

Dynamics of continuing Conflict in Nepal a Geo-Political Perspective

Associate Prof. Yubaraj Sangroula, KSL

Preface: This paper basically reflects on the Maoist Insurgency and its causative factors. The factors of the insurgency are viewed from the perspective of mediate and immediate dynamics associated. The geopolitical situation of Nepal is pervasive in all aspects of the problem. The foreign influence both in favor and against the insurgency is important aspect of the problem to discuss, which is not easy. Strategically, the Maoist insurgency is a matter of great concern to countries bordering Nepal and providing aids for its development. Significance of Nepal's relation with its donor friends and neighbors is especially greater in relation with the peaceful resolution of the problem. The dialogue therefore requires to be protected from intrigues from outside, which may have been designed in order to protect the special interest of some country. The national interest is therefore special matter of concern. The involvement of the neutral third party is necessary for the successful intervention, if one looks it from the perspective of need for rendering the parties in negotiation accountable and committed with honesty. Two adverse parties solely in the table may not be able to shed their prejudices for the border national interest. This paper has made attempt to reflect on this need from the perspective of the geopolitical situation of Nepal. The paper contains writer's views, so that they are not supposed to be universal truths concerning the problem. Comments are welcomed with due consideration to the writer's right to freedom of expression. The views expressed in this article do not represent that of organizations I am working in.

1.1. Non-Leftist Hard Sentiment and Rise of Insurgency in South Asia : It would be a pertinent beginning to start with a brief glance at the South Asian scenario of left politics. In the South Asia, no political movement has ever gained such a sophisticated development like communist political movement. In the Indian sub-continent, the communist movement emerged as an anti-colonial and anti imperialist movement during 1940s, has passed a series of vicissitudes. Being constantly subjected to opposition and suppression from the right wing political and communal forces, following the 1950s the communist political movement in India virtually captured the South American ideological current. In all countries in the Indian sub-continent, the communist political movement has strongly advocated the nationalism as one of the ideological backbones, the fight against communalism and fascism being equally important foundation. Obviously, it has been largely founded on the strength of intellectual community. One of the most important achievements of the left politics in the region is that it has consistently played role to promote the secular societal values and champion the socio economic concerns of the rural poors as well.

The militant South American left ideology that considered arms insurrection as the only valid approach for materializing the communist revolution influenced some quarters of Indian communist movement following the 1950s. This faction called for the tactical guerilla armed struggle against the establishment; strike against isolated enemy by smaller bands of armed guerrillas wherever and whenever it is feasible. The success of the Chinese Communist Party also gave inspiration to the road of armed struggle based on support of rural poors. To be brief, in India and Sri-Lanka, the upsurge of the South American type of guerilla struggle was an outcome of the consistent suppression of the

liberal left politics by right wing politics. As it is obvious from the historical facts, the Nepalese left politics learned a lot from the experience of Indian communist movement. From the very outset, nationalist and populist rights constituted important concerns of the Nepalese communist movement along with the Marxists-Leninist internationalism. The South African nationalist movement was equally influential in the Nepalese left politics in the 1970s and 1980s. Like in India and Sri-Lanka, the Nepalese communist political movement suffered splits and a series of intrigues from various quarters. As an outcome of the intolerance of the right wing forces to the left politics and the influence of the emerging expansion of the Naxalite movement during 1970s, the Nepalese communist movement has consistently believed in the armed struggle as the only right and viable strategy to the end of the traditional regime.

As for Marxism-Leninism itself, some of its variants both in India and Nepal have departed from orthodox inasmuch as they at least tried to adapt national or regional realities. CPI and CPI (M) in India and CPAN (UML), CPN (ML) and several factions in Nepal are examples. However, almost similarly in India and Sri-Lanka during and after independence movement era, the right wing segment of the Nepalese political force in Nepal has incessantly and overtly defied to recognize the relevancy of the left politics as an integral component of popular democracy. The emergence of the Maoist Insurgency has largely been an outcome of the right wing hard sentiment to the left politics. Some of the members of the current leadership of the Nepal Communist Party (Maoist) had happily participated in the popular elections in 2048(1992) as an important part of the parliamentary system of Nepal. Although, the CPN(Maoist) had taken a decision to resort to the armed struggle quite before the restoration of the democracy in Nepal, and they have had consistently advocated the armed struggle as the only valid strategy to prevail over the traditional regime, the failure of the right wing political forces, including Nepali Congress, to recognize the role of communist political parties in the national development virtually pushed the CPN(Maoist) to the "jungle". This is obvious from the lack of prudence on the part of the Election Commission and Supreme Court to recognize them as an important section of the Nepalese politics. The sheer negligence of the then government to pay attention to their demands gave an excuse for them to condemn the popular democracy, joking on it as a "system where canine flesh is sold demonstrating goat's head". This joke is now repeated by many common people too.

