

Nepal: Peace Process Heading South

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With the peace process increasingly getting scuttled, what with India and the two main political parties opposing the Maoist agenda of civilian supremacy and implementation of the Comprehensive Peace Agreement of 2006, the chances of non-violent, progressive transformation of the Nepali state and society seem increasingly dim in the near future. The Maoists have now gone back to the people to launch a mass protest movement. As the contradictions intensify, will there be a takeover of power by the president with the backing of the army, akin to a Bangladeshi-type coup? Will there be an Indonesia-like massacre of the Maoists, as some fear? Or, will a national government led by Maoists materialise?

I am immensely indebted to all those who spared their valuable time, in the midst of their busy schedule, to answer my queries, share their thoughts and reflections. However, I am alone responsible for all the inferences and conclusions drawn.

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The emergence of the Communist Party of Nepal (Maoist) (CPN(M)) – now, the Unified CPN(M) (UCPN (M)) – as the single largest party in the Constituent Assembly (CA) elections in April 2008 held out the promise of a democratic closure of the civil war. The issue of democracy is central to modern political theory and the viewpoint of Nepal's Maoists offered much scope for revitalising the debate from the radical left perspective. But three years down the line, their experience of being part of a coalition government and then leading one shows that this novel experiment is in danger of withering away.

The fault did not reside in their wanting to radically transform Nepal and to begin the process by writing a new constitution with their goals in the forefront. Having leveraged their successes in the people's war to emerge as the leading political force, they opted to bring about social transformation through open politics. This was perfectly legitimate. Indeed, international (including Indian) and Nepalese interlocutors had argued this line and urged them to give "peaceful transformation" a chance. The People's Liberation Army (PLA) was treated at par with the Royal Nepal Army (now the Nepal Army – NA) and this was legitimised through the 12-point agreement of 2005 with the seven parties, the Comprehensive Peace Agreement (CPA) of 2006, as well as the interim constitution. Thus, influencing the new makeover of the NA and/or establishing the hegemony of the idea of a new democratic order too was hardly a hidden agenda. The problem was the subversive game plan launched by the Indian establishment to retain the NA as a "professional army", when even the political parties had accepted the Maoist argument for its democratisation. Besides, the Maoists represent the Nepali people more than any other political party in Nepal. The

Indian establishment cannot claim that it represents the interests of the Nepalese people. Thus, the problem was not in the Maoists' strategic goals; it lay elsewhere.

Problems of Coalition

The very formation of a Maoist-led government came after a series of moves to keep them isolated, the first time, in April 2006, and then, after the CA elections. By the time there was agreement that they should lead the government, the messy contention for portfolios got underway. This was resolved, but it became abundantly clear that while the rhetoric may have changed, the intrinsic character of the political parties remained the same. On several critical issues, moreover, agreement/understanding had been worked out between the Maoists and other parties prior to the elections, but along with the assurances given during the formation of the government, these were not kept.

One such deal was an understanding reached with the CPN (Unified Marxist-Leninist-UML) and Nepali Congress (NC) to constitute local government committees in accordance with the proportion of votes cast for the parties in the CA. But this became defunct once the election results came out, because after their CA poll reverses, neither NC nor UML were willing to stick to the understanding. Thus, the finance ministry's attempts to disburse one-third of the budget to local government could not materialise. This also impeded the provision of immediate relief for the people. Furthermore, when agreement was reached in the cabinet on key matters, such as to replace the army chief, it soon became apparent that the coalition partners would not stick to the decision since it was opposed by the Indian embassy. Thus when the president went against his ceremonial role and reinstated the army chief, the Maoists found themselves isolated. All the parties succumbed before the "persuasive" skills of the Indian embassy.

The extent of control exercised by the Indian establishment over Nepal is truly staggering. One minister said that the civil aviation ministry came to know about the landing and take-off an Indian plane, suspected to belong to India's external

intelligence agency, the Research and Analysis Wing (RAW), after the plane left Kathmandu. Another said that within 15 minutes of his signing a file which sacked a middle ranking bureaucrat, the Indian embassy called him to inquire why he had taken such a step. The home ministry liaised with the Indian embassy so closely that it was difficult to know who was calling the shots. The hype about Nepal being a conduit for Pakistan's Inter-Services Intelligence activities directed against India-led Nepal's home ministry to routinely issue orders to ensure the arrests of suspects and their deportation to India. (I am personally aware of this, having been involved in trying to find out about the case of four Kashmiris, including two brothers, who were picked up in 2000, post IC 814 hijacking, and then deported to India after which they disappeared.)

