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Civil Society in Uncivil Places: Soft State and Regime Change in Nepal

Saubhagya Shah



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East-West Center in Washington

1819 L Street, NW, Suite 200

Washington, D.C. 20036

Tel: 202-293-3995

Fax: 202-293-1402

E-mail: ewcwpubs@eastwestcenter.org

Website: www.eastwestcenter.org/washington

Online at: www.eastwestcenter.org/policystudies

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List of Acronyms

BBC	British Broadcasting Corporation
CMPD	Civil Movement for Peace and Development
CPN (Maoist)	Communist Party of Nepal (Maoist)
CPN-UML	Communist Party of Nepal - United Marxist-Leninist
CSO	Civil Society Organization
CSP	Citizens' Solidarity for Peace
CSPD	Civil Society for Peace and Development
CVICT	Center for Victims of Torture
DFID	Department for International Development
ESP	Enabling State Program
EU	European Union
HRPS	Human Rights and Peace Society
JPMCC	Joint People's Movement Coordination Committee
NEFIN	Nepal Federation of Indigenous Nationalities
NGO	nongovernmental organization
NSP	Nepal Sadbhavana Party

PAPAD	Professionals' Association for Peace and Democracy
SPA	Seven Party Alliance
UN	United Nations
USAID	United States Agency for International Development

Executive Summary

The massive political mobilization, or *janaandolan*, of 2006 that swept away King Gyanendra's direct rule and dramatically altered the structure and character of the Nepali state and politics raises important theoretical and methodological questions for the study of civil society. Although the opposition movement was successful due to a new strategic alliance between the seven parliamentary parties and the Maoist rebels, the historic moment catapulted civil society into prominence among the forces arrayed against the royal regime. By focusing on the momentous events of the nineteen-day general strike from April 6–24, 2006, that brought down the 400-year-old Nepali royal dynasty, this study highlights the implications of civil society action within the larger political arena involving conventional actors such as political parties, trade unions, armed rebels, and foreign actors.

The detailed examination of civil society's involvement in Nepali regime change provides insights into four important topics in the study of civil society. The first is the distinction between civil society in its original philosophical and associational form in the West and its mimetic articulation in the developing world. The second examines the relationship between civil society and political society and the way the former generates its moral authority and efficacy based on claims to universal reason, knowledge, and techniques of polymorphous power. The third topic addresses the connection between the ideological and material base of civil society, which allows us to distinguish between its Western origins and the recent growth in the developing world. The final topic relates to the role of civil society in the international arena. The example of Nepal reveals ways in which civil societies in the developing world are evolving as policy instruments in interstate relations.

Although the notion of civil society is uncritically embraced in most places today, definitional difficulty arises not because civil society is an obscure phenomenon, but rather because it is so widespread in contemporary political practices and intellectual discourses. Not only are the organizational forms of civil society varied, but the functions it has been given by international donors are diverse. The World Bank, one of the major promoters of civil society in the developing world, has provided considerable funding through various mechanisms for the environment, microcredit, information technology, postconflict reconstruction, promotion of human rights, and other areas. When both the basic form and functions of a phenomenon are so elastic and indeterminate, definition in the conventional sense is inevitably challenging.

Nevertheless, civil society is unified by a supporting community that validates its recognition, legitimacy, and claims to moral and material resources. Comprised of a loose yet discernible network of Western academic centers, donor states, professional activist organizations, and national opposition groups, civil society derives its cohesion from a shared worldview and program that, according to one formulation, centers around a new hegemonic desire for a global economic system that sets human rights, democracy, and free markets as its core principals.

Although the political struggle in Nepal to wrest power from King Gyanendra was spearheaded by a six-month-old alliance between seven parliamentary parties and the Maoist insurgents, various civil society organizations played a critical role in mobilizing public opinion and creating a discursive environment that was highly unfavorable to the government. No other sector perhaps played a greater role from within civil society than the media in putting the government on the defensive during the *janaandolan*. Most of the major private sector newspapers, radio stations, and television channels had adopted a highly critical stance toward the royal government, and their combined effort was able to sway public opinion in favor of regime change.

Along with the media, the contribution of nongovernmental organizations (NGOs) working in development, human rights, democracy, conflict, and advocacy was also significant in the outcome of *janaandolan II*. From 1990 to 2006, the number of these NGOs, most of them funded by bilateral or multilateral sources, had increased in Nepal from 193 to over 33,000. In many areas local development groups like forestry user groups were networked by national federations that encouraged them to support the opposition movement.

The unprecedented prominence gained during the intense political ferment and the subsequent regime change suggests that civil society is neither

a stable organizational form nor a permanent movement. Dispersed and diffuse, civil society's intellectual and political potency normally rests in conditions of submerged networks embedded in the architecture of modern communication technology and other articulatory assets available to the opposition. These networks can be activated to connect the various constituencies of civil society such as the mass media, international NGOs, professional forums, voluntary groups, donors, and intellectual centers to amplify their effect during a general mobilization like the *janaandolan*. Civil society's ephemeral nature adds to its efficacy by reducing costs of maintenance as well as risks of detection.

For international donors, certain civil society features make it an appropriate policy instrument in pursuing democracy, development, or geopolitical security objectives in the developing world. These include its cost effectiveness, flexibility, and plausible deniability. In many instances, civil society and NGOs have been recognized as powerful actors with more resources, media assets, and opportunities to influence policy, frame agendas, mobilize constituencies, and monitor compliance than many states within the global system.

The mobilization of the dispersed constituencies of civil society in the media, NGOs, professional groups, and self-ascriptive civil society forums played a critical role in the dismantling of Nepal's royal government. More than size, civil society's real impact was in its ability to network between local political forces and external actors to create an enabling environment for the oppositional moment. Civil society's intellectual and communicative efforts helped to put the regime on the defensive while vindicating the political agenda of the opposition. Moreover, civil society's involvement was instrumental in restoring the political legitimacy and acceptability of the Communist Party of Nepal (Maoist), without whose military and organizational assets the April 2006 uprising would not have been so decisive.

Civil Society in Uncivil Places: Soft State and Regime Change in Nepal

The significant impact exerted by the relatively new phenomenon of civil society in Nepal raises several theoretical and methodological questions in the study of civil society. This monograph examines the role of civil society in effecting regime change in a weak state setting like Nepal. By focusing on the momentous events of the nineteen-day general strike (known as *janaandolan* II) from April 6–24, 2006, that brought down the 400-year-old Nepali royal dynasty, this study examines the implications of civil society action within the larger political context involving conventional political actors such as political parties, trade unions, armed rebels, and foreign actors.

The political events in Nepal in April 2006 shed light on four important topics in the study of civil society. The first relates to civil society as a philosophical and associational formation in the West and its mimetic articulation in the developing world. The second concerns the relationship between civil society and political society and the way the former generates its moral authority and network efficacy. The third topic addresses the connection between the ideological and material base of civil society, which allows us to distinguish between its early Western conceptions and recent applications in the developing world. The final topic locates the role of civil society within the international arena. An analysis of recent events

in Nepal supports the argument that civil societies in the developing world are evolving as alternative policy instruments in interstate relations.

I argue that given the endemic conflicts and instabilities that characterize much of the developing world, those dealing with global governance are effecting a gradual merging of development, democracy, and security to address the complexity of the crisis itself. According to Mark Duffield, the merger “reflects the thickening networks that now link UN [United Nations] agencies, military establishments, NGOs [nongovernmental organizations] and private security companies.” The growing “convergence of development and security” in the new “liberal peace” project means that NGOs and civil societies in the developing world can now find it “difficult to separate their own development and humanitarian activities from the

pervasive logic of the North’s new security regime” (Duffield 2002: 16). This is one of the main reasons why it is difficult to conceptually distinguish civil society from other organizational forms or operations. For funding as well as ideological purposes, civil society groups in the developing world are emerging as *multifunctional* forms that incorporate flexible portfolios of

*civil society is...linked
to the political process*

development, welfare services, advocacy, and political activism. These characteristics make Nepali civil society significantly different from its European namesake. Rather than being separate from the political society, civil society is intrinsically linked to the political process and its contestation over power and resources. Lastly, civil society is also emerging as one of the key nodes through which global political and economic powers act and react in Nepali society.

Locating Civil Society: East and West

Although the notion of civil society is uncritically embraced in most places today, operationalizing the concept in any particular context has proven to be a challenge. Some even argue that sufficient agreement does not exist on the terminology itself: “The terminology currently in use includes but is not limited to: the Third Sector; the Voluntary Sector; Social Entrepreneurs(hip); Nonprofit Sector; Civil Society; Social Economy. . . . Lyons (2000), for example, dismisses civil society as a meaningless concept because of the lack of an even minimally shared understanding of what it means across a sufficiently wide array of users, be they analysts, agencies or

activists” (Fowler 2001: 11). This definitional difficulty arises not because civil society is an obscure phenomenon, but rather because it is so widespread in contemporary political practices and intellectual discourses. For example, a Danish government strategy paper on supporting civil society in developing countries provides a broad definition of civil society that includes NGOs, “popular organizations,” church and other religious groups, grassroots organizations, and cultural forums. By working with local media and the legal system, the Danish government seeks to promote civil society to strengthen “democracy, human rights, and good governance” (Danida 2000: 42).

Not only are the organizational forms of civil society varied, the functions to which it has been put by donors are just as diverse. The World Bank, one of the major promoters of civil society in the developing world, states that “it has also established numerous funding mechanisms over the past two decades to provide grants to civil society...in a variety of areas such as environment, micro-credit, post-conflict reconstruction, information technology, human rights and civil engagement” (World Bank: 2005a). When both the basic form and functions of a phenomenon are so elastic and indeterminate, definition in the conventional sense is inevitably challenging.

