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# *The Maoist Movement and the Threat to Democracy in Nepal*

Stephen L. Mikesell

I sat here in this same forum nine years ago with Comrade Baburam Bhattarai, spokesman of the United People's Front, the political wing of Nepal's Maoist party. Nepal had just emerged six months before from a mass Democracy Movement which had succeeded in ending a three-decade old system of absolute monarchal rule and official, corporate and agency despotism. Through a one-party form of government called Panchayat Democracy, the monarchy provided the trappings of legitimacy for the country's foreign donors to underwrite the state and engage in their project of introducing western forms of property, society, institutions, interests, commodity forms, aesthetics, lifestyles, and values. Overall capitalist control was introduced, backed by local educational institutions and police power.

On the day that we left, we heard that the long awaited new constitution had just been implemented, giving Nepal a Westminster-type parliament under a constitutional monarch. In that talk, I said that the settlement that had concluded the Democracy Movement and the drafting of the new constitution in Nepal represented not the "advent of democracy," but the concerted demobilization of the population from the political process by an alliance of new forces. These new forces, to put it bluntly, had been allowed up to the trough of state power by the "victory" of that movement—"victory" in quotes.<sup>1</sup>

I'd observed how the settlement was negotiated by a small group of political leaders who'd had a marginal role in the movement and who abandoned all the demands of the movement except one. In the following weeks, I watched how the previously underground leaders were given ministries and feted by embassies and the representatives of international donors and corporations, providing them a sense of importance that they, rather than the people in the streets, had been the movement. I watched them gro-

tesquely put on weight in the intervening months. I remembered how the bodies of demonstrators gunned down by the military in the final days were left buried and forgotten under lime and earth in the Royal forest. I heard how the demands for a constituent assembly, promised three decades ago, were again sidestepped. I also heard how the writing of the constitution was taken over by a select group of lawyers guided by conservative legal organizations from Europe and the United States, which were spending large amounts of money to ensure that the new democratic constitutions would fit the needs of the New World Order. And I watched the parties, which claimed themselves to be revolutionary, give over the initiative to these individuals and interests so their leaders could use their constituencies to gain seats in parliament.

Baburam Bhattarai agreed with my assessment, though his party also initially attempted to undertake the struggle by entering the new parliament in order to disrupt the system from within. But according to Prachanda, the party's general secretary, this path threatened to corrupt the elected members of their party just as it did everyone else, and it failed to further the party's revolutionary goals.<sup>2</sup> The parliamentary system was opening up the country to international forces of commercialization and further rural impoverishment, not the empowering democracy that had been promised. For the people in the countryside, the situation was desperate, and the Maoists saw no other possibility than revolutionary armed struggle.

So on February 13, 1996, the Maoists launched what they called a People's War, aimed, in their words, at smashing the capitalist state and establishing a Peoples Democratic Republic. Their aim was to carve out bases in certain parts of the country from which they could build their organization, create an army of cadres through the practice

<sup>1</sup> "The Interim Constitution and Transition to Democracy in Nepal," in *Class, State and Struggle in Nepal: Writings 1989-1995*, Manohar, New Delhi, 1999.

<sup>2</sup> Li Onesto, "Inside the Revolution in Nepal: Interview with Comrade Prachanda," *Revolutionary Worker*, no. 1043, 20 February 2000 (Online: <http://www.mcs.net/~rwor>).

of war, and strengthen and centralize their military to the point that it could defeat the military capacity of the enemy. That enemy is the government of Nepal and its international supporters.

Their means of building these base areas has been to attack local representatives of state and class power. These include police, banks, government offices, foreign aid supported projects, and local representatives of what they see as the primary exploitative parties, the ruling Congress Party and the National Democratic Party (RPP). In many parts of their base districts, the Maoists now claim to have largely driven out the government officials from the villages and they are said to be setting up their own parallel government with its own elections and courts.<sup>3</sup> They have dismantled much of the government's machinery in 14 districts, threaten 17 more, and are actively operating in 31 other districts - meaning they have taken the war to 62 of 75 districts of the country with major actions even in the other districts. Recently they have also started hitting national and international targets. In order to undermine the confidence of the large multinational corporations that are helping to underwrite the state, they recently began destroying facilities of multinational corporations such as Unilever Nepal, Surya Tobacco Company, an Indian Milk company, liquor factories, Indian school facilities, and Coca Cola. Recently, for the first time, they also targeted a tourist hotel (although the publicity sensitive tourism industry operators say that it wasn't Maoists).<sup>4</sup>

The governments of the RPP and the Nepali Congress have reacted by calling the Maoists "terrorists", particularly because it is the members of their parties who are being systematically threatened, attacked and killed around the country. Several prime ministers have risen and fallen on the promise of suppressing the Maoists, while the Maoist movement has all the time expanded and recruited increasing numbers of mostly pliable young people. A power struggle within the ruling party between KP Bhattarai, the previous prime minister, and Girija Koirala, the current one, has kept the ruling party from providing any kind of unitary stance versus the Maoist movement and provided the Maoists with the room to develop their activities.

