Chapter III
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I

This chapter will examine the root causes, evolution, support base and strategies of Maoist insurgency in Nepal. Several scholarly debates and analysis were conducted in the past to understand the causes of Maoist insurgency in Nepal. Given the magnitude of the insurgency, the exploration of its causes and its continued success has become a subject of considerable interest to commentators and scholars in Nepal and beyond. Popular wisdom holds that insurgency is a direct result of the increasing despondency felt by the poor and socially marginalised (including women) section of the country. While there is an element of truth in these prevailing analyses, evidence suggests that the underlying causes of the origins of the insurgency, its rapid growth, and continued success are far more complex. Therefore an attempt will be made to study and look into the origin of this conflict from a different perspective including the socio-economic factors, trans-boundary factors, internal politics, etc.

Nepal is a poor developing country with various social and economic ills. Until about twenty years ago, the country’s political system was not multi-party democracy. The prevailing political system was blamed for country’s socio-economic problems. Democracy was seen as the solution, and it became Nepal’s great hope. Although political parties were banned, the pro-democracy movement continued. From the outset, this was centred around the educational institutions of higher learning where the country’s rulers tolerated it. Students and teachers were at the forefront of the democratic struggle.

The attempt to install democracy began by the People’s movement in 1990, where not only political parties but also civil society participated against the partyless and autocratic Panchayat system. It gathered more strength since late 1989 when late King

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324 The Panchayat system, devised by King Mahendra in 1961, was based on four tiers of Government at the village, district, zonal and national levels. The village panchayat would send representatives to the district panchayat, the district to the zonal and the zonal to the national. Only the village representatives, all of whom were members of the Rastriya Panchayat Party, were elected by the people; Pancha N.Maharajan
Birendra finally acceded to their demands, giving the country a constitutional monarchy and multi-party democratic system,\(^{325}\) after which Nepal saw a democratic constitution and multi-party elections. The United Left Front (ULF) which broke up to be the Communist Party in Nepal\(^{326}\) (Maoist) also contested in the first election and held almost a third of the seats in Nepal’s Parliament.

The consequential change of system to a multiparty democracy and a constitutional monarchy gave rise to high expectations among the Nepalese population, especially the marginalised sections. However, the promised political, societal, or socio-economic improvements did not materialise. Unemployment soared; economic level of the excluded groups remained very low and disillusionment and dissent increased.\(^{327}\) Traditional power relationships persisted, power remained concentrated with the old elites and there was no relief of the masses from poverty, corruption, exploitation and nepotism. Infighting among the political parties characterised the politics on a daily basis and political instability slowed down the democratic process from its very onset.

The country failed to achieve stability despite three parliamentary and two local elections. Twelve Governments were formed between 1990 and 2002. Corruption became widespread and democracy only served the purpose of dominant upper caste groups like the Brahmins and Chhetri – in a country where there are more than 100 ethnic caste groups.\(^{328}\) A culture of impunity flourished as powerful leaders got away with abuse of power. The decade saw an explosion of identity movement as marginalised groups - including various ethnic, caste, religious, and gender groups - each of which faced


\(^{326}\) Nepal has a number of distinct political bodies that operate under the name of Communist Party of Nepal (CPN), including the CPN-Maoist, and the mainstream parties such as the Communist Party of Nepal (United Marxist-Leninist) (CPN-UML), Communist Party of Nepal (Mashal). Although these political bodies share the “Communist Party of Nepal” name, they operate as distinct political organizations and are often mutually antagonistic, considering themselves the only legitimate Communist party in Nepal. The non-Maoist communist parties in Nepal have rejected the Maoist’s resort to armed rebellion against the Government. CPN-UML is a significant mainstream political force in Nepal.


\(^{328}\) The 2001 census of Nepal recorded 101 caste and ethnic groups and 91 languages and dialects. Based on caste, ethnic, regional, cultural and linguistic cleavages, Nepali population can be broadly classified into three major groups: *Parbatiya* (hill people) and *Medhesia* (plain people); *jat* (caste groups) and *janjati* (ethnic/tribal groups); and high caste and low caste Hindus.
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political, economic, cultural and socio-economic discrimination - began to demand autonomy, reservations and proportional representations. In short, living conditions witnessed little, if any improvement even after the dawn of democracy.\(^{329}\)

On the other hand, the Maoists felt betrayed by the failed promises of democracy and felt powerless even though they had a sizeable representation in the national parliament. In 1994, they abandoned their legislative seats and their leaders went underground. In February 1996, they declared a ‘People’s War’ claiming that only a communist state could solve the country’s social and economic problems and Maoist insurgency in Nepal was born.

A decade of the rising tide of Maoist insurgency completely destroyed peace in Nepal and gave rise to widespread fear and sense of insecurity. The Maoists received significant support in rural areas, especially from women and excluded caste and ethnic groups. The Maoists also suppressed opposition in rural areas with violent means and benefited from infighting in the formal political establishment.\(^{330}\) Likewise, the democratic system including elections to the local bodies and the national parliament were stalled. The battered economy badly needed development in order to address widespread poverty, which was a likely fuel to insurgency.\(^{331}\) The country’s social and physical infrastructures, which had been built over the years, also gradually deteriorated eroding the capacity of the country to deliver much needed development.

Nepal is now in the midst of most successful Maoist insurgency the world has witnessed in recent decades. The Maoists, who appear to model themselves on Peru’s Shining Path\(^{332}\) guerrillas, have shaken the very foundation of country’s 14-years old,

\(^{331}\) Thapa, Manish (2007), op.cit., No.329, pg. 3
\(^{332}\) Partido Comunista del Perú, more commonly known as the Shining Path, is a Maoist guerrilla organization in Peru. When it first launched the internal conflict in Peru in 1980, its stated goal was to replace what it saw as bourgeois democracy with “New Democracy.” The Shining Path believed that by imposing a dictatorship of the proletariat, inducing Cultural Revolution, and eventually sparking world revolution, they could arrive at pure communism. The Shining Path also believed that all existing socialist countries were revisionist, and that the Shining Path itself was the vanguard of the world communist movement. Shining Path’s ideology and tactics have been influential on other Maoist insurgent groups,
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multiparty democracy. On November 23, 2001 - after four months of cease-fire and peace talks - the Maoists walked out of the dialogue blaming the Government for not responding to any of their conditions favourably.\(^{333}\) After the breakdown of the talks the Maoists launched armed attacks on army barracks (for the first time), police stations and other Government offices in various districts of Nepal.\(^{334}\) According to the press reports, some 1,000 Maoist guerrillas attacked the Lamahi barracks in Dang district, which along with Sangja district was the scene of bloodiest battles on the first night and looted 300 guns along with huge quantities of ammunition. The Maoists also killed 14 Army personnel including a Major.\(^{335}\) Finally on November 25, 2001 the Maoists declared the formation of a PLA to carry forward the ‘People’s War’. It was then that the Government realised that the police has failed to control the insurgency, and the army was mobilised.

The second round of peace talks between the Maoists and the King’s Government was announced in early January 2003 and followed by a cease-fire by both sides on January 29, 2003. With talks continuing till August 2003, the cease-fire lasted for about seven months. On the eve of the fourth round of talks on August 17, 2003, the Royal Nepal Army conducted a raid in Doramba village of Ramechap district where Maoist cadres were reportedly holding cultural programmes to spread the message of their politics; 19 unarmed Maoist cadres who were engaged in a ‘cultural’ program were arrested by the army, taken outside the village, and shot at point blank range in an execution style killing. The Maoists then walked out of the peace talks and hostilities were resumed.\(^{336}\)

King Gyandendra, who became the King after his brother’s entire family was killed in the palace massacre in 2001, dissolved the elected Government in 2002 and took complete control of the country in February 2005 in a bloodless coup.\(^{337}\) The Government responded by declaring a state of emergency and most civil rights were suspended. The


\(^{334}\) The Maoist attacked more than 35 districts


\(^{336}\) Thapa, Manish (2007), op.cit., No.333, pg. 10-16.

