Similarly, Chinese Government opposes terrorism in any form and upholds international co-operation to combat terrorism. In this context, Wu Congwong, Chinese Ambassador to Nepal, said, "We condemn the violence and terrorist acts unleashed by the anti-government outfits in Nepal" (Raj, 2004, p. 120).

DFID views deep-seated poverty, inequality, poor governance and discrimination as the backdrop to the conflict (DFID Nepal, 2003). Similarly, European Commission (EC) views that the root cause of conflict is a complex web of interacting factors which include uneven development within the country, endemic corruption, the politics of the Palace, both internally and externally,

---

<sup>38</sup> Gary Leupp, "Imagining the Global Consequences of a Maoist Victory in Nepal", Counterpunch, Petrolia, California, 21 October 2002; cited in ICG, 2003. Nepal Backgrounder: Ceasefire - Soft Landing or Strategic Pause? p. 22.

<sup>39</sup> The Indo-Nepal Treaty of Peace and Friendship signed in 1950 states " The Government of Nepal shall be free to import, from or through the territory of India, arms ammunition or warlike material and equipment necessary for the security of Nepal". However, it states that the procedure required for this process would be agreed later. When asked if there would be any problems from the Indian side if Nepal were to receive arms from the US, an Indian Foreign Ministry official is reported to have said "We are cognizant of Nepal's security needs and we are prepared to help in whatever way possible". (The Himalayan, 28/03/2, Cited in Prakash A Raj, 2004, Maoists in the Land of Buddha. p 120.)

and their relationship with the army, ethnic and caste inequalities, intense politicization, human right abuse, social exclusion and deprivation, and inadequate infrastructure development.

German government considers inequitable socio-economic and political access, bad governance and corruption, as well as resulting widespread poverty as the main grievances for Maoist insurgency. Similarly, the Japanese Government views that the problem of the Maoist insurgency poses a serious threat to the overall national development. The Maoist insurgency is a concern which needs a decisive and lasting solution. Strong security measures should expedite in addressing this problem lest Nepal should be drawn into a quagmire of endless civil war. The insurgency, on the other hand, is a reflection of unattended rural poverty in the remote areas. Decisive and far-reaching steps must be urgently taken to address the abject poverty in the rural areas where more than 80 percent of the total population resides. NDF 2002 is the first ever endeavor by His Majesty's Government of Nepal to host Nepal Development Forum on its own soil. My Government, as a close development partner of this country, would like to welcome this initiative as a clear manifestation in the spirit of ownership on the part of HMG in pursuing its development efforts (Statement by the Japanese Delegation headed by Ambassador Zenji Kaminaga, at the Nepal Development Forum, February 4 - 7, 2002, Kathmandu and Pokhara).

Most of the donors want to play 'neutrality' role with the conflict parties in the implementation of development projects. But in case of human rights abuse they are against the conflicting parties. British Diplomat said in a function "The continuing murders, bombings, abductions and extortion by the Maoists constitute the most severe violation of human rights", and "Attacks on economic infrastructure and forced migration undermine the human security of many Nepalese are totally unacceptable"- (The Rising Nepal- December 06, 2003). Indian Ambassador warns against the high donation demanded by Maoists to Indian joint venture multinational companies in Nepal. He said that such activities could affect the investment policy in Nepal form Indian investors. (Annapurna Post, December 16, 2003). The donor agencies/countries in Nepal have urged the Maoists to restore the ceasefire and resume the negotiation process. (Nepali Times, 21-27 November, 2003).

### **iii. Level of Conflict (Sensitivity and Neutrality)**

Most of the donors are sensitive to the conflict. The EU has proposed that it is important to continue analysis of the Maoist problems in order to address it appropriately and in a timely manner, consult with other donors, and extend assistance based on the initiatives of local communities (Loocke, J.H. & Philipson, L., 2002). In addition, EU views that donors' coordination is all the more important during the conflict and in the conflict prevention phase, when crisis information sharing and response coordination are essential.

On the other side, His Majesty's Government of Nepal has decided to repatriate a Canadian citizen Jonathan Linen, who was working for Netherlands supported project in Jumla district when the government charged Mr. Linen providing support to the Maoists when the government discovered a letter written by Mr. Linen to the Maoists (Rastriya Bimarsha, Year 10, Number 2, January 27, 2004).

#### **iv. Geographical Choice (Working in Maoist Area, Avoiding Maoist Area)**

Donors view that the root cause of conflict is poverty and regional disparity. So most of them want to concentrate their activities in the conflict areas mainly the Mid-western and Far-western regions, while few are indifferent to it.

The donor's view that a number of projects and programs can be implemented to attack the root causes of the conflict:

- On an immediate level, they help the poorest and most oppressed people to at least temporarily improve their lives, thus giving them an alternative to joining extremist forces;
- On a structural level, they have the potential to help people to permanently find a way out of poverty, thus decreasing the socio-economic inequalities which lie at the root of the conflict
- On a process level, through group formation and solidarity, they introduce the people to the concept of self-governance, again tackling one of the roots of the conflict.

Adaptations of individual program aspects were however found necessary in a number of cases, relating to issues such as:

- increased awareness and competence of staff dealing with conflict;
- better targeting of the most needy groups in the districts;
- increased transparency of actions towards all stakeholders;
- introduction of early warning and conflict monitoring activities;
- Introduction of conflict management techniques in information and education programs.

According to DFID's Country Assistance Plan (2003-07), peace building is the priority and this will determine areas of focus of DFID and the way in which DFID work. DFID has been practicing operational 'neutrality' by the conflict parties and intends to continue work in peace building and assisting the poorest and most disadvantaged people in Nepal. In the case of peace building, DFID's priorities are to support the peace process, and to deliver development benefits to conflict affected communities. DFID has given much greater weight to rapid impact development programs in conflict affected areas and have increased its involvement in the Mid and Far West, including opening a program office in Nepalgunj.

CARE-Nepal has been one of the few INGOs still working in the Maoist-affected districts. CARE-N was obliged to withdraw temporarily from Achham, given the level of conflict. It has, however, developed operational guidelines for re-entry into Achham and operating in conflict. Despite the many obvious and much discussed negative effects arising from the Maoist movement, interestingly, Action Aid Nepal (AAN) identifies a number of positive impacts of the conflict on livelihoods and some coincidence of Maoist and project principles (Seddon D., K Hussain, 2002, p. 36-40). The British have placed a great deal of emphasis on dealing with the root causes of the conflict, and unlike the U.S., have demonstrated a willingness to carry out development programs in areas that are under Maoist control. This has meant that British officials have had to engage Maoists in a dialogue, and this has resulted in a greater understanding and relationship on both sides (ICG, 2003, p. 23).

German Development Co-operation organizations (especially GTZ and DED) are presently operating in all 75 districts of Nepal, with a particularly strong presence in 28 of these districts. Many of these districts are those in which the Maoists have a strong presence and partly have proclaimed "Peoples' Governments". Strategically, German Development Co-operation has planned to give further focus on districts with a high potential for conflict, especially with those programs which can bring immediate as well as structural solutions to conflict causes (i.e. IFSP, RDP and HSSP);

At the Nepal Development Forum (NDF), the donors stressed the need for expediting the reforms set by the Nepalese government, including those related to the civil service, decentralization and financial reforms. In relation to the Maoist problem, they requested the Nepalese government to ensure that these reforms will directly benefit the poor, promote democracy, and eventually lead to an end to the conflict and corruption. Regarding decentralization, the donors stated that direct and bold steps should be taken to alleviate poverty in the backward regions and rural areas (IIC, 2003).

Many donors including multi and bilateral agencies and international non-governmental organizations (INGOs) seem to avoid Maoist 'controlled' and/or 'affected' areas intentionally for implementing any sort of development activities. However, there are no concrete evidences to support the avoidance of Maoist area by donor agencies intentionally.

## **E. CONSIDERATIONS**

### **i. Donors Aid Objectives and Unintended Consequences**

The stated basic objective of donors working in Nepal is to contribute to improvements in the quality of life of people and their assistance basically focuses on reducing poverty, meeting basic needs and enabling communities to become self-sufficient. Besides this, every donor country has the objective of gaining public popularity in the global context. However, they face a number of unintended consequences though they claim to be implementing pro-poor programs in the communities.

Over the past fifty years, the United States Government has provided Nepal over \$US650 million in bilateral assistance and \$US700 million through multi-lateral organizations, a total of over \$US1.3 billion. About \$US50 million (8%) of the bilateral assistance financed a geographically-targeted development program in Dang, Rukum, Rolpa, Salyan and neighboring districts, an area often called the Rapti River Valley after the river which runs across its southern belt. Because this project was carried out within the same region where the Maoist conflict originated, a few policymakers in Washington and some observers in Kathmandu have hypothesized that:

- ◆ Despite the significant investment in the Rapti program, it did not forestall the conflict and was therefore a failure;
- ◆ The program activities themselves were such a failure that local residents lost hope in future development, sparking the armed conflict; and
- ◆ The activities, however, were such a success that they raised local expectations for future Government efforts. The Maoist revolt was provoked by the failure of those efforts to materialize.

These assertions suggest that the USAID program could have forestalled the conflict, or that its activities (either by success or failure) were at the core of dissension that provoked the revolt. However, Gersony claims that the project did not appear to be a contributory cause of the conflict and further says the Maoist conflict has its origins in a different set of historical events.



(Gersony, 2003: p. 43-49). It was observed that United States organizations were the first and most strongly targeted by the Maoists since they are seen as representatives of 'imperialism'.

The goal of DFID's program is to help the Government of Nepal to significantly reduce poverty and see measurable progress towards the Millennium Development Goals. The purpose of the DFID Nepal office is to strengthen co-ordination and the collective efforts of donors, civil society and the private sector to support the Government take forward pro-poor reform<sup>40</sup>.

It is proposed that conflict transformation and peace building should be taken up as a major cross-cutting issue in the German development co-operation framework with Nepal. This would imply that: the conflict issue is raised as a concern and monitored on the political level in the context of bilateral negotiations as well as the general policy dialogue; the German portfolio should regularly be assessed and adjusted to make the best possible contribution to conflict transformation and peacebuilding (Kievelitz U. et. al., 2001).

The existing priority sectors of Japan's ODA for this country essentially correspond to the priority areas identified in the Poverty Reduction Strategy Paper (PRSP) of Nepal. The only difference between the two is that Japan also places importance on the environmental preservation and disaster mitigation which often fall in the niche of the compartmentalized bureaucratic jurisdictions, and which is regarded as essential for sustainable development activities in Nepal in view of its difficult terrain (Statement by the Japanese Delegation headed by Ambassador Zenji Kaminaga, at the Nepal Development Forum, February 4 - 7, 2002, Kathmandu and Pokhara).

Sustainable development and reform for peaceful solution of conflicts is the priority area of Asian Development Bank (ADB) in Nepal (Sultan Hafeez Rahaman ADB resident mission to Nepal in Kantipur, December 19, 2003). Dr. Iwasaki, Asian Development Bank's (ADB's) South Asia Department, said that ADB would continue to support Nepal at this critical time, focusing on areas where it can play a special role in achieving strong economic growth and sustained poverty reduction, states a press release. "ADB remains committed to support Nepal at this time of crisis, addressing the difficult development challenges it has been facing currently.(The Kathmandu Post, January 24, 2004).

A number of GTZ projects like RDP green road building program in Gorkha and RCIW program in Dailekh have had extreme effect of the conflict. Project offices have been attacked by the Maoists, including the burning of official documents and the looting of cash in some cases. Similarly, eight CARE/Nepal offices were bombed in 1996, including largely locally staffed

---

<sup>40</sup> <http://www.britain.gov.np/dfidn.htm>

offices, leading the organization to pull its international staff back to Kathmandu and only work through local NGOs. In 1999, a CARE program in Jajarkot was forced to leave as much because of police abuse as because of Maoist activities. GARDEP (Gulmi Arghakhanchi Rural Development Project) implemented in two districts situated east of insurgency affected Rukum and Rolpa districts could not be continued in its third phase. Maoists had in the past few years, targeted it. They also imposed a condition that all activities of the GARDEP must receive their prior approval before implementation (Ghatana ra Bichar, 20/6/03, Cited in Raj Prakash, 2004, p 153). When vehicles of the Project were set on fire in 1998 and again in 2001, the project was suspended for some time. In response to the request made by the local people the Maoists allowed the project to return, but under the condition of increased transparency. The United Mission to Nepal (UMN) had to close, suspend or limit its programs in Dailekh, Ramechhap, Mugu and Jumla because of attacks on its offices, looting of equipment and threats to staff. The office of the UMN in Dullu was burned with all facilities and papers inside; subsequently, it stopped its program.

The Linking Local Initiatives to New Know-how (LLINK) program of Swiss HELVETAS was threatened with expulsion from Dailekh district of Mid Western Hills, but was given permission to stay until December 2001, during which 'its performance would be monitored closely'; it is also contemplating withdrawal. Various UN-connected programs were forced to withdraw from the district (Dailekh) completely. The staff of various programs openly stated that they were asked for 'donations' by the Maoists, amounting to as much as 66 percent of their first month's salary plus an additional 5 percent of every other salary. They declared that they all paid out of fear for their jobs or even their lives. (GTZ, 2002, pp. 557-558).

The Maoists in Achham district have prohibited organizations receiving money from the Americans to work there unless they receive a "commission." CARE Nepal was allowed to work there as it was coordinating its activities with the Maoists. (Raj, 2004, p. 96). Several projects had to be cut back or could not be extended due to Maoist activities.

## **ii. Conditions and Coherence**

The EU member states, Norway and the USA have a common commitment to human rights, democracy, decentralization and conflict reduction. The donors have raised question on the human rights abuse by the conflicting parties. There is possibility of donor's withdrawal from the country if human rights abuses go increasing. They view that impunity for conflict related human rights abuses have helped fuel the conflict.

Likewise, the donors are facing difficulty in implementing development projects due to absence of local bodies. Norway warned that it would be forced to stop its aid to Nepal if democratic

process was not resumed, beginning with the elections to parliament and local bodies and also called for respect to human rights by the government as well as the Maoists. (The Kathmandu Post, January 29, 2003).

Some donors have raised question on the transparency and corruption control. European Head of mission mentioned that “widespread corruption at all levels of government reflected an unacceptable neglect at the political level of the apparent needs and aspirations of the people”. (The Kathmandu Post, February 2, 2002). In another statement, WB Vice president of South Asian Region- Mieko Nishimizu told that “the donors would provide continuous support to Nepal if the government can speed up its financial reform activities, as long as the process of change called the, “economical revival program”, keeps moving forward, our assistance to the nation- building of Nepal can be much bigger than any amount” (The Kathmandu Post, February 8, 2002).

DFID Nepal in *Country Assistance Plan 2003-07* mentions that “where considerations of staff safety or the achieving impact becomes impossible, we would be forced to withdraw”. Many donors have been reluctant about the substitution of money embarked for development to internal security. The EU Heads of Mission statement for the recent Development Forum stressed the importance of continuing development programs (Looke and Philopson, 2002). There has been call by EC, UN and others for ceasefires and respect for human rights of the people.

### **iii. Maoist Attitude towards Foreign Aid**

Any explicit views do not seem to be expressed regarding development cooperation but we get some perspectives from their interviews and statements that have been public.<sup>41</sup> Common sense indicates that the Maoists are not opposed to development. Neither should they be averse to development cooperation intended for this purpose. In general, they do not appear anti-aid or anti-NGO—a view also shared by Hogger’s Report.<sup>42</sup> A DFID report points out that Maoists have not clearly articulated their attitude towards development but judging from the experience of the development community, it appears that they will generally accept programs that they consider pro-poor, effective and accountable to local communities.<sup>43</sup> However, they seem to have some reservation toward certain donor due to their political ideology. They are also likely to

---

<sup>41</sup> There are several articles written on this, including the interview of Maoist leaders by Li Onesto, an American Journalist, in 1999. See Thapa, D. (ed.), Understanding the Maoist Movement, Kathmandu: Chautari Book Series 10, 2003. Also articles by Gautam and Shrestha in Gurung, D.B. (ed) Nepal Tomorrow: Visions & Voices, Kathmandu: Koselee Books, 2003; and also the article by Maharjan in Kumar, Dhruva (ed.), Domestic Conflict and Crisis of Governability, Kathmandu: CNAS, 2000.

<sup>42</sup> Högger, Ruedi, Contributing to the New Strength, October 2001.

<sup>43</sup> Security and Risk Management Report for DFID Nepal, London: Huntington Associates, February 2002, p. 8.

be against certain modality of specific development projects which they might regard as bypassing or marginalizing the locals in decision-making, implementing and benefit-sharing processes. They may also be against certain projects of their perceived impartiality and neutrality. Project personnel may be the main source of the problem if their behavior arouses suspicion as being anti-Maoists and possible informers.

Generally, non-governmental organizations (NGOs) are perceived to be more effective on grounds that they are more likely to be committed and sensitive to the needs of the poor and closer to the grassroots in their operating style. There seems to exist a broad consensus among the donor community as to the advantages of NGO involvement in national development process, primarily at the local level (Singh, 1996: 65).

The NGO sector in Nepal has increased rapidly since the advent of democracy in 1990. Fairly sizable contingent of INGOs are also working in different capacities; some work directly while others work through local NGOs. In addition to these modern NGOs a large number of non-governmental indigenous local organizations or institutions also exist that have been traditionally functioning around villages. Indeed, these traditional informal organizations have been central to our villages in terms of culturally prescribed method of organizing and working together as a society. Beside these, there also exist another set of NGOs in the form of user groups. It is now common to organize direct beneficiaries (also called stakeholders) of various projects, especially like irrigation, drinking, forestry, into user groups at the local level.<sup>44</sup> The modern NGO sector in Nepal appears very complex. Not all are officially registered and functioning actively. They also seem to be concentrated in Katmandu and highly dependent on aid money. The general impression is that most NGOs are motivated by pecuniary gains made possible by increased financial assistance from the official donors and the INGOs, and try to project themselves as non-partisan groups but which might not be the case (Panday, 1999: 134). Be that as it may but one can't minimize the constructive role of the NGOs.

Given the colossal and mounting developmental problems of the country, which seem beyond the capacity of the government to tackle, the need for engaging the NGOs in development works, especially at the grassroots level, to complement the endeavor of the government is obvious. Among other things, the NGO sector can play an important role in raising people's awareness and their mobilization, or participation. They are better positioned for reconciliation in conflict situation, which are sometimes generated by development process itself, and help in

---

<sup>44</sup> The concept of "user group" was discovered in Jumla when an irrigation system was found to be working smoothly for many years. The reason was the effective functioning of its "user group".

conflict prevention efforts. They are also likely to allow for more accountability and transparency, and less bureaucracy.

It is reported that the Maoists have rarely directly obstructed aid activities that involve communities at the grassroots levels, benefit the poor, ensure transparency, and enjoy support from the local communities. In a statement, Baburam Bhattarai told "we have no policy of harming or attacking any foreign national unless they are found working against the revolutionary movement with concrete evidence (Washington Times). The Maoists seem to examine each project on a case by case basis at the local level. Projects they do not support are asked to close down and the staff to leave the area. If they do not, the project buildings are looted and torched. The Maoists seem to be more interested in those projects which provide development and which they are unable to do. Conversely they are not supportive to social development schemes which engage the people as they wish to be in-charge of social and political development (Looke and Philopson, 2002). Regarding the activities of NGOs, Krishna Bdr. Mahara, Maoist spokesperson, said they would allow INGOs of selected countries to operate in "their" areas but bar the ones US and UK (The Kathmandu Post, January 23, 2004).

Despite priority accorded to offensive activities, the Maoists have introduced a number of development projects and development activities in the areas under their control, using the slogan of Mao Tse-tung who said 'connect productivity with revolution' at the time of the PW (Peoples War) in China in the 1930.s and 1940s. This is also strongly linked to the idea of local self-reliance and the limitation of goods imported from outside (Neupane, 2000: 4). According to one Maoist senior cadre, the Party started a campaign in Rolpa called *ship sata sat* - meaning an exchange of skills. This was designed to encourage and promote the exchange of skills in handicrafts and cottage industries. In Rolpa, following a decision by the special sub-regional bureau of the CPN (Maoist), a campaign called *jana disha abhiyan* (towards people) has been initiated. This has implemented a number of construction projects in the villages, mobilizing local human and material resources. This campaign tried to inspire people with the slogan 'Believe not in the power of money, but in the power of your labour, two arms and the unity of the people'. The projects implemented as part of this campaign include village roads, bridges, irrigation canals, public parks and martyrs statues, drinking water schemes and school buildings (Shrestha, 1999). According to the Maoist Party's Western Region Bureau, in Rukum alone by early 2001, they had built a 26 km long road with the village roads, nine water wells, four irrigation canals, five drinking water tanks, 13 public parks and squares, 89 sports fields, and six martyrs statues (Karki, 2001: 201). They had also conducted six local assemblies, 45 People's assemblies and 24 sports events (Karki 2001: 201 Cited in Seddon D., K Hussain, 2002, p. 31).

