

Nepal: towards a new beginning

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The background:

On 5th October 2007, negotiations between the Seven Party Alliance (Nepali Congress, CPN-UML and five smaller parties) and the CPN-Maoists broke down on the issue of electoral modalities and the abolition of the monarchy. As a result, elections scheduled for 22nd November 2007 were indefinitely postponed. Negotiations broke down because, having formally signed an agreement on 16th November 2006 stating that, among other things, members of the Constituent Assembly would be elected by a mix of first-past-the-post (FPTP) and proportional representation (PR) and that the fate of the monarchy would be decided by the Assembly, the CPN-Maoists went back on both. They wanted that the Constituent Assembly be elected only through PR and the fate of the monarchy be decided prior to the elections¹. The postponement was greeted by analysts and a sceptical mainstream media as another indicator that the CPN-Maoists, afraid of the ballot box, were never serious about elections and that the November 2006 agreement was merely a tactical ploy².

Whether the walkout itself was a tactical ploy or the CPN-Maoists were seriously having second thoughts, is difficult to assess. But it does seem that they shared the general perception among mainstream cognoscenti that they (i.e. the CPN-Maoists) stood at a clear electoral disadvantage in FPTP seats, and were likely to come in third, behind the Nepali Congress and CPN-UML³. The November 2006 agreement had stipulated that the Constituent Assembly would consist of 405 members. Of these 205 were to be elected by the FPTP system, 204 by PR and 16 nominated by the cabinet. On April 12, 2007 the interim parliament accepted the suggestion of the Electoral Constituency Delineation Commission (ECDC) that there be 497 seats with 240 each to be elected by FPTP and PR and 17 to be nominated by the cabinet. It was this agreement that was up for re-negotiation as a result of the 5th October 2007 breakdown.

Finally, after protracted negotiations, in mid-December 2007 the Seven Party Alliance and the CPN-Maoists agreed that the number of PR seats would be increased while the number of FPTP seats remained the same. The Constituent Assembly would now consist of 601 members, of whom 240 will be elected by the FPTP system, 335 by PR and 26 were to be nominated by the cabinet⁴. Elections were to be held by mid-April 2008 and the monarchy abolished before then. On 28th December the interim parliament voted to

¹ See for example, 'Nepal deadlock delays elections', **BBC News**, 5th October 2007. Available at http://news.bbc.co.uk/2/hi/south_asia/7029251.stm

² See for example, 'End of Nepal monarchy – or trouble?', Charles Havilland, **BBC News**, 24th December 2007. Available at http://news.bbc.co.uk/2/hi/south_asia/7159258.stm

³ See op.cit 'Nepal deadlock delays elections'.

⁴ See for example, 'Nepali leaders agree to hold CA elections in mid-April 2008', **People's Daily Online**, 16th December 2007. Available at <http://english.people.com.cn/90001/90777/6321560.html>

abolish the monarchy and Nepal was declared a republic⁵. Elections were scheduled for 10th April. The Seven Party Alliance and the CPN-Maoists were unable to agree on madhesi⁶ autonomy and therefore these issues remained unaddressed in the final outcome of the negotiations. As a result, in January 2008, agitations by madhesis in the terai region of southern Nepal⁷ threatened to derail the election process but were finally settled with an agreement in February that their autonomy demands would be considered by the Constituent Assembly and an increase in the madhesi share of PR seats⁸.

The election and the outcomes:

Finally, on 10th April 2008, Nepalis cast their vote as much with trepidation that something might still derail this long-awaited election, as with hope that this election might usher in a more plural and more equal Nepal. It is fair to say that while nobody was quite sure which way the election was going, nobody had quite anticipated the final outcome – CPN-Maoists winning half the FPTP seats⁹. Indeed, as we have already noted, the consensus was the CPN-Maoists would come third. Instead, they won 120 of the 240 FPTP seats¹⁰. The Nepali Congress with 37 and the CPN-UML with 33 were a distant second and third. Parties representing madhesis of the Terai region performed very well. The Madhesi Jana Adhikar Forum secured 30 and the Terai Madhes Party won 9 seats. Equally importantly, monarchist parties were unable to win a single FPTP seat. In the PR elections even though Nepali Congress (73) and the CPN-UML (70) fared much better, they were nonetheless behind the CPN-Maoists (100). The results, to use the language of the normally prosaic BBC, were an “election thunderbolt”.