The sophistication of South Asian Politics is not limited to the sect of left politics alone. Rights wing section of politics too has undergone vast changes over the years. It too has gained character of constant militarization over the years. The dangerous element involved in right wing militarization is the trait of Fascism, which is mostly founded on the strategic plan of enhancing religious fanaticism and ethnic cleansing. Partly, the ongoing acceleration of terrorism in the continent bears contributions of this faction. The mass killings of indigenous people in many part of India are few examples of this emerging fascism. The process was set in Sri-Lanka quite early, when minority Tamils had been effectively ostracized by the majority Sinhals leading to an unimagined degree of sophistication leading to deadly civil war and killings of thousands of people.

Militant nationalism is another sect of South Asian politics over the years. Independence of territories has become a sole mission of politics for so many militant groups. As the militant groups opine, the rationality of the insurgency is based on the need of liberation

of the territory in order to protect the minority culture, language and ethnicity. The ongoing insurgency in Kasmere and the East Indian provinces are examples of this kind. The nationalist movement, like left militant politics, is based on the populist right, and as such there has been closer links between the nationalist and the left insurgencies. It is plain from the objective facts that, in most cases, the nationalist insurgency has adopted the left or centered politics as its guiding ideology. Likewise, the left insurgency has essentially taken up the independence of the indigenous population as an esteemed end of the revolution. This trait is dangerous and is potential to communal fights. The experiences in the continent have shown that many of these movements have been converted into terrorist groups due to foresightlessness of the rulers.

As these instances suggest, the pattern of militant political affairs in South Asia has reached a very complex dimension, and has certainly has a significant impact on the ideological orientation of the political and intellectual elite in the region. Hence, the current Maoist insurgency cannot be properly understood without probing the objectivity of, and circumstances associated with, the militant politics of the whole South Asian region. It would be wrong to assume that the current Maoist insurgency is an isolated affair. This mistake is already made by the ruling elite of Nepal, and the country has already suffered a lot.

1.2. Causative Factors for Rise of the Maoist Insurgency: Nepal Communist Party (Maoist) officially declared its so-called "People's War" on 12 February 1996. The main reason cited for need of such war was the "dissatisfaction with corruption and lack of development under parliamentary democracy". The ultimate goal declared by it is to overthrow the current political system and the existing structure of the government, and then to establish a "people's democratic republic" with Marxist economic structure. The Maoist Party had been one of the constituent groups of the Left Front during 1990's people movement, which collaborated with Nepal Congress Party to restore democracy; multi-party system along with constitutional monarchy. It participated in the first general elections under the banner of "People's United Front" (Samyukta Janamorcha), ideologically headed by Mr. Baburam Bhattarai, a publicly known left intellectual in Nepal. The front had been successful to secure 9 members in the House of Representatives in the first general elections in 1992.

There have been number of immediate and mediate dynamics that have played roles of causative factors for the rise of the Maoist Insurgency. Some left intellectuals and ideologues believe that the CPN Maoist's manifesto to resort to war adopted by its conference was the main cause for the rise of the insurgency. This statement is however not true. The ideology itself cannot be taken as a cause. The ideology is an orientation for desired "end result". The implementation of the ideology in action needs development of the vision and strategies, which, in turn, require positive atmosphere. The causes and factors therefore indicate to those dynamics, which help to create a positive atmosphere for the implementation of the ideology through vision and strategies. In this backdrop, the following dynamics can be identified as the causative factors for the rapid rise of the insurgency:

1.2.1. **Split of "United Front"**: As an incept ional prelude to the current insurgency, the "Front" got splitted into two factions, one of them being led by Mr. Bhattarai and his colleagues and the other by Mr. Niranjan Baidhya, an old communist veteran and the founder member of the Nepalese Communist Movement. In the split of the front, the majority of workers and members remained with Mr. Bhattarai's group. However, the Election Commission denied recognizing their "legal status" as a mainstream part. The faction led by Baidhya was officially recognized as the mainstream faction. The faction which failed to obtain legal status of mainstream party maintained its stronghold in the mid western hilly districts, which gave majority of members for the "Front" it in the past. The failure of the State's institution to recognize the political strength and viability of the then "*Samyukta Janamorcha*" led by Bhattarai was the most immediate cause for pushing it to the jungle.

1.2.2. **Failure to Recognize the *Samyukta Janamorcha* as a Political Force by the Government**: CPN Maoist, before it officially launched the war against the establishment on January 1, 1995, submitted a roster of 38 demands to the government then headed by Mr. Man Mohan Adhikari, the first communist government in Nepal. However, Mr. Adhikari's government collapsed following the judgment of the Supreme Court, which unlike in the past, declared unconstitutionality of Mr. Adhikari's recommendation to the monarch for dissolution of the House of Representatives. A coalition Government of Nepali Congress, Rastiya Prajatantra Party and Nepal Sadvawana Party, under the leadership of Sher Bahadur Deuba, was formed immediately to succeed Mr. Adhikari. The Maoist Party, then adding two additional demands, submitted a roster of 40 demands to the coalition government.