As reflected in a book (Bhattraï, 2003) "Tourism in Nepal can be taken as a form of 'entrepot trade' where imported goods are re-exported albeit to foreign consumers within the country. The upper-class bias and heavily capital-intensive nature of development of tourism has resulted in a cancerous growth of economy little related to the average life of society and logically dependent on exogenous support". Similarly, the writer views that the problems of development/underdevelopment of Nepal is both in its social and spatial dimensions. These are essentially the problems of transition of a pre-capitalist society hybridized primarily under the retrograde internal social structure but increasingly mediated by the exogenous capitalist/imperialist interests. The writer also adds that "Even though the space economy is seen characterized more by the absolute low level of development of the productive forces than by a distortedly developed structure, the recent trends are found to be increasing superimposition of the latter tendency onto the former, as the two are not necessarily exclusive and contradictory. Also the dominant spatial differentiation may be seen in terms of the changing nature of basic contradictions in different territorial zones, which should also provide a 'planning' perspective to 'change' the status quo". Hence, the writer argues that without the basic restructuring of the society which would check the above tendencies as well as the forces abating them, social and spatial problems connected to development/underdevelopment are not likely to be solved.

#### **iv. Aid Directed to Non-governmental Sectors**

Rather than supporting the Integrated Internal Security and Development Program (IISDP), donors/agencies have been more interested in supporting independent methods of delivering their development assistance to affected districts, e.g. through NGOs and through revisions to existing programs and projects, through fast-tracking and/ or other forms of response to conflict, some of which require considerable compromises to be made to activities and outputs and to ways of working. A greater emphasis on development best practice – transparency, working with locals, participatory approaches, reaching the poor and working with them – seems to be one of the outcomes, at least at one level. But this is hardly new in development policy and rhetoric and it will be interesting to see what precisely this means in practice in the field in the current security situation (Seddon, D., K. Hussein, 2002). DFID is reducing its reliance on INGOs, and streamlining its delivery mechanisms.

#### **v. Short-term Humanitarian Considerations and Long-term Development**

EC views that it is important that emergency measures taken in the short-term, do contribute to overall peacemaking and peace-building, or at least do not detract from it. Short-term interventions or emergency interventions should be in relation to the conflict prevention strategy. The single most important pillar of that strategy is the need for a continual conflict

analysis and sufficient resources to undertake conflict prevention/resolution activities. (Loocke & Philopson, 2002)

DFID Nepal in its Country Assistance Plan mentions that "the volume of assistance we will be able to deliver, as well as its pattern, is uncertain. A strongly reformist stance by Government would warrant increased development assistance. Violent conflict may limit what we can do in terms of development assistance but may require increased humanitarian aid".

DFID will support programs to reduce suffering caused by the conflict and encourage measures to increase respect for human rights and end impunity for abuses (DFID Nepal, 2003).

#### **vi. Opportunities**

Though conflicts in Nepal have put the country in crisis, they have also brought new opportunities and potentials which must be tapped and utilized. Nepal has this opportunity after paying a very high price of human lives and national wealth losses. Government's Anti-corruption bill seeking to involve civil society in anti-corruption efforts and Poverty Reduction Strategy Paper (PRSP) aiming to enhance service delivery to citizens through devolution of power and performance based management system are some of the positive aspects of conflict. These are the key to Swiss successful growth (Upreti: 2002).

'Review of Development Partnership in Nepal' OECD and World Bank Research Project highlights that extensive use of expenditure foreign consultants and engineering companies, " Aid Fashion" ensuring that these new ideas are strongly grounded in Nepal's Realities and Institutions (Upreti, 2002 p 5-6). This shows unsustainable donor driven approaches in Nepal which should shift towards "partnership approach".

Because of conflict, donor coordination has increased. The donors have become self-critical and dialogue has increased. The 'Peace Support Group' formed by international NGOs, bilateral and multi-lateral agencies including SDC to share information has developed common approaches. Similarly, 'Peace and Development Trust Fund' created by donation from several donors and coordinated by UNDP, finances activities related to peace and Human Rights to be implemented by NGOs. The effort has also generated gender and target group focused initiatives. The conflict has also contributed to directing the researches towards best project appraisal and BME of programs and projects.

Times have changed since the cold war period when development cooperation agencies had to remove the conflicts as quickly as possible because there was always a possibility that if any

conflict started it could escalate into a war. But the post-cold war period proved to be different, and in many cases conflicts are localized (Takahashi, 2000). In such a situation, the response of development cooperation should essentially consider how it would be possible to extinguish the flames of conflict rather than to leave the conflict areas, or reduce the level of development cooperation.

As national sentiments in donor countries grow less tolerant of the sacrifices by their own people because of the circumstances in other countries, donor agencies have to examine how best they can proceed with their cooperation activities as safely and as effectively as possible. Whether they are ODA, INGO or NGO officials, their security is an issue of prime concern in donor countries. However, development cooperation can play an extremely important role in extinguishing the flames of conflict by addressing its main source of origin.

As indicated by the main foundation of the current conflict above, the main focus of development cooperation should go into employment generation for the rural poor and grassroots development through community efforts in a manner that can lead to self-sustained growth and initiate a process of self-acceleration with a package of policies rooted in the realities of Nepal. It is obvious that development cooperation is greatly influenced by donors' policies, priorities and perceptions of the country's needs which might not be shared by the country itself. Hence, the need to harmonize development cooperation with the needs and priorities as perceived by the country itself is extremely important.

Recently, human rights issues have also been important in development cooperation. A strong sense of human rights is fundamental to the security of human rights, but cultivating this takes time. A strong democratic system is also crucial to ensure full protection of human rights.

The Maoists are also Nepalese as much as those who hold different political views. From this angle, they should not be denied benefits of development cooperation. However, the Maoists have departed from their political movement to militarism, and their politics have descended to criminality, forgetting their agenda of socio-economic reforms. Maoists have raised arms and killed innocent people and acted against the law of the land, their case for benefit entitlement as other Nepali citizens cannot go unquestioned under normal circumstances. From this perspective, targeting development cooperation specifically for the benefit of the Maoists at war with the State would be out of question. But denial of benefits of development cooperation for Nepalese living in Maoist held areas would pose some problems, and might invite criticism and suspicion. However, humanitarian aid is an entirely different issue. But delivery of this aid is not



all that easy, and might arouse suspicion in some circles. Therefore, the perception of neutrality is as important as its reality for donors in Nepal.

## **F. MAJOR LESSONS AND SUGGESTIONS**

### **i. Lessons**

Following major lessons can be drawn from the preceding analysis regarding international cooperation and conflict in Nepal.

- 1.** The country has been, during the past half a century, a major playground for development experimentation without delivering significantly to the poor. This is because most of the development programs and projects lacked internal vision, clear understanding about the effective mechanism to address the root causes of poverty in the country.
- 2.** Development efforts resulted in persistent dependency on external support making Nepalese forget that foreign economic cooperation should be only a temporary phenomenon and Nepalese themselves are to achieve and sustain their economic growth and development.
- 3.** Creation of a section in Nepalese society with a dichotomy of aid beneficiaries and the mass deprived of it has led to antagonism among the general people towards international cooperation, the very state apparatus, and has fueled and escalated the Maoist movement.

### **ii. Suggestions**

- 1.** Most of the things the government can do to reduce conflict are worth doing: govern well, spend money in schools and hospitals in the rural areas rather on arms and control, allow space for peaceful dissent and avoid inflaming ethnic grievances. International cooperation has tremendous potential for positive role to play on this.
- 2.** All development efforts should be re-streamlined to address poverty reduction - principally the employment creation aspect of it. It is said that poverty is the worst kind of violence. In the Nepalese context, poverty has hard-hit the economy and escalated the conflict. Now, with tremendous efforts poverty has to be hard-hit and that will subside the conflict. All political, social and economic preconditions need to be established and donors' serious support is also essential in these efforts. Strong commitments will prove meaningful to solve the conflict issues in Nepal rather than too many dialogues and publications some of which may also result in confusion and red herring.

## REFERENCES

Annapurna Post, January 27, 2004

Annapurna Post, Oct 28, Nov 19, Dec 16 2003.

Anne de Sales. The Kham Magar Country compiled by Martin Chautari on Understanding the Maoist Movement of Nepal, edited by Deepak Thapa, published in *European Bulletin of Himalayan Research* 19, Autumn 2000. Translated by David N.Gellner.

Bhattarai Baburam interviewed on Washington Times compiled by Martin Chautari on Understanding the Maoist Movement of Nepal, edited by Deepak Thapa, published Washington Times 14 December 2002.

Bhattarai, Baburam, (2003) The Nature of Underdevelopment and Regional Structure of Nepal: A Marxist Analysis, Adroit Publishers, Delhi

C K Lal, Nepal's Maobadi compiled by Martin Chautari on Understanding the Maoist Movement of Nepal, edited by Deepak Thapa, published *Himal South Asia* vol. 14 no. 11. November 2001.

DFID 2002. Conflict in Nepal: The Development Response. Department for International development-Nepal

DFID Nepal (2003). Nepal- Country Assistance Plan 2003-2007, DFID Nepal

DFID Nepal, (2002) Security and Risk Management Report for DFID Nepal, London: Huntington Associates,

Gautam and Shrestha (2003) Nepal Tomorrow: Visions & Voices, in Gurung, D.B. (ed) Koselee Books, Kathmandu,;

Gary Leupp, "Imagining the Global Consequences of a Maoist Victory in Nepal", Counterpunch, Petrolia, California, 21 October 2002; cited in ICG, 2003. Nepal Background: Ceasefire - Soft Landing or Strategic Pause?

Gersony, Robert. (2003). Sowing the Wind...History and Dynamics of the Maoist Revolt in Nepal's Rapti Hills. Report Submitted to Mercy Corps International

Ghimire J. (2003) Maobadi Andolan ra NGO Andolan, Nepal , 16-31 Baishak 2060.

Gorkhapatra Sansthan. The Rising Nepal, December 06,27 2003.

GTZ, 2002. Nepal Country Study on Conflict Transformation and Peace Building. Deutsche Gesellschaft fur Technische Zusammenarbeit (GTZ)

GTZ, 2004. Minuting of Nepal Donors Meeting held in GTZ Headquarters, Eschborn on January 23, 2004.

GTZ, 2004. Like Minded Donors Meeting in Frankfurt on January 22, 2004.

Hoegger, Ruedi,(2001) Contributing to the New Strength, Swiss Development Cooperation/Nepal

Huntington Associates, (2002) Security and Risk Management Report for DFID Nepal, London

ICG. 2003. Nepal Backgrounder: Ceasefire - Soft Landing or Strategic Pause? International Crisis Group (ICG Asia Report#50) Kathmandu/Brussels

ICIMOD and SNV. 1997. Districts of Nepal: Indicators of Development. International Center for Integrated Mountain Development, SNV, Kathmandu

ICIMOD and SNV. 2003. Districts of Nepal: Indicators of Development, Update 2003. International Center for Integrated Mountain Development, SNV, Kathmandu

IIC, Country Study for Japan's Official Development Assistance to the Kingdom of Nepal - Beyond Poverty and Conflicts, Institute for International Cooperation for Japan International Cooperation Agency (JICA), May 2003

Kantipur Publications. The Kathmandu Post, January 16, 19,21,23,25, Feb 6 2004.

Kantipur Publications. The Kathmandu Post, January 29, July 12,14,27,31, Sep 28, Dec 9,19, 21 2003.

Kantipur Publications. The Kathmandu Post, May1, Jul 31, Aug 14,16,17,25 Sep 16,29, Nov 27 2001

Kantipur Publications.The Kathmandu Post, April 2,9,12,13,14,23,25,28 , Aug 25, Dec 20, 2001, Feb 2,8,24 2002.

Karki, Arjun and Seddon, David, (ed.) (2003) The People's War in Nepal, Adroit Publications, Delhi

Kievelitz U.T. Polzer, D. Manadhar (2001), Nepal Country Study on Conflict Transformation and Peace Building, Executive Summary, Sector Program, Crisis Prevention and Conflict Transformation in German Development Co-operation

Kumar D., Yuddha Ko Arthasastra (Economics of War) in Nepal Magazine (Year 4, Issue 12), Fortnightly Publication of Kantipur Publication P, 16-19 Margh 2060

Liz Philipson. 2002. Conflict in Nepal: Perspectives on the Maoist Movement. Department for International Development-Nepal

Loocke, J.H., Liz Philipson, Report of the EC Conflict Prevention Assessment Mission, Governance and Democracy Counseling, European Commission Conflict Prevention and Crisis Management Unit, European Commission. January 2002

Maharjan, Domestic Conflict and Crisis of Governability, in Kumar, Dhruva (ed.): CNAS, Kathmandu, 2000.

MoF, (2002) Foreign Aid Policy, 2002. Ministry of Finance, HMG/N, undated.

MoF, Budget Speech, 2060/61, Ministry of Finance, HMGN

MoF, Economic Survey, 2002/03, Ministry of Finance, HMGN

MOF/UNDP Nepal's Development Partners: Profiles of Cooperation Programs, Kathmandu: Ministry of Finance/HMGN and UNDP, 2000.

Mohan Mainali. Development Vs Maoists compiled by Martin Chautari on Understanding the Maoist Movement of Nepal, edited by Deepak Thapa, published *Nepali Times* no. 32. 2-8 March 2001.

MoLD, Decentralization Act 1982, Ministry of Local Development, HMG/N

Murshed & Gates, Spatial-Horizontal Inequality and the Maoist Insurgency in Nepal, a paper based on a study commissioned by the Department for International Development (DFID) of the UK in 2002, Feb. 2003

Nepal Times, Jan 16-22, 23-29 January 2004

Nepali Times Mar 14-20, Nov 21-27 2003

NPC, Annual Program Budget Document, National Planning Commission, HMGN

NPC, Tenth Plan, National Planning Commission, HMGN

Panday, D.R. (2001). Nepal's Failed Development, Nepal South Asia Center

Raj, Prakash A. (2004) Maoists in the Land of Buddha, Nirala Series

Rastriya Bimarsha, Year 10, Number 2, January 27, 2004.

Ratuwa. S., Australian National University, in *The Himalayan Times* (Saturday, January 17, 2004: p. 3).

Rose, P. W. "The First Years", undated, unpublished Manuscript

Seddon, D., K. Hussein, (2002) The Consequences of Conflict: Livelihoods and Development in Nepal, Overseas Development Institute, 111 Westminster Bridge Road, London, SE1 7JD, UK,

Sharma, S. Sena Thapiyo Kharcha Badyo (Increase in Government Expenditure due to increase in number of Army) in *Nepal Magazine* (Year 4, Issue 12), Fortnightly Publication of Kantipur Publication P, 16-19 Margh 2060;

Shrestha Ananda P. & Upreti Hari (eds.) Conflict Resolution & Governance in Nepal, Kathmandu: NEFAS, 2003

Thapa, D. (ed.), (2003). Understanding the Maoist Movement of Nepal, Kathmandu: Chautari Book Series 10

The Economist, Jan 17-23, 2004, London

The Himalayan Times, January 17, 2004.

Thapa, D. Erosion of the Nepali World compiled by Martin Chautari on Understanding the Maoist Movement of Nepal, edited by Deepak Thapa, published *Himal South Asia* vol. 15 no. 4. April 2002.

UNDP (2002). Report on Conflict Impact Assessment of UNDP programs in Nepal(Draft copy, May).

UNDP (2002a). The Country Co-operation Framework for Nepal 2002-2006 (CCF-2) ([http://www.undp.org.np/programme/CCF2\\_nep.htm](http://www.undp.org.np/programme/CCF2_nep.htm).)

UNDP (2002b) Report on Conflict Impact Assessment of UNDP programs in Nepal (Draft copy, May).

Upreti, H. (2002). Nepal: A Nation in Search of Peace and Development, Paper submitted to Swiss Agency for Development and Cooperation (SDC), Bern, Switzerland.



# CHAPTER 5: Peace Process and Negotiation in Nepal

Revisiting the Past and Envisioning the Future

**Bishnu Raj Upreti and Daman Nath Dhungana**

---

*Peace is not merely the absence of war but the presence of justice, of law, of order-in short of government.*

- Albert Einstein.

## 1. Introduction

Nepal, previously recognised as a peaceful country, is now facing severe violent conflict, which caused death of more than 9000 lives, as well as billions of rupees worth of damage to property and infrastructure. It is creating fear, mistrust, insecurity, civil strife, and social, political and development instability. The current polity in Nepal appears incapable and ineffective to maintain security and peace in the country, which is forcing Nepal into chaos and anarchy. Now the most important challenge is how to build confidence to create an acceptable democratic space that could force to restart negotiation process to restore lasting peace in Nepal.

It is well documented that social exclusion, acute inequalities, absolute poverty, lack of access to resources and failure of political structures to address these issues have made Nepali society extremely vulnerable to conflict and mass movements like the Maoist “people’s war” (Hachhethu, 2003; Upreti, 2003b, 2002a; Karki and Seddon, 2003). Deep-rooted social cleavages in terms of caste, ethnicity, gender and regional, cultural, linguistic, and religious forms of discrimination have provided fertile ground to escalate the conflict. Corruption, politicisation of the bureaucracy, police force and intelligence, etc. were other causes of the conflict. Maoists have successfully capitalised on the people’s unfulfilled expectations and the largely unsatisfactory democratic transition of the 1990s. Centralisation and regional imbalance, skewed distribution, access and control of natural and other productive resources, dominating influences of religiously- and culturally-biased traditional Hindu cultural values, discrimination against women, ethnic minorities, so-called lower castes, and Dalits have created a feeling of injustice, frustration and have fuelled the conflict. Though the 1990 Constitution was democratic, it contained contradiction in its preamble, i.e., sovereignty rested on people

contradicts with unamendable or unchangeable four basic features<sup>45</sup>. Hence, the constitution also became one of the sources of conflict.

There is also overwhelming agreement<sup>46</sup> that the protracted conflict in Nepal cannot be addressed without resolving these structural causes (Thapa, 2003; Upreti, 2003a&b, 2002a&b, Pahari, 2003). Since the inception of the Maoist conflict, different approaches have been used to resolve it (e.g., police operation, military mobilisation, integrated security and development, cordon and search, state of emergency, use of special terrorist control act, ceasefire and peace talks, etc.). The state, the rebels, parliamentary political parties, civil society, human rights organisations, and business communities are active to settle the on-going conflict and to restore peace in Nepal. However, these efforts have not resulted in any significant achievement so far. The need for peace is even more urgent than ever, but the current trend shows that it is still a distant hope. In this paper, we attempt to examine past efforts of negotiation and the peace process and envisioning the future prospects and possibilities for the peace talks and negotiations to resolve the bloody conflict in Nepal. The co-author (Daman Nath Dhungana) was involved as one of the facilitators in both the negotiations and therefore his firsthand experiences have been heavily drawn upon in this paper.

## **2. A brief review of the past negotiations to restore peace in Nepal**

In this section, we are discussing negotiation and peace process related to the Maoist conflict. Peace is a state of wellbeing that is characterised by trust, compassion, and justice. In this state people can be encouraged to explore as well as celebrate diversity and search for good in each other without the concern for personal pain and sacrifice (Uyangoda, 2000). Hence, peace is defined as the absence of reduction of violence of all kinds and non-violent and create means of conflict transformation (Galtung, 2000).

Peace building is a process of rebuilding normal relations between warring parties and people in conflict with each other (Barnes, 2002). It involves rebuilding trust, re-establishing cooperative relationships, apologizing for past violent deeds and forgiving those deeds so that the former enemies can become friends and neighbours, who can successfully live and work together in the future.

---

<sup>45</sup> See preamble of the Constitution of Nepal 1990 and its articles 3 and 116 for detail.

<sup>46</sup> For extensive background of the conflict see Upreti 2002, "Nepal: A Nation in Search of Peace and Development" Bern: Swiss Agency for Development and Cooperation (SDC); International Crisis Group Research No. 50 "Nepal Backgrounder: Ceasefire-Soft Landing or Strategic Pause?", 10 April 2003 and ICG Asia Report No. 57 "Nepal: Obstacles to Peace".



