

FROM CIVIL SOCIETY TO CITIZEN SOCIETY: MONARCHY, INSURGENCY,  
AND UPRISING IN NEPAL, 1990-2006

by

CHUDAMANI BASNET

(Under the Direction of David Smilde)

ABSTRACT

The character of civil society activism in Nepal—its discourses, its identities, and its practices—has changed several times over the course of two decades. In the 1990s, nongovernmental organizations (NGOs) and professional organizations were the major actors in the field of civil society, but their roles were largely subordinated to state goals. Beginning in early 2001, civil society activism exhibited a different character, and its public visibility increased dramatically and in more positive ways than in the previous period. As Nepal plunged into a deep political crisis, many new forms of organization and peace publics appeared. Activists associated with these organizations spoke the language of peace, neutrality, and objectivity; yet, they became radicals, and they, in turn, radicalized political discourse. Civil society activism appeared as a *powerful force* and public *identity* only in the course of the Second People's Movement against King Gyanendra's direct rule in 2005 and 2006, however. In the process, "civil society" became a household name. The King was forced to surrender to the movement in April 2006. This dissertation seeks to understand civil society activism in Nepal in three historical periods—1990-2000, 2001-2004, and 2005-2006. Focusing on three groups of civil society activists—professional organizations, autonomous citizen groups, and the local NGOs, I asks how and why civil society activism took different forms and characters at different historical periods. Drawing on civil society, social movement, and relational sociology literature, I argue that the nature of the evolving political field and the struggle over the meaning of civil society best explain the trajectory of civil society activism in Nepal. This study departs considerably from the existing approaches to civil society and citizenship studies.

INDEX WORDS: Nepal, Social Movement, Civil Society, Citizenship, South Asia, Democratic Transition, Monarchy, Maoism, Revolution

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## CHAPTER 1

### CIVIL SOCIETY, SOCIAL MOVEMENTS, AND POLITICS

#### **Trajectory of Civil Society Activism in Nepal**

The form and character of civil society activism in Nepal—its discourses, its identities, and its practices—has changed several times over the course of two decades. A political movement, popularly known as the First People’s Movement or People’s Movement I, ended a monarchical Panchayat system and established a multiparty democracy and constitutional monarchy in 1990. In the years following the movement, Nepalis started becoming increasingly assertive in public life. Associational life outside the direct patronage of the state and market that is often referred to as civil society has a long history in Nepal. In fact, as I will describe in chapters 2 and 3, the 1980s saw a remarkable surge of formal organizations even if the monarchical Panchayat regime tried hard to control citizens’ independent organizing. If the rise of nongovernmental organizations (NGOs) is any indication, what was distinct about the 1990s was a *public* associational revolution. In the 1990s, these NGOs were the major civil society actors, but their roles were largely subordinated to state goals, that is, development and democracy. Subsequently, they became famous as much for negative reasons as for positive ones.

Beginning in early 2001, civil society activism exhibited a different character, and its public visibility increased dramatically and in more positive ways than in the previous

period (1990-2000). Nepal plunged into a deep political crisis, as the monarchy, the parliamentary political parties, and the Maoists fighting for a communist republic since 1996, jostled for power. In what appeared to be complex political maneuvers on the part of the major national and international political players, civil society activists played their public roles as mediators and facilitators, leaving aside their previous goals of development and democracy. In addition to traditional NGOs and professional organizations, many new forms of organizations—“autonomous” citizen groups and “campaigns,” for example— appeared as influential civil society groups. Civil society activists spoke the language of peace, neutrality, and objectivity; yet, they end up being radicals and in turn, they radicalized political discourse in an unexpected way.

Civil society as a *powerful force* and public *identity*, however, appeared only in the course of the Second People’s Movement, also locally referred to as the People’s Movement II, against King Gyanendra’s direct rule in 2005 and 2006. The constitutional monarch dismissed an elected government in 2002, and encouraged by people’s indifference towards political parties, he declared himself “chairman” of a self-appointed government in February 2005. In the months following the King’s move, ordinary citizens, once again, did not protest against the King’s move despite the call from the political parties. It is at this crucial juncture that civil society activists became active against the King’s move. Activists continued to form new types of organization, a trend that had begun in the earlier periods. Once civil society activists called for protest, surprisingly, ordinary citizens began to participate in thousands. What was interesting at this period was that civil society activists adopted a *citizen* identity and re-signified

democracy as *Lokatantra* [commoners' democracy] as opposed to *Prajatantra* [subject's democracy] that had been in use for the past five decades.

Within a few days of the launch of street protests in July 2005, the term “civil society” became a household name. Civil society activists mobilized international forces as well as ordinary citizens in an unprecedented way. Many civil society activists, then termed *forerunners* [Aguwa] rather than leaders [Neta, a term reserved for politicians], were treated as celebrities by domestic as well as international media. Ultimately, the King was forced to surrender to the movement, variously named the People's Movement II, the April Movement, the April Uprising, or the April Revolution, in April 2006.

As I describe in subsequent chapters, the outcomes of the movement—the surrender of King Gyanendra to the movement in April 2006 and the subsequent abolition of the institution of the monarchy in May 2008—were determined by a confluence of factors including the formation of a coalition between the parliamentary political parties and the Maoists. Even then when I interviewed over 100 political leaders and activists in 2008 and 2009 (see Appendix A for detail), the leaders across the political spectrum accepted the fact that civil society activists “galvanized” the masses and that the activists proudly claimed that they were the ones who mobilized the quiescent masses.

This dissertation attempts to seek to understand changes in the character of civil society activism in Nepal. In particular, I ask the following question: How and why did civil society activism take different forms and characters at different historical periods outlined above? I draw on activist narratives, newspaper reports, and organizational documents to answer this question. I focus on three groups of actors that are commonly identified as members of civil society in Nepal's context—professional organizations,

“autonomous” citizen groups, and the local NGOs. Together, these three groups also form often-cited examples of the civil society groups in the civil society literature.

In focusing on the three groups, I do not, however, mean to present them as the privileged actors or objects of analysis; rather, as I clarify below, I attempt to break into the global-national-local web of relations. I will thus incorporate several levels of analysis as mediated through these groups. In fact, a broad array of institutions and actors including international actors such as the United States and the United Nations, state institutions including the national army and the political parties, and the country’s well-known industrial and business organizations, were involved in the field of civil society activism that started unraveling beginning with the 1990 movement. Together these three groups provide rich and interesting cases through which heterogeneous actors tried to negotiate a sense of common purpose and direction in a rapidly changing and highly contentious political arena.

### **Civil Society and Social Movements in Social Theory**

I draw on civil society and social movement theories to answer my research question. In this section, I first present an overview of the historical development of civil society theories, both liberal and Marxist versions, and then discuss contemporary civil society theories. I next turn to contemporary social movement theories, particularly the Political Process (PP) theory that is directly relevant to this dissertation. I argue that civil society and social movement theories are useful in varying degrees, but they need to be modified to address the research question I posed in the preceding section. I then argue that recent relational field approaches are better suited theoretically and methodologically

for understanding the character of Nepal's civil society activism. My argument is that the character of the field of civil society activism in Nepal cannot be understood without considering a relational context within a historically-determined configuration of power.

### **Classical Civil Society Theories**

Scholars agree that civil society during the classical period and well into the seventeenth century did not signify a distinct sphere from a political society, that is, the state (Calhoun 1993; Chandhoke 1995; Kaviraj and Khilnani 2001; Taylor 1990). Liberal political theorists in the seventeenth and eighteenth centuries radically altered this notion of civil society. First, civil society was conceptualized as a distinct social formation that was *autonomous* and capable of safeguarding its “interests” *against the state*. Scholars trace this notion of civil society to seventeenth and eighteenth-century developments in Western Europe. During that period, political philosophers first employed the concept to critique the social order emerging through the gradual demise of “feudal” institutions and the absolute monarchy (Calhoun 1993; Chandhoke 1995; Kaviraj and Khilnani 2001; Keane 1988; Somers 1995a; Somers 1995b; Taylor 1990). The autonomy of society from the state became a rallying cry, but it was the rise of market capitalism that decidedly *demonstrated* the self-organizing capacity of society (Calhoun 1993).

The state-civil society divide thus found strong expressions among Scottish enlightenment philosophers such as Adam Smith and Adam Ferguson. Dichotomies such as state/public and market/private were increasingly used and valorized in public discourse during the period. These commentators saw civil society as equivalent to the emerging market, a realm of individual freedom and entrepreneurship. This new

conceptualization of society gave rise to the notion of an *autonomous* civil society with its dual emphasis on the self-organizing capacity of society and the protection of individual rights against real or imagined state despotism. The state was at best regarded as a necessary evil; civil society, on the other hand, was invested with “natural rights” and a “pre-political” and “nonpolitical” status (Somers 1995a, 1995b; Taylor 1990).

If market imagery provided a vision of an autonomous civil society that was self-regulated and that worked “behind the backs” of self-interested individuals, another vision of civil society emerged within the liberal tradition through Montesquieu, Rousseau, and Tocqueville that stressed social relations as *voluntarily* created by autonomous agents (Calhoun 1993:271; Taylor 1990). This vision differed from classical liberalism in that unlike classical liberalism, it shifted attention from the market to civic participation and voluntary organizations to safeguard against possible state despotism. The republican tradition thus introduced a “third way”—the “art of association”—of conceptualizing civil society in place of the traditional civil society [market]-state dichotomy in liberal [and Marxist] theories.

In an often-cited passage, in *Democracy in America*, Tocqueville thus insisted that the secret of vibrant American democracy was innumerable voluntary organizations through which people participated in and contributed to democracy, thus guarding against and preventing the state from becoming despotic. Tocqueville saw specifically political associations as the “great free schools” of democracy in the United States. He regarded political associations as dangerous to any regime, including an open one, but he endorsed free political associations on the grounds that only such freedom could prevent despotism

of parties or the arbitrary rule of a prince. As we will see shortly, this notion of civil society has won a great currency in contemporary theorizing.

Marx, drawing on Hegel, conceived civil society in a radically different way (Chandhoke 1995; Kaviraj and Khilnani 2001). Hegel theorized civil society as a realm in transition from the family to the state. Civil society is thus a stage in which two principles of modern society—particularity and universality—are negotiated (Chandhoke 1995). Like the Scottish philosophers, Hegel conceived civil society as a space where individuals with self-interests entered into social relationships, but unlike them, he argued that a powerful state is necessary to curb the untoward tendencies inherent in civil society. Marx drew on Hegel, but he radically differed from the latter's vision. In Marx's vision, civil society became the realm of class domination, conflicts, and egoism rather than individual freedoms as conceived by liberal philosophers. In addition, unlike Hegel, Marx saw the state as a coercive institution that guaranteed capitalist economic interests. He viewed liberal civil and political rights as instruments to preserve private property and social inequality. Finally, Marx offered a *civil society solution* to the *problems of civil society*—he essentially saw the primacy of revolutionary action on the part of workers to solve the problems in civil society. Thus, civil society in Marx became important, but in a radically different sense. As I describe below and in Chapter 4, Gramsci, along with Lenin and Mao, reformulated Marx's concept of civil society and the revolutionary process while subscribing to his revolutionary goals (Cohen and Arato 1992).

### **Contemporary Civil Society Theories**

Scholars broadly agree that democratic struggles in Eastern Europe and Latin America in the late 1980s placed the discourse of civil society on a firm pedestal (Bernhard 1993; Cohen and Arato 1992; Edwards 2004; Keane 1988; Smolar 1996). These political upheavals showed the “third way”—the power of social movements and voluntary organizations. But these events and processes were read and interpreted differently by divergent scholars.

At a time when Eastern Europe and Latin America were undergoing political transformations, the “Western” democracies saw the decline of the role of the state in public affairs and the rise of neo-liberal policy prescriptions. In addition, this period also coincided with the concerns about “declining civic participation” in Western democracies. A section of scholars and activists then realized *if* they could learn something novel from East European and Latin American political experiences and apply them to their own society (Kumar 1993; Somers 1995a; Somers 1995b). Political theorists such as Robert Putnam are often cited to substantiate the importance of civil society for Western democracies. In his *Bowling Alone*, Putnam (1995), drawing on his research on “traditional” voluntary organizations, famously argued that the basis of civil community has been eroding in the United States since the 1960s and that this erosion has been depleting the national reserves of “social capital” that generated “social trust” and “generalized reciprocity.”

The notion that intermediary voluntary organizations are an effective and efficient means to articulate collective interests and trust was taken up by powerful international agencies such as the United Nations and the World Bank in the 1990s (Edwards 2004; Mercer 2002; Richards 2000). Resource-rich Northern NGOs also adopted the language

of civil society to cultivate relations with their Southern counterparts. What is important was that the role of civil society was imagined in the areas where the states were presumed to have failed to make significant gains—whether in the field of economic development or political conflict (Edwards 2004; Mercer 2002; Orjuela 2003; Richards 2000).

Throughout this dissertation, I show that these international actors are important in any understanding of the character of civil society activism in Nepal. While the argument that organizations generate social capital has been widely accepted, and in fact, I use the concept in this dissertation, critics argue that Putnam fails to explain how *exactly* social capital generates *public good*, but not a Mafia gang (Berman 1997; Edwards 2004; Foley and Edwards 1996; Mercer 2002; Orjuela 2003; Portes 1998; Richards 2000). Moreover, Putnam addresses the cases of well-institutionalized Western democracies, focusing on “traditional organizations.” His concepts are thus less helpful in understanding democratic struggles and upheavals this dissertation seeks to understand. My concern in this dissertation is precisely related to those areas, in particular, the interaction between civil society and macro political institutions, which Putnam has largely ignored.

Neo-Marxist and Post-Marxist theories have challenged liberal theories, but I will show that they too are not adequate in addressing the problem I posed in the last section. Neo-Marxist theorists for varieties of reasons turned to Gramsci to fashion their new political projects in the 1980s. In Latin America, for example, the defeat of armed struggles in the 1960s and 70s and the accompanying rise of authoritarianism led leftist intellectuals to rethink their political strategies (Smilde 2010). Gramsci (1971) offered a

solution here. The dominant interpretation of his work argued that he problematized—in fact, turned upside down—the traditional Marxist base-superstructure divide, arguing that civil society was an arena of struggle in which hegemonic and counter-hegemonic strategies could be forged (Bobbio 1988). Gramsci is thus said to have taken a radical departure from classical Marxism, giving an equal, if not more, importance to culture in the base-superstructure divide in classical Marxism. In Latin America and perhaps everywhere else, once Gramsci was interpreted as leaving aside revolutionary goals, activists found a new direction in their activism. These new directions included constructing free spaces of association and working together to overcome marginalization (Smilde 2010).

This move, like liberal theories discussed above, however, shifted attention from the state and macro political and economic institutions to local activism. In fact, Marxist scholars have been critical of neo-Marxist moves (Mercer 2002; Petras 1997). These scholars argue that the proliferation of NGOs, aided by global financial institutions and Northern NGOs, particularly in “Third World” countries, divert attention from macro social, political, and economic problems and processes since NGOs emphasize “projects” rather than *real* social movements. In this view, civil society weakens national workers’ movements and co-opts local leaders to undermine anti-systemic struggles. Additionally, civil society, as manifested in NGOs, undermines the national welfare state by providing social services to the victims of neo-liberal economic policies and multi-national corporations. Funded by Northern governments and global financial institutions, NGOs often bypass the local constituency and the state, but they openly collaborate with northern interests to undermine national movements.

As I will show later a variety of state and nonstate actors have historically become influential in Nepal. In fact, Nepal's politics and society cannot be understood without considering these actors. Later beginning in 2001, international actors also became party to peace efforts as Nepal plunged into a deep political crisis with burgeoning political violence. My observation showed that international actors contributed mightily to Nepal's civil society activism. Yet I argue that Marxist theories overemphasize the power of global actors and underemphasize human agency. Throughout this dissertation, I will argue that we also need to attend to activist agency, embedded in the web of social relations and local political culture.

### **Social Movement Theories**

My interest in this dissertation is in the interaction between civil society activists and macro institutional actors. Social movement theories appear as useful here. In fact, the contemporary revival of civil society theories and concepts owe to the emergence of social movements in Eastern Europe and Latin America. Many of the critics of liberal civil society theories have been well-known scholars of social movement and revolution (Skocpol, Ganz, and Munson 2000; Tarrow 1996).

In social movement studies, Political Process (PP) theory considers macro political forces such as demography, the economy, international factors, media, and the state (McAdam 1982; Tilly and Tarrow 2007). Similarly, PP theory offers ways to the kind of historical analysis this study attempts to conduct. Resource Mobilization (RM) theory similarly focuses on resources and organizations (McCarthy and Zald 1977). Criticizing earlier collective behavior approaches that often projected movement actors as

irrational and atomized individuals, these theories emphasized a rational actor model. These theories assumed that the major axes of conflict in society are economic and political exclusion.

These theories, however, paid little attention to grievances and meaning-making processes. Consequently, frame theorists made major contributions to understanding grievance formation and micro-mobilization processes (Benford and Snow 2000; Snow, Rochford, Worden, and Benford 1986). PP theorists have, however, incorporated these new initiatives into their “resource rationalist” model (Armstrong 2002; Armstrong and Bernstein 2008) as the metaphor of “solidarity incentives” often indicates.

New Social Movements (NSM) scholars, by emphasizing culture and identity, offer the much-needed balance to RM and PP theories (Buechler 1995; Pichardo 1997)<sup>1</sup>. In addition, these movements, unlike RM and PP theories, do not emphasize the locus of movement activities in nationally-bounded social movement organizations (Carroll 2009). NSM theorists have thus addressed issues neglected by PP and RM theories and broadened our understanding of social movement phenomena.

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<sup>1</sup> NSM theories are not uniform in their emphases (Buechler 1995; Pichardo 1997).

Manual Castles works largely from the Marxist perspective. Habermas focuses on the public sphere and rational communicative action. Whereas Melucci offers culturally-grounded semiotic analysis, Inglehart bases his arguments on “post-materialist values.” All, however, agree that NSMs are reaction to macro-political and economic changes in Western societies and that middle-class activists are the major carriers of these movements (Cohen 1985, Tourane 1985). Calhoun (1993) has questioned the “newness” of NSMs.

This dissertation draws on theories and concepts from all of these theories. Social movement theories, however, tend to reproduce liberal (and Marxist) *binaries* that Somers (1995a, 1995b) has described as rooted in “social naturalism.” She (1995:230) argues that political sociology has long believed that there have been only two essential protagonists of social organization—the modern administrative state and the market/society. This dichotomy has then been mapped onto an epistemological divide between two mutually exclusive “conceptual zones,” expressed in a series of binaries such as nature/culture, culture/structure and ideal/material.

The assumption of social movement theories is that fundamental interests of the state and society are opposed to each other. Thus, RM and PP theories (McAdam 1982; McAdam, Tarrow, and Tilly 2001) have consistently endorsed the idea that formal or indigenous organizations pitted against the state are the driving force of contentious politics. Scholars have, however, argued that such an approach often does not represent empirical reality (Davis 1999). PP and RM theories further assume that the primary forms of cleavages within society and the interests of actors are objective, long-standing, and given (Polletta 2008). Hence, these theories are incapable of explaining the kind of question I am asking in this research since they assume that activists use *rational* or most *efficient means* to obtain their (material) goals, hence the question of the character of a movement does not make much sense within the RM and PP models. As we will see later, other approaches considerably help understand these phenomena.

NSM theories, like PP and RM theorists, tend to reproduce the state-society dichotomy, advocating for the autonomy of society from the “rationalized” and “bureaucratized” economy and the state. Second, if the PP and RM theories emphasize

“material” aspects of mobilizations and movement outcomes, NSM theories focus on “ideal” interests. In turn, these theories merely recast the liberal binaries in a new form.

These theories create problems to conceptualize a variable nature of civil society activism as I described at the beginning of this chapter. For example, the same activists changed their, interests, identity, and practices in the three historical periods beginning in 1990. As I will show in my empirical chapters, the civil society activists I examine were not excluded in any straight forward sense; nor can their interest be labeled as “material” or “ideal” in any recognizable way. Although I draw on theories and concepts from these theories, these theories do not adequately address these problems. We need to move beyond these concepts and models.

### **Civil Society Politics: A Relational Field Approach**

Much of the debate in civil society studies is primarily informed by normative implications of civil society for liberal democratic norms. Consequently, they dwell on abstract theories and rarely examine concrete processes (Smilde 2010; Somers 1995a, 1995b). Such analyses reify the civil society phenomenon, highlighting abstract relations between the state, the market, and civil society and avoiding the variable relationships rooted in specific historical or social contexts.

Social theorists have recently advanced approaches that take into account the variable character of activism I described above. Relational approaches advanced by new institutionalism, cultural sociology, and network studies are helpful in this regard. Pierre Bourdieu (Bourdieu 1989; Bourdieu 1984; Bourdieu 1993) has consistently used the relational field approach in a number of areas. Civil society politics can thus be viewed as

an *emerging* field subject to multiple forces and embedded in concrete relational networks rather than a given object or an abstraction. Such an approach has recently been labeled a “relational sociology” (Emirbayer 1997; Emirbayer and Goodwin 1994; Mische 2007; Smilde 2007; Somers 1994a; Somers 1994b). As I will show shortly, this approach helps to understand the change in interests, identity, and practices of civil society activists I aim to investigate in this dissertation. In fact, in such an approach, the autonomy of civil society itself becomes a highly variable and empirical question.

The field approach has been used to examine intellectual formations and even the making of the field of gastronomy (Ferguson 1998; Karabel 1996). In social movement studies, Armstrong (2002) has used insights from new institutionalism to explain the creation and transformation of the Lesbian/Gay movement in San Francisco. Crossley (2001; 1998; 1999), drawing on Bourdieu, has used a similar approach to analyze the emergence of British health movements. Recently, Armstrong and Bernstein (2008) have termed a similar conceptualization a “multi-institutional politics” approach, claiming that such an approach represents an emerging “paradigm” in social movement studies.

New institutionalism views society as series of interacting fields or institutions. These fields have their own logic, games, and rules (Fligstein 2001; Meyer 1977; Meyer, Boli, Thomas, and Ramirez 1997; Meyer and Jepperson 2000; Powell and DiMaggio 1991). The fields are constituted by both material and cultural practices, and they are an outcome of social interaction and struggles between divergent actors. Actors enter a field with varying degrees of social, cultural, economic, and symbolic capital (Bourdieu 2001; Bourdieu 1989; Bourdieu 1993).

Particular types of capital activists and leaders possess thus become very important in the field approach. Surprisingly, social movement scholars, perhaps in an effort to avoid “psychologism” and “great man” theories, have neglected leadership, its quality, and its influence on activists and society (Nepstad and Bob 2006). A combination of different types of capital—a biographical capital—in a particular field in the context of specific struggle can become very important. As I will describe in subsequent chapters, in Nepal’s civil society activism, NGOs and professional organizations with nationwide and global networks successfully mobilized the international forces, but when it came to mobilizing popular masses, autonomous citizen groups, without *efficient* organizations and other material resources, became effective and successful. This discrepancy cannot be fully understood from the PP and RM theories. But if we view from the field approach, this becomes comprehensible since activists deploy different types of capital depending on the nature of the political field and the types of struggle. I will show later that different activists with different types of capital became influential at different periods. The power of different types of capital, however, should be understood relationally.

Second, the boundary of a field, as conceptualized by the field approach, is not pre-given or fixed; it is rather an empirical question. This is a highly useful concept for a number of reasons. First, social movement theories, probably drawing on stable Western liberal democracies, take for granted a stable nation-state (Davis 1999; Kenney 2001). But the state is not a coherent actor with unitary interest (Pringle and Watson 1998; Richards 2004). State institutions, under varying conditions, work at cross-purposes. Depending on the context, activists target a particular institution, playing one institution

off against the other. I will show later that Nepal's civil society activists targeted the Royal Nepal Army after the King's take over in 2005, simultaneously courting the bureaucracy and other state institutions. New institutionalists, like PP theorists, accept the unique position of the state among the host of societal institutions since the state holds peculiar kinds of resources and legitimacy that can restructure the whole society (Friedland 1991; Powell and DiMaggio 1991). But instead of abstraction, new institutionalists emphasize concrete relations. In fact, I will show that, in Nepal's civil society activism, the nature and character of the target institution go a long way in explaining particular types of identity, strategies, and practices used by activists in different periods. In other words, we need to examine concrete relations and processes according to the historically variable logic of the political field.

Third, a bounded nation-state does not adequately capture today's increasingly integrated and interactive world in which powerful institutions including state, non-state, and profit-seeking organizations as well as people and goods have grown multinational in character (Guidry, Kennedy, and Zald 2000). Facilitated by new developments in transportation and communication and growing number of international norms, such as the UN sponsored human rights protocols and covenants, activist networks easily cross over the international borders and become the very conditions of activism (Keck and Sikkink 1998).

When PP theorists take into account international "factors" (McAdam 1982), they often treat them as "resources" or "opportunity structures." This is a useful concept, but such an approach does not go very far since it does not capture the dynamic interaction

between activists situated at diverse locations interacting in real time. In a comprehensive review article, Goldstone (2004:361) recently argued:

“...broad notions of political opportunity do not give us much leverage...a more sophisticated approach than the simple listing of factors associated with POS [Political Opportunity Structure] is needed. Indeed, empirical studies consistently show that the factors associated with POS do not work in predictable ways. Rather, movement actions and success depend on a complex set of relationships among the movement, counter- movements, allied movements, varied elites, various state authorities, and various publics, as well as the economic, international, and ideological milieu...Thus, an approach that seeks to map out the full external relational field faced by social movements seems to offer a better chance of understanding the dynamics of particular movements...”

Goldstone then went on to argue that treating a movement as an “outside” actor, seeking opportunities for “non-institutional” actions has consistently defied empirical observations. This dissertation is informed by these relational approaches.

### **Events, Narrative, and Agency**

Institutional theories and network studies are often criticized for focusing on reproduction and durability rather than change (Clemens and Cook 1999). We then need concepts that adequately capture human agency. Emirbayer and Goodwin (1994) have argued that social networks are often conceptualized as linking concrete actors such as persons and organizations, rather than as also embodying ideals, discursive frameworks, and cognitive maps. This conceptualization is not perhaps surprising, given that social

movement theories have largely followed what Emirbayer (1997) has termed a substantialist approach. Substantialist thought, as opposed to relational thought, focuses on static, pre-formed entities and rational actors. We then need a relational concept of agency. Cultural sociology offers fruitful directions.

Human agency, as cultural theorists have recently argued, is not a categorical property—or rational actor by default; rather it expects contingencies. As we will see in empirical chapters, human agency can best be located in competing (and cooperating) fields and institutions and political cultures in a web of relationships. Agency becomes intelligible only in the context of the social mapping of the institutional and cultural terrain (Somers 1993:608). Cultural sociologists have located human agency precisely in such institutional contradictions and matrices.

People's lives are embedded in multiple fields and narratives; people are thus equipped with multiple logics, cultural frames, and “schemas” which help them make sense of the world and organize their actions (DiMaggio 1997; Mische 2007; Sewell 2005; Swidler 2001). Actors are simultaneously embedded in larger public and historical narratives about nations and the world (Somers 1994a; Somers 1994b). As we will see, narratives about Nepali nation and Nepal's position among the nations of the world greatly shape Nepal's monarchs as well as ordinary activists' worldviews.

Recent social movement studies have shown that narrative approaches explain social movement participation in a more convincing way than the traditional frame approaches (Polletta 2006; Steinberg 1998; Steinberg 1999). These studies locate activist agency in the relationality of social life, ambiguous nature of the meaning-making processes, emotional appeals, and identities (Goodwin and Jasper 1999; Jasper 1997;

Polletta and Jasper 2001). Most citizenship studies, for example, depict citizenship as bundle of rights handed down by the state to people, often in an evolutionary manner (Marshall 1950) and others have argued that citizenship is best described as a “ruling class strategy” (Mann 1987). Later in my empirical chapters, I offer a complex picture, arguing that the emergence of “citizen(ship)” identity in the course of the Second People’s Movement cannot be understood without investigating narratively-constituted identities and practices.

Second, a number of authors have highlighted the importance of events in social and political life (Ellingson 1995; Gamson and Modigliani 1989; Jasper 1997; Moaddel 2005; Sewell 2005). Events affect activists by triggering historical memory, creating moral shocks, validating people’s suspicion about a phenomenon, and generating new modes of conflicts. These events offer nice opportunities for investigating human agency. In Nepal’s tumultuous political history, for example, an infamous Palace Massacre shook the country in 2001. The whole family of the reigning King was killed in the tragedy. Suddenly, the institution of the monarchy and the army became objects of intense public debate and criticism. At other times, seemingly minor events change the direction of political discourse and activism. As we will see in chapter 7, a new meeting venue for activists spawned new debates that ultimately affected the character of Nepal’s civil society activism in 2005 and 2006.

## **Outline of the Dissertation**

In chapter 2, I outline briefly Nepal’s political history; In particular, I examine key political events, processes, and debates beginning in the middle of the 18<sup>th</sup> century. The

struggle between the Royal Palace and the political parties beginning in 1950 serves the background for understanding this project. I largely draw on published sources, but I will reinterpret a few issues in the light of my interviews with different actors. Here I will show that the subordination of civil society to the polity emerged under the monarchical Panchayat rule as soon as state-led modernization began in Nepal in 1950. But the political parties and civil society jointly fought against the Panchayat, and subsequently a multi-party democracy was established in the country in 1990. I end this chapter by examining the debates surrounding the drafting of the Constitution of Nepal 1990 and the 40-point demands proposed by the Maoists days before they formally launched their “People’s War” in 1996. Together, these two events lay bare the major axis of conflict in contemporary Nepal. I argue that development, nation, and political stability have historically been important to Nepali political, social, and intellectual projects and that within these historical narratives and processes, activists and actors made sense of their missions.

In chapter 3, I outline the emergence of the field of civil society from the late 1980s to 2000. In confirmation with the Marxist theories, I argue that international actors played crucial roles in establishing the field of civil society. But I will show a more complex picture of the field. In particular, international practices were enmeshed with the history of the political parties, the “lordly political culture,” inherited from the Panchayat regime, the democratic struggle in the 1980s, and the party support base. The parties and civil society activists enter into dense networks, making the latter susceptible to any kind of mobilization, be it for election or for democratic movement. Thus, it is the complex web of relations rather than any inherent deficiency in professional organizations or

dominating international powers that explain the field of civil society as it developed in the 1990s. At the end of the Chapter, I discuss the emergence of NGO “counterpublics” that opposed the dominant mode of NGO organizing.

Chapter 4 discusses civil society activism in the light of new political developments during 2001-2004. In early 2001, the Maoists changed their war strategy and engaged in a series of talks with successive governments. On the other hand, a distinct coalition between the Nepal Army and the Royal Palace also emerged during this period. The Maoists, the political parties, the Palace, and civil society activists, in turn, cultivated new linkages. An infamous Palace Massacre took place in 2001. This event affected the political course in its own right. The event of September 11, 2001, in the United States also affected Nepal’s evolving political developments. Amidst political violence, uncertainty, and chaos, the field of civil society offered opportunities for new actors. Concerns like possible international intervention and the Royal coup, similar to the 1960 Royal coup (discussed in the next chapter), also became the staple of activist discourse at this stage. But what marks this period was the growing radicalization of urban activists and diversification of the field of civil society.

In chapter 5, I discuss King Gyanendra’s direct rule that began in February 2005. In this section, I highlight the King’s efforts to establish a new political order, based on the model offered by his father, King Mahendra. Beyond the activist narratives of “authoritarianism,” I offer a historically-informed complex picture of the Royal move and motivations. Chapter 6 discusses civil society efforts to mobilize international forces against the King’s rule. In particular, I show that human rights activists activated their international networks, targeting the Royal Nepal Army. The dependency of the

government and the army on international donor agencies was a crucial advantage for activists at this stage, but I also argue that social networks, the nature of the new political field, and the field of human rights itself explain why the activists chose to act the way they did.

In chapter 7, I focus on spontaneous civil society groups, chiefly, the Citizen's Movement for Democracy and Peace (CMDP)—that engaged in mass mobilization. In the process, the CMDP became virtually synonymous with civil society. The crucial point, however, was the fashioning of a new identity—that of citizen. I examine the CMDP's strategies, discourses, and practices in this chapter. I argue that existing approaches such as Political Process theory cannot adequately account for the CMDP discourse and practices. I, in turn, show that the nature of the evolving political field, particularly the nature of the target, explains the new identity and massive mass mobilization.

Finally, chapter 8 brings together the previous discussions and examines theoretical implications of this study for both civil society and social movement studies. I argue that the concepts such as “autonomy” of civil society and “civil society against the state” are exaggerated, or they represent specific historical experiences of particular actors at particular time and place. Similarly, I argue that dominant interest theory and cries against professionalization of NGOs exaggerate the practices of the concretely existing civil society actors. My point is that we cannot take the form and character of civil society activism for granted without considering state institutions, political parties, international forces, and their relationships with each other. I contend that the civil society phenomenon in Nepal was neither *imposed* by the West, nor was it a local

creation. It was a common project, an act of collective imagination that made sense at particular moments of the country's history. I end my conclusion chapter by highlighting major power shifts and new political sensibilities that Nepal has witnessed following the successful conclusion of the Second People's Movement in 2006 and the eventual abolition of the monarchy in 2008.

## **CHAPTER 2**

### **NEPAL: QUEST FOR NATION, POLITICAL STABILITY, AND DEVELOPMENT**

Nepal is an overwhelmingly mountainous country on the southern slope of the Himalayas. Its size measures 147,181 sq km; on the north is the Tibetan Autonomous Region of the People's Republic of China, and on the east, west, and south, it is surrounded by India. Nepal is an incredibly diverse country with over 90 living spoken languages, about 100 “distinct” ethnic groups, and at least seven religions. According to the 2001 census, about 80 percent of the total population is Hindus and the rest Buddhists, Muslims, and Christians. Regional divisions stretching from east to west—the mountain region [Himal] in the north, the hill region [Pahad] in the middle, and the southern plains [Terai]<sup>1</sup>—has further fragmented the population. The population is also divided along different [Hindu] castes.

Nepal is a predominantly agricultural country, with over two-thirds of the population of approximately 25 million people engaged in agriculture, most of them in subsistence farming; over one-third of Gross Domestic Product (GDP) comes from the agriculture sector. According to the 2001 census, over two-third of the total population

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<sup>1</sup> The southern plains (about 17 percent of the total area) bordering India is the major crop producing region and has become politically salient in recent years with a new regional identity of Madhesh.

lives in rural areas. The adult literacy rate is about 60 percent, and according to the World Bank website, the average annual income is slightly less than 500 USD. With over two million Nepalis working abroad, most of them in the low-paying Gulf countries, remittance has become a major source of income in addition to tourism and a handful of garment and carpet industries.

### **Unification and the Rise of the Rana Family Rule**

Nepal's "official" history states that "modern Nepal" came into existence in 1769 when Prithvi Narayan Shah, King of Gorkha, one of the dozens of principalities in the mid-hills, "unified" Nepal by defeating neighboring mini-states, including the Kathmandu Valley<sup>2</sup>. Most principalities in the present day Nepal had been autonomous mini-Kingdoms with their own "pre-modern" political, economic, and cultural practices. The Kathmandu Valley had, in particular, developed a complex urban culture, combining Hindu and Buddhist practices; extensive trade and religious links with India and Tibet had facilitated that process until the consolidation of British rule in India in the nineteenth century obstructed those transnational links. The official history, largely reconstructed in the 1960s and 1970s, describes the mission of unification as a "brave history" in which the Shah dynasty and its warriors responded to the imminent threats of British colonizers

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<sup>2</sup> Most Nepali and foreign scholars have largely focused on Nepal's political history and seemed to be intrigued by eighteenth and nineteenth century courtly politics, which involved mass killings and staggering conspiracies among minor Kings, regent queens, and Palace courtiers.

in India<sup>3</sup> (Onta 1996). After the British-Nepal War (1814-15) and the subsequent Treaty of Sugauli ended the imperial ambitions of the Gorkha principality, Nepali rulers started fashioning a “modern” Nepali national identity by amalgamating [Hindu] ritual spaces and new territorial boundaries, forced by British India<sup>4</sup>.

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<sup>3</sup> In addition, the unification process is often depicted as a “re-unification” process by which the King merely brought wayward principalities into a pristine Hindu nation. Hindu and Buddhist religious scriptures are often cited to prove the existence of a timeless Nepali nation.

<sup>4</sup> Burghart (1984) offers an intriguing description of the historical development of the Nepali nation state. To summarize, he argues that the Nepali rulers, with the King at the apex, used shifting conceptual maps composed of three forces—possessions, realm, and country—to govern the country and the people. The boundary of the possessions was determined by the collection of revenue; the boundary of the realm was conceived in terms of places consecrated by a god whom the King worshiped; and the people were thought to be unique to a particular locale (composed of water and air) that gave a particular personality and import to different groups of people inhabiting different parts of King’s possession and realms. These forces along with Nepal’s encounters with external powers, primarily British India, formed the basis for the rise of the modern Nepali nation state. Ironical though it might seem, Burghart notes that the appellation of Nepali and the Nepali language, two of the three pillars of the official Nepali nationalism, came from the British in the first half of the 19<sup>th</sup> century. He notes that even the Kingdom of Nepal was a British appellation (Burghart 1994).

In 1846, a little-known Rana family emerged as the new aristocracy through a mass killing, popularly known as the Kot Parwa [Kot Massacre]. That event ended the long power struggle involving Royal family members and courtiers. British India, which had by now established a “residency” in Kathmandu, supported the Rana family rule. The British were later allowed to recruit Nepalis for British imperial forces, a practice that has become controversial but persists to date<sup>5</sup>. The Rana family members claimed their lineage to Indian priestly warrior clans and successfully established marital relations with the Royal Palace, a practice which still remains largely intact. After the Ranas secured rights of hereditary rule from the then King, the monarchy receded to the background for over one hundred years.

Burghart (1984) argues that the Rana rulers in Kathmandu, after the end of British-Nepal war, detested the “polluting” [Christian] British rule elsewhere in the subcontinent and saw Nepal as the *only* sacred Hindu land in the mythic Hindu world surrounding the Himalayas. Subsequently, one of the most important developments of this period was the promulgation of a “modern” national legal code in 1854. The legal code was probably the first *comprehensive national project* in the country’s history. The code established de-localized *Nepali jati* (roughly the Nepali nation), forming, at the

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<sup>5</sup> Nepali soldiers, popularly known as the British Gurkhas, fought in World War I and II on behalf of the British Empire. In the 1990s, former Gurkha army men made sensational headlines in Britain after they embarrassed the British government by suing for discriminatory practices. Currently, the Gurkha soldiers have been deployed in Afghanistan and in the Iraq War. In the late 1980s, they made sensational news after they defeated the Argentinean forces in the Falkland War.

same time, ritually-defined sub-national groups within a territorially-defined nation and state. This new legal code, however, organized the Nepali society in a hierarchical order, based on the Hindu caste system which had, of course, been in practice for centuries. The new legal code gave considerable leeway to non-Hindu cultural groups and their practices<sup>6</sup>, but it buttressed the political, social, and economic power of the members of the high-caste hill Hindu groups who had been dominant since the beginning of the unification in the middle of the eighteenth century. This group remains dominant until now.

In addition, the Nepali state actively promoted high caste hill Hindu practices through formal and informal ways as a *national culture*, a practice that affected the social, cultural, and material well-being of the “lower caste groups” who made up over two-third of the total population<sup>7</sup>. We will see later that this process became a major area of contention following the 1990 political change.

In the 1930s, with the rise of the nationalist movement against the British in India, opposition to the Ranas began in Nepal. Within the country, a few young people mostly

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<sup>6</sup> One of the exceptions that was strictly imposed throughout the country was the outright ban and severe punishment on cow-slaughtering in the areas controlled by Kathmandu. The cow is a sacred Hindu symbol.

<sup>7</sup> Scholars widely debate about the extent to which the Nepali state “imposed” Hinduism and how much the process of “Sanskritization” contributed to the creation of a Hindu national culture (Allen 1997; Gellener 1997), but almost all scholars agree that the process had direct cultural and material consequences for lower caste groups including non-caste, non-Hindu ethnic groups.

from high-caste families, disgruntled Rana family members, and Newars, the original inhabitants of the Kathmandu Valley, started to protest against the Rana rule (Whelpton 2005). Similarly, Nepalis living in India, many of whom had joined the Indian political parties to fight against the British, joined the opposition movement<sup>8</sup>. The latter group also included educated Nepalis living in exile in India, former British and Indian soldiers, and Nepali migrant workers (Whelpton 2005). Consequently, by the second half of the 1940s, a number of political parties including the Nepali Congress (NC) and the Nepal Communist Party (NCP) emerged in India. The vision of this “modernizing elite” was to establish democracy, *develop* the country, *civilize* Nepali society particularly through education, *promote* nationalism, and stop the abuse of the state treasury by the Rana rulers (Fisher 1997a)<sup>9</sup>.

After the British left India in 1947, independent India supported the opposition movement in Nepal, while colluding with the Rana rulers to gain key concessions. As I will discuss throughout this dissertation, India has consistently used this technique till today. The “democratic” India thus hastily engineered the Treaty of Peace and Friendship with the dying Rana regime in July, 1950. The Treaty allowed for the free movement of people and goods between the two countries, and it also stipulated that Nepal and India cooperate “closely” on matters of foreign affairs and defense. In Nepal, the Treaty has become hugely unpopular and an object of contention. Many in Nepal consider the Treaty an Indian design to subordinate Nepal and check Nepal’s northern neighbor, China. As

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<sup>8</sup> Almost all major political parties in Nepal maintain “brotherly” relations with their Indian counterparts.

<sup>9</sup> See pamphlets by Tanka P. Acharya, collected in Fisher (1997); see also Onta (1996).

we will see later, Indian policy toward Nepal and the 1950 Treaty feature prominently in Nepal's nationalist discourse.

In a dramatic event in November 1950, Tribhuvan, then King of Nepal, in collusion with anti-Rana protestors, took refuge in the Indian embassy in Kathmandu and was subsequently flown to India. India, an advocate of non-violent politics, ironically, supported an armed struggle against the Ranas. The armed insurgency together with the King's flight to India ended in an India-brokered tri-party power-sharing agreement, the so-called "Delhi Compromise," among the Ranas, the democratic fighters, and the King. The 104-years-long-Rana family rule thus came to an end, and the new King was reinstituted. The newly instituted King promised that elections for a Constituent Assembly (CA) would be held to draft a new Constitution, a promise that became a contentious issue in the 1950s and was fulfilled only in 2008.

Rana rule and the 1950 political change had long lasting impacts on Nepali politics and society. The political change paved the way for perennial Indian intervention in Nepal's politics and strengthened the monarchy as the "father of democracy." The Ranas did provide stability to the central state, engineering a dubious but powerful Nepali identity as one of the "never colonized countries in the world<sup>10</sup>." In addition, they also actively promoted "modern" Nepali nationalism based on three pillars—the Nepali

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<sup>10</sup> The Ranas actively cooperated with British rulers with Rana Prime Ministers participating in wars on behalf of the British imperial forces. Rana policy toward the British can perhaps best be described as "anglophilic sycophancy" (Liechty 2003).

language, Hindu high-caste hill culture, and the monarchy<sup>11</sup>. The Ranas followed an “isolationist” policy, trying hard to seclude Nepal from the outside world even if Western capitalist commodities and interests had penetrated Nepal’s rural hinterlands as well as the Kathmandu Valley in the eighteenth century (Liechty 2003; Mikesell 1988). This isolationist policy continued even after the British Parliament formally accepted Nepal’s independence in 1923. Nepalis were required to have a visa to travel from one part of the country to another. A regular night time curfew was imposed in Kathmandu from the 1930s onward, and the Ranas were suspicious even about large religious gatherings and worships (Liechty 2003).

The Ranas treated Nepal as their fiefdom, denying the people basic civil and political rights. Education was banned for all, except for the Ranas themselves and select high-caste families. The Ranas did not maintain a distinction between personal fortune and state treasury. Revenues were generated primarily through stringent taxation from tenant farmers and peasants and during the latter half of the 1800s through timber export to British India. A network of “feudal” taxation bureaucracy was established throughout the country. Land was freely distributed among their family members and supporters, almost exclusively high-caste hill Hindu groups. The Ranas eliminated many rival families (of many high-caste hill elites) who had been benefiting since the beginning of the unification process in the eighteenth century, but others participated as part of the

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<sup>11</sup> Standard historical accounts claim that the Kings were virtually “imprisoned” during the 104-year-long rule. Perhaps, this account exaggerates the reality; the Ranas hardly ever challenged the authority of the monarchy. The Ranas and the Shahs had practically been one family due to extensive marital ties.

ruling elite in the Rana administration. The Ranas left the country with a legacy of severe poverty and illiteracy. In 1951, the literacy rate was just 5%, the total length of motorable roads was less than 300 Miles, and telephone and other facilities were virtually nonexistent.

However, this did not mean that Nepal was completely sealed off from outside influence. Trade and religious relations with India continued to take place. The Ranas themselves travelled to Europe and returned home with new ideas and a consumption ethos (Liechty 2003). As the Ranas provided considerable leeway to ethnic groups, ethnic institutions continued to function, keeping ethnic traditions and identity intact in the face of hostile state practices. As we will see in subsequent chapters, the preservation of ethnic identity had important implications for current political developments in Nepal.

### **Political Instability, Brief Parliamentary Rule, and the Consolidation of the Monarchy (1951-1959)**

As soon as Rana rule ended in 1951, like other new nations throughout the world, Nepal resorted to a nation state model, as new institutionalists would have predicted<sup>12</sup> (Meyer, Boli, Thomas, and Ramirez 1997). Thus, all the paraphernalia of a modern nation state, including an interim Constitution, were hastily transplanted, with the help of newly decolonized India. The reality, however, was complex, and the ruling elite had to create legitimate stories to justify and sustain the new nation and the state. The 1950 political change took place in the midst of the heyday of “developmentalism.” In addition, Nepal

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<sup>12</sup> Burghart (1994) suspects that Nepali rulers might have literally drawn the idea of “nation-building” from American functionalist and modernization school.

faced another stark reality: once the polity was legally constituted by a “democracy,” it had to make explicit the source of authority to some national culture and a pristine people. The new state no longer could draw its legitimacy from imperial centers and religious texts alone (Burghart 1994). Taken together, the political task of “unifying” heterogeneous nations only justified the imperative of political centralization. Thus vast resources had been invested in a highly centralized form of governance. The new rulers largely agreed on a modernist project akin to “catching up with the West.”

Major political actors, principally the Nepali Congress (NC), communists, and the Royal Palace, however, had their own versions of modernity. Subsequently, the country witnessed a period of political instability in the 1950s (Baral 1977; Joshi and Rose 1966). The political parties viewed the Palace as conspiring against holding elections for the Constituent Assembly. The Nepal Communist Party and the Nepali Congress engaged in a nationalist-ideological battle with the latter professing social democracy and the former socialism. Next, Nepali nationalism was increasingly defined by its closeness to—or distance from—the Indian establishment. Such a view of negative nationalism—being a Nepali is not being an Indian—subsequently developed as a major axis of conflict, and it remains more or less intact today. The Kathmandu-based democracy fighters were up against those who had fought against the Ranas from “Indian soil.” The latter included the Nepali Congress. In addition, traditional Kathmandu aristocrats, who increasingly cultivated relations with the King, battled against the modernizing party elites from outside the capital. Without elections, every group could claim legitimacy as the largest or “most popular party.” Finally, “independents” often aligned with the King to fight against “petty” party interests.

The King, supported by a military dominated by the traditional high caste hill Hindu groups and the Rana family members, emerged as the most powerful institution in the country. The 1951 Interim Government of Nepal Act stated that “the executive power of the State shall be vested in the King and his Council of Ministers,” a provision that would be partially upheld in the 1990 Constitution and would be controversial throughout the post-1990 movement period (Joshi and Rose 1966). For almost ten years, King Tribhuvan and his son ruled through their puppet governments. Instead of the promised Constituent Assembly elections, the Palace gradually amended the Interim Constitution, making the King the sole source of the executive, the judiciary and the legislature. King Mahendra further consolidated monarchical power when he ascended to the throne in March 1955, following the death of King Tribhuvan in Switzerland.

In yet another political innovation that subsequently came to be identified as a timeless tradition and “close people-King relations,” King Mahendra began to “consult” people face-to-face by visiting different parts of the country, publicly criticizing the political parties and resenting the parties’ connections to Indian parties and politicians. Similarly, King Mahendra started his “direct rule,” placing himself as the head of the government and the state. As we will see in Chapter 5, King Gyanendra tried to emulate his father’s innovations in 2005 and 2006.

When the political parties threatened mass protests in 1959, a Constitution was promulgated a week before the first national elections in the history of Nepal. Again, instead of the promised Constituent Assembly, King Mahendra promulgated a new Constitution, exercising the *sovereign powers of the Kingdom of Nepal*. The Nepali Congress won 74 out of 109 seats in the elections and formed the first elected

government under the leadership of B.P. Koirala. The new government initiated a number of socio-economic reforms including land and tax reforms<sup>13</sup>.

After the 1950 political change, a “modern” form of *civil society* started to emerge in Nepal (Baral 1977; Joshi and Rose 1966; Whelpton 2005). Political parties extended their organizations among students and peasants; informed by Leninist party organizing principles, the communists were particularly adept at organizing the masses. Journalists and pamphleteers flourished in Kathmandu, and there was a resurgence of art and literature. The King’s supporters too were organized under quasi-religious groups (Joshi and Rose 1966). A number of trade and commercial organizations appeared in Kathmandu. A handful of NGOs started to emerge in the 1950s. The Society Registration Act of 1959 was enacted to institutionalize new organizations (Chand 1991). International donor agencies made inroads in far-flung villages and slowly *bikas* (development) began to mesmerize the country (Pigg 1992).

### **Panchayat Rule**

On December 15, 1960, one-and-half-years into parliamentary democracy, King Mahendra dissolved the elected Parliament and banned the political parties, accusing the Nepali Congress government of failing to maintain law and order, protecting nationalism,

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<sup>13</sup> Many historians believe that these reforms were the cause of new conflict between the “modernizing party elites” and the “traditional elites” comprising the army, the former aristocracy, the conservative landowning groups, and the King. A series of demonstrations and “uprisings” were organized by traditional groups including business groups against new taxation policies (Joshi and Rose 1966; Whelpton 2005).

and misusing state resources. Several NC leaders supported the King as they considered the King's move as a "temporary" measure. A few key communist leaders also supported the King, as they considered the King's move an [anti-Indian] "nationalist" program (Baral 1977). As we will see in subsequent chapters, the Royal Palace and the communists in Nepal, at times, oddly, come close to each other for the cause of "nationalism."

The King then proposed a *partyless Panchayat system* with his sole authority over all state institutions including the legislature (the Rashtriya Panchayat) and the judiciary<sup>14</sup>. On paper the 1962 Panchayat Constitution, which the King characterized as a "gift" to the people of Nepal, guaranteed most of the internationally-accepted civil and political rights.

King Mahendra's nationalist project was based on a *system differential approach*: Nepal must have a socio-political and cultural system that is sufficiently different from its two powerful neighbors, India and China. India had a secular parliamentary democracy and China communism. As opposed to the Chinese communism that was based on class conflict, the Panchayat system advanced a "class coordination" ideology. As opposed to the Indian secular parliamentary system, Nepal was to follow a party-less Hindu

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<sup>14</sup> Historians point out several factors that facilitated the King's coup. These factors included the India-China border conflict in the early 1960s, cold war politics, and the guided democracies in a number of developing countries on which the King could draw freely (Baral 1977; Joshi and Rose 1966). Internally, inter-party conflicts between the Nepali Congress and the Communists and intra-party conflicts within the Nepali Congress were also rife.

Panchayat system with the monarchy at the apex. For the first time, the Panchayat Constitution of 1962 thus declared Nepal a Hindu state even if it guaranteed the *right to practice* any religion. The King and his supporters claimed that the system was “based on the soil of the country” and would lead the country to rapid prosperity.

The Panchayat regime promoted Nepali nationalism based on the Nepali language, the Hindu religion, and the monarchy, a process which was already underway by the mid-nineteenth century. Backed by the state apparatus, this national cultural project was both elaborated in and disseminated through print, radio and visual media as well as educational institutions<sup>15</sup> (Onta 1996, 1997, 1999). A few years after the Royal coup, news-broadcast in the Newari and Hindi languages was discontinued by the state-controlled radio Nepal. In Nepal’s southern plains, the use of the Hindi language, which is the lingua franca of the region, in primary school was prohibited, and the circulation of Indian currency discouraged (Gaige 1975). The rulers in Kathmandu have historically suspected the “patriotism” of the people living in the southern plains because of the latter’s cultural and marital connections to people in northern India. As I will describe later, a regional identity in the southern plains and the Hindi language have become burning issues in contemporary Nepal.