In the memorandum submitted to the government as well as the statements made to the public, the Maoist Party warned that it would undertake an armed struggle against the State if its demands were not met by February 17, 1996. The government failed to pay attention to these demands, and never took the challenge seriously. Deuba, very possibly, took the threat of struggle as everyday political propaganda, and a few days after receiving demands went on previously scheduled visit to India. The Front went underground and engaged in insurgent activities. The Front was dissolved in February/March 2000.¹ The dissolution of the Front was the complete end of their open political activities. During the reign of Deuba, Nepal saw a beginning of an unprecedented degeneration of the parliamentary ethical values. The frequency of horse trading for making and making and unmaking of the government accompanied by unprecedented episodes of corruption terribly shocked the people. The consequent mounting dissatisfaction of the people to the political corruption and inefficiency of the political parties constituted an immediate factor for the formation of the atmosphere for the insurgency.

1.2.3. **Failure to Develop and Integrative Political Civil Participation in Governance**: Nepal, despite being a home for peoples speaking dozens of languages, having various ethnic connections, casts, professions, cultures, religions and topographical settings, is ruled by a family and caste aristocratic group for all parts of its history. The representation of the vast majority of the population in political and civil

¹ . New Era, 'An Overview of Recent Armed Conflict in Nepal', Kathmandu, Nepal, at 1, (2001).

affairs is ignored for centuries. The share of linguistic groups and nationalities in the government and civil affairs is still in a bleak condition. The orthodox Hinduism has been consistently reinforced as a basis of the societal structure in Nepal, so as to create a monolithic and systematically structured societal hierarchy of a certain class or caste of the population, the Brahmin and Chhetris in particular. The economic, social and cultural, linguistic domination by this class or caste and social isolation of a majority population is the rich foundation for acceleration of the Maoist insurgency in Nepal. This is a very important mediate dynamics of the current insurgency.

1.2.4. **Foreign Influence:** India dominates the politics and economy of Nepal in many ways. A number of politicians, including Maoist leaders, received their education in India. In general, Nepalese people are deeply influenced by Indian politics and culture. Anti-Indian sentiment frequently forms part of the nationalist political platform and has occasionally erupted into violent protests on streets of Nepal.² The following issues of Indo-Nepal relations and realities often create source of problems in Nepal:

- The crisis between India and Pakistan is often spilled over in Nepal, in the shape of their proxy war. India often alleges that Nepal has been a “hatching place” for Pakistani terrorist activities against India. The closing of borders is a long demand of Nepalese nationalists, and Maoists have reiterated the demand.
- Chinese diplomacy in Nepal is mainly related with Tibetan issue. The security of frontiers along the Nepal border is a main concern of the Chinese Government. For Chinese the major political parties of Nepal, including UML, are friendlier to India, and as such it cannot rely on them. The stability of Nepal is necessary for China for stability in Tibet. The King-led Panchayat system was much more comfortable for Chinese in matters of Tibet. With advent of democracy in Nepal, Tibetan refugees in Nepal had been able to show up their heads, and their communication with Dharmasala in India is quite frequent and easier. The multi-party democracy in Nepal is therefore not a desired choice for Chinese.
- Negative or positive situations in these two countries largely influence the politics and diplomatic affairs of Nepal. Over the last six years, there has been a deep competition between major political parties to win the support of the Indian government.

This competition has brought even the communists in close relation with Indian government. Even the Maoists have avowed for a SAARC federation, the objective and scope being dubious.

American interest in Nepal is mainly related with China and India. It has very little to do with Nepal’s politics itself. Thus the American interest to Nepal is largely dependent on its policy to China and India.³ The suppression of Maoists is more or less an ideological agenda for American diplomacy in Nepal; hence it is keenly interested to support Nepal both in terms of finance and weapons. The resolution of the problem by political compromise or mediation is a least priority of the American policy. The present memorandum signed between the Government of Nepal and the

² . *Id.*, at 36.

³ . *Ibid.*

United States to cooperate in matters of suppressing the terrorism is a reflective of the said American policy.

Japan and Scandinavia are major donors for the development efforts of Nepal. Nepalese people view these countries more comfortable in both the finance and political diplomacy compared to others in matters for their having no particular vested interests to Nepal. Particularly, Scandinavia is taken positively from the following points of view:

- Scandinavia has a tradition of democracy with constitutional monarchy, and has no trouble between the people and the monarchy.
- Scandinavia had never been a colonial power in the past, and therefore their cultural set up is not founded on colonial superiority or domination.
- Scandinavia has been consistently and constantly involved in economic development of Nepal, the infrastructure investment in particular being the area of focus.
- Scandinavia is a rich market for tourism of Nepal, without risk of politico-cultural invasion.