\(^{337}\) Asian Centre for Human Right (ACHR) and Asian Forum for Human Rights and Development (FORUM-ASIA), Nepal: One Year of Royal Anarchy, New Delhi: ACHR and Thailand: FORUM-ASIA, pg. ii
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King issued the Terrorist and Destructive Activities (Control and Punishment) Act (TADA)\(^{338}\) and the Government tagged the Maoists as terrorists, hoping to obtain American military support in the fight to suppress the Maoists by force (Karl-Heinz Kramer, 2003). The increasing American military assistance to Nepal helped in strengthening the military approach the Government chose. Likewise, in 2002, when the parliament became entangled in the debate over the extension of the state of emergency, the King reacted by dissolving the parliament and calling for new elections and the Government renewed the state of emergency (Kumar, 2004).

The next step against the democratic process was the postponement of the local elections and elected and replacement of local representatives by bureaucrats. After dissolving the parliament and local representatives the King started handpicked Government in the name of resolving the Maoists conflict and restoration of democracy (Lama 2001). The conflict however, escalated into a three-party struggle between the Maoists, the Monarchy with the security forces and the Political Parties. On the other hand, dissolving parliament and removal of local representatives resulted in a political vacuum in all levels, leaving citizens disempowered. Due to these circumstances, on the local level the Government was unable to provide necessary services and governance (Macours, 2006). This served as a breeding ground for the Seven Political Party Alliance (which was struggling for democracy in Nepal) and Maoists to work together. They agreed to launch a joint movement against the King and were successful in forcing him to relinquish power in April 2006 after a 19 day popular protest that mobilised people from all over Nepal.\(^{339}\) The Maoists signed a Comprehensive Peace Treaty (CPT) with the Government in November

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\(^{338}\) TADA was first promulgated as an ordinance (TADO) in 2001, and then enacted in a revised and somewhat toned-down version as TADA, in April 2002. Section 7 of TADA allows the Government to designate any person or organization involved in either terrorist or disruptive acts, as “terrorist.” Section 5(a) of TADA grants the security forces the “special power” to arrest without warrant persons suspected of involvement in terrorist or disruptive acts; Section 5(m) allows the security forces special power to place persons under surveillance, including arrest and lock outs; Sections 9 and 17(5) allow for the detention of persons for periods of up to ninety days on the basis of “a reasonable ground for believing” that the detained person has been prevented from committing terrorist or disruptive acts. A more draconian version of TADA, which allows the security forces to hold detainees incommunicado for up to a year, was contemplated, but has not been implemented because of intense public criticism. The TADA, which expired on April 9, 2004, was extended by a further two years by a royal proclamation on the date of its expiry. Several provisions of TADA violate Nepal’s international obligations under the International Convention on Civil and Political Rights (ICCPR) and International Convention on Economic and Social Rights (ICESCR). See INSEC (2004), Human Rights Yearbook (2004) for a detailed analysis.

2006 and elections to the constituent assembly to draft a new constitution were held successfully on April 2008, making Maoists the biggest party with an upper hand in constitution making process. Dr. Gopal Krishna Siwakoti, a human rights activist and secretary general of an election monitoring committee remark on the election thus:\textsuperscript{340}

"... The more domesticated the electoral process the more sustainable it becomes for long lasting peace and reconciliation that we are struggling for."

II

In a society such as Nepal, in transition from traditional to modern, active monarchy to democracy, the causes of conflict are many. Conflict between forces seeking change and those resisting it has been ongoing since the dawn of democratic awakening in the 1940s.\textsuperscript{341} After the declaration of the ‘Peoples War’ by the Maoists, Nepal became a country under siege with violence. Some see social inequality and exclusion of a large section of the population by the traditional ruling elites from the structures of political power and sharing of resources as the underlying causes.

The main grievances, all closely related to each other, include inequitable socio-economic and political access, bad governance/corruption and widespread poverty. These issues were used by the Maoists to justify their challenges to the legitimacy of the Government, and all contributed to motivate certain sections of the population to join or at least support their movement and their cause.\textsuperscript{342}

Traditional regional disparities continued and far flung areas like districts of Karnali zone remained under-represented in politics, planning and the development processes.

One of the villagers said: \textsuperscript{343}

\textsuperscript{340} Based on the interview with Dr. Gopal Krishna Siwakoti on 6\textsuperscript{th} July 2008 at the time of researcher’s visit to Kathmandu. \\
341 Thapa, Manish (2007), op.cit., No. 329, pg. 4 \\
343 Based on the interaction with some of the villagers on 17\textsuperscript{th} May 2009 at the time of researcher’s visit to Karnali area in Nepal. The Karnali district in far western Nepal is one of the poorest in the country. It is a highly Himalayan geographical area. The society, culture, environment, and also availability of resources are totally different than other parts of Nepal.
"...Karnali highway that links the region to the rest of Nepal started 42 years ago is still far from complete. We (villagers) hope that more than 200 kilometres of road expected to link the region to the rest of Nepal will improve the lives and bring about a prosperity that will change the face of Karnali."

In the meantime, the social-economic gap between the people in the villages and the cities and between the rich and the poor continued to widen. Nepal in the 1990s experienced relative prosperity in the urban areas, but the redistribution of wealth and opportunities remained skewed, resulting in increased unemployment. 344 According to the Baburam Bhatarai (1998): 345

"...The oppressed regions within the country are primarily the regions inhabited by the indigenous people since time immemorial. These indigenous people dominated regions that were independent tribal states prior to the formation of the centralised state in the later half of the eighteenth century, have been reduced in the present to most backward and oppressed condition due to the internal feudal exploitation and the external semi-colonial oppression. The historical development process has left them behind. Thus it is quite natural that the question of regional oppression of Mongol dominated eastern, central and western hilly regions or the Austro-Dravid dominated Inner Terai and Terai regions are manifested in the form of national oppression. There the regional and the national question have intertwined with one another. Besides this, the problem of the Khas dominated far western Karnali region can occur as regional question, instead of a nationality question, and it will have to be tackled accordingly. Thus according to the concrete situation, it is necessary to solve the problem of oppressed regions and nationalities by granting regional and national autonomy."

For centuries, the Nepalese ruling class has inflicted discrimination, exploitation and oppression against other religions, languages and nationalities. The disparities in the economic, political and administrative sphere, linguistic, racial and cultural differences have posed serious problems to process of nation building. According to the hierarchical social structure, the Brahmins, Chhetris and Newars dominate every sphere of social life in Nepal. The religious and social minorities and indigenous people feel discriminated against the political, economic and culture areas by the ruling elites. The ethnic communities such as the Limbus and Gurungs are treated as second-class citizens. Joshi and Rose (1966: 70) further argues that one aspects of the domination of the Brahmins and Chhetris was that a certain measure of cultural uniformity was tried to be achieved in Nepal, by bringing

different tribes under the brand fold of Hinduism as a result of the process of sanskritisation.

The assertion of the ruling elites in Nepal, who held that Hinduism should be the state religion in the country, gave many of the ethnic tribes’ considerable discomfort. The establishment of some sort of a Hindu hegemony in Nepal gave rise to the emergence of a new position in the society.\(^{346}\) Apart from that, the ethnic tribes of Nepal were not in favour of adopting the new religion imposed upon them. After the 1990 People’s movement, the constitution declared Nepal as a Hindu State and Nepali language as the official language, creating difference between the indigenous ethnic minorities on the one hand and the ruling class on the other hand. The minorities felt betrayed by the Government’s decision since their rights to religion were infringed. The Constitution also denied women the right to pass citizenship to their children and equal inheritance right and thus tried to explicitly protect the traditional practices of Hindu Caste System.\(^{347}\) Nepalese people also felt that the transformation from "subject" to "citizen" had remained incomplete in the democratic revolution of 1990s. Although it seems that the issue of Hinduism was not of much concern before the emergence of the movement, the Maoists in their social agenda gave it due importance and demanded for a secular state. In an interview, Prachanda said:\(^{348}\)

"...In fact, the Maoists have been stressing the development of the United Front, such as the united front of the people of different classes, castes, nationalities and regions oppressed by feudalism, according to the specific condition of the Nepalese society."