Finally, when Prime Minister Prachanda took the decision to sack the army chief, pressure mounted on him from the Indian embassy and warnings came in thick and fast. These accounts of Indian interference are anecdotal. But not many appear surprised by this.

Although the role of the coalition partners, whose regressive politics, scramble for power, ego clashes and self-gratification cannot be underestimated, it was not as though the Maoist leadership was unaware of this when they agreed to form the government with them. After all, they have been trenchant critics of these parties since 1990. Nor could the Maoists have been oblivious of the control and influence exercised by India over Nepal's polity and economy, but the extent of monitoring of most departments and ministers may have come as a surprise. Therefore, they ought to have been prepared to negotiate their way through this maze. Also they should have taken some steps to obviate the problems by initiating some measures at the very outset, but they failed to do so. As a result, within a few months of forming the government, disillusionment was writ large among the party rank and file as well as among their supporters.

The Problem Within

The Maoists repeatedly refer to the fact that the path of revolution in Nepal is going to be complex. They also mention that

the situation is changing fast. Is it possible then that they made wrong calculations? It does seem possible. The Maoists were not sure whether elections to the CA would be held if the prospects of their victory appeared bright. On the other hand, in the diplomatic community (principally Indian) and non-governmental organisations (NGOs) and international NGOs, the assessment was that the Maoists would trail behind UML and NC in the polls. Both assessments proved to be wrong. Having emerged as the largest party, could there have been overconfidence when the party moved to lead a coalition government? Did the Maoists underestimate the capacity of their coalition partners and international power centres to thwart their efforts to consolidate their power? While going ahead to form the government, one other problem the party did not anticipate was how the very survival of the government would preoccupy it. For a party which prided itself in its analysis of the rise and fall of revolutionary movements and emphasising the centrality of democracy in 21st century revolutions, it was strange to see them not knowing how to handle the various challenges thrown up.

One of the biggest problems was the concentration of power and lack of collective leadership. What may have been necessary during the civil war, and even hidden by the exigencies of war, came to surface now in this new phase of open politics. As a result when Pushpa Kumar Dahal became the prime minister he was simultaneously the head of the government, chairman of his party and supreme commander of the PLA. Instead of a division of responsibility among leaders and cadres, as well as between party and government, which the party espoused in its 2003 plenum, this made the government all important and mass mobilisation merely an appendage for perpetuation of the coalition government the party was leading. Rhetoric could not hide that party's role vis-a-vis the government; sadly, reaching out to the people became secondary. Cracks appeared between the party and the government as the latter became embroiled in the day to day problems of the departments and in coalition politics, with little time to spare for collective reflection on critical issues.

For instance, appointment of Nepal's much-respected economist/regional planner Pitambar Sharma, as Vice-Chairman of the Planning Commission was much acclaimed. But he resigned within three months since there were no clear guidelines even within the government. He accepted the offer expecting that there was clarity of thinking in the party about restructuring and reorienting the Planning Commission to make it effective in a federal set-up, to create a new delivery mechanism, to undertake studies and introduce much needed reforms in data collection and analysis...to encourage research which would bring out the extent of dependence on traders of Indian origin, sources of foreign capital which dominate Nepal... in short to lay the foundation for planned development in the new circumstances on a somewhat scientific basis. This was not to be. Perhaps his expectations were unrealistic given the volatile nature of Nepali politics. But that could not account for his inability to get a team of experts he had been promised and which got mired in coalition trade-offs and partisan recommendations. Thus was lost an opportunity to attract intellectuals who were socially committed to contribute in the making of a new society.