The foreign influence over the years has significant role played in the development of the present situation. Persistent Indian interest to keep Nepal under its influence has brought the political parties of Nepal in helm of indecisive and dubious political roles. They often make great promises and campaigns but they are strictly constricted in matters of fulfilling the promising due to inability to assert the interests of Nepal without pleasing India. The communist movement of Nepal, which developed founded on the nationalism and populist rights, very significantly departed from the traditional ideology when a major faction, CPN UML, of it had a chance to form the government. It had to give up its nationalist ideology to please and secure an atmosphere for the tolerance of the communist government in Nepal by the southern neighbor. This appeasement policy of CPN UML had far reaching impact in and around its political organization, and among the people as well. This policy led CPN UML to violently support the ratification of the "Mahakali Treaty", which not only divided it but caused a sharp deterioration of the faith of people on liberal communist politics. The diplomacy between UML and southblock culminating in the ratification by the former of the Mahakali Treaty, following the collapse of the nine months' communist government, was a spectacular instance of the prevalence of the Indian influence in the internal politics of Nepal. This incident is responsible for unprecedented structural growth CPN Maoist, as hundreds of ranks and files of CPN UML deserted to join the CPN Maoists. The degeneration of the traditional diplomacy of non-leaning to any one has sharply deteriorated over the years pushing Nepal to encounter controversial position in the international relations and politics. In turn, this has been one of the contributing factors to the rise of insurgency.

1.2.5. Lack of Good Governance and Failure in Managing Insurgency Crisis: In the past, the government measurably failed to materialize the dialogue as a means for peaceful resolution of the problem. The failure was resulted for its lack of preparedness and understanding of the seriousness of crisis. This in turn was caused by the lack of motivation and commitment to the good governance. Learning from the incompetent and ill-planned dialogue between rebels and the government in the past, the nation has to prepare itself for better intervention in the future. One of the most important aspect of the preparedness for better intervention is to "avoid being fallen into controversy of foreign

influence while resolving the problem", and "make the best efforts to obtain support of friendly countries to resolve the problem not by use of guns but by dialogues". To achieve this goal, the following dynamics of the problem should be taken into consideration:

- a socio-political problem is an outcome of long standing conflict of interests between constituent members or groups in the society; and as such the solution lies on agreement of the both parties
- no party in the socio-political crisis or problem is fully wrong, the issue of injustice and wrong is relative
- no socio-political problem is satisfied in root ignoring the valid interest of each of the party; attempt to resolve problem by means of coercion is called suppression of the problem in its currently apparent form but to let it emerge in other form subsequently
- A harmonious resolution of the problem is sustainable because it also develops confidence of disputing parties to each other.

These dynamics had been fully ignored in the previous dialogue. The government in the past ignored the dynamic that the other party had strong interest to defend, and it was not possible for them to agree in cost of their socio-political interest. The dialogue between the government and rebels therefore has chance of success that the government is strategically prepared to recognize the physical and spiritual existence of rebels. This recognition should connote that the government is ready to “initiate a process for bargain”. Initiation for a process of dialogue simply for an objective of “teaching principles or conveying that what rebels are pursuing in a wrong path for nation’s development and peace” would be meaningless. The rhetoric political leaders and government authorities are making will have no force in the dialogue.

The following dynamics of the problem should therefore be minutely examined and precisely apprehended before preparing groundwork for the dialogue in order to address the problem meaningfully:

- a. **Mediate Dynamics:** Mediate dynamics are those causative factors which provide a source of injustice or grounds for suppression of valid interests of certain group or section of population. Some reflections are made in this regard already. Mediate dynamics are those factors that provide a rich background for the emergence and growth of the problem. They are not concrete and specific in nature. Their existence is independent of the problem. So it is not necessary that the resolution of the problem somehow will address these problems too. Mediate dynamics are product of a longer period of timeframe, and as such require closer look and systematic and well thought plan to address effectively. The achievement made thus will gradually sooth the intensity of the problem. A few important mediate dynamics have been mentioned as follows:
 - ***Imbalance of Power sharing between feudal dominant class and marginalized and economically, socially and culturally subordinated groups:*** The state machinery has been predominantly controlled by a group of elites within dominant groups, e.g. Brahmin, Chettri and Newar. Although, there has been imbalance of power sharing within these groups also,

collectively they constitute the ruling elites of Nepal. The imbalance in power sharing is therefore a root cause of the widespread poverty, marginalization in participation in political and public affairs and vulnerability of extinction of indigenous culture, language and traditions.