The King hoped that once *sectional and private interests* were suppressed by banning the political parties and by maintaining *unmediated, direct contract* with the

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<sup>15</sup> This process was, by no mean, unique to Nepal. Linguistic diversity has been the major casualty of national projects throughout Western histories. Schudson (1994:32) aptly argues that national projects, of which language is a major part, are uniquely “Gramscian,” yet they are “Durkheimian” in all intents and purposes.

people, a homogenous Nepali nationalism could be forged. This was a project that would prove mere wishful thinking on the part of the monarch, as the events in the 1990s and beyond amply showed. Consequently, the King practiced and perfected a variety of technologies to maintain direct contact with his subjects. These practices formed what Richard Burghart (1994) has aptly termed a “lordly political culture.” Historians largely agree that central to King Mahendra’s project was progress and development of the country and a homogenous national identity. The system was established on the principle that *development should precede democracy*, a principal that would be reversed with the political change in 1990.

The Panchayat regime devised a multi-tier indirect election mechanism in the name of “decentralization” and democracy from below so that the King could hand-pick his supporters to the national legislature. This meant that any effort to form a national organization could be thwarted. People elected leaders at the village level directly through local elections. The King was amply supported by village elites—many of whom were indebted to him or the Rana aristocrats for their land. In addition, several “class” organizations, such as peasant, women, student, and youth organizations, were created within the Panchayat corporatism (Baral 1977). These class organizations were supported by state funds. A limited number of members from these class organizations were elected to the national legislature, the Rashtriya Panchayat.

The Panchayat regime, however, was fearful that in the absence of political parties, people would organize themselves along caste and ethnic lines (Baral 1977; Shaha 1975; Shaha 1990). “Parochial” identities were clearly anathema to the Panchayat national project. While a few individuals had been hand-picked by the King from lower

caste and ethnic groups, caste-based discriminatory practices were largely tolerated perhaps for three reasons<sup>16</sup>. Although many “modern” Hindu teachers including yoga and meditation Gurus claim that the caste system has nothing to do with the practices of untouchability, caste divisions are how people experience Hinduism in everyday practice in rural Nepal. Nepal as a Hindu state and the rural Nepal, largely governed by the caste principles, should be viewed as related to each other. Second, the Panchayat ideology was based on an evolutionary paradigm; “modernists” among the rulers probably believed that “archaic practices” would vanish with the advancement of the Panchayat modernist project. Third and perhaps most important of all, the hierarchical social system proved to be an effective means of expanding state control over society, as the state lacked coercive and administrative control over the vast expanses of Nepal’s treacherous geography. The modern Nepali state thus ruled rural Nepal through high-caste petty moneylenders and landlords. This probably explains why the Maoist effectively controlled much of the rural Nepal within a few years since their war began in 1996: once the undeclared representatives of the state—rural petty moneylenders and landlords—were chased away, the police became immediately ineffective. Even though a few scholars have argued that urban Nepal is moving from “culture to class” (Liechty 2003; Rankin 2004), caste hierarchy is the everyday reality people face in much of rural Nepal.

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<sup>16</sup> In fact, the Panchayat Constitutions and even the 1990 Constitution had provisions which stipulated that the state would defend local “traditions” and maintain “communal harmony.” These Constitutional provisions were enough to continue caste and ethnic-based discriminatory practices.

The Panchayat system, partly abetted by Cold War politics and the India-China rivalry, achieved remarkable social and political stability within a decade. When King Birendra assumed the throne in 1972, following the death of King Mahendra, the new King was ready to propose to the world that Nepal be declared a “zone of peace.” Not only was Nepal the most peaceful country in South Asia, but it also had little visible internal dissention.

### **Civil Society and the Opposition to the Panchayat**

As discussed above, the Panchayat envisioned a corporate society in which all groups and “classes” would be subordinated to the political order with the monarchy at the apex. Autonomous civil society was viewed as a nuisance and an obstacle that came in between the monarch and his subjects. Commenting on the characteristics of “Nepali civil society” in the “lordly political culture” as imagined by Panchayat rulers, Burghart (1994: 7-9) aptly writes:

The legal coherence of the ‘personal’, the ‘state’ and the ‘common’ made sense in a lordly political culture, in which the public domain was personally represented by the sovereign, whose will was executed by his state agents for the common good of an individual body politic...In European society personal interests are openly expressed in public places, either individually or collectively by political parties and voluntary organizations...In Nepal, though, public order was defined in terms of unity. Antagonism and conflict of interest could not, therefore, be openly expressed in the King’s body politic...the modern state claims a monopoly in the legitimate use of force, but in Nepal the state also claimed a monopoly in

the legitimate expression of public service... The state preserved its privilege to serve the public. This service was carried out by the King, or persons acting in the name or with the authority of the King.

Having relegated everything outside state initiatives to self-interest<sup>17</sup>, Panchayat rulers severely repressed opposition forces or any other self-initiatives outside state patronage.

Nepal's open borders with India, India's geo-political interest in Nepal, and ironically, the much-hated 1950 Treaty with India, however, kept the opposition alive. Following the 1960 Royal coup, many of the political party leaders who were out of prison went into exile in India. In the 1970s, the banned political parties again intensified political opposition. A militant Communist party, the precursor of the current Nepal Communist Party (Unified Marxist and Leninist), engaged in an armed insurgency in eastern Nepal in 1971, but the insurgency was quickly quelled by government forces. Later the Nepali Congress, having prevented one such attempt in 1961-62, adopted violent tactics in 1972. These efforts made from Indian soil, however, had little impact on the Panchayat regime, and they only became anti-Indian propaganda tools in the hands of the Panchayat regime<sup>18</sup>.

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<sup>17</sup> "Nonpolitical" public activities such as public processions and public meetings also required prior authorization of government agencies.

<sup>18</sup> The Nepali Congress official website said that the 1961 insurgency was called off as the "Indo-Chinese conflict of 1962 was perceived as a danger to Nepal's territorial integrity." Similarly, regarding the insurgency beginning in 1972, the NC website claimed that "the state of emergency in India [1975-77], however, seriously obstructed the Nepali

The Panchayat regime, however, faced challenge internally. Most serious of all was that it failed to channel its *class organizations* into effective political tools. Factionalism in the class organizations, which were supposed to function above and beyond *petty party and self-interests*, became rampant (Baral 2006). Banned political parties quickly took advantage of them. The graduate constituency [students legally organized in lieu of Panchayat class organizations] elections, for example, were eventually used by the banned political parties to expose the regime's democratic pretensions and advocate for the full restoration of multi-party politics. University campuses became the hotbeds of opposition politics, as the banned parties extended their student wings.

Massive student unrest in 1979 subsequently forced King Birendra to hold a referendum on the future of the political system in 1980<sup>19</sup>. For the first time in more than two decades, the people were asked to choose between a "would-be-reformed" Panchayat system and a multi-party democracy. The political parties were allowed to publicly express their views and ideologies, and media censorship was lifted. Opposition leaders

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revolutionary movement" (see <http://www.nepalicongress.org/files/introduction.php>, accessed February 24, 2010).

<sup>19</sup> BP Koirala, former PM who was imprisoned by the King in 1960, in an interview published in India in 1981, argued that the Iranian Revolution of 1979 had actually caused the King to concede to the referendum. Thus he projected the King's move as coming out of fears rather than his love for democracy as the Panchayat regime claimed. If anything, this interpretation shows how deep the level of mistrust had been between the NC and the monarchy.

and parties once again could reach the households nationwide. The multi-party option was, however, rejected narrowly (2.4 million vs. 2 million votes) by the people in a referendum that was largely believed to have been rigged. Significantly, the multiparty advocates showed strongly in urban centers, which were relatively better off in socio-economic status, throughout the country<sup>20</sup>.

After the referendum, the Panchayat Constitution was amended. Most notably, for the first time, the King instituted direct adult franchise for the 75 percent of the total seats in the national legislature, the Rashtriya Panchayat. In addition, the new Constitution, in theory, stipulated that the Prime Minister would be appointed on the recommendation of the national legislature, and the council of ministers would be answerable to the national legislature. Tilly (1978) argues that the growth of mass election in nineteenth century Europe was one of the factors that changed the forms of collective action—from “local” to “national,” from “autonomous” to “organized,” and from “reactive” and “proactive.” Whatever the King’s motives for these far reaching changes, these openings unintentionally gave the political parties an extraordinary opportunity to infiltrate into the system and organize nationally.

It was the communist parties that first exploited those opportunities by participating in local and national elections. The CPN (Marxist Leninist), the precursor of

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<sup>20</sup> The election results perpetuated two theories. First, the Palace tended to believe that it had support in the rural areas. On the other hand, a section of class theorists believed that ethnic peoples who lived in the rural mid-hills supported the monarchy. This pattern was interesting since the ethnic minorities were thought to be culturally oppressed by the Shah dynasty.

the current Nepal Communist Party-Unified Marxist Leninist (NCP-UML), thus succeeded electing thousands of its cadres at village level, and it sent several mavericks to the national legislature. Padma Ratna Tuladhar, whom we will meet in successive chapters as a civil society leader, was one of the persons elected from the CPN (Marxist Leninist). In 1987 the NC followed the communists' tactics by participating in Panchayat local elections under the "reformed" Panchayat regime, but except for the Kathmandu municipal elections, the party showed poorly throughout the country<sup>21</sup>.

Next, having already taken a *partyless party* character, defending the organized parties in the course of the referendum, the Panchayat supporters increasingly became organized nationally as the new Panchayat Constitution, with universal franchise, encouraged factionalism among Prime Ministerial hopefuls. On top of this, numerous student and professional organizations asserted themselves in opposition to the system publicly. In the aftermath of the referendum, ethnic organizations, many of which had existed as "cultural" organizations since the 1940s, accelerated their activities, and many new organizations emerged. Most notably, the Newar organizations in Kathmandu valley became increasingly vociferous regarding their linguistic and cultural rights<sup>22</sup> (Sherchan 2001).

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<sup>21</sup> Brown (1996) notes that the NC participated in the elections to counter the growing communist influence, as advised by the Americans.

<sup>22</sup> Similarly, several ethno-political organizations emerged in eastern Nepal; most of them operated underground under the guise of cultural organizations. These organizations loosely coordinated their activities with the communist parties.

The media fiercely resisted any attempt to take back the freedoms which the 1980 referendum had offered them. Although limited in their reach and severely repressed by the regime, with each party or party faction creating their own loyal press, the newspapers became the major voice of the opposition parties. The political parties were banned once again by the new Constitution, but they operated more or less openly following the referendum. By the end of the 1980s, the partyless Panchayat system that had a Constitutional monopoly to “public interests” had acquired a “fictional character” (Burghart 1994).

### **The Problem of Economic Development**

Economic prosperity for the masses, yet another major promise of the regime, however, continued to remain as elusive as ever, even though (mis)use of massive foreign aid budgets gave birth to a “new middle class” (Liechty 2003)<sup>23</sup>. In addition, having inherited a relatively stable political system, King Birendra was involved in development far more than his father. He was, for example, directly involved in a New Education System, which attempted to re-orient the educational system to a more vocational line and raised the minimum qualifications to enter university (Whelpton 2005).

Compared to 1950 when the Rana regime was abolished, the Panchayat did make impressive gains in the field of education and other infrastructure projects even if

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<sup>23</sup> Blaikie et al. (1980: 3-4) argue that the “spectacular growth” of governmental and NGO bureaucracies since 1951 helped to stabilize the Panchayat regime “by absorbing the better educated, and lent credibility to requests for foreign aid by appearing to offer an apparatus of implementation.”

economic prosperity the regime promised to the people was still a far cry from being realized. A major publication in 1980 (Blaikie, Cameron, and Seddon 1980:13-14) prophetically noted<sup>24</sup>:

Nepal in the mid-1970s is not just a very poor country that appears to be increasingly unable to provide adequately for its now rapidly growing population...The country is now in a period of crisis, whose major components, over the next decade, will include serious over-population relative to employment opportunities, ecological collapse in the densely populated and highly vulnerable hill areas...and the elimination of certain important 'natural' resources ...both in the hills and in the plains. These will be associated with an increasing inability to pay for imported commodities with growing food shortages, and consequently with the development of widespread unrest in both rural and urban areas, which together will threaten the viability of the prevailing political system and even Nepal's position as an independent state.

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<sup>24</sup> The book was banned by the Panchayat regime for some time. Two theories of Nepal's underdevelopment have been popular. First, a number of authors, primarily located in British universities, advance neo-Marxist dependency theory in which India is presented as the "core" to which surplus is ultimately transferred from Nepal's rural hinterlands (periphery) via Kathmandu (semi-periphery). Second, a "Weberian" fatalism thesis finds fault with the ruling high caste Hindu elites as responsible for Nepal's underdevelopment. A renowned Nepali anthropologist Dor Bahadur Bista (1991) advanced this thesis coherently. This thesis is particularly popular among Nepal's ethnic activists and international development circles.

By the mid-1980s, the Panchayat regime had faced a severe balance-of-payments crisis, and it had to accept a structural adjustment program (SAP) with the World Bank. This made Nepal the first country to adopt such a policy in South Asia. The government in the 1980s came up with new slogans including a UN-coined “basic need approach” and debated about “raising” the living standard of the people to an “Asian level.” Rhetoric aside, in 1991, about 9 million of the country’s 19 million people were estimated to have become unable to obtain their minimal daily “caloric requirements” and a UN report placed Nepal at the 152th position out of the 173 countries included in the study (Whelpton 2005).

### **The 1990 Movement, New Constitution, and the Maoist War**

In 1990, two erstwhile rival parties—the NC and the communists—launched a joint movement for democracy (also discussed in chapter 3). The 1990 movement, unlike the “revolution” in 1950, attracted ordinary citizens from all strata of society. At the end of the 49 days of massive protests in the spring of 1990, Nepal saw far reaching political changes—the abolition of the partyless Panchayat system, the transformation of the absolute monarchy into a Constitutional one, and the introduction of multiparty democracy<sup>25</sup>.

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<sup>25</sup> In my interviews, two former ministers in the Royal cabinet in 2005 and 2006 claimed that the people who participated in the 1990 movement “were transported from India.” Another minister in the Royal cabinet told me that this issue was raised in a meeting presided over by King Gyanendra. This shows why the Palace found it hard to accept the legitimacy of the 1990 movement.

The primary logic of the movement, however, had been the reversal of the Panchayat developmental ideology, which placed development above and before politics. For the advocates of the new political dispensation, although “development” was still the sole priority, it was Panchayat politics that had kept Nepal from developing, so politics should precede development (Bhattachan 1993). The 1990 movement, however, became famous for other reasons. The unraveling of this new chapter in Nepal’s latest political crisis was expressed in and through the drafting of the new Constitution (Hutt 1991; Lawoti 2007; Panday 1999).

The 1990 Constitution was drafted within a few months by the representatives of the NC, the Royal Palace, and the moderate communist parties<sup>26</sup>. The debates surrounding the writing of the Constitution revealed the basic fault lines in Nepal’s polity and society to the forefront. First, the Royal Palace resisted every effort to have its power and privilege curtailed. It was particularly adamant about maintaining control over the army and retaining the traditional pillars of Nepali nationalism. The King thus became the Supreme Commander of the Royal Nepal Army (RNA); a body called the Raj Shava [the Royal Council] was retained to look after Palace affairs<sup>27</sup>. In fact, the Royal Nepal

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<sup>26</sup> The radical communist parties including the predecessor of the current Maoist party were involved in the movement, but they boycotted or were excluded from the Constitution drafting process. They instead demanded elections for a Constituent Assembly.

<sup>27</sup> According to one former minister and central committee member of the Nepali Congress party, the NC at the time of the drafting of the Constitution largely worked on the principal that it should not anger the Palace. The primary reason had been the 1960

Army generals frequently met and pressured the party leaders, ministers, and members of the Constitution drafting committee to accept the supremacy of the monarchy and Hindu religion<sup>28</sup> (Hoftun, Raeper, and Whelpton 1999). As we will see in subsequent chapters, the army's pressure tactics proved to be counter-productive as the national army earned a reputation of the "Royal army" among the political parties and the urban literate class<sup>29</sup>. In an event that strongly signified future political dynamics, King Birendra refused to read the preamble of the new Constitution perhaps because it mentioned the people's movement, and the new constitution also said that the sovereignty rested in the people of Nepal.

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coup in which the party's government was dissolved by the King with the help of the military. He also told me that the King and former PM GP Koirala, who dominated Nepali politics in the 1990s, developed an informal and "unprincipled" understanding through which both fulfilled their personal interests. According to this member, such understandings included appointing their close-aides in lucrative and prestigious public posts and leaving the army to the Palace. People close to King Birendra also narrated to me the same story, claiming that King Birendra and GP Koirala were on "really good terms," as they solved minor hitches through "dialogue."

<sup>28</sup> When I spoke to army Generals in 2008 and 2009, they were quite unapologetic about the army's roles in 1990.

<sup>29</sup> In addition, a minister in the Interim Government in 1990, told me that the news of possible army coups were frequent during the period. Columnists often labeled the army's roles as Gulami, Malami, and Salami (Sycophancy, funeral attendance, and salutes). All these roles are largely related to the services performed at the Royal Palace.

Finally, the Constitution of Nepal 1990 was promulgated with the NC and the Royal Palace aligning on crucial issues. The alliance was not very illogical, given the fears of “communism” as represented by the NCP-UML then. In addition, the NC was fearful of yet another 1960 Royal coup, according to one senior NC leader I spoke to. Hence, the NC felt prudent to align with the Palace, a decision that proved to be costly as I will describe in subsequent chapters. The CPN-UML, in turn, extended a “begrudging support” (*alochanatmak samarthan*) to the new Constitution as its major demands including a secular state and provision of a referendum on key national issues were rejected. Nevertheless, the UML became an uneasy partner among the three major players, that is, the NC, UML, and the Royal Palace. The Constitution characterized multi-party system and human rights as “non-negotiable.”

Even more revealing was the fact that the very project of Nepali nationhood which seemed to have been completed and stable over the past few decades was challenged by newly emerging ethno-political groups in fundamental ways. The Constitution drafting committee rejected the demand for a secular state, which the communist parties and ethnic organizations had been demanding for a long time. The Constitution accepted Nepal as a multiethnic and multilingual society. It, however, defined Nepali, the mother tongue of the dominant high caste hill Hindu groups, as the language of the nation and the official language (*rastra bhasa* and *sarkari kamkajko bhasa*); all other mother tongues of the country were treated as “national languages” (*rastriya bhasa*). In practical terms, this division ensured that the Nepali language would be used in government business and promoted by the state, but no such provision was constitutionally mandated for other languages. Finally, the Constitution also banned the

formation of political parties on the basis of religion, community, caste, tribe or region. This measure was added to the Constitution ostensibly to block “separatist” tendencies as was evident in India. In 1991 the Election Commission, thus, refused to recognize three parties representing ethnic and other social groups. Different ethnic groups vehemently rejected this Constitutional provision (Bhattachan 1995). In the early 1990s, ethnic groups shocked Hindu nationalists by disowning and boycotting Hindu festivals; later they demanded equal representations in state institutions, dominated by high-caste hill Hindu groups. Thus, ethnic and regional identity politics became the major political fault lines in the 1990s.

Two of the major parties that had fought for democracy in the 1990 movement emerged as the largest forces, and the Panchayat loyalists were summarily defeated<sup>30</sup>. With 112 out of the 215 seats in the House of Representatives (HR), the Nepali Congress got a simple majority to form a new government, and with 88 seats, the Nepal Communist Party (UML) became the strongest opposition party. The first few years of democracy were marred by massive anti-government protests organized by the UML. These protests were partly the reflection of an ideological confusion on the part of the Leninist party, that is, NCP-UML, but it also reflected the NC’s “authoritarian” tendencies and highly executivized polity that offered little role for opposition parties.

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<sup>30</sup> The election results should be interpreted cautiously, however. Thousands of pro-Panchayat supporters had simply switched their loyalties to the NC in the wake of the 1990 political change.

The NC went on to adopt neoliberal policies and implemented extremely unpopular economic policies<sup>31</sup>. As part of these policies, Nepal saw an unprecedented growth of NGOs, a subject I deal with in the next chapter. Internal democracy in the NC was virtually non-existent; hence intra-party wrangling became the hallmark of the party. Due to intra-party differences, the NC government dissolved the House of Representatives, and new mid-term elections were held in 1994. The 1994 elections subsequently resulted in a hung parliament. As my interviews attested, there is a near universal understanding among the literate class in Nepal that the hung parliament resulted in a *pessimistic phase* of Nepal's democratic experiment. One columnist recently pointed out the exact day when an "idealist" phase of democracy ended, and a "period of cynical, self-serving politics" began<sup>32</sup>. According to this columnist, the defining moment took place on August 28, 1995, when Nepal's Supreme Court decided against the then-Prime Minister Manamohan Adhikari's decision to dissolve the Parliament and hold mid-term elections. The court asked the Parliament to exhaust *all* possibilities in forming a new government before going to mid-term elections. Thus began a new era of political instability and corruption. Many of the widely publicized practices including corruption, nepotism, and abuse of authority began and took an institutional form as the political

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<sup>31</sup> In Nepal's leftist political discourse, anti-neoliberal discourse often takes nationalist colors rather than economic ones such as the dramatic rise in inflation and decrease in service delivery to the people, characteristic of many Latin American countries (Richards 2000, 2004).

<sup>32</sup> Aditya Adhikari The Kathmandu Post (TKP), February 12, 2010

parties engaged in the practice of coalition government formation<sup>33</sup>. Two former Panchayat stalwarts became Prime Ministers at the behest of the NC and the CPN-UML.

Some pro-monarchist groups consisting of Hindu fringe groups, self-styled after India's Hindu fundamentalists, criticized the parliamentary system, often chanting, May the King Save the Country (Raja Aau Desh Bachau). Nepali journalists, who largely supported the major parliamentary parties (chapter 3), however, largely jeered at such attempts. As many journalists conceded to me with some guilt in the course of my interviews in 2008 and 2009, the media, which had made impressive progress under the democratic regime, might have been "unfair" to the political parties when they "exaggerated" malpractices and corruption in successive governments in the 1990s. In media discourse, party politicians were often cast as worse than the Panchayat era politicians. On the other hand, ethnic groups continued to demand inclusion in the state, dominated by high caste hill Hindu groups and state assistance in preservation of their culture. The government, however, responded very slowly.

Amidst such political discourse and practices, the Communist Party of Nepal-Maoist (CPN-M) launched its "people's war" on February 13, 1996 to create "a new democratic state, then marching towards socialism and then finally towards

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<sup>33</sup> In addition, the political parties hardly practiced internal democracy. The Nepali Congress, for example, elected its president through internal elections, but it vested enormous power in the post of president. The president nominated a great majority of the central executive members. Local bodies and "sister" organizations of the party are effectively subordinated to the parent party.

communism...under the dictatorship of the proletariat” (The Worker 1996)<sup>34</sup>. It is important to note that the Party had taken part in the 1991 Parliamentary elections and won nine out of the 205 seats. Only in 1994 had the party decided to boycott elections and actually go for the armed revolt (Thapa 2003). Although the Maoists officially said that they participated in parliamentary elections to *expose* the bourgeois parliamentary system, they nevertheless made several friends who would be crucial in the course of the insurgency later. Ideologically, the CPN-Maoist distinguished itself from “mechanical” communist parties which accepted the *inevitability* of an armed insurgency but claimed that the time was not ripe. Similarly, the Maoist party distanced itself from “revisionists,” the electoral leftist parties including the CPN-UML. With these leftist parties, the Maoists also had to compete for cadre and resources<sup>35</sup>. As I briefly mentioned earlier, the Nepali Congress and the Nepal Communist Party-Marxist Leninist, the precursor of the current NCP-UML, had engaged in violent politics before. In fact, Nepal’s ethnic organizations and activists had been threatening the use of violence against the state even before the Maoist insurgency actually began in 1996 (Bhattachan 1995). As successive chapters will show, hardly anyone in Nepal believed that a sustained armed insurgency was possible in the middle of the 1990s.

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<sup>34</sup> The Maoists maintain that Nepal is in a semi-colonial and semi-feudal state.

According to the Maoists, the Treaty of Sugauli (1816) with British India and the 1950 Indo-Nepali Treaty of Peace and Friendship make Nepal semi-colonial.

<sup>35</sup> In fact, as the Maoist insurgency progressed, cadres from the CPN-UML switched to the Maoist camp as the UML increasingly moved toward the centrist position beginning in the mid-1990s.

Weeks before they launched their war, the Maoists presented the then Deuba-led government a 40-point demand<sup>36</sup> list which would become famous as the insurgency developed rapidly. Reading the document in 2010, it looked as if the Maoists had summarized the contradictions in the Nepal state and society that had accumulated over 200 years of the country's history. In the letter submitted to the then Prime Minister, Sher Bahadur Deuba, on February 4, 1996, (English translation from Thapa 2003:391-395), the Maoists said:

It has been six years since the autocratic monarchical partyless Panchayat system was ended by the 1990 People's Movement...During this period state control has been exercised by a tripartite interim government, a single-party government of the Nepali Congress, a minority government of UML and a present Nepali Congress-RPP-Sadbhavana coalition. That, instead of making progress,...Nepal has slid to being the second poorest country in the world... the country is on the verge of bankruptcy due to rising foreign loans and deficit trade; economic and cultural encroachment within the country by foreign, and especially Indian, expansionists is increasing...

The Maoists thus placed the popular discontent prevalent at the time in the very opening of their memorandum. The Maoists reminded the government about Nepal's standing in the world community—its status as one of “poorest countries.” Nepal's literate class and

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<sup>36</sup> I do not argue that the Maoist demands reflected the party's genius or that those demands were reasons for their success in any straightforward way. The demands showed the nature of political discourse among the Nepali literate class in the mid-1990s.

mass media continuously compare Nepal with the world, be it high mountains, Lord Buddha or the poverty rate<sup>37</sup>. The memorandum described India this way:

...parliamentary parties that have formed the government...have shown that they are more interested in remaining in power with the blessings of foreign imperialist and expansionist masters...This is clear from their blindly adopting so-called privatisation and liberalization to fulfill the interests of all imperialists and from the recent 'national consensus' reached in handing over the rights over Nepal's water resources to Indian expansionists.

While the Maoists couched their language in terms of Marxist terminologies such as “expansionism” and “imperialism,” these themes are widely shared among the literate class in Nepal. As I described above, India remains as omnipresent as the monarchy. In fact, I was awestruck by the fact that Nepal’s hardcore Royalists, in the course of my interviews, used the same “communist terminologies” to characterize India and the West<sup>38</sup>. The Maoists then went on to present their demands, neatly divided into three parts.: *Concerning nationality, Concerning people's democracy, and Concerning livelihood.*

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<sup>37</sup> This theme appeared repeatedly in my interviews. Liechty (2003) makes similar observations.

<sup>38</sup> One difference between the monarchists and the Maoists is that the monarchists often think that the West wants to use Christianity to expand their influence to weaken Nepal’s nationalism. In addition, the monarchists share with the Maoists the view that India is out to grab Nepal’s water resources.

The demands “concerning nationality” were largely directed against India<sup>39</sup>. They included demands such as the abrogation of the 1950 Treaty, concerns over Nepal’s water resources, and banning on “vehicles with Indian license plates.”<sup>40</sup> This section also demanded a ban on the “invasion of colonial and imperial elements in the name of NGOs and INGOs.”

In *Concerning people's democracy*, the Maoists demanded, without actually naming a Constituent Assembly, a new Constitution drafted by “representatives elected for the establishment of a people's democratic system.” They stopped short of demanding a republican state, but they demanded abolition of “all special privileges of the King and the Royal family.” Similarly, the Maoists demanded that the army be brought under people’s control, yet another widely shared concern among the literate class. We will see that this theme became a major issue beginning in 2001. The Maoists also demanded legal action against those who were responsible for the suppression of the 1990 movement. This had been yet another popular demand by the literate class in Nepal.

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<sup>39</sup> The Revolutionary International Movement (RIM) which has several offices throughout the world including the United States and Western Europe widely publicized Maoist versions of the war through the Internet. In fact, in early 2000, Maoist documents could be accessed more easily than those of any other political party in Nepal.

<sup>40</sup> The NC government signed a number of treaties with India on sharing water resources; the NC government’s selling of a number of state enterprises, particularly those established with the assistance of the Chinese governments, to Indian entrepreneurs, came under heavy attack from the communists.

The Maoists did not demand a federal form of governance, but they demanded radical changes in the state, polity, and society. These demands included a secular state, an end to patriarchal exploitation and discrimination against women including equal access to paternal property, autonomy to ethnic groups, elimination of untouchability, and the equal treatment of all languages. Curiously, the Maoists demand also included “the government mass media should be completely autonomous.” This demand was clearly directed to the widespread dissatisfaction over the abuse of state media by the Nepali Congress government. Similarly, the Maoists demanded an end to regional disparities between the hills and the Terai and rural and urban areas.

Finally, in their demands “*Concerning livelihood*,” the Maoist included well-known class-based demands including radical land reforms, promotion of national industrial capital, employment for all, and free “scientific” health services and education. They began their armed struggle five days before the expiration of their ultimatum deadline on February 17, 1996.

The widespread discursive appeal of these demands can hardly be exaggerated. In 1998, two years after the Maoists had launched their war, Krishna Bhattachan(1998:124), probably the best-known ethnic activist in Nepal, wrote:

Among the [high-caste] Bahun and Chetri political leaders, Dr. Baburam Bhattarai and Puspha Kamal Dahal (“Prachanda”), the leaders of the “People’s War,” are the only leaders who have accepted the historical fact that the nationalities, Dalits and other minority groups have been suppressed, oppressed and exploited by the ruling Bahuns and Chetris. Bhattarai and Dahal have promised to give the right to self-determination to nationalities, including the right to secede, which they

believe is the only way for liberation. Therefore, the Khambuan Mukti Morcha led by Gopal Khambu has gone underground supporting the "People's War" led by Dr. Baburam Bhattarai.

Thus Bhattachan praised the Maoist insurgency and approved the coalition of ethnic organizations with them. In his numerous writings in the 1990s, he has consistently supported the insurgency<sup>41</sup>.

Though it looks unbelievable in the face of US policy toward Nepal in the post-9/11 period, in February 2001, Ralph Frank, US ambassador to Nepal, had made the following remarks about the Maoist demands<sup>42</sup>:

“I've never addressed the Maoist situation directly. (But) the conditions that have bred the Maoist movement are very serious, and most of them should be addressed. I would tell you quite frankly that if you look at the (Maoists') 40 points, I think most sane people would agree with a large percentage of it. You can quote me if you want, but I do look at them regularly: should there be property rights, should discriminatory treaties [with India] be abandoned?...”

The ambassador hinted that if people do not agree with the Maoist 40-pt demands, their mental health should be suspected. Of course, the ambassador's remark about the “discriminatory treaties” [1950 Treaty of Friendship] should be taken as an instance of geo-politics in pre-9/11 South Asia.

Support to the Maoists' 40-point demand came from even more surprising quarters. In August 2005, in the middle of his direct rule, King Gyanendra claimed that

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<sup>41</sup> In his recent writings, Bhattachan seems to be wary of Maoist class politics.

<sup>42</sup> Nepali Times, Issue #29, 2001

the “terrorists” had run out of demands since he had solved *all* of them. Yet in a widely disseminated interview, he said<sup>43</sup>, “...At one time, I had heard that the terrorists' agenda was pro-people, aimed at introducing reforms...” The King was referring to the same 40 point demand.

The Maoist 40-point demands have now become global folklore. The Maoists rapidly expanded their insurgency. By 2001, they had been claiming that they controlled over two-thirds of the country. As successive chapters will show, the Maoists not only challenged the very foundation of Nepali nationhood and political instability, they also effectively obstructed development by literally destroying limited infrastructure. Nepal's search for a nation, development, and political stability, remained unfulfilled. While nobody suspected the goals of development, and everyone rued Nepal's status as “one of the world's poorest countries,” the precise forms of nation and means to achieve political stability came under heavy contestation in the 1990s. This contestation has been the context in which civil society activism played its public roles. The rest of the chapters dwell on these processes.

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<sup>43</sup> King Gyanendra interview to representatives of Nepal Television, Radio Nepal, and Rashtriya Samachar Samiti (RSS) on August 29, 2005

### **CHAPTER 3**

#### **CIVIL SOCIETY, STATE GOALS, POLITICAL PARTIES**

In the second chapter, I argued that the Panchayat regime, with its manifest ambition to subordinate society and public life under the monarchy, tried hard to control the development of autonomous civil society. In this chapter, I will show that the regime was constrained by limited resources and by its failure to live up to its own development ideology and goals. Nepal has historically received a large amount of foreign aids. Dependency on external resources has, however, forced different regimes to accept terms and conditions even if the regimes detested those conditions. The field of civil society organizations developed with the changing international environments in the 1980s. I will, however, show that the strategies on the part of opposition groups within the country were equally important for the emergence and subsequent growth of the NGO field<sup>1</sup>.

In 1990 the political parties came out after a prolonged ban, but they built on the pre-1990 social, cultural, and political practices, giving continuity to the civil society-state relations the Panchayat had fostered over the course of three decades. NGOs, in turn, became part of the political party machine. In the mid-1990s, NGOs adopted a civil society identity. The public perception about NGOs was not very good in the 1990s due to their close connection with the increasingly unpopular political parties. In turn, the

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<sup>1</sup> By NGOs, I mean both development and human rights NGOs unless otherwise clarified by context.

interpretive community did not welcome their civil society identity. In this phase, Nepal's civil society movement took the form of what I call a "movement-in-itself." a condition civil society organizations could be potentially mobilized for different purposes, but they remained dormant for a variety of reasons including the nature and dynamic of the political field.

Critics have argued that most liberal theories downplay and neglect the character of the state as well as interaction between civil society and the state (Berman 1997; Skocpol, Ganz, and Munson 2000; Tarrow 1996). Criticizing the social capital model, Tarrow (1996:395), for example, argued, "the character of the state is external" to the model, because "civic capacity" is seen "as a native soil in which state structures grow rather than one shaped by patterns of state building." Marxist theorists, on the other hand, usually emphasize interests of powerful actors in both national and global contexts (Mercer 2002; Petras 1997).

Building on the critics of liberal theories, I will show that the field of civil society in Nepal in the 1990s co-evolved with political party strategies, regime ideologies, state building, democratic transition, and changes in practices of international aids and human rights regimes. This chapter will demonstrate that interest and strategies on the part of the powerful actors had been important, but the development of the civil society field cannot be fully understood without examining Nepal's internal political developments and political culture.

### **Panchayat Political Culture and Development of the NGO Field**

The Panchayat regime—indeed the Nepali state up to this day—had been “developmentalist” in all intents and purposes. Development was not just roads, bridges, and telecommunication, it had been a state ideology that took the form a “common sense.” Development in Nepal deeply informs everyday vocabularies of leaders, activists, and ordinary citizens (Pigg 1992; Shrestha 1997). Some authors have, for example, related the practice of naming a male child as Bikas (development) to the growing development preoccupation of the Nepali state (Adhikary 1996; Shah 2002).

Commenting on the last decades of the Panchayat regime, Adhikary (1996:245) observed:

It is difficult to pinpoint how long the word 'bikas' (development) has been in the day-to-day vocabulary of Nepalis,...Any one working in Nepal between 1970 and 1989 could have hardly missed the use of the word bikas, in political speeches, in the day-to-day business of government offices, in Panchayat meetings and gatherings, in radio broadcasts and in local as well as national papers.

Adhikary thus lucidly shows the ubiquity of development discourse and practices in the final decade of the Panchayat regime. In the Panchayat “lordly political culture,” (Bourghart 1994) development, however, was supposed to flow from and through monarchical benevolence rather than active citizen participation. The Panchayat regime’s famous slogans such as “Let’s Crack Open the Spring of Development” and “Let’s Elevate the Quality of Life of the People to Asian Standards” came directly from the reigning monarchs. King Gyanendra perhaps correctly characterized his brother, King Birendra (1972-2001) as “development-oriented<sup>2</sup>.”

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<sup>2</sup> King Gyanendra interview to Time magazine on January 26, 2004. See

[http://www.time.com/time/asia/2004/nepal\\_king/nepal\\_intvu\\_extended2.html](http://www.time.com/time/asia/2004/nepal_king/nepal_intvu_extended2.html), accessed

The Panchayat regime, however, did not see any role for independent citizen organizing in its development efforts well up to the early 1980s<sup>3</sup> (Chand 1991; Mishra 1997). Even though the first organization act was promulgated in 1959, modern NGOs largely remained unorganized and invisible. Rather the Panchayat regime tried to incorporate new forms of organizations into its political programs. In the 1970s, for example, the Panchayat administration organized a series of national meetings of “social workers” and made an effort to institutionalize the NGO sector (Chand 1991). But the motivation was ideological, that is, guarding and controlling anti-regime political organizing and activities (Dhakal 2006). In fact, the meetings and “training” programs were conducted by Panchayat Training Institute, a propaganda machine of the Panchayat regime (see footnote 59 in Chand 1991:33).

A Society Registration Act was promulgated in 1977, and a Social Service National Welfare Council (SSNWC) formed under the leadership of the Queen, thus

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on March 24, 2009. King Gyanendra himself appeared as a great development enthusiast. At the height of the Maoist insurgency, on his personal order, he sent a division of the army to construct a road project in Pilli in Kalikot in August 2005. The army camp was overrun by the Maoists, and the insurgents managed to flee with a large cache of arms. Analysts have argued that the King’s love for development (thus political legitimacy) made him and senior army officers overlook the strategic vulnerability of the army at Pilli (Conoy 2008).

<sup>3</sup> It does not mean that people did not participate in development efforts. In fact, several authors have lamented the historical loss of self-initiatives during the Panchayat regime (Shrestha 1997).

bringing yet another sector under the Panchayat corporatism<sup>4</sup>. According to the preamble of the act, the purpose of the new Act was to systemize the “general *welfare* activities” through the better management of national and international resources. Thus, one of the objectives of the SSNWC was

“to make every effort to extend effective cooperation to the programs of the government and it [the social organization] shall in no way work in contradiction and opposition to the prevalent government rules, regulation, and programs”  
(cited in Chand 1991:36).

Thus “social organizations” were asked not to *contradict* the government plans and programs. The government, however, determined the nature and extent of “contradiction” as other state institutions including the judiciary was largely subordinated to the monarchy.

Subsequently, the SSNCC became the key agent through which national and international non-governmental organizations were channeled through and “coordinated<sup>5</sup>.” The role of the NGOs was to serve the country in and through the

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<sup>4</sup> In the Palace’s gendered division of labor, women became involved in “soft” sectors such as social services and welfare activities, leaving more masculine fields such as sports to the male members. Initially, six committees including women and youth were included under the SSNCC act, but later a “Hindu religion promotion committee” was added. Thus, in addition to welfare of the citizens, a nationalist project was visible in the act.

<sup>5</sup> According to Shaha (1990:102), the International Red Cross protested against the government of Nepal, once it discovered that the Nepal Red Cross, like other

monarch; the state was not ready to abdicate its *exclusive claims* to development and public service (Bourghart 1994). Financial resources for development, however, came through foreign assistance. Not only were the local tax base weak due to sluggish economic growth, but the Panchayat regime did not want to anger its solid supporters, that is, the local business groups and other property holders (Blaikie, Cameron, and Seddon 1980).

Beginning with the 1950 political change, Nepal received a large amount of foreign aid. Nepal's geographical position between two strategically important countries—India and China—made the country an attractive place for the world and regional powers during Cold War. The United States, Britain, Japan, Russia, India, and China spent a huge amount of money in Nepal's development efforts. At the end of the 1990s, Nepal had received \$ 5.2 billion, which was the highest per capita amount in the South Asian region (Whelpton 2005). The dependence of foreign aid reached its peak in the late 1980s when the aid component reached 80% of the government's "development budget," a whopping 40% of all government spending (Whelpton 2005).

Despite the large amount of annual foreign aid, development, however, remained as elusive as ever. Blaikie et al. (1980: 3-4) argue that the "spectacular growth" of governmental and NGO bureaucracies since 1951 helped to stabilize the Panchayat regime "by absorbing the better educated, and lent credibility to requests for foreign aid by appearing to offer an apparatus of implementation." The regime, however, sought an answer in more foreign aid.

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associations, was subject to governmental control and guidance. Nepal Red Cross itself was chaired by Royal family members before the 1990 political change.

As a variety of Marxist and neo-Marxist theorists has argued, dependency on foreign aid, however, meant that development policies had to be tailored to the programs of the global aid regimes (Mercer 2002). In the 1980s, economic policies in Western countries underwent radical changes. In particular, the “state” came under heavy attack from various ideological camps. The responses took the form of a sustained critique of the welfare state, social security mechanisms, state planning, and state ownership of enterprises as these had taken shape across the twentieth century (Rose, O'Malley, and Valverde 2006). Although few found anything positive in the rise of what was often termed neo-liberalism, many on the left followed suit, arguing that the welfare state policies were paternalistic, embedded discretionary professional power, extended social control, and actually sustained inequality.

At the same time the welfare state was being criticized from both the left and the right, international aid agencies increasingly realized that the attempt at development in Third World countries proved to be disaster (Atack 1999; Fisher 1998; Fisher 1997b; Hellinger 1987; Korten 1987; Mercer 2002). The conditions of the majority of Third World countries, with only a few exceptions, only worsened. Powerful multilateral and bilateral donor agencies, in turn, increasingly adopted neoliberal economic policies as an answer to the development fiasco in the Third World. In a new policy prescription, the market was advanced as a solution to the developmental crisis, while the state was asked to retreat from service delivery and welfare activities.

Northern governments, UN agencies, and multilateral donor agencies in Nepal increasingly advocated greater roles for NGOs in the development sector in the 1980s. Subsequently, the 1977 act was amended in 1982, paving the way for the growth of the

NGO field. The government also enacted a “decentralization act,” which formed the basis of users’ committees and community-based organizations at the grassroots level. These users committees and community-based organizations were supposed to ensure “people’s participation,” which meant, in practice, labor extraction from the rural peasantry. Development discourse was thus peppered with “global clichés” (Mishra 1997; Panday 1999; Shrestha 1997) while the ordinary folks were still conceptualized as the development subjects, mere recipients of development that came in a variety of forms including irrigation projects, drivable roads, improved agricultural seeds, and chemical fertilizers.

In the Seventh Plan (1985-1990), the last such plan prepared by the Panchayat regime, government thus explicitly recognized the importance of NGOs and the local constituency in the development sector: “Along with the government organizations, active involvement of the social associations and societies and mobilization of local labor and resources are significant themselves in the social welfare activities. As such with an objective of activating different organizations involved in different aspect of social welfare, stress will be given to coordinated development of social welfare sector in the Seventh Plan” (Cited in Chand 1991:41). Thus the state finally yielded to international pressure, hoping to accelerate the pace of development.

International aid agencies then aggressively searched for local development partners in the 1980s. One United States Agency for International Development (USAID)-commissioned study on NGOs in 1987 nicely illustrates this process<sup>6</sup>. The

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<sup>6</sup> The report cited other similar studies that studied the “NGO potential” in Nepal in the 1980s. This shows a flurry of activities that went to create NGOs.

report prepared by the Washington-based firm Private Agencies Collaborating Together (PACT) regretted overlooking “NGO potential” in Nepal in the previous decades. Largely affirming the creation and role of the SSNCC, it said that even those NGOs that wanted “autonomy” and “systemic changes” confirmed the Palace patronage. The report hailed Nepal for being the “first” South Asian country to form a national coordinating body for NGOs. It recommended the promotion of “mixed types” of organizations that would provide traditional charity work as well as development. For this purpose, it strongly recommended technical knowhow and managerial skills and advocated training and resource centers or volunteer resource organizations (VROs). NGOs were hailed as “social engineers.” What is even more interesting was the fact that beginning in the early 1980s, INGOs had already extended their reach to rural areas. For example, in Sindhupalchowk district, about 50 Miles north of Kathmandu, where the PACT study team conducted its field research, INGOs outnumbered national NGOs and “primary groups” put together<sup>7</sup>. The report eschewed controversial issues (for example, concerns over religious conversions), but cited unnamed NGO activists from Nepal’s nascent NGO field as castigating the government for failing to live up to its developmental promises. The report recommended several plans for the USAID to implement.

Apparently, the Panchayat regime resisted the development of independent NGOs for a variety of reasons, the most important of them being political fears and nationalism. The report mentioned that there were 140 NGOs in Nepal in 1987, but their number had

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<sup>7</sup> Primary groups refer to two groups—unregistered traditional ethnic and religious groups and those “modern” groups such as women’s and youth groups mostly registered with local administrative offices (p. 30).

increased just over 200 in 1990 (Dhakal 2006). It appeared that rather than allow new organizations to emerge freely, the regime responded by integrating development programs into the programs of the existing national NGOs which were under the direct or indirect control of the Panchayat regime and the Royal Palace. Specialist organizations such as the Nepal Red Cross and the Family Planning Association of Nepal, for example, increasingly expanded their activities to the development sector through programs such as water supply projects and agricultural extensions in the 1980s<sup>8</sup>. Thus, the Panchayat regime tried hard to control independent organizations outside state patronage as much as possible and did not abandon its prerogative of delivering development to the masses, but it had to concede to the international forces in a limited way as it failed to live up to its own promises; seeking legitimacy through development only exacerbated the regime's woos.

### **International Developments, Human Rights Activists, and Professionals in the 1980s**

In the preceding section, I showed that Nepal's NGO field developed generally predicted by Marxist theories. In this chapter, I turn to the internal political development and offer a more complicated picture of the international influence in Nepal's internal politics. The banned political parties—the Nepali Congress and communist factions—turned to human rights strategy in the 1980s. They did not *frame* human rights as their political program out of nowhere, however. These parties, particularly the Nepali Congress, were committed to human rights, particularly civil and political rights. The Nepal Communist Party (United Marxist and Leninist) (NCP-UML) showed commitment

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<sup>8</sup> See the FPN Silver Jubilee report, 2009.

toward social and cultural rights. This also explains why Nepal numerous ethnic communities supported the UML in the late 1980s and early 1990s. As I mentioned in the last chapter Padma Ratna Tuladhar, a human rights and Newar linguistic activist, worked closely with the communist parties even if he tried to maintain an “independent leftist” public identity.

Next, as I described in Chapter 2, the 1980 referendum had opened up the political space considerably. Consequently, new NGOs and other cultural organizations took advantage of this openness. In addition, human rights activists came into contact with Kathmandu expatriates who were committed to human rights causes. According to one activist, Western European expatriates were particularly helpful in their human rights pursuit.

Second, the 1980s showed another development in the international human rights movement. Western donor countries increasingly linked foreign assistance to human rights rhetoric in the 1980s (Apodaca and Stohl 1999; Carleton and Stohl 1985; Carleton and Stohl 1987). In turn, during the Cold War, many Third World governments perceived ratification of international treaties as politically inconsequential, thus endorsing human rights principles without actually implementing them (Hafner-Burton and Tsutsui 2005). The Panchayat regime had thus started adopting human rights rhetoric nationally and internationally. In fact, I mentioned in Chapter 2 that the Panchayat regime had incorporated almost all internationally accepted civil and political rights into its constitution.

These developments offered ways for the political parties to confront the Panchayat regime over the meaning of human rights nationally and internationally.

Subsequently, a nascent human rights movement emerged in the country in the 1980s. In sharp contrast to the development NGOs, which were legally recognized and subordinated to state goals, human rights groups were illegal and came under severe state repression. Moreover, they were born with implicit goals of establishing a multi-party democracy and worked closely with the banned political parties. The founding documents and media reports did not identify these human rights groups and organizations as NGOs. The identity of the activists associated with human rights organizations was expressed as “rights activists.”

Human rights discourse thus became new tool (Swindler 1986, 2001) in the hand of Nepal’s opposition groups. The two major parties, the Nepali Congress and the Nepal Communist Party (Marxist Leninist), the precursor of the current NCP-UML, then took advantage of these developments. The history of human rights organizing in Nepal actually goes back to the early 1970s when *ad hoc* human rights groups sprang up under the auspice of Amnesty International (AI)<sup>9</sup>. But these groups did not function well, partly due to the repressive regime, and partly because AI forbade overt political activism for its members. According to my interviewees, most activists associated with the early phase were close to the then-banned Nepali Congress party, and the unstated goal of these groups was to campaign for the release of the political prisoners who were imprisoned by King Mahendra following his coup in 1960. Thus, human rights movement in Nepal even in its earliest stage was closely related to national political development.

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<sup>9</sup> No systematic history of the human rights movement exists; the accounts here are based on my interviews, newspaper accounts, and official publications.

However, there were also communist prisoners whose number increased dramatically following a failed armed insurgency in eastern Nepal in 1971. A few activists felt that the existing human rights groups did not do justice to the communist prisoners. Specifically, they felt that international organizations such as AI were reluctant to campaign for the release of *communist* leaders<sup>10</sup>. In reaction, a few communist party workers started organizing separately. An informal group called *Bandi Bimochan Samuha* (literally, the prisoners' care group) was established in the 1970s. Leftist activists such as Padma Ratna Tuladhar, Parijat, and Dr. Mathura Shrestha, were involved in this group. Their activities included visiting prisons, advocating for better prison facilities, and supporting the families of political prisoners.

The 1980 referendum proved to be a crucial event for the further political polarization and development of the nascent human rights movement. At the time, the King offered a general amnesty to political prisoners, and subsequently, NC workers were released, but the King's amnesty did not include communist prisoners implicated in the 1971 communist insurgency. One of the early leftist human rights activists told me that he, along with another activist, travelled to Banaras in India to ask NC leader and former Prime Minister BP Koirala to pressure the King for the release of the communist prisoners, but Koirala rejected the proposal, claiming that communists were "terrorists." This event led a few young communist workers, then associated with Nepal Communist Party (Marxist Leninist), precursor to the current NCP-UML, to form their own human

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<sup>10</sup> It appears that Amnesty International did not campaign on behalf of those who had taken up arms (Keck and Siddikii 1998).

rights organization. The Forum for the Protection of Human Rights (FOPHUR) was thus born in 1986.

The establishment of the FOPHUR was also the strategy of the Nepal Communist Party (Marxist-Leninist). Although official party documents do not mention it, perhaps for strategic or security reasons, a senior party leader told me that the formation of the FOPHUR was part of the party's broader strategy of floating over-ground party organizations. At the time the FOPHUR was born, the party had also floated its over-ground youth and professional organizations.

According to activists, a few European expatriates working in international nongovernmental organizations in Kathmandu helped the FOPHUR financially, and at the end of the 1980s, the FOPHUR quickly established links, through Kathmandu expatriates, with several international human rights organizations in Asia and Europe. In addition, these activists came to contact with Indian human rights activists as Nepal's communist parties maintain "brotherly" relations with their Indian counterparts. Subsequently, the FOPHUR rallied to free the communist leaders nationally and internationally.

Western donor countries might have used human rights rhetoric as a tool to criticize communist countries in the 1980s (Apodaca and Stohl 1999; Carleton and Stohl 1985; Carleton and Stohl 1987), and the Panchayat regime might have employed the rhetoric to attract foreign aids, the opposition parties in Nepal used the rhetoric for their own purposes to fashion their own political programs.

Since most FOPHUR activists came from the then Nepal Communist Party (Marxist and Leninist), other noncommunist activists felt the need for another "inclusive"

organization, and they subsequently formed the Human Rights Organization of Nepal (HURON) in December 1988. This organization was led by legendary intellectual and former minister under the Panchayat regime Rishikesh Shah<sup>11</sup>. Held by many as “enigmatic” and “idiosyncratic” for his connections to the Royal Palace, radical communists, and international actors, Shaha was well-known internationally and worked as the Nepal government’s representative to the United Nations in the 1950s. Describing the founding moments of the HURON, late Shaha (1990:158) wrote:

The problem in Nepal unlike in other South Asian countries had been to secure broad-based participation of the educated professional classes such as the lawyers, college teachers, medical doctors, engineers and others in the movement for human rights and democracy... We received unusual encouragement and cooperation from the leaders of the most of the banned political parties and other political activists.

Thus the goal of the HURON was to bring together the “educated class” like in *other South Asian countries*. International networks soon expanded to North America. In 1989, Shaha became one of the ten globally selected activists “felicited” by US-based Human Rights Watch (HRW). Shah subsequently travelled to the United States to “expose” the

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<sup>11</sup> According to one activist, Shaha’s international connections, his image as a formidable scholar, and his access to the English language were the factors that made him an acceptable leader.

Panchayat regime in December 1989<sup>12</sup>. Within few months of the establishment of HURON, its members traveled to India and Pakistan to attend activist meetings.

As I will further discuss in the next chapter, “objectivity” and “neutrality” are the integral vocabularies of the human rights field. These vocabularies were probably popularized by Amnesty International (AI) in the 1970s and 1980s (Keck and Sikkink 1998). Even if Nepal’s early human rights activists were party workers, they increasingly used these vocabularies that helped them bridge the ideological divide. They competed, but they also cooperated with each other using vocabularies from the human rights field. Ann Mische (2007) has described such provisional suppressions of identity as “publics.”

Most activists in the HURON thus came from the current Nepali Congress party<sup>13</sup>, but in an apparent bid to show a “neutral” and broader base, several leftists and liberal Panchayat loyalist were also included in the organization. Fabled Maoist leader Dr. Baburam Bhattarai was also included as one of the founding members of the HURON. As we will see in subsequent chapters, Bhattarai’s human rights connection becomes very important in the Maoist-civil society interaction in the course of the Maoist insurgency.