The exploitation based on religion and language also boosted the movement where many ethnic tribes joined the movement to safeguard their identity.\(^{349}\) The Maoists also used the ethnic cleft to their advantage by promising self-rule and autonomy to ethnic

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\(^{346}\) Chauhan, R.S. (1971), Political Development in Nepal: Conflict between Tradition and Modernity, New Delhi: Associated Publishers, pg. 81

\(^{347}\) Hutt, Michael (1994), op.cit., No.327, pg. 6

\(^{348}\) Prachanda (2001), Interview with the “A Worlds to Win”, Nepal, 28\(^{th}\) May 2001

\(^{349}\) In Rolpa, 80 percent of the people are Magar. In Rukum it’s about 65 percent. In Jajarkot about 40 percent. Solyan is about 40 percent Magar. In the west, as a whole, it’s about 40 to 50 percent Magar. All the Magars here are poor peasants. They mainly practice natural Shamanism with local priest (Jhankri). But religion is not that strongly practiced among the Magar people. They have been dominated by Hindu religion, which has suppressed the Magar's indigenous religion and enforced the practice of Hinduism. Earlier Magar used to eat beef but the Government banned that; Onesto, Li (1999), “Dispatches: Report from the People’s War in Nepal: Women Warriers”, Revolutionary Worker, No. 1020, 1023 and 1032
minorities in areas where they were the dominant population. It also vowed to recognise the culture and language of the ethnic minorities. One famous sentence that has been used since the inception of insurgency is:350

"...To maintain the hegemony of one religion, language and nationality, this state has for centuries exercised discrimination, exploitation and oppression against other religions, languages and nationalities and has conspired to fragment the forces of national unity that is vital for proper development and security of the country."

The Maoists proposal of state restructuring met the ethnic demands since some of its key points are – declaration of Nepal as a secular state, equal treatment to all languages of Nepal, ethnic and region based autonomy and right to self determination, end of caste, ethnic, regional and gender based discrimination and special policy for the promotion of interest of dalit and women.

Although Nepali, the mother tongue of about 50 percent of the population, is the national and the official language, most of the tribes speak their own mother tongues. The Nepalese national parties didn’t take initiatives to solve minorities/backward class problems. Therefore this situation helped the Maoists to establish themselves as a strong political force in the most backward rural areas of the country within a few years.

Gender, caste and ethnicity are three interlocking institutions that determine individual and group access to assets, capabilities and voice based on socially defined identity in Nepal (Tamang, 2003). Attaining the inclusion goal will require fundamental shifts not only in the structure of governance and access to economic opportunity but also in the underlying hierarchical norms, values and behaviours that govern social interaction. But in Nepal, political and economic power is consolidated by interlinking it with the Hindu caste system. The priestly Brahmans were at the top of the ritual order, with the Kshatriya (kings and warriors) just beneath them and in command of the political order; next came the Vaishya (merchants) and the Sudra (peasants and labourers). Beneath everyone were occupational groups, Sudra's who are considered "impure" and "untouchable".351 In the Hills, migrating Hindus of Caucasoid stock made up the priests

and warriors and the lowest "untouchable" groups. The middle rank is accorded to indigenous group, generally of Mongoloid racial stock.\textsuperscript{352} Caste-based discrimination was officially abolished in 1963, but it is still visible even today. Later, the women's movement\textsuperscript{353} succeeded in placing questions of gender equality and justice on the national agenda, and the \textit{dalit} movement\textsuperscript{354} begun to challenge Nepal's caste society. The \textit{janjati} movement,\textsuperscript{355} once described by many Brahmans and Kshatriya as a "divisive" phenomenon, also succeeded in bringing fundamental issues of fair ethnic representation to the fore. Exclusion and hierarchy within excluded groups is also being questioned. These three major social movements remain independent of each other, despite their many common demands. Because little dialogue has taken place between them, the demands of some groups contradict those of others. This has given the state space to delay fulfilment, and in turn has resulted in the growth of radicas of revolutionary offshoots.\textsuperscript{356}

Moreover, the shift to democratic form of governance did not end the domination by selected groups and castes in education, employment, etc., that prevailed during the Panchayat regime. However, the commencement of democracy and the new Constitution brought the problem to the fore by guaranteeing freedom of expression and thereby giving voice to the people who were earlier silent spectators. This enabled different ethnic groups in Nepal to organise themselves against the prevalent socio-economic and political discrimination including the imposition of Sanskrit as compulsory subject in schools or Nepali as the country's lingua franca.\textsuperscript{357}

Conflict can be examined as an outcome of poverty and underdevelopment by using indicators of economic well being, human development levels, and voice and political influence. The Nepal Living Standard Survey (2004) estimated that 31 percent of Nepalese were living below the poverty line. The Brahman, Chhetris and the Newars groups have the fewest households in poverty and the Terai middle caste also has a low

\textsuperscript{353} This movement is against of the discrimination of women in society
\textsuperscript{354} This movement is raising the rights of equal treatment to the said "Untouchables"
\textsuperscript{355} This movement is raising the demand of separate federal state of indigenous people of Nepal
\textsuperscript{356} Do, Quy-Toan and Iyer, Lakshmi (2007), 'Poverty, Social Divisions and Conflict in Nepal', \textit{Working Papers}
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proportion below the poverty line. In contrast, almost half of the *dalits* live in poverty, while the poverty incidence among Hill *janjatis* and Muslims is significantly higher than the national average. It reveals that certain groups pay a "penalty" in terms of lower household per capita consumption because of their caste, ethnicity or religious affiliation.\(^{358}\) Likewise, a gender dimension of poverty affects health and education outcomes and leads to greater economic insecurity for women. Political poverty is manifested in the main political parties' failure to increase participation of women, *dalit* and *janajatis* in governance institutions. The Tenth Plan (2002-2007) Poverty Reduction Strategy Paper, recognises that lack of voice, political representation and empowerment are as important dimensions of poverty as economic and human development dimensions, and proposes "affirmative action" to level the disparities. However, it too fails to present a realistic strategy and concrete mechanism to mainstream inclusion.

The greater public awareness of exclusion and its inconsistency with democracy, poverty and underdevelopment with high level of corruption and nepotism in the decade of 1990s eroded people's patience and brought the issue of exclusion out into the open. This created a greater sense of urgency among at least some of the incumbent power holders to make real the promise of equal rights for all citizens and addressing the issue of power sharing and inclusion.\(^ {359}\) Given this situation, the Maoists effectively exploited the failure of the "old regime" to address these disparities and offered an apparent alternative identity and important symbolic recognition to the affected *janjati*, *dalit* and Women. On 4th February, 1996 United People Front of Nepal (UPFN)\(^ {360}\) submitted a "forty-point Memorandum" (see appendix I) to the then coalition Government\(^ {361}\) led by Prime Minister Sher Bahadur Deuba. These demands were divided into three sections: one dealt with issues concerning nationalism and was mainly focused on the Indian influence over Nepal; the second referred to political demands related to democracy and the third dealt with the

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\(^{360}\) After the restoration of democracy in 90s, this Front is a joint forum of three Communist Party of Nepal namely CPN(Fourth congress), CPN (Masal) and CPN(Unity Centre) as a left-political wing, which secured 9 seats in the HOR in the May, 1991 General Election. In March, 1995 and after the mid-term election, this CPN (unity centre) lead by Prachanda was renamed itself as CPN (Maoist) and started a political orientation program in the district of Rukum and Rolpa of Western Region of Nepal.

\(^{361}\) Sher Bahadur Deuba of Nepali Congress formed a three-party coalition Government including RPP and NSP. This Government has operated a police operation named "Operation Romeo" against CPN (Maoist) in Rolpa and Rukum district in November 1995.
people's social and economic well-being. These demands correlated with demands expressed after the constitution was proclaimed in 1990. When the Government did not pay any heed to their demands, it carried out simultaneous attacks on Government institutions in different parts of Nepal on 13 February 1996. Since then, the guerrillas have attacked symbols of Nepalese state and Government, indulged in loot and arson and killed local bureaucrats, village headmen and influential people especially in the western and central hill areas and western Terai.\textsuperscript{362}

Initially, the Government considered the Maoist movement to be an internal security problem and not a political problem.\textsuperscript{363} The police responded brutally to the movement, which led to even more local people joining and supporting the Maoists. By the year 2000, Maoists violence had left no district unaffected and by mid January 2001, the Maoists had declared the formation of provisional revolutionary district Governments in Rukum, Jajarkot, Sallyan and Rolpa districts.\textsuperscript{364}

As the Maoists were quick to feel the sense of deprivation among the vulnerable sections, they promised these people a better future. They claimed that they would remove the Monarchy and the servile Government and replace it with a Communist State, which would end the exploitation of poverty-stricken farmers and labourers in remote Nepal.\textsuperscript{365} The Maoists further proclaimed that they would establish \textit{Janasarkar} (the People's Government) and \textit{Jana Adalat} (People's Court) in their 'base area'.\textsuperscript{366}