- ***Disguised protection of feudal societal structure:*** Traditionally, the Nepalese societal structure has been founded on concept 'caste hierarchy'. The caste hierarchy is pervasive in political, social, economical and cultural set up of Nepalese life, which is the most pernicious obstacle of developing a 'mainstream of national life'. The concept of hierarchy is a feudal value system. This feudal value system is reflected in many walks of life:
 - women's identity is defined in terms of sex and marital status
 - dalits' identity is defined in terms of their profession, and integrity of profession is first degraded in order to obtain systemic degradation of people carrying out the profession
 - cultural values of indigenous people who do not profess Hinduism are recognized not as equally important and civilized like values practiced by so-called higher caste groups
 - the person's identity in ordinary situation is dependent on his/her official position, e.g. a police constable is supposedly in higher position to an independent professional as the former has "*sindhur*" of *raja* or government obtained; this is why a government officer has different passport than the ordinary citizen, one has to obtain a government official signed the documents for passport- all these kind of practices show that a government official is ruler and thus has higher status, eventually meaning that government is not instrument of service delivery but a rule. These practices have been preserved disguisedly in laws, structure of bureaucracy, awards and honors given away and so on.
- ***Imbalance in distribution of national resources:*** A major complaint in connection with development and distribution of resources is that development activities and allocation funds are concentrated in the capital city and few other major towns either by design, or by default. It is widely perceived that even the resources meant for rural development tend to revert back to officials, merchants or contractors in the cities or district headquarters' through kickbacks, leakage and patronage.⁴ The concern of rulers for the development of remote and rural parts of the country is lacking manifestly. This trend is obvious in the following pattern of the development of the country:
 - The school system is privatized without vision and plan, and the private schools are poorly managed. State funded schools are subjected to competition with private schools where no children of ordinary people can afford obtaining education. Surprisingly, students from both types of schools have been put in similar type of examination. A large mass of students from public schools is therefore unable to cross the barriers, and become fortunate for further education and development. The education and development has therefore been a monopoly of the elites and neo-elites in cities. The education system is thus an important instrument of

⁴ New ERA, A draft proposal for discussion, 26th October, (2002).

sustaining the so-called hierarchical structure of the Nepalese society. Poor, indigenous, tribal and women population is manifestly affected by this discriminatory policy of the government.

- The tax system is not proportional on earning. A poor farmer is subjected to pay land tax, house tax, and many other forms of payments. So that a farmer who cultivates for the sake subsistence is taxed for his/her living. Governments officials however obtain receive exemption on tax on slab. The tax imposed on comfort and pleasure and tax imposed on basic need are not proportional.
 - The justice system is founded on “concept of revenue earning” source. A person having his/her right violated has to pay “court fee” for his/her concern entertained by the court. Even the access to Supreme Court for restitution of fundamental rights is taxed.
 - The privileges granted by the government are constructed based on the status. Hence, a medical allowance, insurance and provident fund of employees are determined not by the need of persons but his/her status. A medical allowance to be granted to the secretary and minister is many times larger than that of lower staff.
 - The state is not interested in peaceful resolution of disputes at personal level, which collectively emerge as a collective interest of people. State’s funding for institution of peaceful resolution of problems (judicial system) is ridiculous. The State is fully apathetic towards investment on justice system.
- ***Lack of preparedness and motivation towards devolution of power at local level:*** Decentralization as a rhetoric has been matter of talk for over five decades in Nepal. The latest move in this regard is the promulgation of the Local Autonomous Governance Act. Although, the Act, in its preamble, stipulates to devolve governance power at the grassroots level it is not true in reality. Article 3 of the Constitution of the Kingdom of Nepal, 1990, has vested the sovereign power of the nation on people; however, the reality is opposite.

The Act definitely has made attempt to decentralize some power of governance at local level. The concept of decentralization, however, does not meet the requirements of autonomy of governance. The concept of decentralization vest ownership of the power on central government, and as such the local governance institutions have to function as local functionaries of the central government. Whereas the concept of autonomy vest ownership of governance power at local institutions, and as such they truly represent the people at their respective levels.

Ruling echelon of Nepal has consistently but disguisedly resisted the autonomy of local institutions. The present Act is no exception. The following provisions of the Act not only discard the values of autonomy of local institutions but also degrade the sovereign rights of people:

- The power of local institutions concerning tax, employment, local development and welfare of people is subjected to direct control of the

central government through Regulations. No local institution can introduce a tax system to generate revenues for the development and welfare of the people.

- Central government recruits the employees the principal and required number of staff at the local institutions, who effectively controls the purse and decision making process.
- Central government directly controls the election system and electoral process of the local governments
- Central government maintains direct control over many affairs and as such there has been a dual system being implemented
- The authority of the local governance institutions is subjected to direct control of district administration, the local unit of the central authority. The central authority's local unit treat local governance units as opposition institutions or unnecessary troubles.