Another problem was that the party went in to form the government with an erroneous understanding of changes brought about in Nepal, little realising that the NA, the bureaucracy, and the judiciary still remained the same as during the King's rule. The attempt to characterise this phase, when monarchy was ended, as neither 1990 type of democracy nor something new, but a transitional stage with features of both, so to say, neither fish nor fowl but a cross between the two, caused much confusion. This characterisation was used to push the party to accept the inevitability of compromises with some of the worst elements in Nepal's political life, and for diluting its key demands. The Maoists compounded the problem by neither sacking the army chief nor the chief secretary when they formed the government and when opposition to their move would have been least. Instead they retained them in order to send a message to the Indian establishment and Kathmandu's vacillating middle class that the Maoists could be

trusted for not rocking the boat. This was perceived as a mark of weakness.

Another issue was that whereas the Maoists agreed to return properties seized and land distributed, this compromise was resisted by the party rank and file as well as the beneficiaries of the land distribution, which created fissures inside the party. Another act of appeasement which rebounded on them was when they agreed to resurrect the defeated UML leader Madhav Kumar Nepal, who lost both the seats he contested, but was made the president of the CA. Little did they realise that instead of helping to win some support from one faction of the UML, he switched sides and struck an alliance within his party with K P Oli, whose anti-Maoist credentials are impeccable.

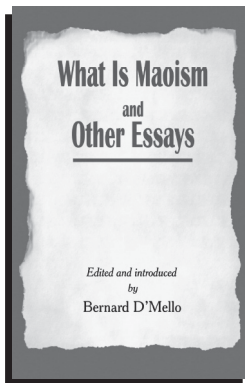
But a bigger problem faced the party because people expected much from them. Meetings with critics as well as members of the party brought to the surface the fact that there was no clarity as to how far they should go and to what extent they should rollback all they had gained. With "everything else being the same", there was not much they could have achieved in a short

period. They failed in the implementation of policies, leading one time ardent supporters of the party to openly question them. A senior leader and member of the cabinet said that when he went to a base area people bluntly said "you have become a minister because of the revolution, but when is the revolution going to yield concrete benefits for us?" Another said that he began to have doubts about the efficacy of forming the government when he knew it could achieve so little. Complaints that the people and the party rank and file were being taken for granted began to rise.

Gradually, discontent was coming to the fore. With this began one of the most interesting churning processes. While a plenum of more than 1,200 delegates in August 2007 witnessed the party leadership coming under criticism, it was the November 2008 Kharipati Central Committee meeting where it became clear that party leaders stood vertically divided. This was followed by the plenum with nearly 1,300 delegates in which senior leaders were criticised in ways they had never imagined. Then came an unprecedented three-month long meeting

of the party's 139-member central committee in which every issue was discussed threadbare and senior leaders were forced to admit their mistakes, their miscalculations, and for going overboard in trying to save the government through unnecessary compromises. The exaggerated notions of what could be achieved through compromises, manoeuvring, etc, were candidly admitted as wrong. This admission is something quite remarkable.

The debate this time was around political approaches and mistakes rather than factions with their loyalties to individual leaders, which augurs well for the party. An executive committee has been set up to avoid the possibility of arbitrary decisions. For instance, it has been decided that the party chief will not head the national government, in case it is formed, which will ensure that the party does not become an appendage of the government. But the issue of democracy within the party and of collective leadership will not get resolved with this separation alone. How far reaching is the commitment to new thinking within the party? Also having emerged as the largest political party in CA, the



What Is Maoism and Other Essays

Edited and Introduced
by
Bernard D'Mello

This book is motivated by a desire to rekindle an imagination of socialism that brings to the fore the emancipation and fulfilment of the basic human needs of the most exploited, the most oppressed, and the most dominated on this earth.

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Maoists cannot flinch from pitching for a national government. And yet, they cannot commit the same mistakes. But will they get another chance? The only change noticeable is that there is even less illusion about the Indian establishment, thanks to its over-bearing role, especially in opposing the sacking of Nepal's army chief.