The Army, left untouched in the initial stage of what the Maoists call 'People's War,' became a target later on. Maoists adopted methods like blowing conch shell to gather their support. In Nepal, this has been the traditional means of communication across the mountains and valleys for centuries. Beginning with confiscation of land from the wealthy persons and its redistribution among the peasants, the Maoists have in the course of time assumed multifarious Government functions. They levied taxes, set up schools, run

\textsuperscript{362} Hutt, Michael (1994), op.cit., No. 327, pg. 65
\textsuperscript{363} Harris, Paul (2001), "Riots, bombs and strikes hit Nepal as Maoists step up People's War", \textit{Jane's Intelligence Review}, February 2001, pg. 89
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parallel administration and held kangaroo courts to settle dispute, much to the relief of the hapless populace.\(^{367}\) Admittedly, the Maoists have touched the pulse of the people in the rural hinterland, especially in the western parts of the country, where Maoists leaders are treated with reverence. Beginning from six western districts — Rukum, Rolpa, Jajarkot, Salyan and Gorkha to Sindhuli in the east in 1996, Maoist influence has spread to 73 of Nepal’s 75 districts, particularly in the poverty stricken, economically backward areas.\(^{368}\)

According to Government’s own admission after 2002, 32 districts were the Maoist infested where guerrillas roamed freely and organised open mass meetings. The championing of the cause of minorities and weaker sections enabled the Maoists to gradually extend their traditional social support base from the Brahmins, Chhetris and Newars combine to new groups such as Rais, Limbus, Gurungs, Magars, Tamangs, etc.\(^{369}\) This has forced the former Nepalese Prime Minister, Deuba to acknowledge that the “Maoists are successful in attracting frustrated people” (The Kathmandu Post, 5 December 2001).

According to BBC report, by the end of 2003, the number of Maoists guerrilla fighters was estimates varies from 7,000 to 15,000. The strength of the guerrillas grew rapidly after the intro-palace regicide that took place in 2001. Most of the recruitment was from the rural poor though many criminals have also joined the Maoists on the promise that they will be protected from the Nepali police. Thousands of unemployed and uneducated youths in the interior of Nepal have joined the Maoist forces. The attraction to the rebels is particularly strong among ethnic minorities and the dalit castes (the Hindu “untouchable” castes). For typical rural youths who are limited by caste/ethnic discrimination and face lack of educational and employment opportunities, joining the Maoist armed movement provides a quick way to be counted and to belong to something. There is also the added attraction of becoming involved in the pervasive networks of extortion and bank robbery.

\(^{367}\) Ibid, pg. 115  
operated by the Maoists to finance personal consumption and the guerrilla war that is said to have made Nepal's Maoist movement the richest rebel group in Asia.\textsuperscript{370}

Similarly given the precarious economic situation in the country, joining the Maoist movement became an attractive option for young men and women in growing numbers. The level of societal development, especially economic development, which could provide a route for the capable young people into the labour market, is not available.\textsuperscript{371} Whereas literacy rates have increased over the decades, more students have failed the School Leaving Certificate (SLC) examinations (to be taken at the end of the tenth year of school).\textsuperscript{372} If the Maoist movement is a young people's movement it is because they appear to be an alternative or 'fall on' option for those who consider themselves unable to gain access to the formal system. The option to join the Maoists most probably is also supported by very high level of failure in the SLC examination, as the failed students cannot hope to enter positions within the Government or within (the very few) enterprises. These educated unemployed youth (whose numbers are increasing exponentially every year) have neither a job nor a school to go. Hence, these people aged between 15 to 18 years, are joining the ranks of armed guerrillas in a major numbers.\textsuperscript{373} This is one of the reasons why the Maoists were able to recruit immensely in their so-called People's Army.

Women constitute another significant dimension of the support base of the Maoists.\textsuperscript{374} Women's political participation in the past had been limited to electoral areas, especially in voting and occasional candidacy in elections. Unsurprisingly, women constitute one-third of the PLA guerrilla squads. There are usually two women in each unit of 35-40 men and they usually gather intelligence and act as carriers of messages.\textsuperscript{375} Every village has a revolutionary women organisation. It is a subject of analysis that's why many rural women have been a part of Maoist movement. What specific life experiences

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\textsuperscript{374} Upreti, B.C. (2001), "Nepal: In Search of Good Governance", Asian Studies, XIX (1), July-Dec., pg. 91
\textsuperscript{375} Ibid, pg. 91
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convinced or compelled the women to take part in Maoists activities will be discussed in the following chapters. Although it is very difficult to verify the exact number but it is reported that women constitute thirty to forty per cent of Maoist military force. Among female combatants, it is reported that most of these women come from ethnic and dalit groups, but there are also women from the Bahun-Chhetri castes. Ideologically, the Maoists claim to favour an end to the patriarchal organisation of the society. In Nepali context, it appears that this position is exemplified by their demands for equal rights for women to inherit ancestral property. In the well-known forty-point demand submitted to the Government just before the declaration of ‘People’s War’, one point deals exclusively with the exploitation and discrimination against women demanding an end to the patriarchal exploitation and providing the daughters with access to parental property. However, the full liberation of women and gender equality is to be achieved only in a classless society. Such a position is widely explained by the Maoists to women through political classes, cultural programs, and the party and mass print media. So, women were another interest group which Maoists focused on. They have time and again addressed women needs to attract them to their movement. The role of women in the Maoist movement will be discussed in detail in the following chapters.

The CPN (Maoist) concerted efforts to blend ethnic rights and class war is evident by the formation of ethnicity and region based frontier organizations. Between 1998 and 2000, the Maoists formed seven ethnicity based and two region based front organizations. The Maoists were able to penetrate and expand their armed activities in the eastern hills and Terai region only after the party’s ethnicity and region based front organizations began their work. Furthermore, based on ethnicity and regionalism, the

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376 Sharma, Mandira and Dinesh Prasain (2004) op.cit., No. 370, pg. 154
377 For equal property right to women, to end patriarchal exploitations see annexure - Maoist forty-point demand. Because of these promised by the Maoist to the marginalised section of people especially women, the Maoist attract large number of people (including women).
378 The seven ethnicity based and two region based front organizations formed by Maoist between 1998 and 2000 are Magarat National Liberation Front (MNLF), Tamang National Liberation Front (TNLF), Tamuwan National Liberation Front (TNLF), Limbuwan National Liberation Front (LNLF), Nepal Dalit Liberation Front (NDLF), Tharuwan National Liberation Front (TNLF), Thami Liberation Front (TLF), Majhi National Liberation Front (MNLF), Newa Khala (ethnic based), Madhesi National Liberation Front (MNLF) and Karnali Regional Liberation Front (KRLF).
CPN (Maoist) adopted a federal structure with its nine autonomous regional Governments.\(^{380}\)

The ethnicising of class ideology rendered tremendous help in strengthening the insurgency.\(^{381}\) The Maoists acclaimed that "New and young party members from poor peasant, women, oppressed communities and backward regions rapidly came out in a large number in support of the ‘People’s War.’\(^{382}\) To put it in another perspective, the CPN (Maoist) had internal imperatives in ethnicising the insurgency since the people from ethnic groups have considerable influence in the party organization. They are indeed dominant in the armed wing of the party.\(^{383}\) Strategically speaking, the inserting of ethnic contents in insurgency served the party's interest in appealing and mobilising the people of the excluded groups. Though the Maoist ‘People’s War’ is political, the insurgency has a greater ethnic content in terms of composition of its PLA and militias.

Looking back at the history of the communist movement in Nepal, it can be rightly said that every generation of communist party in Nepal, unlike worldwide communist parties of the other countries, was formed of petty proletariat and other oppressed ‘class, fighting against the decaying social evils prevailing in the society.\(^{384}\) The Maoists have systematically structured, ideologically cultivated and consistently mobilised social support. While landless peasants, workers and poor farmers have been the mainstay of the movement, the Maoists have identified lower middle class like students and college teachers, doctors, engineers, white collar employees, small traders and artisans as their natural sympathizers and supporters.\(^{385}\) According to Verma (2001) even rich peasants and the national bourgeoisie have been seen as potential, though undependable source of

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\(^{380}\) The nine autonomous regional Governments adopted by the CPN (Maoist) are, Kirat Autonomous Region (KAR), Tamang Salling Autonomous Region (TSAR), Tamuwan Autonomous Region (TAR), Newar Autonomous Region (NAR), Magarat Autonomous Region (MAR), Tharuwan Autonomous Region (TAR), Madhesh Autonomous Region (MAR), Bheri-Karnali Autonomous Region (BKAR), and Seti-Mahakali Autonomous Region (SMAR).