These characteristics prevent effective participation of people at the governance system. Local governance system is the instrument of securing participation of indigenous people in the governance system, but in a condition that the local governance is fully controlled by the central governance system, the participation of indigenous and marginalized people at governance is nothing but a myth. This system has blocked the process of emergence of the leadership of the indigenous and marginalized people, eventually helping to maintain the consistent monopoly of elites in the politics of Nepal. Moreover, the lack of devolution of the power at the local level has virtually mystified the sovereignty of the people.

These dynamics, along with others, are directly responsible for

- failure of the government to alleviate the condition of poverty
- consistent backwardness of many nationalities, dalits and women in political participation and decision making process
- increased level of corruption in all aspects of governance with impunity
- increased dominance of elites and neo-elites in governance system through criminalization of politics
- Discrimination in distribution of opportunity and resources; for instance deplorable situation of public school.
- politicization of bureaucracy and its deplorable inefficiency
- failure in investment of justice system, which is a mechanism for peaceful resolution of conflicts in lack of proper functioning of which is necessarily resulted in violence
- failure to secure the nation's future; e.g. rampant unemployment created by lack of development vision of rulers, nepotism and abuse of power in matters of recruitment and resultant brain-drain, lack of fairness in decision making process, insensibleness in matters of diplomacy and security of the nation.

These factors are collectively responsible for emergence of insurgency. The insurgency is therefore not created by the "guns at hands of rebels", but by "characteristics of governance for last 50 years and consequences resulted therefrom".

These consequences which constitute factors for insurgency are manifestly associated with systemic discrimination the State is practicing for century.

The western part of Nepal especially affected by these discriminatory attitudes in development and resource discrimination. People in the western part of Nepal have long and consistently been isolated and ruled with high hands. When Prithwi Narayan Shaha integrated the west into larger Nepal, these territories had been left with the hands of feudal lords for rule, who came from so-called higher groups. Ranas practiced the same trend and ruled these territories with all forms of suppression. In Panchyat, the practice continued as the feudal lords transformed themselves into "*panchas*" (persons involved in different level of *panchayat* politics). Even in democracy, the political parties like Congress and UML failed to raise the representation of indigenous people; rather they picked up representation from amongst those who subordinated indigenous people. Those so-called higher class and caste people gained prominence in Nepali Congress and UML parties in the west alienating vast majority of nationalities, dalits and women.

b. **Immediate Dynamics**: Immediate dynamics are obvious factors accelerating or intensifying the problem. They cause to outbreak the problem in its obvious or seen structure or shape. From this perspective, they can be defined as "catalysts". Immediate dynamics of the problem may be covered with each other. There may a single immediate dynamic which is considered as the decisive factor for the outbreak of the problem. Such dynamic can also be defined as bottleneck "catalyst". The failure of Election Commission and the Supreme Court of Nepal for pragmatically consider the "legality" of the spited group of "United Front" , led by Dr. Babu Ram Bhattraai, can be seen as the bottleneck catalyst of the outbreak of the Maoist Insurgency. The consistent failure of the democracy movement leaders to address the aspirations of people is the ground-lying catalyst. The ground-lying catalyst has been negatively aggravated by the acute crisis of unethical practices among the leaders of the political parties and bureaucrats. Specifically, these following problems/issues reflect the failure of leaders and their unethical behaviours:

- **Political interference of bureaucracy**: The bureaucracy had been extremely politicized; the political parties competed to develop a partisan base in the bureaucracy. The corrupt officers found it convenient to maintain their grip. They were instrumental in misguiding the politicians in turn. The corruption then became phenomenon.
- **Impunity for corrupt and inefficient bureaucrats**: A number of bureaucrats who had been able to obtain position in the *panchayat* regime simply on the basis of "nepotism" had been pardoned, and many of them who had been so heavily involved in suppression of political elements and the democracy movement had been provided with general amnesty. Many of them had been rewarded with promotion and appointment in strategic holdings. The people therefore felt no change even after the democracy.
- **Pardoning of criminals**: In a competition of political parties, many criminals who had been involved in bankruptcy of the national treasury and banks had been pardoned by the political parties. In this process, the political parties obtained huge amount of money as donation. This criminal element indirectly controlled the decision making process of the political parties.

- **Involvement of political cadres in trade and pillaging of the state's assets:** The political cadres of parties got involved in obtaining benefits from government contracts and development activities. The ministers involved in development of their respective constituencies alone. The members of leaders' family involved becoming partners of business firms. This process not only distanced the political parties from people, but immensely encouraged the corruption within the political parties themselves.
- **Trading and politicization of education, and extreme degradation of quality:** School teachers involved in open politics in support of political parties. The education system was forced to be an orphan child. The quality of education degraded unprecedentedly. The overwhelming politicization of education system in villages rendered people to misapprehend that it was a result of the "democracy"; openness of the society.
- **Hardship of common people increased:** All these factors, together with unplanned market economy, led the emergence of:
 - unprecedented inflation and economic hardship for poor people,
 - Unprecedented migration, creating over population of cities and resultantly the degradation of the public facility like water supply in Kathmandu.
 - Unprecedented growth of unemployment, leading to extreme rate of youth migration to cities and urban centers, and ultimately to foreign countries.
 - Deterioration of law and order, or peace and security, leading to a great disenchantment among people.