As stated by Shaha, many of the human rights activists in both of these organizations were professionals close to the opposition parties. They were lawyers, professors, journalists, and doctors. Subsequently, professional organizations, too, increasingly used the language of human rights. Most professional organizations, unlike

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<sup>12</sup> Human Rights Organization of Nepal: Past, Present, and Future, 2048, Kartik VS. [VS. stands for the Nepali calendar Vikram Sambat year].

<sup>13</sup> Nepal Human Rights Organization: Past, Present, and Future, 2048, Kartik VS.

human rights organizations, were legal bodies registered with the government as “nonpolitical” organizations. According to my interviews, the Nepal Bar Association, for example, began a human rights project with Norwegian assistance in the second half of the 1980s. Several doctors, particularly those close to the communist parties, worked with Physicians for Social Responsibility (PSR). They too spoke the language of human rights.

Like early human rights activists and organizations, professional organizations, too, were divided into NC and UML camps. The NC supporters labeled themselves as “democrats” and the communists as “progressives,” a practice which still remains intact. For example, elections for the executive bodies of two of the most well-known professional organizations, the Nepal University Teachers’ Association (NUTA) and the Nepal Bar Association (NBA), were held in 1989. Even at the height of Panchayat repression, professors and lawyers fought elections on ideological grounds, with one group accusing the other of “seeking the favor of pro-Palace elements.” The Nepal Journalist Association, later renamed as the Federation of Nepalese Journalists (FNJ), were less politicized in its professional body, partly because the Panchayat regime tightly controlled the media, and the number of the journalists was not substantial, but as described in the previous chapter, most influential weekly newspapers, such as *Deshantar*, *Bimarsha*, *Chhalphal*, and *Dristi*, published from Kathmandu, were ideologically driven, supporting either the banned-NC or one of the communist factions<sup>14</sup>.

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<sup>14</sup> During the Panchayat regime, freedom of the press was virtually nonexistent. No private broadsheet daily existed except two government-owned newspapers. Most of the influential newspapers that supported the opposition were weeklies.

## **Human Rights Activists and the 1990 Movement**

According to activists, human rights discourse proved to be a crucial resource in the course of the 1990 movement. The common language of human rights encouraged pro-NC and pro-UML human rights activists to cooperate closely. These activists in turn became instrumental in a new alliance between the NC and the then communist parties.

The banned political parties—the NC and an alliance of communist factions—launched a nationwide movement against the Panchayat regime for the establishment of a multi-party system and constitutional monarchy in early 1990. According to activists, human rights discourse enabled them to play a mediating role between the NC and communist factions, a practice they would repeat during the Maoist insurgency as the next chapter will show. Shaha (1990: 180) wrote:

Ganesh Man Singh, the supreme leader of the Nepali Congress, had asked me to hold talks with the leaders of various leftist factions and explore the possibility of their joining hands with the congress in any movement it may decide to launch for the restoration of democracy and human rights in Nepal. The response of almost all factions of the communist movement with the exception of those, who subsequently formed their own united national people's movement, was highly favorable and I was happy to be able to report to Ganesh Man Singh that they would cooperate with the Nepali congress in every possible way to make the movement success...

Human rights, along with the right to form associations and organizations, subsequently became one of the key demands of the 1990 movement<sup>15</sup>.

In the 1990 movement, these organizations activists used their international networks to mobilize against the Panchayat regime. As scholars have argued, irrespective of human rights practices of an individual state, international norms create normative pressure on the party states and that activists take advantages of these norms to put pressure on individual states (Hafner-Burton and Tsutsui 2005; Keck and Sikkink 1998).

Human rights activists thus strongly emphasized international mobilization during the 1990 movement. According to Shaha (1990), King Birendra and high ranking Panchayat officials made several round of international tours in an apparent bid to impress international actors of India's "economic blockade" due to the expiration of the trade and transit agreement in 1989. Nepalis had suffered unexpected economic hardships due to shortage of food and fuel. Shaha noted that King Birendra and his administration failed to impress foreigners, particularly Europeans since "Nepali intellectuals and opinion leaders were themselves critical of the Nepal government's performance in the field of human rights and had asked foreign aid giving agencies and government not to give Nepal aid unless its government showed a greater sense of accountability" (Shah 1990:167). As I describe in Chapter 6, human activists replay the same technique when they fought against the Royal regime in 2005.

The FOPHUR sent its General Secretary, Prakash Kafle, to Europe as an "ambassador" for democracy<sup>16</sup>. He subsequently travelled to several European countries,

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<sup>15</sup> The joint statement between the NC and the United Left Front issued in January 1990

<sup>16</sup> Ten Years of the INSEC Campaign, Chaitra 27, 2055, VS. [Text in Nepali].

mobilizing support for the movement. The Informal Service Sector (INSEC), one of the offshoots of the FOPHUR and perhaps the most well-known human rights organization in contemporary Nepal, proudly mentions this event in its publications. Rishikesh Shah, president of the HURON, on the other hand, was stationed in India. The major HURON publications similarly recall how Shah was deputed by the Nepali Congress president Krishna Prasad Bhattarai to India as the “chief of propaganda” to muster support for the movement<sup>17</sup>. We will see in chapter 6 that Nepal’s human rights organizations reenact this model of mobilization once again in 2005 and 2006.

Two human rights activists, and “intellectuals,” as the media labeled them in 1990, Dr. Mathura Shrestha and Dr. Devendra Raj Panday, were inducted as health and finance ministers, respectively, into the interim government that was formed after the successful conclusion of the 1990 movement. Dr. Shrestha represented the “progressive” camp and Panday the “democratic” one. As I will discuss, both of these activists played an active role in the movement against the Royal rule in 2005. Subsequently, the interim government signed a record number of international treaties, protocols, and conventions on human rights.

Soon after the conclusion of the 1990 movement, the political party faced the perennial problem of development. They too found human rights discourse expedient. Human rights activists often joked with me about how *easily* they could persuade the political party leaders to sign international treaties once the leaders believed that *the prospect for foreign aid and Nepal’s prestige in the international community would*

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<sup>17</sup> Human Rights Organization of Nepal: Past, Present, and Future, page 11, 2048, Kartik VS.

*enhance* upon signing those treaties and conventions<sup>18</sup>. These activists, now increasingly linked to UN agencies and transnational human rights networks, successfully persuaded the framers of the constitution to abolish the death penalty, and most UN-endorsed civil and political rights were incorporated into the Constitution of Nepal 1990. In fact, the Constitution mentioned human rights in its preamble, making it one of the “unchangeable” principals.

The involvement of human rights organizations—or rather, the involvement of the political party workers in the human rights movement—in the 1990 movement gave powerful legitimacy to the subsequent development of the NGO field in the 1990s. Most well-known human rights organizations and many development NGOs that emerged in the 1990s were the offshoots of these two organizations—the FOPHUR and the HURON. Finally, the two political parties with which the human rights movement was associated in the 1980s came to dominate the NGO field in the 1990s.

### **Lordly Political Culture, NGOs, and Professionals in the 1990s**

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<sup>18</sup> The interim government established after the People’s Movement in 1990 also worked as legislature. Hence, signing these treaties did not require the ratification of an elected legislative body. One well-known activist recalled jokingly how former PM GP Koirala once became mad at him for not telling him about obligations and consequences of signing UN charters and conventions, since the signatory states were required to submit their annual progress reports to the UN.

In this section, I further inquiry into political practices adopted by Nepal's political parties particularly the Nepali Congress and Nepal Communist Party-United Marxist Leninist (NCP-UML). New institutionalists argue—and are criticized, for that matter—that innovations are rare and actors draw on widely available models to fashion their action (Clemens and Cook 1999). The Nepali Congress—and later from the mid-1990s, the UML turned to the lordly political culture perfected by the Panchayat. But I also show that these developments were shaped by the parties' history, ideology, and the support base.

As the political parties emerged in 1990 after a prolonged ban, they faced several organizational challenges in expanding and institutionalizing their party bases in the country. The Nepali Congress openly turned to erstwhile Panchayat supporters. In the months following the 1990 movement, a large number of Panchayat supporters joined the NC. Next, the party formally asked its former workers who had joined the Panchayat over the past several decades to return to the “mother party.” Subsequently, thousands of former Panchayat supporters joined the party, giving rise to a new category of party workers derogatorily called “Chaite Congress” [those who had joined the NC following the 1990 movement in the twelfth month of Chait in the Nepali cylinder]. The Chaite Congress included a large number of former elected officials of the Panchayat regime, including petty rural landlords and money lenders. The latter groups had been the bulwark of the Panchayat regime personifying the monarch in far-flung villages in Nepal's treacherous geography. This process went so extensively that some even joked

that the new entrants to the NC had exceeded the country's total population<sup>19</sup>.

Organizationally, this process was important since the party was already well-entrenched into the urban middle class, particularly among professionals and the educated class.

Largely with the help of the Chaite Congress, the Nepali Congress thus won a majority to form a new government in 1991<sup>20</sup>. It was a remarkable achievement for a

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<sup>19</sup> This process partly explains why the NC that led the “revolution” in 1950 gradually moved to cultural, social, and economic conservatism. The first visible sign was seen when the Nepali Congress government refused to punish the “suppressors” of the 1990 movement, a process that would be repeated in 2006. The second clear sign of the party's economic conservatism had been the resignation of land reform minister Jaganath Acharya in 1993. He was forced to resign after he advocated land reforms. Land reform had been a major program of the Nepali Congress party since 1950. Acharya made an unsuccessful effort to form a new party called the “Socialist Nepali Congress” along a social democratic ideology in September 1996 (The Kathmandu Post, September 18, 1996). An unintended consequence of this process was heightened animosity between the Palace and the NC since the monarchy depended on the same groups of people—middle and upper class high caste men including rural petty landlords and moneylenders, as the popular base.

<sup>20</sup> Although precise survey data are not available, the 1991 election campaigns are indicative. The NC projected the UML as a party that does not follow religion, and the UML was also presented as a “dream seller,” a reference to the UML's promise to address class inequality through land reform and other measures. The NC was presented by the UML as a party of the rich and “feudal.” During the election campaign, rather than socio-

party who had shown a dismal performance only in the 1987 local elections held under the Panchayat regime.

The Nepali Congress struggled most of the time during the Panchayat period from India; hence it had a limited base in the country except among the urban middle class and professionals in Kathmandu and other major urban areas, a fact well-demonstrated by the poor election results when the party participated in the local elections in 1987 (Brown 1996). This electoral base facilitated the NC government to adopt neoliberal economic policies and technocratic development strategies despite its “democratic socialism” as the official ideology<sup>21</sup>. Thus the party adopted technocratic and autocratic strategies of societal transformation<sup>22</sup>.

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economic programs, the NC asked voters to consider the prospect of “development” and examine the party’s “history,” a reference to its unflinching devotion to “liberal” democracy since the 1950 anti-Rana movement.

<sup>21</sup> The NC’s “sister organizations” were formed or revamped only in the mid-1990s. Even then, compared to the UML, the NC sister organizations do not favor social movements; rather they form clientalist relations with the party. In interviews, NC youth workers admitted that they were “taught” and encouraged by party bosses to make a living through rent-seeking and other corruption technologies.

<sup>22</sup> Historically, the party emphasized social democracy, but it was still guided by a top-down technocratic approach. When the party launched an armed struggle against the Panchayat in 1961 and 1972-74, it did not mobilize the masses (as the Maoists did during 1996-2006); rather it sent its fighters to raid police posts. The Maoists approach to armed movement is crucially different from the NC and the UML, which had attempted an

Internal democracy in the NC further illustrates this process. The NC, unlike communist parties, never held elections for the leadership during the Panchayat period. B. P. Koirala remained the party leader unchallenged until his death in 1982; after his death, three leaders—Ganesh Man Singh, Krishna Prasad Bhattarai, and Girija Prasad Koirala—took over the leadership that was labeled a “collective leadership.” Only in 1992 did the party hold elections for the president. In 1996, G. P. Koirala became the leader of the party, and he earned a reputation of authoritarianism. Both Ganesh Man Singh and Krishna Prasad Bhattarai quit the party showing differences with Koirala. Thus, the NC not only did not have a popular base in 1990, it also never practiced semblance of internal democracy, a tradition that remains more or less intact till date despite frequent public ridicules by the media in the face of well-orchestrated internal democracy in “authoritarian” communist parties<sup>23</sup>.

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armed struggle in 1971. In short, the NC worked in the framework that the center, that is, the King-army coalition, was all powerful; that the rural folks were quiescent waiting for “development”; and that doling out development solved the countries’ problems. In addition, the party had been very much international in its orientations. Relative apathy toward popular mobilization on the part of the party, at times, has been interpreted as a “gentlemanly” way of a liberal party. As the electorally-mandated agent of national democratic transformation, and as a party in power, the NC has squarely rejected popular mobilization as means of democratic deepening and development.

<sup>23</sup> Nepal’s communist parties have historically maintained internal democracy, compared to the NC. In February 2009, when the UML organized a national meet in which an overwhelming majority of the central executive members were elected, columnists,

Like the monarchy during the Panchayat regime, for the NC, societal transformation must be orchestrated from above by centralizing and rationalizing bureaucratic powers. At the heart of this paradigm is the notion that rational planning must emerge from a center—where technical and managerial resources and talent are concentrated—and radiate outwards and downwards through lower tiers of government. Heller (2001) has described similar developments in the case of the African National Congress in South Africa.

The Nepali Congress government wholeheartedly supported international lending agencies which had been advocating for a major role for NGOs since the 1980s. A World Bank report (1990), based on research conducted a few months before the 1990 political change had asked the government of Nepal to give major roles to NGOs in the development sector. International nongovernmental organizations, along with a handful of their influential domestic partners, had been making similar pleas. The government of Nepal yielded to these programs.<sup>24</sup> The role of the NGOs in the country's development

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sympathetic to the NC, found themselves in a considerable difficulty to defend the NC as the only democratic party in the country. Due to the party's unflinching support to "liberal" procedural democracy, the party is widely held by the international community as the only democratic party in the country despite the fact that the NC has succumbed to the centralizing and autocratic tendencies. As I have discussed in a number of context, Nepal's outwardness meant that the NC became "democratic" by default because its competitors had a label of "communist" in their names.

<sup>24</sup>A World Bank funded Water Supply project initiated in 1996 effectively turned NGOs into a contractor's role (Andrew 1999). In this new kind of "partnership," NGOs, like

and social service was strongly emphasized in the government's development eighth plan (1992-1997) formulated by the Nepali Congress government.

A new act, the Social Welfare Act (1992), removed the Queen as the head of the Social Service National Coordination Council and established the Social Welfare Council (SWC) under the chairpersonship of the Minister or Minister of State of Social Welfare. The SWC was charged with the facilitation of NGOs. The I/NGO registration process was simplified—any groups of seven citizens may apply for registration specifying the name of the institution, its objectives, name and addresses of the management committee members, source of funding, and office address. Further, the Local Government Act 1992 entrusted NGOs with the task of co-coordinating development and social service activities at the local level.

The boost for the NGO growth further came from policy changes in the international aid regimes. Following the Mexican economic crisis in 1994 and later the East Asian economic crisis in the late 1990s, the neo-liberal economic policies somehow changed its form—the so-called Comprehensive Development Framework or the “post-Washington consensus” (Chandhoke 2002), the market continued to be the focal solution facing the developmental states. Consequently, the language of international donor agencies somehow shifted from that of market and economic growth to the recognition of the role of governance, accountability, transparency, and democracy (Chandhoke 2002).

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contractors, were offered a fixed sum of money for their development assistance. The NGOs work closely with water supply and sanitation users' committees in rural areas. This project initiated a massive growth of NGOs that specialize in rural water supply and sanitation. Currently, these NGOs are organized under their own “national federation.”

In effect, the earlier move away from the state to the market was re-stated and re-cast as a move away from the state to “civil society.” In this scheme of things, NGOs became *key partners* in development enterprises.

In Nepal, the political parties cannot gain legitimacy without delivering development to the people. In fact, foreign aid often brings prestige to the political parties, as it demonstrates to the people a good standing of the government and the country in *the international community* as well as it ensures foreign aid for development<sup>25</sup>. Thus the Nepali Congress successfully solved the development imperative.

The NC party, however, did not formulate any specific party policy toward NGOs, partly because it could run the development machine through state resources since the Nepali Congress remained in the government for most of the years since the 1990 movement. Most importantly, according to one central committee member, NGOs issues came up in discussion in the party, but the NC *did not want to* “politicize every aspect of society” like the “communists had been doing.” The Nepali Congress thus inherited,

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<sup>25</sup> In 1995 during the UML minority government, the World Bank (WB) scrapped a multibillion hydro-electricity project in eastern Nepal, the pro-NC newspapers and party workers were quick to highlight the communists’ inability to garner foreign loans. The WB decision, however, nothing to do with the UML government.

imagined, and expanded in new forms clientalist politics perfected by the Panchayat regime.<sup>26</sup>

The CPN-UML, the main opposition party, on the other hand, faced different types of problems. The Party did not welcome former Panchayat loyalists *en mass* as did the NC. Second, whereas the Nepali Congress party won a democratic credential from the international community, the CPN-UML faced the *stigma* of being a communist party in the face of the fall of the socialist states in Eastern Europe and elsewhere. Already in the 1980s the weakening of the Soviet Union and the economic liberalization in China had posed considerable challenge to the party, according to senior party leaders. An ideological transformation was underway within the party in the 1980s. A number of key leaders rallied for a social democratic line, while sticking to the name of a “communist” party. This ideological change subsequently found political expression in the party’s policy of “multi-party people’s democracy” (Jantako Bahudaliya Janabad) which the party adopted in 1991<sup>27</sup> (Bhandari 1992).

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<sup>26</sup> According to one young NC worker, who had been a central committee member of the NC student wing, many young NC workers now have turned to NGOs, as they do not see very bright future of the party because of the rise of the Maoists and regional parties.

<sup>27</sup> There was considerable debate about the UML’s commitment toward liberal democracy in 1991. Key leaders interpreted the future course of action differently. The Party, in principal, abandoned Maoism in 1989. Yet it was not clear what “communism” meant for the party. The NC and the media suspected the party’s “democratic commitment,” a process that is being repeated in the case of the Maoists in 2010.

By the mid-1990s, the UML had become a “nominal” communist party. An interesting event in the mid-1990s illustrates this process. In September 1996, nearly after 6 months after the Maoists had launched their war, Robin Raphael, US assistant secretary for South Asia, arrived in Kathmandu on a five-day visit. Prior to her visit, Sandra Vogel, US ambassador to Nepal, had visited UML headquarters in Kathmandu. According to news reports, during her visit, in an apparent bid *not to offend* the American envoy, the photographs of Marx, Engels, Lenin, Stalin, and Mao were removed from the walls of the party headquarters. This event clearly showed the UML’s commitment toward “communism” in the mid-1990s, but it also showed how much Nepal’s political parties are eager to develop relations with powerful global actors<sup>28</sup>.

Amidst such an ideological crisis, the UML adopted human rights discourse as its primary means to cultivate international relations and boost its image in the eyes of the international community as a “*unique communist party in the world*”<sup>29</sup>,” as UML leaders

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<sup>28</sup> The photograph debate reappeared once again in February 2009 when the UML held its eighth general convention in Butwal in mid-western Nepal. According to My Republica daily on February 20, 2009, UML delegates strongly protested the absence of the portrait of Vladimir Lenin alongside that of Karl Marx in the hall of the closed-door session. Party leaders were then forced to place a portrait of Lenin alongside Marx’s. The newspaper quoted party leader Ishwor Pokharel as saying that “it was not intentional...Marx is the source of all communist movements...the party wanted to start a tradition of putting less number of photos.”

<sup>29</sup> This phrase was repeatedly used by NCP-UML party leaders as well as activists close to the party.

and human rights activists allied to the party repeatedly told me. According to one senior UML leader, the party advanced human rights discourse and encouraged party cadres to establish human rights organizations partly for this purpose.

Next, as the UML was relegated to the opposition during most of the 1990s, it had to face the most serious of the problems—development and the feeding of its cadres. The party at least until the mid-1990s had a “nationalist party” advantage, as the NC was considered a pro-Indian and pro-West party. Unlike the NC, which struggled for democracy from across the border in India, the UML leaders spent their time in Nepal, organizing rural folks, particularly in the 1980s. Thus unlike the NC, they remained in touch with the rural folks. At times, the Panchayat regime tolerated communist activities for their [anti-India] “nationalist” ideology, a practice that goes back to the 1950s. Also, as a communist party, it had to support hundreds of full-time party cadres<sup>30</sup>. Unlike the NC, its cadres came from lower middle class and working class background<sup>31</sup>. Until the

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<sup>30</sup> One academician and activist close to the NC told me that the UML cadres are much more “hard working” than the NC workers. According to his interpretation, this was the reason donor agencies wanted to work with UML NGOs. He had several interesting examples. He attributed this “hard working” nature of UML activists to the poor family background of the UML workers.

<sup>31</sup> Official party documents in the 1990s consistently discussed the problems of full time workers, but the Nepali Congress documents hardly mention the livelihood problems of its cadres. One NGO worker told me that “wives of every UML leaders were employed in one or the other NGO in the early 1990s.” He might have exaggerated the case, but this is how the connection between the UML and NGOs are perceived in Nepal.

Maoists took over the title of an “authentic communist party” in Nepal, the UML largely projected its image as a party of the poor. As an opposition party, it did not have the option of (mis)using the state funds. Hence, it had to devise alternatives.

Finally, the party still had to solve the problem of development imperative, that is, delivering development to the rural masses. As an opposition party in a highly partisan, centralized, and executivized politics under the NC, the UML had no other option than resort to the NGOs as the carriers of development on party’s behalf<sup>32</sup>. The UML’s status as an opposition party worked in favor of the party when it came to mobilizing human rights organizations, partly because as the supporters of the opposition party they could freely criticize successive NC governments for violating human rights<sup>33</sup>. This partly explains why most of the country’s well-known NGOs, such as Rural Reconstruction Nepal, Informal Service Sector (INSEC), Child Workers in Nepal (CWIN), and the International Institute for Human Rights, Environment and Development (INHERHUD), are ideologically close to the NCP-UML. Although statistics are not available, it is widely

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<sup>32</sup> In interviews, NGO leaders close to the NCP-UML claimed that they functioned “autonomously,” but they accepted that “naturally” people with similar ideas came close to each other. In addition, NGO board members largely come from the supporters of the same party.

<sup>33</sup> In the cases of technically-defined human rights issues, human rights organizations do show some degree of autonomy. The INSEC reports, for example, document right violations by the UML party cadres, but several cases I examined showed that their autonomy is limited.

believed that more than half of the total active NGOs in Nepal are close to the UML party<sup>34</sup>.

A cumulative effect of these diverse forces including the 1990 Constitutional provisions, political party interests, international aid regime practices, and growing educated class that increasingly sought its role outside direct state patronage resulted in a massive growth of the NGO sector, a fact often appreciated by Western civil society scholars (e.g. Edward 2004).

Table 3:1: Patterns of NGO Growth in Nepal

Year	Nos. of NGOs	
1926	1	First modern NGO established during the Rana rule
1951	4	The year when the Rana regime ended
1977	37	The year when the first NGO act was introduced
1990	220	The year when democracy was established

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<sup>34</sup> This statistics is borne by the fact that the executive committee of the NGOFN, an organization established in 1991, is heavily dominated by UML sympathizers. According to one senior UML leader, the party had taken the initiative to form the umbrella organization.

2006-June	37, 000	18, 825 NGOs are affiliated with the SWC
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Adapted from Dhakal (2007)

Whereas there were just over 200 NGOs in Nepal in 1990, the number of NGOs increased to around 37,000 in 2006 (Dhakal 2007). In addition, the number of INGOs increased from about two dozen in 1990 to about 200 in 2006. During the Panchayat era, the NGOs were active only in the “welfare” activities and the narrowly-defined development sector, but today there is no area in which (I)NGOs are not involved. In 1991, a national umbrella of NGOs, the NGO Federation of Nepal (NGOFN) was established. In the 1990s, numerous sectoral NGO “federations” have been born. These federations include in the areas of irrigation, water supply and sanitation, but there are also NGOs working among specific groups including the untouchables and different ethnic groups. These umbrella organizations bring together thousands of NGOs countrywide. Although every NGO publicly profess political nonpartisanship, newspaper reports are rife with their “affiliations” with one or the other political party.

If NGOs often avoided partisan language, trying hard not to speak “sectional interests,” a legacy they inherited from the Panchayat regime, professional organizations did so more openly.

In the 1990s, the professional organizations were further polarized on ideological grounds, a practice that they inherited from the opposition politics against the Panchayat regime. Whereas in the pre-1990 period, pro-NC and pro-communist groups within a profession often worked informally, in the post-1990 period, the ideological divisions became the norm and public. Virtually, every professional organization has formed, for example, their own ideologically-defined associations such as democratic and progressive

lawyers or journalists associations. These groups contest elections for the executive bodies on the ideological ground.

### **An Interacting Field: The State, Parties, and Civil Society Activists**

Liberal civil society theorists often describe and prescribe the autonomy of civil society organizations. I showed above how civil society organizations had historically been enmeshed with Nepal's internal politics. In this section, I further demonstrate that the political parties, NGOs, and professional organizations form dense ideological networks and enter into complex material practices in such a way that it is hard, if not impossible, to speak a language of autonomy.

A senior position in the central executive body in a professional organization virtually ensures a political appointment if the affiliated political party is elected to power. The current Speaker of the Constituent Assembly, Subash Nengmang, for example, is a former general secretary of the Nepal Bar Association. Currently, several former NBA members are serving as CA members from different political parties. Journalists similarly make into public offices through their election to their professional bodies. Every minister appoints a party functionary as a "press advisor," and several journalists are appointed in state media and other enterprises following the change of government. These press advisors are often well-known journalists who work in the newspapers close to the party.

Senior and lucrative positions in Tribhuvan University, the country's largest state-funded university, are distributed to professors on an ideological basis. Besides, professors have made into lucrative and prestigious positions such as ambassadorships.

Most of these appointments are made on ideological grounds rather than publicly-known expertise<sup>35</sup>. When a coalition government comes to power, conflict between coalition parties about appointing party functionaries in public positions often takes a theatrical form. Earlier the professional organizations used to be the monopoly of the two parliamentary parties, the Nepali Congress and the CPN-UML. Recently, the Maoists and new regional and ethnic parties have followed the same practice.

The UML formally established a NGO department in its central secretariat in the early 1990s. The Nepali Congress proposed a similar department last year<sup>36</sup>. Realizing that the current Federation of NGOs was too close to the UML, several NGOs close to the NC formed their own “democratic NGO federation” in 2009. While pro-UML party workers virtually monopolize the advocacy NGOs<sup>37</sup>, NC workers often control less controversial development NGOs. The Nepali Congress, which is the most ardent supporter of neoliberal economic policies, hardly speaks the language of social justice and change; hence, NC workers find service delivery and development NGOs convenient to their ideological position. The Maoists officially shun NGOs and bar their party workers to work in and through NGOs, but several NC and UML NGO workers claimed

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<sup>35</sup> This fact perhaps differentiates Nepal’s case from similar practices in Western democracies.

<sup>36</sup> Proposal forwarded to the central committee meeting by Govinda R. Joshi in May 2009.

<sup>37</sup> Due to their involvement in the advocacy sector, the visibility of the UML NGOs becomes much more pronounced, and they easily become the target of the mainstream media, which largely support the Nepali Congress party.

that “Maoist NGOs” were getting “easy money” from donor agencies in recent years<sup>38</sup>. Recently, regional parties have formed their own NGO federations<sup>39</sup>.

So entrenched are these relations that one apparently frustrated human rights activist, who was trained in the United States in peace studies, told me that he could not operate his “independent” human rights organization because not only a political party affiliation was necessary, but also political party factions mattered in getting public visibility and donor support<sup>40</sup>. Similarly, NGOs and professional organizations interact closely. Journalists, professors, and doctors, for example, appear as NGO board members and “advisors<sup>41</sup>.” In fact, research and academically-oriented NGOs are dominated by

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<sup>38</sup> The Maoists made big news in March 2010 when they wrote to local NGOs—and even to the local office of the Asian Development Bank—asking not to take their Constituent Assembly (CA) members to foreign tours without the party’s approval. A Maoist central committee communiqué issued in September 2009 similarly barred party members from becoming members in NGOs.

<sup>39</sup> The Nepal Sadbhawana Party, a regional party, which advocates the regional autonomy for Nepal’s southern plains, for example, formed its own NGO federation—Nepal Madhesi NGO Federation—in 2007.

<sup>40</sup> In a dramatic case, when a section of the UML party broke away in 1996, several members from the FOPHUR broke away and formed their own “nationalist” human rights alliance. The alliance worked closely with the breakaway faction.

<sup>41</sup> In an interesting controversy that surfaced in March 2010, a national daily disclosed that the editor of the Himalayan Times, the largest selling English daily newspaper in

academicians. Poorly-paid academicians also supplement their income working for international agencies. As the economy virtually stagnated and the government bureaucracy “saturated,” in addition to employment in the foreign countries, the NGO sector did offer some avenues for the country’s growing educated class (Blaikie, Cameron, and Seddon 1980; Onta 2004).

Tika Ram Bhattarai, a well-known lawyer, and a former member of the Nepal Bar Association executive committee, for example, is a board member of the Informal Service Center (INSEC), the country’s most well-known human rights organizations. He is also the President of the Constitutional Lawyers’ Forum, a NGO that received a large amount of foreign aid in 2009<sup>42</sup>. Bhattarai also frequently appears in FNJ programs, trainings, and seminars. Finally, in April 2010, Bhattarai was nominated as a member of the “Legal and Election Department” of the CPN-UML<sup>43</sup>. The case of the Nepal Human Rights Commission further illustrates this process. The government enacted a law to establish a National Human Rights Commission (NHRC) in 1997 in response to the UN-sponsored “Paris Principle.” The government, however, did not implement law for three years. In 2000, the government yielded to national and international pressure. The government appoints its commissioners based on political affiliations. In particular, members from the NC and UML human rights activists are inducted into it to make it

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Nepal, was a NGO board member. Other members in the same NGO included CA members and the Prime Ministers’ foreign relations advisor.

<sup>42</sup> Naya Patrika, February 1, 2010

<sup>43</sup> Bhattarai’s example is not unique. Similar trends are evident in the Nepali Congress party.

“neutral.” The body was given constitutional status in the Interim Constitution in 2007. None of the orders of the Commission are obligatory, it often becomes objects of jokes when the government, particularly the army, defies its directives and investigation reports. After the Maoists joined the peace process, one Member from the Maoist party has been inducted into the Commission.

Several human rights activists I talked to often introduced themselves that “they had never been affiliated to any political parties,” but within a few minutes I did not find any problem guessing which side of the political spectrum they belonged to. A few claimed that once they were appointed in public posts, they asked their affiliated political party to “suspend” their membership. I was also surprised by the number of visits they have made to foreign countries. Most of those tours were sponsored by international agencies. These tours are recognition, but also significant amount of financial incentives as at least two human rights activist admitted to me<sup>44</sup>.

Many journalists supplement their meager income by working for NGOs. In fact, I/NGO and English language newspapers compete for English-proficient workforce<sup>45</sup>. Professional organizations at times compete with each other. In my interviews, doctors,

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<sup>44</sup> Saving a few hundred dollars is a good amount of money in a country where the per capita income is below \$500. Not only do Nepali newspapers frequently report about the misuse of foreign tours, but also activists accuse each other of misusing those tours and training courses.

<sup>45</sup> In November 2008, for example, several English language journalists joined the Carter Center, setting off a crisis in two English language dailies, My Republica and The Kathmandu Post.

for example, showed their displeasure over the ways the newspapers reported about hospital protests that have dramatically increased in recent years. The professional organizations at times clash with the government in the areas of professional interests and show some sort of autonomy even if these activists are affiliated to the party in power. For example, Nepal's doctors have been notorious to flaunt law and shut down hospitals when it comes to defending their professional interests; they usually do so irrespective of the political party in power. Yet when it comes to fighting for "democracy," all these organizations become united.

The language of human rights unites all political parties, NGOs and professional organizations. Even the technically-oriented Nepal Medical Association (NMA), an umbrella organization of the country's doctors, for example, considers the *promotion of human rights* as the first of its ten "aims"<sup>46</sup>. This language of human rights crucially link the political parties, NGOs, and professional bodies (Shivakoti "Chintan" 2004). From mid-1990s, the UN advanced the idea of a "human rights approach" to development (Hamm 2001). This approach meant that from food to "development" could be claimed as "rights," whether or not government responded to such claims. This approach made virtually impossible to distinguish between development and advocacy NGOs. Almost every NGO in Nepal speaks the language of (human) rights, and many big national NGOs are involved in both development and advocacy sectors.

### **Civil Society Organizations and National Politics**

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<sup>46</sup> See the NMA official website <http://www.nma.org.np/index.php?pageid=history>.

New institutionalists argue that actors in the field are partly constituted by their own self-understandings and characteristics of the given field. If the NGOs in Nepal did not mobilize popular masses in 1990s, the lack of mobilization can in part be attributed to the nature of the political field itself. As these actors took the goals of development and democracy for granted and were informed by the historical practice of the supremacy of the state in all fields of social and political life, these actors did not feel necessary to mobilize the masses.

NGOs were thus partly informed by the lordly political culture. Unlike in America where activists define their activism as part of “personal” fulfillment (Lichterhan 1996; Swidler 1986), in Nepal NGOs often speak the language of collective goods however self- or party-interested their activity might have been. The media and general public often criticize NGOs who become active using the political vocabularies. NGOs are thus expected to work in a dispassionate way. Subodh Pyakuryal, president of INSEC, one of Nepal’s largest and most-widely known advocacy NGOs, for example, filed his candidacy for the president of the Nepal communist Party (UML) in February 2009. Although he later withdrew his candidacy, this event created ripples among the human rights community and politicians in Kathmandu.

Finally, we need to examine the nature of the national political field. The political climate remained stable in the 1990s although there were occasional but minor reports about the tussle between the Royal Palace and the NC government in early 1990. In early 1990, Ganesh Man Singh, the legendary democratic fighter from the NC, coined a term that would become a buzzword in Nepal for the several years. He characterized Nepal’s democracy gains made through the 1990 political change as “Shishu Prajatantra” [infant

democracy]. By infant democracy, he meant two dangers to democracy—the Royal Palace and the communists, then the UML. As the UML became virtually indistinguishable from the NC by the middle of the 1990s, the Royal Palace remained the sole danger. But then, the danger was not visible enough for these activists to fashion a coherent and public political project. In fact, many of the radicals in the Second People's Movement thought very differently in the 1990s. Krishna Pahadi of the Citizens' Movement for Democracy and Peace (CMDP), one of the heroes of the Second People's Movement, for example, filed a petition to King Birendra asking him to stop animal hunting in 1997<sup>47</sup>. Others thought that the monarchy was one of the most “honest” institutions when it came to practicing the 1990 Constitution. Dr Panday, yet another radical of the People's Movement II, whom I will discuss extensively in chapter 7, had expressed similar views in the 1990s<sup>48</sup>.

The Palace was considered a danger, but not dangerous enough to fashion autonomous political programs. The behavior of these radicals no way demonstrates that these activists were deeply committed to the monarchy. But everyone believed that the political parties had become *unpopular*, and the popularity of the monarchy, especially among the rural folks, was taken for granted. Third, the army which was widely believed to be a “Royal army,” was still there, largely silent from public views even if the intensification of the Maoist war at the end of 2000 had put considerable strains on the army. Thus the 1990s did not offer a credible national opponent to which these activists could respond to. Political activism then should be understood as part of the function of

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<sup>47</sup> Budhabar and Jana Astha weeklies, November 27, 1996.

<sup>48</sup> Rashtrabani weekly Souvenir on King Birendra Birthday's 50th birthday, 1995.

the nature of the political field itself. As there was no visible opponent, civil society activism remained a movement in itself. This self-understanding of these activists began to change in 2001. As the target of the movement changed, so did the practice of the activists. I will attend to these developments in the next section.

### **NGO Counter Publics and Civil Society Identity**

The domination of NGOs was never a total phenomenon, however. People always contest “dominant” ideas, often in terms of the language of the powerful (Steinberg 1999). By the middle of the 1990s, the number of NGOs had increased so dramatically that the academicians could discuss a NGO “model” of development for Nepal (Bhattachan and Mishra 1997). But criticism against the NGOs also became louder. Daily and weekly newspapers criticized the “NGO explosion,” the most frequently used term to describe the growth of the NGOs in the 1990s. The same issues about which the NGOs claimed they had answer to were raised by these critics—big bureaucracy, corruption, opaque practices, urban bias, international dependency, unintended political ramifications and so on (Acharya 1997; Bhattachan 1997; Bhattachan 2000; Tamang 2002)<sup>49</sup>. NGOs were accused of primarily motivated by money for their workers, who

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<sup>49</sup> In a dramatic event in 2004, a senior editor in the Kantipur Publications told me that the country’s well-know “NGO-lords” came to his office and threatened to sue the newspaper over the publication of a sequel of articles that aimed to expose a NGO corruption racket. According to the journalist, NGO activists even reminded him of a

often happened to be political party workers or high level former government officers. They were accused of doing little to those who really needed assistance.

Almost parallel to the growth of the development of the NGO field emerged NGO counter publics. These counterpublics vehemently opposed the orthodoxy in the NGO model of development. One of the most visible organized efforts was the publication of a semi-academic “bulletin,” *Bikas* [Development]. In this half-yearly bulletin, activists regularly discussed the implications of the NGO model for development of the country and wrote critical field reports. The first issue of the bulletin was published in 2049 VS. (1992). While admitting that there had been “good NGOs and INGOs” that were *genuinely* dedicated to the people and development, the bulletin launched massive attack against the orthodox NGO model.

The bulletin itself was published by a NGO publisher *Atmanirvar Bikas Manch*, which literally translated as the Self-reliant Development Forum. The name of the NGO itself reveals a deep preoccupation of the growing literate class in Nepal. “Self-reliant,” defined in opposition of Nepal’s dependence on foreign money, is the key here. As I will show in chapter 7, such a view took an ideological character when the Citizens’ Movement for Democracy and Peace mobilized popular masses. While the magazine took development for granted, it argued against development driven by foreign resources and models without popular participation. Led by young NGO activists well-versed in contemporary development discourse, the magazine covered a variety of local movements and initiatives including women’s rights, rights of the indigenous people, and possible fight against the “autocracy” and that publication of the report could harm the movement for democracy. He eventually withdrew from publishing the planned reports.

landless movements. Any movement *against the notion of top-down development* was not easy, however. In its second issue, the magazine put a quotation by Margate Mead that translated as “A small group of thoughtful people could change the world. Indeed, it’s the only thing that ever has.” Such was the mission the spirited young men set for themselves<sup>50</sup>.

The magazine occasionally published translations of foreign authors while criticizing the orthodox development theories and concepts. These authors included David Korten, Paulo Freire, and Kamala Bhasin, a well-known Indian feminist activist. In one of the issues, the editor-publisher showed his anguish over non-response from I/NGOs, claiming that the aim of the publications was *interaction and discussion* rather than *profit*. Over the several issues, the bulletin contested the technocratic NGO model of development, asking the state to do more and calling for the accountability of the NGOs. In summary, these activists took the goals of “development” for granted but conceptualized a popular movement from below as the antidote to the prevailing orthodoxy espoused by the political parties, national elites, and international agencies.

Besides, indigenous and ethnic groups resented “induced organizations” for eclipsing their “indigenous institutions” (Bhattachan 1997). NGOs were also badly affected by the Maoist insurgency that began in 1996<sup>51</sup>. First, the Maoists (1996-2006)

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<sup>50</sup> Many of the activist-journalists subsequently became active in the Second People’s Movement. Anil Bhattarai became associated with the Citizens’ Movement for Democracy and Peace (chapter 7).

<sup>51</sup> NGOs also came under attack from ultra-nationalists Hindu organizations and Royalists for weakening Hinduism and nationalism (Acharya 1997), but I did not find

and other ultra-left groups wanted to drive out the agents of “imperialism.”<sup>52</sup> The Maoists physically attacked—and of course, they also extracted “revenues” from—NGOs working in the areas of their influence. When I interviewed them in 2008 and 2009, Maoist leaders were quite unapologetic claiming that “we fulfilled our mutual interests.” The Maoists were particularly harsh against US-assisted NGOs while maintaining a somehow softer approach to European NGOs. NGOs increasingly projected themselves as an innocent victim, but many also saw good things in the insurgency as the Maoists “raised awareness” about the rights of marginalized groups. The Maoist mission in this sense *was not* fundamentally opposed to the NGO’s own public missions.

The government, in the meantime, continued to endorse the NGO model of development. Donor agencies continued to advocate a “people-centric approach” by which they meant the involvement of NGOs in the development process. The NGOs were sources of income for party cadres, and of course, they delivered to rural populace across

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any physical harm inflicted upon NGOs. In interviews, pro-monarchists immediately associated NGOs with “nationalism” and religion.

<sup>52</sup> Months before the launch of the People’s War in 1996, the Maoists, however, formed their own Human Rights organization, Rastriya Janasarkor Aviyan [the National Campaign for People’s Concerns]. The organization was formed under the chairmanship of Dr. Kali Bahadur Rokaya, a Christian minority leader and professor of electrical engineering. Newspaper reports showed that the members of this group often visited the conflict areas with other national human rights organizations. In fact, it appears that through this organization the Maoists made sure that their side of the story is well-represented in investigation reports.

Nepal's treacherous geography however meager that might have been. In fact, in the name of disciplining NGOs, the government further opened up space for the NGOs<sup>53</sup>. In 1997, government enacted a new law banning INGOs from implementing development projects directly and requiring them to work with local NGOs and CBOs (Dhakal 2000).

With the growing criticism, a few NGOs experimented new forms of activism. One notable development was the emergence of public discussion forums. An urban discussion forum that made much news in early 1994 was organized by Nepal's noted environmentalist Huta Ram Baidhya. In the wake of an Indian police raid on a Kathmandu neighborhood in Kathmandu in 1993, Baidhya established a forum of "like-minded individuals," according to one activist associated with the group. Journalists were frequently invited and the discussion contents were enthusiastically reported by national dailies. After about two years, this forum was closed and activists associated with the group dispersed.

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<sup>53</sup> A stark example is the formation of the Rural Water Supply Fund Board which was created under pressure from the World Bank in the mid-1990s. This model required involvement of NGOs right from the beginning and completion of rural water supply projects. This model also envisioned formation of users' committees. These users committees which came to be organized nationally with donor assistance work on water supply, irrigation, and forest users sectors. Most of them are organized nationally and governed by the same law the NGO sector is regulated. It is widely perceived that the users committees are controlled by people close to the CPN-UML. High ranking officials with the community forestry users' federation, one of the most influential national users committees, for example, admitted their UML connection.

Martin Chautari, which we will discuss again in chapter 7, was established in 1997 to begin public discussions on subjects of national importance. Many of the founders of Chautari, which literally means a rural tree-shed where travelers and the locals sit for discussion or simply for leisure, were engaged in such informal discussion forums. According to one founding members of Martin Chautari, he felt that the forum discussed above was “very traditional.” By very traditional, he meant a one-way communication format in which “experts” spoke on a topic and the audience listened to the expert silently. Against such practices, he and his friends established Martin Chautari discussion forum in which “two-way” communication between “experts” and the “audiences” took place. Chautari is probably most prolific knowledge producing NGO in contemporary Nepal and regularly conducts discussions several days a week.

In addition, Chautari was involved in two popular mobilizations in 1999 and 2000s. One of their involvements was in the Kamaiya movement, an anti-bonded labor movement, in western Nepal<sup>54</sup>. Chautari also led an environmental movement against the use of polluting three-wheelers in Kathmandu, advocating for electric vehicles. The government later cancelled the license of the three-wheelers. In these movements, according to activists, they learned the power of popular mobilization and “throwing bricks” at the police.

Similarly, Human Rights and Peace Society (HURPES), established in 1996, decided not to take any foreign grant to conduct its programs in 2000. According to one founding member, NGOs had become too dependent on foreign money, and they were

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<sup>54</sup> See [http://www.martinchautari.org.np/annual\\_reports\\_2000-2001.html](http://www.martinchautari.org.np/annual_reports_2000-2001.html) accessed

January 2, 2010

too “technocratic” and “research types”<sup>55</sup>.” The Peace Society then began mobilizing ordinary citizens for human rights and peace, mobilizing several cultural groups in the process.

These new kind of experiments went hand in hand with the growing number of professional NGOs. I will show in chapter 7 that the former types of NGOs were crucial in mobilizing popular masses in the course of the Second People’s Movement in 2005 and 2006.

Donor agencies such as the World Bank and the Asian Development Bank started advancing a civil society identity in the mid-1990s. I examined a series of World Bank (WB) reports published beginning in the early 1990s. Until 1995 the WB reports on Nepal hardly used civil society identity and discourse, but after 1995, it started characterizing NGOs as civil society organizations. They then consistently highlighted the roles of *civil society organizations* for the promotion of development and democracy. Similarly, I examined the all available annual reports of one national NGO Rural Reconstruction Nepal (RRN). Established in 1990, the RRN has a nationwide network, and it is connected to several transnational organizations. Up until 1995, RRN simply identified itself as a non-governmental organization, but beginning in 1996, it started calling itself a civil society or civic organization. I also examined the writings of Diwakar Chand, who has extensively written on the NGO field in Nepal. Chand was the member

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<sup>55</sup> In 1999, a large number of human rights activists demonstrated, but the demonstration was for the establishment of the Human Rights Commission rather than for other popular causes. Most of the time they become busy in press releases, publication of human rights statistics and “filed reports” on human rights violation cases.

secretary of the SWC until 1990 when the 1990 movement forced the Queen of Nepal to quit the leadership of the council. Over the years he has authored several books and articles on the NGO sector. One of his collected volumes, published at the end of the 1990s (Chand 1999), was particularly helpful since the book included dated articles beginning in 1990, I could trace the development of his ideas over the span of a decade. In his first book on NGOs in Nepal, published in 1991, he did not have a single mention of the “civil society” term (Chand 1991), but in 1997, he takes the term for granted.

The new identity of civil society was not accepted wholeheartedly by the interpretive community, however. Devendra Raj Panday was one of the persons who criticized new civil society identity and discourse vigorously<sup>56</sup>. In a scathing article titled *Civil Society: Which Society? Whose Society?* (Nagarik Samaj: Kun samaj? Kasko samaj?), he referred to Sherry Berman, Tocqueville, and Robert Putnam, without naming them, and questioned the “ubiquity” of civil society identity and discourse. While praising the growth of “good” and “nationalist” organizations and *citizens*, he asked donor communities to define what they really “wanted to achieve talking too much about civil society.” Historian Pratyoush Onta was even more explicit. Criticizing the widespread use of civil society identity without “anybody defining the term precisely,” in an article titled “*Civil Society: Absence of the Organized Culture to Promote Trust*” [Nagarik Samaj: Bishwas badhaune sasthagat sanskri ko ababh], he wrote<sup>57</sup>, “...most users think that modern NGOs are the bastion of civil society. At a time, when the NGOs are flooded with criticism, it appears that the new term was invented to represent the

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<sup>56</sup> DR Panday, Kantipur, March 8, 2002.

<sup>57</sup> Pratyoush Onta Haka Haki, Vol. 4 Issue 10, 2058 VS., p.14-16

same NGOs” so that the criticisms could be diluted or the people’s attention diverted.

Thus, civil society was immediately associated with NGOs and foreigners, and subsequently it did not carry a popular valence. This condition gradually changed during 2001-2004, as we will see in the next chapter.

**CHAPTER 4**  
**POLITICAL STRATEGIES, RADICALISM, CIVIL SOCIETY**  
**DIVERSIFICATION, 2001-2004**

In the last chapter, I discussed how civil society actors, primarily NGO activists, took multi-party democracy and politics for granted, and they largely subordinated their roles to state goals, that is, development and democracy. But in the last chapter, I also showed that NGO counterpublics that countered professional NGOs emerged. These counterpublics emphasized citizens' self-initiatives, popular mobilization, and social movements. They also sought autonomy from the state, the political parties, and foreign aid. As I will show later, this trend continued and in fact, flourished beginning in 2001. In other words, civil society took on a new character—it diversified and it became, unlike in the previous phase, distinctly political and radical<sup>1</sup>.

Beginning in early 2001, Nepal's politics developed into an incredibly complex shape. The Maoists changed their strategies and emphasized peace talks. As the Maoist violence increased, the King refused to allow the elected governments to mobilize the army against the insurgents; consequently a King-army coalition became publicly visible

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<sup>1</sup> By “radicals,” I specifically mean those who supported the Maoist demands for a Constituent Assembly and perhaps radical socio-economic and cultural change. Most radicals I discuss in this section were supporters of the Nepali Congress and the Nepal Communist Party-United Marxist Leninist (referred to as NCP-UML or UML).

for the first time since 1990; this development showed that the state is not a unitary actor and cannot be taken for granted, as different state institutions can take precedence at different historical moments. In June 2001, an infamous Palace Massacre took place, which changed the activists' perception about the monarchy. Equally important was the fact that the Maoists engaged in a series of peace talks with the government beginning in July 2001. The major political parties prepared to amend the constitution to bring the army under the control of civilian government. In reaction, the King dissolved Parliament in October 2002 under mysterious circumstances and formed his own puppet governments until 2005 when he started his direct rule (described in the next Chapter).

Both the Maoists and the Royal Palace had their own strategies. Successive royal governments once again started peace talks using civil society activists. The Maoists also used the same civil society activists. NGOs and professional organizations too came out against the King's move and demanded peace talks. This made the field of civil society incredibly diverse. This explains how the interaction among different strategic actors led to the diversification of the field of civil society.

Civil society activists, however, did not consider the rise and the public visibility of the King-army coalition positively. The political parties continued to protest against the King using students strategically. In the last section, I argued that the lack of popular mobilization on the part of NGOs in the 1990s can partly be explained by the nature of the political field itself. But the King-army coalition appeared as a distinct target in this period (2001-2004). In turn, civil society activists including NGOs and professional organizations were involved in popular mobilization, organizing massive peace rallies. This shows that the interests and practices of activists cannot be taken for granted, and

that they do not necessarily arise from the essential nature of organization or organizational imperatives. Civil society identity which had remained stigmatized in the previous period now started gaining a positive image because of the involvement of civil society activists in the peace process. At the end, activists feared a monarchical rule, and they, in turn, supported the Maoist demands for a Constituent Assembly, terming it a “bourgeois” demand.

In this section, I examine the processes outlined above through the Maoist coalition building strategy, the emergence of the King army coalition, a series of peace talks, and the Palace Massacre and its impact on activists’ perceptions. This chapter ends at the end of 2004.

### **Maoist Coalition Building Strategy**

The role of revolutionary ideology has been greatly debated in the literature on revolution, arguing for and against the impact of revolutionary ideology on the course of revolutionary action (Sewell 1994; Skocpol 1979). By describing Maoist ideology, I do not mean that the Maoists class ideology worked in any straightforward way. In fact, I noted the widespread appeal of the Maoist 40-point demands in Chapter 2. Clearly by grafting popular discontents, historical narratives, and revolutionary ideology, the insurgents advanced their revolutionary programs.

The Maoists’ documents characterized “petty-bourgeois” including teachers of schools and colleges, students, doctors, engineers, lawyers and retail traders as those who could play “an important auxiliary role” in the revolutionary process (Workers 1997). A document, dated February 2001, expressed special concern about the party’s inability to

bring the intelligentsia, who largely supported the NC and the UML, to the revolutionary front<sup>2</sup>.

The Maoist idea of the “front” was borrowed from Mao. Akin to Gramsci’s (1971) counter-hegemonic “historical block,” which was not necessarily driven by class logic, according to Maoist documents, Mao proposed three revolutionary tools—the Party, the [people’s liberation] Army, and the United Front. Both Lenin and Gramsci stressed that there was no necessary or developmental connection between class consciousness and socialist political consciousness (Hunt 1990). As is well-known in sociological literature, Gramsci (1971) differentiated between the “East” and the “West” when he faced the problem of revolutionary consciousness in Italy in the 1930s. At the heart of this distinction was the relative development of civil society. Gramsci (1971:238) took Russia as an exemplification of the East with an underdeveloped civil society which made possible the Bolshevik Revolution, a process Gramsci labeled “War of Maneuver.” In the West, the development of civil society, however, blocked the possibility of the insurrectionary seizure of power. Hence the revolutionaries needed to work on and with civil society institutions to create counter-hegemonic historic block, a strategy that Gramsci labeled a “War of Position.” In other words, in the West where civil society was strong a “War of Maneuver” followed a “War of Position.” In this sense Gramsci’s idea was close to Mao, who continuously focused on the “problem of consciousness” in the peasant-dominated China of the 1940s. Some authors find similarities between Gramsci and Mao so close that

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<sup>2</sup> Collected Works of Chairman Prachanda, 2063, Vol. 1.

“Mao did what Gramsci thought...The concept of hegemony, which he elaborated in his prison cell to cope with the problems of Italian politics, very often reads...as a description of Mao's activities” (Dirlik 1983:184).

Both Gramsci and Mao thus objected orthodoxy and emphasized the *creative* application of Marxism in a revolutionary process. What it meant in practical terms was the immense tactical flexibility to justify and conduct revolutionary action<sup>3</sup>.