Indian Establishment in Action

India's dominance over Nepal is rooted in the 1950 treaty, especially the letters exchanged between India and Nepal whereby the latter became a strategic backyard for the former. This was augmented by continued recruitment of Gorkhas into the Indian army, foreign trade primarily routed through India, etc. Lest we forget, India brought Nepal to halt in 1985 when the then king Birendra decided to purchase weapons from China against Indian wishes. Since then, Nepal's dependence has grown with Nepal Petroleum Corporation entirely dependent on Indian Oil's Barauni refinery for refining crude oil on its behalf. Nepal's domestic trade is also controlled by 100 or so traders of Indian origin. The main source of capital too is Indian. Indian dominance over Nepal was amply demonstrated in 1985 when it imposed an economic embargo, which is an act of war under international law, against Nepal for daring to purchase weapons from China. India now calls the shots on a variety of issues. And many wryly say that New Delhi's domination of Kathmandu is worse than New Delhi lording it over an Indian state!

Be that as it may, the CPA, signed on 21 November 2006 by the eight parties committed them, through clause 4.7, to "democratisation" of the NA and, via clause 4.4, to "integrate" the PLA soldiers into the NA. However, the Maoists were thwarted from exercising control over the military. Nepal's Maoist defence minister was barred from entering the army barracks. Army officers refused to obey the elected civilian government to halt recruitment, which violated clause 5.12 of CPA; the army chief defiantly gave an extension to eight brigadiers who had reached superannuation. Army generals also made a written submission to the CA demanding revocation of "democratisation" of the NA as well as discarding commitment to "federalism" and "secularism".

Army officers, traditionally drawn from the feudal aristocracy over 240 years, carried on with their anti-Maoist propaganda in their briefings of foreign diplomats. Anyone of these defiant acts is sufficient ground for dismissing the army chief. Any self-respecting democrat would consider such an army to be anathema. But even when there was agreement in the cabinet to sack the defiant army chief, it could not be carried out. Why? This is because the Indian establishment saw the NA as their main bastion of support in safeguarding/promoting their strategic interests, and as the only force which could be an effective tool to thwart the Maoists from consolidating their position. They encouraged the NA to emerge as an autonomous force, along the lines of the military in Pakistan and Bangladesh, and prevailed on the political parties to go against the Maoists. The immediate trigger was the fact that the Indian establishment read the prime minister's impending visit to China, before one to India, as a threat to undermine India's pre-eminent role in Nepal. Nepal's political parties also supported the NA in the standoff with Maoists, expressing their readiness to replace dependence on the palace with one on the NA.

The Indian establishment's propensity to try to micro-manage things is also evident in its foray into temple politics. In essence, the issue is whether a people have the right to change a tradition, just as they recently broke a 240-year-old tradition by ending the monarchy. When voices began to be raised last year that the 300-year-old practice of appointing temple priests from India to this temple should be done away with, and the Maoist-led government took this step, the judiciary stepped in and stayed it. But this did not stop popular sentiments from persisting with the demand. India jumped into the fray as the defender of tradition in a misguided belief that Nepal has not only to be tied strategically (through the army) but even culturally (via shared ties to the Hindu religion). When the priests were attacked, fingers were pointed at the Maoists although the Pujari Nijukta Birodhi Sangharsh Samiti, which spearheaded the campaign, comprises members from the UCPN(M), the UML and the NC, among others. India's Ministry of External Affairs perceived this

as age old tradition and custom little realising that this 300-year-old tradition had replaced an earlier tradition which preceded it, since the temple is said to be from the 5th century. Moreover, the demand is at least 16 years old and was raised by Nepal Sanyasi Samaj. So one is witness to the sorry spectacle of secular India's envoy, accompanied by Nepal's culture minister, visiting the temple on 5 September to supervise the restoration of the "tradition".

A Messy Situation

Now the new coalition government has managed to anoint the daughter of G P Koirala as deputy PM but discontent within NC on this move carries on. UML's factionalism and umbilical ties with NGOs robs them of credibility outside the charmed circle of donor agencies and Kathmandu's middle class. Since Nepal depends for 53% of its revenue and capital requirements on donor agencies, this gives NGOs and INGOs an exaggerated reach, and enables many to read in the patron-client relationship of the NGO world, popular support for "autonomous" politics. The Nepali people's deep urge to rid themselves of the obtrusive control exercised by India and their real life experience of being at the receiving end of Indian high handedness, nevertheless, is a subject matter of many a private conversation. Thus, the triumphant note struck by the current PM for getting Rs 2,000 crore from India raised questions among many who wondered about what was the "quo" to the "quid" in the quid pro quo to get this bailout. The fact that this question was posed to me shows that many are troubled by it.