## 2.1 2001 Dialogue and its breakdown

After 6 years of insurgency, a ceasefire was declared for first time on 25 July 2001, two days after Sher Bahadur Deuba had become Prime Minister. In the following situation, the ceasefire was declared:

- the country was just mourning the royal massacre of 1 June 2001;
- Nepalese people were in favour of peace even more at that time;
- The new king was struggling to establish legitimacy;
- The Maoists were aggressive to the new King and saying that traditional monarchy in Nepal ended with the royal massacre and it was time to institutionalise the republican system;
- Powerful anti-communist Prime Minister Girija Prasad Koirala unexpectedly stepped down with the allegation that Royal Nepal Army did not cooperate with him when the Maoist abducted 69 police officers from Holleri-Rolpa;
- Sher Bahadur Deuba, a confirmed democrat but a noted royalist, with the sole agenda to settle the Maoist conflict came into power even when Girija Prasad Koirala was not favouring him. Sher Bahadur Deuba was the Chairperson of the High Level Committee instituted by Prime Minister Krishan Prasad Bhattarai, a fierce competitor of Girija Koirala, to recommend the government on how to resolve the Maoist conflict. The Deuba Committee concluded that the Maoist insurgency is a struggle of political nature and it can be settled only through political means. Deuba wanted to give the impression that he is fully committed to settle this conflict at political level. Therefore, he declared ceasefire, even before he took 'oath of office'. He wanted to demonstrate that he is able to settle politically the complex Maoist problem. Hence, he came forward with a peace agenda with two motives. First, he sought to demonstrate that he was more competent than other political leaders to solve the country's problem and second, he wanted to politically sideline anti-communist Girija Koirala by improving relations with communists and Maoists. His unusual loyalty towards Maoists got unusual appreciation from the Maoists as "*Hiloma fuleko kamalko ful*" (lotus flower of the mud). By solving this Maoist problem Deuba also wanted to clean up his negative image of the general public created by the "Pajero and pension culture" he developed;

### Dialogue Teams 2001

#### Government:

Chirinjibr Wagle, Convener  
Mahesh Acharya, Member  
Narahari Acharya, Member  
Bijaya Gachhedar, Member  
Chakra Bastola, Member

#### Maoists:

Krishna Bahadur Mahara, Convener  
Agni Sapkota, Member  
Top Bahadur Rayamajhi, Member

- Girija Prasad Koirala formally blamed RNA for their non-cooperation with the elected government. Consequently, the RNA wanted to falsify this allegation and demonstrate that they are not against the elected government. Therefore, the relations between the new Prime Minister Deuba and RNA improved. Perhaps other un-disclosed reasons might be the loyalty of Deuba to the palace and his family relations with the Rana elite family (the source of most of the RNA leaders and their family relations with the palace);
- All these socio-political and socio-psychological factors contributed to the ceasefire and the start of formal negotiations.

The first round of talks started on 30 August 2001 at Godavari, in the outskirts of Kathmandu. Talks ended with introduction and familiarity, without discussing any specific agenda.

The second round of talks was held at Thakurdwar in Bardiya district between 13<sup>th</sup> and 14<sup>th</sup> September 2001. The core of the political issues put forward by the Maoists was to start a 'process of republican institutional development; withdraw the present constitution and to authorise Nepalese people to make a new constitution'. The Maoist negotiators had also submitted the written agenda for talks. The negotiators from the rebel side were reiterating that the 'exercise towards establishing republican state has already begun'. During the same talks, they also tabled the proposal for releasing the imprisoned Maoists. The government released some Maoist prisoners including central leader Matrika Yadav. The Maoists had also tabled the following demands to the government:

- To clarify the condition of those prisoners who had been disappeared from the police custody;
- To withdraw the security regulations and the deployment of the armed police;
- To withdraw the Integrated Security and Development Programme (ISDP);
- To put the army back to the barracks (it had been mobilised for the ISDP).

In the third round of talks, the Maoists were putting pressure on the government talk team to pull out the army and armed police force from their controlled areas (Kattel, 2003).

While the Deuba government was busy with peace talks, the establishment within the Nepali Congress Party was busy to make the Deuba government a grand failure. Even within the government and the Talk Committee it was not difficult to trace difference of opinion to deal with the conflict. On the other hand, though there was parliament, the government was not able to take the parliament into confidence. Political parties were not fully co-operating.

The Maoists wanted to demonstrate their public strength and proposed to organise a ‘national rally’ in Kathmandu (on Aswin 5). The Deuba government feared the possible confrontation and therefore the government wanted to ban or get it cancelled by the organisers. Ultimately, the organisers cancelled it but they became suspicious of the government.

Unfortunately, the Maoists withdrew from the negotiation table on 21 November 2001, saying that ‘the significance of ceasefire was over as the government locked up all possibilities of reaching the solutions of the present political crisis through the peace dialogue’. The main cause of the breakdown of the ceasefire was the stalemate on the issues of constituent assembly. Besides the issue of a republican state, constituent assembly being the bottom-line became cause of the failure of negotiations. It was also noticed that the rebel leaders were deeply suspicious of the government for potential encirclement and action against them. The stated reasons for their concerns and suspicions were: the formulation and implementation of the ISDP in eight districts during the ceasefire, the arrest and killing of some of the Maoist cadres, and the establishment of the Armed Police Force. They also claimed that they had received information about the transfer of large number of weapons to Ghorahi in Dang district to start a strategic attack in the mid-western region.

The Maoists proclaimed National People’s Governments and started violent attacks in different parts of the country (e.g., Dang, Syanga, and Solukhumbu). In response, on 26th of November, the King declared the State of Emergency (SoE) exercising Article 115 of the constitution. Consequently, the constitutional rights<sup>47</sup> of Nepalese people were suspended except for the right to file habeas corpus. The Terrorist and Destructive Activities Control and Punishment Ordinance also came into practice. The government declared the Communist Party of Nepal (Maoist), its sister organisations and supporters as ‘terrorists’. The Royal Nepal Army entered the battlefield and fighting started once again. Human rights violations, censorship on media and suspension of civil rights were the main concern during the SoE. Many human rights organisations and activists asked the warring parties to respect the Universal

|   |
|---|
| <p><b>Dialogue teams 2003</b></p> <p><b>Government:</b></p> <p><b>1. Chand government</b><br/>         Badri Prasad Mandal, Convener<br/>         Narayan Singh Pun, Member<br/>         Upendra Devkota, Member<br/>         Ramesh Nath Pandey, Member<br/>         Anuradha Koirala, member</p> <p><b>2. Thapa government</b><br/>         Prakash Chandra Lohani,<br/>         Kamal Thapa,</p> <p><b>Maoists:</b><br/>         Dr Baburam Bhattarai,<br/>         Ram Bahadur Thapa (Badal),<br/>         Krishna Bahadur Mahara,<br/>         Dev Gurung and<br/>         Matrika Yadav</p> |
|---|

---

<sup>47</sup> Freedom of opinion and expression, freedom to assemble peacefully, freedom to move throughout the Kingdom and reside in any part thereof, freedom of any profession, or occupation; freedom of press and publication rights; rights against preventive detention; right to information; right to property; right to privacy and right to constitutional remedy.

Declaration of Human Rights. The parliament approved the SoE for a second term with the support of the CPN-UML. The Terrorist Control Ordinance was approved and rendered effective for two more years.

If we observe the process and the dynamics of the 2001 peace talks, we can see that both sides were not fully committed to peace. The period of ceasefire and negotiation was used as a strategic pause for tactical purpose. The Maoists used it for:

- Weakening the monarchy: They were strongly arguing that the conventional monarchy in the country was finished after the royal massacre. Therefore, they might have assessed that they could weaken the position of the new king during the period of ceasefire;

- Strengthening their political and military position: The Maoists formed United Revolutionary People's Council (URPC) in 2001 September at the time of first ceasefire. At the same time they also established and expanded the "People's Liberation Army (PLA)". In the first week of September 2001, negotiators were busy in Kathmandu; Maoist leaders were organising conferences of "URPC" and

|                          |
|--------------------------|
| <b>Facilitators 2001</b> |
| Daman Nath Dhungana      |
| Padma Ratna Tuladhar     |

"PLA" in Kureli village of Eastern Rolpa (Sharma, 2002). Three days after the Maoists broke the ceasefire on 23 November 2001, Baburam Bhattarai was appointed convener of the 37-member URPC, Krishna Bahadur Mahara (who led the Maoist team during the first peace talks) was appointed as co-convener and Dev Gurung (Chief of Ethnic Department) was appointed as Secretary of URPC. The principal aim of URPC was to institutionalise the *New Democratic Republic* under the leadership of CPN (Maoist). Its constitution describes a four layered organization viz. central, regional, district, and village/town. There are also nine autonomous regions proposed (Sharma, 2002) [Seti-Mahakali Autonomous Region - Hill area of Seti and Mahakali Zone; Bheri- Karnali Autonomous Region - Hill area of Bheri and Karnali Zone; Tharuwan Autonomous Region - Western Terai area of Rapti to Mahakali Zone; Magarant Autonomous Region - From Kali Gandaki region to the hill area of Dhaulagiri, Rapti and Lumbini Zone; Tamuwan Autonomous Region - Gandak Region; Tamang Saling Autonomous Region - Hill area of Bagmati, Narayani and Janakpur Zone except Kathmandu valley; Newar Autonomous Region - Kathmandu valley; Kirant Autonomous Region - Hill area of Mechi, Koshi and Sagarmatha Zone; Madhesh Autonomous Region - Awadh area of mid Terai and Bhojpuri and Mithila Pradesh of Eastern Terai. Sharma (2002) highlights that 'out of these nine autonomous regions under URPC, six have been formed based on ethnicity and the remaining three (Seti-Mahakali, Bheri-Karnali and Madhesh) are based on regional classifications. They have started to constitute the leadership of such bodies. The Regional or Ethnic Fronts have been given the authority to

take up that responsibility until the "People's Republic" is fully established'. All these actions by the Maoists clearly demonstrate that they were using ceasefire more for the strategic strengthening of their political, ethnic, military and ideological basis than to make the peace talks successful. During this period, they had extraordinarily strengthened their military base, which has been proved by their big offensive attack in the Dang military base where they captured huge amounts of weapons just after three days after breaking the ceasefire.

- Releasing their workers from the prisons;
- Trying to achieve from the negotiation table, if possible, what they wanted to achieve.

The Maoists also used this ceasefire as a tool to test public response towards them. The Maoists wanted to test their agenda with people, parliamentary parties, and the king. The ceasefire was a litmus test to find the attitude of the rebels, the new king, and the parliamentary parties and to ascertain whether they are really committed to peace. This was also an opportunity to test the intrinsic motive of the Maoists towards monarchy.

Even after breaking the 2001 ceasefire from the Maoist side, in March 2002 Maoist supremo Prachanda offered a ceasefire to resume peace talks. However, the then Prime Minister Sher Bahadur Deuba flatly rejected the offer unless the Maoists surrender their arms (Paffenholz, 2003).

## **2.2 Analysis of 2003 Peace talks and basic causes of ceasefire breakdown**

For the second time in the history of the Maoist rebellion a ceasefire was announced on 29 January 2003. It is said that Narayan Singh Pun from the government side sent a letter with the cabinet decision to one of the underground Maoist leaders stating that the government was ready to discuss the Maoists' three-point demand (round table conference, interim government and the election for the constituent assembly) There was a unique background to this ceasefire. On the 4th October 2002 the King assumed executive powers. After a few days, a new cabinet was formed under the leadership of Lokendra Bahadur Chand nominating 'clean' ministers either from non-political background or from small political parties or people from politically sidelined status. All major political parties opposed the Chand government. Restoring ceasefire and bringing rebels to the negotiation table would be a visible and great success for the government and therefore it made serious efforts and succeeded in resuming ceasefire and negotiation talks. Minister Narayan Singh Pun played a crucial role in this process. Birendra Jhapali and Dhani Ram Lamichhine had also played an active role in the ceasefire process.

In the second round, the Maoists were reasonably soft but what the government did was not enough. The 29 January 2003 ceasefire and the subsequent three rounds of 'peace-talks' on 27 April, 9 May and 17-19 August 2003 between the government and the Maoists were by far the most vigorous efforts to establish lasting peace in Nepal. Both parties forwarded their agenda for the peace talks. However, hope to attain peace in Nepal was shattered due to the rigidity of both parties, as they did not demonstrate flexibility in talks and stuck to their own agenda. Though Nepalese people were enthusiastically optimistic after the declaration of ceasefire this enthusiasm soon eroded and fear, worry and frustration widened after the 27 August ceasefire breakdown. The stalemate on the issue of constituent assembly in the third round of the peace talks in the Hapure village of Purandhara VDC, Dang district could be managed if both sides had shown flexibility. There could be several routes to resolve this stalemate through non-violent means<sup>48</sup>. Lack of trust, fear, and feeling of insecurity on both sides had severely constrained the progress in the negotiation.

Delay in formation of the government's Peace Talks Committee, mode of representation of individual members on the Code of Conduct Monitoring Committee, controversy in execution of the agreed issues from the second round of the peace talks, non-compliance with the agreed code of conduct, controversial remarks by the Talks Committee members, ministers and the rebel leaders, non-cooperative attitude of the parliamentary political parties indicated that none of the major players genuinely wanted peace in this country, except ordinary Nepalese people. Foreign interest has added another complication in the Nepalese conflict. It is astonishing that the foreign diplomats give their definitive (right or wrong, good or bad) judgement and dictate on the issues of Nepalese concern before Nepalese people, political parties, and the government expressed their views. This factor has also contributed to the breakdown of the ceasefire in its own way.

The January 29 ceasefire was non-transparent and came as a surprise; therefore many analysts suspected that the rebels and the government (representative of the Monarchy) could have already agreed on main issues. The five parliamentary parties, which were in deep conflict with the King, had also suspected that the ceasefire might be an unholy grand design between the two gun powers to further cease democracy. However, that proved wrong when the Maoists broke the ceasefire.

|  |
|--|
| <p style="text-align: center;"><b>Facilitators 2003</b></p> <p>Daman Nath Dhungana<br/>Padma Ratna Tuladhar<br/>Sailendra Kumar Adhikari<br/>Karna Dhoj Adhikari</p> |
|--|

---

<sup>48</sup> Under certain circumstance, a referendum happens to be one of suitable means to resolve contentious issue but it is more useful only if the issue is single and it is decided by the broad based agreement. However, it is too complicated if there are several issues coming together like in the current conflict. Similarly, in the problems or issues, demanding consensus for the full settlement referendum divides people into majority and minority and consequently the conflict or problem remains unsettled.

It took long time to start the peace talks after declaration of the ceasefire. The 7-months ceasefire was said to be a period of undemocratic peace, as important democratic institutions such as parliament remained dissolved, political parties were forced to remain out of the election and all the nominated people with weak public support were governing the country. There was a huge pressure from civil society, human rights activists, and the international community to formulate and sign the CoC and institute CoC Monitoring Committee. The worry of the civil society organisations was the possibility of resumption of violence and human rights violations. There were continued complaints from the human rights activists that the Nepalese government was not sufficiently respecting the international human rights treaties and accords, where the state is signatory. Only on 13th March 2003, the Code of Conduct (CoC) was signed between the representatives of the government and the rebels. They also agreed to institute the CoC Monitoring Committee (CoCMC) under the convenorship of the National Human Rights Commission (NHRC). However, the CoCMC was not functional because the government and the Maoists did not formally issue a letter to NHRC to do the job and both the parties did not respect the CoC.

The first official peace talks started at Shankar Hotel in Kathmandu on 27 April 2003 and saw the Maoists handing over their agenda to the government team. The talks concentrated on procedural issues and ended after four hours. The main Maoist demand was the election for a constituent assembly.

The second round of peace talks was started on 9 May 2003. This meeting was also limited to procedural issues. However, limiting the movement of the Royal Nepal Army within the radius of five kilometres was the key issue in this meeting. Another important issue agreed was the release of three central leaders of the Maoists from the jail. This controversial topic of limiting RNA mobility became one of the main causes of the collapse of the Chand government. Then the peace talks fell into limbo. Prime Minister Chand resigned on 30 May 2003 after massive protests of students and a controversy created by the second round of peace talks on the issue of constraining the movement of the army. At different programmes and rallies, five parliamentary parties spoke aggressively against the monarchy that might have also some implications on the resignation of Prime Minister Lokendra Bahadur Chand.

On June 5, His Majesty the King appointed Mr Surya Bahadur Thapa as the new Prime Minister. The new Prime Minister appointed two ministers as members of the government negotiation team. The government, due to constant efforts of the facilitators' released three central leaders of the Maoists. From perspective of organising the process, the new government's negotiation team did better compared to the previous government's negotiation team led by Badri Prasad

Mandal. The new team led by Prakash Chandra Lohani did more homework, clarified procedure, established peace secretariat, held informal consultative meetings, and produced the government's agenda. However, the Maoists were already suspicious of this government and repeatedly asked to implement the agreement made in the second round.

The third round of talks in the Maoist stronghold area (Hapure Village of Dang district) ended with results far below the public expectation. The negotiators directly entered into the political agenda, which was most unusual and contrary to the general principle of negotiation. Consequently, the negotiation was withdrawn without exhausting all avenues of agreement (see box 3 for reasons given by the Maoists to discontinue ceasefire and negotiation). As has been discussed in the preceding section, the stalemate on the issue of 'unconditional constituent assembly' became the cause of the ceasefire breakdown. The four fundamental provisions existing in the current constitution were the bottom line of the government. These bottom lines were: sovereignty inherent in the people, constitutional monarchy, democracy and the safeguarding and strengthening of the national territorial integrity and unity. However, 'sovereignty of people' was raised only to justify their own arguments rather than to really allow people to exercise their sovereign rights. Its real meaning was blurred, as the sovereignty of Nepalese people to elect representatives to rewrite the constitution was denied by the state in the negotiation. There was a real fear on the government's side to agree on constituent assembly before clearly spelling out the guarantee of existence of institution of monarchy in this process. Although the Maoists had considered the King as one of the three powers (the Maoist, the King, and the parliamentary parties), their argument was more on changing the power relations rather than to accept the King. In this respect, there should not have been a big problem to proceed further through negotiation. Unfortunately, instead of exploring different possibilities and modalities of the 'constituent assembly' the Maoists, after the expiry of one week's given deadline, resumed violence attacking RNA Colonels. Then the government promptly stepped up to retaliatory action declaring them as 'terrorists'. These attacks severely threatened the already weakened nation. Looking at the aggressive war strategy of both sides it can be easily predicted that this country is facing unprecedented crisis. If the parliamentary political parties, the government, and international community do not act urgently to ease the situation, civil war is unavoidable.

Examining the role of the international community in the Nepalese peace process, Thania Paffenholz (2013:9) writes, *"Here we can see different points of views of international players. The US, India, and the UK favour an approach to peace through war, most of the EU countries and smaller neutral states support dialogue and political options. The latter position is also supported by international and local civil society peace and human rights groups"*.



### **Box 1: Highlights of the government's agenda**

- 1)** Roadmap for forward-looking reforms:
    - Step 1. Creating consensus through negotiations between the government and the rebel side on the objectives, contents, and process of the reforms.
    - Step 2. Organizing a Round-Table Conference with the participation including that of the political parties in order to establish the consensus reached as the document of national consensus.
    - Step 3. Formation of an interim electoral government including the rebel side as well.
    - Step 4. Holding of the election to the House of Representatives.
    - Step 5. Amending the Constitution in accordance with the document of national consensus.
  - 2)** Bottom Line of the proposed reforms: Sovereignty vested in the people, constitutional monarchy, and multiparty democracy.
  - 3)** Objectives of the reforms:
    - a. Building a political system that can accommodate and ensure participation of all Nepalese people.
    - b. Creating equal opportunities for self-development of all the Nepalese people.
    - c. Developing political system on the basis of existing balance among the political forces.
    - d. Creating an egalitarian society by ending all kinds of inequalities, discrimination, and exploitation.
  - 4)** Proposed new subjects in the reforms:
    - a. Neutral electoral government to be formed three months before the general elections.
    - b. System of proportional representation in elections.
    - c. Upper house structure to include representation of ethnic groups, indigenous people, and Dalits in proportion to their population.
    - d. At least 25% of seats in all representative institutions, including the parliament, to be reserved for women.
    - e. Complete revamping in the local bodies with constitutionally guaranteed local self-governance with additional authority to local bodies.
    - f. New structures to be created at the regional levels in accordance with the spirit of local self-governance.
    - g. Provision for national referendum on issues of national importance.
    - h. Local bodies to be allowed to choose to use second working language from among the national languages.
    - i. Special provision for reservation of women, indigenous people, ethnic groups, and Dalits for a certain period of time in education, health, representative institutions, and employment sector.
    - j. Open and liberal market-oriented economic policies to be adopted by the state.
    - k. Parliament to be given a role in appointments to the constitutional bodies.
  - 5)** There is agreement on several economic and social proposals put forward by the Maoists.
  - 6)** The concept on reforms may be reviewed on the basis of mutual understanding.
  - 7)** Government for including in the agenda the issue of handing over of the arms and ammunitions held by the Maoists.
  - 8)** Government for including in the agenda of the talks rehabilitation and reconstruction aspects.
  - 9)** Suggestion for developing agenda on the basis of the proposals of both sides.
  - 10)** Emphasis on not creating obstacles in government activities and the activities of the political parties.
- Proposal for expression of commitment from both sides not to break the ceasefire under any circumstances.

Observing the Nepalese negotiation process, one of the leading conflict resolution and peace-building scholars John Galtung wrote, *"In Nepal we have negotiation process, although I am not quite convinced that it has started touching the real problems. ... What would be constructive for a peace process in Nepal would be a part of the Maoists disarming and part of the RNA disarming"* (Galtung, 2004:122). Drawing from his wide experiences around the world, he puts much weight on the role of king to make negotiation successful. Galtung states, *"In Nepal's case two aspects of the king- His Majesty's Government and Royal Nepal Army. An Ambassador to Latin America talked about frequent military coup in the region. A famous Argentinean friend said it could be explained in two ways. It could be explained by saying that the military is strong and hence it is always projecting its power through coup d' etats. It could also be saying that civil society is weak. And the latter is the most important explanation because we can do some thing about this. To touch the military is very difficult but we can make the other force much stronger. Now the first issue deals with the condition that the Maoists give up some of their demands, but the question is whether king will give up some of his demands. My reading of it is that the Maoists have been more forthcoming. The King might go to his friends in USA and UK and the king may come to the idea that there are two parties in this conflict. If the king could apologize for the 4 October 2002 and the mainstream political parties could apologize for the events before 4 October for failing in tasks- if that could happen, in my view the prospects for peace would be very real* (Galtung, 2004:115-116).

