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NEPAL AND BHUTAN IN 2006

A Year of Revolution

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Abstract

2006 saw the final collapse of King Gyanendra's attempt to re-establish monarchical rule. The beneficiaries were the Seven-Party Alliance and the Communist Party of Nepal (Maoist). There followed the re-establishment of Parliament, removal of sovereignty from the king, fluctuating negotiations with the Maoists, a cessation of civil war punctuated by considerable lawlessness, and a final peace agreement.

Keywords: revolution, mass movement, constituent assembly, Maoism, multi-party democracy

2006 was an extraordinary year for Nepal. It saw the final collapse—in a confrontation marked by massive street protests and 21 deaths—of King Gyanendra's attempt to turn the clock back and establish a form of guided democracy under an active king. His model was the "Panchayat System" set up by his father in 1962 under which political parties had been illegal, and it lasted until the "People's Movement" (Jan Andolan) of 1990. The 19 days of protests in April 2006 have come to be called "People's Movement II," suggesting that the 2006 movement was the completion and culmination of the first one.[1]

The year 2006 began with the Maoists calling off a four-month unilateral truce on January 2. They had called the truce in order to put pressure on King

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1. Some scholars object to this terminology as too teleological and because it ignores the many protest movements that occurred before 1990, e.g., in 1950–51 and 1980.

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Gyanendra and to establish a favorable environment for negotiations with representatives of the Seven (parliamentary) Party Alliance (SPA). A Twelve-Point Agreement between the Maoists and the SPA had been hammered out in Delhi in November 2005 with the backing of the Indian government. The agreement between the Maoists and the SPA specified that "autocratic monarchy" was the main problem in Nepal and that both sides (the parties and the Maoists) had made mistakes. It also outlined that the way forward was (1) to topple "autocratic monarchy," (2) for the Maoists to participate in multiparty politics, and (3) for there to be elections to a constituent assembly, which would draw up a new constitution. The Maoists gave a "firm commitment to acceptance of [a] competitive multiparty system, [the] fundamental rights of the people, human rights, and rule of law and democratic principles and values and to act accordingly."[2] Within Nepal, republican sentiment—stoked by the repressive actions of the army and police force—was ubiquitous but particularly strong among the Maoists and among the youth cadres of the parliamentary parties.

The king, for his part, attempted to legitimize his position by continuing preparations for local elections. The SPA, in agreement with the Maoists, announced a boycott of these elections. Leading politicians and leaders of the movement for democracy were put under house arrest. There were repeated demonstrations by the parties in the lead-up to the one-year anniversary of King Gyanendra's "coup" of February 1, 2005, resulting in many arrests. Around the world, diaspora Nepalis held demonstrations against the government's line and in favor of democracy. There were also smaller demonstrations, principally in the U.S., supporting the king. In his speech on February 1, 2006, King Gyanendra claimed, "The nefarious designs to portray Nepal as a failed state a year back has [sic] now begun to unravel with acts of terrorism being limited to petty crimes."[3] He also called on all Nepalis to abandon self-interest and join together for the sake of the nation. Several of those standing for election as independents or from small parties were shot by Maoists, while others were intimidated into standing down. The political parties organized up to 10,000 people into street protests in the capital. In response the government imposed a curfew at night and a ban on meetings within the Ring Road around Kathmandu, the capital city.

Meanwhile on January 14, 2006, the Maoists attacked two police posts inside the Kathmandu Valley—one in Dadhikot in the east of the Valley and the other at the strategic point of Thankot in the west along which all transport from India passes on its way to Kathmandu. On January 31, they launched a huge attack on Tansen, a district headquarters in the hills to the west of Kathmandu.

2. See <www.nepalresearch.org/coup_2005/papers/maoists_parties_agreement_051122.pdf>, accessed December 13, 2006.

3. See <www.kantipuronline.com/kolnews.php?nid=64260>, accessed December 13, 2006.

Thousands of Maoists fighters were involved, but casualties were relatively low because the Royal Nepal Army remained inside its camp outside of town. The historic palace and all government buildings were completely destroyed.