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<sup>3</sup> "Maoists conduct more elections," *The Kathmandu Post* (8 August 2000); "Maoists' alternate govt, laughable," *Awake* (11 August 2000) <http://www.nepalnews.com.np/contents/englishweekly/awake/1-94/f-pagers.htm>.

<sup>4</sup> "Maoists to now attack industrialists" *The Independent* (9 February 2000); "Attack on Tiger Mountain resort sends alarm bell ringing," *The Independent* (19 April 2000); "Maoist Set Fire on Tobacco Warehouses," *The Kathmandu Post* (16 June 2000); Neeraj Vajracharya, Maoists rattle industrialists, investors," *The Independent* (21 Jun 2000); Maoists strike the Capital: School buses burnt, Police Club bombed (24 August 2000)

There is no love lost for the police, which, trained and organized on a colonial model, has, for half a century, been feared and hated by the general populace and regarded as a tool of the oppressors. The police for their part have become extremely corrupt, particularly as they have been politicized by subsequent elected governments handing out their posts as sinecures.<sup>5</sup> The ruling parties and the police have a vested interest in the continuance and even expansion of the Maoist war, as it provides the rationale for expanded budgets, departments, and importance in national life. They receive unquestioned extravagance and privileges.<sup>6</sup> The war also justifies the use of extraordinarily repressive means for parties or individuals to keep themselves in power.

The police on the ground are poorly trained and equipped for war against an increasingly well-armed and growing guerrilla army. There is strong resistance among their members against posting in "Maoist Affected Areas". Policemen are being sent to these areas as punishment or because they lack connections, and even now with financial and other incentives, postings in these areas are leading to high rates of resignation.<sup>7</sup> Once posted in these areas, police men and women find themselves confronted by a village population that often sympathizes with the Maoist cause, as the Maoists are bringing positive changes while the police come just to repress, and see the villagers as their enemy. And even if the villagers don't have sympathy for or are hostile to the Maoists, the fear of retribution from the Maoists keeps them from taking any action that appears to help the police. The police in their turn see the lack of active support for themselves as tacit support for the Maoists, putting the villagers between a stone and a hard place. Consequently police action has led to widespread human rights abuses toward the civilian population, to say nothing of captured Maoists who are often summarily executed or otherwise "disappeared".<sup>8</sup> In February the police went so far as to burn hundreds of houses in several

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<sup>5</sup> "Complex, chronic problems ails Nepal police," *The Independent* (21 January 2000)

<sup>6</sup> "PAC seeks helicopter use details from Home Ministry," *The Kathmandu Post* (16 February 2000).

<sup>7</sup> Kedar Ojha & Shanker Kharel, "In Nepal Police, high connections matter," *Kathmandu Post* (14 June 2000);

"Police posts sitting ducks for Maoists," *The Independent* (23-29 February 2000); Akhilesh Upadhyay, "Police morale low, mutiny feared," *The Kathmandu Post* (2000 February 25)

<sup>8</sup> "AI report nails police, Maoists" *The Kathmandu Post* (14 June 2000); "AI warns Nepal on rights," *The Kathmandu Post* (14 February 2000); "UN official accuses police of extrajudicial deaths," *The Kathmandu Post* (15 February 2000)

<sup>9</sup> "Six villages set afire in Rukum," *The Kathmandu Post* (2000 Feb 24); "Maoists kill 2 more even as parties react on Rukum incident," *The Kathmandu Post* (24 February 2000)

areas thought to have housed insurgents after a large number of police were killed.<sup>9</sup>

Such rights abuses have opened the government to criticism from the opposition, the press, and national and international human rights organizations. The Parliament, early in 1996, passed an Act for the Establishment of a National Human Rights Commission to deal with human rights violations by police, but subsequent governments resisted the establishment of such a commission. I assume this is because it would limit the impunity with which the government could act and perhaps because too much of the liability for human rights abuses would extend to them. Under great pressure, such a commission was only recently established.<sup>10</sup> But housed within the secretariat and dependent upon it for its perks, and with political appointees among its members, editorialists say the commission is a "toothless tiger"<sup>11</sup> - a mere formality to ward off criticism against the government. The chairman, who is the former chief justice of the Panchayat regime, created further controversy by saying "that he liked the Panchayat system better than the present multiparty set-up."

