

WHITHER NEPAL?

OF APRIL REVOLUTION AND POLITICAL IMPASSE

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"Ever since I remember, we have been seeing all these political parties, power hungry and fighting among and within themselves. The king was for long merrily pitting them one against another. And nothing changed in my country. That is why this time I voted for the Maoists and if they betray, they too will be thrown to the dustbin of history. But nobody can deny that Nepal has ushered into a new political era only because of the struggle launched by the Maoists."

These words coming from a young taxi driver in Kathmandu appear to make more sense than much of the loose talk that is masquerading as political analysis in the post-election climate in Nepal. Blame game, number game, imagined fears about a future Maoist-led republic, contradictory legal interpretations, contending interpretations of people's mandate, obstacles in the way of government formations and bargaining about how to secure a share of the pie that is still in the sky—all these are the manifestations of the fierce political dogfight currently underway in post-election, post-Gyanendra Nepal.

The elections to the Constituent Assembly has upset the old order that monopolised power in Kathmandu, with the Maoists emerging as the largest single party. But will the vested interests, both domestic and international, permit the Maoists to lead the government and initiate the drafting of a revolutionary new constitution and the fashioning of a new polity more relevant to the needs of Nepal? The odds are not promising.

Barely two years after ending the decade-long armed insurgency, the Maoists stunned political pundits, the Nepali people, political parties, neighbouring India and indeed the world by garnering a share of votes that few had imagined they would dream of. The Maoist victory has profoundly changed the rules of the political chess game in a country ruled for the past 240 years by a monarchy inclined towards autocracy. The results are not surprising in a country where under the crushing machines of feudalism and imperialism a great many Nepali people still live in conditions that appear medieval.

After fighting a revolutionary battle for about 11 years with the active participation and support of the marginalised sections, the CPN (Maoist) displayed remarkable flexibility and an accommodative attitude towards all political forces, a political phenomenon that is perhaps unparalleled in the contemporary political history of the post cold-war era. This is the only party which accepted the pluralistic form of multi-party democracy after fighting an underground war, coming overground, agreeing to disarm and join the government with other parties. That they put forward a series of unprecedented proposals for the restoration of democracy, the disarming of the militia and drafting of a new Constitution is by all yardsticks a brave decision to outline the roadmap for a brave new Nepal.

During the last one decade and prior to the peace agreements of the last two years, a protracted power struggle was waged between those who wanted government to remain within the framework of constitutional monarchy, in which political parties were often reduced to the status of pawns at the hands of an obdurate king who did not seem to comprehend the niceties of constitutionalism, the Maoist rebels who promised rule of the people through revolutionary politics and the monarch who claimed to govern for the people

but retained command of the army in order to rule ruthlessly with absolute powers.

Finally, in culmination of a process that started in 2005, after lengthy negotiations prior to and after the people's movement of April 2006, resulting in understandings and agreements, betrayals and back-outs, after endless delays for elections caused by various interest groups and political parties, Nepalis cast their vote on April 10 with the fervent hope that the elections would usher in a polity for crafting a new future for millions of citizens. In the elections the Maoists got 220 seats out of 601, while the two mainstream parties, the liberal-right Nepali Congress (NC) and the moderate left to centrist Communist Party of Nepal (Unified Marxist Leninist) or UML, bagged 110 and 107 respectively. The rest of the seats went to other parties, mainly from the terai plains in the south of Nepal bordering India.

Before elections, the debate in the Nepali media and elite political circles was not whether the Maoists would form the government and how but whether the Maoists would accept the verdict, the expectation being that they would perform poorly and would not accept the outcome. What would happen next was the main anxiety. The people of Nepal reversed this pre-election analysis, which proved to be a big disconnect with the political reality on the ground.

Retrospectively, the Maoists always had a consistent basic agenda—forming a republic and abolishing the monarchy—while the mainstream Nepali Congress (NC) and CPN (UML) only shifted towards this agenda under public pressure as it became more politically expedient and their political future more uncertain. And since these two parties have not primarily and ideologically been committed to this agenda, there have been growing concerns after elections as to how these parties will conduct themselves in the new political landscape. Lacking in political self-confidence and accustomed to being servile to outside interests, these parties may well see the Maoists as a bigger threat to them than the monarchy.