\(^{382}\) Text of a Resolution passed by the Second National Conference of the CPN (Maoist) in February 2001

\(^{383}\) The Maoist by appointing the party leaders from different ethnic groups as head of the related regional Government has maintained caste-ethnic balance in internal power equation of the party and this was considered as preventive measures against the possibility of internal rebel by a certain group of the people within the party.


\(^{385}\) Gurung, Harka (1998), op.cit., 138, pg. 69
support to the movement. They not only propagate the Maoists programme and agenda, but also actively participate in the strikes. For instance, All Nepal National Independent Student's Union – Revolutionary (ANNISU-R) that is supportive of the Maoists claims to have a 600,000 membership ranging from school children of age nine and above.\textsuperscript{386} Both the students and the teachers add an intellectual dimension to the movement and provide an effective network and communication link between the leadership and the masses.

In addition to those living in Nepal, the Maoists also look towards the people of Nepali origin living in India as one of the most important source of support for them.\textsuperscript{387} Dr. Baburam Bhattarai,\textsuperscript{388} during his education in India, had worked with Nepalese students and expatriates in India and had helped organised them. The All India Nepalese Students Association (AINSA) is a very active organisation working in India under the influence of the Maoists. In his report to the Second National Conference of the CPN (Maoist) in February 2001, the Secretary General of the Party Com. Prachanda said: \textsuperscript{389}

"...The Party has assumed the expatriation of millions of Nepalese in search of jobs in India as a significant characteristic of Nepalese society. In fact, the success of Nepalese People's War and revolution cannot be imagined if Nepalese dwelling in India are separated from it....Nepalese front located in India has been playing a role of far reaching importance in the process of historic initiative of People's War and afterwards in its total development process."

The lack of economic development was another factor that helped the Maoist movement to strengthen and mobilise the people in poverty torn areas. A clear indication of how prevalent economic conditions in Nepal helped the Maoists reach out to the masses and lead the revolution to a new stage.\textsuperscript{390} The gap between rich and poor, unemployment, oppression and degradation of women, discrimination and the problems of health care and housing are other sores of Nepalese society overlooked by the past Governments. There are many theories on why the Maoists influence spread as fast as it did. Some attribute the spread of rebel influence to the involvement and support of the excluded groups – mainly women, minorities and the dalits – but there is not enough evidence to isolate this as the main reason. As noted by Saubhagya Shah (2004), the epicentre of the insurgency - the

\textsuperscript{386} Harris, Paul (2001), op.cit., No. 363
\textsuperscript{387} Muni, S.D. (2003), op.cit., No.325, pg. 61
\textsuperscript{388} Baburam Bhattarai considered as the ideological weight behind the Maoists political wing.
\textsuperscript{389} The Worker, (Organ of the CPN-Maoist), No. 7, January 2002, pg. 60-61
\textsuperscript{390} Verma, Anand Swaroop (2001), op.cit., No. 330, pg. 53
Rapti Zone in the mid-western Nepal – is not the most backward region in the country. He argues that “if social and economic marginalisation alone were responsible for the emergence of the Maoist movements, the hill districts of Karnali, Seti and Mahakali zones would be far more likely candidates, not only because of their grinding poverty and chronic food shortage, but also because of the nature of their terrain and their remoteness from the state centres. Even though difficult to generalise, what is almost clear is that the spread of Maoists influence has strong social and economic roots including the exclusion of the poor and the marginalised by the State, as opposed by Government’s view of it being only an ideological and “law and order problem”, or “terrorism”. 391

From one perspective, the Maoist insurgency in its mid-western stronghold areas can be seen as a renewal of an age old confrontation between the Thakuri Raj and the radical left. The Thakuris (descendants of the rulers of the old principalities) and their clients had long dominated this area, and the nature of their rule at local level was repressive. 392 This was in accord with the authoritarian regime at the centre during the partyless Panchayat system 393 (1962-1990). Even after the restoration of democracy in 1990, the former Panchas survived, reviving their power base under a new guise by responding to the Nepali Congress’s policy of incorporating the traditional social and political elites in its schemes of party building during the early 1990s. However, the sense of popular empowerment spread after the successful 1990 jana andolan (People’s movement of 1990s) introduced a new power base against the traditional forces. Both the CPN (UML) and the CPN (Maoist, formerly the UPF) emerged as the most influential left forces in the people’s fight against various forms of the Thakuri Raj in this region. The equation among the left forces has changed in favour of the CPN (Maoist) as a consequence of the UML’s movement from the left towards the centre and Congress Party’s move from the centre towards the right of the political spectrum. The local Thakuri centrist alliances in the mainstream parties’ have never been strong under the democratic set-up and it deteriorated during the period from

393 The Panchayat system, devised by King Mahendra in 1961, was based on four tiers of Government at the village, district, zonal and national levels. The village panchayat would send representatives to the district panchayat, the district to the zonal and the zonal to the national. Only the village representatives, all of whom were members of the Rastriya Panchayat Party, were elected by the people.
1994 to 1999. As politics was concentrated at the centre in the game of Government making and unmaking, the parliamentary parties grossly ignored the need for the party building at the grassroots level, thus providing occasion for a long drawn-out people’s war.394

Right from the Rana Oligarchy social situation in Nepal remained the same. Although there were popular mass movements, they could not press the ruling elites enough to change their attitude. The semi-feudal structure of the society hampered the social order in Nepal.395 The feudal order in Nepal not only upheld the interest of the privileged class but kept the state underdeveloped and weak; the society conservative and orthodox, and the people ignorant and exploited.396 The Maoists believed that development had to be linked with over coming disparities between various aspects. They have demanded radical land reforms – land of the rich landlords should be confiscated and redistributed to the homeless and landless.397 In addition, the Maoists also have asked for waiving off the loans to poor farmers, minimum industrial wages, protection for cottage and small industry and elimination of corruption and black market.398 Theoretically, the Maoists did not see any conflict between the rural and the urban areas or between agricultural and industrial sectors of the economy.399

Half of the charter demands submitted by the Maoists are centred on the economic aspect as the economic condition remained unimproved during the various plans.400 A survey of Nepalese economy gives the picture that it did not make any significant changes. The distribution of resources is not equitable in Nepal and development remains a myth for the people, especially in the western part of the country. Therefore the Maoists demanded

395 Gurung, Harka, (2005), op.cit., No. 352, pg. 91
396 Chauhan, R.S. (1971), op.cit., No.346, pg. 84
399 Muni, S.D. (2003), op.cit., No.325, pg. 98
that foreign capital inflow to Nepal’s industry should be stopped, sufficient income should be generated within the country and economic infrastructure should be developed from the income generated.\footnote{Humphreys, Macartan (2003) ‘Economics and Violent Conflict.’ Review essay, HPCR Conflict Prevention Initiative, pg. ix} The Maoists also insist on developmental priority to the backward regions instead of the cities, proper wages to industrial labourers and controlling of the inflation. They aim to confiscate the property belonging to brokers and commission agents property be confiscated and reinvested the proceed in the industry to check the black markets.

Although, the Maoists are fighting against the economic disparities, very often due to their self-destructive tactics, they were bent upon destroying the infrastructure in Nepal. Ever since their latest campaign of destruction of infrastructure began in mid-March, Maoists have struck unguarded bridges, hydropower projects water supply, irrigation offices, horticulture farms, forestry projects, telecommunications and Government building (Nepal Times, 2002). They have destroyed the infrastructure that took decades to build, and that cost Nepal tens of millions US dollars.