**Box 2: Ceasefire off: an unofficial summary of Prachanda's statement**

Issuing a statement posted on the Maoists' website on Wednesday afternoon on 27 August 2003 Maoist chief Prachanda said, *"The rationale for ceasefire, code of conduct and talks process is now over for the time being. We decided to sit for talks giving supreme priority to people's will to find a peaceful political outlet. While making the ceasefire announcement, we took it seriously hoping the old regime will also be serious. But the royal army of old regime started to violate the code of conduct from the very beginning of the announcement despite the fact that our people's salvation army was totally devoted to the ceasefire. The royal army not only unnecessarily increased arrest and checking incidents but also continued to seize our people's army and to murder non-armed cadres brutally. Such acts were severe blows to our party and people's expectation and enthusiasm for a peaceful political outlet. Despite these facts, our party feeling the optimum responsibility towards nation and people, did not let the talks atmosphere spoil. Finally the first round of formal talks began and our party presented a minimum political agenda. In second round of talks, we agreed to limit royal army within five kilometres. But the royal army not only rejected the agreement but the government also changed with their pressure. With this, the talks process itself became orphan and questions arose over the possibility of a peaceful political outlet. After a long gap, through exchange of letters with the new talks team of the old regime and with their commitments to keep the royal army in discipline and as they released some of our central leaders, the party directed its talks team to sit for the third round of peace talks. The political agenda presented by the government during the third round of peace talks could not even address the basic problems of the country, but conspired to strengthen the feudal regression which came into being after October 4, 2002. The concept paper could not address even the demands of parliamentary parties who believe on multiparty democracy and constitutional monarchy. Their political agenda ended the rationale of peace talks on the very moment when they asked us to surrender our weapons. We rejected the proposal totally and made it clear the fourth round of*

*talks will be held only if the establishment brings a new proposal of going for constituent assembly. At the same time, the royal army massacred 17 un-armed cadres and two civilians in Ramechhap. In particular, the concept paper presented in the third round of peace talks by the old regime and massacre of 19 people by the royal army in Ramechhap are the main reasons for the ceasefire break. It is the immoral and paradoxical attitude of the old regime to say that they are still committed for talks. Everybody knows our party is fighting for a people's republic state. We 'adjourned' the republic state demand for the time being and came to talks table to fulfill the people's desire for peace, with the demand of constituent assembly. But unfortunately, the old regime is not ready to go for a constituent assembly. Hence the government's double standard has ended the possibility for a forward-looking political outlet. With this, we want to make it clear that the rationale for ceasefire, code of conduct and talks process is now over for the time being. But we still express our commitment for regular interaction with all well-wishers to make our relations strong. We will not close the door for talks from our side. We can again sit for talks if people's sovereign right and their basic welfare are guaranteed. We urge all to help create such conducive environment for talks".*

Source: nepalnews.com 27 Aug 2003

The International Crisis Group, in its assessment of the causes of ceasefire breakdown highlights *"the proximate cause of the breakdown in the ceasefire was the Maoists' unwillingness to discuss issues other than the constituent assembly in the third round of the peace talks. By most considerations, however, the return to war must be seen as the culmination of steady erosion in confidence between the Maoists, the royalist government, and the largely marginalised political parties* (ICG, 2003c:2).

Following is the summary of the basic causes of failure of negotiation and breakdown of the ceasefire:

- 1.** Basically, three fundamental reasons are cited to be the fatal causes for the breakdown of the ceasefire:
  - a.** One point demand of the Maoists for the unconditional constituent assembly. The Maoists were not ready to compromise on their unconditional constituent assembly demand.
  - b.** The mandatory basis put forward by the government, e.g. sovereignty vested in the people, constitutional monarchy, multiparty democracy, and preservation and promotion of the national integrity and unity. The government was strict on these mandatory bases. The role of the army was one of the major factors affecting the negotiation.
  - c.** After the Doramba incident, the Maoists became seriously suspicious about the intention of the military, as unarmed 17 Maoists and 2 civilians were killed by the military. This case was further signalling the helplessness of the government and its negotiation team. The independent inquiry team set up by the National Human Rights Commission confirmed that the security forces had unlawfully killed the unarmed Maoists and local people<sup>49</sup>.
- 2.** Non-transparent and suspicious agreement on ceasefire.

---

<sup>49</sup> See Amnesty International press release at <<http://www.amnesty.org/library/index/engasa310>> (08/3/2003).

3. The preparation, especially from the government side until the second round of the talks was very poor
4. Basic principles of the negotiation process were ignored. There was severe mistrust but no sincere efforts to rebuild trust and develop symbiotic mindset. There was also lack of confidence and deep sense of suspicion in both sides.
5. Parties in conflict were reluctant to develop and agree on the Code of Conduct. With severe pressure from the international community and civil society, the government representatives and the Maoist leaders agreed to issue the Code of Conduct but they did not respect it.
6. Individual members of the CoC Monitoring Committee were selected representing the interests of two parties that raised serious questions of neutrality. Some time they were publicly arguing on behalf of one party or against the other
7. The CoC Monitoring Committee was not functional because both the parties did not support the Committee
8. The role of facilitators was severely constrained and used only as witness, if needed. They were committed to peace and established national personality. However, they were not well equipped with the negotiation skills and experiences.
9. Role of political parties became controversial. They just wished for the success of peace talks but did not constructively engage in the peace process. Neither have they initiated any contributory actions that could lead to peace.
10. The government and the Maoists used the period of ceasefire as a strategic pause to strengthen their military capabilities. The military thinking on both sides dominated the political side and therefore civilian solution got less attention.
11. The International community played an ambiguous role. If India, USA, and UK were really willing to resolve this conflict, at least talks could have continued to make further progress. Particularly the role of India was very ambiguous<sup>50</sup>. India, in its own interest, also was not interested to bring international mediators (such as UN, EU or other relevant actors). Some international actors adopted a strategy of 'wait-and-see', avoiding the proactive roles. Perhaps they wanted to keep away from contradicting with the interests of USA, UK, and India.
12. There was great mistrust and suspicions between the government and the Maoists. They were suspecting each other and that seriously hampered the negotiation. The main basis of mistrust were: increase in weapons and army in both sides, mobilisation of the army by the government to perform health camps in rural areas, active US support to RNA during the

---

<sup>50</sup> We do not think that the Indian government has official relations with Maoists. India will not support the Maoists as such to achieve their goals. Principally and ideologically it is not feasible. However, main analysts say India wants to maintain a counter-force within Nepal to pose balance the traditional power. Therefore India might be using the Maoists for this purpose.

ceasefire period too, controversy in implementing the agreement of the second round of the talks (5 Km controversy) and violation of CoC by both sides.

13. The military thinking on both sides dominated the political thinking that led to resumption of high intensity conflict and war.
14. The legitimacy of the government was in question and therefore some people had already anticipated the failure of negotiation.

The National Human Rights Commission, in consultation with national and international human rights organisations, had developed a human rights accord and sent it to both parties to sign. However, both parties were not ready to sign it. If both parties had accepted this accord, it could prevent the collapse of peace talks and breakdown of the ceasefire. Further, the constituent assembly became the 'make-or-break' issue, a structural disagreement. In both 2001 and 2003, when negotiations failed there were few common causes. They were:

- Hardliners were in favour of military solution of the conflict. Conflict scholars (Zartman, 1989; Kleiboer, 1994; Paffenholz, 2000) say that a conflict should be 'ripe for resolution' i.e., parties involved in conflict should realise that they can achieve the goal through negotiations, instead of war.
- In both parties, there was fundamental suspicion and mistrust at the time of negotiation. Harris and Reilly (1998) highlight the importance of procedural aspects in negotiation to restore peace in conflict situation. According to them, commonly perceived deadlocks should break first that requires flexibility, building trust, promoting clarity and understanding, building coalition, use of unofficial channels and third party assistance. However, these issues were not considered in both the negotiations.
- In both negotiations, there was a distinct lack of involvement of relevant representative group of actors in the negotiation process and consequently lacked broad-based support. Palestine peace process was in jeopardy when Oslo Peace Agreement excluded radical Palestinian groups. The same problem was observed in Congo when local militia groups were excluded (Paffenholz, 2003).
- Inconsistent and controversial role of international powers active in Nepal
- As stated by ICG (2003c; Galtung, 2004) there were several procedural weaknesses and poor handling of the negotiation process.

Recent response of the Maoist spokesperson Mr Krisahna Bahadur Mahara (23 January 2004 Kantipur) indicates that they are ready to accept the constitutional monarchy if the king is ready to give up the commandership of the army and if a few hundred senior army officers loyal to the

palace are removed. However, he himself suspects that the government is not creating a conducive environment and therefore it is less likely to resume the talks.

**Box 3: CPN (M) Statement**

Spokesperson and politburo member of the Communist Party of Nepal (Maoist), Krishna Bahadur Mahara talking to reporters at Badakanda Village in Junga Thapachaur VDC said, "The king must not lead the army and around 200 military officials should resign from their respective posts. But it is very difficult for him (king) to do so. We still accept multiparty democracy. But there is no constitutional monarchy as the king has a control over the army. But we are still committed to peace."

*Source:* <<http://www.kantipuronline.com/php/kolnews.php?&nid=6547>>, 22 January 2004

The government has also repeatedly said that if the Maoists genuinely want peace, the government is ready to hold talks. However, it is very difficult for ordinary people to believe in their sayings, as they have not yet shown any positive attitude towards resuming talks. Both sides are more aggressive in recent times. Even the government rejected proposals from the UN and EU to get their help in resolving conflict in Nepal.

Though the Maoists broke the ceasefire and peace talks, the government had failed to create conducive environment to continue negotiation<sup>51</sup> particularly due to the Doramba incident. If the warring parties had discussed to make new constitution, through the House of Representative (as one of many models of preparing constitution or exploring other options of constitution making from the negotiation table) there would be strong pressure to the Maoists from the general public and international communities to accept this arrangement that could prevent the ceasefire break. From the ceasefire and the talks during the 7 months, the Maoists and the government tried to maximise political and military gain. The government maximised its political and military gains by doing/achieving the following:

- Strengthened its military capabilities, brought weapons from USA and other countries, trained its military on intelligence and countering guerrilla warfare tactics, recruited new forces;
- Massively collected intelligence information about the insurgents activities, bases, military strengths, supporters and their networks helping the security forces to devise their military strategy;

---

<sup>51</sup> After the third round of talks in Hapure, the Maoists took seven days to assess the Doramba event and issue a press release explaining the reasons for the ceasefire breakdown. Considering this delay, we can argue that they might have been a strong debate within the party about whether to continue the negotiation talks. In the end the hardliners' decision seems to have prevailed.

- Exchanged information with other security agencies abroad, sent staff for the training and exchange;
- Physically identified many Maoists while they made public appearance.

The Maoist maximised their political and military gains by doing/achieving the following:

- Release their workers from prisons and succeed in removing the “red corner notice”, and withdrawing of cases filed against them;
- Create confusion in security forces about the government role and actions. When the government withdrew filed cases and the court released the prisoners, a strong voice from the security sector was heard about the inappropriateness of releasing prisoners, which creates confusion among the security force;
- They used the open political environment to strengthen their relations with the business community, media, and political parties. The business community was eager to welcome them.
- Create a momentum and opened a debate on the need for a constituent assembly. The election for a constituent assembly was no longer limited to the agenda of the Maoists. It became a national agenda and one of the best alternatives to resolve the violent conflict. The business community, democratic leaders, teachers, political scientists, lawyers, doctors, professionals all started to consider the constituent assembly as a pragmatic way out of the problem. Even within the main parliamentary political parties, the issue of constituent assembly started to be openly discussed and many members argued in support of it. This gave great moral boost and political backing to the Maoists;
- They also strengthened their military power during the period of ceasefire; they recruited new fighters, trained them, and massively mobilised them in different parts of the country;
- Improve their external relations; the Maoists were able to establish contact with many international strategists, specialists in international relations within the country and abroad.

### **3. Real confusion within the Maoists or only tactics?**

The statements of the Maoists have created confusion in parliamentary parties, the king, the government, and ordinary people as well. They were saying the nominated governments (both the Chand government and the Thapa government) are *abaidhanik* (illegal). However, they were ready to talk with these governments. They were saying that they were participating in the

negotiation talks considering the government negotiation team as the representative of the king, but still they recognised the government. They proposed three procedural steps to resolve the conflict, i.e., *golmech samelan* (round table conference), interim government, and the election for the constituent assembly. However, they never gave details, a clear model, or the framework of the roundtable conference and the constituent assembly, which have ultimately created confusion. The writings of the left leaders (such as Shankar Pokharel, Mohan Bikram Singh) reveal that the Maoists are either confused themselves or they want to create confusion to other and get benefits of confusion. The Maoists reiterate that they were forced to take the arms (*badhyata*) but they want a peaceful solution of the conflict. But their current approach is just opposite, as they are inhumanly killing people, collecting donation and recruiting young people forcibly, preventing activities of other political parties. Not all these activities are conducive to a peaceful resolution of the conflict. They should have also clearly addressed the position of constitutional monarchy. If the Maoists think, they could win by war why are they repeatedly saying that they want peaceful resolution? If they really want a peaceful settlement through negotiation, they need to change their present mindset. Thania Paffenholz (2003:8) argues that the Maoists, as part of their people's war philosophy, are prepared to fight for very long time. Consequently, militarization of the state by the government in the name of fighting the Maoist insurgency continues and results in a democratic deficit and the emergence of autocratic rule.

#### **4. Envisioning the future: lessons for future processes and dialogues**

Nepal has to opt for alternative dispute resolution approaches (i.e., non-military option, by agreeing to revise, rewrite the constitution through constituent assembly) if we want to fully resolve the Nepalese conflict. Military intervention is not an appropriate solution (it can only be an immediate option to minimize extreme escalation of bloodshed and violence). Similarly, the existing constitution cannot deal with this conflict as the context and challenges are going far beyond what it had envisioned under the changed power equation immediately after the 1990 democratic movement. There is only the political option left to settle the bloody conflict and the constituent assembly is one of the best options, depending on all party discussion on its various modalities and agreeing on one of them. Below follow some ways to move ahead to resolve this conflict in Nepal.

##### **4.1 Establishment of National Peace Commission**

If all key stakeholders do not sincerely commit themselves to a peaceful solution of the problems, repeated ceasefires and negotiations will not work. First, there should be common



understanding and commitment to resolve this crisis before proceeding to any negotiation and peace talks. That needs a common mechanism (*Sajha Sanyantra*), i.e., National Peace Commission or similar body, which could promote dialogue to bring about this understanding and ensure concrete commitment. Therefore, we strongly argue for the need of establishing a National Peace Commission or similar body as a *Sajha Sanyantra* in order to achieve three main aims, such as:

- a) representing all stakeholders in the widest possible way,
- b) dealing with the root causes of the conflict simultaneously, and
- c) explore ways to reach a negotiated settlement based on commonly agreed principles.

A National Peace Commission or similar body, possibly headed by the King or other consensual candidate, could develop some *commonly agreed principles* and a framework to deal with the negotiation; then it could organise a round-table conference and sort out the future course of actions. Then the negotiation should proceed with clear mandate, elaborated framework and well illustrated procedure on dealing with the crucial issues and state reform agenda. We have learnt lessons from the previous two negotiations that without *commonly agreed principles*, clear visions, commitments, and framework for negotiated settlement the problem cannot be solved. It is not possible to solve the crisis without the active participation of the Maoists; therefore, this Commission must envision possible ways to bring them in the interim government and to settle the constitutional issues.

The important question is how feasible is the dialogue in near future? At present, looking at the current actions of the government and the recent response of the Maoist leaders (Mahara and Baburam Bhattarai) as well as the current mistrust between the King and the parliamentary parties it is difficult to resume the process of dialogue immediately. Obviously, dialogue is desirable and achievable, if all the key stakeholders agree to constitute a National Peace Commission and accept some *commonly agreed principles*. The situation is quickly changing and the international community has become more vocal on human rights violations and is exerting pressure on all stakeholders for a resumption of negotiations.

In the absence of parliament, even those potential way-outs within the scope of the present constitution are not in a position to be achieved. The National peace Commission can be devised in such a way to fulfil the gaps created by the absence of the parliament and to adopt a broad-based national policy on conflict transformation and peace-building.

#### **4.2 Capitalise the opportunity brought by the crisis**

This conflict has brought tremendous opportunities to initiate radical reform in the state structures towards achieving more equitable and just society if the parliamentary political parties, the King and the Maoists genuinely want. The state restructuring agenda put forward by the government, 18-point programme of the five parliamentary parties, reform agenda forwarded by all individual parties, repeatedly expressed concerns of the King and his 7-point agenda (national consensus, peace and security, corruption control, people-centred administration, elections and all-party consensual government) and the peace talks agenda put forward by the Maoists and the roadmap proposed by the UML have clearly demonstrated that there is a common ground to resume negotiations and for a radical restructuring of the state. The international community is also supportive to resume peace talks and to address root causes of the conflict after Nepal initiates the consensual reform process. Statements from the EU, the UN and other countries have clearly exemplified this. However, this effort needs consensus, which has to be started after breaking the present deadlock. If all major actors of conflict agree to constitute National Peace Commission to perform the tasks stated in the section 4.1 and prepare for a broad based consensual interim government the negotiated settlement is possible. The National Peace Commission also prepares for a round table conference, which will ultimately pave way by recommending forming a broad based consensual interim government to work further for state reform through constitutional change and socio-economic reform.

Broad-based consensual interim government should get a clear mandate from the King and the parliamentary parties (accepted by the Maoists) to declare ceasefire, resume negotiations with the Maoists, and settle all issues in professional manner. John Galtung (2004:114) suggests four urgent tasks to be accomplished to restore peace in Nepal, i. e., first to end the violence; second to address the root causes; third to generate resources for peace; and fourth to seek healing and reconciliation.

#### **4.3 Polarisation of existing tripartite power relation**

A new polarisation is essential to resolve this conflict. The polarisation we are discussing here is different. The difference is to polarise between those who want peace and prosperity and those who want war and instability. Peace must be the mission as well as operational agenda of parliamentary parties and they must work to achieve this for which they may need to drastically change their current approach. Their current concerns of October 4 events can be corrected within this mission if they want. The confrontational approach will not solve the problem.

#### **4.4 Trust building**

Distrust is pervasive in the present Nepalese politics. It is destroying political process and fuelling endemic conflict. Putnam (1993) in his book entitled *Making Democracy Work* highlights the fundamental role of trust in the democratisation process. Social capital is an important feature of society reflected in social network, norms, trusts, and faith. It is essential to promote civic engagement, public participation, mutual learning, concerted action to achieve negotiation and political stability. The current conflict between the king and the five parliamentary parties has proved that trust is very fragile. Building trust takes considerable time and efforts. However, it can be eroded by a single mistake and in some cases; lost trust may never be rebuilt. Trust is a binding force of civil society building and functional democracy.

The priority of all the actors must be to rebuild trust through collaboration, dialogue, and collective action. The Maoists must end violence and resume ceasefire to prove their commitment for peaceful negotiation. Confrontation and military fight cannot solve the current crisis of Nepal. One of the best options in the next round of peace talks is to explore different modalities of constituent assembly that redefines the role of constitutional monarchy, as the Maoists have already recognised monarchy as one of the three main forces in the country and therefore it represents a pragmatic option to address fear of Monarchists. Now all three major actors are deeply suffering from perceived risk. The palace supporters have perceived risk of a republican state if the constituent assembly election is agreed upon. Parliamentary political parties have developed perceived risk of being sidelined by the Maoists and palace. The Maoists have developed perceived risk of possible suppression by the collective efforts of parliamentary parties and the palace. Consequently, they are not willing to enter into constructive dialogues without addressing their perceived risks. In this context, the purposed National Peace Commission should start shuttle diplomacy and extensive consultation and dialogue with parliamentary parties, the palace, and the rebels to develop trust, agreed principles, and a framework for negotiated settlement.

#### **4.5 People's participation in peace campaigns**

When public engagement in the peace process is ignored, the success is rare (Barnes, 2002), Even if, by any chance, success is achieved, it is temporary. The general public may not own elite-guided peace negotiation, if people are not participating in the peace process. If the peace talks are brought into public sphere, it promotes transparency and accountability, enhances constructive dialogue, and gets public support and ownership. African examples in war and peace sufficiently tell us that peace in war torn society is seldom permanent when real civic

engagement is not promoted. Achievement of viable and lasting peace is only possible when the capacity of local people is utilised and complemented by the efforts of government, parliamentary political parties, Maoists, human rights organisations, media, and other civil society actors. The important question is how to promote people's participation in the peace process? One of the potential answers would be to promote peace advocacy/lobbying and massive campaigns at the local and national level in a non-partisan way. If political parties are sincere to peaceful settlement they can use all their local party committee structures as peace committees to consult people and collect people's agenda that creates pressure to seat for negotiated settlement. There must be many civil society peace committees. These committees should work with National Peace Commission to exert pressure on all stakeholders to come up with a set of commonly agreed principles, bring local people's concerns in the negotiated settlement and monitor the peace process. There is also a need to shift peace-related activities from urban and city centres to rural areas. Resources flow to the community for peace campaigns would be more meaningful.

