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## **The Fall of a Hindu Monarchy: Maoists in Power in Nepal**

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# Introduction

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*We believe that with the election of a constituent assembly,  
a democratic republic will be formed in Nepal.  
And this will solve the problems of Nepalis  
and lead the country into a more progressive path.  
Prachanda (indiainfo.com, 2006)*

On April 11, 2008, the Communist Party of Nepal (Maoist), or CPN(M), became the first democratically elected Maoist party in world history, and has been recognized as such by the international community. Its election marked the end of a 240-year-old monarchy.

The election results for the Constituent Assembly of Nepal stunned both local and international observers. The CPN(M) managed to secure 38% of the 575 seats that were to be allocated during these elections, and had it not been for the Maoists' own commitment to the proportional electoral system (which proved to be far less beneficial than the latter had expected), the victory of Pushpa Kamal Dahal – formerly known as “Comrade Prachanda” and the leader of the CPN(M) – would have been even greater.<sup>1</sup> Indeed, the CPN(M) won no less than half of the 240 seats allotted to the First Past the Post electoral system.<sup>2</sup>

The Nepali Congress,<sup>3</sup> which had long dominated Nepali politics, suffered a tremendous setback, having won only 19% of the seats (its poorest showing since the country's first elections in the new democracy of 1991), while the Communist Party of Nepal (Unified Marxist-Leninist), or CPN(UML),<sup>4</sup> lagged behind with a mere 18%.

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<sup>1</sup> The interim Constitution of Nepal uses a mixed system for elections to the Constituent Assembly: a Proportional Representation system (which is used to elect 335 members) and a First Past the Post system (which is used to elect 240 members). The Cabinet appoints the remaining 26 members of the Constituent Assembly after the elections.

<sup>2</sup> For detailed results of the Constituent Assembly elections, see Election Commission (2008).

<sup>3</sup> The Nepali Congress can be compared to the Congress Party of India.

<sup>4</sup> Prior to the 2008 elections, the CPN(UML) was the second largest party in Nepal.

Although there may have been flaws in the electoral process,<sup>5</sup> the CPN(M)'s accession to the head of the Constituent Assembly and of the new Republic of Nepal was legitimate.<sup>6</sup>

However, the CPN(M) does not have unlimited control over the government, for it did not secure a majority in the Constituent Assembly. The fact that the Maoists did not see their candidate Ram Raja Prasad Singh elected as president makes it clear that they will have to work with the other major parties of Nepal in the future.<sup>7</sup>

The People's War, which began in February 1996 and was brought to an end by a peace accord between the CPN(M) and the Seven Party Alliance (SPA)<sup>8</sup> on November 21, 2006, thus seems to have found, if not a definitive, at least an enduring end. However – and the months prior to the vote proved as much – Nepal has many challenges to meet before it can start anew, challenges that concern social and civil peace and economic growth. Furthermore, the newly formed republic has to reassure its neighbors, and together they must establish the new terms of their relationship.

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<sup>5</sup> E.g., during our last visit to Rolpa District – the home base of the guerrillas during the decade-long civil war – in May 2008, local villagers said that the Maoists had threatened to return to the jungle to resume the People's War if they did not succeed in the elections.

<sup>6</sup> On May 28, 2008, the Constituent Assembly voted to declare Nepal a federal democratic republic, thereby abolishing the monarchy.

<sup>7</sup> The first president of the Republic of Nepal to be elected in July 2008 was Ram Baran Yadav, a Madhesi who was supported by a coalition of the Nepali Congress and the CPN(UML).

<sup>8</sup> The Seven Party Alliance (SPA) is a coalition formed on May 8, 2005 by seven political parties of Nepal seeking to restore democracy in the country. The members of the SPA are: the Nepali Congress, the CPN(UML), the Nepali Congress (Democratic), the Jana Morcha, the Nepal Workers' and Peasant Party, the Sadbhavana Party (Anandi Devi faction), and the United Left Front.

## Out of the jungle and into the open

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When the CPN(M) first issued their “40 points demand” (Bhattarai, 1996), stating their principal demands, the government of Nepal did not take the document seriously. Shortly thereafter, Baburam Bhattarai and Comrade Prachanda, leaders of the CPN(M), launched a People’s War on February 13, 1996 that lasted ten years. Among their demands, the Maoists called for elections for a new Constituent Assembly, the abolition of all the king’s and the royal family’s privileges, the abrogation of all discriminatory treaties that had been concluded with India, and the secularization of the state of Nepal (ibid.).

### *A decade-long People’s War*

Although the first years of the insurrection claimed a number of victims, it was not until 2001 that the insurgency gained momentum.<sup>9</sup> Indeed, on June 1, 2001, Crowned Prince Dipendra – at least according to the controversial official statement – burst into a room of the Royal Palace and slaughtered his entire family before turning his gun on himself. He thereby put an end to the reign of King Birendra, who had come to power in 1972.

It was in this unusual context that King Gyanendra, Birendra’s brother, ascended the throne of the Kingdom of Nepal and gave a new direction to how the government dealt with the Maoist insurrection. The tougher stance adopted by both the Royal Palace and the insurgents, combined with the weakening of the political parties that had lost the support of both the people and the king, plunged the Himalayan kingdom into chaos.

Even before coming to power, Gyanendra had had the reputation of being averse to sharing power with the people (he had, for instance, spoken against the restoration of democracy during the popular movement of 1990).<sup>10</sup> The Maoist rebellion provided him with the perfect pretext to reorganize the government so as to increase his power over it.

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<sup>9</sup> For a detailed history of the Maoist insurgency, see, e.g., Thapa and Sijapati (2003).