The main source of Maoists funding has been through banks robberies, voluntary donation, extortions from rich businessmen and tax collection in areas under their control. According to reports, the Maoists have looted more than Rs.250 million from banks and other institutions and collected around Rs.5 billion in the form of ‘donations’ and ‘taxes’.\footnote{Thapa, Deepak (2001), “Day of Maoist”, Himal South Asia, 14 (5), pg. 2} Thus despite their manifest ideology, the Maoists have not desisted from crime to fill their coffers, before resorting to more lucrative option of “asking” businessmen, contractors, civil servants and professionals to pay token sum as contribution every month.\footnote{Jha, N.K. (2003), op.cit., No. 357, pg.8}

Regarding arms, ammunitions and training, Maoists were said to have received arms from three sources, namely, raids on police stations, purchases from the illegal arms market, and locally made improvised explosive devices. The possibility of Nepalese Maoists getting arms and ammunitions from their fraternal comrades in India such as Maoist Coordination Centre (MCC) and People’s War Group (PWG), who are operating in
'Red Corridor' spanning Bihar, Jharkhand, Orissa, Chhattisgarh and Andhra Pradesh cannot be ruled out. Government sources suspect that the well-trained retired Gorkha soldiers from the British and Indian armies residing in the Maoist infected area, as well as retirees and deserters from the Nepalese Army are involved in providing training and combat manpower to the Maoist guerrillas.

Moreover, Nepal’s rugged terrain (as similar to that of Afghanistan and Peru) is one privilege for the Maoists. The geological structure of Nepal has been suitable for guerrilla war operation. This is one of the important factors, which has led to the growth of Maoism in Nepal. The inexperienced and untrained Maoist rebels have been able to outsmart the police and the army by taking advantage of the geographical factor.

The Nepalese Government has used force as well as persuasion and negotiation to tackle the Maoists challenge to its security and integrity. But no strategy has proved effective. The police have been ineffective against the better-armed and better-organised Maoists. For instance, at the onset of the insurgency in 1996, the police launched “Operation Romeo” arresting and torturing a large number of insurgents. Though the police managed to contain the insurgency temporarily, the operation alienated a large segment of the rural population and thereby gave a new lease of life to the insurgents. The Governmental efforts to initiate talks with the Maoists failed to make any headway due to several preconditions set by them, including release of all party activists from jails and withdrawal of police from the insurgency affected areas.

In 1998, the Government launched another offensive operation in area known to be Maoists strongholds. The operation was carried out in as many as 18 districts. The Government, however, failed to re-establish its forcing the Government again plead peace with the Maoists by forming the Ganesh Man Singh Peace Campaign in July 1999. But the mechanism to persuade the guerrillas to give up arms did not make any breakthrough. A combination of ‘carrot and stick’ policy adopted by G.P.Koirala Government too proved to

404 Thapa, Manish (2007), op.cit., No. 329, pg. 8
405 Jha, N.K. (2003), op.cit., No. 357, pg.9
be futile. Given the magnitude of the Maoists revolt, the Nepalese Army was not inclined to take charge of the counter-insurgency operations without declaration of an emergency citing Article 115(8). The Army’s refusal to come to the aid of civil authority while the Maoists launched a major assault in Holeri, forced the then Prime Minister G.P. Koirala to resign in July 2001.

Sher Bahadur Deuba, who was voted to power as Prime Minister in July 2001 following the regicide made serious attempts to buy peace. For, one of the factors that helped Deuba at the hustling was the widely articulated desire for peace and Deuba was expected to bring the Maoists to the negotiating table. Besides, the criminal activities of Maoists had put in danger of being isolated and losing their “Robin hood” image. This did not merely follow the widespread public outpouring of grief over the royal assassinations, as people in the remote villages and outlying areas were tired of the rebel’s methods. There were reports of villagers confronting the Maoists and their demands. The killings of policemen even after the surrender to Maoists led to abhorrence among people.

To take wind out of Maoists sails, Deuba timed his offer of talks with a series of legislative measures pertaining to land reforms, untouchability and gender discrimination. These measure included: a ceiling on landholdings, allowing low caste people entry into places of worships, giving women rights to share in parental property, granting of land and housing to bonded labourers (kamatiyas) freed one year before, and promising a 25 years

408 On the one hand the G.P. Koirala Government allocated US$ 2.6 million as a developmental package (called the basket fund) for addressing developmental concerns of the poor, offered to the Maoists and announced amnesty for those guerrillas who would give up arms, on the other hand, it created a 15,000 strong armed forced for the protection of district headquarter and allocated US$ 4.72 million for purchase of arms to beef up security against the Maoist.

409 Article 115(8) of the Constitution permits the Government to suspend certain rights, such as the rights to freedom of thought, expression, assembly, and movement, the right not to be held in preventive detention without sufficient ground and the right to judicial remedies (apart from habeas corpus) during a state of emergency. The Government announced that these rights would be suspended during the emergency. International law permits the suspension of certain rights during a state of emergency, but only to the extent strictly required by the exigencies of the situation. See Constitution of Nepal (1990) for more detail on emergency power. Manchanda, Rita (2001), “Redefining and Feminizing Security”, Economic and Political Weekly, XXXVI (22), pg.1956-1963

410 According to an Indian correspondent, it was the constitutional confusion over ‘who controlled Army – the King, the Commander-in-Chief of the Army or the elected Government, which was exploited by the Army to avoid getting sucked into “civil war type confrontation.”

411 Jha, N.K. (2003), op.cit., No. 357, pg 9

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project for the uplift of ethnic groups of Mongoloid stock (janjatis).413 Further some Marxist leaders were pardoned as a precursor to the talks. Deuba, however, categorically ruled out any possibility of acceding to the Maoist demands of the abolition of the Monarchy, and an interim Government and a new Constitution.414

With these fundamental differences, the chances of the talks became slim and the violence did not subside even as the talks were held. On the contrary, the invitation to the talks provided several Maoists leaders with the opportunity to make public appearances and hold well-attended rallies. On the eve of the third round of talks, the Maoists seemed to drop their demand for declaring the country a Republic, but changed their tune soon after and announced the formation of a PLA saying they were ready to launch an armed struggle.415

Political scientists analyse the failed governance as the main reason behind the constant weakening of the state and strengthening of the Maoists. The post-1990 politics has been characterised by ambiguity of Constitution, King's assertion for power against the spirit of constitutional monarchy, lack of effective leadership, power centric intra-party and inter-party factions and conflicts, political instability, lack of institutionalisation of party and parliament and persistent corruption etc. These have impeded the task of democratic consolidation in Nepal.416

The outbreak of full-fledged armed conflict was preceded by a series of increasingly difficult political demands from the Maoists that were rejected by the

413 Jha, N.K. (2003), op.cit., No. 357, pg 11
414 Editorial, Economic and Political Weekly, 1-7 December 2001
415 Jha, N.K. (2003), op.cit., No. 357, pg 10
Government. On February 4, 1996, just a day before the conflict began, Baburam Bhattarai, representing the United People’s Front Nepal (UPFN), the political wing of the Maoists, presented a forty-point list of demands to then Prime Minister Sher Bahadur Deuba. The UPFN threatened that if their demands were not met in two weeks, they would “be forced to adopt the path of armed struggle against the existing state power.” The forty demands included relatively uncontroversial issues, such as respect for freedom of expression and an end to discrimination based on caste, gender and nationality, but also demands that would mean the end of Nepal’s 200-year-old monarchy. As such, the demands were predictably unpalatable to the Government. The demands which were more contentious and which continue to be at the heart of the Maoist agenda are the call for a secular republican state, and a constituent assembly to draw up a new constitution. When the Prime Minister left the country on a State visit on February 11, 1996, the Maoists read this as a sign that its forty-point demand had been ignored and initiated the armed conflict (Khanal et. al., 1996).

‘People’s War’ which started from the remote areas of the Mid-western hills in 1996 by a few dozens ideologically motivated hardcore Maoists expanded its impact all over the country. It is through contextualising the ideology of class war with poverty, injustice and exploitation and through ethnicising the insurgency, that CPN (Maoist) strengthened its capacity of popular mobilisation and ability of armed fighting.

Moreover, the CPN (Maoist) acquired power by taking advantages of weakness and internal contradictions of its opponent – the state, and the strength it gained through its own concerted efforts. The failure of the post-1990 democratic Governments to address the long-standing socio-economic problems of the country, i.e. poverty, unemployment, deprivation and discrimination against the minorities helped in enhancing the Maoist’s strength, power and influence. People’s apathy towards the leadership of mainstream parties and internal crisis, conflict and contradiction among the state actors and institutions (i.e., palace, parties, parliament etc.) paved the way for escalation of the Maoist’s insurgency.