Thus, Maoism gave Nepal's Maoists powerful ideological justification to create “fronts” with whoever they deemed expedient. Class, ethnicity, and nationalism became three powerful dimensions of the Maoist coalition building strategy. Class was defined by economically downtrodden groups; ethnic groups were those oppressed by high caste hill Hindu culture; and nationalism in part by oppression by “Indian expansionism” and “American Imperialism.” The latest groups included Nepal's monarchical nationalists including a section of the Royal Palace<sup>4</sup>. Subsequently, “dialogue among leftists, progressives, and nationalists” became the staple of the Maoist public statements.

### **Exploring the Maoists-Activist Relations**

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<sup>3</sup> Maoist official documents hardly mention Gramsci although the leaders talked about “historical blocks” (Bhattarai 2006). In an interview, one senior Maoist leader asked me, “Are you drawing on Gramsci?”

<sup>4</sup> Baburam Bhattari, Kantipur, April 13, 2001. On April 4, 2001, Kantipur daily disclosed that King's confidante, Ramesh Nath Panday, who was a royal palace-nominated member of the Upper House and later inducted into King Gyanendra-led government, had met Maoist leaders in an undisclosed location.

The Maoist ideology and strategy alone, however, does not explain the interaction between the Maoists and civil society activists. We need to attend to networks and biographies of activists to fully understand this phenomenon. The role of networks in social movements are well-documented in social movement literature (Diani and McAdam 2003), but most often they do not offer a culturally-grounded analysis (Emirbayer and Goodwin 1994). Here I present a historically and culturally informed network process.

Drawing on Bourdieu's work (Bourdieu 2001; Bourdieu 1984; Bourdieu 1993), I argued in Chapter 1 that activists come with different types of biographical capital. Different types of capital become influential in a particular field in the context of specific struggle (Nepstad and Bob 2006). Cultural theorists have argued that people's lives are embedded in multiple institutions and public narratives. In Nepal's case, human rights, economic development, and nationalism have historically been powerful forces. In addition, as I describe below, these actors were unusually endowed with a combination of social, cultural, and symbolic capital. Their involvement in multiple fields gave them vocabularies to traverse from one field to the other rather easily (Mische 2007; Sewell 2005; Somers 1994a). I closely examine the "idiosyncratic" biographies of two activists to illustrate this process below. It should be noted that most names that became famous in the peace process had similar "odd" profiles. I pick up these two because they were two of the most famous names during the 2001-2004 period.

Maoist leaders and several civil society activists had been in touch for many years. Ethnic and friendship networks were important in this respect. As discussed in Chapter 3, Dr. Baburam Bhattarai had been one of the founding members of the

Rishikesh Shah-led Human Rights Organization of Nepal (HURON), one of the oldest human rights organizations in Nepal. Hence, he personally knew several human rights activists. In addition, Dr. Bhattarai, an engineer by training, had long been a media darling, and he has a large urban cult following among the educated class<sup>5</sup>. He is depicted by media as a person who *never* had to stand a second position from grade first to the PhD level. Bhattarai, who comes from “backward” Gorkha district in the Central Region, has been an icon for several decades. Often debates within the Maoist party have occurred between Prachanda and Dr. Baburam Bhattarai. These debates have been framed as revolutionary (led by President Prachanda) vs. intellectual (led by Dr. Bhattarai) debates<sup>6</sup>.

As I discussed in Chapter 2, the Maoists immediately won the support of ethnic activists when they launched their war in 1996. There were a few central committee members such as Rabindra Shrestha, who came from the Newar community, famous for

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<sup>5</sup> A nationally representative survey poll carried out by the Himal magazine in May 2010 showed that Maoist Chairman Prachanda was the most popular leader in the country with 22.2 percent of the popular support, followed by Dr. Baburam Bhattarai with 14.6 percent, while Madhav Kumar Nepal of the CPN-UML ranked third with just 6.4 percent. The magazine noted that among the well-educated population, Dr. Bhattarai was more popular than Prachanda.

<sup>6</sup> Karabel (1976) has noted the similarity of Gramsci’s “specialized and political” intellectual and Mao’s “red and expert” intellectual to the type of intellectual envisioned by socialism. Nepal’s Maoists have frequently engaged in “red” vs. “expert” debate (see Bhattarai 2063 VS.).

its dense ethnic networks. Most importantly, according to one Newar activist, Hisila Yami, wife of Dr. Baburam Bhattarai and herself a Maoist central leader, was instrumental in activating these networks and communications since she also came from the Newar community. Padma Ratna Tuladhar and Malla K. Sunder, both of whom played important roles in the peace negotiations, had been Newar ethnic and human rights activists since the 1980s. Both of them had been founding members of the HURON. Thus they knew Dr. Bhattarai from the 1980s. My interviews confirmed that Dr. Bhattarai was a focal person in the interaction between urban activists and the Maoists<sup>7</sup>.

Padma Ratna Tuladhar, an “independent leftist” leader, had been a Newar ethnic activist, a fire-brand politician against the Panchayat regime, and a well-known human rights activist. He was elected to the Rashtriya Panchayat, the legislative body under the Panchayat regime, from a Kathmandu constituency and made headlines in the late 1980s repeatedly, demanding the abolition of the Panchayat system. He was thus well-connected to the former Panchayat stalwarts who were close to the Royal Palace. Thus Tuladhar could navigate among the political parties, the Maoists and the Royal Palace. He had been presenting himself as an “independent leftist” leader throughout his political career, even if he contested elections on behalf of the CPN (UML). He later became health minister in the UML-led minority government in 1995 and found himself in

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<sup>7</sup> Dr. Bhattarai had his PhD from India’s Jawaharlal Nehru University. He had thus developed friendship networks with several communist leaders in India. Those Indian communist leaders played crucial roles in the April Movement in 2005-06.

controversy for calling to lift the ban on cow slaughter in the Hindu state. He had been a founder of several human rights organizations in the country since the 1970s.

A Newar ethnic background and a *leftist* might seem to explain why the Maoists and PR Tuladhar came close to each other. But the Maoists equally interacted with Daman Nath Dhungana, a member of “traditional high caste Hindu elite,” from Kathmandu. Neither did he come from a communist background. Dhungana had been a well-known lawyer and Nepali Congress supporter. He was elected to the House of Representatives (HR) in 1991 from a Kathmandu constituency. He went on to become the Speaker of the House of Representatives and was best-known for his “impartial” role in conducting HR proceedings. In Nepal’s otherwise highly executivized governance system (Lawoti 2005; Lawoti 2007), he famously declared that the ruling party had the government, so the Parliament belonged to the opposition.

In 1992, the Supreme Court of Nepal ruled that a controversial border river pact with India was a *treaty*, not an “understanding,” as claimed by the then NC government; the treaty then required a Parliamentary ratification by its two-third members. The government wanted to ratify it with a simple majority, but Dhungana, as the Speaker of the House, ruled that the treaty had to be ratified by a two-thirds majority. This event earned him a “nationalist” reputation, a highly-regarded symbolic capital in Nepal’s political economy. This symbolic capital becomes even more significant in Nepal if it is somehow associated with anti-India postures, a trend that began in the 1950s as I described in Chapter 2. He, however, lost his reelection bid in the 1994 mid-term elections and subsequently dissociated himself from the Nepali Congress party, disagreeing with the ways party president Girija Prasad Koirala ran the party business.

He was one of the earliest non-Maoist public figures who said that the country should go for a Constituent Assembly election if that *resolved* the Maoist insurgency. Several leaders later criticized Dhungana for stating “we should be ready to change the Constitution<sup>8</sup>.” He showed deep convictions toward human rights and “progressive” social change. Once he remarked that he would have been a Maoist, had he been born in Rolpa, a poverty-stricken Maoist hotbed in Western Nepal<sup>9</sup>. Dhungana also had been a staunch critic of the government’s human rights records. When he was a lawyer, he worked for the NBA’s human rights project in the 1980s. On July 4, 1999, he said, in a program on “disappeared citizens,” “This is a pre-exercise for disappearance of democracy...unless we throw out the devil of Singha Durbar [the government’s central secretariat], citizens will continue to disappear...if the government does not ensure justice, responsibility should be taken by the people” (cited in Pathak 2005:236).

New institutionalists argue that different social and political fields are suffused with their own vocabularies, rules, and schemas (Powell and DiMaggio 1991). The human rights field highly values “peace,” “nonviolence,” and “dialogue.” I asked these activists why they seemed to be so close to the Maoists. The response was always the same: since we are human rights activists, peace and dialogue is our “religion.”

Peace and dialogue also resonated deeply with Nepal’s historical narratives and these activists’ biographical experiences. These activists had been key figures in the 1990 movement that established a Constitutional monarchy and multi-party democracy. Particularly, the 1990 movement, which ended in a *tri-party pact* between the Royal

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<sup>8</sup> Kantipur, September 5, 2001.

<sup>9</sup> Janadesh, 2057 VS. (Vikram Sambat, the Nepali calendar year).

Palace, the moderate communists, and the Nepali Congress, offered a powerful model through which these activists could imagine their roles.

As I described in chapter 2, most issues raised by the Maoists were actually those left unaddressed by the 1990 Constitution. Powerful ethnic organizations had been raising these issues nationally and internationally even if the national media, dominated by high caste Hindu hill men, most often chose to ignore them up until 2001. In fact, at the end of the 1990s, new terms such as the “inclusive state” and “inclusive democracy” started appearing in political discourse. By 2001, the state had, in theory, accepted that the demands of women, ethnic, and untouchable groups were “just.” These realizations came among the intellectuals, particularly the leftist ones, rather than the politicians of the major parties, and these intellectuals came from diverse caste and ethnic groups including high caste groups. There was a growing consensus among the urban intelligentsia that the Maoist violence was a “political problem,” and it could not be—and should not be—crushed by the military. This belief was further reinforced when the Maoists overran the army barrack in western town of Dang and made away with a large cache of arms and ammunition in November 2001.

By the end of 2001, the Maoist insurgency shook the very foundations of the Nepali state—the nation, economic development, and political stability. Not only did the 1990s see political instability as was seen in the formation of coalition governments in quick succession in the 1990s, but also by the end of 2001, the Maoists had declared their own “governments.” Nepal police had largely retreated from rural hinterlands to relatively safe district headquarters. Regarding Maoist controlled districts in western

Nepal, Sudheer Sharma, a well-known journalist and now the editor of the country's largest selling daily, Kantipur, wrote in November 2001:

These districts can be accurately described as the epicenter of the Maoist movement, because here the Maoist presence is much stronger than the government's (which is limited to district capitals alone, as mentioned earlier). The chief district officers and the deputy superintendents of police (the district police chiefs) who are posted to these district headquarters can be viewed as "ambassadors" of the Kathmandu government to the "Maoist state" (Sharma 2003:366).

Thus the journalists and the intelligentsia alike imagined the country being shattered, literally. District administrators, the traditional symbols and agents of the Nepali state, had become "ambassadors" in the "Maoist state." The monarchy, promoted as yet another symbol of national unity since the 1960s, soon would become discredited in the aftermath of the Palace Massacre.

These activists watched helplessly the destruction of limited and expensive infrastructure by the Maoists throughout the country. Around this time, urban intellectuals, partly fuelled by the army's role in 1960 and 1990, feared the "militarization" of the society. This fear was often expressed in terms of progress and development. Newspapers regularly published security expenses, comparing the number of schools, roads or water taps that could be built with the money that went for containing the Maoists. The militarization discourse became widespread after the King-nominated government implemented a "unified command" approach to combat the Maoists in November 2003. In this approach, both the civilian and armed police forces were placed

under the army command. Newspapers frequently reported the army overruling civilian administration in outside districts. Activists thus became increasingly concerned with the “militarization of the state and society.”

Having largely accepted the problem with traditional Nepali nationalism, largely invented and promoted by the Panchayat regime, these activists had to deal with another preoccupation of the traditional Nepali nationalism—the fear of India. Indian fears became even more powerful in the aftermath of the events in the United States in September 9, 2001, (9/11 hence forth) as the cooperation between the United States and India increased tremendously. Both of the countries supplied arms to the Nepal army. The Nepal government had become one of the most ardent supporters of the “war against terror.” Newspaper reports said that the government had allowed the American fighter jets to refuel at Nepal’s airports. Similarly, reports said that senior American army officers were giving counter-insurgency training to the Nepal Army personnel. As violence escalated, fear of possible US-backed Indian intervention in Nepal grew among civil society activists<sup>10</sup>. As the King increasingly became stubborn about his public roles, the fears of these activists only compounded to a new height<sup>11</sup>. These were some of the

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<sup>10</sup> Malla K. Sunder, Kantipur, April 03, 2002.

<sup>11</sup> In his interview to Time Magazine published on January 26, 2004, about one year before his takeover, the King said, “...And, they [the political parties] are right, it should not be my role to point the way out of this crisis. I should not have any active responsibilities [in government]. As a constitutional monarch what I should be doing, on any issue that effects the betterment of the people, [is to] either make suggestions or warnings, or simply keep myself informed. And yet on the other hand, the reality is: the

pressing problems these activists responded to during 2001-2004, but they acted drawing on their own personal experiences and available public narratives.

### **New Maoist Strategies and Diverse Ways of Seeing**

The Maoist documents and public statements, however, showed that the insurgents had not been serious about peace talks even at the end of 2000. In December 2000, for example, Maoist leader Prachanda depicted dialogue as merely a “culture of compromise” or “historical deception” used by high caste hill Hindu men to subordinate “simple and nature-loving indigenous people.”<sup>12</sup> Dr. Baburam Bhattarai, the second man in the Maoist chain-of-command, similarly derided peace rallies being organized by civic and business organizations<sup>13</sup>.

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people of Nepal want to see their King, they want to hear from him. The days of royalty being seen and not heard are over. We're in the 21st century. It's not that I am taking an active role. I see it as a constructive role. If I step on some people's toes, I'm sorry. But I can assure you this: the monarchy is not going to allow anyone to usurp the fundamental rights of the people, and those who say they represent the people must learn to lead the people, not be led by them and have the courage to have a vision of prosperity for the people and the nation.”

<sup>12</sup> Prachanda, along with Baburam Bhattarai, came from the same high-caste hill Hindu group.

<sup>13</sup> See Baburam Bhattarai’s article *Shanti yatra ki Kranti yatra? [Peace Rally or Revolutionary March?]*, Janadesh, January 2001]

In February 2001, the Maoists, however, surprised everyone by announcing a major *change* in their strategy. The new Maoist announcement received unprecedented attention by the media, but the new strategies were read very differently by different actors. In the new strategy, the Maoists made a few organizational changes. According to the report “*The great leap forward: An inevitable need of history*” endorsed by the party’s second national conference, the party realized that it needed to synthesize “scientific communist doctrines” proposed by Marx, Lenin, and Mao in a way that *uniquely* addressed Nepal’s peculiarities and historical conditions. The party named its new strategy after Chairman Prachanda, calling it Prachanda Path. Whereas earlier they had followed Mao’s strategy of a protracted war—gradual development of rural base-areas to encircle the capital—Prachanda Path equally emphasized urban movements and insurrections<sup>14</sup>. The new slogan of the party was equally significant: “Let’s consolidate and expand our base-areas and move forward toward a people’s government at the center.”

Why the Maoists changed their policy is not known. This could have been a “natural” strategy, but several reports including my interviews suggested that the Maoists had extended their relations to the Palace and that King Birendra thought that the insurgents were “nationalists.” Similarly, newspapers had widely reported the rift

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<sup>14</sup> Prachanda Path perhaps also represented an effort to indigenize the insurgency that gave Maoist cadres a new identity and purpose and that could potentially help them defend themselves against the charges of following an imported communist ideology. In addition, the Maoists drew on Mao’s doctrine of “signification of Marxism” that subsumed Marxism within Chinese nationalism (Dirilik 1983; Mao 1965: 339-381).

between the King and the political parties at around that time. Third, Maoists writings at around this time showed that they were increasingly concerned with disappearances of their cadres and safety of their jailed comrades. It is likely that the Maoists were responding to these problems and opportunities.

Reading in 2010, it clearly appears that the Maoists had simply entrenched and expanded their war strategy and showed a new confidence, but this was not the dominant interpretation then. When the documents and decisions about the Maoist second conference reached the media in early 2001<sup>15</sup>, a flurry of op-ed articles appeared in all national dailies and weeklies.

What is important at around this time is that most political commentators, politicians, and activists interpreted the Maoist change in strategy based on their own political experiences. The competitors of the Maoist party—“revisionists” and “mechanical” communist factions—for example, wrote self-congratulatory notes, arguing that the Maoists finally had realized their “mistakes” and that their own “line”—of not waging a war—proved to be correct<sup>16</sup>. For many others, the naming of the new Maoist strategy, that is, Prachanda Path, rather than the Maoist programs became an object of fascination. Virtually everyone including non-Maoist communist parties depicted “Prachanda Path” as a paranoid, shameless self-promotion on the part of the Maoist

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<sup>15</sup> Baburam Bhattarai himself wrote an article about the decisions of the conference in Kantipur. Nepal’s newspapers and magazines, following the “balanced new norms,” freely allowed the Maoists to express their views. This situation somehow changed after the Nepal Army was mobilized in November 2001.

<sup>16</sup> Tikaram Bhattarai, Kantipur, March 4, 2001.

chairman. This reaction, however, made sense at a time when national politics was being interpreted in a similar language. Still others depicted the new policy as an *artless copy* of the Shining Path of Peru, thus predicting the imminent demise of the Maoists.

Intellectuals and civil society activists, on the other hand, had their own ways of seeing. They interpreted the Maoists' new strategy as "flexibility" and a search for "safe landing." Consequently, a new genre of peace activism, conflict resolution, and conflict negotiations began to flourish like never before<sup>17</sup>. These new vocabularies were increasingly couched in civil society language. Following the Maoists' second national meeting, thus, human rights organizations and urban intelligentsia began a flurry of initiatives towards dialogue.

The Maoists had their own self-understanding and strategies about the *modus operandi* of peace negotiations, however. According to one Maoist leader I interviewed, they had to face several dilemmas. As they prepared to engage in talks with the government, the Maoists realized the need for reliable intermediaries who could communicate their concerns to the government and international actors. One of the most pressing problems was the security of the negotiation team<sup>18</sup>. He further told me that they ruled out the possibility of including most of the existing human rights organizations, as they were associated with the major political parties, that is, the Nepal Congress and

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<sup>17</sup> Shyam Shrestha and Hari Roka, Himal, Chaitra, 2057.

<sup>18</sup> According to Kantipur, the Maoist leader Prachanda in his statement on August 16, 2001 asked the government to guarantee the "basis for the security of the talks team," and he called for the inclusion of "human rights activists and intellectuals" in the peace process.

NCP-UML. He further told me that international mediators from Western European countries were also considered, but that they were deeply apprehensive of “CIA infiltration” from these countries. In any case, the government was staunchly against any international mediation in 2001. Thus, they had to find activists who were trustworthy, who had kept distance from the major political parties, and who were sympathetic to their causes in one way or the other. Thus the Maoists turned to these idiosyncratic, but widely respected personalities for peace talks initiatives.

One civil society activist, who played crucial roles in mediating the conflict, told me that as soon as he had read the Maoist documents, he realized that “the appropriate time to act” had finally come<sup>19</sup>. He then made immediate efforts to contact the Maoists. According to Kantipur daily on March 7, 2001, a meeting of human rights organizations formed a five member committee under the coordination of Padma Ratna Tuladhar. Other members were Sindhu Nath Pyakuryal, Daman Nath Dhungana, Sudip Pathak, and Gauri Pradhan. The news report clearly hinted that the committee was formed on the “self-initiative” of these human right activists. Kantipur also quoted Tuladhar as saying that “...Yes, facilitators should be neutral *but they should not be stopped from taking side of*

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<sup>19</sup> It should be noted, however, that peace initiatives were taken immediately after the Maoist insurgency began in 1996. Human rights activists Rishikesh Shaha, Birendra Keshari Pokharel and Bishwokant Mainali had tried to “mediate” between the Maoists and the government. Krishna Pahadi had also made similar efforts in 1996. But these efforts never saw the light of day, largely due to opposition on the part of the NC and also because nobody believed that the insurgency would grow at a rapid pace that was seen in the early 2000s.

*the truth.*” Deputy Prime Minister Ram Chandra Paudel supported this effort, but he clearly showed his suspicion about these activists<sup>20</sup>.

### **The Palace Massacre, Political Parties, and Civil Society Activists**

Amidst escalating political violence, opposition against the NC government led by G. P. Koirala, and a flurry of peace initiatives by civil society activists, in a bizarre incident on the evening of June 1, 2001, an inebriated Crown Prince Dipendra, according to official reports, killed his entire family, including King Birendra, his wife, and his other son and daughter, as well as his brother Dhirendra at a Friday family gathering. Dipendra shot himself after the mayhem, according to the official report. Whereas King Gyanendra was out of town, his wife, Komal, and son, Paras, were miraculously unhurt. Subsequently on June 4, Prince Gyanendra was crowned as the thirteenth King of Nepal. The very first statement from the new King, however, shocked the nation when he claimed that an “accidental discharge” from an automatic gun had caused the massacre. Upon assuming the throne, the King, however, formed an investigation commission led by the chief justice. The report, prepared in about a week, claimed that the crown prince killed his family members over a marriage row.

As the news of the massacre broke out at midnight, spontaneous protests took place all over Nepal, leading to the imposition of a curfew for several days. Several people were shot and killed by the police. A flurry of conspiracy theories proliferated,

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<sup>20</sup> According to activists, the NC was least interested in civil society initiatives.

According to one highly regarded member, senior NC leaders contacted him and tried to dissuade him from participating in peace talks.

with hardly anybody believing the official report (see Gregson 2002; Thapa 2005). The new King immediately declared that he would adhere to the *existing Constitutional arrangements*—the Constitutional monarchy and multi-party democracy. Within a few months after he had assumed the throne, King Gyanendra, however, declared that he would not remain silent like his brother<sup>21</sup>. It was widely rumored that the new King was critical of the political parties. Other rumors concerned King Gyanendra's opposition to his brother's move to reconcile with the political parties in the 1980s and his brothers' concession to the political parties in 1990. Similarly, King Gyanendra had been rumored to have been involved in the smuggling of the country's antiques and even drugs<sup>22</sup>.

The Maoists, however, became the first to offer a coherent “scientific” narrative about the what, how, and why of the Massacre. On June 6, 2001, *Kantipur* carried an article “*Let's Give No Legitimacy to the Beneficiaries of the New Kot Massacre*” by Maoist leader Dr. Baburam Bhattarai. The very title of the article compared the massacre with the 1846 Kot Massacre, which had established the 104-years long Rana family rule in Nepal (Chapter 2). In the article, Bhattarai mapped global politics and the country's entire history, refuting the official report as “the propaganda which is being spread by the government and its foreign masters.” He then called for a coalition between the nationalists and the people's forces, that is, the Maoist party, to unmask the “real villains” of the tragedy.

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<sup>21</sup> Nepal Samacharpatra, August 16, 2002

<sup>22</sup> All of these rumors were actually narrated to me by my interviewees, but I had heard about these allegations when I was growing up in the 1980s.

The plot of the Maoist narrative made sense in light of Nepal's own historical narratives and the on-going political problems. Bhattarai argued that the Maoist insurgency had placed the ruling class alliance and Nepal's geo-political situation in such a situation that the "traditional way" could no longer preserve national unity and sovereignty. He asserted that the current King, the CIA, and the Indian intelligence agency RAW were behind the massacre<sup>23</sup>. He also blamed Prime Minister GP Koirala as party to the conspiracy<sup>24</sup>. To add to the confusion of ordinary citizens and analysts alike, he claimed that the slain King was "liberal" and "patriotic"<sup>25</sup>. After eulogizing the Shah

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<sup>23</sup> In 1974, CIA had run a massive secret operation against the Chinese government from Nepal's northern region. The Nepali government quelled the rebellion under pressure from China. This is a well-known story in Nepal. In addition, CIA activities against the communists in Latin America are also well-known among leftist activists in Nepal, as they frequently told me. When Madan Bhandari, a charismatic leader and the then General Secretary of the CPN-UML, died in a car accident in 1993, communist leaders blamed CIA and RAW for masterminding the accident.

<sup>24</sup> Maoist official documents also endorse this view.

<sup>25</sup> Chiran Shamsher Thapa, a highly-placed former Palace official, recently made sensational revelations about the regular interactions between the Maoists and the Palace (Nepal weekly Issue 397, May 2010). He revealed that King Birendra thought that the Maoists were "nationalists;" that the King was about to take some action against the political parties; and that there were real chances of rapprochement between the Palace and the Maoists. The Maoists had demanded a national government. Similar demands were made by small leftist parties and former Panchayat loyalists around this time. In

dynasty up to King Birendra, he called on the Royal Nepalese Army to “join hands with the patriots born in small huts across Nepal, instead of joining hands with the puppet of expansionist forces in the Palace.”

Scholars have emphasized the power of important *events* in influencing the course of actions and motivations of agents in complex ways. Events trigger historical memory, create moral shocks, validate people’s suspicions about a phenomenon, spawn new public narratives, and generate new modes of conflicts (Ellingson 1995; Gamson and Modigliani 1989; Jasper 1997; Sewell Jr 2005; Sewell 1996). As activist narratives attested, the Palace Massacre was an event that decidedly changed their views about national politics and the country’s history. A section of ordinary citizens did not listen to the Maoist call for revolts; nor did the army form a “nationalist coalition” with the Maoists. But the event brought the Royal Palace and the army under intense public scrutiny for the first time since 1950.

First, although King Birendra was occasionally criticized in the media in the 1990s, and the country’s intelligentsia had often viewed the Palace with suspicion, the Palace massacre opened the door for a barrage of sustained criticism against the Palace and with it the Royal Nepal Army<sup>26</sup>. The army became the main target for not taking *responsibility* for the security of the King, and not acting *professionally*. Columnists and

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addition, people close to the Palace told me that King Birendra was “very concerned” about the growing interaction between the parliamentary political parties and the Indian establishment, a concern he inherited from his father, King Mahendra.

<sup>26</sup> Early debate between the King and the NC government occurred over the appointment of ten nominees to the Upper House (see Deshantar 1991).

commentators relived the infamous Palace massacre in 1846 through which a 104-year-long Rana regime was established. Some newspapers thus quickly labeled the incident a “Narayanhiti Parwa,” linking the event to the Kot Parwa in 1846. On the eleventh day after the massacre, a death mourning ceremony was held in which a [Hindu priestly] Brahmin man, following royal traditions, was “banished” from the country on an elephant ride for “polluting” himself by participating in the mourning rituals of the dead royal family members<sup>27</sup>. Newspaper reports were awash with fascination and outright disgust at these “archaic royal practices.”

For the first time since the 1990 political change, a section of the leftist lawmakers demanded a Parliamentary law to control the succession to the throne<sup>28</sup>. Others raised the question of the patriarchy in the Palace, claiming that the new King’s

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<sup>27</sup> Regarding the historical evolution of this practice, Burghart (1982:105) writes: “In the course of his rule the king not only incurred certain sins but he also was said to absorb from his subjects the same proportion of sins and merit as he collected revenue from their standing crops. Upon the death of the king the Mahapatra funeral priest took on these sins in the course of a meal composed, in part, of the deceased king's cranium (the place where the king's soul left his body at the moment of death). Having digested the sins committed by the king and a portion of the sins committed by his subjects, the funeral priest was then mounted backwards on an elephant, jeered ‘Demon Brahman,’ and driven from the realm.”

<sup>28</sup> Again this was easier said than done since the Constitution of Nepal 1990 defined the succession rule as a prerogative of the reigning King. If anything, the Parliament needed to amend the Constitution, an act impossible without the Palace’s full support.

daughter, who was older than his son, the traditional heir to the throne, should be declared a legitimate heir. Others demanded the “nationalization” of King Birendra’s property (more on this in Chapter 6). The myth that the monarchy was the gracious protector of his subjects, often detracted by “malicious advisers,” was shattered once the official report divulged that drugs and alcohol were a quite accepted way of life in the Palace<sup>29</sup>.

Although the major political parties accepted the status quo with party functionaries participating in royal rituals that became intense objects of fascination<sup>30</sup>, Narahari Acharya, a former professor, who had joined the Nepali Congress Party following the 1990 movement, resigned as the spokesperson of the Nepali Congress upon the leakage of the news that the party had *discussed* a possible law to control the Royal succession. The issue of Constitutional reform came up once again. Thus the Palace Massacre sowed the seeds of debate in the country’s largest party, which had been taking

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<sup>29</sup> The official report mentioned that the Crown Prince had inhaled some “unknown black substance” before the Massacre and that the substance was supplied by Paras, the only son of King Gyanendra, who was also present in the party. He, along with his mother, had remained unhurt.

<sup>30</sup> One of the rituals that still reverberated is a Dam Chadhaune (supplication with coins) ceremony. Much controversy was concerned with Nepal’s current PM Madhav Kumar Nepal of CPN-UML taking part in the ceremony. The photograph of PM Nepal supplicating himself with a coin at the King’s feet was widely circulated by the Maoists. In the western town of Pokhara, this event led to clashes between the Maoists and the UML cadres during the Constituent Assembly elections in April 2008.

the monarchy for granted. Madhav Kumar Nepal, general secretary of the main opposition party, the NCP-UML, resigned as a member of the investigation committee citing that the committee was unconstitutional. Although the party officially did not oppose the report, the event distanced the Palace and UML further. This distance was important since Nepal's communists have historically held the Palace as a symbol of "nationalism" even if they thought the Palace was a "feudal" institution.

The country's intelligentsia was as shocked as everyone had been. In my interviews, no activist theorized the Palace Massacre in terms of Marxist realism, but they had their own interpretations derived from their own scientific preoccupations and conspiracy theories<sup>31</sup>. In fact, in most cases, interviewees brought up the issue of the Palace Massacre without my asking them. People still found it hard to believe that a "loving" and "playful" Crown Prince (any person for that matter) could kill his family members that cruelly and most importantly, even if he did, these activists asked—how did it become possible that the family members of King Gyanendra survived unhurt? First, they questioned the lack of credible investigation such as forensic tests. Virtually everyone mocked King Gyanendra's statement that an "accidental discharge of an automatic weapon" was responsible for the killings.

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<sup>31</sup> The conspiracy theories largely draw on Bollywood thrillers. Paras, who had already been accused of several killings, was the suspect. People believed that Paras must have killed Birendra's family wearing a mask that looked like Dipendra. A sophisticated version of this theory included CIA and RAW designs in which "several men" wearing a Dipendra's mask committed the massacre.

Third and most importantly, they could see the “helplessness” of the elected government. They often emphasized how the Prime Minister “was not duly informed” and even “misinformed” by the army and Palace officials in the confusion after the massacre. On top of this, the government could not discuss the issue in Parliament or form its own “independent” investigation committee. Well-known leftist literary figure and columnist Khagendra Sangroula, who would later become one of the key figures in the civil society movement in 2005-06, rose into celebrity status for being brave enough to “tell the truth.” He declared, in no uncertain terms, that the murderers [the new King’s family] had accused a dead person [the Crown Prince] of a massacre which the latter did not commit.

Whereas the major newspapers restrained from publishing provocative news reports and many of them eulogized the new King for his “experience” in conservation, business, foreign policy, and even poetry, the government arrested and jailed editors and managers of the country’s largest selling newspaper *Kantipur* for printing the article (discussed above) by Maoist leader Baburam Bhattarai<sup>32</sup>. According to these activists, the Palace massacre demonstrated how weak our democracy vis-à-vis the Royal Palace and the army had been in the 1990s.

Virtually every activist I interviewed narrated to me about how they began rethinking the monarchy following the Palace massacre. The monarchy’s popularity among the educated class perhaps had always been doubtful, given that Nepal has a historically strong communist movement and a long history of struggle between the

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<sup>32</sup> The Royal Palace quickly dissociated itself from the arrest; it is likely that the Nepali Congress government made the arrests to curry favor with the new King.

political parties and the Palace. But following the massacre, not only the electoral left, but also those who took the monarchy for granted started to rethink about the monarchy. Almost all activists I met told me that they felt one step closer to the Maoists after the massacre.

### **The Emergence of the King-Army Coalition<sup>33</sup>**

I argued, drawing on feminist and post-structural theory of the state that the “state” cannot be taken for granted and that it is historically variable as different state institutions vie for prominence at particular moments. The King army coalition thus emerged as the most powerful state institution in the political mess that Nepal found itself beginning in early 2001.

The NC government persistently tried to mobilize the army to quell the Maoists, but the King as the Commander in Chief refused to let the NC government mobilize the army against its “own people.” Such a serious rift became publicly visible for the first time on September 25, 2000, months before the Palace Massacre. In a dramatic event, the Maoists attacked Dunai, district headquarters of Dolpa district in western Nepal. According to news reports, the government had known about the Maoist plan and ordered the army to help the police to foil the attack, but when the Maoists attacked Dunai, the army did not respond. Four days later, Home Minister Govinda Raj Joshi, a close confidante of Prime Minister Girija Prasad Koirala, resigned criticizing the army for *not*

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<sup>33</sup> Some scholars have argued that the Maoists changed their strategy following the Palace Massacre (Shah, 2004), but this is only partially true. As I outlined above, the Maoists had already changed their strategies several months before the Palace Massacre.

*following the government order.* Apparently, the army wanted an order from the King, the Supreme-commander-in-chief. For the first time, this event brought forth the issue of the civilian control over the army and the NC party started floating the idea of Constitutional reforms to bring the army under the control of the elected government (more on this later).

After correctly judging the incredulity about the Palace Massacre among the masses and the urban intelligentsia, the Maoists, however, began a new offensive against the government forces while simultaneously courting other influential forces<sup>34</sup>. Even more ominous, however, was the attack on a police post in Holeri, a rural town in the Rolpa district in mid-western Nepal, killing one policeman and abducting about six dozen<sup>35</sup>. Later news reports disclosed that not only did the army refuse the government order, but it also misinformed the government about its field operations<sup>36</sup>. This event

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<sup>34</sup> A dramatic revelation in the immediate aftermath of the Palace Massacre was that the Maoists were operating from Indian soil (Mishra 2004; Shah 2004).

<sup>35</sup> Kantipur, July 13 to 18, 2001

<sup>36</sup> In my interviews, high ranking army officers disputed the government's position, however. According to the army version, the army had asked the Koirala government to authorize army mobilization through a Constitutionally-mandated National Security Committee decision, but PM Koirala did not want to follow the Constitutional provision. Newspapers do not report such a dispute, however. Although the army version could well be true, the army officers' claims do not mean much in practical terms, as the army top brass must have got clues from the King and the government probably knew that the King, who was the Supreme commander-in-chief of the army, would not authorize army

brought the Nepali Congress government and the Royal Palace face to face publicly over the control of the army once again, leading to the resignation of PM GP Koirala<sup>37</sup>.

Kantipur reported the following day that in the NC central committee meeting, PM Koirala showed his concern over a *possible alliance* between the “extreme leftist” and “rightist” forces, two code names for the Maoists and the Palace respectively<sup>38</sup>.

Even if the political parties themselves were divided on the Maoist issue, with different party factions debating over a military versus a “political solution,” the Holeri event placed the new King and the major parties at odds. On September 7, 2001, according to Kantipur, GP Koirala publicly accused the Royal Palace and India of protecting and assisting the Maoists. He disclosed that the King had refused to mobilize the army. He even disclosed that he had wanted to sack the army chief Prajwal Shamsheer Rana for disobeying the government order. A few days earlier, the general secretary of the

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mobilization. Following the Holeri fiasco, the government established a paramilitary force called the Armed Police Force (APF) in October 2001. The army consistently opposed to arm the APF and civilian police force with modern weapons. As the government started diverting a large amount of financial resources to the police, the army became even more furious with the government. The “budget” issue repeatedly appeared in my interviews. Columnists frequently made jokes saying that the army belonged to the King and the APF to the government.

<sup>37</sup> Koirala was already under intense pressure to resign after an anti-corruption Constitutional body, CIAA, implicated his indirect involvement in an airplane leasing scandal involving millions of rupees.

<sup>38</sup> Kantipur, July 21, 2001.

CPN UML, Madhav Nepal, had said that the Maoists were *run by* India, the Royal Palace and the Nepali Congress. In the first week of April 2001, newspaper reports said that the army *publicly* demanded, among others, a state of emergency and an “all party consensus” before the army could be mobilized against the Maoists<sup>39</sup>.

Top army officers increasingly became assertive. At the end of March in 2002, for example, Prajjwal Shamsheer Rana, the Chief of the Army made a provocative speech, accusing the political parties for misruling the country for the “past 12 years<sup>40</sup>.” The speech caused uproar; a flurry of op-ed articles appeared in the national dailies. All political parties criticized the army chief. The debate subsided only after Prime Minister Deuba “warned” the army chief “not to repeat the same act.”

Thus by early 2002, a more or less distinct King-army coalition had emerged. Columnists and civil society activists alike started talking about possible “royal interventions” in lieu of the 1960 Royal coup. It was at this moment that a new term—“regression”—came into being<sup>41</sup>. The word would become the staple of opposition discourse for the next four years. It signified going back to the Panchayat rule.

### **First Peace Talks and Civil Society Response**

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<sup>39</sup> Clearly, the army had put these conditions knowing very well that the government could not fulfill the demands. A few days later, the same daily newspaper quoted PM Koirala as saying, “If the army can work as peace keepers in foreign lands, why can't they do the same in the country?”

<sup>40</sup> Kantipur, March 28, 2002

<sup>41</sup> Kantipur, Lok Raj Baral, May 01, 2005

In July, 2001, upon the resignation of PM Koirala, Sher Bahadur Deuba was appointed PM for the second time, and he called for dialogue and ceasefire even before he was sworn in. The Maoists reciprocated declaring a ceasefire immediately. Newspapers reported that all political parties, the intelligentsia, businesspersons, and civil society activists welcomed the ceasefire. The Maoists nominated a three-member team.

The daily further reported that “civil society members” had formed a *Shanti Aviyan Janaekyabattata Samiti* (the People’s Solidarity Committee for the Peace Campaign). On the very first day of the talks, Padma Ratna Tuladhar and Daman Dhungana, however, appeared as “*facilitators*.” Subsequently, the new word, facilitator, became famous during this period (2001-2004). Kantipur on the day following the ceasefire quoted Tuladhar, who had been working as an informal link between the government and the Maoists since 2000, as saying that “the government should call back army personnel from Rolpa and both the parties should exchange prisoners. These gestures could create a favorable environment for dialogue<sup>42</sup>.” Once again the “favorable environment” became yet another popular phrase among the activists in this period.

After more than three months’ efforts of negotiations and three rounds of peace talks, in the last week of November, the Maoists withdrew their ceasefire as the government did not fulfill the demanded abolition of the Constitutional monarchy, a fact simply unthinkable for the political parties in the context of an ever powerful King-army coalition. The Maoists ended the ceasefire by launching a series of attacks on the army for the first time since the war had begun in 1996. On November 26, 2001, the

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<sup>42</sup> Kantipur, July 25, 2001.

government declared a state of emergency for the first time in decades and formally mobilized the army against the insurgents.

According to activists, they supported the Maoist demand for the Constituent Assembly since the Constituent Assembly was a “bourgeois issue.” Besides activists helped negotiate the release of several Maoist prisoners to buttress the “environment of trust” and “create a conducive environment,” two phrases widely shared by civil society activists and the Maoists alike during 2001-2004. Similarly, the government scrapped the Public Security Regulation Act under pressure from civil society activists, according to one activist involved in the peace process.

Civil society activists and former facilitators sharply criticized the government decision to impose the state of emergency. Daman Dhungana, on December 25, 2001, about one month after the imposition of the state of emergency, called for an end to “killing one Nepali by another,” arguing that “The democratic system was a failure in transferring power to the people and the people belonging to the rural areas had been always victimized” (Pathak 2005:339).

In the meantime, civil society activists continued to call for peace talks as they believed that the government had to do with the failure of the peace talks. These activists were not alone. Media houses too advocated a “peaceful solution” to the insurgency. A discussion program held by Nepal’s largest media house, the Kantipur Publications, illustrates the process nicely. Unconcerned about the government’s declaration of the Maoists as “terrorists,” on September 27, 2002, the Publications organized a “Round Table” discussion to find solutions for the Maoist insurgency<sup>43</sup>. The news report the

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<sup>43</sup> The Kathmandu Post, September 28, 2002

following day said that NC leader Narahari Acharya, CPN-UML leader Jhala Nath Khanal, and pro-monarchist Kamal Thapa, and Padma Ratna Tuladhar were present in the round table meeting. The news report quoted Padma Ratna Tuladhar as saying that

...The issue of conducting an election for a Constituent Assembly is not a harmful demand for the country and democracy...The Maoists decided to attack Dang security base after they found out that the government had been accumulating large amount of arms and ammunition to use against them....How can the peace talks be continued when the government is mobilizing the forces at the same time...

What is important here is that civil society activist Padma Ratna Tuladhar squarely blamed the government for the breakdown of the first talk in November 2001<sup>44</sup>. In addition, when he said an election for a Constituent Assembly was not a “harmful” demand, he was actually echoing the voices of the urban intelligentsia, now extremely suspicious of the new King in the aftermath of the Palace Massacre and the emerging King-army coalition. Powerful media houses were asking for talks, freely propagating radical ideas, without caring that the state had declared the insurgents “terrorists.”

### **Civil Society Activists and Efforts at Constitutional Reform**

The Maoists continued to hold secrete talks with the Kathmandu intelligentsia, and they continued, using Nepali and Indian media, to reiterate the *importance of a*

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<sup>44</sup> This view, as my interviews indicated, was widely shared by human rights activists and other members of the intelligentsia involved in the peace process.

*peaceful resolution* to the political crisis. By now the intelligentsia was becoming more and more radical by Nepali standards. Activist narratives were suffused of the reference to the Palace Massacre and the civilian control of the army. Particularly, pro-NC intelligentsia held contradictory views about the Royal Nepal Army. On the one hand, they were furious at the Royal Palace's refusal to mobilize the army against the Maoists. They believed that the Maoists would have been "controlled" if the army was mobilized at earlier stages. On the other hand, they also believed that the Maoist problem was a "political problem."

Beginning in the last week of February, 2002, the political parties started discussing possible constitutional reforms<sup>45</sup> to "empower" the position of Prime Minister, an expression for amending the Constitution to bring the army under the government<sup>46</sup>.

Civil society activists' reaction to the efforts at Constitutional reforms was surprising. In a joint press statement issued on February 27, 2002, Bishwa Nath Upadhyaya, former Chief Justice and the chair of the 1990 Constitution drafting committee, Daman Nath Dhungana, and Devendra Raj Panday, former minister, whom we will meet again in Chapter 7, and Nilambar Acharya, former minister in the Interim Government in 1990, warned that efforts at Constitutional reforms would not be in the "interest of democratic freedom" since the state of emergency has been imposed in the

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<sup>45</sup> King Gyanendra had clearly hinted that he would not accept constitutional reforms without his prior consent, saying that the monarchy was a party in the 1990 Constitution drafting process (King Gyanendra interview to Nepal Samacharpatra on August 14, 2001).

<sup>46</sup> The Kathmandu Post (TKP), February 25 and 26, 2002

country. They also made it clear that the move would be "*meaningless unless the parties made attempts to incorporate the political forces outside Parliament* [that is, the Maoists]". These activists clearly asked the political parties to talk to the Maoists.

On March 1 former Chief Justice Upadhyaya once again said, "the 1990 Constitution does not pose any hindrance if the nation really wants to go for a Constituent Assembly or hold a referendum to resolve the crises." He even suggested going to referendum to change the so-called non-negotiable clauses in the 1990 Constitution (see Chapter 2). This once again showed how close the civil society activists had been to the issues raised by the Maoists.

Other activists, however, had been active in secret peace talks. Peace rallies and peace music concerts continued in the streets. In addition to such open call for dialogue, secret efforts were being made to resolve the crisis. According to one professor close to the NC, who would later become active in the civil society movement in 2005-06, the Maoists contacted him repeatedly asking him to "form a committee" and take a leading role in the negotiations. Like Dhungana and Tuladhar discussed earlier, this professor too had been advocating for socio-economic reforms and an "inclusive" state and "state restructuring." He, along with other activists, arranged a meeting between top Maoist leaders and Nepali Congress president Girija Prasad Koirala in New Delhi in April 2002. According to the activists involved in these secret peace talks, the Maoists had "agreed"

to lay down their arms provided that the army would be brought under civilian control, and a provision for a referendum added to the Constitution<sup>47</sup>.

In the meantime, the day of the expiration of the state of emergency was drawing close. Hoping to reach an agreement with the Maoists through Constitutional reforms but also fearing that the King might do “something,” the Nepali Congress and the main opposition, the CPN-UML, decided not to extend the state of emergency. The UML publicly said that it might support the extension of emergency on the condition that PM tabled a bill to amend the Constitution. In the third week of May, 2002, PM Deuba recommended to the King that the Parliament be dissolved. The King promptly acted on the PM’s recommendation, dissolving the House of Representatives at midnight and announcing new elections on November 13, 2002<sup>48</sup>. The ruling Nepali Congress expelled PM Deuba from the party following his decision to dissolve the Parliament, and Deuba, in turn, floated his own party, the Nepali Congress (Democratic).

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<sup>47</sup> The 1990 Constitution did not have any provision of referendums on crucial national issues. Obviously, the Maoists wanted to challenge the Constitutional monarchy provision in the 1990 Constitution.

<sup>48</sup> Activists, however, contested this official account. They believed that the Palace had dismissed the Parliament without the PM’s recommendation. According to one activist, who was present in the Prime Minister’s residence on that day, the Prime Minister had not recommended the dissolution of the house, and the King had acted on its own invoking the PM’s recommendation.

## **The New Political Crisis, October 2002**

On October 4, 2002, Nepal's politics took yet another dramatic turn. In the face of growing Maoist violence and political uncertainty, PM Deuba, under the recommendation of the major political parties, asked the King to postpone the scheduled elections. However, the King dismissed the Deuba government, calling him *inept* at handling the insurgency and holding the elections. The King assumed executive power, saying that a national government would soon be formed. The elections for the Parliament, set for November 13, 2002, were postponed indefinitely. Further, the King asked the political parties to propose a "clean" and "consensual candidate" for the post of PM. By asking the parties to propose *a consensual candidate with a clean image*, the King, obviously, hoped to appease ordinary citizens, and he knew too well that given the political animosity among the political parties, such a consensus candidate was difficult, if not impossible.

Pro-monarchist Hindu groups and business organizations welcomed the King's move. All factions of former Panchayat era politicians welcomed the King's move. International actors including Nepal's two influential neighbors—India and China—called for dialogue; none of the international players in Nepal's politics criticized the King's move. All praised the King's "commitment" toward a Constitutional monarchy and multiparty democracy. This was, of course, a post-9/11 world order.

The political parties denounced the King's move timidly, terming it "regression" and conspiracy against the *political gains made through the 1990 movement*, a phrase that had emerged in the context of the King and the NC government tussle over the control of the army. They could not agree on their next move. The NC demanded the reinstitution of the dissolved Parliament; the UML wanted an all-party government and early elections.

The Maoists too condemned the King's move saying that the "minimal gains made through the 1990 movement" were in danger. Only a few communist fringe parties with dubious public support called for a "people's movement."<sup>49</sup>

The intelligentsia and activists too were divided on the issue. For them, the King symbolized both hopes and fears; newspaper editorials and opinion pages were almost ritualistic in their reactions. Powerful professional organizations such as the NBA and FNJ criticized the King's move, but they also "welcomed" the king's *commitment toward a multiparty democracy and Constitutional monarchy*. Many could not help feeling that the King's action was a just punishment for the political parties for their sins in the past 12 years<sup>50</sup>. Other believed that once the political parties were removed from the scene, the two "real forces"—the Maoists and the King-army alliance—would enter into some peace agreement. Three days after the King's action, Tikaram Bhattarai, a human rights activist, lawyer, and a UML supporter, wrote an emotionally-charged and critical article in Kantipur daily. He criticized the Nepali Congress first for "forgetting" the political developments from 1950 to 1960. He similarly criticized the UML for maintaining an inconsistent [dui jibre] policy without firm commitments toward the political crisis. He then criticized the Maoists for violence, but then he saw a "positive side" in the King's

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<sup>49</sup> Shyam Shrestha, one of the key leaders of the Citizens' Movement for Democracy and Peace (CMDP), appeared as a leader of one "Socialist Movement in Nepal." He, along with other fringe left parties, called for a "people's movement." They also said that the next move should be to form an all-party government including the Maoists (Kantipur, October 6, 2002).

<sup>50</sup> MK Sunder, Kantipur, October 06, 2002

move in that the King had opened up the possibility of “direct” talks between the Maoists and the King, leading to resolution of the insurgency<sup>51</sup>.

Four days after the King’s take over, the Human Rights Organization of Nepal (HURON) organized a peace rally in Dang in Western Nepal as if nothing had happened. Of course, a section of the intelligentsia had been voicing such views even before the King’s action in 2002. In September, 2001, when the first round of talks between the Deuba government and the Maoists was going on, Nepali Times (#59) quoted well-known leftist analyst, Hari Roka, who would later become a civil society activist, as saying "These are fake talks...The real talks should be between the Palace and the Maoists. By giving up its command over the army the elected government has shown that it is just a pawn in this game."<sup>52</sup>

All took the monarchy for granted for different reasons. Many believed in the sanctity of the monarchy; among them were former Panchayat politicians and Hindu groups who took out processions in support of the King. Others did so because they believed that the army was firmly behind the King. Still others including communist parties held that the monarchy was a counterbalance to India, a savior of Nepali nationalism<sup>53</sup>.

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<sup>51</sup> Kantipur, July 20, 2002

<sup>52</sup> Nepali Times (#59), September, 2001.

<sup>53</sup> Nepali Times (#59) in September 2001 quoted, RK Mainali, a well-known UML leader who later supported the King, as saying, “The Maoists know they cannot have a republic without support from the moderate left, which was why they met in Siliguri [in India]...But the other communist parties think they will be dumped once Prachanda gets

## **Royal Governments, Peace Talks, and Student Radicalism**

After the dismissal of the Deuba government, the King appointed Lokendra Bahadur Chand, a Panchayat stalwart, who had also headed a coalition government in 1997, as Prime Minister. By now, the discourse of “peace” and “talks” had been so intense that no one—perhaps virtually no one—could talk against peace initiatives. Not surprisingly, activists told me that immediately after Chand was appointed PM, Palace officials contacted these activists to initiate talks with the Maoists. Thus, under the assistance of civil society activists and former facilitators, in January 2003, the Maoists and the government announced a ceasefire. The Maoists promptly announced a five-member talks team headed by senior leader Dr. Baburam Bhattarai. Maoist leaders once again asked activists Padma Ratna Tuladhar and Daman Nath Dhungana to act as facilitators. The facilitators this time helped sign a 22-point “code of conduct” to govern the peace process; both the civil society activists and Maoists had been insisting on the formulation of such a code for a long time<sup>54</sup>. While the civil society activists could

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his republic... We believe the republic would be counterproductive and even put Nepali nationhood at risk.”

<sup>54</sup> In peace talks, the role of the facilitators often appeared as merely symbolic, but its impact was real and visible in several ways. The mere presence or witness role often placed the government in an awkward position. On April 27, 2003, the Maoists submitted a carefully crafted 35-point agenda. In the third section of the Maoist agenda titled “Implementation of the Ceasefire and Code of Conduct, and Establishment of an Environment Conducive to Negotiations,” the Maoist saw the roles of civil society

“monitor” the enforcement of the code, the Maoists also appeared to gain from such codes of conduct.

The political parties, however, were deeply suspicious of the Palace move as it confirmed their own understanding that the Maoists were “run” by the Palace. The Parliamentary political parties in the meantime continued to organize street protests against “regression.” Many political party leaders saw the government and Maoist talks as a conspiracy to derail democracy. Due to the political parties’ non-cooperation, on May 30, 2003, PM Chand resigned. Following the resignation, the King again asked the political parties to recommend *a consensus candidate*. This time the political parties proposed the CPN-UML leader MK Nepal as a consensus candidate. The King, however, appointed Surya Bahadur Thapa, another former Panchayat stalwart and leader of the pro-monarchial Rashtriya Prajatantra Party (RPP), as new Prime Minister<sup>55</sup>.

The Thapa government quickly formed a talks team, and the peace process resumed. By this time, the Maoists had had several rounds of talks with the political parties; according to civil society activists, they facilitated these talks. Similarly, the Maoists organized dozens of mass meetings throughout the country. The political parties continued to vow to protest against the King’s new government. Not surprisingly, the

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organizations and activists in investigation of human rights abuse cases. They also wanted them to investigate, assess, and monitor adherence to the terms of the ceasefire, the condition of the disappeared, and the release of prisoners.

<sup>55</sup> It was widely believed that the reason for the King’s refusal to appoint MK Nepal as PM was the latter’s resignation from the committee to investigate the Palace Massacre in 2001.

Maoists supported the political parties, emphasizing the need to go “beyond the 1990 Constitution.”