<sup>10</sup> In 1990, a popular movement organized by the major political parties of Nepal put an end to the *panchayat* monarchy, a pyramidal-type of regime headed by the king which forbade all political parties. For more information, see Cailmail (2003).

From 2001 on, the violence of the insurgency increased. And the conflict soon turned into an actual civil war once Gyanendra decided to use the Royal Nepal Army against the guerrillas (a measure that the late King Birendra had always opposed) in November 2001.

Not only did Gyanendra reorganize the government to tighten his grip on the state, but he also used the clauses of the Constitution of 1990 that allowed him to take full power in times of crisis (Ministry of Law and Justice, 1999, p. 75–76). On February 1, 2005, he dismissed his government, declared a state of emergency in Nepal, and thereby took hold of the government.

King Gyanendra's absolutist and authoritarian politics helped to isolate him from the rest of the country. Nepal's main political parties, which no longer had any hope of participating in the country's politics, decided to form a coalition on May 8, 2005 – the SPA – aimed at toppling Gyanendra's dictatorship. In December 2005, the SPA succeeded in arranging a meeting with the CPN(M) in Delhi, which led to the formation of an unprecedented alliance of the two parties against the king's autocracy.

In early April 2006, the SPA – along with the CPN(M), although the latter's participation was unofficial – launched a popular movement (or *Jana Andolan*) to restore democracy. On April 26, 2006, nationwide demonstrations were organized that compelled Gyanendra to capitulate.

A few months later, on November 21, 2006, the SPA and the CPN(M) signed a *Comprehensive Peace Accord* (Ministry of Peace and Reconstruction, 2006), which ended the decade-long People's War.

After this overview of the insurgency, a consideration of the main factors that give rise to the civil war will help to provide an understanding some of the challenges that face the new government.

## ***An unstable state***

When Nepal instituted the democratic system in 1990, its institutions, such as the Parliament and the political parties, were largely underdeveloped. Both intellectually and organizationally, they lacked the maturity that would have enabled them to meet the challenges facing a nascent democracy. The continuous power struggle among the political parties led to governmental instability and weakened the state (between 1994 and 1999, Nepal changed government no less than six times). Thus, the country's political parties failed to establish an efficient government and gradually lost the people's trust. Moreover, the obvious corruption of many of the political leaders alienated them from the Nepalese population.

In addition to such disillusionment with the government, Nepal was also facing an economic crisis. And these combined factors helped the Maoists gain support among the people. The country's wealth was concentrated in the hands of a minority while the majority lived well below the poverty line.

Lastly, the Constitution of 1990 sewed the seeds of the future insurgency since it marginalized an entire segment of Nepal's population: the ethnic and religious minorities. Although this last factor is no more important than the others cited above to account for the genesis of the People's War,<sup>11</sup> it is important in the present context to consider its implications for the future of Nepal.

### ***An ethnic patchwork***

Although Nepal is only half the size Italy, it is home to over 100 different ethnic groups. Prithvi Narayan Shah, founder of the kingdom of Nepal in 1768, asserted in his *Dibya Upadesh*<sup>12</sup> that the kingdom was a garden of four *varna* and 36 *jāt*,<sup>13</sup> which were all under the authority of the ruler of Gorkha.<sup>14</sup> In so doing, he underlined the plurality of Nepalese society while simultaneously establishing the supremacy of the higher castes over the country's minorities.

The caste system was further enforced by the *Muluki Ain* (Civil Code) of 1854, which organized the four *varna* into a very strict hierarchy: first come the *tagadhari*, composed of the higher castes such as the Brahmans (*Bahun*), the *Thakuri*, and the *Chhetri*; then come the *Matwali*, which designates all the castes that drink alcohol (meaning mainly, the tribal castes); next come those who answer to the rule *pani na calne choi chito halnu naparne* (which refers to all members of lower castes with whom a member of a higher caste can speak but from whom he cannot accept water); and the last are the *Dalit*, or untouchables.<sup>15</sup>

Aside from the caste system, the Nepalese society is also composed of a myriad of ethnic minorities that can be divided broadly into two groups. The first is composed of indigenous nationalities, which are generally from the Tibeto-Burman language-speaking group (there are more than 60 such groups) and which live mostly in

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<sup>11</sup> There are other factors that led to the Maoist insurgency (such as the political exclusion of the CPN(M)) but we will not have the leisure to explicate them in this article.

<sup>12</sup> In the 18th-century poetic work *Dibya Upadesh* (Divine Counsel), Prithvi Narayan Shah (1959) depicted his political and philosophical theories.

<sup>13</sup> The word *varna* refers to the main castes in Nepal, while the term *jāt* relates to ethnic and religious communities.

<sup>14</sup> Shah was a native and the king of Gorkha, a kingdom that formerly lay 100 km west of Kathmandu.

<sup>15</sup> For a thorough study of the *Muluki Ain*, see Höfer (1979).



the hills and mountains of Nepal, as well as in the Terai region, on Nepal's southern border.<sup>16</sup> Early in the 1990s, these groups came to be referred to as the *janajati*, a term that seems to have come from Bengali and that today is commonly used by the political elite (Gellner, 2007, p. 1825).

The second group comprises the Madhesis in Terai. They are mainly of Indian and Hindu origin and are traditionally opposed to the *parbatiya*,<sup>17</sup> who live in the hills. It is important to note that, although the Madhesis can be found only in the south of the country, not all residents of Terai belong to this group. Indeed, many of them, such as the Tharus or the Muslims, refuse to be categorized as such.