Civil society is not a conceptual abstraction developed from a range of comparable empirical phenomena but a normative projection from a particular philosophical and political standpoint. Ethnographically speaking, the issue is better suited to a messy but rich descriptive analysis than to an elegant but nonexistent theoretical unity. There is no one civil society with a capital “C” but many forms with varied compositions and contentions. Despite this empirical divergence, what unifies civil societies is the epistemic community behind them that validates their recognition, legitimacy, and claims upon moral and material resources. Comprised of a loose yet discernible network of Western academic centers, donor states, professional activist organizations, and local oppositional formations, civil society derives its cohesion from a shared worldview and program which, according to one formulation, centers around a new hegemonic desire for a “global economic system based on principles of democracy, human rights, and free markets” (Scheper-Hughes and Bourgois 2004: 18).

The indeterminate conceptual and organizational formulation of civil society may even enhance its effectiveness. As Comaroff and Comaroff

have noted, the new power of civil society comes from its empty referents and polyvalence, which make it “good to think, to signify with, and act upon” (quoted in Paley 2002: 9). Having emerged as one of the dominant ideologies of the late twentieth century, extensive references to civil society and invocation of it to legitimate action have caused the concept to empty of any authoritative meaning and instead encode numerous sets of references, relations, and significance. It is precisely the absence of a single definition that allows multiple intentions and projects to be inserted into the concept of civil society.

If the ever-shifting meaning of the term “civil society” is a linguistic challenge, the historical and contextual dimensions add a different order of confusion in using civil society as a comparative concept. Originally, the intellectual notion of civil society emerged in Enlightenment Europe to index particular sets of relations between strong centralized states under monarchies, growing capitalist economies, and emerging bourgeoisie and professional classes. Basic conceptual difficulties arise when the same device is used to label a superficially similar phenomenon in the different contexts found in the contemporary developing world: weak and fragmented nation-states; economic stagnation; external dependence and domination; and variegated class composition and interest alliances.

The difficulty in understanding civil society as a coherent concept arises in part from transforming a particular Western historical-intellectual experience into a contemporary universal normative. For Gupta, it is the “‘imperialism of categories’ that allows the particular cultural configuration of ‘state/civil society’ arising from the specific historical experience of Europe to be naturalized and applied universally” (Gupta 1995: 376). When an essentially contingent affair is accorded a pan-human existential status, the definitional stretch can be made to carry some of the normative weight, but with a loss of analytical precision.

In the absence of a cohesive definition, the term civil society has no stable meaning or uniform ethical referent. Ever since the dissidents in the former Soviet empire grasped the notion of civil society in the 1980s to challenge the dominance and reach of the state to regulate citizens’ lives, civil society has acquired an antistate connotation, particularly in its formulation for the developing world (Holy 1996; Linz and Smolar 2002; Stepan 1996; Verdery 1996;). Historically, however, conceptions of civil society did not always carry such an overtly antagonistic relation-

ship to political society. In fact, during the classical age, civil society was commensurate with the political society (i.e., the state). Greek and Roman thinkers projected their *koinonia politike* and *societas civilis*—moral citizenship, law, justice, and the common good—in opposition to the barbarism they saw around them. As late as the seventeenth century, English political philosopher Thomas Hobbes (1588–1674) perceived the “state or civil society” rising above the “nasty” state of nature. For German philosopher Georg Wilhelm Friedrich Hegel, civil society was also more or less coterminous with the state, but for slightly different reasons. In *Objective Spirit*, Hegel locates the “ethical substance” at three levels: the “family,” “civil society,” and the “political constitution.” Although the family is the “natural” and “immediate” domain, the political constitution is depicted as the “self-conscious substance...organic actuality.” Civil society, in this schema, is an intermediate ethical substance comprised of “The ‘relative’ totality of the ‘relative’ relations of the individuals as independent persons to one another in a formal universality” (Hegel 1974: 275). Unpacking Hegel’s rather cryptic definition, one gathers civil society to be a collective reality that exists outside the state’s formal constitutional framework as well as beyond familial and other primordial loyalties. It is depicted as a domain in which people relate to each other on a volitional basis as free individuals.

***civil society has acquired
an antistate connotation***

Elsewhere, however, Hegel seems to conflate state and civil society as one. Anticipating Émile Durkheim’s sociology on the atomizing tendencies of industrial societies, Hegel argues that as individuals become detached and independent from previous collective bonds and begin to pursue narrow personal interests, a general system has to emerge in society to integrate these individualistic pursuits. For Hegel, this integrative process is the basis of civil society and the state: “The developed totality of this connective system is the state as civil society, or *state external*” (Ibid.: 276). The unison between European civil society, a capitalistic economy, and the state becomes even more apparent when Hegel probes its material base to posit that “this inner dialectic of civil society thus drives it—or at any rate drives a specific civil society—to push beyond its

own limits and seek markets, and so its necessary means of subsistence, in other lands which are either deficient in the goods it has overproduced, or else generally backward in industry” (Ibid.: 282). The Scottish Enlightenment thinker Adam Ferguson emphasized the same point in seeing civil society as being coterminous with the commercial enterprise within the capitalistic order and its enlightened governance (Ferguson 1995). Thus the strict distinctions between the economy, political society, and civil society are only heuristic tools, and Hegel’s penetrating observation still has relevance in the analysis of contemporary civil society discourses and practices.

It was only after the seventeenth century that civil society and the state began to be seen as mutually exclusive domains against a background of rapidly centralizing states. The sphere of civil society was thought to exist outside the sovereign domain of state politics. For Immanuel Kant, civil society left the actual political actions and governance to the state and concerned itself with rationally debating a broad range of public issues “on the basis of universal principles of reason,” which in some respect presaged Habermas’s notion of rational-critical discourse within the public sphere (IESBS 2001: 1893). Such debates, according to Kant, served to legitimate state authority as well as to check its absolutist tendencies. More important, in Kant’s view civil society had a particular class character, composed as it was of *bürgerliche Gesellschaft* from the “Prussian bureaucratic and bourgeois elites, educated and trained in state schools and administrative offices, as well as members of social clubs and associations, who could by dint of reason rise beyond the trappings of class or official status” (Ibid.). Civil society clearly featured a bourgeois middle-class character that was distinct from both the traditional aristocracy and the lower classes. Similarly, Montesquieu’s idea of civil society, *l’état civil*, meant renegotiating the absolute power of the monarchy to “balance it against the authority of the landed aristocracy, their advocates in the judiciary, and commercial interests” (IESBS 2001: 1893). This point also helps to emphasize the fact that the notion of civil society cannot be transparently translated in every language. The English, German, and French versions carry slightly different emphases and historical intentions.

For example, in Nepali language, *nagarik samaj* has been adopted as the standard equivalent for the English term “civil society.” Literally, however, *nagarik samaj* refers to “citizens’ society.” A more accurate translation for civil society in Nepali is *nijamati samaj*. This usage has not been adopted

probably because *nijamati* (civil) has been reserved for civil service (*nijamati sewa*), which is distinguished from *jungi sewa*, or military service.

In their conceptualizations of civil society, the classical and Enlightenment thinkers emphasized different aspects of civilization, rule of law, government, reason, and capitalistic market relations as the core features. Despite these variations, the consistent theme—both stated and implied—has been the construction of civil society as a moral force (for example, see Rousseau 1988). The exception to this general intellectual tradition has been Karl Marx, who saw civil society as an arena of the selfish individual, egoistic man. Marx defined *bürgerliche Gesellschaft*—a term that can mean either “bourgeois society” or “civil society” in German—as the “whole material intercourse of individuals within a definite stage of the development of productive forces.” Civil society for Marx was an inclusive category that included the state, economy, and social relations of a capitalist society. As Marx saw it, civil society “only develops with the bourgeoisie; the social organization evolving directly out of production and commerce, which in all ages forms the basis of the State and of the rest of the idealistic superstructure” (Marx 1978: 163). Marx’s criticism of civil society is consistent with his general critique of capitalistic class relations with its inequities and alienation.

The class-oriented analysis of civil society was continued in the twentieth century by Antonio Gramsci, but his conclusions were less discouraging than that of Marx. Although for Marx civil society encapsulated the totality of economic, social, and political relations of a capitalistic order, Gramsci’s notion of civil society encompasses any voluntary groups, associations, and political parties that are not directly part of the state. He draws this distinction by separating the superstructure at two levels: “the one that can be called ‘civil society,’ that is the ensemble of organisms commonly called ‘private,’ and that of ‘political society’ or ‘the state’” (Gramsci 2000: 306). Gramsci also made a major distinction between the West and the East (his immediate reference being Czarist Russia). Civil society in the West has a “proper relation between state and society” so that when the “state trembled a sturdy structure of civil society was at once revealed” like the trenches and the earthworks in a battlefield. In contrast, the “primordial and gelatinous” condition of civil society in the East made

*the consistent
theme...has been...civil
society as a moral force*

the states vulnerable because no second line of societal defense existed should the state be challenged (Ibid.: 229). This observation, however, vindicates Marx's contention that in a bourgeois society, the state and civil society are effectively unified at one level. Although for Marx this unification made a capitalist arrangement inherently weak, Gramsci's analysis reveals the opposite: the state-civil society convergence makes the total system resilient to both internal and external challenges.¹

Unlike political society, which rules by coercion, civil society in a Gramscian conception constitutes the cultural and symbolic site where dominant groups generate consent and hegemony, which create the conditions and legitimacy to rule without constantly having to resort to overt force. It is precisely in this arena that oppositional and subaltern groups can potentially create their own alternative hegemonies and discourses to challenge the dominant order. After Gramsci, the intellectual interest in civil society declined for the next fifty years or so until political dissidents in Latin America and Eastern Europe picked up various strands from civil society and the liberal tradition to resist authoritarian states. Ethical claims of "truth," "living in truth," and "anti-politics" were deployed to challenge the intrusion of the authoritarian and communist state to colonize the public and private lives of its citizens.

According to Muthiah Alagappa's periodization, civil society remained only an intellectual debate within Western political philosophy until the 1980s (Alagappa 2004: 26). With the fall of the Soviet bloc and other authoritarian regimes in Asia, Africa, and Latin America and the onset of the third wave of democracy, civil society gained significant intellectual and political currency in the unipolar world dominated by the United States. It evolved from a philosophical ideal, it evolved into a potent political ideology able to mobilize and mount significant challenges against the states in the South and the East, the precise areas where Gramsci felt the bourgeois civil society and the states were yet to consolidate as coherent systems.