The final tally of seats obtained by major parties taking into account both FPTP and PR voting systems is as follows: CPN-Maoists – 220 seats; Nepali Congress – 110 seats; CPN-UML – 103 seats; Madhesi Jana Adhikar Forum – 52 seats; and the Terai Madhes Party – 20.

It is one of the ironies of history that it is because of the PR system, the weightage of which the CPN-Maoists fought so hard to increase, that mainstream political parties,

⁵ See for example, ‘Vote to abolish Nepal’s monarchy’, **BBC News**, 28th December 2007. Available at http://news.bbc.co.uk/2/hi/south_asia/7163034.stm

⁶ Madhesis are an ethnic group in the Terai region of south-eastern Nepal and account for approximately 31% of the population.

⁷ For a useful analysis of the contours of the madhesi agitation see ‘The rumblings of Nepal’s Tarai inside Nepal’, Siddharth Varadarajan, **The Hindu**, 9th April 2008. Available at <http://www.hindu.com/2008/04/09/stories/2008040951201100.htm>

⁸ See for example, ‘Nepali gov’t, UDMF ink deal’, **People’s Daily Online**, 28th February 2008. Available at <http://english.people.com.cn/90001/90777/6363085.html>

⁹ Privately CPN-Maoists has expected to get 30-35% of the popular vote and not the 50% they claimed publicly (see Varadarajan’s article ‘Transition time: the past is over, only the future counts’ in **The Hindu**, 2nd April, 2008.) As it turns out the CPN-Maoists were remarkably prescient about their share of the popular vote. For those interested in the recent Nepali elections, over the month of April, Varadarajan has a series of excellent articles in the **Hindu** on the politics of the Nepali elections written from a progressive standpoint and nuanced analysis.

¹⁰ All election results obtained from the website of the **Nepal’s Election Commission**. Results available at <http://www.election.gov.np/reports/CAResults/reportBody.php>

Nepali Congress and CPN-UML, do not stand marginalised in the political process. But despite the fact of the CPN-Maoists overwhelming electoral victory, given that Nepal's Constituent Assembly will use a 2/3 majority decision making rule, they will have to forge coalitions to push forward their progressive agenda. And the coalitions will have to be broad-based and perhaps issue-based as well, because even an alliance with the CPN-UML does not yield a 2/3 majority. Be that as it may, what is undeniable is that the electorate of Nepal has clearly rejected the monarchy, feudalism and the old order and along with it mainstream political parties. And it is this rejection of monarchy and feudalism which makes this election truly historic.

It is important to recognise both the breadth and the depth of support for the CPN-Maoists. Only in 16 parliamentary districts out of 75, did the CPN-Maoists not win at least in one constituency. And of these 16, only in 1, Parsa (5 FPTP seats) in the Terai region of southern Nepal, did they not finish either in 2nd or 3rd place in at least one seat. Only in 38 FPTP seats, out of a total of 240, did the CPN-Maoists not finish in the top three positions. Or put differently, in 74 out of 75 parliamentary constituencies, the CPN-Maoists finished among the top 3 political parties in at least one FPTP seat. And of these 73 districts, in 58 it won at least one FPTP seat. It won 4/10 seats in relatively affluent Kathmandu. In what is clearly their weakest region, the Terai, they won at least a dozen seats and came 2nd in another 15. Their performance in the Terai must be particularly galling given the popularity they had achieved in that region in 2003 and 2004.

Not only were the results unexpected, the Nepali feudal and liberal elite were clearly caught off-guard. Despite its breadth and the depth, some liberal analysts have only very grudgingly accepted the CPN-Maoists electoral victory but seen it in an entirely negative light, arguing that people, afraid otherwise of a return to violence, voted them to victory¹¹. Some have argued that had they not mis-calculated the strength of the CPN-Maoists, they would not have cut their traditional links with the monarchy. For liberal mainstream parties already there is the worry that if they co-operate with the CPN-Maoists and help implement constitutional change, they will in effect be helping consolidate the political power of the latter¹².