These different groups all managed, as best they could, to achieve a certain cohesion under the leadership of the Shah family. However, this apparent unity existed at the expense of some other ethnic groups, which were excluded from the country's major political and economical circles. Indeed, a dominant group, referred to as the Caste Hill Hindu Elite (CHHE),<sup>18</sup> have monopolized the major positions in government since the birth of the state of Nepal, at the expense of the Madhesis and the *janajati*.

We shall not dwell here on the divergent politics of the various governments since the end of the 18th century that led to this dominance on the part of the CHHE, but will instead focus on the impact it has had on the contemporary political scene. For, as David Gellner (2007, p. 1823) has put it, "if the period of 1960 to 1990 was one of nation-building, the 17 years since then has been a time of ethnicity building."

## ***The consequences of Nepal's 1990 Constitution***

The Constitution of 1990 was a major disappointment for most of Nepal's minorities. When the main political parties, along with the Nepalese people, toppled the *panchayat* regime in 1990 to establish the Himalayan kingdom's second democracy,<sup>19</sup> the ethnic minorities expected to gain better representation in the future government and civil society. The main indigenous groups began to organize and founded the Nepal Federation of Nationalities (NEFEN) in 1990 – which became the Nepal Federation of Indigenous Nationalities

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<sup>16</sup> Terai is the region lying on the southern border of Nepal.

<sup>17</sup> The term *parbatiya*, literally 'mountain man', refers to the Hindu population living in the hills and mountains of Nepal, in contrast to the people living in the southern plains of the country.

<sup>18</sup> Usually Brahmins or Chhetris, they come from the hills of the kingdom and are part of the larger *parbatiya* group. See Lawoti (2005).

<sup>19</sup> The first democracy of Nepal was founded by King Tribhuvan in 1951.

(NEFIN) in 1991 – with the aim of “documenting, preserving and promoting cultures, languages, religion, customs, traditions of the Indigenous Nationalities of Nepal and to assist them in developing and obtaining equal rights” (NEFIN, 2004). In the mean time, new political parties with an explicit ethnic or religious component appeared on the Nepalese political scene. The Nepal Sadbhavana Party, for instance, was created as early as 1985 by Gajendra Narayan Singh, who demanded the autonomy of the Madhesis as well as the recognition of Hindi as a national language, while Ghore Bahadur Khapangi founded the *Nepal Rastriya Jana Mukti Morcha*, the first political party following the *jana andolan* (People’s movement) of 1990 and made up of Tibeto-Burmans from the hills.

However, the high expectations that had followed the fall of the *panchayat* system were soon shattered by the newly forged Constitution of Nepal, published on November 9, 1990. Indeed, while the Constitution was progressive to some extent, for it granted sovereignty to the people, the right to privacy and information, as well as a greater recognition of cultural plurality, it also bore the seeds of discontent. Mahendra Lawoti (2005, pp. 113–153) has thoroughly analyzed the 1990 Constitution and its impact on the issue of ethnicity.

According to the article 1(1) of the UN *International Convention on the Elimination of All Forms of Racial Discrimination* (UN, 1969), racial discrimination is defined as follows:

*the term “racial discrimination” shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national, or ethnic origin, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.*

Although the Constitution of Nepal of 1990 is not unequivocally racist, some aspects of it seemed to contradict the principles of equality championed in the UN’s convention on the elimination of racial discrimination.

By far the most controversial article in the Constitution (Ministry of Law and Justice, 1990) was article 4(1). It declared that “Nepal is a multiethnic, multilingual, democratic, independent, indivisible, sovereign, Hindu and Constitutional Monarchical Kingdom.” Whereas the beginning of the article seemed to favor the minorities, the very fact that it described the Nepal as a Hindu kingdom conferred on the CHHE a decisive superiority over the minorities and the other religions of the country. But even if article 4(1) did not necessarily imply that the non-Hindus were to be treated differently on practical grounds, the religions of Nepal nevertheless were not considered equal on the symbolic field: “symbolically, the followers of Hinduism might perceive that they have more rights to the state and its resources [...] whereas non-Hindus might feel they are as second-class citizens” (Lawoti, 2005, p. 126).

In addition this article, which favored the CHHE, many others failed to provide the *janajati* the equal rights they longed for. Among others, article 12, which expressed the right to freedom, included a series of provisions that emptied its very essence by specifying, for example, that the freedom to form unions and associations was guaranteed as long as “nothing [...] shall be deemed to prevent the making of laws to impose reasonable restrictions on any act which may undermine the sovereignty, integrity or law and order situation of the Kingdom of Nepal” (Ministry of Law and Justice, 1990). Apart from the fact that the term ‘reasonable’ is so vague that it allows of all manner of interpretations, this provision aimed to control every ethnic or religious organization, which the government could threaten to close down on the slightest infraction. Article 112(3) was even more explicit, for it mentioned that “the Election Commission shall withhold recognition from any political organisation or any party formed [...] on the basis of religion, community, caste, tribe or region.” These articles thus limited the possibilities for indigenous nationalities, Madhesis, or members of other religions to defend their rights and interests by uniting under the banner of an ethnic party or organization.

NEFEN (2000) has noted no less than 40 clauses that discriminate against minorities or women. While we shall not enumerate them here, the few examples given above should suffice to indicate the source of the frustration felt by the indigenous nationalities when the Constitution was first published. And as noted above, even though the ethnic and religious minorities tried to defend their rights through political parties, they were unable to implement some fundamental rights for the *janajati*, for they lacked the requisite political strength. Indeed, the ethnic-based political parties could not match the major political parties, such as the Nepali Congress or the CPN(UML), which were all deeply rooted in the Nepalese political landscape and left no room for the newcomers to make themselves heard. This situation was compounded by the fact that they could not rely on powerful lobbies to help them to make inroads in the government. The results of the 1991 and 1994 elections showed that the CHHE dominated the Upper and Lower House; the Nepal Sadbhavana Party was the only ethnic-based party to manage to secure seats during those two elections (Election Commission, 1994; 1999).