The elections on February 8 were widely dismissed as a farce. The turnout barely reached 20% despite some feeble attempts by the government to bribe people into voting with promises of easier access to passports and English lessons and the lifting of the usual rules about showing identity cards before voting. In some of the larger cities, many people did vote as a protest against the political parties. In many cases, there were no candidates at all and the "winners" had to take refuge in army camps for their own security. In other cases, people were astonished to find their names had been entered as candidates without their knowledge.

On February 13, the Supreme Court dismissed the Royal Commission for Corruption Control, a body created by King Gyanendra in order to pursue parliamentarians opposed to his rule. The king took no action, a sign perhaps of weakening nerve in the palace. On the same day, marking the tenth anniversary of the start of the Maoist insurgency, the BBC broadcast an interview with Prachanda (Pushpa Kamal Dahal)—the supreme leader of the Maoists—presumably filmed in Delhi or another Indian city. It caused a sensation in Nepal because, until then, only two photos of the Maoist leader were ever seen, and he had been shrouded in mystery. Suddenly, there he was on television, fluently and reasonably arguing the Maoist case, although the appearance of moderation was rather undermined by his statement that the options facing King Gyanendra were either exile or trial by a People's Court and possible execution. Immediately thereafter, the U.S. ambassador to Nepal, James Moriarty, went on a media offensive warning of the similarities of the Maoists and Pol Pot's regime in Cambodia and urging the king and the parties to unite against them.

By persistently ignoring such advice, the king had alienated India, the U.S., the UK, and other EU powers. All of them either publicly announced a boycott of further arms sales or, at least, a pause in deliveries to Nepal. The king attempted to rely instead on support from China, which had always been steadfast in its opposition to insurgency and in favor of the status quo. As his position weakened, even China began to urge Gyanendra to observe the law and support parliamentary democracy.

On April 6, the long-announced movement against the government began in Kathmandu. The Maoists had agreed not to spoil the parties' campaign with military actions within the Kathmandu Valley, but attacks continued elsewhere. The government responded by declaring a curfew within the Ring Road. The mass rallies therefore began right on the Ring Road, so that it was unclear whether or not they violated the curfew. Unlike in 1990, the old royal cities of the Kathmandu Valley remained relatively undisturbed and the indigenous Newar

population only marginally involved. Most of the action occurred in the new outer suburbs where the masses of rural poor migrating from the hills—often, ironically, to escape the Maoists—are concentrated. Their numbers were swollen by many villagers who were, it is widely reported, given a choice by the Maoists of either giving one family member to join their army or going en masse to Kathmandu to join the uprising. Maoist cadres were present during the demonstrations in April, but the revolt was certainly not confined to them. There was increasing popular support and increasing anger against the king. For 19 days, there were mass demonstrations both in the capital and in cities throughout the country. Some led to running battles with the police, while others remained peaceful. The death toll was "only" 21 compared to an official toll of 44 during the "People's Movement I" in 1990. The king agreed to restore the Parliament dissolved in 2002 and to allow the parties to choose the prime minister. There was only one serious candidate, Girija Prasad Koirala. Back in 2002, he seemed tarnished by accusations of corruption, by indecisiveness, and by his failure to deal with the Maoist insurgency. Having led the campaign since 2002 for the restoration of Parliament and having been unwavering in his opposition to the king unlike other parliamentarians, Koirala emerged in 2006 with his credit and standing head and shoulders above the other potential candidates.