These factors, along with many other sectoral and local problems, intensified the anxiety of people towards the system of governance, which failed to give an alternative. The Maoist Party, which itself, was forced to withdraw from the mainstream obtained a fertile land to breed the sapling of revolution.

2. **Solution:** The solution lies in “reforms of politics” through accommodation of diversified ideological interests and justifiable adjustment of ethnic, linguistic and local interests in the political mainstream of the country. How these concerns can be addressed is still a question. The nation has discussed the problem in plenty, but neither the government nor the civil society has made attempt to discuss on “possible, appropriate and accommodative” model of the political reform that is a ‘prelude of actions’ to solution of the present crisis. A few postulates, however, are present on which the ‘prospective model has to rest on’.

- **Sustainable and meaningful consolidation of democracy:** The democracy, meaning safeguards of each person’s liberty and dignity as prescribed by international conventions, is fundamental issue of concern. No solution is feasible for sustainable solution of the problem undermining the democratic system along with institutions for democratic governance. This safeguard calls for the consolidation of the following:
 - transparency and accountability of governance institutions
 - supremacy of law
 - multi-party system

- constitutional monarchy
- wider representation oriented electoral process
- devolution of power to grassroots
- Independence of judiciary and anti-corruption mechanisms.

These are fundamental elements of democratic governance, and thus they need to be promoted, strengthened and strictly protected. No compromise should be allowed to prevail against these elements.

- **Change in the constitution**: The popular movement of 1990 was largely unorganized in terms of achievements to attain. The movement was an outcome of failure of the *panchayat* system due to absolutism in power exercise and corruption. People wanted change, and thus had been supportive of the opposition forces (called *panchayat itar shakti*). The movement was largely spontaneous on the part of the people. The demonstrations on the streets were largely voluntary. The gradual upsurge of the people forced the Nepali Congress and left front to unite. The objective of the movement in the inception was simply to achieve radical changes in the *panchayat* system so as to allow existence of the political forces accommodated within it. However, the people's great participation in the movement forced the political parties to think of elimination of the *panchyat* system and the restoration of the multi-party system. Subsequently, the political parties raised the issue of constitutional monarchy. The movement thus was continuously built on following the successive participation of the people and their interest to restore the democracy.

The movement ended with a tripartite consent between the Royalty, Nepali Congress and the Left Front. To address the interests of all parties in the consent, a Constitution Drafting Commission comprising representatives of all had been constituted. It made hard efforts to draft the constitution and create a balance of powers between the royalty and the people. However, the commission failed in many aspects, which has been, as discussed herein before, a major causative factor of the present crisis. Thus, the change in the constitution is indispensable. The following agenda need to be addressed by the change:

- **Fairness, open and true representation of people at governance**: The bureaucracy in Nepal is motivated to the delivery of service to the citizens. The post and power attached thereto are "symbolic" hierarchy. Government personnel in rank and files feel no accountability towards people. The government service has been apprehended as a "status", so as to mean that the personnel are higher to people. This culture has been defined as "Thalupan" (so-called higher status). This characteristic is "symbolic of feudal" structure of the society. Few instances can be cited which have been maintained to protect "psyche" of *thalupan*:
 - In the government offices, including courts, ordinary people, and villagers in particular, are treated not with respect. They are addressed, for instance, "*timi*", and a word that is used to subordinate the one.

- In government offices, in military and police in particular, junior officers and so-called lower level personnel are verbally abused while addressed by senior officers.
- In many institutions, so-called lower level personnel are not allowed to enter the cafeteria where officers and seniors are supposed to dine.
- Government officers have been exempted of income tax to a certain amount; however common farmers taxed in basic Government officers have been awarded distinct passport for special privileges in travel and custom. No person, who may have far greater contribution in the society, is allowed to such privilege, who is not a government officer.
- The higher the post, the higher the benefits in social welfare or security. Even the medical support given to the personnel is different according to the post.
- Military guards for ministers and other officials, including chief justice.
- Lower level staffs have to work as servants at houses or quarters of officers, most prevalent in police and military.
- State's vehicles are privately used by officers.
- The position of the leaders of the institution has been taken as "owner" of the institution rather than the chief accountable person.
- State's properties have been unhesitatingly used by the family members of the officers.
- Personal interference of senior officers is unhesitatingly acceptable to junior officers and personnel.
- Ordinary people obtain citizenship cards and passport not as the right of their own, but due to favor of government officers.
- Being government officer is recognized as a special class of citizens.
- Government personnel are exempted from paying income tax to a certain amount of earning but farmers are taxed on basic resource, like land.