Not only did the marginalization of the minorities continue after the people’s movement of 1990, but it grew even stronger – as the figures concerning the *Lok Sewa* (Public Service Commission) indicate: whereas 69% of its posts were occupied by the *bahun-chhetri* in 1985, the trend rose to 98% in 2001 (Gurung, 2004; see Public Service Commission, 2007).

The years that followed the return of democracy in Nepal thus showed that the Nepalese political institutions were unable to include the marginalized *janajati* in the democratic process. Worse yet, it was government institutions and documents, such as the Constitution itself, that contributed to the discrimination against them. Therefore,

the exclusion of the minorities in Nepal was not due to historical factors alone, for if it had been, the marginalization of the *janajati* would not have increased after 1990.

## CPN(M) and the ethnic issue

By ignoring the claims of the minorities, the country's major political parties created a power vacuum that the CPN(M) hastened to fill. The pamphlets and tracts the Maoists distributed as early as 1996 showed that they had understood the significance of the ethnic and religious issue.<sup>20</sup>

The Maoists tried to prove their commitment to the minorities by including clauses in their political programs in favor of the latter. When they published their “40 points demand” in February 1996, three points were dedicated to the ethnic issue. Moreover, the party's *Common Minimum Policy and Programme of United Revolutionary People's Council* devoted two of its 11 sections to the indigenous nationalities and the castes. Among other promises, the CPN(M) (2004, p. 171–172) argued there that:

*the state shall guarantee equal treatment to all nations/nationalities and languages of the country. All nations/nationalities traditionally oppressed by the ruling [CHHE] shall exercise the right to self-determination, but their problems shall be resolved within the framework of national autonomy program in the New Democratic/People's Democratic system. [...] If the nationalities are scattered in more than one area, there shall be more than one autonomous area. [...] Except for the People's Army, foreign relations, finance, currency, measurements, communication, international trade, large basic industries, and large hydroelectric projects, all other sectors shall fall under the jurisdiction of the autonomy.*

Such a commitment to the minorities can partly be explained by the will of the Maoists to gather more people around them and thus increase their influence. By showing that the exploitation of the ethnic and religious minorities resulted from the “tyranny” exerted by the “feudalists” and “reactionaries,” the Maoists hoped to recruit many people from among the minorities.<sup>21</sup>

In the districts they managed to conquer during their People's War, the CPN(M) tried to implement their policies by creating autonomous regions such as the Magarant, in the

<sup>20</sup> See, e.g., a historic leaflet distributed throughout the country on February 13, 1996: CPN(M): “March Along the Path of People's War to Smash the Reactionary State and Establish a New Democratic State!”

<sup>21</sup> This policy yielded fruit, for many members of the People's Liberation Army (PLA) belonged to such minorities.

districts around Rolpa and Rukum. According to Bahadur Thapa, President of the Magarant Liberation Front (MLF),<sup>22</sup> the Rolpa District entered onto the path of modernization thanks to the CPN(M):

*In the district of Rolpa and Rukum, old superstitions and conventions, and bad customs have been suppressed. The banning of alcoholic drink, of dice and card games, of violent marriages has brought a great change. Having abandoned the old traditions, culture and customs which were useless, a popular, scientific and modern culture has developed. (Lecomte-Tilouine, 2004, p. 123)*

This quotation is particularly striking in that it shows another aspect of the Maoists' policy. Far from promoting the freedom of culture and tradition, it is evident here that the CPN(M) wished to replace one form of cultural domination with another: the cultural diktat imposed by the parbatiya was thus replaced by the Marxist-Leninist-Maoist canon.

Hence, many members of indigenous nationalities criticized the Maoists' policy on the minorities. In an article published in 1999, for instance, Surendra Thapa Magar compared the Maoists to a disease and accused them of having only used the oppression suffered by the minorities for their own sake (ibid., p. 127). However, even among their detractors, some agree that the Maoists have contributed, to some extent, to the welfare of the janajati. B. K. Rana, a historian of the Magars of Gorkha, pointed out that "they are campaigning against 'compulsory Sanskrit education' in schools and we support this. They also seem prepared to offer autonomy to the indigenous peoples. It is also fine, however, we do not know how they are going to do so" (ibid., p. 129). And in a survey conducted in 2007, the respondents placed the CPN(M) at the top of the list of all the actors who had promoted the cause of the minorities (Hachhethu et al., 2008, p. 84).

By placing ethnic issues at the forefront of the political debate in Nepal, the Maoists helped to increase the self-awareness of the minorities (especially the Madhesi). Their claims gained momentum and finally reached a climax when Nepal was finally on the verge of forging an agreement with the CPN(M) to put an end to the decade-long insurgency.

Now that the Maoists are in power, they will have to deal with a problem they have helped to intensify.

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<sup>22</sup> A sister organization of the CPN(M).

## The internal challenges

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When the CPN(M) and the SPA signed the peace accord in November 2006, the Madhesis, along with the country's other minorities, had hoped that the government would finally offer them, if not their long-awaited autonomy, then at least better representation on the political and social scene than the Constitution of 1990 had given them.

### *Nepal: A unity in jeopardy?*

During the People's War, the Madhesis had been particularly active on the ethnic front. Many had joined the *Madhesi Rashtriya Mukti Morcha* (Madhesi National Liberation Front), an organization headed by the Maoists, not so much for the Marxist-Leninist-Maoist creed but with the hope of achieving greater recognition for their people. Charging that the Central Office of the CPN(M) was monopolized by the *bahun-chhetri*,<sup>23</sup> others created their own independent armed groups, such as the *Janatantrik Tarai Mukti Morcha* (Tarai People's Liberation Front), which was founded in July 2004.