The Maoists were initially worried that they would be excluded from power and threatened to maintain their blockade of the Valley and the district headquarters. Yet, they relented when Koirala announced that there would be an immediate vote in favor of the principle of a constituent assembly. The Maoists subsequently announced a formal three-month ceasefire, began to organize "above ground," and started to put pressure for a continuous political movement that they hoped would lead to their participation in an interim government. In the days immediately after the restoration of Parliament, Koirala appeared very ill, and it seemed that he had only a few months or weeks to live. This gave an added urgency to solving the problems of setting up an interim government and planning for the constituent assembly.

The humiliation of the king was complete. On May 18, the reinstated Parliament declared itself sovereign and the king subject to it. The Parliament also removed the word "Hindu" from the official description of the country, thereby fulfilling a long-standing demand of ethnic and religious activists for a secular state. This also simultaneously removed a major part of the traditional legitimation of the monarch. The word "royal" was removed from all important institutions. For example, "His Majesty's Government" became "the Nepal government" and the "Royal Nepal Army" became the "Nepal Army." It appeared that the army had a large part in persuading the king to cede as it no longer wanted to put its life on the line for the king's sake and for a policy that had little backing in the country.

Although Koirala took his oath of office from the king, all other ministers were sworn in by the prime minister. The king was also banned from receiving ambassadors in July. By October, he was being requested to answer questions about his conduct as chair of the Council of Ministers during the People's Movement by a High-Level People's Probe set up to investigate atrocities against the movement. The king refused to answer.

On May 30, Parliament voted for one-third of political and state positions to be reserved for women. There were calls for it to also make similar reservations for Janajatis (indigenous peoples who are officially listed in 59 groups by the government), Dalits (ex-Untouchables), as well as for Madhesis (Nepalis of Indian ethnicity mainly inhabiting the Tarai strip of the Gangetic plain bordering India). In September, a bill was tabled for ethnic reservations within the civil service.

Several unresolved questions held the keys to the future of political stability in Nepal. For example, what would be done about the Maoists' arms stockpiles? Furthermore, even if the two armies could be confined to their barracks with specially built camps overseen by the United Nations, what would be done in regard to the Maoist militia—the Maoists' "police force?" How could free and fair elections be held when the Maoists still maintained the means of coercion with which to threaten the voters? In May and June, the Maoists began to establish fixed camps to be open to U.N. inspection as envisaged in the Twelve-Point Agreement, and journalists were invited to visit them. Meanwhile, the Maoists also began a "hearts and minds campaign" both with the media and with villagers. It was anticipated that the U.N. would be invited to oversee a system of "double locks" whereby arms would be kept under lock by both armies themselves and also by the U.N. But, this plan began to unravel as arguments emerged between Koirala, the Maoists, and the SPA over the form of invitation. Indian reluctance to see U.N. involvement in Nepal because of sensitivities over its own Kashmir problem may also have played a role. Whatever the causes, the slow progress on this issue led the military camps to be disbanded and the Maoists moved back to their jungle hideouts or, in other cases, into urban areas. Maoist statements, as well as those from other left parties, were loud with claims of plots to sell out the gains of the People's Movement II. There was also considerable Maoist anxiety at their lack of representation in the revived Parliament or the reinstated government.

As things dragged on, fears grew that the whole process would fall apart. By September, the Maoists seemed to be in less of a hurry as their militia and political cadres appeared to be gaining ground everywhere. Despite the expressed policy of their leaders that donations should only be voluntary, many people throughout the country felt that they had no choice but to give in to Maoist requests. In some places, Maoist cadres even demanded half of every payment made by people to official government entities (i.e., electricity offices).

Many people claimed that their relatives had been abducted by the Maoists, and Maoists began to take action against those they deemed criminals both within and outside their ranks.

General lawlessness was particularly high in the rural areas of the Gangetic plain Tarai region bordering India. A breakaway group from the Maoists, calling itself the Tarai Republican Liberation Front, led by Jaya Krishna Goit, started operating in 2004 in Siraha and Saptari Districts. In September 2006, they claimed responsibility for the assassination of Krishna Charana Shrestha, a member of Parliament and former minister. They issued threats to the Parbatiyas (Hill People) settled in the Tarai and sought to replace the Maoists. Elsewhere, local militias sprang up as people grew aggravated with Maoist extortion. The possibility of ethnic war in the Tarai also emerged.