Critique of the Canon

The Western bias in the construction of civil society has led some to point out that various forms of associational life have existed between the family and the state even in non-Western and nonmodern contexts. In examining alternative forms of civil formulations in Taiwan, Robert Weller (2001: 16) has identified some of these traditional "broad-based horizontal institutions" that play an important role in public life as well as in the

democratization process. In Africa, Mahmood Mamdani (1996) has argued that although civil society theorists exceptionalized the events in Eastern Europe in the 1980s, they ignored the significance of earlier civil protests in Durban in 1973 and Soweto in 1976 in South Africa. Even within the postcommunist political competition in Eastern Europe, the idea of civil society carried a distinctive European identity espoused by the pro-Western parties in opposition to their nationalist and other rivals (Verdery 1996).

Within Nepal, the new civil society/NGO formations can be distinguished from the customary associational forms like the *guthi*, *parma*, and *dhikur* that mobilize people and resources beyond the family level to work for self-help, community improvement, service delivery, and charity. They carry both practical and transcendental values of *dharma*. These traditional forums have not adopted the self-ascriptive civil society nomenclature or been accorded this identity by outsiders. In the new enthusiasm for civil society and NGOs, the alternative roots of social engagement have largely been removed from the public consciousness. This “cognitive deficit” denies legitimacy and recognition to issues and forums that might be raised outside of civil society’s epistemic community that sanctions its specific issues, forms, and funding in different locales (Shah 2002: 157). Current civil society norms therefore privilege particular knowledge claims, educational traditions, and ontological stances while eliding others.

The new civil society promotion has also been noted for its rather uncritical portrayal as “an unmitigated blessing for democracy.” Summarizing both the potential and limitations of civil society practices in Asia, Alagappa points out that in certain circumstances “civil society may make the formation of majorities more difficult, build biases into the policy making process, lead to pork-barrel politics, and segment the political community to the point of stimulating secession” (Alagappa 2004: 46). In another context, Ann Hudock (1999: 13) notes that the asymmetric strengthening of NGO formations over communities they are intended to serve can result in “proxy, rather than true democracy.” In his study of the Mindanao conflict in the Philippines, Steven Rood concludes that although civil society groups have the potential to facilitate the peace process, their lack of representativeness, ideological schisms, and the resultant inability to aggregate societal interests place certain limitations on their efficacy (2005: 34). This is a particularly relevant insight for Nepal and similarly positioned countries where the boundaries between

civil society, NGOs, and political movements are rapidly dissolving in the pursuit of ethnic, religious, and regional aspirations and contestations. In other words, it is possible to appropriate civil society as a discursive and mobilization technology out of its Enlightenment context to be deployed for a range of developmental, political, ethnic, and religious purposes.

Polymorphous Power

The intense political ferment of *janaandolan* II and the subsequent regime change suggest that civil society in Nepal is neither a stable organizational form nor a permanent movement. Structurally, it is a rather amorphous entity that is flexible and mobile, lacking locational fixity. Dispersed and diffuse, civil society's intellectual and political potency normally rests in conditions of submerged networks embedded in the architecture of modern communication technology and other articulatory assets controlled by oppositional formations. It is these networks that can be activated to connect the various constituencies of civil society such as the mass media, international NGOs, professional forums, voluntary groups, donors, and intellectual centers and to amplify civil society's impact during a general mobilization like the *janaandolan*. Being a conceptual domain and mobilization technology rather than an organizational edifice, civil society's ephemerality adds to its efficacy by reducing costs of maintenance as well as risks of detection.

In conceptualizing the "polymorphous techniques of power," Foucault focuses on the power networks that form a "dense web that passes through apparatuses and institutions, without being exactly localized in them" (Foucault 1990: 96). As he makes clear, this kind of new power is "not an institution, and not a structure; neither is it a certain strength we are endowed with; it is the name that one attributes to a complex strategical situation in a particular society" (Ibid.: 93). Elsewhere, Foucault elaborates on the particular form of this power "not as a property, but as a strategy" and asks us to focus on its "dispositions, maneuvers, tactics, techniques, functionings" and "decipher in it a network of relations, constantly in tension, in activity, rather than a privilege that one might possess" (Foucault 1995: 26).

If the core nodule of Foucauldian power is in flexible relational networks, its affect is premised on claims to scientific knowledge. As he argues, "power and knowledge directly imply one another; . . . there is no power relation without the correlative constitution of a field of knowledge; nor any knowledge that does not presuppose and constitute at the same

time power relations” (Ibid.: 27). The power-knowledge matrix becomes apparent in the production of various discourses on the nature of society, public good, health, sexuality, justice, governance, and a host of other issues of public significance. Despite the claim to scientific objectivity, discourses do encode power relations because “discourse can be both an instrument and an effect of power” (Foucault 1990: 101). In this fluid and institutionally indeterminate conceptual frame, civil society’s will to power emerges from the claim to scientific knowledge, universal values, and the resultant moral high ground.

If a civil society is a largely self-selective formation, it generates moral authority primarily from its claim to universal knowledge and values. Academic, professional, literary, and artistic credentials are often *de rigueur* for establishing these claims, which become further legitimated when they are recognized by Western epistemic formations. The presence in protest marches of physicians in white overalls with stethoscopes around their necks or lawyers in black coats symbolically underscores the meritocratic claim to privileged knowledge and reason. It is this symbolic capital which accords a relatively small, self-selected group the ability to enjoy a disproportionate voice in setting the tone and tenor of public discourse.

In this respect the civil societies in the developing world are akin to the nonprofit foundations of the United States’ New England area, where the high concentration of wealth, scientific knowledge, and social capital enabled the Boston Brahmins to influence public policy and frame issues without electoral accountability (Hall 1987, n.d.). Seen from within the Hindu tradition, civil society occasionally parallels the tension between the priestly class and the Kshatriya rulers in which the ecclesiastic critique challenges the temporal authority. Because of its prestige and influence, civil society also becomes a convenient launching pad for future politicians or a resting place for former ones. The relationship between civil society and political society is complexly interwoven and to some extent mutually constituted. As Fowler has pointed out, civil society organizations in the South “can act as ‘holding grounds’ for the politically excluded who aspire to political power but cannot openly do so” (Fowler 2001: 8). In the newly constituted 330-member interim parliament in 2007, 48 seats were allocated to the civil society sector. Although most of these seats were later divided among politicians, a few did go to civil society leaders who had played a prominent role in the April 2006 movement.² Meanwhile, like a revolving door, many now in civil society were in government positions in the past.

Along with scientific knowledge, what distinguishes civil society as a moral force is its claim to selflessness and impartiality. Speaking to a reporter after *janaandolan* II, when demands were being made in certain quarters to bring civil society representatives into the new government, Krishna Pahadi, one of the prominent leaders, rejected those efforts: “We civil society mem-

bers do not join governments. It is an insult to ask us to become ministers or to allege that we work to become one” (Luintel 2006b). Unlike political parties, which fight for power and factional interests, civil society is apparently above such gains and represents itself as a disinterested player motivated solely by enlightened collective good. As posited

civil society [is distinguished by]...its claim to selflessness and impartiality

earlier, only by eliding its own class, caste, race, gender, national, and ideological constitution can civil society emerge as a rational, nonpartisan, and universal authority with privileged access to the public domain.

Anatomy of Regime Collapse

The April 2006 showdown between the royal government and the broad opposition alliance was a cumulative outcome of the “People’s War” launched against “bourgeois democracy” by the Maoist faction of the Communist Party of Nepal in 1996. The Maoist challenge not only weakened the Nepali state apparatus, it also fragmented and repolarized the sides to the 1990 accord for multiparty democracy and constitutional monarchy reached between the parliamentary parties and the monarchy. Even though a democratically elected government was in power when the Maoists began their war and for most of the next decade of insurgency, the contradictions and crisis generated by the insurgency had severely weakened the parties, distorted the political process, and undermined the coherence of the Nepali state (Shah 2004). Even before the radical insurgency formally started in 1996, the growing infighting, parochialism, and endemic corruption within the ruling parties had led to a series of unstable and ineffectual governments that set the stage for the rapid rise of the Maoist forces after 1990 (Maharjan 1993; Marks and Palmer 2005; Mikesell 1993; Nickson 1992). The worsening crisis of governance and bitter infighting within the ruling parties culminated in then-prime minister Sher Bahadur Deuba dissolving the House of Representatives and declaring snap polls for a new parliament on May 22, 2002.³

When the worsening Maoist insurgency in the countryside made it unlikely that the polls could be held within the constitutionally stipulated six-month period, the prime minister asked for an extension. Instead, the monarch sacked the Deuba government on charges of incompetence on October 4, 2002, and appointed a new cabinet comprised of old loyalists and technocrats. Even though some of the parties had already begun to protest King Gyanendra's intervention, the palace establishment seemed buoyed by the perennial dissension among the political parties. The king appointed yet another government on June 4, 2003. This was a time of musical chairs in Nepali politics. In a bizarre twist, the king asked Sher Bahadur Deuba to again serve as prime minister. Deuba formed a coalition government comprised of Nepali Congress (Democratic), Communist Party of Nepal - United Marxist-Leninist (CPN-UML), Nepal Sadbhavana Party (NSP), and Rastriya Prajatantra Party on May 2, 2004. Meanwhile, the political situation continued to worsen as the Maoist insurgents expanded their military operations in the hinterland and the opposition parties continued their Kathmandu-based agitation. Within this irresolute triangular conflict between the government, political parties, and the Maoists, the king sacked Deuba for a second time on February 1, 2005, and formed a new cabinet under his own chairmanship using the emergency clause in the 1990 Constitution.⁴

The king's move created shock, awe, and disbelief, even though the possibility of the king controlling the cabinet had been rumored in Kathmandu for several years. Most of the opposition parties were thrown off-guard by the drastic step and thus were slow to react in any substantive way immediately. There was even a sign of cautious hope among the war-weary section of the population that the increasingly crippling Maoist insurgency and the political stalemate in Kathmandu would finally be resolved by the emergency measure. Notwithstanding the authoritarian intervention, the public was led to believe that the king had a clear-cut roadmap to end the Maoist war, restore order, and restart the normal constitutional process.