Among their different claims, the Madhesis craved for a federal type of government. But when the Interim Constitution of 2006 was published, they were once again disappointed to notice that the federalism issue had not been addressed. This lack of acknowledgement by the SPA and the Maoists propelled the Madhesis to launch a revolt in January 2007. After having staged several demonstrations in the Terai, the activists of the *Madhesi Janadhikar Forum* announced on January 25 that they will extend their actions until the amendment of the interim Constitution. The government failed to curb the discontent and by the end of February, Nepal had to deplore more than 30 victims in Terai. The *Janatantrik Terai Mukti Morcha* hardened its position and started to make use of armed force (e.g. they planted five bombs in Rautahat District on December 13, 2007).

Soon, the ethnic issue thus became the key question in the debates leading the government and political parties. After a long series of strikes and a substantial number of victims, the interim

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<sup>23</sup> Both Pushpa Kamal Dahal and Baburam Bhattarai belong to the *bahun-chhetri* group.



government and the different Madhesi organizations reached an understanding in February–March 2008. According to the latter, the Madhesi obtained the promise of a better proportional representation and to gain a certain degree of autonomy in a near future. For once, these promises were kept when the newly elected Constituent Assembly proclaimed the federal republic of Nepal on May 28, 2008.

Although federalism seems to be a plausible response to the *janajati* issue, the Maoist government faces questions that remain unanswered. For, as Gellner (2007, p. 1827) has noted, in only 15 of Nepal's 75 districts is there one group that makes up more than 50% of the population. Moreover, some ethnic groups, such as the Tamang, can be found in almost every corner of the country. The creation of autonomous regions will thus compel the government to make difficult choices, which may lead to new uprisings from some minorities that will necessarily be dissatisfied with the new administrative boundaries. Lastly, the ethnic organizations that expect to gain full autonomy could be disappointed by the government's policies and might resume an armed struggle that has been put on hold of late.

Aside from the factors that existed prior to the insurgency, another challenge resulting directly from the People's War needs to be dealt with: with the end of the armed conflict, the urgent task facing the newly formed government is to manage the arms and armies of the two opposing forces.

## ***The two armies of Nepal***

To enable the pacification of the country necessary for its democratization, article 4 of the *Comprehensive Peace Accord* specified that the People's Liberation Army (PLA), as well as the ex-Nepal Royal Army, had to disarm (Ministry of Peace and Reconstruction, 2006). On January 10, 2007, the Maoists were thus invited to store their weapons in containers monitored by the United Nations Mission in Nepal (UNMIN). Moreover, the members of the PLA were to be confined in cantonments, while the soldiers of the Nepal Army were asked to remain in their barracks.

While these agreements seemed promising, the Maoists were quickly accused of not abiding by the rules. The number of weapons that were given to the UNMIN supervisors turned out to be far lower than was expected, judging by the size of the PLA. Indeed, for the 32,250 Maoist army personnel registered in the UNMIN's cantonments, the same UNMIN registered and stored only 3,475 weapons, that is, one weapon for every ten combatants (UNMIN, 2008). In the face of growing accusations, Pushpa Kamal Dahal asserted that most of their weapons had been washed out by a river flood while on their way to the containers, an explanation that left most observers skeptical (*Nepali Times*, 2007). Furthermore, many of

the PLA's soldiers who checked into the cantonments did not meet with the criteria agreed upon by the parties (see UNMIN, 2008), and many political leaders, journalists, and other members of Nepalese civil society once again accused the CPN(M) of breaking the peace accord (see Rajat, 2007).

The question of the PLA has to be solved in the long run. Nepal's government now has to manage two armies that were once enemies, and it has to find a way to restrain its staff without offending either of the two parties. Indeed, the members of the PLA, who consider themselves to have won the war against the former government of Nepal, will not accept being sent back to their farms as losers while the Nepal army becomes the only guardian of national security. This issue is made all the more complex by the fact that neither the CPN(M) nor the SPA wishes to abandon its army so long as the other party is allowed to keep its army.

Lastly, although a merger of the two armies seems to be the only solution, doing so would be perilous insofar as one would be uniting soldiers who had fought against and killed each other for a decade. It would also be problematic because resultant army would have too many personnel.

### ***YCL, a hidden Maoist militia?***

The Youth Communist League (YCL) (see Skar, 2008), "a fusion of the Party's military and political character, and [...] composed of PLA members who have an interest in politics" (SATP, n.d.), adds another factor that contributes to a crisis of confidence between the CPN(M) and the SPA. The members of this organization often make the newspaper headlines for their regular use of violence in all parts of Nepal. One of many examples is an event that occurred on September 5, 2008: 12 activists of the Nepal Student Union (the student wing of the Nepali Congress) accused the local YCL wing of having injured them in a violent clash (ekantipur, 2008a). Such attacks go beyond the national borders: Shyam Sundar Sashi (2008), a journalist from the Arab bureau of the daily newspaper *Kantipur* reported an encounter with a YCL cadre that had manhandled him while he was attending a political program in Qatar.<sup>24</sup>

Although the YCL assert that only corrupt people and criminals have to fear them (Phuyal, 2007), civil society and the Nepalese as a whole continue to complain about the YCL's actions. During this author's recent visit to Nepal in May–June 2008, many people from Kathmandu and other cities of Nepal, such as Butwal,

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<sup>24</sup> There is a very strong Nepalese diaspora in the Middle East, and particularly in Qatar, for many of the Nepalese youth find themselves compelled to sell their labour power abroad. See Bruslé (2008).



admitted that they had had trouble with YCL cadres and that they now feared them, for they felt that the police were not able to protect them. Ian Martin, the UNMIN special ambassador, takes the matter seriously, thus showing the importance of the YCL issue: “I have discussed the role and activities of the YCL with Chairman Prachanda on a number of occasions, and have urged him to make public instructions, under which the YCL operates, making clear that these are fully in accordance with the law and with human rights standards” (ibid.).