417 Many of the points in the Forty-point agenda are found in the Constitution of Nepal (1990). See Dr. Baburam Bhattarai (Chairman, Central Committee, UPFN) (1996).
The 1990 People’s movement meant many things to many people. But for all people alike it ignited a level of expectations for progress and positive change unheard of in the aftermath of earlier political changes in Nepal. With political parties, media, activists and individual leaders joining the chores, there was a belief that political freedom and democracy would rapidly and easily translate into progress of the society.

The idealism of the movement soon gave way to Nepali realities – parties were poorly prepared to exercise democratic power, old patronage structures remained intact, limited scope was left for sustained economic growth, the antiquated centralised state continued, and Government lacked capacity, expertise or will to convert ideas into successful policy. Add to this the rampantly corrupt leadership of the two major political parties, i.e. Nepali Congress (NC) and United Marxists Leninist (UML). These parties took turns to occupy the Government to abuse power to an extent that citizens were disappointed and disillusioned with the fruits of “democracy”.418

The frustration associated with the unfulfilled expectations following the replacement of the absolute monarchy with multiparty democracy provided fertile ground for the Maoist movement. The lack of access to political and economic space was compounded by bad governance and corruption. Despite enormous amount of funds being poured into Nepal for development, the proportion of Nepalese below the poverty line was greater than ever before.419 The decentralisation process to improve governance and increase people’s participation though implemented was not very effective. The United Nations Country Team of Nepal, in its Progress Report in 2002 rightly observed that, “The legitimacy of these structures has rested more on legal requirements and the financial and organizational ‘support’ of the central Government rather than on the stake holding of the local voters.”420 Similarly Saubhaghya Shah’s observation portrays the reality vividly: “It remains Nepal’s singular misfortune that the political forces are always engrossed with

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changing the regime, but never altering the substance of governance. ... For the political elites and counter-elites, establishing rule based governance and institutional procedures have so far proved less attractive than simply overthrowing the political opposition and ruling through patronage and fiat.\textsuperscript{421}

When the movement oriented political groups of the Panchayat era turned themselves into political parties, they failed to build their institutions in democratic manner. While almost all of them mouthed democratic slogans, none built mechanisms through which the illegalities of party leaders, ideologues and members could be disciplined through transparent, credible but decisive sets of intra-party rules and procedures.\textsuperscript{422} Some political mis-demeanours were allowed to occur with impunity in each of the big parties – Nepali Congress (NC), Communist Party of Nepal (United Marxist –Leninist) (CPM –UML) and Rastriya Prajatantra Party (RPP). Personal aggrandisement, often in the name of helping the party, was overlooked. Although opposition parties often indulged in moral posturing, they too failed to come up with effective laws to tame excesses of the ruling party. The CPN (UML), which led the opposition for most of the period, was unable to create a social environment in which the laws that would govern party finances -said to be the single most important source of political corruption in Nepal –could be passed. This kind of deceit on the part of the political parties contributed directly to a widespread disenchantment with the multi-party democratic set-up, and facilitated the political arrival and growth of the Maoist.\textsuperscript{423}

The fact that Nepal suffered for the past 12 years from corrupt, visionless leadership and rudderless and arbitrary state control, contributed in countless ways to the longevity of the Maoist insurgency. Large ecological areas of the country were sidelined in Government measures to relieve poverty and encourage economic growth. These are, in


\textsuperscript{422} Thapa, Manish (2007), op.cit., No. 329, pg. 18

particular, the mountain areas of the west and far west, where Maoist begun their activities and assumed control.424

Similarly, entrenched elite of upper caste Nepalese from the central belt of Nepal monopolised the Government, including the two political parties who were in power from 1990, and the bureaucracy. Large numbers of citizens were excluded socially, politically and economically by the hierarchical system. These were the Janajati – the ethnic group, and the dalit at the bottom of the Hindu caste system.425 Similarly women were also excluded socially, politically and economically by the prevailing patriarchy. Inevitably those women of ‘low caste’ status endured a double exclusion.426

The reasons described above, needless to emphasise, provide enough rationale as to why the Maoists constantly gained the strength while exploiting the weakness of their opponent, the state. The post-1990 politics have been characterised by anarchy reflected in the major events in the past 12 years such as four parliamentary elections, six recommendations for the dissolution of House of Representatives (HOR); seven special sessions of the HOR and 14 changes of the Government. All these events occurred because the political sphere was excessively concentrated on power games. Besides, political instability, frequent changes of Government, politicisation and division in the police force, erosion of ideology and decline in the credibility of political parties and their leaders all count for weakness of the state’s crisis management capability vis-à-vis the Maoists. Since politics was concentrated at the centre, in the game of Government making, parliamentary parties grossly ignored the need of party building at the local level.427 This helped the Maoists to create their own space and territory for their long protracted ‘People’s War’. The Maoist insurgency started at a time when the state was heading towards instability, anarchy and crisis, owing to the unholy alliances among the parliamentary parties.

Similarly, the state capacity to use the armed forces was limited by the fact that the Royal Nepalese Army (RNA) was not under the control of a civilian Government. The

425 Bhatt, N et al. (1994), Managing Resources in a Nepalese Village: Changing Dynamic of Gender, Caste and Ethnicity, pg. 18
427 Pratyoush Onda (2004), op.cit., No. 426, pg. 141
party-military hostility was compounded by the factors of historical legacy\(^{428}\), constitutional ambiguity\(^{429}\) and non-cooperation. The exchange of heated words between civilian leaders and military officials accusing each other for the escalation of the Maoist crisis surfaced publicly several times. The Government’s military reaction was further complicated by the palace’s separate dealing with the Maoists. The army deliberately and consciously kept itself at a distance from the elected Government and multiparty democracy as if its primary duty was only to protect the palace. But after the Royal Proclamation in February 1, 2005, RNA was active in forefront against the Maoists.

The Maoists cultivated these internal contradictions and crisis – particularly between the palace/army and the political parties – to enhance their strengths and capacities.\(^{430}\) After Royal coup, the Maoists forged very good relations with the political parties and even signed a 12 point agreement (see Appendix II) on November 2005 in New Delhi. This set a base for the April Revolution of 2006 which toppled the Monarchy and led Nepal towards a new political development.\(^{431}\)

In Nepal, where society is comprised of many castes, creeds and ethnic groups, strong patrimonial and patriarchal systems have long existed to perpetuate the domination of the elites. Subsidiary governance will be realised only when people themselves become aware of their rights, and exercise them as citizens and members of civil society to promote individual and collective well-being.\(^{432}\) Nepal’s decade-long conflict between the Government and the Maoist rebels has disrupted the relationship between civil society, the state and the market. Successive Governments during the time of the conflict took an authoritarian stance and tried to place restrictions on civil society groups, thereby reducing their room to manoeuvre. While civil society was thought to act as a check on the powers of the state, it was the state that set the parameters for civil society, considering it to be an

\(^{428}\) South Asian Analysis Group (SAAG) (2005), *Working papers*, February \(\text{http://www.southasiaanalysis.org}\).

\(^{429}\) South Asian Analysis Group (SAAG) (2004), *Working papers*, December \(\text{http://www.southasiaanalysis.org}\).

\(^{430}\) Thapa, Manish (2007), *op.cit.*, No. 329, pg. 12


Nepal's civil society failed to play a crucial role in mediating between the needs of different groups and identifying the common ground between political and economic sectors for the welfare of the majority of poor, powerless, deprived and alienated citizens.

After the February 1, 2005 Royal Proclamation, civil society was seen as more active and influential than predicted. Though it was unable to intervene decisively in conflict, it played an important and critical role in mobilising Kathmandu's middle classes, whose democratic aspiration tipped the balance in the 1990's but who had become dissatisfied with the party politics.

Nepal is a landlocked country, surrounded by India on three sides. The remaining northern side is separated from China by the Himalayas. This geo-political situation has forced Nepal to be completely dependent on India for trade, commerce and access to sea. Without India's cooperation, Nepal's engagement with the rest of the world and its quest for stability and economic development can not bear much fruit. This power allows New Delhi to play a manipulative role in Nepal politics in a way, which serves its own interest.