The festival season in October slowed down the progress of talks, but meetings between Prachanda and Koirala led to repeated statements that solutions would be found. At the end of October, it was agreed that the Constituent Assembly would decide the future of the monarchy, though some were still demanding a national referendum on the issue. A nationwide poll conducted in August appeared to show that any such referendum might be split 50–50; yet, the majority of the influential middle class seemed to have swung decisively against monarchy.

After intense negotiations, the SPA and the Maoists agreed on November 8 that a peace accord would be signed by November 14. An interim legislature would be formed immediately from existing members of the Parliament, minus those who opposed the People's Movement II. In addition, 73 seats would be delineated for the Maoists, and 48 seats for unrepresented parties, professional organizations, and backward regions. It was agreed that there would be a 425-member Constituent Assembly elected in June 2007, with 205 members chosen by the "first-past-the-post system," 204 by proportional representation, and 16 nominated by the Council of Ministers. The Constituent Assembly would decide on the future of the monarchy. The Unified Marxist Leninist (UML) party, the main parliamentary leftist party, entered a note of dissent believing that a referendum was a more appropriate way to decide the issue. According to the agreement, Maoist fighters were to be confined to camps with their arms under lock and key monitored by the U.N. The Nepal government would be responsible for feeding them. The Nepal Army was also to be confined to its barracks. After this agreement, the Maoists prepared for a massive victory rally in Kathmandu and elsewhere on November 10. There was considerable disquiet, and some protest, as every household in the capital was requested by the Maoists to house and feed ten of their supporters. In the end, the timetable slipped somewhat and the peace accord was finally signed on November 21. This was followed by a tripartite agreement among the U.N., the government, and the Maoists on arms management, signed in December.

Bhutan: Constitutional Reform and Continuing Refugee Stalemate

Whereas King Gyanendra attempted to reverse democratization and reintroduce royal rule in Nepal, King Wangchuk in Bhutan began a process of handing-over power and introducing constitutional rule back in 2001. At the end of 2005, he declared that under the new Constitution he would abdicate in favor of his son, the crown prince, in 2008, when elections were to be held for the new National Assembly. At the beginning of 2006, an election commissioner was appointed to oversee the process. Political parties that are currently banned would continue to be banned, with only two approved parties to be allowed to compete. In October, it was announced that only university graduates would be allowed to stand for election. Outside the country and among those excluded from the process, considerable skepticism was expressed about the genuineness of this democratization.

Camps in the southeast corner of Nepal continue to house over 100,000 Bhutanese refugees of Nepali ethnicity (the Lhotshampas or "southerners") who were expelled in 1989 and 1990. Their representatives published an alternative Constitution in July and unveiled it on the bridge over the River Mechi into India. Meanwhile, Maoists were increasingly active in the camps and the United Nations High Commissioner for Refugees (UNHCR)—a U.N. refugee agency—expressed concern about "radicalization" and "militarization" of the refugees. (A Bhutanese Maoist party had been formally announced in 2003.) The refugees were also divided over the issue of whether or not they should accept offers of third-country settlement. For example, the U.S. had made an offer to take some 60,000 refugees. Some refugees opposed all such offers in order not to dilute the pressure on Bhutan to take them back, while others supported such offers, fearing that otherwise their future held only a choice between meaningless waiting in the camps or joining violent resistance.

On December 14, King Wangchuk surprised everyone by abdicating early in favor of his son, Crown Prince Jigme Kesar Namgyal. Some members of the National Assembly contested the electoral law that only university graduates could stand for election, but the election commissioner refused their demands and the home minister pointed out that Bhutan had not become a democracy yet. The new king promised a discussion of the electoral laws on another occasion.