Hence, although the Maoists seem to be eager to prove their commitment to the democratic process, they still need to clarify some matters regarding their army and sister organizations in order to gain the trust of other parties and the civil society. For as long as they allow uncertainty to persist, their government will not be able to set Nepal on the path to peace and development.

### ***An economy to rebuild***

A key domestic challenge that Pushpa Kamal Dahal's government faces is that of economic growth. The decade-long civil war has deeply affected the country's economy, which suffered a negative growth rate during most of the insurgency.

During the People's War, the Maoists considered many businessmen to be “class enemies” and thus looted or killed them. Today, it is imperative that the new government work hand in hand with its former enemies to rebuilt Nepal's economy—something the government has understood fully. Indeed, on April 24, 2008, for instance, the top Maoist leadership, including Baburam Bhattarai and Pushpa Kamal Dahal, met the Federation of Nepalese Chamber of Commerce and Industries (FNCCI) and assured them of their will to create an environment favorable to the country's economic development (Times of India, 2008).

Furthermore, Nepal's economic growth depends greatly on the relations between Kathmandu and New Delhi. The recent fuel shortage provides a good example of this. Early in 2008, Nepal endured a massive fuel shortage, causing long lines at the gas pumps throughout the country. Hospitals ran out of the gasoline to necessary run their generators, while school buses failed to pick up children for school, forcing the schools to close. This shortage was due to Nepal's excessive debt and India's refusal to provide its neighbor with the petroleum it needed until it had repaid its debts. To resolve this problem, which endangered the whole of Nepal's economy, Kathmandu was thus compelled to reach an agreement with India during the summer of 2008.

The building of the new Nepal cannot be occur without India, China, and, to a lesser extent, the rest of the international community.

## Nepal and the outside world

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Like Switzerland and Afghanistan, Nepal is a landlocked country. But whereas the aforementioned countries can rely on different partners to establish their transit treaties, Nepal's virtually only possibility to maintain economic links with third parties is to go through India.<sup>25</sup> Nepal and India have thus maintained strong relations throughout history. Indeed, one could almost define Nepal as an Indian enclave.

### *Nepal, guardian of Indian culture*

Historical relations between Nepal and its southern neighbor go back to the antiquity. Contrary to what one might imagine, however, the two countries have influenced each other reciprocally. In many respects, Nepal is, to this day, the guardian or "the warehouse of Indian civilization" (Sen, 1992, p. 14).

The Nepali language – borrowed partly from Sanskrit and Hindustani – as well as literature and pictorial art, reveal the cultural links that exist between Nepal and India. Likewise important are the religious ties, which are partly evinced in the Hindu canonic literature, such as the *Bara*, the *Matsya*, and the *Pasupati Purana*. These different works sing the praises of Nepalese pilgrimage destinations, including Muktinath or Pashupatinath. The latter is particularly significant, for the legend relates that the god Shiva's head is to be found in the latter shrine, making Pashupatinath one of the holiest places for Hindus throughout the world. During the festival of *Shivaratri* (or "night of Lord Shiva"), for instance, yogis, sadhus, and all manner of Hindu worshippers come from far and wide to Pashupatinath to celebrate their "lord of all lords."

Nepal is regarded all the more a sanctuary for Hindus in that it was once the only Hindu kingdom in the world. Its Shah kings were thought to be living gods and reincarnations of the Lord Vishnu. As a consequence, the proclamation of the Nepal republic and the secularization of the state caused great turmoil among the Hindus of the subcontinent.

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<sup>25</sup> Although trade Nepal and China is being conducted between through the different passes in the Himalayas, most of the traffic transit through the southern border of Nepal.

## ***Secularization: An international matter***

Secularization of the state was one of the CPN(M)'s key demands during their People's War: the 18th of their "40 points demand" asserted that Nepal should be made a secular nation (Bhattarai, 1996); this demand was never abandoned in the different rounds of talks they had with the government during the insurgency. Thus, when they finally came to power, the Maoists' priority was to put an end to the Hindu monarchy of Nepal, and on May 19, 2006, the interim government proclaimed Nepal to be a secular state.

The Nepal's Hindu fundamentalists protested vehemently against this new tack that the SPA and the CPN(M) had been taking since April 2006 and the success of the *Jana Andolan II*. In September 2008, great masses of Hindu worshippers poured into the streets of Kathmandu shouting "bring back the Hindu kingdom" (Haviland, 2006).

It was not the first time that Hindu fundamentalists protested against the specter of secularization. In 1990, after the first people's movement, they had already staged demonstrations throughout Nepal to protect the Hindu nature of the kingdom. The World Hindu Federation (WHF), an organization created in Birganj in April 1981 by late King Birendra, had lobbied hard against the secularization of the state, and it is probably partly due to its intense pressure that the Constituent Assembly wrote the article 4(1) of the Constitution of 1990. Another organization was at the forefront of this lobbying: the *Shiv Sena*. Originally from the Indian state of Maharashtra, it appeared in Nepal in 1990, became a political party in 1998, headed by Arun Subedi, before turning back into an NGO a few years later.<sup>26</sup>

Both those organizations – the WHF and the *Shiv Sena* – along with smaller ones, defended the Hindu religion from 1990 on. For instance, during the municipal elections of 1997 in Nepalgunj, members of the *Shiv Sena* did not allow a Muslim to reach the voting booth, thus causing a riot that forced the local government to declare a curfew. The Hindu extremists also tried to use mass communication, building local offices throughout the country in order to "propagate the *dharma*" (Bouillier, 1997, p. 96). Recently, their hostility towards the idea of a secular state has gained momentum, and the WHF even threatened at a conference on April 29, 2008 to use armed revolt to restore "the glory of Nepal's monarchy" (TelegraphNepal, 2008).