The primary mandate of this election is to fulfil two basic demands: write a new Constitution and abolish the monarchy. But concerns are growing among the leadership of these political parties, which engaged with Maoists to bring them into mainstream politics and which had never imagined that they would get such a massive verdict in their favour, that they might be sidelined by the Maoists and that a more radical and inclusive agenda might prevail, which will break the old elite's monopoly of social and economic power in the country. Hence, once again delaying tactics are prevailing. Postponements, delays, negotiations, bargaining—these acts of political desperation are all symptoms of the old order trying to retain as much of their power as possible, even in the face of a mandate that is dramatically different from their objective. King Gyanendra is busy organising massive religious ceremonies, performing prayers of propitiation to retain a monarchy, whose last representative and destroyer he may well be.

Representatives of all the reactionary forces who hitherto controlled Kathmandu are trying to regroup, in a last ditch attempt to thwart the implementation of the electoral verdict. People in Kathmandu openly say that these parties will delay government formation and even when it is formed, they will do their best to destabilise the government and discredit the Maoists. In the past, the Maoists have clearly accused Prime Minister Girija Prasad Koirala and his Nepali Congress of trying to protect King Gyanendra and warned on

various occasions to start a new 'people's revolt' for the abolition of monarchy. Now, people see the dawn of a new political era and a new multi-party democracy, which was long awaited. However, under complicated dual system that was applied for elections to the Constituent Assembly, the Maoists obtained a simple majority in the 240 seats assigned for the first-past-the-post system, getting 30 odd percent of the popular vote and 120 seats. A total of 335 seats were assigned under the proportional representation system, of which the Maoists secured 100 seats. In all, they have 220 of the 575 elected seats, with an overall vote share of 36.60 percent leaving them short of a simple majority in the house and far short of the two-third majority that is required for effecting major constitutional changes.

Against this, the Nepali Congress secured only 18.30 percent of the popular vote and the UML 17.14 percent, obtaining, respectively 110 and 107 seats. The Maoists therefore are the largest single party with the largest share of the vote, but procedurally they can be neutralised even if they form the government with the help of other parties. One political analyst put it as a verdict "reflective of the spirit of janandolan" or *April 2006 revolution*, and reflective of the spirit of the Interim Constitution which expects the major political parties to work together towards the framing of the new Constitution and towards building a new State. Since the Maoists have more seats in the Constituent Assembly, it is for them to form the government and build a coalition. But then the forces of status quo are also scared that as per the Interim Constitution, a two-third majority is required to remove a prime minister, which means that they can't remove a Maoist prime minister. The same provision has made it practically impossible to remove the incumbent, and hence they are reluctant to see a Maoist leader occupy that position. That a section of the Maoists want a presidential form of government is a different political ballgame altogether.

Various unofficial attempts are on to change procedure. Sections of the Nepali Congress want to amend the Interim Constitution to enable the Constituent Assembly to remove the prime minister with a simple majority. By making such attempts, according to former Finance Minister Devendra Raj Panday, "the NC and UML are damaging whatever is left of their political base. First they engaged with Maoists and now if they think that the Maoists will wither away, they are discrediting themselves."

In fact, the Maoists have been challenged and impeded at every step by these two main political parties and other interest groups—feudal, autocratic, bureaucratic, military, aristocratic, right-wing Hindu outfits, royalists, and even sections of civil society and the media. These obstacles to government formation are also seen as excuses for bargaining for major portfolios.

Since it is not possible to form a single party government, the only option is the formation of coalition with a consensus. In the absence of the required numbers and with the active and insidious abetment of external forces, lack of sufficient legal and constitutional framework, the Maoists are being stopped from forming a government, with even the absurd suggestion being put forward that the party that obtained exactly half the number of seats that the Maoists have got should lead the government. The political situation and the legal provisions are being interpreted according to all manner of convenience and interest while the spirit of basic constitutional, moral and political norms, the spirit of peace agreements is being violated.

There is a fear that in this climate of manipulation the Maoists could become like the UML, which had long ago abandoned its social, economic and political agenda, and vision for change in the attempt to come to power. While all agree that Maoists have to be flexible and make a number of compromises, there are deep underlying fears that they might sway off the boundaries of their defined political vision. The Maoist leadership has already made it clear that it will work with private business and industry, seek private investments, work with donors like the World Bank and Asian Development Bank and seek engagement with the international community, particularly India. It is understandable that pragmatically the Maoist leadership is aware of its own limitations and of the ground realities, especially when they are short of the required majority. But then, there are tremendous expectations from the people who voted for them. They have chosen the Maoists as an alternative force of social change and, indeed, peace.

They have to try hard to learn some of the rules of the new game they find themselves playing, to negotiate with the reality and at the same time remain true to their social and economic agendas which have catapulted them to the proximity of power from the dense heat of the underground. As the political bargaining, accusations and counter accusations go on among the major political players in Kathmandu, nobody should forget that the spirit of the *April Revolution* is still lingering in the hearts of the Nepali people. □