#### **4.6 International assistance**

Nepal needs to involve expert facilitators from neutral countries like Switzerland, Sweden, Norway, or many other African countries to support the negotiation process. We should also use the experiences of organisations like UN, EU or ICRC in the mediation process that helps to keep the process on track, prevents negotiating parties from running away and also to ensure their financial commitment for the post-negotiation reform and conflict transformation, as we need extremely huge resources to implement the agreed social change. Many experienced professional mediators from neutral countries or the UN can help our facilitators and negotiators.

UN Secretary-General has repeatedly expressed his concerns over Nepal. He has for the third time expressed his willingness to assist Nepal in his speech while addressing the UN General Assembly in New York on 17 September 2003. However, the Nepalese government did not show interest. Nepal needs the help of the United Nations. The UN is a truly independent body independent. It has tremendous experience in conflict resolution across the world and Nepal could benefit from that experience. In addition, Nepal can benefit from UN involvement once a negotiated settlement is in place, as post-conflict peacebuilding needs a huge amount of resources and the UN could fund and help to bring resources from other member countries.

In addition to all these efforts to involve the international community to help Nepal, we must take India into confidence to resolve this crisis. It is very hard, if not impossible, to settle this conflict without the support of India.

#### **4.7 Constitutional, social and administrative reforms**

The current constitution did not envision two issues, i.e., insurgency types of violence in future, violation of the constitution by constitutional actors including the constitutional monarch (political parties violated the constitution by postponing the parliamentary elections and the monarch by manipulating constitutional provisions after the political parties mistake). Furthermore, series of constitutional violations and encroachments have occurred. The judiciary has to have a great role in the growth and development of the constitution. However, the judiciary was unable to perform its role effectively. The constitution should ensure participation of all Nepalese people to create an environment for national unity, territorial integrity, freedom of expression and speech; create opportunity for self-development of citizens, economic development, and harmony. Any constitution unable to fulfil these tasks and to address inequalities, discrimination and exploitation cannot sustain. The Nepalese constitution of 1990 was not timely amended to address these issues. Hence, in a situation of absence of the parliament and the Maoists' bottom line being a constituent assembly, only a new constitution would address these issues.

Developing a new constitution from a constituent assembly will be one of the best options. From the two rounds of failed negotiations, it has become apparent that the best way to bring the Maoists into mainstream politics is to hold constituent assembly elections. Certainly, there are genuine fears to the palace, parliamentary political parties and general people about the potential risks of having constituent assembly election to draft a constitution. Even so, all these fears can be addressed through proper means. The repeatedly expressed concern of the parliamentary political parties is the possible manipulation by the palace or by the Maoist, and how to safeguard the achievements brought by the 1990 political movement is also their concern. The palace could have genuine concern about the continuity of the constitutional monarchy. Nevertheless, constitutional monarchy could be accommodated within the constituent assembly election if there is a proper understanding between political parties and the palace. Another genuine fear is the acceptance of the outcome of the constituent assembly by the government or the rebels if the result is not in their favour. Both of them have guns in their hand. To address this concern, the UN could help by organizing or supervising the elections.

The state system of Nepal has been developed on a monarchy-centred framework for the last two centuries. This framework was not changed to a people-centred system after the multiparty system was introduced and this has created institutional confusion. Incomplete transfer of power in 1990 has also justified the need for a broader change in the existing power structure.

This 1990 Constitution was introduced in a moment of deep distrust between the palace and political parties. A complete transfer of power from the Palace to the people became difficult, and a compromise became the only way out.

One of the major issues in the reform agenda must be to eliminate the root causes of the conflict. This requires drastic shift from current perspective, regulatory and development frameworks, bureaucratic responsiveness and actual practices. Such reforms could mean doing away with vested interests of political and bureaucratic elites, which is not possible unless major constitutional, civil and cultural reforms are introduced. Diversification and diffusion of government's departments and central offices across the country is essential. The centralised administration, market mechanisms, and agricultural institutions exclude a large mass of rural people.

State restructuring in a federal system is becoming an important and one of the most debatable agenda items. Some political scientists have proposed regions with full autonomy on the right of self-determination; others have proposed minimal self-governed structures under a decentralised governance system. The basic purpose of these structures is to properly represent plural social realities and diverse ethnic communities in the governance system.

## **5. Conclusions and lessons**

Negotiation to restore peace in a conflict-ridden society or country is not easy. Examining the Sri Lankan peace process Jayadeva Uyangoda concludes that only after 19 years of conflict Sri Lanka is exploring a new peace process. Uyangoda writes, "*Sri Lanka's new peace process has just begun and its future trajectories are still in a formative stage* (Uyangoda, 2003:27). This statement clearly indicates how complex is the negotiation.

The current approach to peace talks cannot handle this crisis. Efforts made by the government, political parties, and international community to resolve this conflict through dialogue and negotiation are not enough. All efforts should focus on consensus building. Only genuine commitment from all key actors forming national consensus could solve this problem. In long term, the establishment of lasting peace in Nepal is possible only through addressing root causes of the crisis. In immediate term, a genuine commitment of all political parties, the king and the Maoists to solve this problem through dialogue and peace negotiation can pave way for addressing root causes of the conflict. No one (neither Maoists nor the government) can win from confrontation and military might. A peaceful resolution of the present conflict is again possible only through meaningful preparation, genuine commitment to peace, clear vision for

the future of the country and mutual trust and concerted action between the King, the rebels, the government, and all the political parties.

The pertinent question is how to reach meaningful preparation, genuine commitment, build a common vision and develop trust between the major actors of the conflict where perceived risk is hindering the whole process. One of the ways to achieve these ambitions is to start with *National Peace Commission* to achieve the objectives outlined in the section 4.1.

While assessing the peace process in Nepal, though there was significance in having formal face-to-face dialogue, the negotiation process was not advanced correctly. The proper negotiation process starts with building trust and confidence, involving all stakeholders in the process, strong commitment from both sides, extensive informal consultation and exchange, open and constructive debate in all contested issues, etc. The six rounds of talks for the negotiation during the period of two ceasefires were not held according to the internationally accepted principles of negotiation. Proven negotiation procedures and steps were not followed. Both sides (the state and the Maoists) used the ceasefire as 'strategic stalemate' to strengthen their military capabilities instead making genuine efforts to make the talks successful. The Maoists made big mistake by unilaterally breaking the ceasefire in August 2003. They must know peace talks and negotiation is the only viable and lasting solution. Whatever may be their justification to break the ceasefire, Nepalese people are not ready to accept it.

One of the main reasons for the failure of negotiation and the ceasefire break is the perceived risk. All major political players of this country are severely suffering from 'fear of their existence' created by a risk perception. Supporters of the 4 October 2002 royal move perceived that a successful negotiation with the rebels agreeing on the constituent assembly might end the existence of the constitutional monarchy. They perceive that constituent assembly could result in a republican system. Most of the leaders of the major parties in power deeply fear for possible actions against them for their involvement in corruption and irregularities during their rule that could jeopardise their political future, if the conflict is settled. Some of the democratic leaders of Nepali Congress Party may be genuinely worried about the risk for multiparty democracy, as the Maoists are fighting for the establishment of a communist state. CPN-UML is always fearful about the possibility of being replaced by the Maoists as a mainstream communist party, if negotiations succeed, as social reform agenda of both parties are similar. The Maoists might have perceived the risk of jeopardising their political existence as a consequence of the collective efforts of the royal palace and the parliamentary political parties to mobilise the RNA or even use external military support. Therefore, they are always trying to widen the gap between the parliamentary parties and the palace, and urging the international community to stop external

support and military intervention. Many bureaucrats might have perceived that they could face punishment for their wrongdoings and corruption in the past decades after the negotiated political settlement.

The current approach to solving the Maoist conflict of Nepal needs to change. The state should opt for multi-track approach that includes negotiation efforts from all actors at different levels with different scales and mandate. The political parties, civil society, the palace, and the government must start dialogue at different levels. Inclusive approach is essential. The crisis of confidence between the palace and the parliamentary parties is hindering the peace process. The only way to overcome this problem is to sit together, work out the differences and come to a common understanding on how to restructure the state in order to address the root causes of the conflict and ensure durable and democratic peace in Nepal. The government must start the state reform process and should not wait until an agreement is reached with the rebels. Nepal must learn lessons from other conflict-ridden countries. The Maoists must give up their terrorist approach. They should realise that terrorist action produces cycles of counter-action and retaliation that is counterproductive for them and for the whole negotiation, peace process and overall future of the country. Both the government and the Maoists should realise that a military solution to the conflict only pushes the nation towards increased militarization and it is practically antagonistic to cultivating democracy. Militarization weakens the King, parliamentary parties, the Maoists and civil society. It also diverts massive resources from the social development budget to be spent in unproductive area. Killing people, expelling them from villages, creating terror cannot win genuine support of Nepalese people. If the Maoists and the government continue their current approach, their actions will soon lead to state failure, military rule, and foreign intervention. In this situation, both parties cannot achieve what they are now claiming to achieve. Therefore, it is the time to rethink their military strategies, stop terror, declare a ceasefire, resume dialogue and reach a negotiated agreement.

The Maoist conflict is not difficult to resolve, if concerned actors are willing. This is not an ethnic conflict or a separatist movement and it is neither a religious conflict. This conflict is political. The main claim of the government, the political parties, the king and the Maoists is to alleviate poverty, injustice, discrimination, to make Nepalese people happy, prosperous and to develop an equal and just Nepalese society. Then, where are the differences?

In conclusion, if all key stakeholders do not sincerely commit for peaceful resolution of the Maoist conflict, repeated ceasefires and negotiations will not work. Creating a credible process is essential to resolve this crisis before proceeding to further negotiations and peace talks. As outlined above in the section 4.1, the suitable structure to facilitate a credible process is to establish *National Peace Commission* represented by all concerned stakeholders. These



stakeholders have to agree on mutually acceptable principles and on a specific procedure (round table conference) for the future negotiations and state restructuring. The main function of this National peace Commission will be to facilitate track-two consultations, prepare and convene a round table conference. This Commission has to be established by the king and should represent all major actors, i.e., political parties, ethnic groups, women, Dalits, business community, young generation, former and current chief of the constitutional bodies, etc. This Commission can develop basic principles of negotiation, formulate mandates, and envision the process of state restructuring. After the round table conference formal peace talks and negotiations could start.

The current level of mistrust and confrontation between the palace and the political parties will further create complications. The recent interview of the King to the US-based Time Magazine<sup>52</sup> and the subsequent strong reactions from the main political parties indicates a wider gap between these two important forces. However, there are some quick positive circumstances developing to bring all major actors into negotiated settlement. The recent report of the USA expressing concerns about Nepal's situation of human rights violation and democratic vacuum is creating pressure on the government to opt for a political solution. Likewise, the meeting of European countries' ambassadors with the Nepalese Prime Minister (2 February 2004) on the issues of human rights violations and the absence of democratic government is also exerting pressure on the King. Repeated expressions from both European and American governments to form a broad-based consensual government to settle the crisis is another positive factor. Some recent concerns raised by the World Bank on Nepal's situation and its assistance tied with the improvement of current political situation have further forced the government to rethink its current approach. All these international actors are also strongly urging the Maoists to stop violence, respect human rights and solve the problem through dialogue and negotiation by ultimately joining mainstream democratic politics. Furthermore, the Maoists are also facing pressure from India, as it has recently handed over two Maoist leaders to Nepalese authorities. The domestic pressure from the students radical aspirations, the possibility of unification of the two factions of the Nepali Congress, the assertive role of the UML (as it has proposed framework agenda for conflict resolution and its openness to settle the problem), the emergence of civil society, all represent positive steps toward a resumption of dialogue. Therefore, we should not miss the opportunities brought by this 'convergence' and settle the Maoist conflict.

---

<sup>52</sup> <[http://www.time.com/time/asia/2004/nepal\\_king/nepal\\_intvu.html](http://www.time.com/time/asia/2004/nepal_king/nepal_intvu.html)>

## Acknowledgments

We would like to thank three reviewers, Shyam Shrestha, Gen. Sachit Smaser JB Rana, and Sailendra Kumar Upadhaya for their valuable comments and suggestions. We would also like to thank Dr. Shambhu Ram Simkhada, Fabio Oliva and all other participants to the workshop for their comments.

---

## REFERENCES

Barnes, C, 2002 (ed.), *Owing the peace process: Public participation in peace making*. Accord Series. London: Reconciliation Resources.

Galtung, J (2004) Transformation of Conflict in Nepal: A Human Right Perspective. In: Bipin Adhikari (ed.), *Conflict, Human Rights and Peace Challenges Before Nepal*. Kathmandu: national Human Right Commission.

Galtung, J (2000) *Peace by peaceful Means: Peace and Conflict, Development and Civilisation*. London: Sage Publications.

Hachhethu, K., (2003). *The Question of Inclusion and Exclusion in Nepal: Interface between State and Ethnicity*. Paper presented at 'The Agenda of Transformation: Inclusion in Nepali Democracy' organised by the Social Science Baha, Kathmandu, 24-26 April, 2003.

Harris, P. and Reilly, B (1998) (eds.) *Democracy and Deep Rooted Conflict: Options for Negotiators*. Stockholm: International Institute for Democracy and Electoral Assistance.

International Crisis Group (ICG) (2003a). *Nepal Obstacle to Peace*. Brussels/Kathmandu: ICG. No 57.

International Crisis Group (ICG) (2003b). *Nepal Backgrounder: Ceasefire-Soft Landing or Strategic Pause*, 10<sup>th</sup> April 2003 Brussels/Kathmandu: ICG. Research No 50

International Crisis Group (ICG) (2003c). *Nepal Back to Gun ICG Asia Briefing Paper 22 October 2003*. Brussels/Kathmandu: ICG. No 57.

Karki, A. and Seddon D. (2003) (eds.) *The People's War in Nepal: Left Perspectives*. New Delhi: Adroit Publishers.

Kattel, B. K (2003). Exercise of Peace Accord in Nepal. *Informal*. Vol. 16. No. 3. Kathmandu: INSEC.

Kleiboer, M (1994) Ripeness of Conflict. A Fruitful Negotiation? *Journal of Peace Research*, Vol. 31, No. 1 Pp 109-116.

Paffenholz, T. (2003). *Getting Back to the Table: Why Two negotiation Processes have Failed, Recommendations towards Democratic Peace Building in Nepal*. Kathmandu: GTZ.

Paffenholz, T. (2002). *Designing Intervention Process: Conditions and Parameters for Conflict Transformation*. Berghof Handbook of Conflict Transformation. [www.berghof-handbook.net](http://www.berghof-handbook.net)

Pahari, A. (2003). *From Liberation to Insurgency: The Politics of Paradoxes in Nepal*. Paper presented at 'The Agenda of Transformation: Inclusion in Nepali Democracy' organised by the Social Science Baha, Kathmandu, 24-26 April, 2003.

Putnam, R. D. (1993) *Making Democracy Work: Civic Tradition in Modern Italy*. Princeton, NJ: Princeton University Press.

Sharma, S. (2002). *The Ethnic Dimension of the Maoist Insurgency*. A Draft paper. Kathmandu

Thapa, D. (2003). (Ed.), *Understanding the Maoist Movement in Nepal*. Kathmandu: MartinChautari.

Upreti, B.R. (2004). *The Price of Neglect: From Resource Conflict to the Maoist Insurgency in the Himalayan Kingdom*. Kathmandu: Bhrikuti Academic Publications (Pp. 446).

Upreti, B. R. (2003a). *Social exclusion, centralism and conflict: Challenges for conflict transformation in Nepal*. A paper presented at the International Conference "The Agenda of Transformation: Inclusion in Nepali Democracy" organised by Social Science Baha in Kathmandu from 24-26 April 2003.

Upreti, B.R. (2003b). *Understanding the Dynamics of Conflict in Nepal*. A Background Paper prepared for the Human Development Report 2003 of UNDP Nepal. (Draft).

Upreti, B. R. (2003c). *Breaking the barriers and building a bridge: A road map for structuring negotiation and peace process in Nepal*. Paper presented at the conference organised by the Centre for Study of Democracy and Governance. Kathmandu: CSDG on 2<sup>nd</sup> Dec 03.

Upreti, B. R. (2002a). *Nepal: A Nation in Search of Peace and Development. A Country Assessment Report*. Berne: Swiss Agency for Development and Co-operation

Upreti, B. R. (2002b). *Management of Social and Natural Resource Conflict in Nepal: Reality and Alternatives*. Adroit Publishers, New Delhi. ISBN 81-87392-32-0, Hbk, Pages 371.

Uyangoda, J (2003) *Beyond Mediation, Negotiation and negative peace: Towards Transformative Peace in Sri Lanka*. Colombo: Programme for Alternative Learning.

Uyangoda, J (2000) (ed.) *Conflict Resolution and Peace Studies: An Introductory Handbook*. Colombo: Centre for Policy Research and Analysis and FES.

Zartman, W. I. (1989). *Ripe for Resolution: Conflict Intervention in Africa*. New York: Oxford.



## CHAPTER 6: A Vision of Democracy, Peace and Prosperity

Amidst the environment of Death, Destruction and Despair

**Shambhu Ram Simkhada<sup>53</sup>**

---

Recent political history of Nepal has witnessed several significant and tragic events: the successful People's Movement for the Restoration of Democracy (PMRD) in 1990, a "people's war" (PW) launched by the Communist Party of Nepal (Maoist) – CPN (M) in 1996 and the royal palace massacre in 2001. Political developments reached a new intensity after new King Gyanendra sacked twice the elected Prime Minister Sher Bahadur Deuba, declared the State of Emergency and eventually assumed direct powers on February 1, 2005. Now the decade-long violent conflict between the "three Ms" (Monarchy, Maoists and Multiparty democracy) seems to have entered a new stage.

In its difficult history, Nepal has again arrived at a new crossroads. Those on whom people reposed so much faith are now struggling with a crisis of credibility. Traditional institutions are gravely weakened. Violence as an instrument of dissent and redress has inflicted a heavy toll on a people well known for tolerance. The external environment is also much more uncertain. The shifting external environment may have important opportunities but also risks. Only a leadership of comprehension, courage and wisdom can minimize risks and maximize opportunities.

The Nepali people are in trauma, in a crisis of trust and confidence. How to convince those who are used to a monopoly of power to share it or contain those bent on violence, without the use of violence? These are complex issues. Prolonged conflicts create vested interests on the one side and helplessness, apathy and indifference on the part of the people on the other. Despite the desire and demand of the overwhelming majority for peaceful and positive change and a negotiated end to the conflict, marginalization of the political parties and ineffectiveness of civil society in influencing the warring sides to come together for a meaningful dialogue are examples. The dilemma of leadership and trauma of the people complicated by traditional external demands further accentuated by globalization and accelerated by dynamics of time and technology is sinking Nepal deeper into the quagmire of death, destruction and despair in which Nepalese only suffer.

---

<sup>53</sup> PSIO Visiting Fellow, Graduate Institute of International Studies (HEI), Geneva <simkhada@hei.unige.ch>

As the conflict goes on, a new political polarization further radicalizing and militarizing Nepali politics may follow. Forces of regression will try to consolidate around the monarchy as the ultimate saviour using traditional forms of legitimacy for the King as incarnation of Hindu God Vishnu, guardian, symbol of national identity and unity, reminiscent of the Aristotelian *great chain of being* or *divine right of kings*. Advocates of radical change will take the King's actions as reinforcing their position that the monarchy is the root cause of all of Nepal's misery and its abolition the ultimate remedy.<sup>54</sup> Believers in multiparty democracy and constitutional-ceremonial monarchy (democratic-progressive political centre) could be further squeezed between right-wing authoritarianism of constructive (active) monarchists and left-wing extremism represented by the Maoists seeking people's democratic republic.

In a two pronged confrontation, a majority will go against the Royal Palace expecting the Maoists to move to the democratic-progressive political centre and global-regional environment may also render the Maoist's rise or sustaining in power on its own untenable. It will be difficult for the warring sides to come together politically, unrealistic to expect easy victory against the other militarily. Violence will escalate with monarchists-military fighting against mainstream political parties and Maoists in a much more devastating civil war or even worse. Unless it can re-energize itself through a clear vision of how it can meet the challenges from both right-wing authoritarianism and left-wing extremism, the democratic-progressive political centre may take time to decisively influence the situation.<sup>55</sup> In such a situation, how can Nepal move out of the current quagmire of death, destruction and despair and restore democracy, peace and prosperity?