But what is most interesting in these latest events is the growing presence of Indian nationals among the demonstrators. The WHF conference, for instance, was organized in the state of Uttar Pradesh by Nepalese and Indian citizens.

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<sup>26</sup> This illustrates the fact that the line between NGOs and political parties in Nepal can often be quite fuzzy.

Indeed, Nepalese Hindu organizations were not the only ones to fight for their religion: they were joined by Hindus from across the globe,<sup>27</sup> particularly from the subcontinent. And not only different Indian or international NGOs took part in these demonstrations, but so did leaders from Indian political parties, most significant of whom was leader of the *Bharatiya Janata Party* (BJP).

The BJP's involvement in Nepal's domestic affairs is not new. In 1990, they had already pleaded for the Hindu religion and had asked the Constituent Assembly to include the term 'Hindu' in the Constitution.

From 2006 on, the BJP intensified its lobbying for the defense of Hinduism by sending activists to attend the rallies organized by the Nepalese Hindus in Nepal and in India. When Nepal set out clearly on the secular path after the election in April 2008, the BJP expressed its disillusionment through Jaswant Singh, former BJP External Affairs Minister of India: "As an Indian and a believer in *sanatan dharma* [Hinduism], I feel diminished. There is nothing more secular than *sanatan dharma*. This is a negative development" in Nepal; he admitted, however, that "It is for the people of Nepal to decide not to have a monarchy" (Vyas, 2008). These remarks were, of course, much criticized by the CPN(M), which accused the BJP of interfering in Nepal's internal affairs (see, e.g., Roy, 2008).

To persuade the whole of India of the dangers of giving up the monarchy in Nepal, the BJP constantly waves the red flag of national security: "Till recently, Nepal was a Hindu nation and because it was a Hindu nation, it dealt equitably with its citizens belonging to other faiths. Now, Nepal is being declared a secular State. We hope that under the new dispensation, Nepal will not become anti-Hindu and anti-India" (Purnima, 2008). For the BJP, the greatest threats are posed by China and communism. For Yogi Adityanath, the BJP MP from Gorakhpur, there is "no doubt [that] China would now try to make inroads in Nepal and strengthen its base. Maoists have a close relationship with the Naxal organisations and would provoke them to capture political power in India" (Singh, 2008). And the international president of the Vishwa Hindu Parishad (VHP), Ashok Singhal, drove the point home: "It is a conspiracy to destroy Hinduism in Nepal. Maoists plan to repeat what China had done in Tibet" (ibid.).

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<sup>27</sup> In June 2007, e.g., a conference was held in New York for the restoration of Hindu as the national religion. The Tri State Nepali American Community, India, Bangladesh, Bhutan, Trinidad, Guyana, and Nepal were the different Hindu communities that participated in the conference.

## ***The Chinese card***

Although the relationship between the two major regional powers have eased since the end of 1962,<sup>28</sup> India and China have constantly watched each other with great caution. Being trapped between “this hammer and this anvil” (Rahul, 1996, p. 14), Nepal has always assumed an important strategic role for the two giants. Indeed, the southern border of Nepal consists of the vast Gangetic plain, so any nation that sets foot in Nepal finds an open road to New Delhi. And as the Chinese-Nepal wars of the 19th century proved, the Himalayas are not the insurmountable barriers they appear to be, which makes the Chinese invasion all the more possible. Hence, as the intelligence services of the United States of America described it, “Nepal’s current buffer position between India and Communist-occupied Tibet gives the small mountain state a geopolitical significance disproportionate to its size, population, and resources” (Foreign Office, 1954).

Throughout Nepal’s recent history, the kingdom’s various governments have repeatedly played the Chinese card to counterbalance the hegemonic temptations of their Indian neighbor. Not only did the new Maoist chief of government pursue its predecessors’ policy, but he also provoked New Delhi by paying his first official visit to his Chinese counterpart on the occasion of the closing ceremony of the Olympic Games in Beijing on August 24, 2008. Until now, a unwritten rule implied that every newly elected prime minister of Nepal was to make his first official visit to India. Hence, by choosing to break with this tradition, despite the warnings from Delhi, Pushpa Kamal Dahal wanted to send a clear signal to Manmohan Singh.

The Nepalese prime minister’s action can best be understood in light of the past relations between Nepal and India. In 1950, the two countries signed the Indo-Nepal Treaty of Peace and Friendship, which was strongly criticized by the Nepalese intelligentsia, who called repeatedly for its revision, though India refused to do so. Likewise, the CPN(M), in their “40 points demand,” made such revision their first demand, thereby attesting the importance it attached to it. Despite his official declarations that there was nothing political about his visit to Beijing, then, Pushpa Kamal Dahal may have decided to strike immediately a decisive blow and show his willingness to change the bilateral relationship between the newly formed Republic of Nepal and India by making his first official visit to Beijing. To play the Chinese card to their best advantage, the Maoists even seemed to forget that, far from being on their side during the

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<sup>28</sup> On October 10, 1962, China invaded the north of India in order to take control of the Himalayan region. India, which was not prepared for such an intrusion, was defeated. The two opponents signed a cease-fire on November 20, 1962, and the dispute between the two countries over this border issue was finally resolved in April 2005.