Whatever benefit of doubt King Gyanendra started out with began dissipating with his choice of symbols, style, and personnel. For example, most of the people in the new cabinet formed under the king's chairmanship were stalwarts of the thirty-year party-less Panchayat system that ended in 1990. The zonal administration structure, a core feature of the

Panchayat system, was reinstated. The music, songs, and images identified with the Panchayat period began to be aired on state television and radio. Royal opponents were able to present this as the king's intention to end the multiparty system and return the country to Panchayat rule. The crown's nostalgia for Panchayati bric-a-brac might have been forgiven had the government begun to deliver on the key peace promise that had been made when it assumed direct rule. Inexplicably, no sooner had the royal government assumed power than it appeared to lose its focus. The only justification for emergency rule was the Maoist war, but the royal regime displayed no new convincing political initiative or credible military strategy that could have restored public faith in the king as an impartial constitutional referee to bring to an end the national crisis and lead the country to normalcy.

*there was no net
difference in the security
situation...after the
royal takeover*

In other words, there was no net difference in the security situation before and after the royal takeover. If anything, the public perceived that the Maoists were expanding their military strength, political organization, and areas of operation into new towns and urban areas from their rural strongholds. The loss of focus and policy drift caused the royal government to entangle itself in a number of distractions such as corruption control, civil service reform, and school textbook redesign.

Although these were not unimportant issues in themselves, the sense of priority, proportion, and timing was hardly appropriate in the midst of a full-blown armed insurgency and parliamentary crisis. Unsuccessful attempts by the government to enact new regulations for the NGO sector, the media, and civil servants not only overextended the royal government but also unnecessarily antagonized powerful sections of the new urban middle class. Particularly counterproductive was the government's anticorruption drive. When the Supreme Court declared the newly formed Royal Commission for Corruption Control unconstitutional, the judicial verdict not only ended the anticorruption efforts but also undermined the constitutional legality of the king's rule.

The mounting actions and omissions of the royal government served as a catalyst for the fractious political parties to bury their differences and come together to wrest back power from the ambitious monarch. Although a few parties had been in a protest mode since the dissolution of the parliament in

2002, they were nowhere close to posing a serious threat to the government at that time. After the royal takeover in 2005, however, the major parties that represented the political spectrum in the parliament from the extreme Left to the liberal end formed the seven party alliance (SPA) to challenge the king's rule. Initially, the SPA was unable to make much headway: it received only lukewarm response from a skeptical public in its campaign against the king's rule. The parties had lost much credibility due to corruption, partisan squabbles, and inefficiency during the twelve years they had been in power. As public patience soured into cynicism and frustration with the fanciful activities of the royal government, the environment for the opposition forces gradually improved. A government that had come into existence through an extraordinary provision of the Constitution was beginning to act as if it were a regular government in normal times. After a few months, not only those in opposition but even nonpartisan sections of the public began to question the sincerity and the competence of King Gyanendra's government. The king's biggest miscalculation during this period was to attempt to hold municipal elections without pacifying or even containing the Maoist insurgency to any extent. With a large part of the country under the Maoist grip, it would have been an uphill task to hold any sort of meaningful polls. When the Maoists and the SPA joined hands to "actively" oppose the elections, the outcome was an embarrassing fiasco for the government.

As the royal government stumbled from one debacle to another in its fifteen-month existence, the various elements of civil society also began to coalesce against the king. Simultaneously, influential members of the international community—the United States, Great Britain, northern European Union members, and India, for example—had already started exerting diplomatic pressure and economic sanctions on the king's government to support the opposition parties. The balance of power in Nepal shifted decisively in November 2005 when the SPA and the Maoist rebels hammered out the famous twelve-point New Delhi pact against the royal government. Former foes now joined forces against a common enemy. The historic agreement, finalized under Indian auspices and Western assent, laid out a framework for defeating the "autocratic monarchy," ending the insurgency, and sharing power between

*civil society...began to
coalesce against the king*

the Maoists and the SPA. By the time the opposition alliance launched its joint strike on April 6, 2006, the government in Kathmandu was already isolated internally and externally. Initially, the general strike was planned for only four days. When the opposition sensed the government's vulnerability to local protests and foreign pressure, a new decision on April 9 extended the strike indefinitely.

Increasingly mutinous demonstrators began to openly defy curfews and other measures announced by the government to control the situation. Violence and arson gradually escalated. Eighteen people were killed and hundreds injured across the country in violent confrontations between the demonstrators and the police during the nineteen days of general strike.⁵

Along with the mass action, no less important was the amplifying power of modern media to intimidate the government and paralyze its power, including the security forces. The particular ideological stance and representational slant adopted by the media helped to put the state on the defensive while validating the

*the media helped to put
the state on the defensive*

opposition's campaign. The intense and adverse glare of both local and foreign media on the security forces at the street level appears to have demoralized and incapacitated them while vindicating the demonstrators. Any move by the security forces was instantly brought to global scrutiny and opprobrium by live television images, the Internet, radio, and newspapers.

On April 21, defying curfew orders, hundreds of thousands of people marched on the Chinese-built Ring Road that circles Kathmandu. In many places like Ekantakuna on the Ring Road, army columns stationed to enforce curfew orders simply withdrew into the city at the sight of the aggressive marchers chanting slogans against the government and the royal family. In previous days, people had already been killed in violent clashes in the new settlements of Gongabu and Kalanki along the Ring Road. Realizing the seriousness of the situation, the king announced the same evening that he was handing back the executive powers he had assumed fifteen months previously. This proved to be too little, too late. Sensing that the king was fast weakening, the emboldened SPA rejected his offer. Instead, the opposition announced that it was bringing out two million people on the twenty-seven-km Ring Road on April 25. Unable to face the massive challenge, King Gyanendra, on the night of April 24, issued a second public address to the nation in which he conceded to all of the demands made

by the SPA. This new proclamation was tantamount to unconditional surrender.⁶ The parties quickly formed a coalition government and passed a unanimous resolution through the reinstated parliament to strip the monarchy of all its constitutional, ceremonial, and customary authority.

Along with the monarchy's neutralization, the parliamentary proclamation will be remembered for its decision to change Nepal's status from a Hindu kingdom to a secular state. With over 78 percent of the population adhering to the Hindu faith, the country was completely surprised by this political decision, which had not been discussed publicly even after the fall of the old regime. The public was particularly surprised because secularism had not been an issue in any sense during the nineteen days of uprising nor during the preceding months. If anything, the most vocal call during the agitation was for the immediate declaration of a republic. The secularism clause was inserted into the proclamation so secretly that even many of the senior political leaders heard it for the first time as it was read out in parliament. The surreptitious nature of the whole episode led some to allege that the declaration was orchestrated by leaders working for global Christian proselytizing missions (Kaidi 2006).⁷ According to a senior politician who participated in the parliamentary proceedings, the proposal to do away with the Hindu kingdom in favor of a secular state was pushed by a number of leftist leaders in closed meetings. During the critical transitional period in the immediate aftermath of the regime change, evangelical lobbyists visited the political leaders to encourage them to support the secular demand or at least not oppose it when it was brought up in the meetings.⁸ Another senior leader indicated that even Western embassies had been active in support of inserting the secular clause in the historic parliamentary proclamation made immediately after the fall of the royal regime. Although the formal rationale had been to separate the state from Hindu religion, the unstated consideration had been to weaken the king by removing the symbiotic ties between the Hindu crown and state.⁹

Opposition Preparations

Plans for the April general strike were worked out weeks in advance by the Maoist–SPA alliance and civil society following the agreement reached in New Delhi. If the New Delhi accord provided the strategic plan, the subsequent work provided the actual operation of regime overthrow. After the leaders returned from New Delhi, a new organizational mechanism was created to coordinate the activities of the SPA. At the highest level, the

SPA was led by a group of top leaders of the seven parties who were in touch with the Maoist allies and foreign powers like India, the United States, Great Britain, the European Union, and the Scandinavian countries that have strong interests in Nepali affairs.¹⁰ The fact that the foreign powers had adopted a unified posture against the king's government significantly enhanced the credibility and capability of the opposition movement. Below the top leadership was the Joint People's Movement Coordination Committee (JPMCC), which was comprised of junior leaders from the seven parties. JPMCC established the policies and outlined the schedule of opposition activities. Flexible links were maintained with various elements of civil society like the professional organizations, media, students, NGOs, artists, activists, and the Maoists to coordinate the opposition. For executing programs, JPMCC was assisted by a task force that implemented the day to day protests and coordinated between the field-level activities and the party leadership. Relatively younger leaders from the seven parties formed the JPMCC task force.¹¹ Subsequently, similar all-party movement committees soon formed at the district and local levels as well. As April approached, JPMCC passed a resolution on March 13 to launch a nationwide "Let's Go to Kathmandu" campaign for the April 6 strike planned for the capital.¹² At the same time, the indefinite blockade of the capital and the district headquarters announced by the Maoists on March 14 began to paralyze the national transportation system.¹³ The Maoists and the SPA then hammered out a second agreement in New Delhi to coordinate their actions for the planned four-day general strike.¹⁴ It was in this context that civil society activists staged a protest march against the government in the Ason area of old Kathmandu on March 20. They were blocked by a police cordon as they tried to enter the central zone the government had designated as "off limits" for protests and demonstrations.