**Causes of the Crisis.** Some people try to reduce the problems of today's Nepal solely to the ills of the last few years of democracy. Indeed mistakes were made. But *one must understand history to make history*. What Nepal is experiencing now is the result of not just what happened during the last 15 years; it is rooted in history. Social inequality and exclusion of large sections of the population from the structures of political power and sharing of resources by the ruling elites constitute the underlying cause of many of the ills Nepal is experiencing today. The rise of the CPN (M) and its violent campaign are partly explained within the historical-structural conditions, Hindu religion and culture of caste discrimination, post-1990 constitutional and

---

<sup>54</sup> For an interesting debate in England which finds classic echoes in the current context of Nepal see Wootton David Ed. *Divine Right and Democracy* An Anthology of Political Writing in Stuart England, Penguin Classics 1986

<sup>55</sup> A serious debate has now started about different political re-alignments among the three major forces. While a general convergence of all three may be difficult, convergence among some of them may be inevitable and already in the making. The 12-point understanding reached between the agitating Seven Parties Alliance and the Maoists in November 2005 is one example. The democratic-progressive political centre has taken the initiative in re-vitalizing itself. If it succeeds in convincing the extreme left to give up violence and join the political mainstream it will be major achievement and may qualitatively change the character of the current conflict from triangular to bi-polar between pro and anti-monarchy.

political practices and the regional and international context. Widespread poverty, injustices, unemployment and underemployment are undoubtedly some of the main contributing factors. Some could argue that violence started from areas with relatively high per-capita foreign aid flows. The ongoing violence is difficult to comprehend as it also does not fit the general *greed and grievance* explanations or other conflicts based on demands for self-determination, linguistic, religious, ethnic or territorial divisions. These uncertainties demonstrate the conceptual deficiency in understanding the current conflict in Nepal and hence the means to resolve it.<sup>56</sup>

**Matrix of Change.** The conflict in Nepal today can best be explained within a *Matrix of Change*<sup>57</sup> in the exercise of political power; politics being a process characterized by rivalry and cooperation among contending actors in the exercise of power for the *authoritative allocation of values in society* in David Easton's words or (*Who gets What, When and How?*) in Harold Lasswell's classic phraseology.<sup>58</sup> In a historical context, the current conflict is the violent escalation of the conflict between the way power has been monopolized by the ruling dynasties and their feudal beneficiaries for centuries and popular aspirations for change mobilized by the Nepali Congress (NC) party since the dawn of the democratic awakening in the 1940s.<sup>59</sup> The conflict became triangular after the emergence of the Marxists-Leninists (ML) as a major political force, especially after the PMRD. As the ML represented by the United ML (UML) party also evolved towards the political centre contending to introduce its vision of change through democratic process, the Maoists are trying to replace them as advocates of radical change with violence a necessary means, in their view, in replacing the *old State* with their *New Democracy*.<sup>60</sup>

---

<sup>56</sup> As part of the research "Causes of Internal Conflicts and Means to Resolve Them: Nepal a Case Study", this author and the HEI research assistant undertook a comprehensive review of almost all available books, reports and articles on the Maoist insurgency in Nepal. See Shambhu Ram Simkhada and Fabio Oliva, *The Maoist Insurgency in Nepal: A Comprehensive Annotated Bibliography*, The Graduate Institute of International Studies, Geneva/Kathmandu, November 2005, p. 212 (also available at <<http://www.hei.unige.ch/psio/researchprojects/projectNepal>>)

<sup>57</sup> See Table 1. For a more detailed analysis of the Matrix of Change see Simkhada et al *Causes of Internal Conflicts and Means to Resolve Them: Nepal a Case Study*, PSIO Occasional Paper 3/2004 The Graduate Institute of International Studies, Geneva August 2004, p. 93 (also available at <<http://www.hei.unige.ch/psio/researchprojects/projectNepal>>)

<sup>58</sup> See Alan C. Isaak (1969), *Scope and Methods of Political Science An Introduction to the Methodology of Political Inquiry* The Dorsey Press, Homewood, Illinois.

<sup>59</sup> Classic case of struggle between the traditional and emerging elites, See Huntington, Samuel (1968), *Political Order in Changing Societies*. New Haven; London: Yale University Press.

<sup>60</sup> For an interesting perspective on the rise of the left movement in Nepal's historical-structural context see Bhattarai Baburam (2003) *The Nature of Underdevelopment and Regional Structure of Nepal A Marxist Analysis* Adroit Publishers, Delhi. Although outside the scope of this paper, it would nonetheless be interesting to also study the role of monarchists in promoting the left movement to undermine the emerging moderate democratic forces in different ways and at different stages of Nepal's political development.

**Table 1: The *Matrix of Change***

| <b>WHO</b>  | <b>MAOISTS</b>                                       | <b>MULTI-PARTY<br/>ADVOCATES</b>          | <b>MONARCHISTS</b>          |
|-------------|--|---|-----------------------------|
| <b>WHAT</b> | Radical Change                                       | Peaceful & Positive Change                | Resistance to Change        |
|             | <i>STATE CONTROL</i>                                 |   |                             |
| <b>WHEN</b> | 1951, 1960, 1990, 1996, 2001, 2002, 2004, 2005, 2006 |   |                             |
| <b>HOW</b>  | Republic<br>(40-Point Demand)                        | Multiparty Democracy<br>(18-Point Agenda) | "Constructive "<br>Monarchy |

Why did violence erupt only after the restoration of democracy while the structural causes go back many centuries? James N. Rosenau relates intra-societal violence with the rate of social change; moderate political elements prove too weak to strike viable compromises between those who agitate for rapid change and those who oppose all change.<sup>61</sup> In post-1990 Nepal, latent conflict among different classes, castes, ethnic and regional groups clashed with popular assertion of rights in relation to the questions of identity as well as livelihood.<sup>62</sup> The Maoists were successful in capitalizing on the contradictions inherent in Nepali society as well as utilizing the open democratic environment to consolidate their organization. Weakness of the post 1990 political leadership to effectively manage what Paul Kennedy calls the *Challenge of Change*<sup>63</sup> in critical times of transition were exploited by actors seeking *regression* on the one hand and radical change on the other. Dissatisfied conservatives coalesced with frustrated revolutionaries with the shared purpose of destabilizing and undermining the new exercise in democracy.<sup>64</sup> Conflict and violence often escalate on the nexus between internal political dynamics and

---

<sup>61</sup> See James E. Dougherty and Robert L. Pfaltzgraf, jr. (1981) *Contending Theories of International Relations: A Comprehensive Survey*: Harper and Row Publishers, New York.

<sup>62</sup> Kumar Dhruva "Proximate Causes of Conflict in Nepal" paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Nepal: A Case Study, The Graduate Institute of International Studies, February 2004.

<sup>63</sup> Kennedy, Paul (1993) *Preparing for the Twenty First Century*, Vintage Books, New York

<sup>64</sup> Mishra Chaitanya "Locating the "Causes" of the Maoist Struggle" paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Nepal: A Case Study The Graduate Institute of International Studies, February 2004.



external demands.<sup>65</sup> Violence and counter violence began to erode systemic legitimacy in the Hobbesian sense that the Nepali state could no longer provide security, although security is *quid pro quo* for citizens giving up part of the desire for liberty. Consequently, democracy, development and human rights are squeezed by extremism of the left and authoritarianism of the right, both using violence and counter violence as instruments for state control.

**Who Gets What, When and How?** The violence in Nepal can be understood fully only within a multi-dimensional perspective, the Matrix of Change focussing primarily on the internal dynamics. In this matrix all sections of Nepali society can neither escape the responsibility for or the burden of the failures of the past. People in power must, of course, accept the principal responsibility. More importantly, those in power now and coming later must understand the reasons for and responsibilities of avoiding such failures at present and in the future. For this they must first go to the basics of human nature, that social upward-mobility is inherent human desire and comprehend the role of leadership in determining the path for such upward-mobility; politicians want to be ministers, officials want promotions, businessmen want to make more money, the poor want their basic needs met and *new entrants* want a *share of the cake*. There is nothing wrong in that. In fact competition fuels the engine of prosperity and propels society to a higher level of development. The critical issue is the *rule of the game*, the method of upward mobility (*who gets what, when and how?*)

**Performance or Descent?** A system of performance-based upward-mobility, where honesty, hard work and competence get rewarded, the mediocre do not move up faster than the best and the brightest and crooks and corrupt get punished, thrives. People get inspiration to work hard, take initiative and prosper, sharing part of their prosperity with society at large. Such a value system helps enlarge the *cake* and more beneficiaries can share it. How did Europe and America prosper? Did Japan attain the present level of development without shedding *blood and sweat*? Religion created the basic foundations of society in Europe. The reformations strengthened the role of religion in creating a just society. Academia, thinkers, business and community leadership played equally important roles. Politics of course is the principal instrument of *authoritative allocation of values*. In the Socialist-Communist model the state controls production as well as distribution. In a liberal democracy, the state maintains growth and equity by creating the necessary enabling environment, punishes wrong doers and intervenes on behalf of the weak and vulnerable. Europe and Scandinavia are well known for

---

<sup>65</sup> For an analysis of the external dimension, most significantly how India looks at the Maoist insurgency in Nepal, see Muni S.D. (2003) *Maoist Insurgency in Nepal: The Challenge and the Response*, Observer Research Foundation, New Delhi. Also see Pandey, Nischal Nath Nepal's Maoist Movement and Implications for India and China, RCSS Policy Studies 27, Regional Centre for Strategic Studies, Colombo 2005.

their welfare systems and are once again leading the way in state transformation.<sup>66</sup>

Different societies adopt different methods to maintain balance in the *allocation of values* among different groups and sections of society. People under minimum income get state support even in the bastion of *laissez faire*, the United States being an example. When the *values allocation* process gets overly distorted alienation discolours the system, discontent grows and society faces stagnation, decline and collapse. Communism in the former Soviet Union and Eastern Europe was an example of such stagnation, decline and collapse.<sup>67</sup> What happened in post 1990 Nepal?

In the world's only Hindu Kingdom, historically religion has been the legitimising instrument of unjust dynastic rules with concentration of political power and limiting the distribution of benefits by enforcing discrimination based on descent, excluding and marginalizing large sections of the population in the form of low castes and untouchables. Thus religion, culture and tradition have their share of contribution in the popular dissatisfaction being seen now.<sup>68</sup>

King Prithvi Narayan Shah consolidated several small principalities into modern Nepal through military conquest. His descendants failed to strengthen the state formation process; nation building through political, economic and social integration was completely ignored. The 104 years of Rana family autocracy entrenched and institutionalised the descent based discrimination as the core of the authoritative allocation of values, with total suppression of popular will internally and complete isolation from the outside world. So, while the rest of the world was going through various processes of transformation, Nepal was stagnating in a Dark Age of feudal autocracy.

Nepal entered the modern age after the end of the Rana rule in 1951. After a period of political manoeuvres and experiments, a democratically elected government of the Nepali Congress party with its charismatic leader B. P. Koirala as Prime Minister took office in 1959. But democracy

---

<sup>66</sup> In the developing world while the process of nation building and state-formation is relatively recent, globalization has already started creating unforeseen challenges of state transformation. George Sorenson's work on state transformation, especially the role of contemporary statehood and its consequences on cooperation and conflict deserve a closer look. Also see Simkhada Shambhu Ram "Issues Before the SAARC Summit" Bangladesh Institute of *International and Strategic Studies*, Volume 10 No. 4 (1989), Dhaka, Bangladesh.

<sup>67</sup> Perhaps learning from the collapse of Communism in the former Soviet Union and Eastern Europe, China today has embarked on an interesting experiment known as Market Socialism wherein there is significant opening of the economy and the productive sector but under the central political control of the Communist Party. So far, this is proving amazingly successful. Today China has presented a new model of economic transformation, lifting a large number of its population from poverty in a relatively short period of time. How will this economic transformation affect the political dynamics or the real authoritative allocation of values or who gets what, how and when in society will remain the most significant factor affecting the success or failure of this new and interesting experiment in the political-economy of China in the future.

<sup>68</sup> For an insight into the role of religion, culture and tradition on Nepali society see Bista Dor Bahadur (1991) *Fatalism and Development Nepal's Struggle for Modernization*, Orient Longman Ltd. Patna.

was short lived. Used to monopoly power and resources, the ruling class could not reconcile with change itself. In 1960, in less than 18 months, the King dissolved Parliament, sacked the democratically elected Prime Minister and imposed an active monarchy in the form of partyless Panchayat system which lasted for 30 years. During the Panchayat years efforts towards modernization were made but got bogged down in the absence of the political space necessary for a system of performance based upward mobility. *Who got what* was contingent not on one's performance but the political divide, essentially providing continuity to the old culture. Real performance-based upward mobility is only possible with transparency in the political process and popular accountability in the system of governance.

**Evolution through a Revolution.** It is in this historical context that the political transformation of 1990 in Nepal was unique; it was an evolution through a revolution, a compromise for change with continuity. It was possible to retain the positive but also introduce needed changes, not by criticizing the past and dismantling the old only, although the wrongs of the past had to be changed and wrong doers punished, but also change through deeper reflection, introspection and self-criticism. At least, that is what the late King Birendra might have wished in agreeing to the compromise despite strong voices of opposition within the royal palace and the leadership of the Army and Girija Prasad Koirala perhaps meant when he said *it is a victory for everybody*. King Birendra, although some might argue under popular pressure, understood the mood of the people, demonstrated wisdom and made sacrifice, transferring sovereignty to the people using the authority vested in him. Political leaders had made considerable personal sacrifices, many spending the best parts of their lives in jails, exile or underground, in the struggle for the restoration of democracy. The Nepali people were also prepared for the sacrifice necessary to accept painful but fundamental changes without disruption. But, what happened was the opposite. Ills of the past remained; virtues of change were undermined. Why?

Nepal's experience in democracy presents a strong case against the notion that poor, uneducated people in developing countries cannot make right political choices and hence democracy cannot be sustained.<sup>69</sup> Some thinkers argue it is the elite who are primarily responsible for the current debacle of democracy in the developing world.<sup>70</sup> Stable government and strong opposition are the twin pillars necessary for building strong foundation for a democratic dispensation. In the first free, fair and peaceful elections to the House of Representatives after the PMRD, Nepali voters gave a comfortable majority to the torchbearers of the struggle against tyranny - the NC. The second important force in the country – the UML

---

<sup>69</sup> See the 1991 Parliamentary Elections in Nepal Political Freedom and Stability by Gaige, Fred and Scholz, John pp. 43-73 in Dharamdasani, M.D. Ed. Democratic Nepal Shalimar Publishing House, Varanasi, 1992.

<sup>70</sup> Varma, Pawan K. in his *The Great Indian Middle Class* (1998) Viking Penguin India Books Ltd., New Delhi presents an interesting perspective on the role of the elite in postcolonial India.

emerged as a strong opposition. By giving a respectable place also to the advocates of radical change, the Samukta Jana Morcha (SJM) or united people's front, the parent organization of the CPN (M) Nepali voters demonstrated wisdom and political maturity. People through the election reduced the influence of those resisting change to the minimum.<sup>71</sup> But, rulers and leaders either did not understand their mandate or were trapped in unwise political compromises.<sup>72</sup>

With the PMRD, the Nepalese demonstrated that they wanted real change from the tradition of *values allocation* based on descent (caste) and personal affiliations (the institutionalized *nigaha* or *chakari* system of loyalty)<sup>73</sup> to a new culture of performance based upward-mobility. Obviously far-reaching changes take time. But people expected change in the culture of governance. Regrettably, that is where the *buck stopped*.<sup>74</sup> As a result, those living in discrimination, deprivation and destitution for centuries and expecting radical change were disappointed. Beneficiaries of the past were naturally unhappy. The new elite sought the immediate and automatic social and economic dividend of political change. As a result as soon as they reached positions of power some indulged in massive corruption as a reward for their *sacrifice* for democracy. The ones that did not get the share were disenchanting and became the enemy within. The result is the current crises where Nepal's young democracy and those who believe in positive and peaceful transformation – evolution through a revolution – are becoming casualties.

**Crisis of Comprehension and Change Management.** Democracy is a much misused and abused term. Examples of tyrants and despots using the word democracy to justify their own selfish actions are plenty. In a society like Nepal, in an early stage of democratization, for democracy to take root the essence of democracy, like the essence of politics itself, needs to be felt, understood and experienced by people in what leaders practice.<sup>75</sup> The behaviour of those

---

<sup>71</sup> See Sharma, *Khagendra Nath Basic Features of Nepal's Local Elections*, 1992 pp. 73-88 in Dharamdasani op.cit

<sup>72</sup> The PMRD ended with a compromise among the King, the NC and the UML. NC leaders who were in power during most of the post-1990 period, based on historical experience, wanted to maintain good relations with the King. But in the process they forgot the mandate of the people. Besides the threat from an emboldened UML, which had already smelled the taste of power and was prepared to do everything to discredit the NC, rivalry within the NC exacerbated the chaos. In this inter and intra-party power struggle each side tried to use the King against the other to come to or remain in power, without realizing the bigger danger inherent in this march of folly.

<sup>73</sup> See Bista D. B., Op. Cit

<sup>74</sup> In the immediate post PMRD period a high-level inquiry commission to ascertain the excesses of the old system called Mallik Commission was set up. Under the highly respected former Judge Janardan Mallik, the Commission identified a number of names involved in excesses and recommended various actions. The inability of the government to initiate even a single action against anyone mentioned in the Mallik Commission Report can only be interpreted as an indication of the unwillingness or inability of the new political leadership to start a new culture of reward and punishment.

<sup>75</sup> Nepal's early experience after the PMRD demonstrated how conspiracy, cancer of corruption and conflict would eat away the very heart of the so-called Third Wave of democracy. This author among many others warned Nepal's post-1990 senior leaders privately and publicly; see Simkhada Shambhu Ram "*Threat to Democracy: Chemistry of Corruption, Lies And Political Leadership*" Economic and Political Monthly, Kathmandu (March 1994), *In Search of a New National Agenda*, The Spotlight (1993) and The Kathmandu Post 10 June, 1994 and *A New Hope or the Last Hurrah? The Supreme Court Verdict and Future of Democracy in Nepal*, (unpublished)

who claim to have struggled so much for democracy is the real disappointment. Disputes over petty interests, massive corruption, seeking or promising prosperity without hard work or notions of equity superimposed by the state show a crisis of comprehension in leadership. *In the absence of people to lead it well, a better system does not produce a better society.*

**A Greater Crisis of Trust and Confidence.** A crisis of comprehension and change management bedevilled the system from the beginning. Violence, especially after the declaration of the PW exacerbated it. Then June 1, 2001 came, the unimaginable massacre at the Narayanhiti Royal Palace. The entire family of King Birendra was killed by his own heir to the throne, confirmed the Inquiry Commission set up by the new King.<sup>76</sup> The royal palace massacre and its aftermath transformed the political crisis into a greater crisis of confidence encompassing the entire edifice of Nepali society, politics, economics, tradition, culture and religion. Society today stands bewildered – what to do, whom to believe, where to turn to?

Gyanendra Bir Bikram Shah became King of Nepal under difficult circumstances and demonstrated maturity and skill in calming the otherwise volatile situation and helped to restore a semblance of stability at a time society was ready to tear itself apart. The new King declared his commitment to constitutional monarchy and multiparty democracy. But, then in little over a year came October 4, 2002 when the King dissolved Parliament, sacked the elected government and started exercising power himself. The second sacking of Prime Minister Sher Bahadur Deuba and his cabinet and direct takeover by the King on February 1, 2005 reconfirmed:

- Monarchists' determined manoeuvre for an active role for the King;
- Failure of Nepal's post PMRD political leadership;
- Maoists' ability to exploit the contradictions in society but lack of comprehension of the global reality or longer-term political strategy.

The Maoists launched the PW with 40-point demand including making Nepal a republic. They now have virtual control over large parts of the country. But they cannot win the war militarily nor will the prevailing international environment allow them to come to or sustain power politically. Tactics of terror may force some people into submission, but violence will not win the trust of the people. The King, as the most powerful among the three actors, on the strength of the loyalty of the current senior leadership of the Royal Nepal Army (RNA) and perceived support of some "powerful external actors", seems unmoved in the search for a new role. Monarchists

---

<sup>76</sup> See Report of the Commission of Inquiry on the Royal Palace Massacre, Kathmandu, Nepal 2001.

use the Maoist threat to consolidate power internally as well as bargain for support from Nepal's friends and well wishers outside. Despite such manoeuvres, neither the authoritarian Monarchy nor Maoism are viable options in the longer term. Ultimately, the two extremes will have to converge towards the democratic political centre. So, political parties have a crucial role. Although squeezed from two sides and seriously weakened by their own lethargy to meet the challenge, as a signal that they have learned from the mistakes of the past, the Seven Party Alliance (SPA) of mainstream democratic-progressive political parties have come together on a common agenda and started popular agitation for restoration of democracy and peace. More vigorous popular participation in PMRD-II will depend on:<sup>77</sup>

- A more forceful defence of democracy through effective articulation of the achievements of democracy and reassurance to the people that political parties and leaders will not repeat the mistakes of the past;
- A credible roadmap to resolve the Maoist problem and a clear position towards the Monarchy and the military to restore democracy and peace;
- Vision of hope for the future; where do political leaders want to lead the country in the next 5, 10 or 20 years and how?