Meanwhile, the work of the CA has been stalled. Contrary to claims that the Maoists were obstructing it, the real reason is the reluctance of the coalition government to debate and vote on the president's unconstitutional role of countermanding a decision of an elected government, meant to ensure civilian control over the military. Most parties, especially the UML, know that many of their own members will vote with the Maoists on this issue. Now the coalition government has decided to renew recruitment into the NA and has indicated that it wants to revise the CPA, which forbids the NA as well as the PLA from recruitment. The UN monitoring team

has protested this, warning that it would bury the peace process. As for the Maoists, they are clear that this would amount to overturning the very process which held out promise for a peaceful transition.

Whither Nepal?

So where is Nepal headed now? Some believe that the Indian embassy and RAW (this is openly talked about) consider this period as ushering in some kind of a "course correction", which is a euphemism for letting the Maoists stew in their own juice for a while, waiting for them to realise that without Indian backing they will get nowhere. Others argue that the deliberate provocation mounted by the coalition government, which has openly declared its non-commitment to the CPA, is meant to precipitate a crisis to create the ground for a military crackdown. If this is true, it is a dangerous game. The Maoists may have gone into the peace process and made grievous mistakes, but they are clearly not a party which can be brought to its knees. In a way, the Indian establishment is too arrogant for its own good; having seen

almost everyone fall in line, it is therefore waiting for the Maoists to do the same.

Maoists are confident that if the members in the CA are allowed to debate and vote freely they will win support cutting across party lines on many critical issues, such as in any debate on censuring the president over the issue of reinstatement of the army chief. They have proposed a national government led by them because they claim that they alone can ensure civilian control over the NA, integration of the PLA into armed forces, as well as clear the way for the constitution to be drafted. But the way Nepal's politics is headed, what chances are there for this happening because those who fear transformation and apprehend loss of their entrenched interest will prefer not to allow Maoists any opportunity to return to the driver's seat. On the other hand, what other choices are there? In any case, Nepal does not have too long a time. The task of constitution-writing must be completed by May 2010, give or take a few months. Meanwhile, the Maoists are preparing for their first ever party congress in 18 years. Keen as they are to write a

constitution, it is not in their hands. While the Maoists cannot escape their share of blame, the manipulations of the Indian establishment in the internal affairs of Nepal and the regressive behaviour of Nepal's political parties are truly a curse.

So what happens now? With integration of the PLA into the NA mired in intense controversy and prevarication over the rehabilitation of PLA, as also the renewed efforts to begin fresh recruitment to the NA, frustration has mounted among the Maoists. Members feel that their party conceded far too much to garner support, which never did materialise. They have gone back to the people but questions remain about the future, for which there are few answers. The entire peace process appears, to many, to have been a way of preventing transformation. So what interim arrangement is being envisaged by Nepal's political actors and international players? Can there be a takeover of power by the president with the backing of the army akin to a Bangladeshi-type coup? Will there be an Indonesia-like massacre of the Maoists, as some fear? Or will a national government led by Maoists materialise?

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DR. (MRS.) NAWAZ B. MODY
Director

December 5, 2009

Amidst utter confusion, the interim constitution and the CPA appear to be headed south. There is increasing pressure from the rank and file on the Maoist leadership to prepare for the worst even as they hope for the best. What does that mean? Maoist leaders lament that the risk they took and the hope they generated among many that there could be a democratic closure and peaceful transformation, now appear misplaced. They recall that so long as they

remained strong, with their own force and their areas of influence, they could not be marginalised.

Nevertheless, if the peace process gets scuttled, then all those who waxed eloquent about non-violent transformation will have to re-think how, with big brother India dictating terms, a discredited lot of politicians and parties pursuing a path of confrontation can take the country forward? Its failure in Nepal would leave even

less hope for the same process gaining credibility in India. After all, the real lesson being driven across is that those who want to qualitatively transform the state and society along the socialist path must be prepared to negotiate their way forward from a position of strength or not at all. In the meantime, as frustration mounts, a friend recalled what Marx had once said about social change: "peaceful if possible, violent if necessary". So what would it be?