In hindsight, there are a couple of decisions that will probably have defining influences on deliberations of the Constituent Assembly, and therefore in the way Nepali polity evolves. First, the CPN-Maoists insistence that the interim parliament abolish the monarchy and declare Nepal a republic prior to the elections was strategically a very important move, particularly in the light of post-election responses. Second, because 60% of seats in the Constituent Assembly have been chosen through PR and there is proportionate representation for women, all ethnicities (janajatis [indigenous people] and madhesis), caste groups (including dalits) and muslims, for the first time in its history (indeed in the history of South Asia) Nepal's elected representatives will reflect much

¹¹ Read Kanak Dixit's op-ed piece 'Enter Nepal's Maoist establishment', **The Hindu**, 14th April 2008. Available at <http://www.hindu.com/2008/04/14/stories/2008041454881000.htm>

¹² See 'Nepal: the rocky red road', Rabindra Mishra, **BBC News**, 22nd April 2008. Available at http://news.bbc.co.uk/2/hi/south_asia/7360223.stm

better the plurality and diversity of its population and give women a more effective voice in politics.

In the days ahead this should stand both federalism and democracy in good stead. Therefore the CPN-Maoists insistence that the weightage of PR seats in the Constituent Assembly be increased will have a beneficial institutional impact on the evolution of Nepali democracy. Finally, however, the inability of the CPN-Maoists to force mainstream parties to take on board the issue of madhesi autonomy was an important strategic setback¹³. It was a setback not only because as a result the CPN-Maoists lost ground in the Terai but also because the issue of madhesi autonomy finally came on board not as a part of a progressive agenda but as a result of a divisive, identity (language and race) driven agenda, led at least in part by forces of reaction.

For CPN-Maoists this is the end of one phase of their journey which began in February 1996 when they eschewed parliamentary politics and decided that armed struggle was the only way to overthrow monarchy and feudalism in Nepal¹⁴. This was shortly after the first elected communist (led by the CPN-UML) national government in South Asia held power briefly (for around a year) in Kathmandu. Then the CPN-Maoists were strongly dissuaded from taking up arms and for a while were ignored by both mainstream political parties and the monarchy as a fringe group with influence limited to northern and western Nepal. By the turn of the century the CPN-Maoists and its military wing, the PLA, were difficult to ignore as larger and larger swathes of Nepal came under the military (and political) control of the PLA and CPN-Maoists. But it was the accession of King Gyanendra to the monarchy after the massacre of the Nepali royal family in June 2001 that altered the military and political dynamic. Within six months of his accession he had declared a political emergency and asked the RNA to frontally take on the PLA.

In the brutal war that followed in which thousands died on both sides, including civilians, the PLA effectively contained the RNA and dealt it some severe blows. On the back of this military success by early 2005, CPN-Maoists were an important presence in all but 2 of the 75 districts and controlled more than 75% of the countryside. The coup-de-grace was actually delivered by King Gyanendra when in February 2005 he dismissed the cabinet, assumed all executive authority and arrested leading members of mainstream political parties. This move literally forced the hand of mainstream political parties who, as a result, formed the Seven Party Alliance and offered to dialogue with the Maoists.

¹³ Vis-à-vis madhesi demands, Varadarajan feels that the strategic setback was the inability of the CPN-Maoists to hold on to their initial position – the entire Constitutional Assembly being elected through a PR system (see his ‘Transition time ...’ piece cited above). I would disagree. Given the very diverse polity that Nepal has, a PR system would have given an inordinate amount of power to small groups. I think therefore a combination of FPTP and PR would serve political stability much better. But had madhesi demand been accepted in December 2007 rather than February 2008, reactionary identity politics would have been kept in check.

¹⁴ On the rise of CPN-Maoists in Nepal see Achin Vanaik’s ‘The New Himalayan Republic’, **The New Left Review** 49, January-February 2008. This article was written prior to the April elections. The next couple of paragraphs are based on Vanaik’s article.