It is worth mentioning in this context that the rulers in India had supported the pro-democracy movement in Nepal in 1950-51 when the Rana oligarchy collapsed. Again in 1990, Indian leaders arguably played a crucial role in restoring multiparty system by using a year long Indo-Nepal transit impasse to precipitate the collapse of the Panchayat regime. One can draw certain lessons from this experience. After 1990, India forced Nepal into signing several secret bilateral accords such as Mahakali River Treaty and Trade & Transit Treaty by manipulating the oppositional politics in Nepal. According to this argument, the rebel leader Ram Raja Singh (during the Panchayat days) and now the Maoists are prime examples of India's 'strategic coercion' against the Nepali State. Without a base outside Nepal, the Maoists would find it very hard to continue their guerrilla war.

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On February 4, 1996, when the Maoists submitted the famous forty-point demands to the Government (led by Prime Minister Sher Bahadur Deuba), the top three demands were directly related to India. The first demand proposed the removal of 'all unequal stipulations and agreements' from the 1950 Nepal - India Treaty of Peace and Friendship. The second one urged the Government to admit that the 'anti-national' Nepal India Tanakpur (Hydroelectricity) Agreement was 'wrong', and together with the Mahakali River Treaty should be nullified. The third demand stipulated that the entire Nepal-India Border should be systematically controlled, and vehicles with Indian number plates should not be allowed free entry. All of these were categorized as demands related to Nepal’s nationalism. However, these are not the issue for Maoists today.

Surprisingly the public, press and the politicians first began to suspect a link between the Maoist movement and India after the Maoists’ lukewarm reaction to the Nepal-India Kalapani border dispute that grabbed national attention in 1998. During the height of the controversy, in 1998, nationalist sentiment in Nepal was used as political capital by several political parties – but not by the Maoists. Until then, regarded as one of the most vocal critics of India, the Maoists were conspicuously absent from the stage. This fuelled suspicion that the Maoist leadership had taken shelter in India and hence was not in a position to engage in any anti-Indian activities. Then in August 2001, there was a dramatic report that the entire top rank of Nepali communist leadership met the Maoists Chairman, Prachanda (Pushpa Kamal Dahal) at a small village, in the Indian state of West Bengal (Siliguri). It was commented at that time that such a jamboree of top-ranking aboveground and underground Nepali Communists in so called strategically important ‘Chicken Neck’ could not have taken place without the knowledge of Indian security agencies. There are many instances following the above incident where Maoist leaders were known to have been freely moving around in Indian states. The most scandalous
among these was Indian leadership’s frequent meetings with the Maoist Supreme Prachanda in New Delhi and the New Delhi being the architect of November 2005 agreement between Maoists and Seven Political Parties for ceasefire and cooperation. Following the Siliguri revelations, no one in Nepal, except perhaps Maoist supporters, was ready to believe that New Delhi was unaware of Maoist leaders’ whereabouts on the Indian territory.

Then Indian Foreign Minister Jaswant Singh labelled the Maoists as terrorists and stated that India would support the Nepali Government in its fight against them. For Nepal, this was certainly a welcome and surprising move by India. At the time of Singh’s declaration, Nepal itself had not labelled the Maoists as terrorists and both were engaged in political negotiations. India reiterated the promise that it would not allow its territory to be used by those inimical to Nepalese interest. However, the top Maoist leaders appeared to be able to function without restrictions in New Delhi; they issued frequent statements and talked to the world media from Indian capital.439

There is also another dimension to the relations between India and Nepal. India has been supplying the Nepalese Government with military hardware and training assistance. The Arms Assistance Agreement was signed in 1965 to assist in reorganisation and modernisation of the Royal Nepal Army with the objective of strengthening the security and independence of Nepal. The agreement was recognition of the military links between the two countries and it established India as the primary supplier of arms to Nepal. In 2004, India provided a grant of over 14 million US$ to Nepal in order to enable it to buy Indian defence equipment. Nepal wanted upgrades of India-designed INSAS rifles and ammunition and an increase in the supply of advanced light helicopters and mine protection vehicles. Nepal also bought arms from Belgium, Poland and the United Kingdom.440

Among the states offering assistance, India has a special interest in curtailing the activities of the Nepalese Maoists. In India, the Naxalite movement that had begun in 1967 had metamorphosed in three decades into a major movement affecting almost 159 districts

439 There are frequent interviews given to BBC Nepali Services and “The World Today” program by the Maoist leaders from New Delhi.
440 Muni, S.D. (2003), No.325, pg. 66
in over 12 states. The merging of the ‘People’s War Group’ (PWG) and the ‘Maoists Communist Centre’ (MCC) of India in 2004 to form the CPI-Maoist has become a major cause for concern. What is even more disturbing to the Indian Government is the evidence of linkages between the CPI-Maoists and the Maoists of Nepal. This strategic alliance has opened up avenues for movement of persons and materials. It has also led to the creation of safe havens and the extension of training facilities for each other. The two groups seek to create a corridor called the Compact Revolutionary Zone (CRZ) that would stretch from Nepal to Andhra Pradesh running through Bihar, Jharkand, Chattisgarh and Madhya Pradesh. Indian Maoists already have sufficient influence in these areas and using the infrastructure put up by them would be a boon for the Nepal Maoists. The CRZ would ensure free and easy movement for both groups.

IV

The Political parties started a non-violent democratic movement on the street on April, 2006. This movement was neither fully planned nor fully spontaneous. It was founded on the loose political alliance forged by the parties and the Maoists in November 2005 with the hope that their joint peace plan would arouse population, who were increasingly disillusioned with the multiple failures of royal rule. Nepal’s mainstream parties and the CPN (Maoist) agreed to pursue a joint strategy against what they call ‘the autocratic monarchy’ and a plan for constitutional reform which if implemented, would bring the Maoists into mainstream non-violent politics. On November 17, 2005 in New Delhi, overcoming the last obstacles to a basic deal the twelve-point agreement between the political parties and Maoists was signed which is popularly known as 12 points Agreement.

This move fuelled the pro-democracy movement of April 2006. The movement was remarkable for the breadth of popular participation and the speed with which it gathered momentum – both beyond the expectations of the mainstream parties and the Maoists. King Gyanendra’s capitulation on April 24, 2006 in the face of a mass movement marked a victory for democracy in Nepal and, with a ceasefire between the new Government and the Maoists now in place, the start of a serious peace process. Forced to acknowledge the

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‘spirit of the people’s movement’, Gyanendra accepted popular sovereignty, reinstated parliament and invited the mainstream seven-party alliance to implement its roadmap – including election of a constituent assembly to rewrite the constitution in line with the parties’ five month-old agreement with the Maoists. This historical moment transformed Nepal’s political landscape but ushered in a lengthy and challenging road to peace.443

Exactly after one year of signing the 12 point agreement between the Maoists and the Seven Party Alliance (SPA)444, the two sides signed a historic Comprehensive Peace Agreement (CPA) on November 21, 2006. With the signing of the agreement, the cease fire becomes permanent and with the UN taking over the arms management the cease fire monitoring committee has disbanded itself. The significant of the agreement was “monitoring of management of arms and armies” signed in the presence of UN Representative Ian Martin between Krishna Bahadur Mahara on behalf of the Maoists and K. P. Situala on behalf of the government of Nepal on 28th November 2006. The constituent assembly, to be elected through a mixed first past-the-post and proportional system was to also decide the future of the monarchy. Amid lots of doubts and suspicion, both processes went fairly well. The Constituent Assembly (CA) election established Maoists as the biggest political party giving them almost half of the total seats in the parliament and hence an upper hand in drafting Nepal’s New Constitution.445

Nepal was declared a republic country in May 2008. Maoist leader Prachanda was elected Prime Minister of Nepal to form the coalition Government, with Nepali Congress as opposition in the same year (August). But, on 4th May 2009, Prime Minister Prachanda resigns, saying in a televised address that he is stepping down in response to an "unconstitutional and undemocratic" move by President Yadav to stop the elected Maoist government from sacking the Chief of Army Staff Rookmangud Katawal. Three weeks after Prachanda's resignation, parliament elects veteran communist leader Madhav Kumar Nepal as the country's new prime minister.

443 “Nepal’s Crisis: Mobilising International Influence”, op.cit., No. 339; For reporting on the early stages of the pro-democracy movement, see Crisis Group Asia Briefing No. 49
444 Nepali Congress, Nepali Congress (Democratic), CPN (UML), Nepal Workers and Peasant Party, Nepal Goodwill Party (Anandi Devi), United Left Front and People’s Front constitute the Seven Party Alliance (SPA).