The failure and political liability of using force increases calls of negotiations.<sup>12</sup> Both the Maoists and the various governments have said that they will negotiate and negotiating teams were created by both sides, but have never come together.<sup>13</sup> The Maoists set minimal conditions for negotiations: disclosure and whereabouts of people arrested by the police, release of all those arrested on charges of being Maoists, and treatment of prisoners according to the Geneva Convention.<sup>14</sup> However, they will not lay down arms or give up their long-term goal of establishing a proletarian system of government.<sup>15</sup> The government, on the other hand, won't talk except within the constitutional frame-

work, with no compromise of its basic two principles of multi-party democracy and constitutional monarchy. Prime Minister Koirala fears that successful negotiations would undercut his position in his party by bringing other people to the fore.<sup>16</sup> When Bhattarai worked to open negotiations while he was prime minister, Girija engaged in a tour of anti-Maoist rallies in which he turned the party against negotiations and replaced Bhattarai as Prime Minister. As Prime Minister, he undercut the negotiating team in order to keep the chairman from gaining acclaim at the expense of the Koirala family.

Perhaps exposing the real intentions of this series of governments, the Rastriya Prajatantra Party's Chand in 1996, Surya Bahadur Thapa in 1998, and Congress's Girija Koirala in 1999 all introduced strict anti-terrorist legislation which would suspend the constitutional protections of the citizens from the police.<sup>17</sup> This legislation includes ar-

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<sup>16</sup> "Govt must have clear stance on 'talks'" *The Independent* (21 June 2000); "Ball in Deuba's court," *The Independent* (25 Jul 2000); "Serious 'crisis of confidence' foiling Deuba's peace efforts," *The Kathmandu Post* (24 Aug 2000); "Editorial: Let Deuba talk," *The Nepali Times* (13 September 2000).

<sup>17</sup> "Khadka hints at tougher law," *Kathmandu Post* (30 July 1999) <http://www.nepalnews.com.np/contents/englishdaily/ktmpost/1999/Jul/Jul30/index.htm#2>

"Activists against draconian law," *Kathmandu Post* (2 August 1999)

<http://www.nepalnews.com.np/contents/englishdaily/ktmpost/1999/Aug/Aug02/index.htm>

"Thwart draconian law," *Kathmandu Post* (3 August 1999) <http://www.nepalnews.com.np/contents/englishdaily/ktmpost/1999/Aug/Aug03/editorial.htm>

"Terrorists Control Bill ruled out now," *Kathmandu Post* (6 August 1999)

<http://www.nepalnews.com.np/contents/englishdaily/ktmpost/1999/Aug/Aug07/index1.htm>

"Congress's decision to make police all powerful," *Awake* (19 August 1999)

<http://www.nepalnews.com.np/contents/englishweekly/awake/1-95/f-pagers.htm>

"Govt put law to curb insurgency," *Kathmandu Post* (22 September 1999) <http://www.nepalnews.com.np/contents/englishdaily/ktmpost/1999/Sep/Sep22/index1.htm>

"Serial blasts reported," *Kathmandu Post* (24 September 1999)

<http://www.nepalnews.com.np/contents/englishdaily/ktmpost/1999/Sep/Sep24/index.htm>

"Too draconian," *The Kathmandu Post* (1999 September 24) <http://www.nepalnews.com.np/contents/englishdaily/ktmpost/1999/Sep/Sep24/editorial1.htm>

"Speaker Rananabhat rules out need of new terrorist control Act," *Nepal News* (2000 August 1) <http://www.nepalnews.com.np/contents/archive/mainnews/arc56.htm>

"Nine leftist parties protest terrorist control bill," *Nepal News* (2000 September 27)

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<sup>10</sup> "HRC could now be a reality," *The Independent* (16 February 2000); "Attention to human rights," *The Independent* (16 February 2000).

<sup>11</sup> Dhana Thapa, "HRC should be independent, impartial," *Nepali Times* (16 Aug 2000).

<sup>12</sup> "Create environment for talks," *The Independent* (2000 Jun 21); "Govt should create environment for talks," *The Independent* (5 July 2000).