The offer of dialogue was accepted and negotiations led to the 12-point agreement in November 2005 between the Seven Party Alliance and the CPN-Maoists and the launch of Jan Andolan II in March 2006. Jan Andolan II effectively brought urban Nepal into the movement for restoration of democracy and against the monarchy. In the face of widespread popular resistance, King Gyanendra finally succumbed and on 24th April relinquished executive powers and restored parliament. Negotiations were then opened between the interim government, led by the Seven Party Alliance, and the CPN-Maoists which led to the November 2006 agreement with respect to elections for the constituent assembly and the return of the PLA and the Nepali Army (the RNA had been renamed after it came under civilian control) to barracks. The rest as the cliché goes is history. It is worth noting that just as when it took up armed struggle, so also when it returned to parliamentary politics, the CPN-Maoists were advised by fraternal parties that it was the wrong tactic at the wrong moment. It is to their credit that they kept their counsel and chose to stay the course.

The road ahead

It is important to remember that as a part of the November 2006 agreement the PLA, despite enormous pressure from the Nepali Army, was not demobilised or disarmed. It was confined to seven (7) designated cantonments spread across the country and its arms and ammunition put under lock and key in its control but the supervision of the UN. Indeed the agreement specifically mentions that a separate commission will be set up to oversee the integration of the PLA into the Nepali Army¹⁵. Now that the CPN-Maoists have won such a resounding victory, the likelihood of the PLA's integration into the Nepali Army increases significantly.

The political significance of this cannot be overestimated. The CPN-Maoists are where they are in large part because of armed struggle the PLA waged and because the RNA was unable to defeat them. As the CPN-Maoists take on mainstream political parties on the right and centre, the feudal elite and the urban bourgeoisie, an army that is at least neutral (which the unreformed Nepali Army almost certainly would not have been) will increase enormously its political space and manoeuvrability. It is worth recalling that in Venezuela, Hugo Chavez (and the PSUV) has been able pursue left-of-centre reform within a democratic framework because in part he has the support and backing of the Venezuelan Army. In Bolivia on the other hand Evo Morales and the MAS have a much tougher battle counteracting the oligarchy and the forces of reaction because the army is weaker and does not back the MAS in quite the same way. Therefore the fact that a revolutionary army will be integrated into the Nepali Army should help the CPN-Maoists cope with feudal and bourgeois opposition from within and imperialist opposition from without. That there will be such opposition of course goes without saying.

If the CPN-Maoists were in such a commanding position both politically and militarily in 2005, why did they choose to eschew the logical culmination of armed struggle - the overthrow of the state - and return to parliamentary politics? It is of course difficult to know for sure but in their own understanding, there seem to have been at least three

¹⁵ See the text of the **SPA-Maoists November 2006 agreement**. Available at http://www.satp.org/satporgtp/countries/nepal/document/papers/spa_maoists_agr.htm

important reasons for this: First, the CPN-Maoist assessment that whereas it was possible to militarily defeat the then RNA, the human cost would be so high as to make the victory pyrrhic¹⁶. Second, the international conjuncture was not propitious to bring to fruition an armed socialist revolution. And finally, given that the CPN-Maoists were sufficiently established across Nepal to be a serious contender in elections, it was felt that opting for parliamentary path would confer upon it political legitimacy even among those who were not its supporters¹⁷. Right from 2005 the CPN-Maoists have consistently said that what they aim for is an end to monarchy and feudalism and the establishment of a bourgeois, democratic¹⁸ and republican Nepal with a mixed capitalist economy. Positions that have been repeatedly reiterated since the CPN-Maoists won the recent elections.

But building a bourgeois capitalist economy is easier said than done. To break feudalism's hold in the economy and society land reforms have to be forced through and despite the widespread support for CPN-Maoists, it will face stiff resistance. The bitterness and vehemence of the opposition to Evo Morales and the MAS in Bolivia has more to do with the decision to implement land-reforms that seriously threatened the economic power of large land owners rather than the decision to increase taxes on natural gas and use it to supplement elder pensions¹⁹. And without land-reforms the feudal economy will remain an albatross around Nepal's neck as it has been around that of Pakistan.

Equally important its urban bourgeoisie is small and weak and largely dependent on India. Nepal is landlocked and caught between two emerging powers both of whom are slowly striding onto the world stage. India has long considered Nepal as belonging to its 'sphere of influence' something that has not been seriously contested by China. The long and short of it is that the pre-conditions for an autonomous path of development which was what successful bourgeois capitalist growth would require are not there²⁰.