Finally, on July 17, 2003, Maoist leaders and peace negotiators sat for talks in Nepalgunj in western Nepal. The government presented its agenda, agreeing to hold a roundtable conference and form an interim government. However, the government rejected demands for a Constitutional Assembly to decide the fate of the monarchy. On August 27, 2003, the Maoists unilaterally and “temporarily” withdrew from the seven-month old ceasefire. The Maoists, however, continued to speak the language of a peaceful “solution” and talks<sup>56</sup>. They continued to engage the political parties and civil society activists. The war resumed once again. The Maoists declared a nine-day unilateral ceasefire during the Hindu Dashain festival period in October. In their press statement, they cited requests from *civil society activists* as the reason for their declaration of the ceasefire.

As the political parties increasingly became apprehensive about the “Royal design,” they continued to protest against Royal governments. But they also used their student wings as a bargaining chip. Newspaper reports showed that the political parties often threatened the King about declaring a “final or decisive movement.” Expressions such as “if the King does not correct regression, we cannot save the monarchy” became too common, especially during the Thapa government period. The student affiliates of the

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<sup>56</sup> It should be noted that when the ceasefire was in place, the Maoists had openly supported the political parties’ protest against the King-nominated government.

According to one peace activist, they had taken special care to bring together the political parties and the Maoists.

parties increasingly demanded a republican state, engaging in highly theatrical anti-King protests such as organizing mock referendums on the monarchy and holding talk programs on the “relevancy of the monarchy” in Nepal. Royal governments repeatedly warned the students not to engage in defaming the “symbol of national unity” and the center of “national honor” (Nepali ka Astha ka kendra bindu). Two student leaders—Gagan Thapa and Guru Baral—were arrested and charged with sedition for “chanting slogans against the monarch<sup>57</sup>.”

The party establishments in both the NC and UML were not in favor of a republican state even if the King-army coalition had angered them. In addition, the fear of the Maoists was clearly there. Senior party leaders, according to student leaders I talked to, continued to warn the students in private of consequences of going against the monarchy, while tolerating student anti-King slogans at the same time.

Student leaders associated with the NC and UML parties told me that their parent parties had neither wanted nor believed in the possibility of a republican state. They tolerated their anti-King protests merely because they wanted a bargaining chip to

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<sup>57</sup> Student radicalism had grown so widespread that the Time Magazine in its interview on January 26, 2004 specifically asked King Gyanendra about it. The King responded, “Should it concern me? Is that public sentiment? Yes I agree the monarchy in Nepal does conduct itself according to the aspirations and hopes of the people. It reflects those. But my government has advised me that these protests might be only pressure tactics [by the political parties]. And anyway, the government has a job to uphold the law of the land. Does the law allow them to say things like this?” see

[http://www.time.com/time/asia/2004/nepal\\_king/nepal\\_intvu\\_extended2.html](http://www.time.com/time/asia/2004/nepal_king/nepal_intvu_extended2.html)

negotiate with the King. The student leaders claimed that their evaluation of the monarchy was sincere in the “post-Palace Massacre” Nepal even if their parent political parties had not agreed. A section of the marginal leaders in both the Nepali Congress and UML, however, supported the students. Narahari Acharya, who had earlier resigned as a NC spokesperson in the aftermath of the Palace Massacre, openly supported the students. This former professor worked closely with NC student wings. In addition, human rights activists, Krishna Pahadi, whom we will meet in chapter 7, also occasionally appeared in students’ anti-King protests<sup>58</sup>.

What was special about the 2001-2004 period was that since all the political parties were out of power, ideologically different student organizations and human rights activists, who were largely sympathetic to the Nepali Congress (NC) and Nepal Communist Party-United Marxist (NCP-UML), could unite and protest jointly<sup>59</sup>. What is

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<sup>58</sup> The anti-King student protests, however, were, in part, encouraged by the fuel crisis as the oil price skyrocketed in the international market in 2003 and 2004. Nepal’s student political culture dictates that students protest in the issues related to the “livelihood” of students; most, if not all, students in government colleges come from rural peasant families. One of the largest (anti-fuel price hike) demonstrations, for example, took place in April 2003 after the security forces killed a student in the western town of Butwal. The government quickly compensated for the killing, and the student leaders promptly declared the deceased student the “first martyr” of “struggle against regression.” Thus the students linked every event to regression.

<sup>59</sup> It is also customary for student organizations to advance “demands” and protest if their parental parties are in the opposition. Only very rarely do students cross party lines in

special about this coming together of students, professional organizations, and NGOs was that they increasingly interacted and accepted anti-King sentiments and became sympathetic to the demands raised by the Maoists. In addition, during the peace talks when the government relaxed Maoists activities, Maoist student leaders increasingly interacted with NC and other students. One NC student leader told me that the King's action coupled with his interaction with communist students led him to study Marxism for the first time and that he further became convinced of the need for a republic.

### **Civil Society Initiatives, Diversification of the Field, and Identity**

With growing activism and public visibility of “independents” such as facilitators, this period was marked by massive civil society peace initiatives. In the last chapters, I showed that the discourse of “citizen initiatives” had started appearing among scholars and activists. Such initiatives started becoming widespread in this period. In this section, I review one citizen groups, an alliance of professional organizations, and an alliance of NGOs. As I described in chapter 3, these organizations formally or informally worked closely with the political parties. But autonomous citizens' groups interacted closely with the Maoists.

### **Civil Society for Peace and Development (CSPD)**

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their protest strategies and public political posturing. When they have done, the parental parties have dissolved the elected student bodies. The Nepali Congress had been particularly notorious for dissolving elected student bodies.

Ten days after the ceasefire was formally announced by the first Royal government, Nepal's "first civil society," as the founders of the group told me in my interviews, was born on February 8, 2003. This was the birth of *Shanti Ra Bikas ka lagi Nagarik Samaj* (Civil Society for Peace and Development, CSPD henceforth). According to the group's annual souvenir publication (CSPD 2060 vs.), the group was established realizing the importance of "civil society pressure" in the forthcoming peace talks. Both peace and development appeared in the very name of the group. On the cover of the first souvenir, the CSPD showed several flying doves, the sign of peace traditionally used in Nepal. According to another souvenir published three years later, the group was formed at the initiation of Bishnu Pukar Shrestha and journalist Dev Prakash Tripathi. Shrestha was the former chairman of the UML-aligned Nepal Teachers Association; he was also a member of the South Asian Association for Regional Cooperation (SAARC) Teachers' Association. At the time the Civil Society and Peace Development (CSPD) was formed, Shrestha had just been released from an army detention center where he had been held incommunicado for several months for being a Maoist supporter.

According to Shrestha, he got inspiration to form the civil society group as a citizen's initiative, when he visited Bangalore, India, where he saw "civil society members" taking *initiatives* to solve their problems. After he was released from prison, he approached journalist Tripathi, who was his former student and was close to the Nepali Congress party. The duo made a list of persons who could be potential members of their group. Tripathi suggested that Dr. Sunder Mani Dixit, a well-known physician, be requested to lead the group. According to Tripathi, he had known Dr. Dixit *since the 1990 movement*. In the Sovereign published by the group, he characterized Dixit as a

“courageous” person who could “rise above petty interests” and had repeatedly shown “exemplary *citizen* quality.”

“As *conscious citizens*, civil society could not remain silent,” wrote Dr. Dixit in the first annual Souvenir publication. Within a month or so, the groups managed to attract the country’s well-known personalities including university professors, businesspersons, doctors, conflict experts, and journalists<sup>60</sup>. Himalayan Shamsheer Rana, a prominent member of the aristocratic Rana family, with connections to the Royal Palace and the army top brass, also joined the group<sup>61</sup>. The coordinator of the group, Dr. Sunder Mani Dixit, explained that not only had *development* of the country suffered from the insurgency, but also “*nationalism*” was in danger.

In their writings and press statements which were published in 2003 and 2004, concerns over the growing destruction of the physical infrastructure by the Maoists, a complete halt of development activities in the rural areas, and an almost negative economic growth rate, appeared prominently. Interestingly, ethnic threats to the traditional Nepali nationalism were less salient in the activist discourse, a clear sign that ethnic demands were receiving widespread acceptance and that they were not perceived as anti-national, which had long been the norm. More than this, they pointed to a possible

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<sup>60</sup> According to activists, civil society members also mediated to end a series of strikes enforced by Maoist students and labor unions. These efforts further brought closer the civic organizations and the business organizations, and the legitimacy of civil society organizations increased in the face of growing statelessness and lawlessness.

<sup>61</sup> Rana had also some “democratic” credentials as shown by his removal from the post of Governor of the Nepal Rashtra Bank in the wake of the 1960 Royal coup.

“US-backed Indian intervention.” In the aftermath of 9/11, the US government had just increased its assistance to the Nepal Army, offering 500 M-16 assault rifles to the Nepal army in 2002. This was further fuelled by the fact that India and the US had come closer to each other than ever before.

The Civil Society for Peace and Development (CSPD) did not have a fixed secretariat; according to my interviewees and information gleaned from their publications, the group used the homes and private offices of Dr. Dixit and well-known industrialist Rajendra Khetan as meeting places. It appeared that financial resources were donated by doctors and industrialists. In one passage, Bishnu Pukar Shrestha, the founder and a prominent member of the group, talked about “self-sufficiency” and *citizen initiatives without foreign donation*. This statement was clearly directed against the professional NGOs. In one of the passages, the CSPD members regretted that they could not take on *development issues*, as the urgency for *peace* had become overwhelming. The CSPD largely spoke the language of intellectuals and conscious citizens and defined their primary mission as a contribution to peace initiatives.

The members of the CSPD repeatedly interacted with the Maoists, political party leaders, and the diplomats. In addition, the group organized dozens of workshops and conferences which rallied citizens for peace and consensus. These meetings were attended by senior political party leaders. What was remarkable about this group was that within a few months of its formation, the group had reached the conclusion that an election for the Constituent Assembly was necessary to resolve the political crisis. According to one member, the country’s well-known industrialists and businesspersons who were often considered “conservative” and “pro-Palace” had become, at least in

private, convinced of the need for Constituent Assembly elections and socio-economic reforms<sup>62</sup>. In a workshop, Rajendra Khetan, a well-known young industrialist and banker, for example, presented a paper on *the need for socio-economic reforms*. Although he often presented an NGO solution to the socio-economic problems, Khetan, who came from the “conservative” Marwari business family, extensively described the need for empowering women and the untouchables in the country.

The media also highlighted the group’s activities positively. It is noteworthy that after the formation of this group, *front-page headlines* such as this one, “Civil society calls for peace,” started appearing in the national dailies. It was the Maoists who most frequently interacted with this group, however. According to my interviewees, the frequency of talks was almost daily. In fact, the Maoists had encouraged forming the group from the very beginning. A series of press statements, often carried by the mainstream newspapers, showed that the group was sympathetic with several of the issues raised by the Maoists. One more than obvious example was that the group in September, 2003, went to the local UN office, asking the UN General Secretary to take the initiative for mediation between the government and the Maoists. The Maoists had just floated this idea of international mediation, but the Royal Palace and the political parties had been against the idea of a UN-sponsored or international mediation.

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<sup>62</sup>The Constituent Assembly did not automatically imply a republican state. In fact, there had been debate about whether CA should be held with some conditions [such as on the King’s position] or without any conditions, meaning if the people should be empowered to vote on the future of the monarchy. Activists claimed that if the Palace had agreed to a CA with conditions in the early 2000s, the Maoists could have accepted the proposal.

### **Professional Alliances For Peace and Democracy (PAPAD)**

Professional groups were badly hit by conflicts. Teachers in rural areas, in particular, became a target of the Maoists as they had to pay “tax” to the rebels. Teachers also became targets of security forces for “helping” the Maoists. Several lawyers sympathetic to the Maoists had been detained by the security forces. Journalists, similarly, became victims of both the Maoists and the government. In fact, since the beginning of the state of emergency in 2001, the journalists had been in the streets protesting against the high-handedness of security forces. The killing of pro-Maoist journalist Krishna Sen in police custody in 2002 incited journalists greatly. Besides, the army repeatedly threatened journalists not to publish news reports about human rights abuse cases. Professionals thus had good reason to work for peace; by 2004, they had become apprehensive about the possibility of the King’s take over; the Panchayat still reminded journalists of the grim days of monarchical rule.

On April 11, 2004, seven professional organizations formed the Professional Alliance for Peace and Democracy (PAPAD). PAPAD included the country’s most powerful professional organizations including the Nepal Bar Association, the Federation of Nepalese Journalists, the Nepal Medical Association, the Nepal University Teachers’ Association, the Nepal Engineers’ Association, the Nepal Medical Association, and the Nepal Teachers’ Association. All these professional organizations were close to the Nepali Congress and NCP-UML. The founding documents and interviews showed that the primary objective of PAPAD was to assist the political parties in their struggle against “regression,” but they also spoke the language of peace and dialogue. PAPAD advanced

the logic of dialogue among the Royal Palace, the Maoists, and the political parties. The very title of the very first founding document prepared by PAPAD read, “An Appeal to His Majesty, the Political Parties, and the Maoists: A Search for the Basis of National Consensus.” As the professional organizations were ideologically close to the NC and CPN-UML, they were far less radicalized than independent citizen activists described above. Soon after the formation of the group, they, along with the political parties, got involved in protests against regression, that is, to remove the King-led government and replace it with the one recommended by the political parties. They did not include the demand for the CA elections in their founding documents.

In fact, the professional organizations had closely interacted and cooperated with the King’s governments since the King dismissed the Deuba government in October 2002. On June 20, 2003, for example, Prime Minister Surya Bahadur Thapa was invited to open a regional meeting by the FNJ in Kathmandu<sup>63</sup>. The Nepal Medical Association repeatedly invited royal family members, and King-nominated ministers to its programs. In 2004, the Kantipur Publications, Nepal’s largest publication house, invited the extremely unpopular Crown Prince to inaugurate its new television station. Clearly, the professional organizations favored a “middle path.” But individually, several lawyers and journalists were in regular touch with the Maoists, or rather the Maoists contacted them whenever they needed these professionals. Often the Maoists contacted them when their

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<sup>63</sup> The Kathmandu Post, June 21, 2003. A senior journalist however told me that there was debate among the journalists about whether or not to invite the Prime Minister, a “symbol of regression,” to open the meeting.

cadres were arrested by security forces<sup>64</sup> since all professionals in Nepal spoke the language of human rights, as I described in Chapter 3.

### **Civic Solidarity for Peace (CSP)**

Nearly two weeks after PAPAD was formed, yet another influential coalition appeared that spoke the language of “peace” and “dialogue.” This was the birth of the Civic Solidarity for Peace (CSP). This group was formed on May 02, 2004, by the country’s prominent NGOs, business groups and little-known “peace campaigns.” Like professionals, NGOs too had become target of the Maoists and security forces. Human rights activists increasingly became the target of the security forces (and of the Maoists to a certain extent) after the state of emergency was imposed in 2001. The government came down heavily on increasingly radicalized student protestors. This process intensified at the end of the Thapa government when the political parties, NGOs, and professional organizations had participated against the removal of the King-nominated government. The Chand, and in particular, the Thapa government became extremely intolerant about the protestors. This was a new cause for human rights organizations, well connected to

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<sup>64</sup> A dramatic event a lawyer related to me was that during the Surya B Thapa government, Maoist leaders telephoned them at midnight and informed that one of their cadres was arrested and that they feared for his life. Lawyers immediately went to meet the PM and the PM telephoned the army officers and asked them not to hurt the Maoist cadre. The lawyer told me that the army could have killed him in custody had they not intervened on time. In such cases, lawyers—and other professional groups—use the language of human rights.

the opposition political parties (COCAP 2004). The human rights activists had found a new cause to advance.

The army considered civil society activists, including human rights organizations and urban intellectuals as *Maoists*. In my interviews, former royal ministers and high ranking army officials hardly made any distinction between the Maoists and the civil society activists even though at the time of my interviews, in 2008 and 2009, the relations between civil society members and the army had improved considerably and dramatically. Even then, the army officers labeled the human rights organizations as “anti-nationals,” “sold out to foreign money,” and “ignorant of national securities.”

This is not surprising then that NGOs were involved in the peace process. Civic Solidarity for Peace (CSP) founding documents said that *over 200 organizations and groups* were involved in the CSP initiative. In contrast to Civil Society for Peace and Development (CSPD), discussed above, which included members as “*citizens*,” this group was explicitly formed as a coalition of NGOs and business groups although there were a few well-known personalities not formally associated with NGOs. The secretariat of the group was housed in the NGO Federation of Nepal building.

On May 3, the CSP organized a “peace rally.” An informal communiqué, released by Swanaam Lama of Shanti Abhiyan [Peace Campaign], a member of the CSP, showed that virtually every well-known business groups and NGOs were involved in the group. These organizations included Small Children from Prisoner's Assistance, Nepal, Janajati Mahasangh [Nepal Federation of Indigenous Nationalities], Madhesh Jagaran Aviyan [Madhesh Awareness Campaign], the Chamber of Commerce, TAAN (Tourism Association of Nepal), Hotel Association of Nepal (HAN), South Asian Partnership

(SAP), Jyapu Mahaguthi, Private and Boarding School Organizations-Nepal (PABSON), NGO Federation-Nepal, Shanti Malika [Peace Garden], Dalit Dabab Samuha [Dalit Pressure Group], 007 salko swatrata senani [Veterans of the 1950-51 uprising against the Rana oligarchy].

The list of the organization shows the breadth of this effort and a new sensibility growing among urban intelligentsia. The list of the committee showed people from diverse backgrounds, particularly from the traditionally marginalized groups. By now, “inclusive democracy” had become a buzzword, and civil society groups had been practicing it with earners. After describing the peace rally, Lama said, “Let the peace activists in other countries know we are struggling here for real peace. Ask them to watch their governments with hawk eyes. Some of them (especially US and UK) are trying to kill off our peace talks here and send our people back to hell of war.” Once again, this statement clearly showed the growing radicalism on the part of civil society activism. The CSP, however, included several individuals who deeply sympathized with the Maoists<sup>65</sup>. Like CSPD, formal documents of the CSP included strongly worded demands for radical socio-economic reforms<sup>66</sup>. As a whole, civil society groups increasingly spoke radical language, and they firmly established the radical agenda in the mainstream discourse.

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<sup>65</sup> Some members associated with the CSP, for example, formally joined the Maoist party later.

<sup>66</sup> Even though NGOs worked closely with the political parties as described in Chapter 3, they too were largely radicalized at the end of 2004. A major NGO federation publication at the end of 2004 (Karki and Bhattarai 2004), for example, lists “positive” and “negative” aspects of the insurgency. In positive aspects, it lists several factors including

### **Collective Campaign for Peace (COCAP)**

In the preceding chapter, I discussed the emergence of new types of NGOs that focused on popular mobilization and criticized the prevailing NGO orthodoxy. The trend continued in this period. One such NGO that became influential was the Collective Campaign for Peace (COCAP), which was led by Dinesh Prasain and established in 2004. According to activists associated with COCAP, the group was established to devote time and activism *exclusively to peace*. COCAP soon earned the reputation of volunteerism against the practices of professional NGOs. Dinesh Prasain, a young human rights activist, had revolted from a well-known national NGO, publicly accusing its founders of massive financial fraud and corruption. COCAP was one of the early human rights organizations which started on-the-spot monitoring of human rights violations, that is, the police high handedness during street demonstrations.

Since this period was marked by massive protests against the King's 2002 "regression," and the journalists too were protesting against the government, COCAP and Prasain got quick public visibility. A large number of young volunteers, both men and women, regularly gathered at the COCAP, blending fun and activism<sup>67</sup>. In addition, Indian scholar and activist, Bella Malik, and several American and European researchers, social reforms, empowerment of women and marginalized groups, and decreasing influence of moneylenders in rural areas.

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<sup>67</sup> When I visited the COCAP during my research, I could feel a unique blend of fun and activism. There were, however, some concerns amongst volunteers about growing professionalization of the organization.

many of them students, also frequented the place. Firebrand student leaders Gagan Thapa and Ram Kumari Jhakri<sup>68</sup>, who had already routing for a republic, regularly frequented these meetings for fun if not for serious political debates. The foreigner researchers were often helped by these activists to connect to foreign embassy staff, human rights organizations, and other resources. Places like COCAP became centers of radical politics. In 2004, COCAP became famous for initiating “people’s discussions” from below. These meetings brought together radical leaders from the established political parties, radical student leaders, radical civil society activists. In these meetings, issues such as republicanism were openly discussed.

### **The Formation of the Deuba Government and New Civil Society Activism**

On May 7, 2004, the 11-month-old Surya Bahadur Thapa led-government collapsed under increasing political protests and noncooperation from the political parties, NGOs, and professional organizations. Nearly after three weeks, on June 2, 2004, King Gyanendra, after a series of “consultations,” appointed Sher Bahadur Deuba as the new Prime Minister of Nepal. Deuba was sacked by the King in October 4, 2002, calling him inept. Deuba claimed that the King had “corrected” his mistake he had made in 2002. The UML joined the government, also claiming that the King had “half-corrected” his past mistake. Major international actors again welcomed the King’s move calling all the

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<sup>68</sup> Gagan Thapa is currently a Constituent Assembly member from the Nepali Congress and Jhakri went on to become the first woman president of the pro-UML student organization.

political parties to use “opportunities” [offered by the King] to join the Deuba government<sup>69</sup>.

The mainstream Nepali Congress and other small leftist parties, however, refused to join the government saying that the King’s move was not enough to correct regression. Deuba expanded the government inducting three King’s nominees. The Deuba faction of the NC together with the joining of the government by the NCP-UML further weakened the political parties’ movement against regression, as the professional organizations, NGOs, and students, close to the NCP-UML, withdrew from protests. People understood the King’s new step in varying ways. The mainstream NC and other small left parties continued to protest against the King. The Maoists too dismissed the formation of the Deuba government. Even within the UML and NC (Democratic) led by PM Deuba, “progressive minorities” and students, who had by now thoroughly radicalized, continued to oppose the government, and they continued to speak the language of “peace” and “dialogue.”

The government seemed utterly confused about its next move. The Maoists rejected peace talks with the Deuba government, claiming that they wanted to talk with the master [the King] rather than with the servants [the government]. On November 13, the government gave a two-month long deadline for the Maoists to return to peace talks, warning that if they ignored the deadline, the government would go on a new offensive and declare new election dates for Parliament. The Maoists rejected the two-month deadline, repeating the demand for international mediation.

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<sup>69</sup> The Kathmandu Post, June 09, 2004

Civil society groups, however, continued to campaign for peace, and they had been in regular touch with the Maoists. The three prominent civil society groups described above competed with each other, but they also cooperated. Their collective efforts resulted in yet another group, the Citizens' Commission for Peace (CCP) in December 2004. The commission was lead by former Supreme Court judge Krishna Jung Rayamajhi. According to one member of the group, the committee was deliberately made "inclusive" which had become a buzzword by then<sup>70</sup>. Padma Ratna Tuladhar also appeared as one of the members of the group. A woman journalist Shova Gautam also appeared in the Commission. This group tried to meet the King, but according to one insider, the King refused to meet them. But this group also met strong resistance from the Nepali Congress president, who termed this group as created by the King. The organizers, in fact, had hoped that Rayamajhi, who had personal contacts in the Palace, could bring the Palace forces to the negotiating table. These activists, trying to reach to the "master" as demanded by the Maoists, had been in touch with the Maoists throughout.

At the end of 2004, Kathmandu was full of gossip that the King would do "something." The journalists and the intelligentsia alike were fearful of a possible "coups." In the second week of November, Dr Mohammad Mohsin, a King's representative in the Deuba government and a former Panchayat ideologue, created a stir by inviting the country's senior editors and publishers to his office and telling them that "The country will probably experience an authoritarian government very soon, if Maoists

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<sup>70</sup> "Inclusion" represented the Maoist demand for including all ethnic groups and women in state institutions. This again shows how the civil society groups adopted the Maoist vocabulary before the government and the parliamentary political parties did.

do not come to the negotiation table...The alternative to this government will be one you people can't bear with." The Kathmandu Post interpreted the minister's statements in this way: "The authoritarian system" may be explained as the one with the King usurping absolute executive power and seizing certain fundamental rights of the people, where the military would play an influential role in state affairs." For more than a week following the minister's remarks, Kathmandu intelligentsia and journalists expressed their shock over the minister's remarks like never before,<sup>71</sup> and these remarks were largely understood as directed by the Palace and the army to check public reaction.

On December 27, 2004, thousands of people participated in a massive demonstration organized by civil society groups, demanding peace talks between the government and the Maoists<sup>72</sup>. The state-controlled The Rising Nepal newspaper said that dozens of *civic organizations* and students were there in the rally<sup>73</sup>. The newspaper said that Dr. Mathura Prasad Shrestha, a member of the Civic Solidarity for Peace, spoke on the occasion. According to the news report, Shrestha warned that more than 400 thousand people would be brought into the streets if the talks were not initiated immediately. On January 13, 2005, the deadline set by the government for the Maoists to resume peace talks passed. The country continued to witness political violence and indecision. Amidst such a scenario, King Gyanendra dismissed the Deuba government, a move that would drastically change the course of Nepali politics and society. The next chapter deals the King's move and his project.

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<sup>71</sup> Kantipur and The Kathmandu Post, November 11 to 20, 2004

<sup>72</sup> Several student leaders told me that they were the "real" organizers behind the scene.

<sup>73</sup> The Rising Nepal, December 28, 2004.

## **Understanding Civil Society Commitment, Diversification, and Identity**

In the aftermath of the Army chief's speech in March 2002, in an op-ed article, Gauri Pradhan, then President of NGO Federation Nepal, thanked the political parties for taking a strong exception to the statement made by the army chief. He then asked everyone to be vigilant about the *democratic gains made through the 1990 movement*. The fear of the return of the absolute monarchy appears to be the major motivation of civil society activists. The timing of the formation of the Professional Alliance for Peace and Development (PAPAD) and Civic Solidarity for Peace (CSP) clearly shows such fears. These groups were formed at a time when the political parties were mounting pressure on the King, demanding the resignation of the Thapa government. In addition, by 2003, activists largely felt that "no party could win this war" as exhibited by a series of spectacular attacks by the Maoists. Many had believed that the army would quickly quell the insurgents, but the events after about two years of army mobilization only showed that there were mistaken. Next, as I have frequently discussed the issue of nationalism. Activist writings frequently showed the concern for India military intervention. Most important of all, the Maoists successfully persuaded these activists that they would join peaceful politics if their demand for a Constituent Assembly was accepted.

The field of civil society diversified for different reasons. First, ordinary citizens as well as intellectuals increasingly became concerned about the growing violence. In fact, by 2004, any individual or organization which wanted a public role could not do so

without invoking “peace”<sup>74</sup>.” Different individuals and organizations thus increasingly competed for the cause of peace. Next, the Maoists in particular actively encouraged urban intellectuals to form such “peace publics,” as several activists told me. Third, the Royal Palace too for its own strategic reasons encouraged well-known individuals and organizations to work for peace; but they also encouraged formation of new groups to advance their own side of story. Fourth, by 2004, just like peace, scholars and activists increasingly invoked “inclusion” in politics and society. Hence they themselves brought into these peace publics people from marginalized groups such as women, Dalits [untouchables], ethnic groups, and people from “backward” regions. Activist writings are full of “inclusion” discourse. These new groups further spawned their own groups. Thus the field of civil society became increasingly diversified during the 2001-2004 period.

In the last Chapter, I observed that civil society identity was not widely accepted. In fact, the interpretive community jeered at new identity since they were being invoked by NGOs and international aid agencies. But by now, civil society identity was largely accepted. This happened because of adoption of civil society identity by well-known activists who did not carry the stigmas of NGOs, and unlike NGOs activists in the 1990s, who were involved in development and democracy projects that were subordinated to state and party goals, new activists were involved in more pressing problem, that is, mitigating violence. These peace publics mobilized thousands of people in their peace rallies across the country calling for a negotiated solution to the conflict. Newspaper editorials increasingly asked “civil society” to be vigilant about the peace process. Often

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<sup>74</sup> An activist in 2004 wrote rather begrudgingly that “peace” had become such a buzzword (Gautam 2004).

front page news reports invoked civil society in the context of peace process. Hence civil society identity became far more acceptable than the precious period I examined.

## **Summary**

The last chapter showed that NGOs, subordinated to state goals, largely populated the civil society field. But I also discussed the emergence of NGO counterpublics which sought “autonomy” from state and party patronage. One distinct formation in this period (2001-2004) was the invocation of “citizen capacities” by “independent” groups. These citizens included urban intellectuals, former judges, and doctors, with specific symbolic and social capitals. Among the three groups—autonomous citizen groups, NGOs, and Professional organizations, the citizen groups were the most radical of all. The professional organizations were the least radical. The NGOs stood somewhere in-between. How can we understand the diversification of the field of civil society and different ideological orientations?

The answer should be sought in the relational networks of the political field itself. Two powerful forces came into being. The Maoists came out onto the open and later the King-army coalition appeared in the political field. These two groups searched for their own urban allies. This, in turn, gave rise to diversity of the field of civil society. Next, society itself was moving toward a radical direction and under growing Maoist violence; the discourse of inclusion had become prominent. Activists thus actively sought new members from underprivileged groups. Hence this also contributed to the diversification of the civil society field.

In the last chapter, I observed that NGOs were clientalist and subordinated to state goals. But in this phase, not only did they mobilize popular masses, but they themselves became radical. Since the NGOs were embedded into social and ideological networks with the political parties, they viewed the rise of the King-army coalition negatively and sought an answer in the coalition with the Maoists, who had persuaded them for a Constituent Assembly election. In addition, since NGOs tried to create massive collations, a few Maoist sympathizers had also entered the NGO alliance, that is, Civic Solidarity for Peace (CSP), in the form of “campaigns” or on individual capacities. The small numbers of radicals, in turn, radicalized NGO public discourse by holding strategic positions like the publication departments.

Why were the professional organizations least radical? The answer is that they were too embedded into ideological and social networks with the political parties, but unlike NGOs, they did not seek a diverse coalition; rather their coalition was limited within the country’s well-established professional organizations.

The independent citizens became the most radical because they were least integrated into ideological and social networks with the existing political parties. Hence they were relatively free from many constraints that come with organizational affiliations. Besides, a few of them were actually created by the Maoist or the Maoists interacted with them most frequently. Hence activists associated with these groups more readily accepted the Maoist demands for a Constituent Assembly. They were not Maoist supporters in any straight forward sense even though reading these events in 2010 appeared that their pursuit of peace benefitted the Maoists than the government side. Many of them were human rights activists and believed in peaceful existence. By the end of 2004, civil

society activists had, for example, broadly agreed that an election for a Constituent Assembly could bring the Maoists into the political mainstream. Similarly, many thought that the UN mediation, as demanded repeatedly by the Maoists, could be one solution (discussed chapter 6).

## CHAPTER 5

### KING'S DIRECT RULE: REENACTING NATION, DEVELOPMENT, AND POLITICAL STABILITY

By the end of 2004, Nepal's politics had turned extremely confusing and volatile. The coalition partners in the Deuba government were divided on whether or not they should initiate peace talks with the Maoists. The Maoists continued to expand their insurgency after the peace talks failed in August 2004. They insisted that they would talk with the *Master* rather than the *servant*. The opposition parties, which included the mainstream faction of the Nepali Congress and small leftist groups, were also divided on the proper course of action. These groups had been protesting against "regression," asking the King to reinstitute the dissolved Parliament. Even if the Maoists had considerably improved their relations with the political parties after the King's removal of the elected government in October 2002, different parties and party factions understood the Maoist problem differently and had radically different prescriptions. There was growing speculation that the King might do "something," but nobody really knew what that something could amount to be. Finally, the King did it on February 1, 2005.

In this section, I first describe the major features of the King's famous Proclamation. I also briefly discuss reactions from different parties to the King's move. Second, I described how activists narrated their experience on the day and the days following the Proclamation. Third, I overview the King's rule focusing on major

institutions including the media, bureaucracy, the judiciary, and NGOs. Here I will show once again that the state is not a unitary actor. The state institutions are contradictory and ambiguous as actors view different institutions differently at different moments for different purposes. Similarly, the institutions are embedded into different network of institutions that make some institutions vulnerable while others can resist change. In additions, historical practices and the actors' self-understanding at particular moments greatly influence the fate of an institution and actors' decision to act or not to act.

There was, however, no area of social life untouched by the King's rule that came to an end in April 2006. At the end, I argue that his actions were deeply informed by Nepal's "Palace culture," invented by King Mahendra in the late 1950s and 1960s, and perfected by the Panchayat regime (1960-1990). I illustrate this process through an examination of his published interviews and other texts, interviewee with people close to the Palace, and a series of practices the new King enacted since he assumed the throne following the Palace Massacre in 2001. In essence, I argue that informed by the Palace culture, King Gyanendra reenacted Nepali monarchy's historical preoccupations with particular notions of the nation, development, and political stability (described in Chapter 2). In the process, he wanted to be everywhere while sitting at the apex of cultural and material order.

### **The Royal Proclamation**

On February 1, 2005, the King dismissed the Deuba government for the second time in three years. In his Proclamation, probably the longest ever public address by any reigning monarch in the history of Nepal, King Gyanendra remembered his forefathers,

who had founded the nation, and the duty of the monarchy to *protect citizens*. He said that Lok-sammatti [rule by the consent of the commoners] had *always* been the tradition of the Shah dynasty. He justified his move, accusing the political parties of failing to hold elections and to protect democracy, the sovereignty of the people, life, and property. The King said:

Even when bloodshed, violence and devastation has pushed the country on the brink of destruction, those engaged politics in the name of the country and people continue to shut their eyes to their welfare. Tussle for power, abuse of authority on gaining power and unhealthy competition in fulfilling personal and communal interests at the expense of the nation and citizenry contributed to further deterioration in the situation.

Reminiscent of his father, King Mahendra, he accused the political parties of involving in “personal” and “communal” interests, which, he thought, were contrary to the “national” and “citizenry” interests<sup>1</sup>. The King never missed any chance to compare “personal,” “communal” and “sectional” interests with that of the nation ever since he assumed the throne in 2001. He reiterated, as did his father in 1960, that *he had given ample chance to*

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<sup>1</sup> Throughout his career as the Head of the state and the government, the King continued to castigate the political parties publicly for failing to live up to the expectations of the people. After a few months of his rule, the King asked the political parties to be “clear” about four issues: positions on terrorism, good governance, corruption, politicization of the different sectors of society including the bureaucracy, and fiscal discipline (see interview to RSS, NTV and Radio Nepal on August 29, 2005; see also Time Magazine interview on March 18, 2005).

the political parties to mend their ways, claiming that "...We also met a number of times with members of the general public, senior citizens, representatives of the civil society and leaders of political parties in our efforts to gauge the popular mandate and try to convince them of the country's requirements and people's aspirations." The King, in his Proclamation, accused the Maoists of "making false promises to simple people." He also castigated Maoists for "destroying development projects aimed at the people's welfare." Referring to the Maoist "people's democracy," he said, "a successful multiparty democracy alone is synonymous with people's democracy." He later indirectly asked the Maoists, calling them those who had taken an aberrant path, to surrender.

He promised that peace would be restored within three years, and new elections for the House of Representatives (HR) would be held. Unlike his father in 1960, who outright rejected the multi-party system for an "indigenous" form of democracy, King Gyanendra expressed his faith in human rights, democracy, and the Constitution of Nepal 1990 even if he repeatedly talked about "unique Nepali culture" and "civilization." We will see in the next chapter, King's rhetoric about commitment toward democracy and human rights was appropriated by civil society groups. He cited a constitutional provision, that is, article 127, which empowered the King to *untie the knots of* extraordinary problems, as the basis of his action. The King on February 2, 2005, announced a 21-point *roadmap* for the "development of the country."

He then formed a new government under his own chairmanship, a practice he inherited from his father, King Mahendra. He inducted staunch monarchists, who had served the Royal Palace during the Panchayat regime, into his Council of Ministers. He repeatedly claimed that his action were not against "law-abiding citizens." In numerous

interviews, the King frequently advanced a spontaneous narrative to describe his action, claiming that his latest move was not preplanned and that he *merely* acted in the interest of the “simple people” and the nation.

Traditional Hindu groups and Kathmandu business and commercial organizations were the first to welcome the King’s move. The Federation of Nepalese Chambers and Commerce (FNCCI), an umbrella organization of Nepali businesspersons and industrialists, immediately welcomed the King’s move, eulogizing the Shah dynasty, and taking out public processions. These groups had also enthusiastically endorsed the King removal of the Deuba government in October 2002. A number of new organizations that used the “civil society” term in their names also appeared and supported the King. These names included “Nationalist Civil Society” and “Independent Civil Society,” The qualifiers, “nationalist” and “independent” were quite revealing, as the monarchists viewed the existing civil society organizations as operated by foreign money, anti-Hindu elements, and loyal to the political parties and the Maoists<sup>2</sup>.

It is hard to know how ordinary citizens viewed the King’s action. One pro-movement TV journalist, Dipak Bhattarai, who had met several ordinary citizens on February 1 for a daily “People’s View” [Janamat] program on Kantipur Television, recalled two years later<sup>3</sup>:

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<sup>2</sup> These groups emerged outside Kathmandu also. In November 2005, for example, pro-King “civil society” groups distributed pamphlets in western towns of Butwal, Arghakhanci, and Pokhara asking people not to participate in political party mass meetings.

<sup>3</sup>See <http://www.mysansar.com/archives/2010/02/id/8959> accessed February 2, 2010.

“We asked 18 pedestrians in Putalisadak and Baghbazar areas about their views about the King’s move. Except one person who said, ‘maybe OK, but not much good,’ the rest said that the political parties had hurt the country; it would be good if the King could establish peace; the King had to do something for peace.” He went on to write, “...many people might find the people’s reactions hard to believe [now],” he recalled, “but that was the reality...17 of the 18 randomly encountered pedestrians to whom we posed the question about the King’s move supported him...”

Journalists and activists were thus worried that the people might support the King. The parliamentary political parties were apparently shocked and confused about their future course of action; their early reaction included asking the King to “correct” his move and respect human rights<sup>4</sup>. All parties remembered and mourned the loss of the democratic gains made through the 1990 People’s Movement. The Maoists immediately offered their *help* to the parties, but the latter refused on account of Maoist violent politics<sup>5</sup>. India, the United States, and Britain “halted” military aid to Nepal<sup>6</sup>. These three countries had been

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<sup>4</sup> At the end of February, five political parties declared their movement against “autocracy” and organized sporadic protests in Kathmandu, but the protest events were too small, hardly enough to impress the Royal regime.

<sup>5</sup> The Maoists continued their violent attacks, strikes, and blockades against the Royal regime. Maoist leader Prachanda repeatedly called on the international community, particularly the United Nations, to mediate peace efforts.

<sup>6</sup> Even if these countries publicly said that they had “halted” military hardware to the Royal Army, my interviewees including top army generals and ministers in the King’s

the major suppliers of arms to the Royal Nepal Army. The European Union issued a strongly-worded statement against the King's move. Norway, Switzerland, Sweden, and Denmark halted foreign aid to Nepal within a few weeks of the Royal move<sup>7</sup>. Among Nepal's close neighbors, China, Bangladesh, and Pakistan, however, followed a customary path, stating that the new political development were Nepal's "internal affairs."

### **Experiencing "Autocracy"**

The story of the 1960 Royal coup in which King Mahendra had imprisoned Prime Minister B. P. Koirala and his senior ministers had already started making rounds in newspapers in late 2004. Similarly, the stories of Pakistani President General Pervez

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government told me that the story was a "joke." Army officers who were deputed to operations against the Maoists also told me that they never ever felt any constrain on military hardware. Besides, news reports said that the royal government had acquired weapon from the Chinese and Pakistani governments. Irrespective of the truth, these events encouraged the opposition and ordinary citizens as the discourse of the globally "isolated" King became popular.

<sup>7</sup> Later the World Bank and the Asian Development Bank threatened to halt loans, opposing the government's proposed ordinance on education and the establishment of the Royal Commission for Corruption Control respectively.

Musharraf had also made headlines in Nepal<sup>8</sup>. In February, 2005, “autocracy,” as activists named it, had finally come home.

The King did not ban the political parties but imprisoned thousands of political leaders, human rights activists, and potential regime critics even before he had finished reading his Proclamation on February 1. State media asked the people to understand the “changed situation.” The authorities announced restrictions on travel and movement. Internet and telephone services were shut down; news broadcast on national as well as Indian television channels were restricted. The authorities also temporarily closed the airport, suspending regular international and national flights. Heavily armed military officers surrounded the offices of the political parties and media newsrooms.

Newspapers wrote strange editorials and printed news items in the front pages that were utterly unrelated Nepal’s political context, thus confounding readers’ cultural expectations about news and utter nonsense.

Often unprovoked, activists narrated to me every fine detail about how the days following the Royal Proclamation looked like. The problems created by the suspension of telephone and the Internet appeared in every interview<sup>9</sup>. The closure of the cell phone was particularly painful. At least two activists had no qualm suggesting to me that the

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<sup>8</sup> In fact, throughout the King’s rule, newspapers frequently compared King Gyanendra with the Pakistani General.

<sup>9</sup> The telephone was suspended repeatedly whenever the Royal regime suspected of big political protests. For example, on February 18, 2005, the government suspended telephone service for several hours fearing that the political parties might protest on the occasion of Democracy Day.

suspension of their mobile accounts was their major wrath against the Royal regime. Similarly, travel restrictions imposed by the Royal regime on activists also featured prominently. Activists narrated in great length how they were stopped at the airport when they were en route to conferences and meetings abroad. Activists told me that they feared arrest at any time. One activist said that he carried his shaving bag and medicine with him, fearing that he could be arrested any time at any place. Another activist had asked his wife not to worry if he did not return home in the evening.

### **The Royal Rule and the Media**

I showed in the last chapter that the professional organizations had not been harsh on the King. In fact, they had regularly interacted with the King's governments (2002-2004) even if they had shown clear indications that they would resist any authoritarian move. The King, however, acted harshly on the media probably because of the bitter relations between the media and the army. In an interview in 2005, the King clearly said that "the fourth estate" had been *unfair* toward the security persons as the media left no stone unturned to expose human rights abuse cases since the army was deployed in 2002<sup>10</sup>. Next, the King knew very well that almost every major newspaper in the country supported the parliamentary political parties. Finally, the strategic importance of the media in social movements are well known (Gamson and Wolfsfeld 1993; Gitlin 1980).

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<sup>10</sup> King Gyanendra interview to Time Magazine, March 18, 2005

However, the media owners clearly sided with the political parties, suspending their “class interests,” despite the stick and the carrot from the King<sup>11</sup>.

The King, however, was harsher on FM radio stations than the print media probably for two reasons. The FM radio stations reached the illiterate masses in rural areas. Second, unlike the print media, electronic media were not protected by the 1990 Constitution<sup>12</sup>. In a series of directives, the government asked the media not to report anything that would affect the “morale of the security forces” and contradict the “spirit” of the Royal Proclamation. On March 1, 2005, the Royal government directed the media not to publish any information on the Maoists without the approval of security forces. FM stations were barred from broadcasting news. The government then threatened Nepal FM, which syndicated news programs throughout the country, canceling the license for broadcasting news<sup>13</sup>. A few Indian television news channels were banned for the initial

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<sup>11</sup> One exception had been the national daily, Samacharpatra, which increasingly turned pro-monarchical. Later it was disclosed that a huge amount of money was diverted to this newspaper. In any case, the circulation of this newspaper had not been large. According to one journalist working at the newspaper, the Royal government put pressure on them, but there were many journalists who sympathized with the political parties. My observation of the news content, indeed, showed that it had not been terribly unfair to the political parties.

<sup>12</sup> The Constitution of Nepal 1990 stated that a newspaper’s license could not be revoked and publication could not be closed based on the contents of the published materials.

<sup>13</sup> Nepal FM moved the court against the threat of the government. The court issued interim orders against the government ban on news broadcast.

four months of the King's rule. Several websites that opposed the Royal regime were blocked.

In a clear attempt to control private media, in October, 2005, the Royal government issued "media ordinance 2005." The ordinance stated that the government could ban international news and also any news item that encouraged "terrorism" and "terrorist activities." Severe penalties were announced for any breach of the provisions in the ordinance. The ordinance banned FM radio stations from broadcasting news programs, and the radio stations were asked to broadcast "informative programs"<sup>14</sup>. On November 30, 2005, the Supreme Court, however, issued an interim order against implementing several provisions of the ordinance, including ban on broadcasting news on FM radio stations.

The most significant incidents that drew worldwide attention were the Royal government's attacks on Kantipur and Sagarmatha FM radio stations. The former was owned by Nepal's largest publication house, the Kantipur Publications, and the latter was a community radio that prided itself as the first of its type in South Asia. Both of them had been the critics of the regime. In addition, the government suspended assistance to the Federation of Nepalese Journalists (FNJ). The government, by employing a so-called "one-door policy," stopped offering its advertisements to the selected private media outlets. To challenge the FNJ that was largely sympathetic to the political parties, the Royal government formed a pro-King organization of *nationalist* journalists.

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<sup>14</sup> The "informative programs" included information related to health, education, sports, population, weather, and development works.

Throughout the Royal rule, government ministers and the army continued to issue “warnings” to the press by publicly threatening action against journalists and media houses. Government officials summoned, harassed, and threatened several dozen journalists (Bhattarai 2005). On 7 March, 2005, Kanak Mani Dixit, editor and publisher of *Himal Khabarpatrika* magazine and one of the few internationally well-known Nepali journalists, was arrested and questioned regarding remarks he had reportedly made during his visit to India<sup>15</sup>. Ten days later, Narayan Wagle, editor of Kantipur, was quizzed by the police over a story about the arrest of protestors. According to a news report, the police discussed possible litigation regarding the news that reported arrest of 750 political leaders and activists in the course of protest, claiming that the news was “against the spirit and letter of the February 1 Royal proclamation.”<sup>16</sup> The government ban on broadcasting news by FM radio stations seriously threatened the survival of about 4 dozen FM radio stations. Within the first six months of the Royal rule, some 1,000 journalists and media personnel became jobless (Save Human rights Report 2006).

### **Bureaucracy and the Judiciary**

The royal government behaved differently with the bureaucracy and the judiciary. The King, in fact, virtually every political commentator in the country in the 1990s, repeatedly resented the political parties’ “politicization of the bureaucracy.” The Constitutional of Nepal 1990 on paper guaranteed and protected the judiciary freedom. Since many of the judicial arrangements were constitutionally guaranteed and the King

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<sup>15</sup> The Kathmandu Post, March 8, 2005

<sup>16</sup> The Kathmandu Post March 18, 2005

“professed” upholding the Constitution, the King did not have much room to intervene in the court. The King, however, had reasons to worry about the courts since the political parties had appointed all the serving judges.

Through this dissertation I have maintained that the state does not have a unitary interest (Pringle and Watson 1998) and that state institutions at certain historical moments behave contradictorily. Activists often take advantage of these contradictions. Nepal’s case in the aftermath of the King Gyanendra’s move precisely pointed out to such processes.

To “depoliticize” the bureaucracy, the King, however, resurrected the Panchayat era bureaucratic structures and practices through a series of ordinances and executive orders. Government officers and security forces continuously cited “orders from above,” a well-entrenched bureaucratic practice during the Panchayat regime (Panday 1999). News reports said that the Palace secretaries made important decisions, yet another practice that had become (in)famous during the Panchayat period. High ranking army officers, Palace officials, and former senior army officers were frequently cited as the major decision makers<sup>17</sup>. The government arbitrarily transferred several senior bureaucrats, considered to be close to the political parties, and kept them without assigning any duty.

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<sup>17</sup> In addition to serving Chiefs and senior officials of the security forces, these names included Sachit Shamsher Rana, the former Chief of Army Staff, Bharat Keshar Singh, President of the World Hindu Organization, a Royal relative, and former army general, and Sarad Chandra Shah, a Panchayat era Palace confidante, who had become a target of the 1990 movement protestors.

Most controversial of all had, however, been the King's resurrection of the Panchayat era "Zonal Commissioner" administrative structure. The Zonal Commissioner, who is nominated by the King directly, supervised district administration offices and security forces. The purpose of the commissioners was to watch carefully the permanent bureaucrats and ensure, as a King's representatives, that the King reached "everywhere." Newspapers widely reported conflicts between government bureaucrats and the King's Commissioners. In fact, several newspaper reports clearly showed that they played the bureaucracy off against the Zonal commissioners (and the army), eulogizing the former as "dispassionate" public servants and depicting the latter as evil manifestation of a bygone era. These conflicts were often presented dramatically and theatrically<sup>18</sup>. In at least two instances, Zonal commissioners were reported to have thrashed senior bureaucrats. Finally, newspapers reported that civilian authorities were largely subordinated to the military, a practice that had actually begun in 2003 under the King-nominated government.

In the absence of Parliament, the King issued a total of 42 ordinances and important executive orders, affecting all aspects of life of ordinary citizens<sup>19</sup>. The Royal regime tested Nepal's judicial system like never before since 1990. The Supreme Court, like other state institutions, however, behaved in contradictory ways. In a sensational revelation in the last week of March, 2005, Chief Justice Hari Prasad Sharma defended the Royal coup in an international conference of Chief Justices in Australia. The Nepal Bar Association (NBA) protested against the chief justice. The Supreme Court, on the

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<sup>18</sup> Kantipur, March 7 and June 11, 2005

<sup>19</sup> As reported in the annual issues of the International Forum magazine.

other hand, allowed the FM stations to broadcast news, but it refrained from making quick decisions on controversial cases. The court also continued to hear and file habeas corpus cases, and issued the release of political detainees. Political prisoners, however, were immediately rearrested by security forces at the court premises. The court often remained silent on these practices.

Bhairav Prasad Lamsal, a former judge and staunch supporter of the Royal regime, was nominated by the King to the Judicial Council, a constitutional body responsible for appointment, promotion, and transfer of judges. The King also appointed Pawan Kumar Ojha, another supporter of the King's move, as the Attorney General. Ojha later argued that since the government decisions came directly from the Hindu monarch, the Supreme Court could not question Royal government's decisions. When the term of Hari Prasad Sharma expired, the appointment of a new Chief Justice became complicated and controversial since the Constitution required a Prime Minister and the leader of the opposition party. The King then unilaterally appointed Dilip Paudel to the position. Paudel became notorious for *deferring* all “problematic” cases.

Finally, the King, following his roadmap he had announced on February 2, established an all-powerful Royal Commission for Corruption Control (RCCC). The Commission targeted senior political party leaders and high level bureaucrats, considered to be close to the political parties. Former Prime Minister Sher Bahadur Deuba and former Minister Prakash Man Singh were imprisoned accusations of corruption. A secretary [the highest level bureaucratic position in a ministry] committed suicide as a result of the “harassment” by the RCCC. After deferring the case of the constitutionality of the RCCC for about three months, the Supreme Court, however, dissolved the RCCC

in a strongly-worded verdict on 13 February, 2006. Throughout the Royal regime, the Nepal Bar Association protested many of the courts' decisions, at times nationally boycotting the court proceedings.

### **Restrictions on Civil Society Organizations**

The Royal government made serious efforts to regulate the activities and independence of NGOs including human rights organizations. As described previous chapters, not only did most NGOs support the NC and UML, but they had also been severe critics of the government's human rights records. In addition, in interviews, most monarchists expressed that INGOs and NGOs were instrumental in propagating Christianity, weakening Nepali nationalism. The Royal government thus amended the Social Welfare Act through an ordinance in July, 2005. Further, in November, the government issued a "code of conduct" through the Social Welfare Council (SWC). Clearly echoing the 1977 society registration act (discussed in chapter 3), Article 15 of the Code of Conduct read "all social organizations must act in compliance with the government's programs, policy, and code." The NGO Federation of Nepal organized nationwide protests, burning copies of the code of conduct. Dozens of international agencies including UN General Secretary Kofi Annan issued a statement against the new code of conduct.

### **King's Assessment of Political Opportunities**

Despite King's spontaneous narratives about his action on February 1, the King seemed to have made complex calculations. My interviews with people close to the

Palace suggested that the King considered several factors even though these interviewees did not suspect the King's "good intentions," repeatedly asking me to "set the record straight." One senior army officer told me that when he returned to Nepal in the second week of January from a pro-longed stay abroad, preparations were already underway to "do something." This officer was highly critical of his fellow army officers who had publicly claimed that they had no prior knowledge of the King's action on February 1 and that they had merely followed "orders from above." He pointed out quite plausibly, however, that in Nepal's "Palace culture," the army officers hardly ever contested "His Majesty's wishes." In this sense, it is not hard to see why the army did not—and could not—think otherwise. He told me that chiefs of the Nepal Police, the Armed Police Force, the Department of Intelligence, and the Royal Nepal Army had actively participated in the Royal design. But it appeared that the King had excluded senior bureaucrats from the process, perhaps for the reason I outlined above, that is, the close connection to the political parties.

Interviewees close to the Palace also told me that King Gyanendra was well aware of the fact that many people did not believe the official story about the Palace Massacre and that many suspected his involvement<sup>20</sup>. In addition, the 1980 referendum, held under the Panchayat regime, had amply shown that the monarchy could not count on urban educated class (see chapter 2). As I described in the previous chapters, it was clear that

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<sup>20</sup> King Gyanendra, in his exit statement in May 2008, said that he was "cruelly" accused of the murder. He also said, perhaps ironically, that he did not have anyone on his side to defend his innocence.

the urban educated class and professional organizations were unlikely to support any untoward move. Why did the King take such a drastic step on February 1?