Today, Nepalese do not like what is happening but they do not know what to do about it or who to turn to. Unless Nepal's political elite come together and present a viable way out, the current conflict is unlikely to be resolved soon.

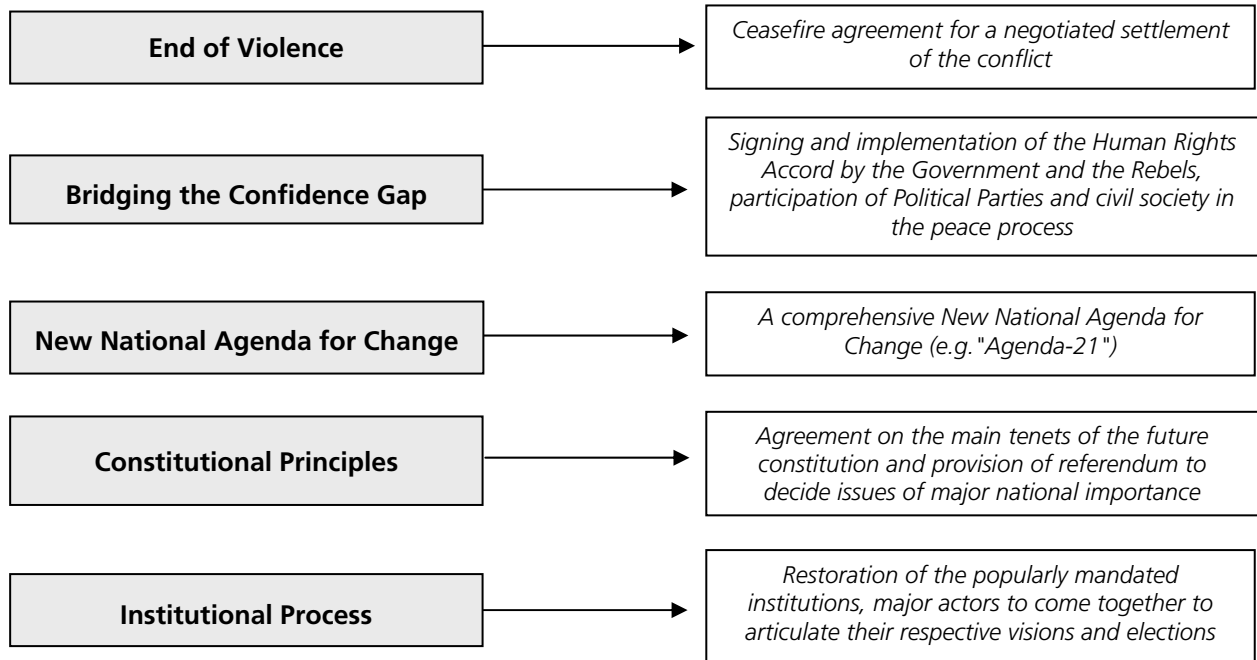
***Every war has a peaceful solution.*** Given the political will there are, of course, many roadmaps out of the current crisis. Convergence among the three Ms on an agenda of "Reconciliation, Reform and Reconstruction" (RRR) is the route of minimum pain and maximum gain. But this convergence is possible only if all three recognize the devastating impact in terms of death, destruction and despair their actions and inactions are having on Nepali society and are willing to "change, compromise and sacrifice". But, today the three Ms are like *The Three Horsemen of the New Apocalypse*<sup>78</sup>; only the following measures (Box 1) can turn Nepal back from the brink:

---

<sup>77</sup> Simkhada Shambhu Ram "Three Challenges to Nepal's Democratic Leadership" discussion paper at the Roundtable on recent developments in Nepal at the Graduate Institute of International Studies, Geneva 13 April, 2005.

<sup>78</sup> Title of a book by Chaudhuri Nirad C., Oxford University Press, Delhi 1997

### **Box 1: Path to Democracy, Peace and Prosperity**



**I. End violence and open the path to a political settlement:** To move out of the current crisis, Nepalese need the resolve to create a new history, to embark on a new culture. This will require a fundamental change in the behaviour of individuals, institutions and the State through restructuring of the state and establishment of an inclusive democracy. Post-MRD Nepal was perhaps ready for this. But, leaders of that generation were either unwilling or unable to lead society in that direction and they are paying the price. The Maoists want to establish a *New Democracy* by destroying the *old State*. Will they succeed? While comrade Prachanda may be right in claiming that his movement has brought some radical change in society, the challenge now is to convert the motivation and courage to construct and create not to kill and destroy. For it to be meaningful, the Maoists must try to implement their agenda of change through a competitive democratic process rather than through violence.

The three major actors involved in the conflict today have radically different visions of the future. The problem lies in each trying to move forward by undermining the other on a *zero-sum* basis. But reality suggests that there can be no easy victory of one over the other. The problem has to be resolved politically. This means ultimately the two Ms on the extremes of the *Matrix of Change* will have to converge towards the Multi-party democratic political centre. For such a convergence all three must demonstrate the willingness to change and compromise. Failure to recognize the need for *give and take* exacerbated by the crisis of confidence led to the failure of

negotiations between the Government and Maoists in the past.<sup>79</sup> End of violence is the immediate need, creating trust and confidence is the challenge of leadership.

### **Box 2: End violence and open the path to a political settlement**

#### **□ CONDITIONS:**

- Ceasefire agreement;
- Monitoring mechanisms and code of conduct including system of sanctions and independent investigation by a credible international observer;
- Signing and implementation of Human Rights Accord - NHRC-OHCHR;
- No rearmament and strategic military movement (from both sides);
- Stop arming civilians (e.g., village defence forces/committees);
- Make available necessary financial and technical resources.

#### **□ WHO IS INVOLVED?**

- Rebels, Government;
- Political parties;
- Civil Society, Media to foster debate, monitor irregularities and inform public, etc.;
- International Community to monitor and provide technical and financial assistance.

#### **□ TIME FRAME**

- Phases (initial or pre-ceasefire, ceasefire, consolidation, monitoring, etc.);
- Define length of each step.

**II. Bridging the 'confidence gap':** Nepal is in crisis for many reasons but the crisis of confidence among the main political actors on the role of the King in the democratic political dispensation is the main one. Traditional elites who blamed the late King Birendra for giving up too easily felt that despite his willingness to respect the norms of constitutional monarchy, political leaders did not give him his rightful place. Complaints that the Prime Ministers were not consulting or taking the advice of the King were heard. The King's interviews in newspapers made the growing rift public. Senior army officers openly expressed dismay that the government created the Armed Police Force (APF) as a counterweight to the RNA. Control of the RNA continues as a highly contentious issue. Appointment of Ambassadors emerged as an example of the growing disagreement with the Palace gradually asserting itself.<sup>80</sup>

The elected leaders felt royalists never really reconciled with post PMRD change and were active

---

<sup>79</sup> See Dhungana Daman Nath and Upreti Bishnu Raj "Peace Process and Negotiation in Nepal: Revisiting the Past and Envisioning the Future" paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Case Study of Nepal Graduate Institute of International Studies, February 2004.

<sup>80</sup> Constitutionally formal appointment of an ambassador is done by the King but upon the recommendation of the Council of Ministers. The Palace on various grounds rejected several Ambassadorial appointments made by the government. Experience of how Nepal's palace officials work in clique with their contacts in the bureaucracy to sabotage the decisions of the government is an interesting one. Most of the important ambassadorial appointments going to former RNA generals after the King's takeover can only signify the growing palace-RNA nexus of Nepali politics reaching a new height or the growing role of the RNA in Nepali politics.



to undermine the democratic system from the start. They ascribed the wrangling between the NC and the UML, within the NC and even the rise of the Maoists to Palace meddling in politics.<sup>81</sup> Without control over the RNA, democracy was like a *political lollypop* to be taken away at will.<sup>82</sup> Those seeking much more fundamental change, who had only accepted the political compromise as *one step backward for two steps forward*, were disillusioned with failure to introduce much more radical change and hence felt reinforced in their conviction that change can only be introduced by destroying the old, with violence as necessary means. The crisis of confidence became much more complex after the circumstances in which King Gyanendra came to the throne, openly pronounced his wish for a “*constructive*” role, sacked the elected Prime Minister and assumed executive powers. The King’s speech before the declaration of the state of emergency on 1 February takeover reflects his distrust of political parties and leaders.<sup>83</sup> In such a situation, a clear understanding on the following is essential for any convergence:

- Nepal is at a stage of development where every Nepali must be active and proactive in the task of building the new Nepal. It is in this context that the King's search for a "constructive" role raises the question; what is preventing him from taking the initiative to bring the parties together to resolve the current conflict, promote matters of health, education, environment and welfare of the people?
- The crisis of confidence between the two main political parties the NC and the UML, not to forget the same within each, has also been detrimental to democratic Nepal. Political parties are naturally guided by their ideological orientations. But, for a multi-party system to succeed, consensus among the main actors on major issues of national interest, security and foreign policy is vital. Any future political compromise must therefore address the problem of *winner-takes-all*. Sharing and caring is necessary not only in politics but also at all levels of society. Management of political parties, particularly their internal democracy, financing, transparency and accountability are equally critical. Assurance that political parties will cooperate on issues of major national interest even after one or some of them come to power may be vital in mitigating peoples’ fear and inspiring more popular participation in and support to the PMRD-II.
- Given the overwhelming desire of the people for peace, everyone, including the main political parties, must actively pursue peace. In this context, the initiative of the SPA for dialogue with the Maoists, the 12 point understanding and recent call by the Maoists for dialogue could contribute to ending violence and bring durable peace. But, peace and democracy are indivisible. With abductions,

---

<sup>81</sup> Some senior politicians claim that the Maoists had links with the Royal Palace and members of the royal family. After the Royal Palace Massacre in June 2001, Maoist leader Baburam Bhattarai confirmed to a Nepali newspaper that they had an understanding with King Birendra. In a series of article published in the Kantipur a vernacular daily and translated by Kanak Mani Dixit and published in the Kathmandu Post, a senior leader of the NC party and former Deputy Prime Minister and Speaker of the HOR makes some remarkable revelations on this subject.

<sup>82</sup> Madhu Ghimire, *The Katmandu Post*

<sup>83</sup> While his supporters argue that the King took those steps as he was left with no other choice, opponents point out that the tone of the speech of Feb 01 2005 only confirmed King Gyanendra’s antipathy towards political parties and his determination to seek a more active role for himself.

extortions and violence even during the ceasefire, many remain sceptical of the Maoists. The ceasefire and the 12-point understanding are only the first steps towards a political settlement. Commitment to disarm and accept the people's verdict by a party inspired by *power through the barrel of the gun*, control over large territory and engaged in capturing state power through armed struggle must not be minimized. But the burden of proof that it is sincere in the newly made commitments to competitive politics and respect for fundamental human rights rests with the CPN (M). Respect for the rule of law, basic human rights norms and a more inclusive process of dialogue can slowly help restore trust and confidence.

#### **Box 4: Bridging the 'confidence gap'**

##### **□ CONDITIONS:**

- Need of confidence building among the Government + Palace + Army, Political Parties and the Maoists with Civil Society and the International Community assisting and facilitating the process.

##### **□ WHAT IS CONFIDENCE BUILDING AND HOW:**

- Start with acknowledging the existence of each other;
- Establishing channels of communication among different parties;
- Informal meetings (starting from the middle level first) .

##### **□ HUMAN RIGHTS:**

- Signing of the HR Accord;
- Observe Geneva Conventions;
- Constitute strong investigation team to investigate human right abuses and violations;
- Remove measures such as Section 20 of TADA or other provisions and action which are illegal according to international law and give immunity to perpetrators of serious violations.

**III. New National Agenda for Change:** If a new political consensus is essential to ending violence and starting confidence building, a broad based political consensus and confidence building process for ultimate reconciliation, reform and reconstruction can only revolve around a bold new agenda of restructuring the state and inclusive democracy with safety nets for the most vulnerable groups in society. To this end, most of the demands of the Maoists can be internalised to encourage necessary changes in society. But, once the political process to articulate these changes peacefully is secure, is violence legitimate? Without explicit renunciation of violence can there be fair and democratic elections, a referendum or even an election for the Constituent Assembly (CA) as demanded by the CPN (M)? If ending violence is the first priority, bringing the Maoists into the political mainstream is the necessary first step for any future political settlement to be credible and lasting. But, just as inequity and injustice are impediments to lasting peace and prosperity, violence as an instrument of dissent or redress must also be addressed. Only absolute commitments by all parties to politics of liberty and law, economics of free enterprise and equity, society of social justice, caring and sharing and foreign policy of

friendship and pragmatism will restore trust and confidence in society. Work on such a new national agenda must begin without delay.

- For Nepali society to regain faith, a much deeper reflection and introspection particularly from the elite is essential. Corruption and violence require much deeper reflection for cure.<sup>84</sup> While legal actions are necessary, Nepalese have gone through so much that a few in "jail and bail" will not right the wrongs and heal the wounds. What about accountability for the pain and agony from so much inequities, injustices, death and destruction? The resolution of the current crisis cannot be envisioned without a bold blueprint for change encompassing genuine restructuring of the exercise of political power, sharing of economic benefits and a new culture of caring and sharing. **Amnesty to those who come forward to admit wrong, express remorse and pledge dedication to national RRR can be the starting point.**
- The need today is a collective choice to leave the wrongs of the past and move on to build a new future. A national agenda based on the needs and aspirations of the people will reflect the collective decision to move forward. Despite many similarities why is Nepal today in this quagmire of conflict and chaos whereas Switzerland a garden of peace and prosperity? History and geography partly explain the difference. But, in the final analysis, a long history of democracy, democratic institutions and highly decentralized and accountable system of governance combined with wisdom of leaders and hard work of the people enabled Swiss society to resolve or at least transform conflicts through competitive political processes rather than violence and achieve current level of development.<sup>85</sup> Important institutions and leaders must lead the way to a culture of dignity of work and performance based upward mobility in society. To think of a free society without everyone born equal in dignity and rights is to imagine what has neither ever happened nor ever will. **A vigorous campaign against caste discrimination and untouchability is the starting point.**
- Resolution of the conflict is possible within a vision that can rally all Nepalese and utilize the support of friends of Nepal. A **National Agenda 21 Commission** could bring all sections of the Nepali society together to decide what Nepalese want and where Nepal can be in the next 5, 10 and 20 years of the 21st Century and what kind of a political system, economic management, social relations, institutional arrangements and individual character are necessary to get there. Such an exercise could incorporate the demands of the Maoists and facilitate the participation of all in the political mainstream by making necessary changes in the present constitution by the elected Parliament or through the drafting of a new constitution by an elected CA. It can also project the need of resources for reform, reconstruction and rehabilitation. There are many who want to assist Nepal generously in the reconstruction process when the guns go silent. A **National RRR Fund can**

---

<sup>84</sup> See Simkhada Shambhu Ram "Poverty and Political Violence in South Asia", *Financial Post*, Karachi, 26 February, 2005

<sup>85</sup> Simkhada Shambhu Ram "Managing Conflict Nepal Could Learn from Swiss Experience" *The Himalayan Times*, Kathmandu 14 August 2003. Also see Linder, Wolf *Swiss Democracy Possible Solutions to Conflict in Multicultural Societies* (1994), Palgrave Macmillan.

**be established** where everyone can voluntarily deposit what they have earned through wrongful means. Legal action can follow the expiration of such a voluntary process.

### **Box 5: New National Agenda of Change**

#### **□ WHO IS INVOLVED:**

- The three major political actors;
- Wide spectrum of civil society;
- Formation of groups of critical masses to maximise the representation:
  - Elected representatives (national and local levels)
  - Ensuring geographical representation
  - Professional group (business, media, students, lawyers, etc.)
  - Women and
  - Minorities (indigenous and Dalit communities, religious leaders etc.)

#### **□ COMMUNICATION:**

- Special attention to go to rural areas and most vulnerable groups and organise a series of public hearings on what are their aspirations and priorities.

#### **□ PROCESS:**

- Establishment of a National Agenda 21 Commission;
- The Commission to implement its own rules of procedures;
- Seek international help (e.g. UN, SAARC for example) if needed.

**IV. Constitutional Principles:** The founding principle of the present Constitution rests in multiparty democracy in which Nepalese exercise their sovereign rights and are governed by their own elected representatives and Constitutional Monarchy symbolizing national unity, continuity and stability. Experience of the last 15 years has highlighted serious anomalies in the constitution as well as flaws in its application. How to restore the constitutional process, consider framing a new constitution and identify issues in order to prevent such anomalies in the future?

- In the absence of the possibility of amending the 1990 Constitution by the elected legislature, a new constitution drafted by an elected Constituent Assembly (CA) remains the only option. **If the CA can resolve the crisis and the Maoists can live with it, why should democratic parties hesitate, monarchists oppose?** But what are the remedies if the Maoists or the monarchists refuse to join the national democratic progressive mainstream and give up violence even after agreement on the CA or accept its outcome?
- In a democracy, the PM is central in leading the country towards the new vision of peace and prosperity. For this, the PM's personality and credibility as an individual on whom Nepalese can repose faith and friends of Nepal can trust, is critical. How to ensure the election of such a PM? Should it be a directly elected PM responsible to the Parliament? Governance in today's complex world is an onerous task. Political activism is one thing, effective governance and delivery is another. This is

particularly critical in an environment where the head of the civil service himself admits its serious limits. Weak political and administrative leadership in the ministries contributed immensely to the problem in the past. **The dilemma between popular representation and effective governance could be addressed by separating the legislative role of the Members of the Parliament (MPs) from the executive function of the PM.** The PM needs flexibility to appoint his/her own team (Council of Ministers) for effective governance and better delivery. New constitutional principles would also have to seek ways to address the problem of *winner takes all*, election under a neutral Interim Government, greater protection of the weak and vulnerable in society such as women, Dalits and other disadvantaged groups and restructuring of the state.

- The real conflict in Nepal today is in the different visions of the future; monarchists seek an active role for the King, multiparty advocates want to preserve the achievements of the PMRD and the Maoists want *Aragaman* – i.e. going beyond the 1990 Constitution. In this situation, finding some principles whereby the unalterable features of the 1990 Constitution are preserved but also provisions to decide major issues of national interest through popular will could be the compromise. Whatever may be the model, sovereignty of the people and supremacy of the Parliament now cannot be compromised.

### **Box 6: Constitutional principles**

#### **□ CONSTITUTIONAL PRINCIPLES:**

- Protecting the achievement of the 1990 PMRD;
- Recognition of multiparty democracy, sovereignty of the people;
- Constitutional/ceremonial monarchy;
- Provision of referendum to settle issues of major national importance in the future;
- National sovereignty, independence and integrity;
- Guaranteeing the rights of ethnic minorities, Dalits, women and access to decision-making process;
- The existing constitution to be operational until the new constitution is accepted.

#### **□ PROCESS:**

- Formation of a national body to deal with the constitutional issues;
- Round table conference;
- Representation of all interest group in the national body supported by all major actors.

**V. Institutional Process:** While many agree that the conflict in Nepal is not as intractable as some other conflicts, the biggest difficulty in Nepal today, especially after the King's takeover, is the absence of a venue and leadership capable of bringing the major actors together to discuss and harmonize their diverse visions. This vacuum makes the restoration of the dissolved House of Representatives or a political conference extremely urgent, perhaps with some clearly agreed understanding of the agenda among the main political forces in advance. Understanding among the constitutional forces could be the beginning of this process. But the Maoists too must be brought on board, so that all Nepalese can begin the journey towards the future together as one people.

On their part, the SPA should come up with a consensus candidate for PM and government of best national minds. The composition of the government should be such that it restores the faith of the people and becomes difficult for the Maoists to oppose it. Agreement on an interim government at the recommendation of the main political parties represented in the Parliament and accepted by the other two sides would demonstrate that the three Ms are ready to bring Nepal back from the brink. Such a government could then start the process of ending violence, bring the Maoists to the political mainstream, define the new national agenda, agree on key constitutional principles and hold elections. Elections that make the dream of democracy more distant and peace even more elusive do not resolve the conflict.

**Box 7: Institutional process**

□ **FIVE MAJOR STEPS:**

- Restoration of the Parliament;
- Consensus candidate for Prime Minister and Interim government of best national minds proposed by the political parties represented in the Parliament;
- Announcement of ceasefire and monitoring of the ceasefire by a neutral third party along with the participation of political parties, NHRC and civil society guaranteed by a committee composed of major regional and international actors;
- Negotiations with the Maoists in the Agenda 21 Commission and agreement on the future constitutional principles;
- Drafting of a new constitution and elections by an interim government consisting of the representatives of the rebels.

**VI. Role of the Media, Civil Society and International Community:** No change ever comes without the pressure of public opinion. Both the active role of the civil society and the support of outside friends and Nepal’s well wishers are critical in creating pressure of public opinion internally and reject legitimacy to power of the gun and ensure power of the people internationally.

After the political transformation of 1990 things were starting to change. Today there are more schools, colleges, universities, hospitals, roads and so on. The level of foreign trade has improved and foreign exchange reserves are up. The passport system has been liberalized and many have found foreign employment. The allocation of funds for the villages was a revolutionary step. Decentralization was starting; people were beginning to realize their potential and demanding transparency in the political process and accountability from the

elected and appointed officials. Things were changing.<sup>86</sup> These changes meant that the beneficiary group would also change. In a democracy change and system of self-correction take time.