After this face-off, the protesters staged a sit-in just outside the restricted area in Bhotahiti. According to newspaper accounts, women, ethnic activists, members of the professional class, and representatives of civil society organizations participated in the march.¹⁵ In Makwanpur District, a "citizens' meeting" was held in the village of Padampokhari on the topic of a democratic republic in which the speakers urged the political parties to show unwavering determination to take the movement to its logical conclusion.¹⁶ On March 24, the Professionals' Association for Peace and Democracy (PAPAD) staged a sit-in in Maitighar to express solidarity with

the ongoing movement to restore democracy. The professionals' organization also disclosed plans to organize similar protests across Nepal in Narayangadh, Butwal, Pokhara, Nepalganj, and Biratnagar as a run-up to the April strike.¹⁷

The ongoing political movement since February 2005 to wrest political power from the monarch meant that some of the political as well as civil society leaders were already in government custody. On March 29, the Human Rights and Peace Society (HRPS) staged a sit-in at Maitighar to demand the release of Devendra Raj Pandey, Mathura Prasad Shrestha, Shyam Shrestha, and the past president of HRPS, Krishna Pahadi.¹⁸ As the date for the April general strike approached, the parties and civil society elements coordinated their final preparations. In one such meeting held between party leaders and professional groups, the top leaders of the seven party alliance urged civil servants, workers, and professionals to participate fully in the forthcoming general strike. The employees expressed concern that they might lose their jobs if they were to come out openly against the government. The commander of the SPA and president of the Nepali Congress Girija Prasad Koirala assured the participants that anyone sacked by the royal government for participating in the movement would be "honorably" reinstated once the new government came into power.¹⁹ It should be recalled that Koirala became prime minister for a record fifth time once the royal government collapsed on April 24.

On April 3, Maoist chairman Prachanda declared a unilateral ceasefire to halt all military operations within Kathmandu Valley. He also lifted the transportation blockade of the capital and other district headquarters that his party had imposed the previous week.²⁰ Ever since the SPA and the Maoists entered into a formal alliance in New Delhi, the government had been accusing the SPA of collaborating with a terrorist organization. As the proposed April general strike approached, the government began to claim that the SPA movement was being infiltrated by Maoists and that it would be forced to take necessary measures to thwart terrorist activities.²¹

There was a possibility that the government could make its accusation stick and thereby gain international acquiescence for a tougher line to con-

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trol the political movement. When the king assumed direct rule by dismissing the prime minister, however, he was assured of condemnation by India and Western powers. Many of the donors immediately suspended economic and military aid following the takeover. In the context of the ongoing U.S. “war on terror,” King Gyanendra perhaps erroneously gambled on winning over foreign governments by playing up the “fight against terrorism” line against the Maoists (Boquérat 2006). After all, both the United States and India had labeled the Communist Party of Nepal (Maoist) as a terrorist organization. The king’s calculation, however, fell

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targeting Western
and Indian nationals
and interests*

apart when the Maoists—except for their occasional statements about U.S. “imperialism” and Indian “expansionism” for purely rhetorical purposes—religiously avoided targeting Western and Indian nationals and interests. Having already proven by their actions that they were no Al-Qaeda or Shining Path challenging Western domination, it was easy for the Maoists and the SPA to gain foreign consent for their new alliance. Any claim the Nepali government might have had on the terror card was completely pre-

empted when Prachanda declared that his party would cease all military actions within Kathmandu Valley in support of the SPA’s peaceful activity. This had the desired impact on external actors such as the United States and the United Nations. Ian Martin, chief of the UN High Commissioner for Human Rights mission to Nepal, immediately issued a statement urging the government not to use force against the demonstrators during the four-day general strike. Even before the movement had begun, Martin had warned that his office would actively review the detentions and other illegal actions of the security forces during the strike.²²

In this rapidly changing local and international environment, the preparatory work for the general strike began in earnest across the country. In Pokhara, the student wings aligned with the SPA and the Maoists from P.N. (Prithvi Narayan) Campus demonstrated in support of the forthcoming four-day strike and clashed with the police at a barricade. The same day the Nepal University Teachers’ Association offered a symbolic protest against the regime by asking its members to put their “pens down” and wear black armbands.²³ In anticipation of the forthcoming strike, on April 4 the government declared the area inside the twenty-seven-km Ring Road

to be off-limits to protests, rallies, and meetings. It also arrested fifty-nine leaders and activists in an attempt to contain the general strike.²⁴ In view of the growing momentum of the *janaandolan*, a nighttime curfew was soon added to the existing off-limits notice inside the Ring Road, which is the heart of the capital city and covers most of the urban centers of Kathmandu and Patan Districts.²⁵

Despite these government measures, protests, sit-ins, and demonstrations occurred in many districts in the run-up to April 6. Some twenty-two people were injured in clashes with the police and seventeen arrested in these preliminary skirmishes. As a mark of solidarity with the movement, lawyers ceased all work within Kathmandu Valley on Thursday, April 5. Similarly, PAPAD organized a demonstration in Kathmandu's Naya Baneshwor area the same day. Police intervened to enforce the off-limits decree and arrested thirty-six journalists, lawyers, teachers, and other professionals. PAPAD organized another march later that day along New Road to protest the police intervention earlier in Baneshwor. The police again arrived and detained twenty-four activists, all of whom were set free the same evening.²⁶

On the first day of the general strike on April 6, protest demonstrations occurred across the country, some of which resulted in clashes with the police. As a symbolic indication of the movement's intentions, late King Mahendra's statue was vandalized by protesters in the western town of Butwal. In Kathmandu, the statues of King Tribhuvan's two queens were demolished at Tribhuvan University's central campus in Kirtipur, a small town just outside Kathmandu. Tribhuvan University Teaching Hospital staff organized a protest meeting and a sit-in. The day's events elicited a strong reaction from donor countries against the royal government. India, Japan, the EU (European Union), and UN General Secretary Kofi Anan all issued statements condemning the restrictions imposed on peaceful demonstrations and the detention of activists.²⁷ On the second day of the general strike, some bank personnel and public sector employees also joined the growing protests. A major clash broke out between students and police in Kirtipur, and the April 8 front page photo in *Kantipur* daily depicted a bloodied police captain sprawled face down on the ground with a demonstrator sitting on top, horse-back style. The gruesome image conveyed a prescient message: the ascendant opposition power vanquishing an expended state.

After JPMCC announced the indefinite extension of the general strike on April 9, a discernible increase in the visibility of various professional, business, and trade organizations appeared in the media representation of the political movement. In many hospitals across the country, health professionals began to temporarily shut down services to highlight their support. Similarly, civil servants began to participate in the protest activities in increasing numbers. In some places like Pokhara and Kathmandu, even tourists were reported to have taken part in processions that were seen as critical of the government.²⁸ The new phase of the general strike was also characterized by the issuance of public statements and newspaper advertisements in support of democracy by various business associations and trade forums. For example, the Association of Industry and Commerce in Parbat issued a statement urging people not to pay taxes to the “autocratic regime”.²⁹ These statements received extensive coverage in the print media and air time on radio stations and television.

On April 12, the Nepal Bar Association bought a front page advertisement in *Kantipur* to issue a “public appeal” requesting readers to furnish it with information on security personnel committing human rights abuses and physical assaults on demonstrators. The information, the bar association appeal stated, would be forwarded to the UN and other agencies that would initiate legal action against the offending officers. On the same day,

president of the International Federation of Journalists, Warren Christopher, issued a strong statement condemning the detention of journalists during the general strike. Similarly, other external networks such as the Committee to Protect Journalists, the World Association of Newspapers, and the World Editors Forum sent a joint letter to the king to stop attacks on the press.³⁰ A strong statement

***Amnesty International...
urged the government to
control the security forces***

by Amnesty International on April 12 spoke of the dangerous escalation of violence and urged the government to control the security forces.³¹ UN High Commissioner for Human Rights Louise Arbor also released a press statement from Geneva that criticized the government for using “excessive force” and detentions to control the demonstrations. These statements received extensive coverage in the local as well as the Western media.

With the increasing isolation and vilification of the state, paid “solidarity statements” from many organizations, associations, and networks

began to appear in the media in favor of the opposition movement. A group of medical professionals warned that if the government did not stop the cycle of violence and continued to use firearms and batons to attack protesters, they too would join the marches in the streets.³² The April 13 issue of *Kantipur* lists statements from eighteen such associations, including the Nepal Poultry Entrepreneurs Forum, Nepal Hotel Workers' Association, Nepal Chartered Accountants' Association, and the Airline Operators Association. These solidarity statements would continue to grow into the hundreds from trade, professional, ethnic, and voluntary groups in the subsequent days from such varied groups as the Forest Technicians Association, Provident Fund Employees Association, Taxi Operators Association, Engineers Association, forest users groups, National Dalit Rights Forum, Indigenous People's Peace Commission, Mithil Federation, Loktantrik Newa Struggle Committee, and the National Disabled Federation, among others (for a study of development groups and federation networks in Nepal, see World Bank/Department for International Development 2005). The organizational and associational mobilization helped to further isolate the state and increase its vulnerability to the opposition's onslaught.

New Formations, Old Politics

On the face of it, the dramatic events of April 2006 resemble many of the earlier political upheavals in Nepal in which the traditional monarchy was pitted against opposition political parties fighting for a multiparty system of governance. These episodes include the student protests of 1979 that resulted in a referendum and the larger movement in 1990 (known as *janaandolan I*) which forced King Birendra to dismantle the party-less Panchayat system and restore the multiparty system that his father had dissolved in 1960.