These are very minor but very important conditions determining the class structured relations in the Nepalese society. These elements require progressive restructuring of the governance system in Nepal.

- **Protection of the national interests from the foreign intervention:** Nepal has been an independent country, and as such is capable of determining its destiny. The diplomacy its has to pursue is determined by its geo-political condition. It has to be able to follow a "strategic course of diplomacy" for its survival and development. The strategic diplomacy in the context of Nepal comprises:
 - No-leaning to any neighbor or bloc in international issues. This position requires ability for independent judgement of the international problem and issue. Effective use of international organization like UN is the best solution for the pursue of diplomacy.
 - Adoption of Zone of Peace Concept: The zone of peace concept represents the emerging theme of the international law, which not only calls for a pro-active neutrality, but also

calls for condemnation of war as crime against humanity and civilization. This concept rules out the possibility of any nation being involved in anti-peace activities. It thus keeps other countries out from internal affairs of the country.

- Exploitation of economic market in the north and the south.
- Prevention of the military build-up. The present dialogue should focus on sharp reduction of the military build up, than make it big by merger of any forces or new recruitment. The military build up will generate more interest of foreign powers, and there is a danger of Nepal being a military base.

Undoubtedly, the present crisis is a political crisis, with great ego-political impact. This requires prudent approach and political agenda for peaceful resolution. The approach must involve the third country for technical support in the dialogue process, but must keep strictly out of the "political agenda of agreement between the parties". For this objective, the following dimensions must be considered seriously:

- **Preparation on the Part of Government for Political Compromise:** The successive governments have failed in preparing themselves to be ready for political compromise with rebels. All the former prime ministers in the past had rhetoric made that rebels had been approaching them with constructive ideas or agenda for talk. It is simply a mistake on the part of the government to expect rebels to approach them with ideas or agenda of dialogue. There has not been an instance in the world where rebels have approached the government with agenda of dialogue. It is a duty of the government to pursue, pressurize and render rebels to engage in dialogue. The present government is not exception, which often reiterates that "rebels are not approaching for dialogue". It is a duty of the government to identify and issues of compromise for dialogue.
- **Making of Propositions and Lobbying for Dialogue :** The government has to make logical framework of agenda to be agreed upon with rebels, and only then it is possible to design strategies for negotiation. Governments can have no dialogue in vacuum of issues. So far it has been the position of the government.
- **Formulation of Strategies:** Both the dimension requires extensive works to be carried out, and such works require high level of substantive and technical expertise, which government lacks badly at current position. Designing, executing and achieving negotiation are professional works. Government can work out a framework for negotiation, but the execution of the negotiation is a work to be carried out by a group of experts under agreed framework. The government's role would be important in decision making process, but not significant in handling of the dialogue. One of the serious failures of the past government in dialogue is directed related with this issue.
- **Involvement of the Third Party in the Dialogue:** Involvement of the third in the dialogue is important for the fairness of the process and

enforcement of the accountability for the best observance of the agreement. Considering the typical situation of Nepal, the involvement of the third party must consider the following perspectives:

UN as a Third Party: The best possible option lies on UN system for facilitation of dialogue, as it does not bring any particular country's interest in. It also avoids inter-country rivalry and suspicion. However, the rebels may reject the involvement of UN as they suspect it, drawn on the basis of their statements in the past, may be influenced by USA. For rebels, USA is a leader of the imperialist force so that its mediation may be unacceptable for them.

India or China as a Third Party: There has been a bitter experience of Indian failure in mediation of Sri-Lankan crisis. A segment of Nepalese population suspects of India indirectly supporting the rebels for destabilizing Nepal's situation continuously. There is presence of a radical nationalist force in Nepal, which may not like involvement of India. The balance of regional force that Nepal has been maintaining for centuries also does not strategically allow involvement of India. The similar issues may be raised in the involvement of China.

Scandinavia may be the Best Option: Scandinavia in view of the following grounds may be a choice:

- It does not have colonial background,
- Its welfare economy is appreciated even by rebels
- Countries from Scandinavia have helped Nepal from long time in infrastructure development
- Countries in Scandinavia may not have detrimental political interest in Nepal.
- Devolution of power at grassroots, State's preparedness in protection of human rights, neutrality in international politics is positive aspects.
- Scandinavia possesses a potentiality of support for post conflict rehabilitation.

3. Conclusion:

The peaceful resolution of the present crisis is dependent on:

- Recognition of the political character of the problem,
- Recognition of the co-existence of the diverse political ideologies in politics
- Compromise among political forces to recognize each other's existence without prejudice
- Diplomacy based on the concept of zone of peace, accompanied by reduction of armed force
- Closer of the open border between Nepal and India
- Proportional representative system with complete devolution of power to the local level.