Nepal is passing through the proverbial interesting times with potential of blessing or curse. History shows that despite being rich in resources, poor leadership can lead people to great suffering. There are also numerous examples of revolutions and wars which have subjected people, in whose name they are waged, to greater pain and agony. In the *March of Folly* the historian Barbara Tuchman asks: "Why do holders of high office so often act contrary to the way reason points and enlightened self interest suggests?"<sup>87</sup> The Nepalese are well known for fighting other people's wars and keeping peace in other lands. Time may have come for them to fight their own war and keep peace in their own land first.

- In the global age of information and communication, the important role of the media in all aspects of society is undeniable. Media can play both positive and negative roles in conflict situations and Nepal is no exception. While there is a lot that **Nepalese media** must still do to reform itself, its role as the most potent defender of democracy in Nepal must be recognized.<sup>88</sup> Without the strong media Nepalese would be living under a much more repressive and regressive environment.
- **Civil society** has started breaking the psychology of helplessness, apathy and indifference. Enthusiastic participation in their programs in support of democracy and peace is encouraging. *Inclusive Democracy* and *Restructured State* as the meeting point (*Milan Bindu*) of the democratic progressive political centre, foundation for a New Nepal (*Aragaman*) is the correct diagnosis. But translating rhetoric into action, providing direction at times of deep division or strengthening the centre squeezed between authoritarianism and extremism is difficult. Nepalis with conscience are in a real dilemma – need to support long over-due changes in society without turning this beautiful land into a zone of constant conflict. As Lok Raj Baral rightly argues, Nepalese have started to grapple with some core issues for making democracy sustainable.<sup>89</sup> The discourse must continue.
- Relying on the **International Community** to resolve national problems is to go to courts to settle family disputes. If seven Nepalis come together and decide to resolve their differences through peaceful democratic means within Mechi Mahakali the conflict can be resolved tomorrow. But this has not happened and unless they now wake up Nepalis will continue to suffer. If a country slides deeper in violence and the state is either unable or unwilling to protect its citizens, can or should the international community in the age of globalization remain silent? The international community today

---

<sup>86</sup> For a more detailed overview on the achievements of democracy in the post PMRD period See Mahat, Ram Sharan *In Defence of Democracy Dynamics and Fault lines of Nepal's Political Economy*, Adroit Publishers: New Delhi, 2005.

<sup>87</sup> Tuchman, Barbara W. (1984) *The March of Folly*. London: Abacus Book, p. 2.

<sup>88</sup> Koirala Bharat Dutta, Role of the Media paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Nepal: A Case Study The Graduate Institute of International Studies, February 2004.

<sup>89</sup> Lok Raj Baral Movement and National Unity Post Platform , The Kathmandu Post 6 February, 2006.

cannot and must not grant legitimacy to the power of the gun, impunity to perpetrators of violence against innocent people, in the name of change or to suppress it. Blaming the international community for the ceasefire or initiatives to bring the Maoists to the political mainstream as intervention is to completely misread 21<sup>st</sup> century diplomacy.

The role of the donor community also has been a subject of much debate.<sup>90</sup> The massive reallocation of resources from much needed development projects and social services delivery to more ephemeral conflict analysis and conflict resolution with massive funds being spent on high wages of foreign conflict experts, seminars and workshops in the urban centers is an issue that evokes much debate. Donors are also being criticised as overly interfering in the internal affairs of Nepal. Walter Fust, Head of the Swiss Agency for Development and Cooperation (SDC) argues partners in development cannot remain indifferent to the impact of HIV/AIDS, humanitarian disasters, corruption, violence and violations of people's right to a life of dignity and security - which he describes as "development killers" - in partner countries.<sup>91</sup> The meeting of the Nepal Development Forum (NDF) 2004 which was held in Kathmandu from 5 to 6 May demonstrated a changed approach by the donor community. In a joint statement, the donors emphasized the restoration of the democratic process both at national and local levels. The other factors underlined by the donors as the "requirements" for Nepal included political stability and peace, protection and promotion of human rights and partnership among stakeholders.<sup>92</sup> Similarly other major players such as the European Union have now taken strong stands in favour of the restoration of democracy and peace in Nepal. The UN SG has appointed a representative for Nepal and offered all possible cooperation in resolving the ongoing conflict. As mandated by the Commission on Human Rights, the Office of the UN High Commissioner for Human Rights has established its largest monitoring mission in Nepal to prevent violations of human rights. The Maoists and the agitating SPA in their 12-point understanding have sought the role of some neutral and credible external actor in resolving the conflict.

India, by virtue of its geographic proximity, close cultural and religious affinity, economic ties and traditional friendship, is naturally interested. The United States has taken increasing interest in the developments in Nepal and must view the rise of the Maoists not only in the light of its global war on terror but also with an eye on its future relationship with China. Beijing, as the other close neighbour, could not be expected to remain indifferent to the developments in Nepal as the main corridor next to its sensitive autonomous region of Tibet. It is in this sense

---

<sup>90</sup> For an extensive discussion on the role of the international donor community in Nepal's economic development see Sharma Sharad and Rana RS, paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Nepal: A Case Study, The Graduate Institute of International Studies, February 2004.

<sup>91</sup> Personal conversation with Walter Fust, Bern, Switzerland.

<sup>92</sup> *The Kathmandu Post*, 6 May 2004.



that Nepal may have been catapulted as one of the epicentres of the far reaching paradigmatic shifts in international relations.

Nepal's current crisis reflects the problem of leadership within but also challenges regional and global wisdom.<sup>93</sup> The guiding principles of Nepal's foreign policy are drawn from the UN Charter. A small but pro-active player in the international arena, Nepal's culture of tolerance inside and peacekeeping role outside are well known. If such a model member becomes a failing state and no one can help, of what relevance are so many structures and superstructures, SAARC, UN or the international community? Why are we there if we cannot accept their offer of help at times of the greatest need? Somalia languishes in statelessness and Afghanistan's Parliament meets after 23 years, for those tragedies to repeat in Nepal and many other places again and again? Only by strengthening national democratic-progressive political centre leading peaceful and positive change can authoritarianism and extremism be defeated. But will the international community comprehend such a creative convergence or demonstrate the collective will to support it?

\* \* \*

**Conclusions:** In his book *Preparing for the Twenty First Century*, Paul Kennedy talks of the *challenge of change*, the understanding that there are different ways of organizing society, distributing resources and making decisions.<sup>94</sup> Available information should lead all to the understanding that the current crisis can be resolved neither by politics of conspiracy nor violence. But there is no reason why Nepal could not be a garden of peace and prosperity if Nepalese are able to conceptualize the right internal political dynamics, create the necessary institutions and recognize the leadership capable of leading on the path of RRR within and utilize the goodwill of friends and globalization outside. But, for this outdated modes of leaderships, institutions, ideas and ideologies are irrelevant. Only an **enlightened bold new leadership capable of conceptualizing a new ideology of "Creative Convergence"** - politics of liberty and law, economics of free enterprise with equity, society of social justice, caring and sharing and foreign policy of friendship and pragmatism - can lead Nepal out of the current quagmire of conflict and chaos.

The present crises pose major challenges but also opportunities in our maturity as a society and people. A scholar writes *Change is inevitable; Progress is not*. Others argue change only comes with struggle. The challenge in Nepal today is to make the struggle for change peaceful,

---

<sup>93</sup> See Simkhada, Shambhu R. "The Sadako Ogata Question", *The Kathmandu Post* - 28 January 2006.

<sup>94</sup> See Kennedy, Paul (1993) *Preparing for the Twenty First Century*, op. cit.

democratic and progressive. Can Nepalis themselves and their well wishers in the neighbourhood and beyond rise to the challenge, restore peace and democracy without more bloodshed? What happens now in Nepal will affect Nepalis profoundly but also reflect what happens in 2006 and beyond to many other peoples in many other places.

---

## REFERENCES

Baral, Lok R. "Movement and National Unity Post Platform", *The Kathmandu Post*, 6 February 2006

Bhattarai, Baburam (2003) *The Nature of Underdevelopment and Regional Structure of Nepal A Marxist Analysis* Adroit Publishers, Delhi.

Bista Dor Bahadur (1991) *Fatalism and Development Nepal's Struggle for Modernization*, Orient Longman Ltd. Patna

*Chanayka Niti Darpan* (2043 B.S.), Durga Sahitya Bhandar Varanasi

Chaudhuri, Nirad C. (1997) *The Three Horsemen of the New Apocalypse*. Oxford University Press, Delhi

Dharamdasani, M.D. (ed.) (1992) *Democratic Nepal*. Shalimar Publishing House: Varanasi

Dougherty, James E. and Pfaltzgraf Robert L., Jr. (1981) *Contending Theories of International Relations: A Comprehensive Survey*: Harper and Row Publishers, New York

Gaige, Fred and Scholz, John "1991 Parliamentary Elections in Nepal: Political Freedom and Stability", in Dharamdasani, M.D. (ed.) (1992) *Democratic Nepal*. Shalimar Publishing House: Varanasi, pp. 43-73

Huntington, Samuel (1996) *The Clash of Civilization and the Remaking of the World Order*, New York: Simon and Schuster.

Huntington, Samuel (1968) *Political Order in Changing Societies*. New Haven; London: Yale University Press

Kennedy, Paul (1993) *Preparing for the Twenty First Century*, Vintage Books, New York

Koirala, Bharat D., "Role of the Media" paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Nepal: A Case Study. The Graduate Institute of International Studies, February 2004

Kumar Dhruva "Proximate Causes of Conflict in Nepal" paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Nepal: A Case Study The Graduate Institute of International Studies, February 2004

Isaak, Alan C. (1969), *Scope and Methods of Political Science An Introduction to the Methodology of Political Inquiry*. The Dorsey Press: Homewood, Illinois, 1969

Linder, Wolf (1994) *Swiss Democracy Possible Solutions to Conflict in Multicultural Societies*. Palgrave Macmillan

Mahat, Ram S. (2005) *In Defence of Democracy Dynamics and Fault lines of Nepal's Political Economy*, Adroit Publishers: New Delhi, 2005

Mishra Chaitanya "Locating the "Causes" of the Maoist Struggle" paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Nepal: A Case Study The Graduate Institute of International Studies, February 2004

Muni S.D. (2003) *Maoist Insurgency in Nepal: The Challenge and the Response*, Observer Research Foundation, New Delhi.

Pandey, Nischal Nath (2005) *Nepal's Maoist Movement and Implications for India and China*, RCSS Policy Studies 27, Regional Centre for Strategic Studies, Colombo

*Report of the Commission of Inquiry on the Royal Palace Massacre*, Kathmandu, Nepal 2001

Sharma, Sharad and Rana R. S., "Development Cooperation and Conflict", paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Nepal: A Case Study, The Graduate Institute of International Studies, February 2004

Sharma, Khagendra N. "Basic Features of Nepal's Local Elections 1992", in Dharamdasani, M.D. (ed.) (1992) *Democratic Nepal*. Shalimar Publishing House: Varanasi, pp. 73-88

Simkhada, Shambhu R. "The Sadako Ogata Question", *The Kathmandu Post*, 28 January 2006

Simkhada, Shambhu R. and Fabio Oliva (2005), *The Maoist Insurgency in Nepal: A Comprehensive Annotated Bibliography*, Geneva: The Graduate Institute of International Studies

Simkhada, Shambhu R. "Three Challenges to Nepal's Democratic Leadership" paper presented at the "Roundtable on recent developments in Nepal" at the Graduate Institute of International Studies, Geneva 13 April, 2005

Simkhada, Shambhu R. "Poverty and Political Violence in South Asia", *Financial Post*, Karachi, 26 February 2005

Simkhada, Shambhu Ram "Managing Conflict Nepal Could Learn from Swiss Experience" *The Himalayan Times*, Kathmandu 14 August 2003.

Simkhada, Shambhu R. with Warner Daniel and Oliva, Fabio "Causes of Internal Conflicts and Means to Resolve Them: Nepal a Case Study", *PSIO Occasional Paper* No. 3/2004, Graduate Institute of International Studies, Geneva October 2004, p. 93

Simkhada, Shambhu R. "Issues before the SAARC Summit" *Bangladesh Institute of International and Strategic Studies*, Vol. 10, No. 4 (1989), Dhaka.

Simkhada, Shambhu R. "Threat to Democracy: Chemistry of Corruption, Lies and Political Leadership" *Economic and Political Monthly* (March 1994), Kathmandu

Tuchman, Barbara W. (1984) *The March of Folly*. Abacus Book: London

Upreti, Bishnu R. and Dhungana Daman N. "Peace Process and Negotiation in Nepal: Revisiting the Past and Envisioning the Future" paper prepared for the research study Causes of Internal Conflicts and Means to Resolve Them: Case Study of Nepal Graduate Institute of International Studies, February 2004

Varma, Pawan K. (1998) *The Great Indian Middle Class*. Viking Penguin India Books Ltd., New Delhi

Wootton David (ed.) (1986). *Divine Right and Democracy: An Anthology of Political Writing in Stuart England*, Penguin Classics.



# INDEX

---

## A

Armed Police Force ..... 6, 24, 181, 220

## B

Basic Operating Guidelines..... 6

Bhattarai, Baburam .....31, 32, 33, 34, 35, 50, 60, 64,  
72, 74, 101, 121, 136, 168, 173, 179, 182, 196,  
211, 221

Birendra..... 220

Birendra, King.....98, 184, 214, 216, 221

## C

Challenge of Change ..... 14, 16

China .....16, 22, 27, 47, 51, 58, 96, 140, 155, 156,  
168, 212, 213, 230

constituent assembly....21, 33, 42, 46, 58, 62, 73, 89,  
90, 95, 181, 183, 184, 185, 186, 189, 190, 192,  
194, 195, 198, 200, 202

Constituent Assembly ..... 222, 224, 225

constitution .....15, 21, 22, 23, 30, 40, 41, 42, 43, 44,  
45, 46, 47, 50, 52, 55, 57, 58, 59, 68, 74, 75, 76,  
77, 88, 95, 98, 112, 119, 120, 124, 133, 178, 180,  
181, 182, 186, 193, 195, 196, 200, 224, 225, 226,  
227

CPN (M)...6, 8, 14, 17, 20, 23, 24, 25, 26, 27, 28, 29,  
30, 31, 32, 33, 34, 36, 39, 41, 43, 44, 45, 46, 47,  
48, 49, 50, 53, 54, 55, 56, 57, 58, 59, 192, 208,  
210, 215

CPN-UML ....6, 22, 25, 26, 42, 46, 47, 48, 50, 57, 58,  
59, 182, 202

## D

Dalits.....37, 39, 44, 159, 177, 187, 204, 225, 226

Dang .....130, 163, 181, 183, 184, 186

DFID .....6, 64, 101, 105

Doramba incident .....97, 190, 193

## E

elections ....21, 22, 23, 42, 47, 48, 73, 77, 78, 80, 81,  
82, 88, 89, 90, 95, 97, 98, 99, 166, 187, 197, 200,  
215, 222, 227

European Commission (EU).....16, 58, 92, 151, 160,  
165, 166, 187, 191, 193, 197, 199

## F

February 1, 2005 (royal takeover).....208, 217

## G

GTZ .....6, 117, 155, 158, 162, 164, 165, 174, 206

Gyanendra, King.....2, 96, 208, 217, 221

## H

HEI .....2, 6, 8, 9, 11, 13, 17, 18, 19, 208, 210

human rights .....13, 17, 21, 25, 42, 66, 92, 95, 97,  
117, 119, 120, 122, 131, 133, 134, 135, 152, 153,  
158, 160, 165, 166, 170, 171, 178, 182, 185, 187,  
191, 196, 198, 204, 212, 222, 230

## I

ICG.....64, 82, 103, 159, 162, 173, 174, 178, 190,  
192, 205  
ICRC..... 199  
India .... 16, 28, 29, 35, 37, 38, 40, 51, 52, 53, 54, 58,  
61, 62, 70, 87, 93, 94, 99, 100, 105, 106, 138,  
140, 152, 155, 156, 159, 187, 191, 199, 204, 212,  
215, 230

## J

Jana Andolan..... 71, 79  
*Jana Andolan* (People's Movement)..... 68  
*Janajatis* (indigenous people)..... 87, 97

## K

Kathmandu....1, 2, 11, 15, 17, 18, 20, 38, 39, 60, 61,  
62, 63, 64, 71, 80, 88, 92, 97, 98, 99, 100, 101,  
102, 103, 104, 105, 106, 107, 108, 109, 110, 111,  
112, 113, 115, 118, 125, 126, 127, 130, 131, 135,  
136, 137, 138, 139, 143, 149, 155, 158, 160, 163,  
164, 165, 166, 168, 173, 174, 175, 176, 180, 181,  
182, 185, 205, 206, 210, 216, 221, 223, 229, 230,  
233  
Koirala, Girija Prasad ..... 2, 179, 180, 214

## L

Lasswell ..... 14, 210

## M

Maoist insurgency....9, 61, 63, 65, 72, 80, 81, 93, 94,  
96, 97, 119, 121, 137, 148, 150, 151, 158, 159,  
160, 179, 195, 210, 212  
Maoists.....15, 16, 18, 23, 64, 65, 71, 72, 73, 74, 79,  
80, 81, 82, 84, 86, 87, 88, 89, 90, 91, 92, 93, 94,  
95, 97, 98, 99, 100, 102, 103, 105, 112, 119, 120,

130, 131, 132, 133, 134, 138, 148, 149, 152, 153,  
154, 156, 158, 159, 160, 161, 162, 164, 165, 166,  
168, 172, 176, 177, 179, 180, 181, 182, 183, 184,  
185, 186, 187, 188, 189, 190, 191, 193, 194, 196,  
197, 198, 200, 201, 202, 203, 204, 208, 209, 211,  
212, 217, 219, 221, 222, 224, 225, 226, 227, 229,  
230  
Monarchy ....8, 15, 21, 22, 23, 29, 30, 31, 32, 33, 41,  
42, 43, 46, 47, 55, 57, 59, 60, 64, 72, 73, 74, 75,  
76, 81, 83, 86, 87, 88, 89, 90, 94, 95, 97, 98, 99,  
107, 179, 182, 183, 186, 187, 189, 190, 192, 195,  
198, 200, 202, 209, 210, 214, 220, 226

## N

National Human Rights Commission .6, 185, 190, 191  
Nepal Development Forum..... 6  
Nepali Congress...2, 6, 14, 22, 46, 48, 71, 77, 79, 80,  
82, 97, 98, 101, 104, 181, 202, 204, 211, 214  
New Democracy ..... 6

## O

October 4, 2002 .....119, 136, 189, 197

## P

Panchayat.....30, 84, 107, 112, 118, 119, 123, 214  
peacebuilding .....8, 164, 199  
People's War .....64, 72, 93, 99, 101, 103, 106, 205  
People's Liberation Army.....24, 182  
PMRD ..... 6, 208, 211, 215, 216, 217, 218, 220, 221,  
225, 226, 228  
Prachanda .....24, 28, 31, 32, 35, 98, 183, 189, 219

## R

Rapti zone .....65, 163, 174, 182, 183  
RNA.....7, 24, 29, 32, 42, 43, 46, 58, 152, 180, 186,  
187, 188, 191, 202, 217, 220, 221

Rolpa.....48, 145, 163, 165, 168, 179, 182  
RPP..... 81, 99  
Rukum.....149, 163, 165, 169

## **S**

SDC.....2, 7, 8, 9, 11, 17, 18, 155, 158, 171, 176,  
178, 229  
State of Emergency.....120, 130, 136, 181, 208

## **T**

Terai..... 139, 182

## **U**

UNDP .... 38, 40, 62, 63, 97, 106, 117, 143, 152, 154,  
155, 159, 171, 175, 176, 206  
United Kingdom ..... 93  
United Nations (UN).....7, 92, 152, 165, 166, 191,  
193, 197, 199, 200, 224, 230, 231  
United States .....7, 16, 28, 90, 91, 93, 94, 102, 163,  
213, 230  
USAID.....7, 65, 163

## **W**

War on Terror..... 16  
women....39, 44, 55, 63, 78, 97, 118, 148, 149, 150,  
152, 177, 187, 204, 225, 226  
workshop ..... 9, 18  
World Bank .....7, 15, 24, 140, 170, 204



This is a remarkable piece of work. It is admirably analytical as well as informative. The reader's feeling is that the paper concerns a *sui generis* conflict, a conflict not explainable under the standard categories of conflict theories. The conflict is, so to speak, an "isolate. In short, it does not seem possible to draw from that conflict theoretical conclusions of a general nature. In addition, in any apparent or supposed rational human behavior there is always at some level a dark "cluster of irrationality". Human beings use rationality to commit the most irrational acts and condone any type of aberrant situation: genocide, ethnic cleansing, life or death struggle – including "de-legitimization of democracy by reactionary revolutionary combine" (p. 16).

***Professor Victor-Yves Ghebali***

***Graduate Institute of International Studies, Geneva (Switzerland)***