<sup>13</sup> "Ball in govt's court after Maoist declaration," *The Independent* (16 February 2000); "Talks with Maoists will be held in Nepal: Deuba," *The Kathmandu Post* (14 June 2000); "CWC directs govt to formulate policy before talks with Maoists." *The Kathmandu Post* (25 June 2000);

<sup>14</sup> "Never Ending Battle", *Kathmandu Post* (16 Jun 2000) <http://www.nepalnews.com.np/contents/englishdaily/ktmpost/1999/Jul/Jul30/index.htm#2>

<sup>15</sup> "Maoists rule out immediate dialogue with government," *The Kathmandu Post* (7 August 2000); "Maoists decision, jolt for govt.," *The Independent* (9 August 2000).

rest without warrant and custody for 3 months without judicial sanction, empowerment of the army, and suspension of press freedoms. These acts were strongly contested by a wide range of elements in the society, who warned of an escalation of arbitrary detention, torture and even extrajudicial killings. It was said that such an act "won't salvage people from terror but terrorize them." Amnesty International strongly criticized these efforts, saying that Nepal should learn a lesson from Sri Lanka, India, Pakistan, and Bangladesh, countries in which such acts led to widespread human rights abuses and wars without end, both of which have brought immense suffering to their population.<sup>18</sup>

For a long time, the government, particularly of Girija Koirala, has wanted to mobilize the army. The army has resisted entry into the war or even providing the police with automatic weapons, for reasons that I cannot quite comprehend. Although the Maoists anticipate that the ruling classes will throw the army at them as the war develops, they have fastidiously avoided confronting the army while building their base areas. I sense that the army feels that this is an inter-party and not a national war, and it does not want to become a tool of one party's suppression of another or of the populace. It has even resisted supplying the police with more up-to-date weapons. Non-Maoist opposition Communist parties are also strongly opposed to the use of the army for this reason, and their leaders say that it would lead the country on the road to a bloody civil war.

Unable to mobilize the army, the Girija government thus created two divisions within the police under two different Inspector Generals: an armed paramilitary section to combat the Maoists in the affected areas, and the regular police in other areas.<sup>19</sup> Recruitment to the paramilitary has been a problem, since the police see it as a punishment, regardless of the higher pay and promised promotions. Policemen say they don't want to go to these regions and die.

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<sup>18</sup> "AI warns Nepal on rights," *The Independent* (2000 February 14); "Nepal told to learn from S Asian mistakes" *The Kathmandu Post* (24 February 2000).

<sup>19</sup> "Government may appoint two IGPs," *The Independent* (26 January 2000); "Govt confirms concept of two IGPs," *The Independent* (2 February 2000); "IGP stresses need for armed police force," *The Kathmandu Post* (3 March 2000); "Govt mulling to restructure Police organization: Minister Khadka," *Rising Nepal* (6 March 2000); "Koirala to use strong arm tactics against Maoists," *The Independent* (12 April 2000); "Comment: Don't mobilise army only," *The Independent* (12 April 2000); "PM seeks to mobilise army to end insurgency," *The Kathmandu Post* (15 April 2000)

<sup>20</sup> "Fiddling While Dolpo Burns (Editorial), *The Nepal Times* (27 September 2000) <http://www.nepalnews.com.np/ntimes/sep27-2000/editorial.htm#FIDDLING>;

"After Dolpa incident, Maoists in favor of an 'extensive united

A recent massive attack by 300 Maoist guerrillas on the district headquarters and prison in Dolpa killed and wounded unprecedented numbers of police and led to the takeover of the headquarters for a while until the Maoists withdrew.<sup>20</sup> The army had a large base immediately on the other side of the river but stood by during the five-hour long pitched battle. This led the government to criticize the army for failing to help and provide guns to the police, which would help to force a consensus among all the parliamentary parties to finally mobilize the army over the protests of its commanding officers.<sup>21</sup> Given our knowledge of other guerrilla wars, it is likely to be the general populace which will suffer the wrath of army, with increasing human rights violations and greater polarization of the country.

Girija also called up the National Security Council (NCD) allowed by the constitution only in a National Emergency, which would allow him to mobilize the army. There is also a rumor that he plans to reinstitute the Regional Commissioners, which would allow him to control the army and local administrative units from the center. These offices were notorious during the Panchayat era for their lack of accountability and top-down control from the centralized government, making them into a repressive tool of the ministries.

Girija is also trying to censor some ten newspapers, which he sees as supporting the Maoists. The Home Ministry went as far as reframing the role of the press as playing a "crucial role for maintaining law and order in the society ... it should be playing a responsible role for the preservation of democracy and peace in the country. ... If the media didn't follow a proper norm, it could have a hazardous effect on the security situation."<sup>22</sup> One could ask since when was it the norm of the press to align itself with the government? In democracy, isn't its role to play the watchdog? Thus, on several counts, the prime minister is using the Maoist movement as a means of taking away wide democratic rights.