But both the domestic and international conjuncture makes this at least a possibility, with many ifs and buts, but still a possibility. The CPN-Maoists' emphatic victory in the elections and the fact that the PLA has not been demobilised makes it plausible that the land reform agenda will be fulfilled. Given the rise to dominance of the urban

¹⁶ See Prachanda's extensive interview with Charles Haviland of **BBC News** in February 2006. Available at http://news.bbc.co.uk/2/hi/south_asia/4707482.stm

¹⁷ For the latter two reasons see Prachanda's interview with Achin Vanaik reported in Vanaik (2008) cited above.

¹⁸ See for example, 'Where Maoists still matter', Somini Sengupta, **The New York Times Sunday Magazine**, 30th October 2005. Available at <http://www.nytimes.com/2005/10/30/magazine/30maoists.html?pagewanted=1&sq=nepal%20somini%20sengupta&st=nyt&scp=30>

¹⁹ See for example, 'Bolivia on the edge of 'explosion'', Alfonso Daniels, **The Scotsman**, 29th April 2008. Available at <http://news.scotsman.com/latestnews/Bolivia-on-the-edge-of.4028996.jp>

²⁰ There is a lively discussion on the **Socialist Unity blog** about the possibility of Nepal charting an autonomous path in response to Andy Newman's posting on 16th April titled 'Maoists set for election victory'. Available at <http://www.socialistunity.com/?p=2100>

bourgeoisie in India, it is unlikely to object to land-reforms²¹. Indeed today, in the abstract even the World Bank will support land-reforms as being a necessary part of a transition to a successful capitalist economy. And the fact that both China and India are rapidly growing economies could actually provide Nepal's fledgling urban bourgeoisie both the economic (in terms of access to growing markets) and the strategic space within which to chart a relatively autonomous path (and I guess the operational word here is 'relatively').

But for all this the key is land-reforms without which the CPN-Maoists will be unable to break the back of the feudal economy and then this great victory that we celebrate today will have come to naught. The unfortunate thing is that CPN-Maoists and the CPN-UML taken together do not command a 2/3 majority in the constituent assembly. Therefore to push through land reforms the two communist parties will need the support of bourgeois liberal parties. It will be interesting to see if they get this support and at what price. And really it is here that the failure of CPN-Maoists to force mainstream political parties to take on board the madhesi issue might come to bite, because most madhesi parties will in all likelihood be a part of the anti-land-reform coalition.

Finally, another South Asian country, Pakistan, held in February this year watershed elections. Watershed because it has meant a renewal of democratic forces in the politics of Pakistan. The emergence of PPP and PML-N as the two largest parties nationally and the of victory of ANP in the North West Frontier Province was a clear rejection of authoritarianism at home and a victory of secular anti-US forces. Equally importantly, for the first time in Pakistan's politics, large numbers of feudal landlords who contested this election actually lost to urban middle class candidates. The growth of the urban economy and urbanisation (50% of Pakistan's population today lives in urban areas) is perhaps slowly loosening the stranglehold of feudal landlords on Pakistani society and politics. Perhaps the Pakistani elite will "seize the democratic opportunity offered by this election" and move Pakistan towards a functioning democracy and a plural capitalist economy that affords a reasonable possibility of social mobility.

Elites therefore will matter, both in Pakistan and Nepal, as to the outcome of this democratic renewal. But personally I am more hopeful of Nepal. The renewal in Pakistan is led by the elite and upper middle class and typically in these circumstances (i.e., elite dominance), democracy degenerates into becoming a mechanism for intra-elite dialogue, negotiation and conflict resolution and the only mobility that is ever attempted (or afforded) is that of the upper middle class, leaving the marginalised and the poor where they were to begin with. In Nepal on the other hand, democratic renewal has happened through a revolutionary movement that has finally empowered those that have been marginalised and discriminated against. If questions about the economy can be addressed, and I agree it is a very big if, because the renewal is led by the poor and the marginalised, it is Nepal that affords the greater possibility of a fairer, more plural and more just society. After all not for nothing did the CPN-Maoists wage an armed struggle. And

²¹ On the changing role of India in Nepal see 'We want new unity on a new basis with India', Prachanda in an interview with Siddharth Varadarajan, **The Hindu**, 28th April 2008. Available at <http://www.hindu.com/2008/04/28/stories/2008042851511100.htm>

Nepali democracy would have completed a journey that began in April 1990 with Jan Andolan I.

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