One of the crucial differences between the 2006 political unrest and the earlier periods was the nature of the class alliance and the organizational form of the political mobilization. Although the social base of the crown had narrowed further since the 1990 upheaval, the opposition had been able to expand its constituency beyond the traditional political parties, student organizations, and trade unions to include critical new groups such as human rights organizations, media groups, NGOs, and the highly amorphous yet potent category called civil society. The internal alliance against the king was complemented by a favorable response from regional and global powers such as India, the EU, and the United States and from

affiliated international organizations and networks such as Amnesty International, International Federation of Journalists, International Commission of Jurists,³³ Human Rights Watch, and the United Nations.³⁴

The novelty of the occasion was not lost on anyone, least of all the actors involved in the momentous event. Speaking in the parliament that was restored as a result of the collapse of the royal regime, leftist parliamentarian Pari Thapa characterized the movement as “oxymoronic” because it had brought about a “fusion” of armed insurgency and parliamentary forces struggling against a common enemy. This fact alone sets a unique example for the world, Thapa asserted.³⁵ The political movement was also unparalleled in its scale and scope. Although the majority of the previous political protests had been largely Kathmandu-centric, hundreds of thousands of people marched in towns, district headquarters, and regional centers across Nepal during the April 2006 uprising. Even within Kathmandu, the sheer numbers that converged on the streets during the general strike were unprecedented. The distinction between students, unemployed, workers, activists, professionals, party cadres, NGO workers, and the general public was briefly blurred as the massed formation surged onto the streets during the nineteen days. The orchestration of rolling waves of mass demonstrations by the opposition alliance across the length of the country made the April mobilization impressive as well as effective.³⁶

Size aside, a distinguishing feature of the April uprising from previous political upheavals in Nepal was the arrival of civil society as a major conceptual category for political mobilization against the regime. Damannath Dhungana, former speaker of Parliament and prominent civil society leader, observed that the “intellectual-professional” class provided the necessary encouragement to the political parties

*civil society [had become] a
major conceptual category
for political mobilization*

and the twelve-point deal between the Maoists and the SPA had provided the final breakthrough.³⁷

According to Devendra Raj Pandey, founder of *Shanti ra Loktantrakalagi Nagarik Andolan* (Citizens’ Movement for Peace and Democracy, or CMPD) and one of the most recognized faces in civil society, the presence of civil society gave the April movement a different size, direction, and goals. “During the 1990 [movement], there was the

[Nepali] Congress and the Left Front. But unlike now, there was no effective presence of the civil society,” Pandey said during an interview soon after the success of *janaandolan* II.³⁸ It was not that various associations of doctors, lawyers, engineer, journalists, and other literati groups were not engaged in the overthrow of the party-less Panchayat system in 1990: they in fact played an important role in mobilizing the urban middle classes.³⁹ But in 1990 the term “civil society” had not yet arrived in Nepal. Instead, the collective category used for associations of the modern professional class was *pesagat samuha*—occupational/professional groups. Even if the 1990 *janaandolan* I benefited from some effects of civil society actions, a self-conscious civil society did not exist until a decade later. It is important to distinguish between the self-referential, normative, and analytic functions of the category civil society. As a conscious self-identification, the label of civil society was introduced as a proxy for nonstate, nonmarket oppositional space in the latter part of the 1990s and found its apogee in *janaandolan* II.

Ironically, the current prominence of the term civil society is directly linked to the Maoist insurgency in the country. After Sher Bahadur Deuba became prime minister in August of 2001, he immediately declared a ceasefire and began the first peace talks with the Maoists. A citizens’ group called *Barta Sarokar Samiti* (Committee Concerned with the Peace Talks) was formed by a number of intellectuals to facilitate negotiations between the two sides. The talks, however, did not succeed, and the Maoists again took up arms. When peace talks were held again in February 2003 during Prime Minister Lokendra Bahadur Chand’s term, another group of prominent citizens formed a new group to lobby for peace, assist the negotiation process, and help restore peace. After informal discussions, the group later named itself *Barta Sarokar Nagarik Samiti* (Committee of Concerned Citizens for Peace Talks). A month later, it renamed itself *Shantira Bikaskalagi Nagarik Samaj*, or Civil Society for Peace and Development (CSPD), with Sundarmani Dixit as its chairperson.⁴⁰ Realizing that it would not be possible to put adequate pressure on the government by working individually, a broader alliance called Citizens’ Solidarity for Peace (CSP) two months later brought together dozens of organizations and NGOs. Shyam Shrestha, Vikshu Ananada, and Mathura Shrestha have led this alliance at different times. CSP organized marches and other activities to lobby the government for peace. Around this time, several other civil society forums were created, including the Civic Forum, Civic

Peace Commission, and the eleven-member Talks Facilitation Committee to help with the peace negotiations. Despite all these efforts, the second peace talks also failed and the insurgency resumed again.

After the king retook power in February 2005, civil society groups shifted from leading peace negotiations between the government and the Maoists to joining in political opposition against the government. The formation of CMPD by Pandey marks an important conceptual shift from civil society as a forum for debate and civic pressure to civil society as a political movement against the state. CMPD was comprised of personnel and programs of several groups that had been working in the field of human rights and peace. The organization gained prominence during the monsoon of 2005 after it led marches to defy an order establishing prohibited zones in the city center and continued to remain one of the most visible of the civil society alliances during the subsequent political developments. Several other groups, including the Human Rights and Peace Society and the Professionals' Alliance for Peace and Development also became visible during this period. The latter was an umbrella network of the Nepal Bar Association, Nepal University Teachers Association, Nepal Engineers Association, Nepal Medical Association, and Nepal Teachers Association. Although all the civil society groups campaigned against the royal government, some ideological and personal differences remained between some of the groups that would become apparent only after the success of the *janaandolan*.

Some political parties had been in a protest mode against the government since 2002, when the parliament was dissolved by the prime minister. This protest movement, however, failed to gain much momentum until the 2005 New Delhi accord. Prominent civil society actors of this period contributed to convincing the two sides to enter into an alliance and later provided the critical spark for the ongoing political movement.⁴¹ For this reason, many see civil society as having made a unique contribution to the final outcome of *janaandolan* II. Speaking on Radio Sagarmatha on the day of the inaugural session of the reinstated House of Representatives in April 2006, Maoist representative Hari Roka asserted that civil society had rekindled the *loktantrik* (democracy)⁴² movement from its deathbed and brought it to new heights.⁴³ Similarly, during a BBC (British Broadcasting Corporation) radio commentary on May 20, 2006, credit was given to civil society for infusing the listless two-year-old agitation of the political parties with new vitality and bringing it to a decisive conclusion. According to

some of the stronger assertions of the role of civil society in the regime change, even the party leadership was marginal and irrelevant compared to the centrality of civil society. For example, Sanjiv Upreti, a prominent writer, activist, and professor, asserts:

We place our faith not upon the politicians who are inside the parliament . . . but upon members of our civil society, which has finally come of age. We place our trust upon its members—members of “people’s parliament” outside Singha Durbar [the central secretariat of the government and the parliament]—who continue to pressurize the official parliamentarians within. People of high moral integrity and clear political vision—people like Devendra Raj Pandey, Mathura Shrestha, Prof. Krishna Khanal, Krishna Pahadi, Kanak Dixit, Khagendra Sangraula, Hari Roka, Damannath Dhungana, Padam Ratna Tuladhar, Mahesh Maskey among many others—are the real leaders of the current ongoing political movement rather than the leaders of the political parties. (Upreti 2006)

Notwithstanding the variations in emphasis, the critical role played by civil society in the success of the political movement was recognized by the party leaders as well as the media. After King Gyanendra surrendered executive powers on April 24, the leader of the SPA and the president of the Nepali Congress Girija Prasad Koirala thanked Nepali civil society by name for its outstanding contribution. Similarly, on April 28, Deputy Speaker of the House of Representatives Chitra Lekha Yadav and former prime minister Sher Bahadur Deuba also acknowledged the role of civil society during their inaugural speeches in the restored parliament. The civil society formation remained a powerful voice in public debates and policy issues in the immediate aftermath of the regime change. It has had a significant influence on the major decisions of the new government, including those that declared Nepal a secular country, stripped the monarchy of all powers, transferred the command of the army from the king to the cabinet, and established a peace settlement with the Maoist rebels.⁴⁴ As a clear indication of civil society’s political clout and moral authority, the government and the Maoists on June 15, 2006, nominated a thirty-one-member committee comprised mostly of civil society actors to monitor the truce between the government and Maoist forces. Concurrently, a five-member committee comprised of top civil society leaders was formed to

observe the ongoing peace talks between the rebels and the government. Furthermore, the government appointed another committee comprised of prominent civil society representatives to draft an interim constitution during this period.⁴⁵ Perhaps most important, a high level commission comprised of civil society activists and political leaders was formed to investigate the human rights abuses of the royal government—including those of the king and the security forces—during the *janaandolan* and recommend punishment to the guilty.

As the new government consolidated power and fear of the king's return receded, the composition of civil society and the relationship between it and the political parties also shifted. This became particularly evident after the promulgation of the interim constitution, which restored full sovereign powers to the government and created a powerful prime minister, who now was both the head of government and head of state. First of all, those civil society actors whose sympathies lay with the mainstream political parties such as the Nepali Congress, Nepali Congress (Democratic), and the CPN-UML became less vocal and active in the public domain. On the other hand, elements of civil society whose interests and issues converged with the radical parties, including the Maoists, continued their politically oriented activities. These issues included incorporating the Maoists into the new government, a formal declaration of a republic, federalizing the unitary state, and prosecuting members of the previous regime, including the king.

The perceived procrastination by the seven-party government on these core demands was beginning to raise suspicion and anger among civil society groups. On January 1, 2007, under CMPD auspices, various civil society groups that had gone to stage a sit-in at the prime minister's residence in Baluwatar to draw the government's attention to these issues were detained by the police for some hours. Three days earlier, CMPD had hosted a *Loktantra and Ganatantra Sanskritik Sabha* (Democracy and Republican Cultural Assembly) in the historic Patan Durbar Square. Rousing leftist radical music and songs were performed that idealized revolution and martyrdom to the activists, passersby, and curious tourists. Speaking at the function, CMPD leader Devendra Raj Pandey warned that the government would not be allowed to rest unless it fulfilled the demands for a federal republic and constituent assembly. He said that such pressure needed to be continuously applied since it was still doubtful whether the government intended to fulfill these demands. Pandey demanded that the

Maoists be brought into the government and that dates for the constituent assembly be announced. Claiming it was the people's mandate to include the Maoists in the cabinet, Sundarmani Dixit, chairperson of the CSDP, made a scathing attack on Prime Minister Koirala for not doing so. Dixit stated that "civil society speaks the people's truth" and predicted that the national crisis would not be resolved until the Maoists were given fair representation in the government. By this time, the government had grown somewhat disillusioned with civil society, and many government leaders accused civil society groups both in public and private of being too partisan and pursuing a very narrow radical agenda that benefited the Maoists.