Objective conditions mitigate against concerted action against the Maoists. Even the mainstream papers and rulers recognize the terrible inequality in the country, and that

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front'," *Nepal News* (27 September 2000) <http://www.nepalnews.com.np/contents/englishweekly/telegraph/2000/sep/sep27/index.htm#6>; Govt determined to counter terrorist attacks : Joshi — Panel to probe Dolpa incident (28 Sep 2000)

<sup>21</sup> "Cabinet holds discussion on role of RNA," *The Kathmandu Post* (28 Sep 2000); Insurgency needs to be solved without using army: Defence Ministry, *Nepal News* (30 Sep 2000)

<sup>22</sup> "Call for a code of conduct for media," *Nepal News* (15 September 2000) <http://www.nepalnews.com.np/contents/englishdaily/ktmpost/2000/sep/sep16/index.htm>

the Maoists are riding on legitimate grievances, even if their approach is regarded as unconstitutional. As a result, there is widespread support for the Maoists in the countryside and great sympathy for them in the cities. There is satisfaction in many circles that corrupt officials, who have gone so long unpunished, are now getting their comeuppance. There is a general consensus in the press that the problem is a political one and that the solution will also be political. Along with suppression, ministers make visits to the affected areas with promises of big development programs that will lift the people out of poverty and win the people back from the Maoists. However, it is this very "development" which has historically strengthened and expanded the ruling class and its bureaucratic allies and supported the spread of commercialization, all of which underlie the Maoist movement and give it soil in which to take root. I don't see how any government that goes by the old logic of development will have anything to offer.

### Afterward

I have a problem with the title of this paper, *The Maoist Movement and the Threat to Democracy*. It implies the *existence* of democracy—as if democracy had been conjured up in Nepal merely by changing the country's constitution and allowing multiparty contest for the parliamentary institutions of the state without changing the bureaucratic machinery. Rather, in fact, the bureaucratic machinery of the state, of the parties, of international lenders and donors, of multinational banks, and of commercial and industrial interests and institutions has been extended in even more new and imaginative forms. All this of course, as in the past, is in the name of the people, particularly the poor.

This conjuration of democracy was made in the context of unprecedented centralization of corporate power on a planetary level - called "globalization" in educated circles. (Of course, by its very nature capitalism has always been a planetary project.) Nepal's democracy movement and, more specifically, the drafting of the new constitution, did not occur in isolation, constructed solely out of the country's own history, but emerged as part of a general upsurge of democracy movements worldwide. These movements in the Philippines, South Africa, Peru, Chile, Myanmar, Malaysia, China, Nigeria, the Soviet Union, Yugoslavia and so on and on—all were let loose by a general undercutting

of the international legitimacy that had been given to the post-colonial, but still very much colonized, regimes. The settlement and the construction of the new constitutional framework was paternalistically guided by international institutions, international money, and international advisors (to be modeled on European parliamentary institutions as if Nepal had no history of its own). The implementation of the new constitution was followed by the same restructuring, privatization, opening of commodity markets, expropriation and dismantling of village communities, appropriation of state and community properties, and implementation of international finance regimes. All of this was being prescribed across the world as the solution to the problems brought by the *previous* 50 years of foreign advisers, foreign aid and grafting of foreign institutions. These issues render the actual existence of democracy in Nepal or the idea that it can be threatened, problematic, to say the least.

It is difficult, reading urban newspapers on the one hand, and materials published by the Maoists and the International Revolutionary Movement on the other, for me to ascertain the real effect of the Maoist movement, the extent of its support in the countryside, and whether it is really bringing about the goals that it espouses. What I can say is that the Maoist insurgency is finding a fertile base in the real grievances of people, especially young people, which even the mainstream papers and politicians admit, either in words or actions. Inequality in Nepal is said to be the worst in South Asia, while the paternalistic institutions that were once sustained by it but which also mediated and tempered the exploitation underlying this inequality are being dismantled in the name of modernization. Fifteen years ago in my dissertation research, I observed pervasive debt as the foundation of the village communities and of the state. This debt, which provided a means of coercion of labor but was also tied up with moral obligations of lenders to provide access to the means of production, is now being used to pry people apart from their means of livelihood and communities. Traditional institutions, albeit imperfect, are giving away to brutal speculation in land and people. The tens of thousands of hill women shuffled into brothels in India and elsewhere in South Asia are emblematic of this just as the toleration of it, and the social stigma given these women by the ruling classes of the country, are emblematic of their role more generally.