Measured “objectively,” there seemed to be several favorable political opportunities for the King. An interviewee, close to the Palace listed the reasons for the King’s action one by one: the reported animosity between two top Maoist leaders, Dr. Baburam Bhattarai and Prachanda<sup>21</sup>; King’s belief that the global power centers would support his “war against terrorism” in the aftermath of 9/11; China would come to rescue him as it did to his father, King Mahendra; the army’s reassurance to the King that the Maoists would be controlled, if not vanquished, within a few months; and the fact that the Parliamentary parties were too divided and unpopular to mount a sustained challenge against his rule. According to his account, the King had widely discussed these issues with his close confidantes and senior army officers for several months. He added, however, that most of the King’s “well-wishers” had asked him not to take any drastic measure and go with the political parties isolating the Maoists.

The King probably believed that he had a large following in “rural” areas, to whom he referred to as “people with simple mind.” With other urban classes and the political parties, the King had good reason to believe that the growth of the Maoists had

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<sup>21</sup> A serious rift had taken place between two the top Maoist leaders. The rift concerned about the relative enemy-ness of India and the Palace. Whereas Dr. Bhattarai thought that the King was the major enemy, and India should be taken as secondary; Prachanda held an opposite view. The Maoists quickly patched up their differences by the third week of July. One well-known civil society activist told me that he went to Delhi to pressure the two leaders to end their dispute.

to do with “terror tactics” rather than any type of genuine popular support. Of course, he must have seriously taken popular stories about the unpopularity of the political parties in the media that had been the staple of media discourse throughout the 1990s. The following conversation between King Gyanendra and Time Magazine highlight the former’s disdain for the political parties<sup>22</sup>:

TIME: The thing is, you shut down the political parties, locked up their leaders. Don't you think you damaged, or even made irrelevant, the very things you say you're working to strengthen?

Gyanendra: You can only damage something if it's sound. If it is not, if it is already broken, I don't call that damage at all. It's not for me to say and judge how the parties should be run. But it's for me to say that if they do not conduct themselves as representatives of the people, then there is something basically unsound...

With such an outright disdain toward the political parties, his belief that the political parties were unlikely to regain popularity in a near future must have encouraged him to go ahead with the February 1 move.

In addition, the King had two pressing problems. He was probably worried about the future of his son, Paras Shaha, who had been extremely unpopular with his involvement in a murder cases, reckless driving, and gun-firing at night clubs. The King, in his interviews with international magazines had found himself in a considerable difficult position explaining the behavior of his son. As mentioned in the last chapter, a small number of the party leaders, journalists, and academicians had already been

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<sup>22</sup> Time, March 18, 2005

demanding to enact a new law for the Royal succession in the aftermath of the Palace Massacre. The King had clearly made references to this effort in an interview published in a pro-monarchical weekly. The King said that there were “clear” references to the Constitution of Nepal 1990 about royal succession. Second, the King seemed to have taken account of the possibility of constitutional reform when he took drastic measures<sup>23</sup>. Probably he thought that once the Maoists are controlled, the urban class would be appeased and the people would forget the Palace Massacre and his son’s said “crimes.” On the way, he hoped that the monarchial authority lost in the 1990 movement would be regained at least in part.

Social movement studies have widely reported *mismatch* between “objective opportunities” and “perceived opportunities” (Goldstone 2004; Goodwin and Jasper 1999; Kurzman 1996). On the surface, the King’s calculations were not way off the mark, these opportunities were just there<sup>24</sup>. New institutionalists, however, do not have problem understanding these *mismatches* since activists are embedded in fields and the fields have their own self-understanding and stories. These self-understandings make certain ways of thinking possible and others simply unthinkable (Friedland 1991; Powell 1987; Powell and DiMaggio 1991). I turn to the monarchical field in the following section.

### **Palace Culture and the King’s Move**

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<sup>23</sup> King Gyanendra interview to Rastrabani weekly on August 31, 2001

<sup>24</sup> Activists and Indian media alike greatly discussed King’s playing a “China card” against India.

Activists greatly trumpeted King Gyanendra's "monetary greed" and love for absolute power, code-named as "autocracy." But King's actions appeared to be informed by the "Palace culture" itself. The Palace culture, as I described in Chapter 2, was invented and perfected by King Mahendra and the Panchayat regime. It places the monarchy at the apex of cultural and material order in the name of nation, development, and political stability. My interviewees and King Gyanendra's published interviews precisely point out to these "ways of seeing."

The monarchy has historically conceptualized the country as its private property, and it has been at the apex of cultural and material order. Burghart (1984) argues that "possession" had been one of the three "conceptual maps" the monarchy had historically employed to govern the country and the people. The possession referred to the (often changing) boundary of the country, subject to monarch's taxation. A famous quote, imputed to King PN Shah, founder of modern Nepal, which was widely circulated in high schools, equated the country with King's earnings in this way: "It's not that I earned this country with small sacrifice. May you all know this!" Despite the claims that the Shah Kings were "imprisoned" by the Ranas during the latter's family rule (1846-1950), it was also true that the Ranas and the Shahs had developed dense marital relations that clearly blurred the boundary between the two families. The Shahs must have been, for the most part, a willing party to the "abuse" of the state treasury. In fact, it was only in 1951 that the state treasury and King's private property were formally separated for the first time. The Rana rulers (1846-1950) never challenged the legitimacy of the Shah dynasty. When King Tribhuvan, for example, fled to India in 1950, the Ranas, in a strange turn of fate,

instituted a three years old Gyanendra as a new baby King<sup>25</sup>. The monarchy had been above the Constitution during the Panchayat, a practice the Constitution of Nepal 1990 had kept intact.

King Gyanendra *literally* did not see any distinction between state treasury and his private property. A section of politicians and newspapers had asked the government to “nationalize” King Birendra’s property in the aftermath of the Palace Massacre in 2001. In interviews, King Gyanendra responded to this demand in this way<sup>26</sup>:

I don’t have any private property; all the property I have been using is the property of the state and whatever seems under my ownership is the country’s property...[There has been a tradition by which] the property of one King is handed down to another; the same thing has happened in this process too. It won’t be lost or it’s not that someone will take it away...Even the Nirmal Niwas that I have been using for my private purposes has been employed as the Crown Prince’s residence. That too is the state’s property.

Thus the King stubbornly denied that there is any distinction between the monarchical and the state property. In fact, during the 1990s, it appears that an unaccounted amount of money and materials flowed to the Palace to maintain “cordial relations” between the political parties, primarily the NC, and the Royal Palace.

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<sup>25</sup> King Gyanendra made references to this event in his “exit statement” in May 2008 after the newly elected Constituent Assembly declared Nepal a republic.

<sup>26</sup> King Gyanendra Interview to Tirtha Koirala, editor of Nepal magazine, on July 20, 2003

King Gyanendra, in his numerous press interviews, never forgot to refer to the “hard work” done by his ancestors<sup>27</sup>. This hard work theory goes well with the King’s conception of the country as the monarch’s private property. After February 1, the King went a step ahead, completely blurring the boundary between the state treasury and King’s private property. An ordinance gave the King a blank check to use and shift funds without any restriction on the part of Parliament or the government. The King made several foreign tours including African countries without stating any reason, whatsoever. Rishikesh Shaha (1990), himself an “idiosyncratic” aristocrat, noted scholar, and former minister under the Panchayat regime, wrote that that pomp in front of foreign dignitaries at the expense of state treasury has been the historical practice of Nepal’s monarchy.

Second, in Nepal’s “lordly political culture,” to use Richard Burghart’s (1994) apt phrase, there is no separate *people*. The people are in the *possession* of the King and are assumed to be carrying King’s substance, or else the people must deal with the King’s *authentic* representatives without intermediaries, be them bureaucrats, politicians or Zonal Commissioners.

Nepal’s monarchs almost always use a plural noun, we (but not I), whenever they make public announcements or proclamations. While the use of “we” at times clearly referred to the Queen and other family members (for example, when the Royal couple made foreign visits), mostly the plural *we* referred to the people in general. Even for most idiosyncratic and personal of King’s decisions, Gyanendra used “we”—but not “I”—in his public statements. Hence whatever the King decide, it is decided by “we,” the people.

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<sup>27</sup> King Gyanendra Interview to Nepal Television, Radio Nepal, and Rashtriya Samachar Samiti, August 29, 2005.

In addition, he avoided personal responsibility and agency in favor of passive sentences throughout his interviews, routine messages such as festival greetings, and Proclamations. Thus he repeatedly used phrases such as these: “the nation has decided” and “the people has decided”

Religion is another major stuff of Gyanendra’s rule, as was the case with his father, King Mahendra. The King’s decision and practices seemed to have been deeply informed by Hindu religious beliefs and practices. In an interview given to Time magazine in January 2004, the King said:

“...we were given the personification of Vishnu and Vishnu is the preserver of all things. And I'm glad that my role—the role I have to play—has been spelled out like that, just as it is in the constitution...”

The King thus believed that “we were given the personification” of Lord Vishnu, the supreme Hindu God, even if he, at times, perhaps unwillingly, said that “I am a human being.” As a personification of all powerful Hindu God, it was only natural for the King to be present everywhere as yet another element of the timeless Palace culture dictated. Religion and politics were then mixed in curious ways.

King Gyanendra, after he dissolved the House of Representatives in 2002, started a series of “national tours,” another “timeless” tradition that his father had invented to gain the “first-hand knowledge” of his “subjects’ sorrow” in the wake of power struggle between the political parties and the Palace in the 1950s<sup>28</sup> (Joshi and Rose 1966). In these

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<sup>28</sup> Not only was he accompanied with a large swath of the army, newspaper photographs showed that he donned army outfits during those visits. The King almost always visited nearby army barracks and Hindu religious sites.

tours, as was the practice before the 1990 political change, the King received orchestrated “citizen’s felicitation” (nagarik avinandan). In such felicitation, many of the “citizens” were often brought from far flung villages at government expenses. The King accepted at least thirty-three citizens’ facilitation after he dismissed the Deuba government in October 2002<sup>29</sup>. What is even more important is that the King never missed to visit Hindu religious sites whenever he visited outlying districts<sup>30</sup>. After his direct rule began in February 2005, the King made, as reported in the annual issues of the International Forum magazine, at least 35 public religious worships. These citizens’ felicitation and pilgrimages were reported by the state media with fanfare like never before<sup>31</sup>.

Having “reformed” the judiciary and bureaucracy, the King then went on to re-enact other technologies of everywhere. He tried to “reform” education by redesigning the school curriculum to create a “nationalist” and “moralist” workforce, as the King’s 21-point roadmap issued on February 2, 2005, said. These efforts included placing full-size pictures of the Royal family members at the beginning of the textbooks and adding lessons on the “great monarchs.” Text books and school curriculum were also required, reminiscent of the Panchayat times, to provide a “positive” perspective on the

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<sup>29</sup> As reported in annual issues of the International Forum magazine.

<sup>30</sup> Personally Gyanendra appeared to be a very religious person often hobnobbing with Indian and local religious masters; some of those “sages” appeared to be con-men. The King, after he was deposed in May 2008, has started once again making “religious tours,” as the political uncertainty deepens in the country.

<sup>31</sup> Private media, except an insignificant number of pro-monarchal newspapers, had, however, been skeptical about these tours.

monarchy. In other words, the King wanted to prune all contested accounts of the monarchy. Private schools, many of which followed “English” and “foreign” curriculum, were asked to include the “nationalist” curriculum. The government proposed a new act requiring all universities in the country to recognize the King as their Chancellor; the King had been the chancellors of government owned Tribhuvan University and Mahendra Sanskrit University until then<sup>32</sup>.

Beginning in 2002, the King started distributing an inordinate number of medals of Honor to his henchmen (mostly men) and security personnel. The latter were obviously targeted to encourage government forces to fight against the Maoists. Distributing medals had been another Royal technology to be present everywhere. Typically, the awardees included “leaders” from rural areas. The medals enhance their prestige and power enormously in the villages. Not only did thus King reach everywhere, he intended to rule with confidence. Similarly, frequency of sporting events increased dramatically, and new sporting events in the name of the King and the Crown Prince appeared like never before. The Crown Prince participated in these events enthusiastically.

Finally, there had been the India factor. As was the case with King Mahendra, as my interviews told me, Gyanendra had been “very serious” about the growing influence of India in Nepal’s internal politics. As I described in chapter 2, a system differential

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<sup>32</sup> The new ordinance also proposed a ban on teachers’ association. Student organizations of the political parties also came under attack. The student movement of 1979 had forced the government to ban the entry of security forces into college campuses without permission of the campus chief. The new ordinance tried to abolish this provision.

approach deeply informed the monarchy in Nepal. King Birendra (1972-2001), the slain brother of King Gyanendra, had been reported to be very serious about the growing influence of India in Nepal's politics via the political parties. In 1990, several accounts said that India had proposed to diffuse the movement for democracy in exchange for a new treaty that would have subordinated Nepal's foreign and defense policy to India<sup>33</sup> (Kumar 1992).

The Maoists had not only ruled the much of rural Nepal, but they had been doing so from Indian soil, as it became increasingly clear following the Palace Massacre. In addition, ethnic movements asserted themselves powerfully, at times challenging the Nepali state and the historic role of the monarchy in the "unification" of the country. Regional parties in the southern plains, who had been historically considered "pro-Indians," had been making their presence felt like never before. At a time, the country had engulfed in ethnic and regional identity debates, the King in his Proclamation said:

...it must be ensured that every citizen has the opportunity to express discontent effectively without jeopardizing social harmony. It is clear that what the people want are a meaningful exercise in democracy, an effective market economy, good

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<sup>33</sup> Lokendra Bahadur Chand, the last Prime Minister under the Panchayat regime, recently confirmed the event (see Naya Patrika daily on Feb 26, 2010). King Birendra is often quoted as saying in 1990, "It's better to talk to Nepalis [the agitators] than hand over Nepal's sovereignty to India." The Maoists have referred to this event in their official documents, appreciating King's "commitment" toward Nepal's independence and sovereignty. Several communist leaders I talked to also appreciated King Birendra on this account.

governance, transparency and a corruption-free rule of law. Our only wish is to guarantee our people's happiness through democracy, instill hope among the youth for a brighter future and to ensure dignity for Nepal amongst the comity of nations. Equal opportunities for the development of all our languages, peoples and their cultures alone can preserve and consolidate the Kingdom's distinct characteristics.

The King thus only made passing references to "equal opportunities for the development of all our languages, people, and their culture," showing concern about "social harmony," a code name for ethnic and caste divisions in Nepali society. He did not make any promise of state involvement in promoting "different cultures," a demand ethnic and regional movements had forcefully raised since the 1990 movement. The much-talked about 21 point "roadmap" issued on February 2, 2005, did not include any reference to different cultures. In addition, the King made references to Nepal's position among the "comity of nations" and the "Kingdom's distinct characteristics." It was more than obvious that he was referring to India externally and internally, he was espousing a homogenous Nepali nation that had been effectively challenged by ethnic movements and the Maoists. It was not merely coincident that the very first sentence of his February 1 proclamation began with the "foundations of the unification process initiated by King Prithvi Narayan Shah the Great."

## **Conclusion**

The King seemed to reenact the version of modernity his father, King Mahendra, has espoused in 1960. Thus so far as the monarchical history and the Palace culture are

concerned, King Gyanendra's actions were not surprising at all. The King repeatedly reminded the people about 3 Ds—diligent, determination, and discipline—but the monarch, who was hailed as the one deeply informed about the Nepali society because of his association with business and conservation, did not seem to have understood a different language—that of *rights*—that his subjects had learned to speak beginning with the 1990 political change and the intensification of the Maoist insurgency. The King clearly angered and underestimated the power of the growing middle class and the associations in the civil society, merely substantiating what Gramsci (1971) had warned in the 1930s—that states without the bulwark of civil society were tremendously fragile compared to the ones that possessed civil society. The next two chapters examine the mobilization efforts made by civil society organizations.

## **CHAPTER 6**

### **CIVIL SOCIETY AND INTERNATIONAL MOBILIZATION**

The King's February 1 move reconfigured the national power structure in a complex way. The King, however, did not ban the political parties, and the King, unlike his father, King Mahendra in 1960, sought his legitimacy in multiparty democracy and rule of law, interpreting his action as merely to salvage the derailed democracy and presenting himself as the savior of the Constitution of Nepal 1990.

In this chapter, I first describe how NGOs and professional organizations took advantage of King's "commitment" toward human rights and democracy by activating their international networks. In Chapter 3, I described connections between NGOs and international actors up to 2000. This relationship was primarily driven by concerns for democracy and development. In the period following the years after 2001, international actors become active in a new areas—political conflict and the peace process. I show that international actors played contradictory roles while reinforcing their relations with civil society activists. Next, I describe reactions from civil society organizations to the King's move on February 1, 2005, and the civil society organizations' use of local diplomatic offices as sanctuaries akin to the Church in the Civil Rights Movement in the United States in the 1960s and East European movements in the 1980s (Meardi 2005; Morris 1984). Although it might be surprising, these activists directly took on the country's mightiest institution, that is, the Royal Nepal Army. In short, it appeared to be a

spectacular show of transnational mobilization against a state that is too dependent on foreign resources for its development enterprise and the military.

### **Contesting Human Rights**

Once it became clear that the major international powers did not support his move, King Gyanendra started mocking international powers in a way that was quite unprecedented for any Nepali politician. On April 28, 2005, about two months after the February 1 event, the following conversation occurred between Alex Perry of Time<sup>1</sup> magazine and King Gyanendra<sup>2</sup>:

*TIME: There are serious concerns over the RNA's human rights record...*

*Gyanendra: Think of Guantanamo, Iraq. We don't have bad stories like that. I am not saying that there have not been some accidents. We do have some instances...are these questions being raised now because the RNA [the Royal Nepalese Army] is being successful?*

In international forums the King repeatedly criticized international actors including the United States, India, and Britain for what he termed “double standards,” often citing their

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<sup>1</sup> See Time magazine interview in March 2005

([http://www.time.com/time/asia/2005/nepal/ext\\_int\\_ganendra3.html](http://www.time.com/time/asia/2005/nepal/ext_int_ganendra3.html)). See also King's Gyanendra's address to the SAARC meeting in Dhaka, Bangladesh. King supporters unanimously told me that the Dhaka summit as the major event that ultimately caused the downfall of the Royal regime.

<sup>2</sup> In his interviews before the February 1 move, the King defended Nepal Army's human rights abuse cases comparing with the previous government and Maoist abuse records.

own abuse records. He repeatedly asked people not to judge the “terrorists” and state security forces by the same yardstick. But Gyanendra never forgot to promise that he would *respect* human rights.

New institutionalists argue that the same process which works at the organizational field level also works at the “world society” level (Meyer, Boli, Thomas, and Ramirez 1997). They have successfully demonstrated that diffusion process, such as women’s enfranchisement, nation state models, and a world environmentalism regime, work at world society level. This model emphasizes how global standards become taken-for-granted myths and ceremonies through which national states see themselves and try to align their behavior. New institutionalists also point out the possibility of “decoupling” between policies and practices.

Hafner-Burton and Tsutsui (2005) argue that many Third World governments use human rights rhetoric as a way to gain international legitimacy without actually implementing them. Irrespective of state responses, these treaties, however, create normative pressure on these states, and these opportunities are seized by activists, increasingly linked to transnational activist networks (Hafner-Burton and Tsutsui 2005; Keck and Sikkink 1998).

As one human rights activist told me the King’s “commitment” toward human rights and democracy sounded “like a good beginning.” As described in chapter 3, human rights discourse is invoked by all the political parties and civil society organizations in Nepal. The King’s “commitment” toward democracy and human rights was seized upon by human rights and professional organizations.

Steinberg (1999) has advanced a relational and dialogic view of meaning making and contestation. Drawing on Bakhtin, he has noted that social movement activists often contest over the meaning of historically available narratives. These narratives are often advanced by their powerful opponents. I will show shortly that human rights and the Royal Nepal Army became the rallying cry for several months beginning in February 2005.

The human rights field favors rich social capital because human rights discourse is peculiar in that it immediately crosses the international border through transnational networks (Keck and Sikkink 1998). As I described in previous chapters, Nepal's NGOs, rich in social capital, were uniquely positioned to take advantage of the international context. Human rights activists, in turn, employed the techniques of "naming and shaming," embarrassing the state and the army.

### **International Actors and Civil Society Activists**

Before I describe specific developments, in this section I first review how civil society activists and international actors came together following the state of emergency and escalation of Maoist insurgency in 2001. Both the state and non-state including the United Nations have historically involved in Nepal in various ways at different periods. As I described in chapter 3, Nepal's unique geographical position in-between rising Asian powers India and China has historically drawn attention of global power centers. The relationship between India and Britain is unique by any standard since Nepalis serve armed forces of these countries. The activists, along with academicians, however, have their own perspectives about different actors.

Activists largely viewed the roles of the United States and India as geo-political. India's interest in Nepal is largely interpreted as a "colonial" mindset, in part, driven by security concerns and Nepal's water resources. Shah (2004) and Mishra (2004) have described this "colonial mentality" in the light of the Maoist insurgency. The role of the United States is interpreted in terms of US interest in South Asian geopolitics and investment in Nepal's water resource development. In the post-9/11, the United States viewed Nepal's political developments through "terrorism" lenses. In addition, US ambassador to Nepal, James Morariety, who regularly became target of activists from 2002 onward, publicly said that the United States did not want Nepal to be "an example" of a communist revolution to the rest of the Third World countries.

Activists described West European countries as "dispassionate friends," who are "genuinely" concerned with Nepal's development and human rights. As usual, China was thought to be "neural" and non-interfering despite the fact that China had supplied arms to the Royal government in 2005.

Among non-state actors were independent human rights organizations and activists. Local activists viewed these non-state actors as "leftists," pretty "sympathetic to the Maoist causes<sup>3</sup>." Many young international activists and staff at diplomatic offices

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<sup>3</sup> The Maoists, in fact, carefully cultivated relations with international actors. They repeatedly raised the issue of the Geneva Convention. Unlike the government, they cooperated with international agencies such the International Committee of Red Cross (ICRC), which began its operations in Nepal in 2000. Whenever they released captured government security persons, for example, the Maoists would invite the ICRC and national human rights organizations in highly ritualized release-ceremonies. In any case,

had also developed personal friendships with young Nepali activists, who had increasingly grown radical, that is, anti-monarchical since the King removed the Deuba government in October 2002. Among the non-state actors, the United Nations naturally held a pride of place. From 2003 onward, activists increasingly rallied, as demanded by the Maoists, for the UN involvement in the peace process.

As I described in Chapter 3, the NGOs themselves were, in part, the progeny of the international aid regimes, and they were already connected to global activist networks. According to activists, after the state of emergency was imposed in November 2001, interactions between international activist networks increased many folds, this time discourse changed from development and democracy to peace and conflict resolution.

This contact was probably fueled by the continuous Maoist appeals to international forces to support them, or at least not to meddle in Nepal's conflict in the "post-Palace Massacre period," as the Maoists repeatedly told the world (Bhattarai 2005). The contacts with foreigners were so intensive that one activist joked that after 2001 there were more activists and researchers from "Western" countries than the local activists put together. Yet another activist labeled the phenomenon as the rise of "peace tourism." Given the amount and nature of human rights abuse, the international attention, however, does not seem completely out of place.

First, human rights abuse increased dramatically after the mobilization of the army in 2001. In an incident that drew global attention, 18 Maoists and two civilians

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human rights abuse cases on the part of the government far outnumbered those committed by the Maoists.

were killed in cold blood in Doramba village in Ramechhap district on August 17, 2003<sup>4</sup>. By 2004, Nepal was projected by national and international human rights organizations as a country with one of the highest rates of extrajudicial killings and disappearances. In December 2004, a UN fact-finding mission began an investigation into political disappearances<sup>5</sup>. This followed a sharp rise in the number of people missing in the conflict between the Maoists and security forces.

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<sup>4</sup> The army rejected the charge, threatening journalists and human rights activists. Later a probe team formed by the Nepal Human Rights Commission squarely blamed the army for carrying out the grisly killings. An investigation team member told me that he was repeatedly harassed by the army over the report. After the incident was widely publicized and under pressure from the international human rights organizations and the European Union, the army later accepted the charge partially and vowed to punish the responsible officers. In my interview, a senior army officer laughed off the claim that the Nepal Army had “punished the culprits.”

<sup>5</sup> In November 2004, the Nepali media reported that the US government had tied its military assistance to Nepal to its human rights records. The reports said that the United States would supply arm to Nepal only if “the Nepalese government makes substantial progress in complying with habeas corpus orders issued by the Supreme Court of Nepal....cooperates with the National Human Rights Commission...takes effective steps to end torture by security forces and prosecute those responsible for gross violations of human rights.” But activists and academicians were deeply suspicious of the US move (see Sierra Tamang, Nepali Times Issue #210, 2004)

Human rights activists and journalists were not only appalled by the rights abuses, but they also believed that the phenomenal rise of the Maoists could be attributed to the massive state violence. Thapa (2003), for example, cited an opinion poll conducted by one Kathmandu fortnightly which indicated that in west Nepal, where police actions had been most concentrated, 30 percent of the respondents attributed the rise of the Maoists to police high-handedness; the national average was 19 percent<sup>6</sup>.

Next, Western state and non-state actors increasingly looked to local civil society actors. After years of focus on international governmental and nongovernmental organizations, to prevent, divert, or resolve violent conflicts, there has been growing realization that “civil society” might be a more suitable agent for such enterprises (Orjuela 2003). The appeal of civil society in violent conflict is understandable since an active civil society is considered to create *trust* and *social capital* above and beyond parochial identities such as ethnic, religious, and other divisions (Gellner 1994; Putnam, 1992). Non-state actors are often considered to be more efficient and suitable, since they are less visible, less expensive and more flexible. Similarly, they are thought to be less constrained to bridge the gap among conflicting parties without losing their credibility and to deal directly with the grass-roots population (Orjuela 2003; Orjuela 2005). Civil society is thought to be useful in preventing violent conflict, working in war zones, supporting negotiations and settlements, and conducting reconstruction and

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<sup>6</sup> Maoist leaders actually told me that state repression helped their recruitment drives.

Similarly, Maoist publications repeatedly reported stories in which the relatives of those killed by the state forces had taken up arms.

reconciliation. With such realization among powerful international actors, Nepal's civil society activists increasingly worked in-between the Maoists and international actors.

The United Nations established a "peace fund" in 2002 to strengthen the role of "civil society" in the peace process. Consequently, major donor agencies, primarily European countries, contributed a large sum of money to the UN fund. A GTZ report prepared in 2002, for example, mentioned that it recommended the German government *not to assist* the government's integrated security and development plan; rather it asked the German government to contribute to the UN peace fund. These funds were diverted to local human rights organizations.

Donor agencies and INGOs regularly organized seminars and workshops on "the role of civil society in the peace process." Civil society activists were taken to foreign tours (e.g. Sri Lanka and South Africa) to master conflict mediation skills. In fact, international activists actively encouraged the government to work through civil society groups. According to The Kathmandu Post on April 16, 2003, for example, British Ambassador to Nepal, Keith George Bloomfield, speaking at a talk program, 'Terrorism and Counter-terrorism,' suggested forming an "independent body" for mediation in the government Maoists peace talks<sup>7</sup>. The newspaper quoted him as saying: "The mediation

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<sup>7</sup> Regarding the Maoist insurgency, the ambassador said that the government should enter into the core issues of the insurgency: Why the Maoists launched their insurgency? What are their basic issues? All must be reckoned with before initiating peace negotiations with the Maoists." Even in 2003, powerful state actors were thus extremely unsure about the nature of the Maoist insurgency. The ambassador later told the newspaper that it was "extremely hard" to define "terrorism."

body can be formed from the independent people from within the country and third-party mediation may not be necessary."

Several human rights activists told me that the funding for human rights increased dramatically after 2001. In addition, new organizations, traditionally overlooked by Western donors, also came into international funding networks. Among the new organizations which received financial assistance from international agencies were ethnic and Dalit [untouchable] organizations. Partly to counteract the growing Maoist influence on these groups, international aid agencies increasingly brought them into their funding networks<sup>8</sup>.

Even though every NGO in Nepal has made "transparency" their motto, and they claimed that "everything is posted on the Internet," financial details are hard to obtain (Onta 2004; Tamang 2002). There were, however, several indicators which pointed out the growing financial health of civil society organizations. In Chapter 3, I described that ethnic activists had been critical of international funding agencies for neglecting indigenous institutions in favor of organizations dominated by high caste hill Hindu groups. At the end of 2004, ethnic organizations, much like professional organization, were publishing multi-lingual glossy reports funded primarily by European donor agencies. Krishna Bhattachan, a firebrand activist and academician, whom we have met continuously throughout this dissertation, probably aware of liberal civil society academic discourse, started claiming that indigenous organizations *too* were *member of civil society* (Bhattachan 2004). The FNJ journals and publications increasingly become

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<sup>8</sup> Several activists openly accepted that they were funded to "counter the Maoists." A few of them, however, told me that they continued to support the Maoists.

glossy, color-printed, and bi-lingual<sup>9</sup>. The English versions were solely meant for the consumption of the international community.

The United Nations, Britain, Finland, Norway, and Switzerland showed interest in mediating the conflict in one way or the other. According to activists, Western European countries often boasted of becoming a “peace superpower” in contrast to “military superpower,” that is, the United States. Activists also told me that Western European diplomats often criticized the US policy toward Nepal and elsewhere<sup>10</sup>.

In February 2002, Norway successfully facilitated a ceasefire between the Tamil Insurgents and the Sri Lankan government. This success must have encouraged Scandinavian countries to make similar efforts in Nepal. In a dramatic development, on October 31, 2003, the United Nations said it was ready to mediate in the conflict in Nepal, if *asked by both the government and the Maoists*. The government, however, flatly rejected any international mediation. The Maoists reiterated that their party was willing to accept UN mediation. Meanwhile, civil society groups and activists found a new cause to advance for the peaceful resolution of the armed insurgency. The Civil Society for Peace

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<sup>9</sup> FNJ reports before 2001 continuously mentioned its financial worries even to run an office and daily administration. By 2006, the FNJ was mired in controversies about misuse of funds, evidently received from international agencies.

<sup>10</sup> According to activists, the relation between them and international state actors were partly strategic. International agencies’ growing interest in them, according to one well-known human rights activist, reflected their suspicion about the Nepali authorities’ reports on what was really going on in rural areas. They felt human rights organizations more trustworthy than the government for “reliable” information.

and Development (CSPD), for example, readily welcomed the move and formally requested that the UN use its “good office” for the promotion of peace in Nepal.

In March 2004 once again, the UNGS Kofi Annan offered help in mediating the peace process in Nepal<sup>11</sup>. The King-nominated government once again rejected the offer and the political parties refrained from taking making clear statements, but civil society activists and journalists largely welcomed the UN proposal. Nepali Times (issue #189, 2004), a staunch critic of the Maoists, on its editorial, nicely summarized the mood of the urban intelligentsia and activists:

...Kofi Annan has echoed the sentiments of nearly all Nepalis: that there is no military solution to the conflict. He has urged the government and the Maoists to "end the fighting and resume the peace process with the participation of all political and civil forces in the country". We couldn't have put it better ourselves...Then on this side, there are military hawks who can't countenance any talk of negotiations, even while they grudgingly admit that there is no military solution...The government and the Maoists should grab this olive branch...Outside powers, especially India, have leaned on the government to reject third party mediation...Let's seize the opportunity...

Even this fairly conservative newspaper claimed that Annan represented the “sentiments of nearly all Nepalis.” Annan, in turn, recognized the power of “civil forces.”

European countries, in contrast to the United States and India, which had been major supplier of arms to the Royal Nepalese Army, continued to make peace offers. Switzerland actually organized a sensational meeting in Geneva in 2004 in which Maoists

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<sup>11</sup> Kantipur, March 24, 2004

and civil society activists participated, according to one activist who had participated in the meeting. On June 6, 2004, Switzerland proposed to mediate between the government and the Maoists<sup>12</sup>. Civil society members told me that they had intense discussions with the Swiss diplomats in Kathmandu on this topic. What is interesting that according to Kathmandu Post, the Swiss government had made this offer only a few days after newly re-appointed PM Sher Bahadur Deuba had rejected any international mediation.

High level delegates from the EU, the United States, and other parts of the world visited Nepal more than ever after 2001. It became almost a ritual for foreign dignitaries to meet and discuss with civil society activists, a phenomenon previously unheard of. The British Government appointed Sir Jeffrey Russell James as the United Kingdom's "Special Representative" for Nepal in February, 2003, saying that the British Government is "committed to assisting Nepal and identifying ways to help resolve her problems, including putting an end to a conflict that has resulted in immense suffering for the Nepalese people."<sup>13</sup> The statement further stated that Sir Jeffrey's role would be to provide a strong focal point for the United Kingdom policy toward Nepal and in particular to coordinate the United Kingdom and international efforts in support of the ceasefire and the peace process. After his appointment, Sir Jeffrey visited Nepal several times and called on high-ranking government officials and discussed about the political and security situations of Nepal.

According to activists, all state actors, but also non-state actors, continuously focused on the "good relationship" between the Royal Palace and the political parties

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<sup>12</sup> The Kathmandu Post (TKP) June 7, 2004

<sup>13</sup> See <http://www.mofa.gov.np/bilateral/nepal-uk.php> accessed December 23, 2009.

even if the European countries were “genuinely” convinced that the insurgency could not be solved through a military means. But activists often seemed adamant. One activist thus elaborated his meeting with Sir Jeffrey:

Jeffrey told me about the importance of the reconciliation between the political parties and the monarchy. I then told him if you love the monarchy so much, why don't you ask your Queen to rule your country? Upon hearing my comment, the British envoy was *stunned*, and the embassy officials who had accompanied him were *dumfounded* [he laughs then].

Thus by the time King took over, civil society activists seemed to have developed a broad consensus about the need for the coalition of political parties and the Maoists. Similarly, a broad consensus on the Constituent Assembly, which had, by now, described as a “bourgeoisie concept,” seemed to have emerged.

### **Early Reaction to the King's Move**

As described in the previous chapters, most professional organizations and NGOs had been advocating for “dialogue” and “political solution.” The King's takeover on February 1 added further worries to these activists. Journalists became one of the few groups who felt the Royal coup most intensively and in a very personal way. Minutes before the King's Proclamation at 10 AM on February 1, heavily-guarded army officers reached the newsrooms. Within one week after the 1st of February, the major newspapers, however, started to defy government orders, criticizing the government and demanding democracy and people's sovereignty.

The Federation of Nepalese Journalists (FNJ) and the Nepal Bar Association (NBA), two most active professional organizations, issued strongly-worded statements denouncing King's action on the same day. Other professional organizations followed suit<sup>14</sup>. According to activists, they then started contacting political party leaders, most of whom were already imprisoned or house-arrested. Activists recounted how they tried hard to convince leaders to issue a stern statement against the King. Activists frequently told me: "Look, the political parties were not even ready to issue a statement."

As stated earlier, the boundary between political and professional activist had largely vanished by now. The FNJ and the NBA along with human rights organizations turned to international networks. A lawyer told me that as soon as telephone was restored, they established a "hotline" in the NBA headquarters through which they contacted activists scattered all over Europe and North America. They also contacted their "partner organizations" all over the world. Subsequently, within an hour of an arrest of an activist, statements would be issued from Paris, New York, and Geneva. Journalists told me that they were emboldened by their international connections and claimed that the police could not hold them for more than 24 hour because of their connections to international pressure groups. One journalist told me that in an emergency meeting after the Royal coup they concluded that they were the *least vulnerable group* in the country and that they were better poised to take to the streets than any other group. In fact, journalists were one of the few groups who went to the streets following the Royal Coup.

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<sup>14</sup> Activists often related to me who issued statements merely to fulfill formalities and who did in strong words.

Activists were confused and divided on whether or not to go to the streets without the political parties, however. Most importantly, they were not sure about the public mood as the life in the country seemed normal. In fact, there was widespread belief that the people may not support the political parties because of their past misrule, a belief these activists shared with King Gyanendra. Within the human rights community, there were a few who believed in public demonstration and courting arrests. The primary motivation to court arrest, however, was to expose the human rights commitment of the Royal government and garner international support. Krishna Pahadi, who would become upon his release on July 4 one of the two key leaders in Citizen's Movement for Democracy and Peace (CMDP), was one of the few persons who held such a view. He, along with several others, was arrested on February 9, 2005, trying to demonstrate in a busy street. There had been sporadic political protests by students aligned with the political parties, but they met with severe repression.

### **Diplomatic Offices as Sanctuary**

Scholars have pointed out that international human rights regimes produces paradoxical results: the rouge states hardly follow international law; in fact international institution often become repressive tools, but non-state actors often take advantage of these laws to put pressure on these state (Hafner-Burton and Tsutsui 2005; Thomas 2001).

Amidst uncertainties and threat, human rights activists and professionals took refuge in UN and European diplomatic missions<sup>15</sup>. Activists told me that they did not see

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<sup>15</sup> The US and Canadian embassy officials also helped these activists, but they did not feature prominently in activist narratives.

many way-outs except “confusion” and the *security* of “human rights defenders.” Indeed, the security of human rights activists had become a major issue since 2001. The security forces had raided houses of activists and their officers were monitored by the army regularly. The human rights organizations used different names through out the movement, but the “save human rights movement” was the most frequently used name as reported in the local media and public statements.

They said senior human rights activists were contacted by European diplomatic missions even before they initiated the process. Most preferred a wait-and-see approach as most political leaders were imprisoned or house-arrested, and international mobilization appeared to be a natural course of action. According one human rights activist, he “remembered” human rights activism in the course of the 1990 movement. During the 1990 movement, two influential human rights organizations, the Forum for the Protection of Human Rights (FPPHUR) and the Human Rights Organization of Nepal (HURON) had sent their representatives to Europe and New Delhi respectively. The model for international mobilization thus partly came from the 1990 movement (discussed in chapter 3).

Not only were these activists well-integrated into international networks, but they had also cultivated deep friendship with Kathmandu diplomats and expatriates. These relations were so deep that one activist told me that they were actually tipped off about the possible Royal coup by a high ranking diplomat at the US embassy the day before the King took over. Informal relations included friendship circles, informal gatherings, and parties. As I described above, interaction between Nepali civil society organizations and international actors had intensified in the 2001-2005 period. Consequently, the genre of

peace activism exploded beginning in early 2001; hundreds of formal and informal seminars, workshops, and discussions with diplomatic missions had become routine.

In addition, according to one activist, they also benefited from the UN charters and the European Union that obliged local diplomatic officers to protect the personal security of “human rights defenders” abroad. Diplomatic offices and UN agencies thus functioned as “safe heavens” and “sanctuaries” similar to church in the Civil Rights Movement in the United States and the democracy movement in Eastern Europe (Kenney 2001; McAdam 1982; Morris 1984; Weigle and Butterfield 1992).

Facilities at UN and European diplomatic missions were used to fax and email statements abroad as the telephone and the Internet service were shut down by the Royal regime. The statements called on the international community to oppose the Royal regime, and they asked the King to “respect human rights.”

According to activists, many diplomats actually attended activist meetings “encouraging” them to protest against the regime and ensuring them that the international community would support their efforts. One activist told me that he was surprised that a UN-marked car came to his house to take him to a safe place without informing him (the telephone was already down). He ended up staying in a Danish diplomat’s residence for several days. Yet another activist showed surprise over how an UN diplomat appeared in one of the meetings “uninformed.” Apparently the diplomat in question was informed by one of the activists in the network. Swiss diplomats went a step ahead, renting a building, a “human rights home,” nearby its office, asking activists to “jump over onto the diplomatic building compound if the police ever raided the building,” according to activists.

## **The King, the Army, and the International Community**

The army became the object of focus throughout the movement period. Many activists believed that unless the army was weakened, the “King would not budge an inch.” These activists’ self-concept was deeply informed by historical narratives about the Royal Nepal Army. The control of the army by the Royal Palace and the aristocratic families, army’s disregard for elected officials, its role in the 1960 coup, and its repeated intervention in the 1990 constitution writing processes were major events that became increasingly significant after the King’s move. The relationship between the army and human rights activists had already ebbed to a historical low once the army was mobilized against the Maoists in 2001. Finally, according to activists, the model of international mobilization came from their “experience.” In Chapter 3, I described that during the 1990 movement, Nepal’s two human rights organizations had sent an “ambassador” and a “propagandist” to foreign countries to mobilize international support against the Panchayat regime.

Nepal army’s dependency on the United Nations and the world powers for weapon became a fertile ground for these activists. The Nepal army makes a large amount of money through the UN peace keeping missions abroad, and Nepalis are told several times a year that the army had increased Nepal’s prestige in the community of nations by participating in UN peace missions. The army has kept the detail about its peace operations as top secret. I have compiled this information drawing on newspaper accounts published at various times. Nepal first sent soldiers on peacekeeping duty in 1958 to Lebanon, three years after Nepal joined the United Nations. In 2001, 625 Nepali

soldiers were serving in the UN force in Lebanon, 225 in East Timor, and a few others in places like Kosovo or Congo as observers<sup>16</sup>. There were also over 100 Nepali police personnel serving in UN-related missions. By 2004, over 46,000 Nepali army personnel had served on the UN peace keeping missions. The number had reached an all-time high of 2,400 in 1995.

When UN General Secretary Kofi Annan visited Nepal on 12-13 March in 2001, newspaper reports said that Nepal “demanded” an establishment of a UN Regional Peacekeeping Centre near Kathmandu. Next, Nepali officials demanded to increase the number of Nepali “peace soldiers” on UN missions<sup>17</sup>. Nepali newspapers quoted Annan as thanking “outstanding peace-keepers.” In interviews, senior army officers admitted that without UN money that flows to the army fund, the Nepal army would have been *far far worse* than what it is now. The army welfare fund now has several million dollars in its accounts; the money was collected from deductions in salaries of peace-keeping soldiers. The abuse of the army welfare funds by high ranking military official has been one of the major contentious issues in Nepal. In fact, in the course of the movement, columnists and activists loudly raised the issue of the misuse of the fund.

Well aware of the vulnerability of the army to the international human rights regime, these activists started targeting the army like never before. Human Rights organizations issued their first statement against the King’s move on February 5. The first “urgent appeal” came from “25 human rights organization,” saying that the names of the organizations were withheld for security reasons. The letter was addressed to the

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<sup>16</sup> Nepali Times (#33, Mach 2001)

<sup>17</sup> Kantipur, March 11, 12, 13 and 14, 2001

executives of the major donor countries and organizations which included the Asian Development Bank, Australian government, Canadian government, Danish government, the European Commission, French government, German government, Pakistani government, Japanese government, Dutch government, Norwegian government, Indian government, Chinese government, Swedish government, Swiss government, UK government, UN High Commissioner for Human Rights, and the World Bank. Similarly the letter was copied to human rights organizations all over the world<sup>18</sup>.

In their appeal, the 25 organizations expressed serious concern over the King's February 1 announcement of forming a government under his chairmanship, the declaration of the state of emergency and *virtually handing over the country's governance to the Royal Nepal Army*. The statement further said,

We, the Nepalese people now live under an *illegal military rule* headed by the King...almost all the rights...those enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and other international instruments that Nepal is a party to have been suspended....We are

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<sup>18</sup> These organizations included Asian Human Rights Commission, Diplomatic Missions in Nepal, Hague Appeal for Peace, International NGOs, Secretary General, SAARC, UN Special Rapporteur on Extrajudicial Killing, UN Special Rapporteur on Human Rights, UN Special Rapporteur on Torture, UN Special Rapporteur on Freedom of Opinion and Expression, United Nations Offices operating in Nepal, Jimmy Carter, Former US President, Patrick Leahy, Senator, and the US Working Group on Involuntary Disappearance.

deeply concerned by the growing number of political prisoners and the increasing insecurity of human rights defenders, journalists and lawyers...

Thus the activists greatly raised the issue of “handing over” the governance to the RNA, terming the Royal government an “illegal military rule.” The statement asked the international community to force the government to respect internationally-accepted civil and political rights. The third demand in the statement was related to the Royal Nepalese Army:

The king's direct rule is the establishment of a *military regime* in Nepal. We request all foreign governments to stop all forms of *military support*, including supplying arms and ammunition to the Nepalese government, which are being used to brutally suppress the rights of the common people.

Thus the activists characterized the Royal government as a “military regime,” and asked the foreign governments to stop military support to the Royal Nepalese Army.

Scholars have argued that irrespective of state responses to international norms, these treaties, however, create normative pressure on these states, and these opportunities are seized by activists, increasingly linked to transnational activist networks (Hafner-Burton and Tsutsui 2005; Keck and Sikkink 1998). International norms thus appeared solid resources for these activists. The statement concluded that “this is a legitimate obligation of the international community under the charter of the United Nations to uphold fundamental human rights and democracy among all member states of the UN.”

The 25 human rights organizations continued to appeal to the international community. On February 27, they issued its fourth statement, this time titled, “*Nepal Under Military Rule: The Undermining of Democracy and the Constitution of Nepal.*”

The appeal continued to maintain the sanctity of the Constitution of Nepal 1990, saying that the King's move was "fraud on the Constitution of the Kingdom of Nepal, 1990."

The fourth letter said:

"We deeply appreciate the decision of foreign governments such as India and Great Britain to suspend their military aid to Nepal. This decision demonstrates their commitment to restoring democracy and freedom and to refuse to arm a military that, with its commander the King, has usurped all power in the country and suppressed basic human rights. We express our gratitude to the US Senators for recommending to the US Secretary of State, Condoleezza Rice, to halt military aid to Nepal as part of a comprehensive plan to restore democracy and freedom in the country.

These activists thus appealed to and thanked individual members such as US Senators in their appeals and statements. In their forth appeal, the human rights organizations depict the King as the "*commander*" of the army, and as shown by India and Britain, their efforts had started showing results.

In this statement, they also raised the issue of the formation of the Royal Commission for Corruption Control as "politically motivated." The statement said that it targeted "political leaders, civil society activists, and human rights defenders active since the 1990 restoration of democracy." Further, they said that it undermined the jurisdiction of the constitutionally formed Commission for the Investigation of the Abuse of Authority." In fact, all major international powers including the Asian Development Bank issued statements against the RCCC.

Contesting the regime's claim that security had improved, the statement said that despite the state of emergency, "insecurity has risen dramatically since its declaration, and abuses of power go unchecked." The activists said that the King's regime had "not called for a dialogue to end the conflict." The statement further said

We condemn the new regime's efforts to encourage and provide resources to criminal-minded groups in various parts of the country to carry out an "uprising" against the Communist Party of Nepal-Maoists. This has resulted in the killing of dozens of innocent civilians living in conflict-affected areas and these "anti-Maoists" have committed atrocities such as the recent rape of a young girl whom they later accused of supporting the Maoists.

The fourth statement thus added further allegations to the army and King for distributing weapon to "criminal-minded groups." The statement called upon the international community, as was the case in its earlier appeals, to act on 11 issues. These issues were related to the judiciary, travel bans on civil society activists, effort to control (I)NGOs, illegal detention, safety of human rights activists, international enshrined rights, and media censorship. Three of the eleven issues made explicit reference to the army:

That the United Nations take immediate measures to review the Nepalese military's participation in UN Peacekeeping Operations, considering their poor human rights record.

That all nations and leaders who have remained silent, publicly condemn the establishment of this military regime and call for the immediate restoration of democracy.

For the international media to continue reporting on the situation in Nepal, while the local media has been under complete censorship by the military.

Several themes are important here. First, the human rights organizations did not question the legitimacy of the institution of the monarchy directly. Instead, they connected the Palace to the Army. Especially, these activists believed that if the army was weakened or its capacity for repression was reduced, the King would be forced to concede to the political parties. In addition, these activists clearly viewed the Maoist insurgency as a political issue, castigating the King for not creating an “environment conducive to peace talks,” a familiar phrase since the beginning of the peace talks in 2001. The statement asked concerned citizens of all nations to express their solidarity with the Nepalese people and for them to call upon their own governments to press for the concerns shown by the human rights community.

The army continued to become the target of both domestic and international mobilization. Even tragic events involving the RNA were seized upon as the true intention of the Royal government. In a tragic event on December 14, 2005, in Nagarkot, a tourist hotspot on the outskirts of Kathmandu, an army man killed twelve villagers in a dispute in a religious festival. This event received a continuous coverage for several weeks, with newspapers, columnists and civil society activists accusing the army for behaving as if they were above law and the constitution, a direct reference to the monarchy<sup>19</sup>.

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<sup>19</sup> My interviews with army officers indicated that they were very clearly aware of the fact that the international human rights regime did not have strong institutional tools to

Not surprisingly, the Army became the center of criticism by international human rights organizations. New York-based Human Rights Watch, for example, on February 9, 2005, issued a strongly-worded statement which said:

With ongoing arrests reported around the country, Human Rights Watch said that there is a risk that some of those being arrested will be “disappeared” by the security forces and never seen again, as happened during Nepal’s last state of emergency in 2001.

This statement clearly makes reference to 2001 when the Nepal Army was deployed to contain the Maoists. I examined hundreds of press releases issued by international organizations. The army, extra-judicial killings, and disappearances became the major issues in these statements.

### **Establishment of the UN Human Rights Office in Nepal**

The most tangible outcome of the sustained international mobilization was the establishment of the Office of the United Nations High Commissioner for Human Rights in Nepal. The 61st session of the UN Commission on Human Rights passed Agenda

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enforce compliance; nevertheless, under increasing pressure from all sides, the Armed Police force and the Nepal Army established human rights “cells” in 2003. One army officer told me that human rights issues had never been serious business among the army officers whatever it said on paper. Several army officers whom I interviewed simply laughed off the matter. They did not recall to have included human rights as part of their operations anytime during, before, or after the insurgency, but the army officers conceded that a label of human rights violator “did not sound good and respectable” either.

Item-19 on Nepal on April 20, 2005, culminating in the signing of a Memorandum of Understanding between the government of Nepal and the Office for the High Commissioner for Human Rights (OHCHR). Agenda Item19 appealed to Government of Nepal to urgently *restore* the multiparty democratic institutions enshrined in the Constitution and to respect the rule of law without exception.

Local human rights activists worked closely with the political parties to lobby for the UN human rights mission in Nepal. According to activists, the local UN office helped them greatly at times with minute information. For example, as the Geneva human rights meeting drew close, human rights activists hurriedly prepared a petition to the UN requesting a UN human rights monitoring office in Nepal. One activist told me that when he contacted a very high ranking officer at New York at *mid-night* the day before the Geneva meeting, the officer asked him for a letter signed by the political parties. He also informed him that the letter should be in English, otherwise the office may not make it to Geneva since the UN procedure required to follow an “official translation” procedure that could take a few days. With this information, the human rights activist prepared a letter in English, which was duly signed by all the major political party leaders, and the letter was duly faxed to the UN headquarters with an “emergency action tag.” Not only did they successfully lobby the UN to establish its human rights office, humiliating the King, they were also able to bring the person of their choice as the head of the mission. Ian Martin, former General Secretary of the Amnesty International (1986-1992), had been long known to Nepali human rights activists. One senior human rights activist told me that they successfully lobbied the UN to nominate him as the head of the mission. In addition, according to activists, over one dozen activists had reached Geneva during the meeting.

All these activists were sponsored by international agencies. These activists opposed government statistics and claims offering “views from civil society.” Activists narrated to me dramas in Geneva with great enthusiasm.

### **Further International Mobilization**

Several activists self-exiled in India, and others went to Europe and North America. Those who were abroad on February 1 did not return home. Dr. Arjun Karki, well-known NGO activist, knew about the Royal coup when he was at the London airport traveling back to Nepal after attending an activist meeting in Latin America. He stayed in Europe for several months, traveling all over Europe, contesting the Royal regimes accounts, and seeking support for the movement. These activists later converged in India. Jawaharlal Nehru University in New Delhi became one of the centers where more radical activists converged. Others established a “Nepal Center” where activists and political party leaders stayed. The latter was established by human rights activists who were close to the Nepali Congress and the UML. There were several activists who stayed in the United States and Europe. In New Delhi, they met international actors as well as the Maoists.

Similarly, several activists were invited by European and US governments to testify in their legislature. One activist was invited by the US Senate for a hearing. The Nepal Army legal department chief, BA Sharma, visited this activist on the day prior to his visit. He tried to persuade him not to visit the United States and that not to speak against the army and the Royal regime, using a carrot and stick approach, according to one activist who knew the detail. He told me that the US ambassador escorted this activist to the airport, in a diplomatic car, fearing that the army might arrest him.

The demand for the involvement of the United Nations became a major issue on the part of civil society activists. Special Adviser of the Secretary-General, Lakhdar Brahimi, visited Nepal from 10 to 15 July 2005 as part of the Secretary-General's effort to help “find a peaceful resolution of the conflict.” These opportunities were further seized by activists to discredit the Royal regime.

In addition, the Nepali diaspora was mobilized to lobby against the Royal regime. A possible demonstration and the refusal of US president George Bush to meet the King forced the latter to conceal his trip to New York in September 2005.