Civil Actions

Civil society's unprecedented prominence during the political movement and the resulting regime change is undisputed. Although the political struggle to wrest back power from the king was spearheaded by the six-month-old alliance between the seven parliamentary parties and the Maoist insurgents, professional organizations such as the National Engineers' Association, Nepal Medical Association, Nepal Bar Association, National Journalists' Federation, National University Teachers' Association, National NGOs Federation, human rights groups, Civil Servants' Union, and the Artists' Guild played a critical role in mobilizing the masses and creating a discursive environment that was highly unfavorable to the government.

Perhaps no other sector played a greater role from within civil society than the media in putting the government on the defensive during the *janaandolan*. Most of the major private sector newspapers, radio stations, and television channels had adopted a highly critical stance against the royal government, and their combined effort swayed public opinion in favor of regime change. As prominent civil society leader and newspaper editor Kanak Mani Dixit stated, Nepal's fifty-plus private FM radio stations and newspapers were instrumental "in unleashing the torrent of mass demonstrations across Nepal" during the April 6–24 period. Dixit put particular emphasis on the power of FM stations in a largely illiterate and hilly country to mobilize the masses. He argued that "nowhere else in South Asia is radio so powerful than in Nepal. Where roads don't reach radio does, and that made so much difference."⁴⁶

*civil society's...prominence
during the...regime
change is undisputed*

Although the government was accused of muzzling press freedom during the *janaandolan*, the reality was much more complex. Immediately after assuming direct rule in 2005, the king's government had imposed certain restrictions on press freedom during the first three months. Once the emergency was lifted, normal press freedom was restored. The government had tried unsuccessfully to prevent radio stations from broadcasting news, and had previously adopted a hard line against journalists working for newspapers affiliated with the CPN (Maoist) Party once it was labeled a terrorist organization in 2001. The new government also introduced regulations to tame the opposition press, but the weak state had no enforcement capacity, and once the initial shock of the royal takeover wore off, the press began its passionate campaign against the government again. The media, therefore, was by and large free, if not always fair, during *janaandolan* II. A review of the media content from April 2006, which continued to be extremely critical of the government, security forces, and the king in its editorial, reporting, selection, and placement choices, attests to this. In fact, because of the media's political fervor, it was positively characterized as engaging in "mission" journalism by its own supporters. Reflecting on the April movement ten months later, a student leader who had been active in the volatile university town of Kirtipur said that it was the positive and heroic representation of the opposition's actions each day that energized and sustained the masses for nineteen days. Another editor of a weekly paper claimed that *janaandolan* II was entirely a media campaign and that without media activism the political parties would not have been able to dislodge the king from power.

Media involvement, both local and international, has been considered critical for civil society and NGO political actions elsewhere in the developing world. "Without compelling images and descriptions of human suffering," Steele and Amoureux (2005: 27) note, Western "political elites' justifications for inaction may be satisfied with the logic of realpolitik or political calculus." During the 1988 student uprising in Burma, for example, the role of the BBC and Voice of America was considered vital in spreading the student movement and igniting it against the regime by airing favorable and sometimes even fabricated stories of rape and torture. The international coverage helped the opposition movement in Burma by (1) convincing the "people that the cost of participation was not as high as they thought," (2) turning "bystanders into participants," and (3) offering a "coordination mechanism between the summit and the base" [of the

opposition] (Hlaing 2004: 403). Moreover, the foreign media strengthened the resolve of activists by broadcasting European and American activities in support of the Burmese opposition.

In Nepal, the synergism between the media, political parties, and civil society meant that television and radio stations saturated the airwaves with the opposition's message, while the newspapers dictated the terms of the contest and set the parameters of what was right and politically permissible.⁴⁷ News selection, editorial views, talk shows, and the choice of music systematically undermined the government's position and supported the opposition.⁴⁸ During the heat of the movement, the media virtually functioned as the opposition's command and control center, with hour-by-hour updates on the gathering points, marching routes, and protest schedules. Equally critical was the role of media from Great Britain, the EU, the United States, and India. The sustained ideological stance adopted by powerful global agencies like the BBC helped to turn important constituencies in the West and in India against the royal government and in favor of the opposition alliance.⁴⁹ Additionally, because of its prestige and reach in Nepal, the foreign media was able to substantiate the position of the opposition forces, including the local media, and thus convince the public that regime change was not only necessary but also inevitable. The media became a force multiplier when it incessantly relayed, repeated, and amplified the opposition's critique. The intense media blitzkrieg had demoralized government officials and paralyzed the state days before the king actually stepped down. Unable to define the issues or even to competently articulate its own position in the marketplace of ideas, the government had been intellectually exhausted long before its surrender on April 24.

Along with the media, the contribution of NGOs working in development, human rights, democracy-building, conflict resolution, and advocacy was also significant in the outcome of *janaandolan* II. In the previous fifteen years, the number of these NGOs, most of them funded by bilateral or multilateral sources, had increased from 193 to over 33,000.⁵⁰ According to the director of an international NGO working in Nepal, the work done by the organizations over the past decade had prepared the ground for the *janaandolan*.⁵¹ The density and networks of various non-

*the airwaves [were saturated]
with the opposition's message*

governmental associations and groups across the country were valuable assets when they were mobilized for regime change.⁵² In many areas, local development groups like the forestry user groups were encouraged by their national federations to come out in support of the political movement.

Using standard “protest repertoires” employed by other actors involved in the political movement, civil society organizations and activists arranged demonstrations, shut-downs, and sit-ins, issued public statements, took part in protest marches, and ran media campaigns. In the course of their political actions, the civil society actors confronted police barricades, faced baton charges, and were arrested like the party activists. Despite these similarities, what distinguished the civil society actors from others in the movement were their networks and the ability to mobilize external forums and resources that were perhaps not openly accessible to political parties due to diplomatic norms of noninterference, which became particularly problematic after the parties formed an alliance with the Maoist “terrorists.” It is precisely the nonstate status and flexible network architecture connecting the local and the global that enables civil society to become an effective intermediary between the external political opportunity structures and the internal power struggle.

Local-Global Synergy

The unprecedented mobilization of moral solidarity from the dense network of groups and associations began to be reflected in the size of the demonstrations. The synergy between the moral authority of civil society and the political muscle of the parties and the Maoists began to exert even greater pressure on the besieged state as the general strike approached its third week. The critical stance adopted by important external agencies and donors appears to have further paralyzed the royal regime. A few days before the king relinquished power as demanded by the opposition forces, the media highlighted the call of Amnesty International, Human Rights Watch, and the Commission for Jurists to ban the travel of the king, his senior advisors, and military officials to foreign countries. At a meeting organized in Geneva by the Swiss government to discuss the human rights situation in Nepal, the three organizations also suggested freezing the assets of those in the royal regime.⁵³ This was described as “targeted” or “smart” sanctions against the government. One of the Press and Freedom of Expression Missions to Nepal that arrived during this period issued a

press statement asking the king not to use excessive force and urging the international community to “put pressure on the King” to restore democracy and respect human rights.⁵⁴

Just two weeks before the general strike commenced, an Amnesty International official told the media that discussions were afoot to consider the possibility of imposing sanctions on selected individuals in Nepal. Executive director of Amnesty’s Asia Pacific region Purna Sen told reporters that the organization was ready to initiate debate on nationalizing the immovable property of the royal family and military officials.⁵⁵ There had been a sudden spurt in diplomatic activity in March as numerous foreign delegations visited Nepal in anticipation of the April showdown (Luintel 2006a). A high profile media mission headed by UNESCO arrived in Nepal at the end of March to urge the international donor community to support the media. UNESCO officials argued that the private press was being financially hurt by new regulations that restricted the flow of government advertising money. The mission also met with a British parliamentary delegation that was in Kathmandu at the time and discussed possibilities of finding “potential ways to assist the free press.”⁵⁶ Apart from specific media programs, the donors assisted the private media by purchasing significant amounts of air time and advertising space in the newspapers. It is for this reason that donors’ announcements of job openings for drivers occupy bigger spaces in prime slots than company searches for executives and managers. A case in point is the 2006 UNDP-sponsored eye-catching media campaign in the major newspapers for an avant-garde American show, *Vagina Monologues*, that was showing in Kathmandu. Besides stimulating cross-cultural dialogue and artistic creativity, such advertising directly contributed to strengthening the financial base of the opposition press.

The ominous and potentially demoralizing threats from abroad against the royal government continued to grow during the first part of 2006. The Finnish ambassador, who was the EU representative in Nepal at the time, announced that the UN could be approached to support necessary actions against the king if he did not stop the violence and killings. The European Parliament’s South Asia delegation chair Nina Gill said in another press statement that “if the King did not listen to the appeal to stop bloodshed, we can put pressure on the UN to take action.”⁵⁷ Six members of the U.S. Congress sent an open letter to the king that received wide

coverage in the media. The American lawmakers criticized King Gyanendra for detentions and the use of force against the demonstrators. They also accused the government of restricting press freedom and abusing human rights. Similarly, speaking to journalists in New Delhi, U.S. Undersecretary of State Richard Boucher accused the king of “making a mockery of democracy.”⁵⁸ On April 12, American envoy James F. Moriarty met with top SPA leaders to express his support for the general strike and expressed confidence that the ongoing movement would restore democracy. According to reports, he also condemned the government’s repression.⁵⁹

The connections and network of civil society leadership with the international media and global organizations such as Amnesty

International, human rights groups, various advocacy and lobbying groups, and Western donor governments began to delegitimize the Nepali regime and make it vulnerable to international pressure and sanctions. In tandem with the massive internal mobilization, the external isolation and hostility from the

*external isolation...severely
weakened the Nepali regime*

major powers severely weakened the Nepali regime and finally forced it to succumb.