People's War, China had always supported King Gyanendra's policies. For example, when Gyanendra took full power in February 2005, Beijing had expressed its support of the Nepalese monarch, contrary to most of the international community.

However, the Maoist prime minister did not aim to make an enemy of Delhi and saved his second visit for Manmohan Singh, a visit that took place on September 14–18, 2008. The result of this first meeting proved that India held no grudge against Nepal, despite the aforementioned diplomatic affront, for both parties reached a series of agreements. They released a 22-point statement, which said that Manmohan Singh had agreed, among other things, to provide the government of Nepal with a credit of 1.5 billion Indian rupees so that it could meet its petroleum needs for the next three months. But, above all, the two prime ministers had agreed to review the 1950 Indo-Nepal Treaty of Peace and Friendship. This unprecedented understanding suggests that Pushpa Kamal Dahal's latest policy towards China and India has born fruit. Yet this agreement cannot be credited solely to the Maoist leader, for even if India fears China's growing influence on the Himalayan republic,<sup>29</sup> its main asset is that it remains Kathmandu's major economic partner, without which Nepal could not hope to develop its economy fully. Thus, one also has to see in this understanding a sign of goodwill from India, which is striving to start its relationship with the new Nepal on a new basis.

Nonetheless, this will to establish good relations with Kathmandu is rooted in Delhi's consideration of its own internal affairs.

### ***The red subcontinent***

During its People's War, the CPN(M) made no secret of its intention to form a South Asian Soviet Federation (CPN[M], 2004, p. 174). From the beginning, they cultivated close ties with their Indian counterparts and contributed to the creation of the Coordination Committee of Maoist Parties and Organisations (CCOMPOSA) in July 2001. This organization, whose members included the Maoist Communist Centre (MCC), the Communist Party of India (ML), the CPN(M), and the Communist Party of Ceylon (Maoist), was formed in order to "unify and coordinate the activities of the Maoist parties and organisations in South Asia to confront this developing situation by spreading protracted people's war in the region, in the context of hastening and advancing the World Proletarian Socialist Revolution" (CCOMPOSA, 2001). Thus, the ties between the Nepalese Maoists

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<sup>29</sup> Apart from this first official visit to Beijing, China's growing influence in Nepal is evidenced by various projects that have begun during the past year. One of the many projects is that to extend the Beijing-Lhasa railway all the way to the northern border of Nepal.



and the Indian Naxalites (which consisted mainly of arms trafficking and guerrilla or strategic training) grew increasingly stronger during the decade-long insurgency.<sup>30</sup>

In recent years, the Naxalites have increased their influence in India. Violent incidents in the states of Bihar, Andhra Pradesh, Orissa, and Chhattisgarh have multiplied and pose a major threat to India's internal stability (see Independent Citizens' Initiative, 2006). The rise to power of the Maoists in Nepal thus highlighted the need for the Indian authorities to prevent any sort of coalition between the Naxalites and their Nepalese counterparts. To do so, Delhi's only option was to develop friendly relations with the new government of the Republic of Nepal.

However, it seems that the relations between the Maoists and the Naxalites are not as cordial as they used to be. By adopting the parliamentary path and signing a peace agreement with the SPA, the CPN(M) disappointed many Indian revolutionaries. Comrade Azad, spokesperson of the Communist Party of India (Maoist), declared for example: "We think that Maoists forming a government jointly with the comprador bourgeois-feudal parties such as the reactionary Nepali Congress, revisionist CPN-UML and the other parties of the ruling classes will not really work out as they represent two diametrically opposed class interests" (People's March, 2006). In view of this state of affairs, it seems less likely that the Delhi's fear of an axis developing between Maoists of Nepal and India will be realized.

### ***The Maoists: Terrorists in power?***

The CPN(M) will also need to build new relations with the USA. Indeed, during the People's War, the US government never ceased to help the Nepalese government to put out the fire lit by the Maoists. By including them in its *Terrorist Exclusion List* (US Department of State, 2004) and by providing the Royal Nepal Army with guns and equipment, Washington clearly proved it was against the guerrillas (see Cailmail and Perier, 2007). Now that the Maoists are in power, however, the White House will have to reconsider its stance vis-à-vis the former rebels. Although the US government has given signs that it is willing to talk, it still has not withdrawn the CPN(M) from its *Terrorist Exclusion List*, and its latest declarations have shown that the CPN(M) will not be removed in the near future (ekantipur, 2008b).

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<sup>30</sup> The CPN(M)'s influence on the world's revolutionaries was considerable, for they were seen as the new leaders of the world revolution. See, e.g., the site *A World to Win* (<[www.aworldtowin.org](http://www.aworldtowin.org)>) for a list of booklets published by the Revolutionary Internationalist Movement.

## Conclusion

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The new government of Nepal has to meet many challenges before it will be able to establish a lasting peace and stable situation in the Himalayan republic. The ethnic issue poses a major threat to the country's stability, and although the creation of a federal state might help to solve some aspects of it, doing so will also give rise new dilemmas that could stir uprisings among the minorities.

From an international perspective, the CPN(M) will need, on the one hand, to adopt a more realistic approach to regional and international issues without giving up the reforms they promised during their insurrection and the election campaign, or they will risk losing the trust placed in them by the people of Nepal in the last elections.

On the other hand, the international community will also have to redefine its position towards the first-ever democratically elected Communist regime. Pushpa Kamal Dahal's first visit to the UN in New York might help to change his party's image throughout the world. But to do so, one question remains: Will the Maoists respect the democracy they have helped to rebuild in Nepal?



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