Krishna Pahadi, whom we will meet again in next chapter, made a month long visit of Europe and the United States in October and November 2005. His tour was sponsored by international agencies. Newspapers reported Pahadi's visit with great enthusiasm. On the day he returned to Nepal, one newspaper quoted him as saying<sup>20</sup>:

...the image of the Royal Nepalese Army (RNA) among the international community is deteriorating due to its support to the king for the February 1 takeover and its subsequent backing of the Royal regime...The ongoing debate about the RNA in the international community is whether it is the king's or the people's army...The RNA has a choice to make: whether it sides with the king or with the people, in the ongoing war between king and people...If it sides with the king, it will only justify the *raison d'être* of the Maoist army...“army generals” are trying to prolong the war, which would benefit them personally...Those who are pushing for bloodshed and pointing guns at people in the interest of the Palace should be ready to face the International Criminal Court...people's faith in the

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<sup>20</sup> The Kathmandu Post November 29, 2005

institution of monarchy has taken a nosedive after the Royal massacre...the monarch would not allow a constituent assembly, which has become the "meeting point" for the parties and the rebels...So, reconciliation between the king and political parties would be suicidal for the country...

Pahadi clearly represents the mood of the activists. He firmly established the connection between the army and the King as ONE, asking the former to face the prospect of "International Criminal Court." In the same report, Pahadi said that the UN must play an important role in the conflict resolution process. Most importantly, he invoked the Palace Massacre, and claimed that an alliance between the King and the political parties would be "suicidal."

Human rights activists' continued to name and shame the Royal government. The "manipulation" of the Nepal Human Rights Commission (NHRC) Act and new appointment of Chairman and members of the NHRC became another subject of controversy and international mobilization. Human rights organizations termed the appointment of the new NHRC members as "illegal" and asked everyone to boycott the Commission. In the absence of the Prime Minister and the leader of the main opposition party, the King had amended the law by an ordinance and appointed his loyalists as members of the Commission. Activists interpreted the King's move as "intervention" in the "autonomous human rights institution." The NHRC subsequently became yet another object of contention internationally.

## **Summary**

The sustained international campaign forced the King to withdraw the State of Emergency on April 29, 2005. Human rights organizations and professional organizations successfully mobilized international actors for the cause of human rights and democracy. They did so by invoking familiar international laws, appeals, and statements. As I showed above, the major strategy of these activists was to discredit the Nepal Army, but they consistently supported the Constitution of Nepal 1990. Rich in social capital, these activists greatly succeeded in their missions. But as institutional actors they were greatly constrained in their expressions and modus operandi. In addition, they were embedded in the networks of the political parties, ideologically and materially. To mobilize the masses needed different types of sensibilities, capital, vocabularies, and networks, however. I address these issues in the next Chapter.

## **CHAPTER 7**

### **INVENTING CITIZEN SOCIETY: TOWARD MASS MOBILIZATION**

In chapter 4 and 5, I discussed how a hodge-podge of individuals, organizations, discussion groups, campaigns, and movements emerged beginning from the 1990 political change. This process intensified in the 2001-2004 period in the context of new political crisis and peace talks. In the last chapter, I showed that NGOs and professional organizations took a quasi-political character, often siding with radical demands of the Constituent Assembly and the involvement of the United Nations in the peace process. The monarchy was still taken for granted; even in the course of international mobilization, the issue at stake was not the institution of the monarchy.

The radicalization project that had begun in earlier phases was taken to a new height in the latest phase of civil society activism that began in July 2005. It decidedly took an anti-monarchical form. New groups took to the streets and mobilized masses in an unprecedented ways. Consequently, civil society activism took the character of what has been often termed as the “civil society against the state.” I term this latest character of civil society—citizen society since activists invoked a citizen identity, which had, in fact, began in the previous phase, intensified in a massive scale. I will show shortly that the institutional bases of this civil society activism were urban discussion forums, renegade NGOs, ethnic groups, literary groups, media, and aesthetic publics. This group finally

prepared the ground work for the formal alliance between the Maoists and the political parties. This chapter examines these groups and processes.

I begin by examining the structural condition for mass mobilization. In this section, I discuss an array of institutional forces that facilitated mass mobilization. Second, I discuss a contingent event that brought together old-experienced and young-radical generations. This combination of generations gave birth to the Citizens' Movement for Democracy and Peace (CMDP). I argue that this was a crucial development that changed the character of civil society activism in a qualitative way. I then examine the protest strategies and organizational practices of the CMDP and other civil society activists. I end this chapter by describing activist narratives about their movement participation.

### **Structural Context of Mass Mobilization at Mid-2005**

The importance of structural opportunity has been amply discussed in social movement literature (McAdam 1982; Tilly 1998). In fact, activist writings around the time period clearly showed that they explicitly recognized these conditions in the middle of 2005. In the following section, I, however, present a complex picture. First, as the previous chapter on international mobilization showed, activists, however, did not just wait for opportunities to appear; rather they actively created those opportunities. Activist narratives pointed out that an array of structural conditions facilitated new types of political mobilization. Second, I will show shortly that how activists responded the way they cannot be explained by “rational noninstitutional” action or “structural opportunity” alone. Third, we need to look at activist networks and cultural processes within activist

groups to understand the phenomenon fully (Mische 2007). I will show later that this new phase of activism was, in part, a reaction to the political field, in particular, the nature of opponent.

Most influential international actors opposed the Royal regime. India, Britain, and the United States “halted” military aid to Nepal. A number of European countries including Sweden, Switzerland, Denmark, and Norway suspended their foreign aid. Even the World Bank and the Asian Development Bank threatened to block the agreed installments of loans, protesting the creation of the Royal Commission on Corruption Control (RCCC). A UN human rights office was established in Kathmandu, and the activists could feel safer now than ever before. The lifting of the state of emergency on April 29, 2005, had considerably eased the prospect of street demonstration even though the government declared most of the core city areas “restricted zones” and severely repressed any attempt to sustained protest. The media gradually defied censorship<sup>1</sup>, and the journalists, by June, 2005, had resumed their demonstrations which they had been conducting since 2001<sup>2</sup>.

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<sup>1</sup> Although the Royal regime frequently threatened journalists, as I discussed in chapter 5, journalists virtually defied every threat. Especially, after the lifting of the emergency, a cursory look at newspaper contents hardly showed any sign of censorship.

<sup>2</sup> The King lifted the emergency hours after his arrival from an Afro-Asian Summit in Indonesia, where he met several world leaders including the Indian Prime Minister. Newspaper reports speculated that the King lifted the state of emergency under pressure from the international community.

Later the CNP-UML and the NC-Democratic, which had earlier formed the King nominated government, rejoined the opposition coalition. In the first week of May, the Seven Party Alliance (SPA) declared that they would fight for “total democracy.” The Seven Political Parties (SPA) agreed on their “common minimum agendas,” a demand civil society activists had been making vociferously for some time now. Media reports were rife about a possible alliance between the Maoists and the political parties; opinion pages were full of arguments about whether or not the political parties should align with the Maoists. Several political leaders and Maoists were talking to each other secretly.

The King, however, went ahead with his own “roadmap,” ignoring the international forces, the political parties, and civil society. In the second half of 2005, the issues of media, the judiciary, and the NGO code of conduct became issues of contention. Protests were held at those institutional locations. Lawyers, for example, protested in court rooms. Protest against the King’s efforts to control the media, particularly, took a theatrical form, with civil society activists forming “human chains” to protect media houses and FM radio stations from possible government raids.

These conditions were not, however, enough. Activists were concerned about the political parties’ ability to mobilize the popular masses, as they, like King Gyanendra, believed that the parties were extremely unpopular. Civil society activists rose to the occasion, but a few peculiar factors seem to have played crucial roles.

### **Place, Generations, and Networks**

In this section, I bring together how places and generations mattered in Nepal’s civil society activism. One of such important places happened to be India and the other a

mere shift of meeting venue in Kathmandu. Only a few authors have emphasized the importance of place in social movements (Zhao 1998). Zhao in an interesting article pointed out that the mere existence of “brick walls” in university campus created a “low-risk environment” for student mobilization in Chinese student movement in Beijing in 1989. My focus in this section, however, is the ability of a contingent meeting venue to facilitate creation of new networks.

As I showed in the previous chapter, human rights activists and professionals had been meeting in diplomatic offices, NGO offices, private homes, and hospitals in Kathmandu<sup>3</sup>. Fearing government crackdown, many political party leaders and civil society activists had self-exiled to India, a historical pattern partly facilitated by the much-maligned 1950 Indo-Nepal Treaty and partly by Indian politics to court opposition groups in Nepal to bring to size anti-Indian regime elements in Kathmandu. I described in the previous chapter that radical members from both the political parties and civil society organizations had converged in Jawaharlal Nehru University in New Delhi, where a few radical students such as Hari Roka, who would later become a Maoist Constituent Assembly member, had been studying. Human rights activists had, on the other hand, established a “Nepal Center” where less radical activists and political party leaders converged. The Nepal Center was established by human rights activists who were close to the Nepali Congress and the UML. Maoist leaders had been living in India for several years. According to activists, New Delhi thus offered an opportunity for close interaction between the political parties, the Maoists, activists, and powerful international forces in

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<sup>3</sup> The Kathmandu Model Hospital was one such place where activist doctors such as Dr. Saroj Dhital and Dr. Bharat Pradhan worked.

New Delhi. The King's repressive move thus inadvertently facilitated a convergence of different actors in New Delhi. Activists such as Dr. Devendra Raj Panday, Shyam Shrestha, Krishna Khanal, and Dr. Mathura Shrestha met the Maoist leaders in India.

According to activists, In India they had discussed how “intellectuals” could contribute to an alliance between the Maoists and the political parties for the cause of the Constituent Assembly, which had by now been widely accepted as a “bourgeoisie demand.” Not surprisingly, activists were convinced that the Maoists would return to peaceful politics. On the other hand, they were suspicious of and worried about possible alliance between the political parties and the Royal Palace<sup>4</sup>.

As I was told by virtually every activist, they felt: “Let's do something; political parties are not up to the task.” But they were not yet sure about their future course of action; most of them waited for the political parties to act. The model, according to activist narratives, came from their involvement in the 1990 movement.

With the lifting of the state of emergency, these leaders and activists returned to Nepal from India and abroad. As the discussion circle expanded, the discussion venue shifted to a convenient location at Nepal South Asia Center (NESAC), a research NGO that Devendra R Panday had helped to establish in the early 1990s. Once the venue of

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<sup>4</sup> **THIS SUSPICION, IN FACT, CONTINUED UNTIL A REPUBLIC WAS DECLARED IN MAY 2009. THE UNITED STATES PROBABLY WAS THE ONLY COUNTRY THAT CONSISTENTLY ADVOCATED FOR SUCH AN ALLIANCE. CONSEQUENTLY, US AMBASSADOR TO NEPAL JAMES F MORIARTY BECAME THE TARGET OF ACTIVISTS.**

discussion was shifted to this new location near the government central secretariat at Singha Durbar in June, a new dynamic started taking shape.

Like place, generations too have not got due attention in social movement studies probably because social movement scholarship shifted its attention from the focus on “counter-culture” in the 1960s to more organized form of protests described by Resource Mobilization and Political Process theories. The stereotypical image of “youth” probably did not go well with the rational actor model. When young activists are considered, they are often taken for granted. Mische (2007), however, discusses Brazilian students’ radical politics and locates student “partisanship” in the institutional sphere characterized by “competitive political logic.”

Once the discussion venue shifted to a new place, a group of young activist seized the opportunity. At NESAC, there was Anil Bhattarai, a young activist associated earlier with critical development discourse in Bikas Bulletin (discussed in Chapter 3). Author of several books and a bilingual columnist, he had been one of the vocal critics of the top-down NGO paradigm of development, and over the years he has advocated “radical democracy” as an antidote to Maoist violence (Bhattarai 2003). NESAC and another NGO, Collective Campaign for Peace (COCAP), which I discussed in chapter 4, were housed in the same building. COCAP, led by Dinesh Prasain, had a large number of young volunteers. Anil Bhattarai was earlier associated with Martin Chautari (MC), another knowledge producing NGO (discussed in Chapter 3), located about one mile west of the COCAP/NESAC building.

At Martin Chautari, Bhattarai and other young researchers had protested against environmental degradation in Kathmandu, and many of them were involved in an anti-

bonded-labor movement (the Kamaiya movement) in western Nepal in the late 1990s and 2000. Many of these young scholars had published several books and research articles. These young activists were already perturbed by the King's action, not least because any curtailment in civil rights could directly jeopardize their personal well-being as well as the well-being of the institution they were associated with<sup>5</sup>. In fact, following the King's dismissal of the Deuba government in 2002, Martin Chautari had taken off political issues from its famous discussion series<sup>6</sup>. Similarly, the Royal coup in 2005 had caused considerable concern among these scholar activists. Subsequently, young activists including Bimal Aryal, Ramesh Parajuli, Anubhav Ajit, and Bhaskar Gautam joined CMDP, and Martin Chautari allowed CMDP to use its resources such as photocopy, meeting halls, fax, and emails. It should be noted that the office building of Human Rights and Peace Society (HURPES), with which Krishna Pahadi was associated, was also located in the same area. Thus COCAP, NESAC, Martin Chautari, and HURPES were within a walking distance from each other.

Emirbayer and Goodwin argue that social networks are typically conceptualized as linking "concrete" identities such as persons and organizations, rather than embodying ideals, discursive frameworks, and "cognitive maps" (Emirbayer & Goodwin 1994). In the emerging movement, the shifting of the venue brought together previously separate social networks represented by an older-experienced generation and a younger-radical generation. This type of interaction and the "emergent structure" has been labeled as a

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<sup>5</sup> King Gyanendra had, for example, started imposing taxes on the import of books.

<sup>6</sup> According to activists associated with Martin Chautari, they later conducted political discussion even more frequently.

“public” (Emirbayer and Sheller 1998; Ikegami 2000; Mische 2007). As I will discuss shortly, the creation of this public, the overlap of social networks, ideas and emotions, was a critical moment in the formation of a new type of movement and identity.

Once these young activists from NESAC, COCAP, and Martin Chautari joined CMDP, the dynamic of the CMDP changed altogether. These young men (mostly men) seized the opportunity and brought out their scholar-activist habitus, characterized by a critical worldview toward politics and society.

Most of them were friends of radical student leaders such as Gagan Thapa, who had been demanding a republican state for the past two years or so. Similarly, these young activists were well-connected to young and radical leaders in the NC and the UML. In addition, they were well-connected to journalists. Several journalists regularly frequented Martin Chautari discussion programs, and many of them had visited COCOP programs. Martin Chautari had been working on media research projects; this frequently brought MC researchers and journalists into contact. In addition, these young activists were against professional NGOs. I visited both COCAP and Martin Chautari repeatedly. Within a few minutes, I could realize that these NGOs, which I have often termed renegade NGOs, are organized very differently, compared to professional NGOs. For example, these NGOs were far less hierarchical; they were dominated by young men and women; and interaction was very informal. These young activists emphasized street action rather than press releases, statements, and international mobilization which they often scolded in my interviews in 2008 and 2009. These activists set the stage for mass mobilization.

### **Formation of the Citizen’s Movement for Democracy and Peace (CMDP)**

In June and July 2005, activists widely discussed how they could contribute to the movement and possibly lead popular masses. Although most of these activists had actively participated in the 1990 movement, they were not directly involved in mass mobilization even in the 1990 movement. Nevertheless the 1990 movement was powerfully reconfigured and re-signified (discussed at the bottom of this Chapter). In the meantime, something happened in a protest program organized by the political parties in July 2005. Dr. Panday narrated the event in this way<sup>7</sup>:

The fateful day came when on Sravan 4 2062 (July 19, 2005), the SPA [Seven Party Alliance] called for a [mock] “parliamentary session” at the Royal Nepal Academy. When the MPs [Members of Parliament] and leaders like Girija Prasad Koirala, Madhav Nepal and the whole lot assembled at the gate, they were not allowed in. After some perfunctory protests, the leaders went back home. I was there with a *younger colleague* watching the whole thing. It was a terribly disappointing experience, not so much because Gyanendra's gatekeepers did what they did but because of continued lack of any firm thinking or programs on behalf of the SPA leadership...After some preliminary discussions – as usual – *my younger colleague, Anil Bhattarai*, proposed that we organize a Peoples' Conference for Peace and Democracy. I remember intervening and saying that let us forget about the conference part, and let us call it a movement – *the citizens' movement* – and go to the streets ourselves without waiting for the SPA “to inspire us.”...After being sent back home by the Royal Nepal Academy gatekeepers, the

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<sup>7</sup> See [http://www.nepalmonitor.com/2006/10/q\\_a\\_devendra\\_raj\\_panday.html](http://www.nepalmonitor.com/2006/10/q_a_devendra_raj_panday.html), accessed

May 2, 2009

SPA leadership had announced that their next "Parliamentary Meet" would be on Sravan 11. We agreed that we should call for a protest on Sravan 10 at Ratna Park [the restricted area, that the SPA would not go to for protests] in order to reclaim the park and our country from the illegal regime. Our idea was that such activity would give a boost to the SPA on its Sravan 11 programme and thereafter.

These activists thus were perturbed by the timid attitude shown by the political parties, and they decided *not to wait* for the political parties to “inspire” them. Dr. Panday, 72, frequently referred to “younger colleagues” in the passage above. He also hinted a shift of identity and the form of activism—from “people’s conference” to “citizens movement.”

Political process theories have been well-criticized for their inability to account for ideology, identity, and forms of protest since they assume that identity and interests are constant, and that social movements use *most efficient* means to influence the state (Armstrong and Bernstein 2008; Bernstein 2005). I argue that the nature of the evolving political field is crucial in understanding the form of protest activists employ. In the previous phase of mobilization (2001-2004), the King-army coalition had clearly emerged, but the coalition was still invisible. But following the King’s move, the King became visible, not only because he assumed the position of the head of the state and government, but also because he literally used the technologies of everywhere through national tours, media interviews, religious worship and so on. The King by his numerous practices clearly showed that he wanted to be at the apex of the country’s cultural and material order. If the King tried to reach everywhere and wanted to place himself at the apex of the Nepali world, activists also imagined a new identity, discourse,

and practice that directly addressed the King's plan. We will see shortly that activists expressed them in their organizational forms, discourses, and practices. These cultural practices are crucial in understanding popular mobilization (Mische 2007).

Thus, in July 2005, a new kind of public defiance started taking shape, and this was the birth of the latest incarnation of civil society activism that would become famous soon. But Panday's account also makes clear that the goal of the movement was to *assist* political parties. Unlike the previous forms, this activism, however, signified a powerful political meaning, something akin to the much talked about *civil society against the state*. Dr. Panday went on to explain:

After further discussion, it was agreed that an Appeal should be issued to the people to join us at Ratna Park [a no protest zone a few meters away from the Royal Palace]. We drafted it, but until then we did not have a name or any such thing to identify us as a group. We gave the name Citizens' Movement for Democracy and Peace (Democracy came before Peace for us in order to have a lasting peace). Now, someone had to sign in the Appeal. Somebody suggested that Krishna Pahadi's name should be there together with mine. Another person suggested that the name of Dr. Mathura Shrestha should also be added. Everybody agreed. This is how CMDP came into being. Interestingly, at that time, Dr. Mathura was somewhere in Latin America. Nobody felt that Mathura's consent was necessary; we all knew that Mathura would fight Gyanendra's regime tooth and nail. When the Appeal was to be issued, Krishna Pahadi, too, was in India, but he was involved in the discussion. And he arrived to be with all of us at Ratna Park...

Dr. Panday here made clear that democracy came before peace, a clear reference to King Gyanendra who had put peace first. Defying ban orders by the “illegitimate regime,” was the major protest tactic adopted by CMDP through the period. He also indicated how they could rely on friendship networks that began in the 1990 movement; thus Dr. Mathura Shrestha and Krishna Pahadi were included in the group even if they were not physically present. Crucially, unlike the civil society activism in the previous phases, CMDP could thus directly identify themselves with the ordinary masses and their aspirations, as Dr. Panday described:

... our concern with the state had to do with our desire, together with that of the vast majority of the Nepali people to see the state power vested in bona fide representatives of the people under a properly constituted democratic political order where every Nepali has a stake and an opportunity for advancement. As a movement, CMDP represents ideas and interests that have to do with *Loktantra* and the transformation of the state and the society that the people are seeking, befitting the new age...

We see that Dr. Panday associates CMDP with the “vast majority of the Nepali people.” He further describes the mission of the CMDP as reengineering both the state and society, “befitting the new age.” The mission was no longer Prajatantra (old democracy), but Lokatantra (described below).

### **The Ratna Park Protest**

These activists then decided to go the streets. Activists, however, were not sure about how people would react, what kind of slogans they should chant, and what forms of protest they should adopt. They agreed that slogans should be “simple” so that *ordinary citizens* can understand the message. They chose Ratna Park, a public space a few meters away from the Royal Palace in downtown Kathmandu. The Park had been declared a restricted zone by the Royal government.

They eventually adopted a slogan “Ratna Park is Ours.” Ratna Park protest turned out to be a huge success. Newspaper reports showed that the event was publicized well ahead of the scheduled date, a pattern the media would follow throughout the movement period. In fact, the largest-selling daily newspaper Kantipur had published an appeal to participate in the protest by Dr Devendra Raj Panday as an op-ed article the day before the protest. On the July 24 article, the article *re-introduced* DR Panday, a well-known public figure, as— “the writer was a minister in the interim Council of Ministers, formed after the [1990] people’s movement.” Apparently the categories of the people’s movement I and II were not yet invented even if the readers were reminded of the 1990 movement. The same daily printed the protest event as a new report one day earlier and on the day of the protest.

Thus, on 25 July, 2005, these activists were surprised by the ordinary citizen’s response. Activist recalled that well-known activists gathered at the designated place and time, and several hundred ordinary citizens had thronged the area. The onlookers were clapping their hands and chanting slogans against the King’s regime, widely code-named as “autocracy,” as activists recalled. Over two dozen well-known activists including five journalists were arrested on the day. Those arrested included Devendra Raj Panday, Dr.

Aruna Upreti, Kanak Mani Dixit, Shyam Shrestha, Krishna Pahadi, Padma Ratna Tuladhar, Kanak Mani Dixit, and Malla K. Sundar.

The next day the media greatly highlighted the event, claiming that it was the “biggest public protest” since the King had taken over in February<sup>8</sup>. The media minutely reported how the police *misbehaved* with human rights activists which included at least two former ministers (Dr. Devendra Raj Panday and Padma Ratna Tuladhar). According to news reports, these activists demanded the restoration of human rights, civil liberties, and the rule of law. Media reports said that “thousands” of intellectuals, professionals and rights activists participated in the protest. Reports also said that the placards carried by the protestors called for an immediate end to the rule by Royal executive orders and the reestablishment of a representative government and civil rights.

### **The Baneshwor Mass Meeting**

Encouraged by the overwhelming response from the media, CMDP decided to organize similar programs at least once in two weeks. The preparations then were underway to hold another program at Baneshwor at the eastern corner of Kathmandu. CMDP records showed that a series of meetings were held in which writers, artists, journalists, ethnic organizations, and most importantly student union leaders associated with the political parties participated. Activists also told me that they were in regular touch with the political parties and the Maoists.

The Baneshwor mass meeting was held on August 6, 2005. The protest strategies adopted in the mass meeting subsequently became the trademark of the CMDP. It turned

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<sup>8</sup> Kantipur and the Himalayan Time, July 26, 2005

out to be a turning event, and activists narrated the events to me with great enthusiasm. A young woman activist regretted that she *forgot* to turn on the button of her movie camera, thus missing the opportunity to record a historical event. Another activist recalled how people sat transfixed, holding on to their umbrellas even if it rained incessantly. Perhaps over 10,000 people attended the mass meeting, and it was by all account the biggest ever mass gathering after the King's takeover in February.

Newspapers had greatly publicized the upcoming meetings as a news report for several days. In what appeared to be an extremely theatrical event, all major leaders including former Prime Minister Girija Prasad Koirala, president of the NC and UML General Secretary, Madhav Kumar Nepal, also a former Deputy Prime Minister, were invited to the mass meeting, but they were not allowed to speak and sit in the chairs at the podium. Instead, the leaders sat with the audiences on the floor. According to activist accounts and video records I observed, the political leaders listened carefully when the CMDP leaders asked them to confess their past mistakes and to promise that they would not repeat the *same mistakes* in the future.

According to activists, speakers at the mass meeting were asked *not to make* lengthy speeches *as do politicians*. Songs and poems were recited abundantly. Cartoons were displayed, and radio sets made up of wood *broadcast* news in protest against the King's hostility toward FM radio stations. In addition, donation was collected from the audience<sup>9</sup>. In other word, CMDP street strategies were constructed directly against the political parties, professional NGOs, and the King.

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<sup>9</sup> In an accidental encounter, I asked a school teacher who had attended "civil society" mass meetings about what he liked or remembered about the groups. First, he readily

According to activists and newspaper reports, Krishna Pahadi called for a republican state; speakers demanded an alliance between the Maoists and the political parties and warned the parties not to enter into any agreement with the King. According to activist accounts, those who slightly hinted at an alliance between the political parties and the King were booed by the audience. In this meeting, key CMDP leaders including Krishna Pahadi and Devendra Panday declared that they *would not seek a public post* after the movement had succeeded. CMDP leaders also reassured the politicians that the political parties were the ones who should lead the country and that they would not hold any public post once the movement had succeeded.

Thus a sort of “self-limitation,” which Cohen and Arato (1992) hails about modern civil society was present in the self-concept of these activists. Such a “self-limiting” concept was important for two reasons. First, it mitigated to some extent the fears that CMDP would compete with the political parties. And next, it was a powerful story of magnanimity and public service at a time when every leader was deemed after money and power, and the popularity of the political parties, as perceived by activists, was historically low.

Finally and most importantly, limited protest video clips and news reports showed that these activists spoke a language of “citizen” like never before. I could acquire the full-text of the speech made by Dr. Mathura Shrestha. Dr. Shrestha addressed the people

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identified the CMDP with civil society, and then he precisely pointed to the “indigenous money” collected through street solicitation as one of the CMDP’s key attractions.

Similar stories were narrated to me by taxi drivers.

gathered at the mass meeting as “dear citizens,” a very uncharacteristic way of addressing people in mass meetings in Nepal<sup>10</sup>.

One enthusiastic Bishnu Sapkota, introducing himself as an *ordinary citizen* who had observed the mass meeting, went on a great length describing the event in the Kathmandu Post daily four days later. He wrote:

The civil society...which represents a large population of the country, knows what should be the political agenda for the party and the group is optimistic that the parties will incorporate their agenda. However, if the party leaderships remain status quoist, will the civil society sacrifice its agenda for the sake of parties? Until today, Krishna Pahadi, Devendra Raj Pandey and Mathura Shrestha, for example, are saying that they only mean to support the parties in their fight. Who will guarantee that people will wait long for the parties to incorporate the agenda? Sapkota thus nicely illustrated the mood of the time. He was suspicious that the political parties may not adopt the *agendas* advanced by the civil society which represented a “large population” of the country. Later on in the article, he went on to argue that “the parties are still trying to run against the currents.”

He approved radical factions and younger generations within the political parties. He thus claimed that Narahari Acharya and Gagan Thapa, two radicals in the Nepali Congress party, were more popular than Sushil Koirala and Shailaja Acharya, whom he

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<sup>10</sup> In Nepal, usual ways of addressing people gathered in a mass meeting is roughly equivalent to “Ladies and Gentlemen” (Upasthit Jana Samudaya), or if the meeting has been chaired by someone, a speaker begins with addressing the chairperson as Mr. or Mrs. Chairperson.

characterized as status quoists. Similarly, he claimed that Shankar Pokhrel and Pradip Gyawali, two radicals in the NCP- UML, were more popular than the establishment led by the party's general secretary. Sapkota claimed that the *older generations* feared that either the *younger generation* would take them over if they embraced the “forward moving agendas,” or some other political force would occupy their political space. He termed such a mindset as “pathetic.”

Sapkota stopped short of demanding a republic, but chided King Gyanendra for making a “semantically incomprehensible” statement: that “twenty-first century monarch cannot be the one who simply hears but does not speak.” He then equated civil society with younger generations, criticizing the political parties for “missing to comprehend the semantics of the younger generation leadership and the civil society.” He warned that the political parties that “they would be dumped in the cemetery of history very soon.” Finally, Sapkota claimed that Nepal stood at an unprecedented stage of transformation. He prophetically said,

This nation, it is sure now, will undergo a complete metamorphosis in the next few years to come...it is a historical opportunity to be a part and agent of this great transformation that is awaiting us. If the parties fear to lead this change, the change itself will lead the nation.

By now “change” has taken a human quality, as Sapkota argued “change itself will lead the nation.”

In August 2005, the country had thus witnessed a massive wave against the monarchical rule, often short-handed as “autocracy,” even if only a few demanded a republican state outright. Castigating the political parties and the King became almost

routine. In between the King and the political parties, new actors were imagined who would lead the upcoming massive transformation; these new actors were the newly popularized *citizens* that the media labeled “civil society.” In the words of a journalist, the mood was that “if you don’t participate in the civil society movement, you will be doomed forever.” Movement participation was considered as an “opportunity” to be part of massive historical transformation rather than a risk as RM and PP theories consider important while describing movement participation.

It should be noted that by now the concerns for international actors were largely gone, indicating that the earlier emphasis on international mobilization was giving way to internal mobilization. In fact, activists were particularly concerned about the “US designs” as US ambassador to Nepal, James Morariety frequently spoke against the Maoist and political party alliance, at times warning the political parties of “grave consequences.”

Finally, the Baneshwor meeting was crucial in other respects too<sup>11</sup>. It became the moment activists could judge the public mood. According to activists, the Baneshwor meeting also gave them clues about the growing radicalism among the masses. Thus began the journey of the CMDP toward radicalism. The media once again was upbeat about the program.

The first clear sign of radicalism could be seen in the impact of civil society mobilization on the Nepali Congress party. The party had been advocating a

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<sup>11</sup> In addition to the civil society actors, the Baneshwor meeting also signaled to the political parties that the people did not support the monarchy. In my interviews, several political party leaders remembered the enthusiasm the meeting generated.

constitutional monarchy as one of its “objectives” since 1956. In the wake of growing radicalism, the party was literally forced to remove constitutional monarchy as one of its founding principles in the 11th Party Convention in September 2005. Party leader Ram Chandra Paudel said that the party took the decision to remove the constitutional monarchy, “keeping in mind the view from civil society.” In the wake of the NC convention, Ananda Aditya, a columnist, wrote<sup>12</sup>:

“Constitutional monarchy is practically dead. It is no longer a burning issue... Those who continue to talk about it are either cowards, greedy or liars... It is clear that *the older generation* of both the parties [the NC and the NCP-UML] would like to stick to the hackneyed principle of constitutional monarchy whereas *the younger generation* is pressing for choosing democratic republicanism. ... After all said and done, it is for sure that the days of soft decisions are over. What we look forward to is the time of hard choices especially when a new Krishna (Pahadi) cult of republicanism is emerging on the horizon (emphasis added).”

Here Aditya compared the followers of CMDP leader Krishna Pahadi with the cult of [Hindu] Lord Krishna, the hero of the Hindu epic Geeta. Note also how he contrasts “older” and “younger” generations.

The parties thus increasingly felt pressed to radicalize themselves, and civil society activists became a force nobody could bypass. The Nepali Congress and the UML frequently invoked “civil society pressure” when they made major changes in party policies and ideologies. Civil society was invoked even in internal party disputes. On

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<sup>12</sup> The Kathmandu Post, August 29, 2005

December 20, 2005, Dinesh Wagle, a young pro-movement blogger and well-known journalist with Kantipur, wrote<sup>13</sup>:

Let NC [Nepali Congress] evolve into a truly democratic party. We should not have to keep on paying the price for our leader's incompetence. With due respect to GPK [Girija Prasad Koirala] we gave him a chance to serve us in the 1990s, he did not. Its time for him to bow out of politics, move to Kashi [a famous Hindu religious site in India] and wait to die naturally. I think its about time the civil society in Nepal ask GPK to step aside instead of being in an eternal "chakdibaaz" [sycophancy] mode. We deserve better, we can do better."

This journalist thus invoked "civil society," referring to CMDP, to ask one of the most powerful men in Nepal's politics to step down as the NC president.

### **Citizen Society Against Civil Society**

The CMDP appeared as a focal point that attracted activists from well-established non-governmental organizations including human rights organizations, user groups such as the community forest users' federation, and professional organizations such as the Nepal Bar Association and the Federation of the Nepali Journalists. In fact, the CMDP was an outgrowth of a series of activist meetings that had mobilized international forces. In addition, several "marginal" groups such as sexual minorities and people with disabilities worked closely with the CMDP. The CMDP, just like Solidarity in Poland in the 1980s, became synonymous with civil society in media discourse and the imagination

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<sup>13</sup> See <http://blog.com.np/2005/12/19/demanding-democracy-in-nepali-congress/III>

accessed July 2, 2009

of ordinary citizens. As I indicated above, with the change of the meeting venue and joining of young activists, the CMDP became much more radical than the NGOs and professional organizations, both of the latter groups waited for the signals from the political parties as they told me in interviews.

On the other hand, as I indicated above, these young activists had particular social and cultural capital. They were already in friendship networks with radical student leaders and marginal party leaders. Institutionally, they carried different imports than most professional NGOs and organizations. In addition, many of them were researchers and scholars. Their work focused on social, cultural, gender, and regional inequalities that had been raised by leftist parties, ethnic movements, and later powerfully by the Maoists. These activists had once been political party members, but they were sufficiently distanced themselves because of the “immoral” practices on the part of the major political parties.

After the Ratna Park protest was well-publicized, the success also caused debate within CMDP. The media had publicized the Ratna Park event as organized by “civil society” although Dr. Panday in his article in the Kantipur daily the day before the protest had used the language of “citizen” rather than “civil society,” reserving the citizen identity for spontaneous citizen groups like the CMDP and civil society for organized groups. Consequently, debate emerged over the meaning of civil society. At the heart of the debate were the same young generations and professional NGO activists.

CMDP leaders started receiving invitations from around the country. In the weeks following the Baneshwor meetings, civil society fervor seemed to have gripped the whole country. Whereas in the precious period (2001-2004), the civil society phenomenon—the

discourse and identity—was limited to the capital, in this phase “civil society” became a national phenomenon. One activist told me, they received phone calls from district headquarters and small towns saying, “we have formed our civil society; can you send a delegate to our mass meeting?” Krishna Pahadi, the most radical of the CMDP activists, was in high demand. In fact, the CMDP activists hardly could manage their time<sup>14</sup>. A huge number of people gathered wherever these activists participated. Particularly, Krishna Pahadi pulled the crowd in a large number<sup>15</sup>.

These young activists found friendship in leaders like Devendra Raj Panday, Krishna Pahadi, and Khagendra Sangroula. Krishna Pahadi in his 40s was a young leader, and both Panday and Sangroula had publicly expressed their faith in young leaders and younger generations. Next, these leaders had unique biographies, that is, they themselves had long been outside organizational politics and routines, a fact that allowed them to espouse unique organizational experiment based on equality. As I discussed in Chapter 4, Krishna Pahadi had long been espousing an egalitarian organizational life in his Human Rights and Peace Society (HUREPS). Thus, the key CMDP leaders embraced these young activists. The following text, which highlights the nature friendship between these older and younger generations, comes from my fieldnote:

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<sup>14</sup> According to activists, the CMDP did not spend a penny for travel and other expenses; the organizers were asked and supposed to bear all the expenses incurred during visits outside the capital.

<sup>15</sup> According to CMDP activists, Pahadi was often asked to speak at the end, as the audience often left the venue after listening to him.

I asked Khagendra Sangroula about the secret of his good health. In addition to a lot of vegetables, he said, I intermingle with young people; you might have seen me handshaking with every young man and woman I meet [he chuckles]! That's the secret of my good health! The more you associate with younger generations, the healthier and younger you would be!

These kinds of sentiments were not uncommon. I heard Devendra Panday making similar comments, expressing his faith in the younger generation. In one of his articles, Panday famously indicted his generation as “criminals” for not doing much good to the country. I also observed these senior public figures intermingling informally in a way uncharacteristic of the hierarchical Nepali society.

In addition, both Sangroula and Panday were well-known writers. These factors brought together Martin Chautari researchers and these activists. This younger generation fervor also partly explains attraction of student leaders to the CMDP. This love for and talk about younger generation was something the CMDP was different from most professional NGOs. In fact, in interviews, I never heard similar support to younger generations by NGO and professional organization activists even if many of them were young.

Like many others, these young activists believed that the political parties were unpopular and not ready to push the agendas of radical restructuring of the state and society, but they also believed that *existing* civil society groups such as NGOs and the professional organizations to a certain extent, could not—and did not want to—mobilize masses for radical democracy and that they were unwilling to go beyond the vaguely-defined demand of the “restoration of democracy.” Next, they were perceived to be too

close to the political parties and foreign powers which signified status quo. Consequently, the CMDP came to form a distinct group under the leadership of Dr. Devendra Raj Panday and Krishna Pahadi<sup>16</sup>. Whereas Panday was considered the chief “ideologue” of the group, Pahadi was a “crowd puller.”

A few core members, particularly the young members, in the CMDP increasingly expressed anti-NGO views, which at times led them to reject the very identity of civil society. I often heard CMDP activists making satirical references to civil society organizations in their meetings and informal gatherings. My interviews were often punctuated by satirical references to NGOs, calling them “the so-called civil society.” Next, there were those who partially accepted a civil society identity, but showed skepticism toward the usefulness of civil society discourse, practices, and identity. They often qualified their identity as a “different” civil society. Dr. Panday explained this idea this way:

“...Not everyone in the civil society agrees with what we think or do, nor are they expected to. We should note that the media often uses the term, *Nagarik Samaj* [civil society] casually, without always understanding or thinking about what it really means...

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<sup>16</sup> Dr. Mathura Shrestha, a medical doctor by training, a “leftist” human rights activist, and a former minister in the interim government in 1990, was named one of the three leaders of the group in the beginning, but he did not participate actively in the group later due to his ill-health and a few disagreements with the CMDP. Thus, the leadership went to Dr. Panday and Krishna Pahadi.

As Dr. Panday narrated, the CMDP was not quite happy about the way the media labeled them a civil society. Not that Dr. Panday and other CMDP activists did not like the idea of civil society, but they were wary of the *quality of civil society*. In their formal announcements and pamphlets distributed in the course of the movement, they rarely identified as a civil society group<sup>17</sup>. In fact, they claimed that they repeatedly asked the journalists not to label them a civil society group. To CMDP activists, the very name of the group—Citizens’ Movement for Democracy and Peace—quintessentially expressed their identity, visions, and activism. As the name of the group showed, mostly CMDP activists expressed their identities as *citizens* and *intellectuals*; especially the former was the most frequently used identity in the interviews. Within the broad categories of citizen and intellectuals, they often qualified themselves by adjectives such as “conscious,” “critical,” and “responsible” citizens. This was, in fact, the meaning of civil society whenever they characterized themselves as a civil society group: A collection of like-minded individuals on a noble mission—a Citizen Society.

While the orientation of this group was overwhelmingly inward in contrast to professional organizations and NGOs, a few referred to their class location, saying that “the rise of middle class intellectuals is a global phenomenon.”

Citizen discourse was not an entirely new phenomenon, however. People have been using it against the central authority since the fight against the Ranas in the 1940s and 1950s. For example, a Nagarik Adhikar Sangharsa Samiti (Citizen Rights Struggle

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<sup>17</sup> Whenever they organized programs with other organizations such as the FNJ, they used the language of civil society, but again it was the citizen discourse that dominated the social and political world of CMDP activists.

Committee) was formed in the 1940s to fight against the Rana regime (Joshi and Rose 1966). The Nepali Congress also used the language of citizen rights in its fight against the Rana rulers in the 1940s (Joshi and Rose 1966). Similarly, citizenship rights were encoded in legal books in 1956 (Shivakoti "Chintan" 2004).

Citizen identity and discourse probably eclipsed after the rise of the monarchy in 1960. As the monarchy assumed that the substance of the King was spread to all public spaces, no such identity outside the monarchy was required, recognized, and encouraged (Burghart 1994). The monarchical Panchayat regime asked for duties and obligations; it rarely spoke of rights. When King Gyanendra referred to citizens in his February 1 Proclamation, he represented them as in “need of protection” or having some “duty” for the nation beyond “personal” and “communal” interests.

Finally, the subjects of the developmental state, created through users groups, development NGOs, and human rights organizations, had significantly contributed to the growth of citizen rights discourse, as the Nepali NGOs from mid-1990s overwhelming used a “rights-based approach,” as advocated by UN agencies (cite). Hence the discourse of citizens employed by CMDP resonated well with the growing practices in a variety of fields in the 1990s.

CMDP’s concept of citizen(ship) was different from most of the practices cited above. The citizen was a highly politicized being in a two-way communication with both the state and society in contrast to NGOs which often targeted the state, i.e. the Royal regime. To be politicized meant here self-realization, influencing simultaneously the destiny of the state and society. In short, it was a radical break from clientalism promoted by the monarchy, NGOs, and the political parties. This formation was a Citizen Society.

PP (Political Process) theory, drawing on a rational model of decision making, expects activists to adapt strategies to political constraints and opportunities on the basis of a cost-benefit calculus. Hence, they expect activists to use the *most efficient* means available. There is nothing obvious about what strategies will be the most effective in a given situation, however (Armstrong and Bernstein 2008). Critics have pointed out that activists choose options that conform to “who we are” (Polletta and Jasper 2001).

Citizen discourse and identity allowed these young activists to frame issues and imagine their roles in their own ways. Internally, citizen discourse signified radical equality that resulted in their “loose organization” in which these young activists could participate in the decision making process in otherwise Nepal’s hierarchical society that values age-based experience. According to young members, they sought to break with the King’s *hierarchical* regime, but they also wanted to experience equality at the very meeting venues. Young activists related to me several “feudal practices” among some leaders even inside prison. Four years later one young member still remembered what went inside prison:

In police custody, we were discussing national issues. One senior member [...] suddenly said, “you are too young.” He meant I could not participate in discussions as a full *citizen* in internal debates. This is the same type of regime we had been fighting to abolish...these feudal practices.

In fact, a major debate with NGOs was related to organizational form. One NGO activist told me that “we wanted to make decision making process a little *organized*, but they [CMDP] did not want so.”

I argued above that the form of identity and discourse is partially determined by the political field, particularly the nature of the opponent. Citizen discourse allowed these activists to take on the authoritarian monarchy head on. King's *praja* (subjects) were contrasted with *nagarik* (citizen). Their aim was not Prajatantra [subject's democracy] because the King too was speaking the same language of Prajatantra. According to the activists, *praja* appeared to be subservient to the authority of the monarchy with full of obligations, but without rights, to nation, symbolized by the monarchy.

As inclusiveness and the restructuring of the state and society became buzz words, these activists re-signified democracy by adopting *Lokatantra* (commoner's democracy), a new term for democracy, in the place of *Prajatantra*, which had been in use for more than five decades<sup>18</sup>. By grafting inclusive, rural-connoting Lokatantra with "modern"

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<sup>18</sup> A few columnists and most notably Nepali Congress leader Narahari Acharya and Professor Lok Raj Baral had been using Lokatantra in their writings since the late 1990s, but the term did not gain widespread currency until the CMDP adopted it in its name. In the beginning, pro-NC columnists used Lokatantra to contest the meaning of democracy with both the Royal Palace and the Maoists. Around 2004, Lokatantra also appeared in the writing of the Maoists. The term started gaining a radical meaning in the course of the Second People's Movement. The use of Lokatantra became so widespread that the older term, Prajatantra, virtually disappeared among opposition activists. Monarchist newspapers and scholars viewed the widespread use of Lokatantra as "imported" from India (see Shah 2008).

citizen discourse, these activists imagined the project of inclusiveness<sup>19</sup>. At the same time, they rejected the King's peace project. The King in his proclamation had prioritized "peace" over democracy, but the CMDP put democracy (Lokatantra) first and peace second. Hence Lokatantra and nagarik discourses sit together that would signify radical democracy which would reconfigure both the state and society.

Anthropologist Victor Turner's (1974) notion of the "condensation symbol" and "communitas" perhaps best describes such symbolism and practices. These symbols operate by bringing together an otherwise disparate set of meanings; they condense many references, unifying them in a single "cognitive and affective field." Such symbols are characteristics of publics, transcending social differences, moving in a "communitarian" relation, and orienting activists to act in particular ways (Emirbayer and Sheller 1998; Mische 2007). To be citizen in Lokatantra in short was to fashion a new way of being; a new relation with the state, society, and each other; and a new mode of action.

As a cultural category, to speak of citizen was to evoke some deeply felt emotions, hopes, and perhaps fantasies. On the one hand, citizen constantly reminded of the existence of the undesirable, the King, professional NGOs, and the political parties. As such, it generated feelings of hostility and perhaps vulnerability. Yet the idea of citizen also showed a new order and new hopes. It made possible for these activists to imagine

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<sup>19</sup> According to CMDP activists, many activists, particularly those who were NGO members and close to the political parties, objected to using Lokatantra. Many in the CMDP wanted Ganatantra or republic right way. These activists debated the meaning of Lokatantra, but, according to activists the effort to reach a consensus was abandoned, deliberately keeping the meaning of Lokatantra vague.

that a powerful force for *good* stood in the face of equally powerful *evil*. Citizen, in other words, managed simultaneously to denote both the dangerous Other and the means to tame that Other.

### **The Media, NGOs, and CMDP**

Even though the CMDP tried to keep a distance from the NGOs, the political parties, and the monarchy, others viewed it in their own ways depending on their own field dynamics, conceptions, and strategies. Given that CMDP had relatively low organizational resources, the puzzle remains why it received so disproportionate attention from the media. This is explainable in terms of the political field and biographical capital.

The two CMDP leaders—Krishna Pahadi and Dr. Devendra Raj Panday—had biographical capital that was compelling. Hence, they stood as good candidates for the journalists to promote as new heroes. Furthermore, journalists, many of whom were already in the CMDP network, too, perceived that mass mobilization would not be possible through the political parties and NGOs. Devendra Raj Panday and Krishna Pahadi both had a non-communist background; actually both of them had been close to the Nepali Congress party. Dr. Panday, 72, a US-trained development economist, was a former finance minister and founder of several non-government organizations including the famed Nepal Human Rights Organization in 1989. In 1980, he abruptly resigned from the post of finance secretary, an action that earned him much of his current fame. He was active in several transnational organizations including the Transparency International, an organization closely linked to the local journalists. Author of several books, including the much-talked about *Nepal's Failed Development (1999)*, Dr. Panday, a publicly declared

“social democrat,” stood as a perfect candidate, as the media and society in general desperately sought new heroes.

Krishna Pahadi had been a well-known human rights activist and was one of the founders of the Amnesty International branches during the Panchayat regime in the late 1980s. He was also one of the founders of the Nepal Human Rights Organization in 1988. Subsequently, he established the Human Rights and Peace Society in 2000 (also discussed in chapter 4). After two year, the Peace Society declared that it would not take foreign money, and that it would focus on popular mobilization rather than press releases. In addition, probably it is one of the few NGOs that tried to run its organization on the basis of membership dues. He subsequently abandoned the membership of the Nepali Congress Party to be “politically neutral.” He was one of the rare non-Maoist public figures who rallied for a republic even before King’s takeover in 2005. Newspaper reports showed that the media had already created something of a mystery around his persona. The mystery surrounded his unmarried status, his yellow-clad and bearded public appearances, his interest in spiritualism, and even his capacity to foresee future events “correctly<sup>20</sup>”. In addition, he was a well-known public orator. Pahadi had shown his *bravery* by demonstrating immediately after the Royal coup. One activist told me that in several places people considered Pahadi as a future (first) president of Nepal. In fact, a story circulated widely which claimed that Pahadi’s birth chart clearly said that he would be the first president of Nepal. These stories greatly helped generate an aura of mystery.

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<sup>20</sup> Activists narrated to me several events including weather forecasts that Pahadi “correctly predicted.”

A great majority of journalists, especially those in large private media houses, are embedded in ideological and social networks with the Nepali Congress party; NGOs, on the other hand, were largely close to the NC's rival, CPN-UML<sup>21</sup>. Biographical capital together with journalists' political sensibilities made Pahadi and Panday well-suited to promote as new heroes.

These two activists, particularly Pahadi, became celebrities in the course of the movement. Yet another new term was widely used to designate these leaders of the group. They were labeled *Aguwas* in Nepali. An Aguwa perhaps can be better described as a forerunner rather than a leader. *Aguwa* in Nepal also connotes a rural or "traditional" meaning; an Aguwa shows the path to a new territory; he (almost always he) is thus a knowledgeable person in whom people can trust to get them out of a mess. The political leaders, on the other hand, were addressed as usual *netas* (leaders) in Nepali.

In my interviews, senior editors who had attended the CMDP meetings defined civil society as a group of citizens coming together for specific purposes. The Nepali use of the term also facilitated this process. One senior editor, for example, immediately associated *nagarik* (citizen) with *nagarik samaj* (civil society). This concept of civil society was not very different from the one advanced by the CMDP. This view of civil society resonated with anti-NGO views of largely pro-NC journalists. The citizen(ship) discourse thus found a powerful expression in the course of the People's Movement II through the CMDP. It was thus through grafting citizen(ship) discourse onto civil society,

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<sup>21</sup> The Federation of the Nepalese of Journalists (FNJ) is generally dominated by pro-NC journalists.

and moving away from civil society organizations or NGOs, that the civil society became a powerful narrative in the course of the movement.

### **Performing Citizen Society: Conflict and Pragmatism Within the Civil Society Movement**

As the movement progressed, a few CMDP core members, particularly younger generations, became increasingly vociferous in arguing against “going NGO ways” that represented status quo, timidity, and lack of autonomy. The labeling of the CMDP as civil society had several consequences, however. Other groups who had been the original claimants of civil society, that is, NGOs, became unhappy. “Ask the Kantipur daily for who represents civil society in Nepal,” more than one NGO activists told me grudgingly. Similarly, media’s labeling of Dr. Panday and Krishna Pahadi as the “leaders of civil society” provoked strong reactions among other civil society groups<sup>22</sup>.

In fact, their wrath was not unfounded as the CMDP was ably assisted by student unions or other groups who were aligned to the political parties. For NGO activists, to claim that civil society mobilized the ordinary citizens was a “hyperbole.” They believed that it was the political parties which had mobilized the masses, and the civil society groups’ role was limited to international mobilization for human rights. In addition, they claimed that NGOs contributed greatly to CMDP programs. Irrespective of these claims

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<sup>22</sup> Both Panday and Pahadi seemed to be aware of this media labeling. In one of the public meetings at Martin Chautari in July 2009, Pahadi asked the journalists who were present in the program to consider the fact that the “the CMDP was only the part of the civil society.” He said that “friends” had become furious over the media’s labeling them as “leaders of civil society.”

and counter-claims, the fact is that citizen society [as civil society] gradually replaced the traditional notion of NGOs as the civil society program.

This distinction actually found its way into public performances. With the growing radicalism and anti-organizational rhetoric of CMDP activists, many NGO activists who had joined the group in its early days eventually quit it and formed separate groups. A well-known NGO activist, who was present in one of the early meetings, told me that he once heard a young woman activist yelling, “NGOs Out.” He later withdrew from the group. One young CMDP member, similarly, told me that once one well-known NGO leader was proposed as a speaker for an upcoming mass meeting. Sensing that senior members might agree to his proposal, one of the young members interrupted and outright rejected the proposal; other young members joined the chorus<sup>23</sup>. His name was removed from the list of speakers.

In addition, the growing popularity of the CMDP raised the question of political ideologies. Both the central leaders of the CMDP—Devendra Raj Panday and Krishna Pahadi— had become media celebrities and were perceived to be close to pro-Nepali Congress<sup>24</sup>. As I described in chapter 3, most well-known advocacy NGOs had been

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<sup>23</sup> In fact, one of the key differences between NGO and CMDP leaders was the orientation toward younger generations. Many CMDP key leaders did not have their active NGO and they actively courted young members in a way the NGO leaders did not. NGO activists, on the other hand, wanted to be “more organized.” Obviously, any move toward this direction would have excluded many young activists.

<sup>24</sup> An International Crisis Group report (2005) also mentioned political conflict based on political ideologies.

close to the CPN-UML. The NGO activists felt that the NGOs—and along with them the UML party—were being shadowed. A senior human rights activist who worked closely with the NGO group told me that there was growing concern among NGO activists that the pro-NC people had received too much undue attention from the media at the cost of the “progressives.” He cited Krishna Pahadi as an example of the growing NC influence. At other times, there were concerns that the CMDP was going too radical, the Maoist way. NGOs and professional organizations were largely concerned with civil and political rights; a republican state, which had become the trademark of the CMDP, hardly featured in their formal statements and news reports. The issue of the monarchy was rhetoric for NGOs and professional organizations, but for the CMDP, it was their mission.

NGO activists told me that they hardly spoke the language of republicanism (and radical restructuring of the state and society) in informal meetings the way the CMDP did; the major concerns, as activists narrated to me and their formal statements showed, was the “safety of human rights defenders.” Similarly, professional organizations largely followed the safe line, following the political party agendas<sup>25</sup>. A UML student leader who was closely associated with the CMDP told me that the party at times asked its students

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<sup>25</sup> Professional organization leaders clearly told me that they could not cross the “certain boundary” because they were “legal bodies,” and that they were a “common platform” in which even monarchists could play their roles. A senior NGO activist expressed similar views. He told me that “even monarchists” had participated in the protests through the NGO Federation. As they represented diverse interests including those of the monarchists, the NGOs and professional organizations hardly could be radical, the way the CMDP became.

to be “cautious” of the CMDP agendas. In interviews, NGO activists showed their displeasure at the way the political parties were being “treated” (for example, at the Baneshwor meeting described above). One human rights activist told me that the CMDP core members often *abused* political parties “lowly” and that he reminded them of the *importance* of the political parties. Ultimately, NGOs and the CMDP started parting their ways.

The conflict reached its zenith on December 10, 2005, UN human rights day. Nepal’s human rights activists celebrate UN human rights day every year with much fanfare. The day in 2005 was doubly important in the context of King Gyanendra’s takeover and the curtailment of civil and political rights. The activists felt compelled to show a united face to the Royal regime, international actors, and of course, to the Nepali citizens in general. Mindful of these needs, the CMDP and NGO activists sat down for talks. They agreed, in principle, that they should organize a single program. According to one NGO activist, the CMDP activists then insisted that nobody should use organizational banners and “flaunt their organizations.” The NGO activists rejected the proposal. Ultimately, they held two separate programs. The NGOs, users’ groups, and professional organizations participated in a human rights procession with their organizational banners and placards. The CMDP activists, on the other hand, organized a street demonstration in a banned area in downtown Kathmandu. Within a few weeks of the formation of the CMDP, the opposition movement thus saw two groups of civil society—one premised on the logic of *citizens* and the other *organizations*.

The CMDP and NGOs went on to organize their separate programs without inviting activists from the rival group. But the third parties often bridged the gap. Many

programs, for example, were organized by third parties such as the FNJ and the NBA. In addition, several new groups, which bore civil society in their names, sprang up in urban areas and small towns throughout the country<sup>26</sup>. In such civil society programs, leaders from both the groups were often invited, and they participated. Next, the older generation leaders in the CMDP, unlike their radical younger peers, often took pragmatic views. Both Krishna Pahadi and Devendra Raj Panday were closely linked with the human rights movement in the 1980s, and they had friendship circles in the human rights community. They thus could easily navigate among different groups. Moreover, the common enemy—the “autocracy”— offered them a cause that helped them bridge ideological and other differences.

### **Civil Society Movement, the Political Parties, and Second People’s Movement**

Despite differences, NGOs and the CMDP continued their protests. According to Subodh Pyakuryal, the INSEC and other human rights organizations organized at least 17 protest programs all over the country. Similarly, the CMDP organized 9 big protest events in Kathmandu, and the CMDP activists participated in at least 22 programs outside the Kathmandu valley; most of the programs in which the CMDP leaders attended outside the

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<sup>26</sup> A limited number of brochures which I could collect indicated that the local chapters of the Federation of the Nepalese Journalists were the major organizers of these programs. These brochures often claimed that the meetings were organized by “citizen campaigns,” “citizen campaigns for democracy and peace,” or “civil society networks for democracy and peace.”

Kathmandu valleys were organized by third parties. After sustained activism for several months, civil society activists created an environment for the alliance between the Maoists and seven party alliances. Even though “dialogue” had been a permanent feature of the insurgency ever since it began in 1996, in the context of the Royal coup, the dialogue became meaningful like never before. Instead, these activists continued to meet the Maoists and the political parties asking them to form an alliance against the monarchical rule.

On September 3, 2005, the Maoists, under pressure from civil society activists, declared a three-month unilateral ceasefire primarily to woo opposition political parties and shame the Royal government. The government did not reciprocate. The Nepal Bar Association and other activists, however, quickly established a “Citizen’s ceasefire monitoring committee.” The committee thus validated the Maoist move in the face of the hostile Royal regime.

Finally on November 22, 2005, the SPA and the Maoists inked a “12-point agreement” in New Delhi, India<sup>27</sup>. The agreement included an end to the “autocratic

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<sup>27</sup> The signing of the agreement in New Delhi created another contentious issue; this issue is likely to remain so for decades to come just like the one signed in 1950 has remained a hot issue in contemporary Nepal. In May 2007, Indian foreign secretary Pranav Mukharji claimed that India had played an active role in bringing together the Maoists and the SPA. The Maoists deny an active Indian role. Several activists were involved in the drafting of the agreement. They told me that the agreement was not prepared by Indians as claimed by monarchists and nationalists, but that India turned a blind eye to the Maoists is obvious.

monarchy,” reinstatement of the parliament, and election to Constituent Assembly under the UN or a credible international body for arm monitoring of Maoists and RNA and to ensure free and fair CA election. Other provisions included CPN-M accepting multiparty democracy, returning *unjustifiably* seized lands and properties, respecting human rights and freedom of press, boycotting the Municipal and the Parliamentary Polls set by the Royal regime, and launching a people’s movement. Civil society members were party to the signing of the accord. Several civil society activists including lawyers were involved in the drafting of the agreement. All civil society groups immediately welcomed the agreement. They organized several programs following the agreement to promote it.

In January 2006 ahead of local elections announced by the King and the annual anniversary of the King’s coup, Krishna Pahadi and DR Panday were arrested by the authorities and the leadership went to Dr Mahesh Maskey and Prof. Krishna Khanal. Unlike Pahadi and Panday, who had severed their formal links with the political parties, both of these new leaders were political party members. Khanal was a member of the Nepali Congress and Maskey an advisor to the Nepal Communist Party-Unity Center, the party which ultimately coalesced with the Maoist party in early 2009.

Once the leadership went to these activists well-embedded in social and ideological networks of the existing parties, the CMDP adopted a “global” approach and consequently a large number of activists re-joined the group. These activists included Dr Sundar Mani Dixit, Padma Ratna Tuladhar, Daman Dhungana, and Nilambar Acharya.

The political parties started gaining public support following the agreement with the Maoists. They organized several mass meetings throughout the country in which millions participated. The media too became interested in the Maoists and political parties

rather than the civil society groups. It seemed the media had lost much of its interest in the civil society movement; this trend intensified in the post-Second People's Movement period which is out of the scope of this dissertation.

Human rights organizations and professional organizations were largely confined to seminars and workshops. All eyes were fixed on the beginning of the people movement, now widely termed the People's Movement II or the Second People's Movement.

Finally the much-awaited day arrived. It was April 5, 2005. The People's Movement II—also called the April Movement, the April Uprising, or the April Revolution—was formally launched by the Seven Party Alliance (SPA) and the Maoists. They began by declaring a four days long strike. The day was chosen Chaitra 24 (April 5) in the Nepali calendar, the same day thousands of protesters had marched toward the Royal place and over four dozens were killed when the army opened fire on the peaceful protestors in the 1990 movement. The Maoists had been celebrating this day as a people's power day ever since. Government arrested several thousand politicians and activists. Most radical of the civil society activists such as Krishna Pahadi were already imprisoned.

Civil society activists associated with the CMDP chose to break the curfew orders imposed by the Royal government. About two dozen activists gathered at Tribhuvan University Teaching Hospital in Maharajganj, Kathmandu, on the day. As these activists came out into the streets defying curfew orders, they were promptly arrested and imprisoned until the King surrendered to the political parties on April 24. These activists believed that their curfew-breaking inspired ordinary citizens to do the same. Curfew-

breaking had, however, already become part of the “repertoires of contention” for the past three years (Tilly 1998); in fact, newspaper reports showed that the people had been already defying the curfew order in other places around the country and Kathmandu valley. But this event gave a huge morale to the protesters, as FM radio stations and TV stations repeatedly broadcast the news. According to activists, all media houses were duly informed about the curfew-breaking program.

Over the course of the 19 day long protest, millions of ordinary citizens participated in the movement. The government failed to impose curfew orders anywhere in the country. On April 13, 2006, a group of lawyers and human right activists took to the street. Police opened fire at the protestors. Four lawyers sustained bullet injuries and several others were critically injured. The police detained 72 lawyers from the site. This event was widely publicized all over the world<sup>28</sup>. In yet another unprecedented event, the Nepal Bar Association on April 28, 2005, published a front page *advertisement* in Kantipur daily, asking people to send evidence of human rights violation. The advertisement said that the names and addresses of the security forces found guilty in human rights violation *would be sent to the United Nations* and would be tried “*according to international law*”<sup>29</sup>.

For several days, an estimated half-million people encircled the “ring road” surrounding the city core. At times protestors threatened to storm the Royal Palace.

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<sup>28</sup> In interviews, lawyers were upbeat about this protest, underscoring their power to draw global attention.

<sup>29</sup> According to one lawyer, the major purpose was to remind the security forces that if they suppressed protestors, they may not qualify for UN peace keeping missions.

King's statues constructed all over the country were vandalized. Streets and corners, named after the King and Royal family members all over the country over the past five decades, were re-named "Lokatantra" and "martyr" streets or corners<sup>30</sup>. About two dozen people were killed and several hundred seriously injured by security forces nationwide. The Nepali state collapsed as security forces could not contain the masses. Video clips, captured through digital cameras and camcorders, the latest fads among the Kathmandu middle and upper classes, showed that the army trained guns at the protestors, but in the end, they retracted everywhere.

Karan Singh, a high level delegate from the Indian government, arrived in Kathmandu on the 19<sup>th</sup> of April to negotiate between the political parties and the Royal Palace<sup>31</sup>. When the King offered limited concession to the party on April 21, civil society activists issued scathing statements warning the political parties not to accept the King's offer and asking international actors not to meddle in the process<sup>32</sup>. The statement was

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<sup>30</sup> This renaming process too was a nationwide phenomenon. I visited western Nepal in September and December 2008. I was awestruck to see martyr and Lokatantra Chowks (Corners) everywhere. Some restaurants in the western town of Pokhara offered "Lokatantra" and "inclusive" menus. I saw a "Lokatantra fashion store" in western town of Surkhet.

<sup>31</sup> Singh was a relative of King Gyanendra. Nepal's aristocrats regularly enter into marital relations with the families of former Indian Kings.

<sup>32</sup> In his address, King Gyanendra had simply asked the seven party alliances to form a new government without referencing to other demands including the Constituent Assembly and international mediation.

widely disseminated by both national and international media<sup>33</sup>. Consequently, thousands of protestors went to encircle the residence of former PM GP Koirala, asking him not to enter into any agreement with the King. On April 24, the US embassy, in an unprecedented move, ordered its mission family members, US employees, and citizens to leave the country as soon as possible; the US ambassador, by now, one of the most criticized persons in Nepal, invoked the Iranian Revolution to justify his decision. Finally, the King surrendered to the political parties on April 24, 2006, promising that he would accept the “roadmap” offered by the political parties. He reinstated the dissolved Parliament, one of the major demands of the political parties.

Even if the King surrendered to the political parties, there was no one to celebrate the “victory,” according to one civil society activist. People gathered spontaneously at the Open Theater, now re-named as Martyr Theater, the historic place where the celebrations had taken place following the success of the 1990 movement, expecting a mass celebration. Activists told me that they quickly arranged the program inviting civil society leaders and a few radical party leaders. The political parties probably feared that a mass meeting close to the Palace could be too dangerous as the masses had gone wild dismantling anything associated with the monarchy and the Palace. Among those who spoke on the occasion were Gagan Thapa, the radical student leader from the NC and Krishna Pahadi of the CMDP. Pahadi asked the political parties to immediately declare elections for the Constituent Assembly, according to news reports<sup>34</sup>.

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<sup>33</sup> These activists had “smuggled” a laptop and mobile phones into “prison” at Duwakot, Bhaktapur. They even wrote a daily blog for a while.

<sup>34</sup> The Kathmandu Post, April 25, 2006

Two days later a formal victory rally was organized by the SPA leaders at the same place. Ironically, according to one activist, the civil society leaders were not invited to speak on the occasion. The Nepali Congress leader GP Koirala could not attend the mass meeting because of his ill-health. As the message was being read out by one of the senior NC leaders, the angry crowd started pelting stones. The crowds demanded that GP Koirala, the new Prime Minister, take oath of office at a open space “from the people,” not from the King<sup>35</sup>. As the crowd went unruly, Arjun Parajuli, the famous CMDP poet, stood up and asked the crowd to placate. About 4 years later the poet was featured by English daily My Republica in its “tracking heroes” series; Parajuli narrated his “most memorial event in his life” this way<sup>36</sup>:

The crowd went berserk after Sushil Koirala informed that Girija Prasad Koirala was not attending. Water bottles came flying from the crowd and landed on the podium. Political leaders, artistes, and civil society leaders tried their best to clam the crowd down, but to no avail. Finally they invited me to recite my poems. As I recited, calm gradually descended and soon the crowd was cheerful enough...

### **Narratives of Movement Participation**

Narratives have been described as powerful means through which social movement actors mobilize masses and risk their lives (Polletta 2006; Somers 1994). In

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<sup>35</sup> GP Koirala eventually took oath of office from the King in the Royal Palace, but several rules were violated in the subsequent oath taking ceremonies.

<sup>36</sup> My Republica, July 20, 2009

this section, I describe how activists created powerful narratives, identifying heroes and villains and creating narratives of linear progress—from powerlessness to power.

For most of these activists, the model of the movement came from the 1990 movement. Most of them had the active memory of the 1990 movement still afresh in their minds. The 1990 movement, however, was re-signified in contradictory ways. First and foremost, many believed that they were the *real* hero of the 1990 movement. “Look, the 1990 movement had almost died until we started protesting against the Panchayat regime” was one of the most common stories narrated to me by students, journalists, professors, lawyers, writers, and artists. Here is a note from my fieldnote:

Last evening I raised the issue of 1990 mobilization with CMDP activists including Khagendra Sangroula. I told them that the doctors and professors claimed that they were the ones who *really* helped mobilize the masses. Upon hearing my comment, Khagendra Sangroula chuckled and told me that until then he thought “it was the writers who had rescued the dying movement.” I then raised the issue of students. I believed that it was the killing of a student in eastern Nepal, the region where I come from, that really had given impetus to the 1990 movement. Upon hearing my comment, another activist who came from western Nepal said that he had believed that it was the death of another student in his home town of Pokhara that he thought that had *really* helped the 1990 movement. Every group seemed to think that they were, depending upon their group affiliation, the real protagonists of the 1990 movement.

Such re-imagination of the 1990 movement frequently appeared in my interviews, and it was frequently mentioned in activist writings even if many wanted to go “beyond the 1990 movement.”

Resource mobilization and Political Process theorists, drawing on Olson’s problem of collective action, assume people would not contribute to the public goods unless “selective incentives” are offered. Others have countered this argument, arguing that people contribute to the movement for varied reasons: if I do not contribute, others will not do (Ferree 1992). Narrative imagination helped these activists generate such commitments.

If most of the activists thought that they were the real heroes in the 1990 movement, surprisingly, others believed that they had contributed less to the 1990 movement, and the yet-to-be-named impending movement was an *opportunity* for making up for that deficiency. A few artists, for example, narrated this logic. One fine artist who was a student in a local fine art college in 1990 said, “in 1990 when everyone was in the streets, our fine art college ran its business as usual. In fact, students felt embarrassed participating in political activities, since we were thought to be beyond politics. The People’s Movement II was an opportunity for us to get rid of that stigma.” Thus they thought not to participate in the movement was a type of “stigma.” People with disability and sexual minority groups advanced similar logic. Similarly, one ethnic activist said that ethnic groups wanted to remove *misconception* that they supported the King, and that they did not play active roles in the 1990 movement. One young man who was 13 years old in the 1990 movement said: “I felt the urge to participate in the 2006 movement since I could not do in the 1990 movement because of my age.”

History was re-conceptualized creating powerful stories. The 1990 movement, which had been known as People's Movement, was renamed as "People's Movement I" and the one in 2005-06 became "People's movement II." A progressive narrative of Nepal's recent history appeared in this way: Raj-tanra (King's rule, up to 1990), Praja-tantra (subjects' democracy, 1990-2005), and Loka-tantra (commoners' democracy since 2006)<sup>37</sup>. This historical progression—"from darkness to light" and "from powerlessness to power" generated powerful logic to participate in the movement.

In contrast to the political party leaders who wanted the "restoration of democracy" or the "achievements of the 1990 movement," these activists wanted to go "beyond the 1990 movement" even if nobody was sure about how far they could really travel. Devendra Raj Panday in an article one day before the famous Ratna Park protest (discussed above) wrote<sup>38</sup>:

Agitating political party leaders say, "this movement is a conflict between *modernity and feudalism*." Maybe they are right, but only if we could properly understand the meaning of modernity. But everyone should understand that you cannot enter a modern age while placing one of your feet at feudalism. The movement cannot be energized with those kinds of slogans...for that to happen, we should start *dreaming about Nepal without the monarchy*. Modern Nepal can

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<sup>37</sup> Following the declaration of republic in May 2008, yet another category appeared—Lok-tantrik Gana-tantra (a somehow odd literal translation would be commoners' democratic republic).

<sup>38</sup> Kantipur, July 23, 2005

survive without a King, but we cannot have a stable state, a nation, without prosperous [sammunat] people (emphasis added).

Dr Panday here supports the contention that the movement is the *struggle* between “feudalism” and “modernity.” He saw the resolution of the epic drama in a “dream” about a Nepal without the monarchy. Such progressive narratives full of conflicts between good and evil were present in interviews as well as newspaper articles written by these activists.

“See, what the Royal Palace had been doing since 1950” was thus one of the characteristic statements from these activists. Since the Royal Palace had repeatedly *intervened* in the country’s democratic politics since 1950, activists told me that they participated in a “final” struggle so that the people *did not need to come out onto the streets repeatedly*. A narrative of a “final struggle” (against the King) and a “life time opportunity” to participate in a mammoth political change seem to have gradually gripped the whole nation. Not surprisingly, a widespread discourse of *New Nepal* also started appearing at around this time. With such a mission, civil society activists went to the streets.

## **Summary**

Civil society theories emphasize the autonomy of civil society from the state and market. But I offered a complex picture of civil society activism here. I argued that sustained international mobilization and other developments in the first half of 2005 provided the context for popular mobilization. The Maoists were in touch with the civil society groups and activists; the political parties, particularly their student wings, had

actively cooperated with them. The media played the crucial roles in popularizing civil society activists. These activists had biographical capital on which the media could build on. The CMDP mobilized the masses invoking a citizen discourse and identity that was directed against the practices against the King, NGOs, and the political parties. Their commitment for human rights that came directly from their involvement in the human rights field led them to use a strategy of non-violence that was in part constructed against the Maoists. Clearly, the nature of the political field and ideological and social networks of activists describes well how and why the CMDP adopted strategies the way they did. These activists radicalized political discourse so as to give a firm base on which the political parties could speak a language of change and enter into a peace agreement with the Maoists.

After the King surrendered to the political parties, the Maoists came into the open. Consequently, civil society activists found themselves in a very new and difficult situation. This period is out of the scope of this dissertation, but in my conclusion section, I will briefly describe the post-Second People's Movement period.

## CHAPTER 8

### CONCLUSION

In this dissertation, I posed the question of how and why civil society activism took different forms and characters at different historical periods in Nepal's recent political history. I answered this question by examining forms and contents of civil society activism in Nepal in three historical periods—1990-2000, 2001-2004 and 2005-2006. I investigated three major groups of civil society—NGOs, Professional Organizations, and Citizen Groups in these three periods. In this section, I summarize my main contributions to the sociological study of civil society and social movements. At the end, I present an epilogue, highlighting major political transformations Nepal has witnessed in the period following the Second People's Movement in 2005 and 2006.

#### **Civil Society: Autonomy, Organization, and Social Movement**

Social scientists neglected politics outside formal institutions for a long time for a variety of reasons. The state and market had long been thought to be the only *real* protagonists of social life (Smilde 2010; Somers 1995a, 1995b). Subsequently, these two protagonists received disproportionate attention from social scientists, from both liberal and “traditional” Marxist theorists. It was only after “civil society” surprised the world in East European countries and Latin America in the 1980s that the social life outside the market and the state institutions started receiving serious attention.

In liberal theories, civil society is often regarded as good in itself. Some equate civil society with the market; others view associational life as key to democratic life. Consequently, many liberal theories advanced the notions of the “autonomy” of civil society and “civil society against the state.” In Marxist theories, two perspectives about civil society stand out. First, strategies of powerful global actors or local dominant classes are often presented as overpowering, and second, professionalism, on the part of civil society organizations, is often considered a hindrance to popular mobilization and democratization.

My examination of the three phases of Nepal’s tumultuous history clearly shows a more complex picture than these theories have suggested. First, the purported “autonomy of civil society” and “civil society against the state” are exaggerated, if not, non-existent. First, in each phase I examined, actors were linked to myriads of other actors in complex and contradictory ways. Second, drawing on feminist and post-structural theories (Franceschet 2003; Park and Richards 2007; Pringle and Watson 1998; Richards 2004), I argued that the abstraction of the “state” itself needs to be rethought. In each stage I examined, I showed that state institutions often worked at cross purposes, and new institutions became prominent unexpectedly. Shifting and variable relations among concrete actors and their varying strategies thus best describe both the forms and contents of actually existing civil society.

My study showed that global forces or professional organizations do not fully determine the nature of actually existing civil society. First, global actors, like the state, are not unitary, as shown in my empirical chapters. Professional organizations, on the other hand, can, under certain conditions, change the forms and contents of their

activism. In fact, I showed that the form and content of NGO activism became radical precisely during the period (2001-2004) when foreign aid had dramatically increased. This is something that cannot be predicted by dominant interest theories. Instead, I sought answers in different strategies that political actors had deployed and the nature of the political field, particularly the characteristics of the targets that Nepal's NGOs respond to. The same professional organization (and international actors themselves) thus behaved very differently in the three historical periods I examined. My argument is that the forms and contents of civil society activism cannot be determined by theoretical and normative fiat about how civil society *should* behave.

Putnam's narrow description of "social capital" and his failure to consider macro institutional actors has been rightly criticized, but his work perhaps is not terribly out of place given that he focuses on a highly institutionalized environment of Western liberal democracy. Similarly, if we place the "autonomy of civil society" and "civil society against the state" in a proper relational context, these concepts too do not appear out of place. These concepts, in part, emerged and became popular in the contexts of struggles in Latin America and Eastern European countries. Problems arise only when these particular experiences are taken out of context and treated as *essentialized* categories.

In short, I argued that the field of civil society is simultaneously shaped by a plurality of relational fields, historical narratives, and the types of problems that actors face at particular moments in history. The fields operate according to their own particular logic, overlapping and intersecting with the other fields in ways that can only be disentangled through an empirical study (Emirbayer 1997; Emirbayer and Goodwin

1994; Emirbayer and Sheller 1998; Mische 2007; Powell and DiMaggio 1991; Smilde 2010).

### **Social Movements: Rethinking the State and Activists**

As is the case with civil society theories, I argued that we need to focus on concrete relations. I found the Political Process theory helpful, but I also found that key concepts such as the state, political opportunities, strategies, and actors are more complex than the Process theory has conceptualized. I argued, drawing on post-structuralist and feminist theories, that the state and the actor should *not* be viewed in essentialist ways. The state is composed of institutions and actors that often work at cross purposes. Depending on the nature of struggle and the strategies that actors deploy, both the nature of the state and the interests and identities of actors can change in unpredictable ways.

We then need to attend closely to the types of actors involved in the movement or social movement organizations. In particular, I found Bourdieu's concept of capital highly useful. But the nature of the relative salience of capital itself is variable. In the period 2001-2004, for example, cultural and symbolic capital started becoming influential. For international mobilizations, social capital worked well, but for popular mobilization, it was the symbolic capital that helped mobilize the masses. Only viewed this way, can we appreciate the roles of "professional" NGOs and "independent" activists. I found that all types of capital play important roles depending on the types of political field and the nature of struggle. The symbolic capital that became so influential in the course of the Second People's Movement perhaps could not have—and did not—

work as well in the 1990s. The social capital that was so useful in international mobilization was not as useful when it came to popular mobilization.

Sociological theories, largely informed by liberal “social naturalism” (Somers 1995a 1995b), often emphasized material versus ideal interests and individual versus group interests (Lichterhan 2005). This study showed that actors’ identity, interests, and public roles should be understood contextually and relationally. At certain stages, material interests become dominant as can be said, perhaps, among NGOs and professionals during the 1990s. But at other times, societal interests, as the activists defined those interests depending on their own self-conception and the nature of political struggle, dominated their mode of activism. In fact, personal and collective interests are enmeshed in such a way that we cannot decide the nature of social life through theoretical fiat and abstractions. Activists respond to societal crises in ways in which their activism cannot be understood referring solely to individual interests.

Finally, biographical capital and interests cannot be understood without taking into account historical, institutional, and public narratives (Somers 1994a, 1994b, 1995a, 1995b). These narratives shape activists’ “structures of feeling,” affecting activists’ political identities, discourses, and practices in variable ways. A relational approach assumes that people act in particular ways because failing to do so violates their sense of being and purpose at that particular time and place (Somers 1994a). The sense of purpose, in turn, is mediated not just by power and personal interests, but also by conjunctures of unexpected events. This study thus underscores the importance of events in social life (Ellingson 1995; Gamson and Modigliani 1989; Jasper 1997; Sewell Jr 2005; Sewell 1996). Society is more a reflection of conjecture and imagination rather

than rule and law. It is interaction, rather than categories and laws that seem to govern political life.

### **Civil Society as Narratives**

As a cultural phenomenon, the popularity of civil society discourse and identity itself is interesting in many ways. In the 1990s, the very idea of civil society was questioned by the local interpretive community. This unpopularity of civil society identity and discourse had to do with the types of carriers of discourse and identity, that is, the NGOs. Particularly, the association of the NGOs with extremely unpopular political parties stigmatized the very identity of civil society. During 2001-2004, civil society discourse and identity, however, were well-accepted. This obviously has to do with the types of actors that emerged and the types of problems these actors tried to solve. The actors, whom I have often referred to as the peace publics, tried to solve the pressing problems the country was facing, that is, violence and uncertainty. Civil society discourse and identity, in turn, became acceptable. Finally, in the course of the Second People's Movement, civil society gained a radical meaning when it was associated with actors rich in symbolic and cultural capital. This time the meaning of civil society as organization almost vanished, and it transformed into a citizen identity. Thus activists invented the category of "citizen" in the course of the Second People's Movement. Civil society at that particular moment re-configured the very definition of civil society endorsed by professional NGOs, political parties, international actors, and the monarchy. Citizenship in this sense was a very novel phenomenon, radically different from the traditional approaches that highlights either a top-down approach or ruling class strategy

((Bottomore and Marshall 1996; Mann 1987; Richards 2004). Perhaps this was the biggest contribution of civil society activism to Nepal's recent political upheaval however momentary it might have been.

### **Civil Society: Beyond Universalism and Historical Specificities**

A number of theorists have argued that the current surge of civil society discourse and practices can be understood as part of global capitalist expansion. Similar arguments have been made citing “Asian values” in Asian countries. The Asian value argument says that the historical specificities of Asian countries are very different from the “West”; hence civil society theories and practices are not *suitable* for these societies both theoretically and normatively. According to this argument, civil society in Western societies functions within the institutional environment that formally guarantees “basic rights” such as freedom of speech, assemblage, and peaceful demonstration.

This study shows that while both of these notions are partly true, they fail to capture the empirical reality in its complexity. First, scholars have argued that the uniqueness of the West itself is exaggerated. They have pointed out that liberal narratives about the autonomy of civil society in Western societies themselves are a product of particular struggles and power-configurations in Western societies (Fraser 1992; Somers 1995a).

True, the civil society activism in Nepal—its forms, discourses, and practices—was facilitated by transnational networks, both state and non-state. But this study amply showed that activists were equally subject to particular societal problems they faced, particular networks they created or found themselves in, and the historical narratives they

were part of. In each phase of civil society I examined in this dissertation, it was clear that dominant views always met with resistance.

We should also be wary of ramifications of the East/West distinction. In Nepal's case, when I was conducting this field research, one influential anthropologist forcefully argued that civil society as a concept and practice in Nepal are "imported" from the West (Shah 2008). He had investigated the same phenomenon which I have done in this research. In the course of my fieldwork, anti-movement leaders and activists, mostly monarchists, in varying degrees, repeatedly told me that it was the foreign money that had solely driven civil society activism in Nepal. While there is a grain of truth in these claims, these claims also smacked of authoritarianism and societal oppression. Most importantly, my study clearly showed that these arguments mischaracterize the empirical reality of civil society activism that Nepal witnessed from the late 1980s.

As I discussed in my empirical chapters, the discourse and practice of civil society was neither imported in a wholesale way from the West, nor was it indigenously created by local activists. It was a massive cultural construct that found a powerful expression in different moments in Nepal's recent history. While using a language that had a global valence, these activists also made sense of their social missions, their own biographies, and historically-defined societal problems. Civil society then was a collective project, strategy, and imagination all enrolled into one.

### **Social Research in the "Global" World**

I described the theoretical implications of essentialized categories of actors and the state above. Such a conceptualization has also to do with the kind of research

methodology that we are used to employing. Most existing approaches in the social sciences take the national state, society, and culture for granted, and power and politics is assumed to be concentrated in and around state institutions. True, the state is still an important and powerful actor that tremendously structures social life. It is also true that inter-state relations operate under the condition of massive global inequality as I have indicated throughout this dissertation. Yet transnational linkages and exchanges have clearly destabilized the traditional notion of the state, society, culture, and citizenship practices. Inter-state exchanges and cooperation have increased phenomenally. In fact, anthropologists have long argued that autonomous and territorially bounded cultures were the fantasy of anthropologists rather than the lived reality of people (Appadurai 1996; Gupta and Ferguson 1992). Conceptualizing social life as a relational field thus enabled me to view both national and international actors in a single nexus. I found this concept useful and satisfying methodologically.

### **Epilogue: Politics, Power, and Citizens in “New Nepal”**

In 2010, Nepal officially recognized three democracy days. The first democracy day that falls in the third week of February commemorates King Tribhuvan’s return to the country from India in 1950 (discussed in Chapter 2). This democracy signified the end of Rana rule and of course, the beginning of Shah rule. We can call it a democracy day for the monarchists. In other words, it is generally the democracy day for Nepal’s rich and powerful. The second democracy day the Nepal government officially recognized falls in the last week of April. It is named Lokatantra day. It commemorates the surrender of King Gyanendra to the political parties at the end of the Second People’s Movement in

2006. We can label it an NC-UML democracy day. It represents the democracy day of the “middles classes” in Nepal. Finally, another democracy day falls in the last week of May. This day is officially celebrated as Ganatantra day (Republican day). The day celebrates the end of the monarchy in Nepal. This is the Maoists’ democracy day. It is perhaps the democracy day for Nepal’s vast peasants and lower strata of society. In 1990 Nepal had only one democracy day that commemorated the “father of democracy,” that is, King Tribhuvan. As democracy days have changed since 1990, so have the power structures that Nepali society has seen for the past two centuries.

And then, Nepal officially recognized 9 New Year days in 2010. The New Year in the Nepali official calendar, Vikram Sambat, falls in the middle of April. This is perhaps a “national” New Year. Other New Years, celebrated by Nepal’s various ethnic groups are spread over the year. According to a daily newspaper, the government has recognized most of these New Year days as public holidays<sup>1</sup>. In 1990, Nepal had only one New Year. These new New Year days reflect Nepal’s cultural diversity, but they also reflect a new power configuration that emerged in the post-Second People’s Movement period.

Nepal arguably has the world’s most inclusive elected legislature (and a Constituent Assembly). About 33 percent of total members are women. Newspaper reports marveled that many of the elected Constituent Assembly (CA) members had only seen a mobile phone for the first time in their lives in 2009. A good number are illiterate or barely literate (Nepal’s literacy rate is about 60 percent). In terms of diversity, the CA includes representation from almost all ethnic groups in Nepal. This is a dramatic

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<sup>1</sup> The Kathmandu Post, April 13, 2010.

development given that high caste hill Hindu men have dominated the legislature since 1960.

In the last week June, 2010, a daily newspaper, in an ironic prose, noted that one of the ministers in Nepal's current Council of Ministers did not know how to speak the Nepali language and that she was an "Indian" married to a Nepali man. Nepali nationalists must have found it hard to digest. But that became possible only in the post-Second People's Movement period, an act unthinkable four or five years ago.

Nepal officially recognizes about 10,000 martyrs. Perhaps the absolute number is not surprising. What is surprising is the dramatic increase in the number of martyrs recognized by the state over the past decade. Nepal had only four officially-recognized martyrs in 1990. This number again shows the intensity and reconfiguration of power structures Nepal has seen beginning with the 1990 political change and that is still unfolding.

Nepal perhaps has the world's highest per capita strike rate. In 2008 Nepal saw a total of 755 strikes, or bandhas, as they are popularly known in Nepal, which involves a total shut down of public transportation and commercial activities<sup>2</sup>. The real number is perhaps much higher than this figure. In the past two years, newspapers said that different political parties, ethnic groups, and even business groups had a hard time finding a "blank" day in the calendar, and that they had to postpone their planned strikes because the calendar was already full of strikes called by other groups. Newspapers also reported a few anti-strike strikes which were organized to protest "unjust" strikes.

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<sup>2</sup> Kantipur, March 12, 2009.

In 2009, there had been a series of attempts to declare “strike free zones.” I followed these initiatives; most of these zones saw another round of strikes within a few days, if not hours. When I was in Nepal in 2008 and 2009 doing fieldwork for this dissertation, many people managed their travel plans based on a “strike calendar.” Even then many were stranded because of “unannounced strikes.” People readily accepted routine strikes as a way of life even if some derided *Lokatantra* and *New Nepal* in anguish. I also saw that several INGOs regularly sent mass emails to their staff, updating their *strike calendar* so that the staff could manage their field visits safely and comfortably. Even then INGO administrators told me that they had failed to manage their routines.

There were clear indications that the political parties and local business organizations in part helped to fuel these protests. What is really interesting, however, was the fact that many protest and strikes were organized by “local people,” as the newspapers characterized the organizers. Newspaper reports also said that many of the local people had actually formed “citizen committees” (Nagarik Samiti). Most of these protests were directed against the local police and administrators. Before 1990, Nepal perhaps saw only a fraction of the number of current strikes, and probably the local people never ever formed *citizens’* committees. Citizen imagination has clearly reached everywhere, as did the monarchy well up to 2008. Civil society activists greatly contributed to these changes, and they fashioned a new citizen identity. To be a citizen in New Nepal has become a new way of being and seeing; a new relation with the state, society, and with each other; and of course, a new mode of action.



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## **APPENDIX A**

### **METHODOLOGY**

I conducted my fieldwork in Kathmandu, the capital of Nepal, which also happened to be the main site of the People's Movement II in 2005 and 2006. My dissertation required that I drew on organizational documents, media reports, and interviews with movement supporters and opponents. These data sources were necessary to understand structural, cultural, and agentic processes which my dissertation attempted to understand. Originally I planned to cover a time period beginning in October 2002, but it became clear after a few interviews that Nepal's civil society activism that manifested itself in the People's Movement II during 2005-06 was intricately related to the 1990 movement and the Maoist insurgency (1996-2006)<sup>1</sup>. Additionally, I realized that political events such as the Palace Massacre in 2001 and the peace talks between the government and the Maoists also created their own dynamics that contributed to civil society

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<sup>1</sup> The date of the beginning and the end of the insurgency is somehow arbitrary. In February 1996 the Maoists formally began their war and in November 2006, a comprehensive peace accord ended the insurgency. But it should be noted that just as the origin of the war can be traced to political events much earlier than 1996, the formal ending of the war has not resulted in the actual end of the war, as the peace process still remains incomplete at the time of writing of this dissertation.

activism. Subsequently, I had to go back to political events and processes beginning with the 1990 movement.

### **Political Event Database**

I began my dissertation by creating a political event database based on the annual issues of a general knowledge magazine, *Antarasthya Manch* (the International Forum). This magazine, in its annual issues, listed “major events” for the preceding Nepali calendar year on a daily basis and in chronological order. The targeted readers of the magazine were people looking for “general knowledge,” particularly those planning to appear in Nepal’s highly competitive Public Service Commission examinations. According to the editors of the magazine, they used daily as well as weekly newspapers to compile political events. Although the magazine’s editorials were clearly “nationalist,” daily events were covered in a non-partisan way. Using Atlas.ti, I coded eight annual issues of the magazine beginning in 2001; this process resulted in a database of more than 5000 political events. The database gave me a nice chronological overview of how politics in Nepal unfolded. It helped me identify major political events, actors, organizations, and institutions associated with the political process. In the next phase, I conducted my interviews and simultaneously collected relevant documents.

### **Interviews**

Interviews made up the major part of the data used in this dissertation. The focus of my interviews was exploring how political activists viewed their political participation or non-participation. In addition, I assessed how they viewed structural factors including the international context. I explored these events and processes through the actors’

biographical narratives about political participation. I conducted a total of 127 formal interviews with both pro- and anti-movement leaders and activists. A large proportion of my interviewees came from pro-movement leaders and activists. I accessed my interviewees through personal contacts and journalists. Interviews were unstructured and open-ended.

I met my interviewees with the one identity or the other in mind, but I discovered that every activist held multiple, conflicting, and often shifting identities. For example, one of the lawyers I interviewed was simultaneously a political party worker, a human rights activist, and a Constituent Assembly member from a major political party. He navigated through his multiple identities in a way that made it hard to place him in one or the other category. Notably, a few activists rejected one identity or the other, claiming that they were “neutral.”

I selected my respondents across different sections of society based on age, caste, class, occupation, and gender. Most civil society activists were men, and I had difficulty accessing women activists. A few women activists actually turned down my interview requests. Hence I had only 9 interviews that were of considerable length with women activists. Interviews focused on all areas of the activists’ political life. Barring a few exceptions, all interviews were recorded using a digital voice recorder. Interviews were transcribed before analysis. Except for a few cases in which interviews lasted for a short period, most interviews lasted several hours often in multiple sittings.

Generally activists responded candidly. Pro-movement activists had a proud feeling of achievement because they felt that they had contributed to the revolutionary change. As such, their views largely represented victors’ narratives. Many of them were

researchers, and a few activists said, “I myself was trying to write something on civil society activism; it’s good that you did.”

My experience with monarchists was mixed, though<sup>2</sup>. If the pro-movement activists presented victors’ narratives, monarchists had “vanquished” narratives. Those who cooperated with me repeatedly asked me not to “suspect the King’s good-intentions” and to “set the record straight.” Others, however, suspected my motivations. A few of them explicitly asked my political views before allowing me to record the interview. Others inquired about my methodology and objected to my planned use of published sources, particularly the daily newspapers I planned to use. A former minister in the Royal cabinet, for example, spent more than one hour describing research methodology. Similarly, another former minister described at great length how Nepal’s history, as it has been written so far, was not a “true history” and explained why I should not use newspapers and those history books as my data. Such encounters, however, proved to be highly informative even though I could not record them.

In addition, my interviews took place in a context in which the country, following an unexpected Maoist electoral success in the Constituent Assembly elections in April 2008, was highly polarized. In the aftermath of the CA elections, relative closeness to the Maoist party had become how standard activists described each others’ positions and

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<sup>2</sup> In a way, a “pro-King” or “monarchist” label is a misnomer. Many asked me not to label them as pro-King. In fact, only a few defended the King in the post-movement period. The interviews took place in the aftermath of the Constituent Assembly elections which had effectively routed the pro-monarchical forces. Many of them told me, “The King did not listen to my advice...otherwise things would have been different.”

motivations. As narrative theorists would argue, changing political events certainly affected the ways activists described and interpreted their and each other's political views and participation.

## **Documents and Newspapers**

Documents I have used in this dissertation included formal publications from political parties and civil society organizations. These documents included protest reports, pamphlets, press releases, and a few meeting minutes and reports. I contacted party and organization offices to obtain these documents. In addition to my own personal contacts, I often used journalists' and activists' networks for this purpose.

One particular difficulty was that many organizations had not kept documents systematically. In the pre-movement period, the fear of security forces often forced them to run "mobile" and "backpack" offices. This was particularly true of small human rights organizations and activist groups that sprang up in the course of the People's Movement II. Even big political parties such as the Nepali Congress did not have systematic records. Political parties and NGOs alike told me that "since we moved to a new office recently, the documents are in disarray." Another typical statement was: "Since our computer crashed recently, we lost all the documents." I felt that most of these organizations did not have sufficient resources to manage their offices. Many NGOs had their websites, but barring a few exceptions, they rarely updated information. In a few cases, activists provided me with documents in their personal collection.

Documents from the Nepal Communist Party (CPN-UML) were mostly complete as they had a well-managed library. In the case of other political parties, I could collect

documents partially. The Nepali Congress not only did not have a systemic documentation center, but it also had cumbersome bureaucratic procedures (Tok adesh) to release those documents to researchers. The Maoists had extensively published their official documents. Books and monographs written by Maoist leaders and cadres probably outnumber those published by the non-Maoist political parties put together. One is likely to be surprised by the ubiquity of Maoist publications in bookstores in Kathmandu<sup>3</sup>. The images of Marx, Lenin, Mao and of course, Maoist chairman Prachanda are everywhere. These publications often included official documents and collections of newspaper articles published over the past several years. As my research progressed, Maoist press statements turned out to be really important as I became interested in the interaction between civil society activists and the Maoists, but I could not gather a complete set of their statements, even though many journalists provided me with the press statements in their personal possession.

I collected a more or less complete set of documents from three human rights organizations. They were Informal Service Sector (INSEC), Human Rights Organizations of Nepal (HURON), and Human Rights and Peace Society (HURPES). Whereas INSEC is thought to be close to the Nepal Communist Party (United Marxist Leninist), the latter two are considered close to the Nepali Congress party. I added organizational documents from Collective Campaign for Peace (COCAP) and Martin Chautari as two other NGOs which were involved in the People's Movement II in various forms and capacities. In

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<sup>3</sup> Authors' notes and the blurbs often said that the publications were meant to document "people's history" (as opposed to the histories of the monarchy and the aristocrats).

addition, I included documents from the Citizens' Movement for Democracy and Peace (CMDP). Many of them were in the personal collection of individual activists.

The purpose of the newspaper data was to supplement the political event database and interviews<sup>4</sup>. I did not examine newspapers "systematically." Rather I examined newspapers based on my interviews and the event database. For example, if a respondent mentioned a Maoist attack on a police post (the case of the army involvement in Holeri discussed in chapter 6, for example, was one such case), I examined newspaper reports about the event. Second, many activists were journalists, and others frequently appeared in the national media as columnists or experts. They often asked me to examine their writings. In such cases, I specifically searched for those articles or news reports. Moreover, I used books, biographies, and memoirs written by the activists over the past few years.

In most cases, I examined Nepal's largest selling daily newspaper, *Kantipur* and its sister publication, the English daily, *The Kathmandu Post*. These two newspapers championed themselves as major proponents of democracy and human rights in the country. Following the King's first dismissing of the Prime Minister in October 2002, these newspapers, like other major civil society actors I have covered, took a "middle

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<sup>4</sup> It should be noted that Nepal did not have a vibrant independent media before the 1990 political change. Scholars generally agree that the launch of the *Kantipur* daily in 1993 was a giant leap forward in Nepal's media development (Onta 1996). In the 1990s, several broadsheet dailies appeared. Most importantly, Nepal has one of the most liberal airwave policies in South Asia. Currently, there are over 200 FM radio stations, many of which are owned by local communities.

path,” advocating reconciliation between the political parties and the Royal Palace, but became critical of the King following the King’s February 1, 2005, move. In the post-movement period, these newspapers became one of the severest critics of the Maoists. I also examined other newspapers professing loyalties to different factions and the parties in the political conflict (listed at the end of the bibliography).

Other data sources extensively used in this study included three magazines which specialized in development issues—Nepali language *Bikas* [Development], English language *Face-to-Face*, and Nepali language *Haka Haki*. Finally, I included a leftist monthly *Mulyankan* because I discovered that many of the activists I interviewed had appeared in this magazine over the past several years, and the long time editor of the magazine, Shyam Shrestha, was one of the frontrunners of the CMDP and was involved in the peace process.

### **Ethnography**

I attended several CMDP internal meetings, including several meetings with top political party leaders. Similarly, I spent a great deal of time with CMDP activists. My access to CMDP was facilitated by the fact that I regularly frequented the Martin Chautari library and discussion programs. A number of CMDP activists were affiliated with Marin Chautari. In addition, I observed protests and public meetings by different civil society groups including CMDP. I observed street protests whenever possible or whenever I was informed about the program.

Although I could get access to CMDP, other groups were not equally welcoming. On one occasion, for example, I accidentally happened to be in one NGO where

preparations were underway for an activist meeting, and I sought permission to attend the meeting. My request was not rejected, but it became apparent that activists did not value my presence either. On another occasion, upon hearing that a well-known human rights organization was organizing a meeting, I sought permission to attend the meeting from the organization, but the organization gently rejected my request.

I wrote my fieldnotes as soon as I had access to my computer. Due to severe and regular power outages in Kathmandu at the time of research, I could not access my computer every time I wanted to. In these cases, I immediately wrote key words and phrases in a notebook and converted them into text as soon as power was restored.

### **Analysis of the data**

The annual issues of International Forum were coded for political events by using Atlas.ti. Those events were then classified chronologically. I defined political events in broad terms. The events, for example, included road accidents and White House press releases. I included all events that hinted at a political slant. For example, if a protest took place after a road accident, I would code the event as a political event. But if no such protests had taken place, I would not include the event in my database. Similarly, to the extent that newspapers were available online, I coded and classified political events using Zotero<sup>5</sup>.

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<sup>5</sup> Zotero (<http://www.zotero.org>) is bibliography software, developed in lieu of the now widely-used Endnote, but this software is equally useful to create an online newspaper database and even code online materials.

Over the years I have been watching political events in Nepal intensely. Thus my knowledge of Nepal's politics formed a basis for coding my data. In addition, most codes I generated were based on civil society, social movement, and revolution literature. Structural forces, organizations, and resources, for example, are deemed important in the literature. I was also concerned with the meanings and cultural processes. I did not fix a unit of text to be coded a priori. At times, I coded a couple of paragraphs, and at other times, I coded a single word (for example, a metaphor). Typically, analyzing documents and interviews involved reading the texts several times, examining how the activists defined, described, and prescribed their personal involvement, the structural forces, and other relevant factors. The first round of analysis involved extensive coding in lieu of "open coding" in grounded theory (Strauss and Corbin 1998). This process involved an analysis of the types of actors and institutions involved or implicated, the linguistic devices (for example, linguistic associations and metaphors) used, and the emotional and moral orientations invoked. Finally, I actively searched for narratives in both interviews and published materials. By narratives, I mean temporally sequenced plots of a series of events (Riessman 2008; Somers 1994a).

### **Researcher Subjectivity and Interaction With Participants**

My fieldwork was not a case of classical fieldwork in which an outsider observed a distant "native" group. I was in my own country observing political events and processes in which my own future was at stake. Moreover, political developments were shifting; often rumors and conspiracy theories spread like wildfire. I had to negotiate all

of these, and I believe that these uncertainties consciously or unconsciously affected the course of my research as well as my writing process.

Researcher's subjectivity inevitably plays roles from the conception of the research project to the conclusion of the research process. I grew up in a rural village in eastern Nepal. I was lucky that my father was literate and that my family could afford my school education and a transistor radio, two luxuries many of my friends did not have in the 1980s. As a student in the 1980s, I was involved in political activities against the then Panchayat regime. As a 15 year old, I spent several days in police custody for attending a (banned) political party meeting. Had the Panchayat regime persisted, I would have been disqualified for a government job and possibly for a passport. Later I actively participated in the 1990 movement for democracy. These experiences gave me certain insights into the grassroots political activism in Nepal.

In the early 1990s after the demise of the monarchical Panchayat regime, as an engineering student, I read with great enthusiasm people discussing class, gender, religion, caste, and ethnicity in a way that would have been unthinkable in the pre-1990 period. I increasingly found social science interesting and came to share with many others the view that the making of the Nepali state and nation had become unfair to the majority of Nepalis. Later in 1999, I joined the government of Nepal as a sociologist. This experience also gave me knowledge of the modus operandi of the political world and the state bureaucracy. My past experience and political passion have inevitably shaped this research project, even though I might not have been aware of them.

Although my past political background enabled me to gain certain insights into political processes, I am aware of the warnings scholars have made with regard to the

researcher's subjectivity. I believe that reflexivity on my part is necessary and important. That said, I did not believe that my guarding of my "biases" resulted in an unmediated description of truth. I took my research project as a product of a series of negotiations and pragmatic decisions that inevitably accompany a social research project. In the following section, I make a brief review about my interaction with my interviewees.

Whereas I did not advertise my political position during my fieldwork, I had no qualms about sharing my beliefs with my research participants whenever I was asked to do so. While specific details varied, I generally endorsed the political change Nepal witnessed in 2005-06. Although this strategy generally meant that my interaction with pro-movement interviewees was lively, it also had negative consequences as a few who did not endorse my political views rejected my interview requests and grew suspicious of my "motives."

During my fieldwork, I became aware that my real or imagined background had bearings on the research process. My fieldwork coincided with a time period which was highly polarized and contentious. Whenever I telephoned people, they almost always wanted to know about my academic institution—whether I was a student in Nepal, India, or the United States. I believe that being a student in the United States was a big advantage as people admired education in the United States for a variety of reasons. Many appreciated, for example, American education for its rigorous training and its ability to train students in "objective" analysis and research methods.

One disadvantage of having an education in the United States was occasional references to CIA and US politics around the globe. At times, people expected me to defend White House policies. On many occasions I was referred to, often jokingly, as a

CIA agent. Activists at times asked me why my university and my advisor chose to “send” me to research Nepal’s political events. In such encounters, I turned defensive and humorous, saying that the CIA would not invest in a stupid person like me or that the CIA would not mind a revolution or counterrevolution in Nepal. At other times, I would simply say, “you will be surprised once my report comes out.”

The Hindu caste system and social class plays an important role in social life in Nepal. Although anybody could learn my caste from my family name, nobody could be sure about my class position and political ideology. Thus many wanted to figure out my class background, and by this possibly infer my political ideology. Many, for example, asked me about my permanent home address and about the part of the hills my parents had migrated from. In many cases, all these inquiries could have been a Nepali way of sociability, a fact equivalent to “How are you?” in the United States. But I suspect that people generally tried to guess my political affiliation and class background. A well-known public figure, for example, asked me about the hills my parents had migrated from in the 1970s. I informed him about the place, and without inquiring further he said, “Oh so you should support....this party.” He then spoke about different issues rather candidly.

In addition, my family name signified a high caste, the Chhetri family, and has been historically linked to Nepal’s courtly politics. It is also linked to the Kathmandu aristocracy (including the Royal Palace) through marital ties. Many, particularly, monarchist leaders and activists, would guess that I was like them. Such sentiments were often stated in expressions such as “we” and “they.” My interviewees also enthusiastically asked me whether I owned or rented a house in Kathmandu. The fact that I did not own a house, but was living in Baluwatar, an upscale residential area in

Kathmandu, was confusing to many. Others who knew that I came from a rural background were further confused, but my education in the United States must have come as reassuring for many non-communist interviewees.

In other instances, even my cell phone number mattered. There are two types of cell phone number in Kathmandu. One beginning with 9841 came with a pre-paid scheme and the other with 9851, a post paid plan. I carried the latter which was more expensive than the former. I soon realized that the post paid plan actually worked as a higher class and status signifier. For example, many times it happened that when I telephoned people from my home telephone number, they would not respond. But when I dialed from my mobile, they would respond. I related this story to a few interviewees jokingly, and they laughed approvingly.

Many of the groups I contacted were “rivals” in varying degrees. Whenever they knew that I was in touch regularly with their rival groups, they grew suspicious. Often activists suggested to me: You should be careful about talking to those people. Many would claim something they did not do or might blame others about what went wrong. Even though many tried to be civil describing rival groups, they at times lost their tempers as the interview progressed. At other times, activists wanted me not to focus on their internal differences. On one such occasion, for example, an activist asked me to postpone my interview with another activist until they had patched up their differences.

Occasionally I would be a “node” in activist networks (Mische 2007). Competing groups and factions would ask me what was happening in other groups. In such cases, I would share minor details or events without naming the persons involved. On other occasions, many looked to me as an “expert” and asked me about my perspectives. On

such occasions, I would participate, but often did not take “extreme” views. At times I felt that interviewing these savvy activists was not an easy task; I had to prove my worth as a few tended to treat me superficially (as a new comer from the wonderland that is the United States). As Mische (2007) has described, in her experiences among activists in Brazil, during such encounters, I asked them questions and let them know about behind-the-scenes political maneuvers that took them by surprise. Overall, I believe that the interviews were conducted with extraordinary openness.

Finally, most interviewees would say that I was free to quote them, but somewhere in the middle of the interview they would ask me to keep something “off the record.” At other times, at the end of the interview they would say, “Oh you recorded all of it! You should use your discretion using all this information.” I thus made a decision to hide the identity of the interviewees whenever controversy arose. Otherwise, I have used real names, especially in plain descriptions.