The Political Economy of Civil Society in the Developing World

Many contemporary conceptions of civil society adopt a functional stance as to the role it plays in democratization or reify its self-representation as the sphere of enlightened reason, association, and actions by nonpartisan and disinterested actors working for the greater good. Although these are important discursive and practical instrumentalities of civil society, often absent in these renderings is the material basis of particular national civil societies and their structural location in the emerging global order. Without considering these two factors, one risks interpreting civil society by *what it says* rather than *what it is* in terms of its contingent economic, political, and cultural textures.

The Kantian approach to civil society that probes its material constitution reveals that despite its ecumenical claim, civil society exhibits a distinct class and social character. In its basic function, civil society is like any other interest group, the net difference being its organizational form, mobilization tactics, and legitimacy claims. Even if it disavows any caste,

class, or ideological allegiance, a glance at the economic, cultural, educational, and gender profile of its protagonists reveals a distinct social composition and ideological orientation. It is therefore not entirely surprising that of the nationally recognized civil society leaders taking part in the April political uprising in Nepal, the majority of them were upper caste males who hailed from the medical, legal, academic, and other professions. This high degree of overlap in the gender, caste, class, and professional status ensures a high degree of economic autonomy for civil society actors when they are backed by moral and material support from external sources. The autonomy from the national state is a critical factor in the political efficacy of civil society in the developing world.

In its social composition and world view, civil society in the developing world has a certain elitist feature in comparison with the traditional political parties or working class trade unions. To some extent, civil society has something in common with the new social movements. Even though displaying a distinct predominance of the intellectual and professional classes in their own composition, new social movements disavow the primacy of class to engage in politics of identity, lifestyle, and aesthetics in postindustrial societies (Adam 1993; Bagguley 1992; Edelman 2001; Habermas 1981; Offe 1985). In a somewhat similar vein, civil society in developing countries also accepts its own class implications unproblematically while engaging in the public domain.

In characterizing the postmodern condition, Fredric Jameson (1990) posited it as the cultural logic of late capitalism. Given its socioeconomic base, intellectual inspiration, specific local-global constellation, and the particular historical epoch, civil society in the developing world, it is possible to argue, is the political logic of late capitalism that is increasingly able to define the tenor of intellectual debate and forms of political engagement in the global periphery. Globally, these essentially political engagements are increasingly couched in terms of “governance” and “democracy” projects. The new form of “global governance” becomes possible by reconfiguring the discourses of development, democracy, and security so that it circumvents the conventional sovereign sensibilities and co-opts the local oppositional formations.

Promoting Civil Society

For donor nations and organizations, certain civil society features make it an appropriate policy instrument in pursuing democracy, development,

or geopolitical security objectives in the developing world. As a policy instrument, it is cost-effective, flexible, and deniable. Unlike political parties and trade unions, civil society is less tied to the local constituencies or electorates and therefore more responsive to its donors.⁶⁰ Seeking to convince the U.S. Congress of the benefits of a relationship between the U.S. government and NGOs, Amnesty International's Martin

Ennals testified in 1973 that "in some instances non-governmental presence can be more effective than that of governments. The doctrine of non-intervention is clearly directed to governments, but well-informed non-governmental pressure carries with it no threat" (Steele and Amourex 2005: 13). For this reason, "civil society is often more accessible and responsive

As a policy instrument, [civil society] is cost-effective, flexible, and deniable

to external aid than . . . state institutions" (Carothers 1999: 250).⁶¹ Given this environment, a professional working for a donor agency in Kathmandu was perhaps not too far off the mark when he confided in 2007 that "civil society can be made to take up any issue given there is money." The rather uncouth claim perhaps attests to the new incentive system and opportunity structure that is expanding for civil society activism in the developing world.

Among its ardent champions and practitioners, a euphoric faith exists in the ability of civil society to strengthen democracy, enhance welfare service delivery, create social capital, and improve governance. It has been argued that "strong civil societies foster strong governments and strong markets" (Brown 1998: 229).⁶² This is also true in the new claims about the emergence of "global civil society" that supposedly transcends the state-centered hierarchies of the traditional international system to create egalitarian and inclusive forms of global citizenship and governance (Batliwala 2004; Berman 1996; Ghils 1992; Lipschutz 1992; Shaw 1992). In terms of global governance, civil societies and NGOs provide an alternative front from which to exert pressure on states and effect regime change. As Frances Pinter shows, civil society funding "counterbalanced authoritarian and corrupt states; in other instances it led to a weakening of already marginalized states" (Pinter 2001: 198). From a geopolitical

point of view, civil society is an instrument that can be appropriated by neoliberals to “subvert and eventually replace the remaining communist and authoritarian regimes” (Alagappa 2004: 33). Western governments and “international aid agencies and foundations, along with advocates of democracy in the academic community,” therefore “target the development of vigorous civil societies in the new democracies and seek to sow the subversive seed of civil society in undemocratic states” to develop liberal democracies and capitalistic markets (Ibid.: 4).⁶³ Ultimately, these forces create new relationships between the local subjects and the centers of global power over and above the national state. What the global civil society, or the “realm of transnational advocacy networks, social movements, and nongovernmental organizations” does is to “negotiate or renegotiate social contracts between the individuals and the centers of authority at the global level” (Held and Koenig-Archibugi 2004: 15). The territorial national state is either displaced or eclipsed in the process.

Civil society and international NGOs have been recognized as powerful actors with more resources, media assets, and policy influence than many states within the global system in “framing agendas, mobilizing constituencies towards targeted results, and monitoring compliance as a sort of new world police force” (Spiro 1995: 45). Likewise, Steele and Amoureux (2005) examine the manner in which NGOs and civil society function as global Panopticons in the service of hegemonic powers. It is for these reasons that contemporary civil society has been recognized as a “soft power” that complements the “hard” military-industrial might of the dominant powers. Joseph Nye has argued that the U.S. government must act to reinforce the soft power of “firms, universities, foundations, churches, and other nongovernmental groups” because these are “likely to become increasingly important in the global information age of this new century” (Nye 2004: 128). The potential for hegemonic use of civil society projects by powerful actors has been recognized by others as well (Alagappa 2004; Lipschutz 1992; Peterson 1992; Spiro 1995; Tan 2005: 371).⁶⁴ Even if civil societies in the developing world do not form the trenches and earthworks of their own state in the Gramscian sense, they sometimes appear to fulfill the same function for the global powers.

Historically, one aspect of external intervention has been the imposition of specific behaviors, values, policies, and institutions in a target country. These outcomes might be achieved through various mixtures of mili-

tary, diplomatic, or civil society means. In his historical analysis of external imposition of institutions between 1555 and 2000, Owen shows that great powers tend to impose their institutions on target countries simply because these transplanted institutions help to “keep their ideological confreres in power” and thus maintain influence over these client states (Owen 2002: 375). Owen further concludes that most of these impositions happen when the target countries are “experiencing civil unrest” in which the external power(s) can intervene on behalf of “one side in a civil conflict.”

The establishment of a powerful UN Office of the High Commissioner for Human Rights, the setting up of a permanent National Human Rights Commission in Nepal, the tour by several international media groups and conflict teams to Nepal over the past years, the arrival of UN peace monitoring and election assistance teams, and the establishment of the high-profile United Nations Mission in Nepal are examples of institutional impositions.⁶⁵ The externally installed institutions and protocols create what has felicitously been called “shared sovereignty,” a condition in which “failed, failing, and occupied states” are made to share part(s) of their Westphalian notions of state sovereignty with the externally installed institutions and agencies that might include the UN, the North Atlantic Treaty Organization, or other specific organizations (Krasner 2004: 89).

Sharing national sovereignty with external actors is not only a political necessity for a regime but requires a deeper cultural reorientation of authority and legitimacy for the society as well. As the internecine struggle over the years greatly eroded the dignity and credibility of Nepali norms, institutions, and leaders, the stature and profile of foreign emissaries, UN representatives, and development agency heads has risen significantly in Nepali life. In the public perception, these actors have come to be seen as the final arbitrators of major issues. The regard for the benign potency of the external power is so significant that even during the worst riots, when even emergency fire trucks and ambulances have not been spared destruction on the road, the distinct blue-plated vehicles of the foreign fraternity have had free passage across the country.

The successful regime change achieved in Nepal at relatively low cost has an important policy implication for interstate relations and the global democratizing mission. The Nepal case offers a particularly attractive model for democratizing the developing world. Working in concert with Western diplomatic initiatives and nonstate agencies like Amnesty International and media networks, the local civil society can become an

effective policy option in dismantling authoritarian regimes and rogue states at a fraction of the economic and human costs generally associated with more conventional means recently employed in Afghanistan and Iraq. For comparative purposes, events in Nepal offer a test case to examine why the Orange Revolution was successful in Ukraine but autocratic rulers like Robert Mugabe in Zimbabwe and Hugo Chavez in Venezuela continue to defy concerted efforts at regime change and democratization (see Arel 2005; Solomon 2006).

Autonomy and Dependence of Civil Society

Following the demise of the Soviet empire and the global supremacy of the liberal block headed by the United States, important shifts have occurred in the West's relationship with the developing world. One dimension of this shift has been the decentering of the recipient state as the main vehicle of development and democracy programs. Under the neoliberal regime, the previous role conferred on the state by the modernization paradigm has now been transferred to the market, nongovernmental organizations, and civic associations.⁶⁶ Although NGOs made their debut as the handmaidens of development in the 1980s, they really flourished in the following decade. Initially in Nepal, NGOs primarily served as local program implementers and welfare service delivery agencies for the development industry. During the latter part of the 1990s, the conceptual category civil society entered Nepal as a new form of social and political advocacy, organizing, and mobilization. The distinction between service delivery NGOs and civil society as an advocacy platform was soon blurred in the Nepali context due largely to the donor's funding streams, which prompted activists to maintain concurrent advocacy and service delivery portfolios (Shah 2002). It is this condition which allows some definitions of civil society to emphasize its dual character as "advocacy" platform and "substitution" role in welfare provisioning (Rotberg 2004: 238–39). As a result, civil society, human rights groups, and NGOs are often used interchangeably in popular parlance in Nepal.

Globally, the amount of money channeled to civil society has risen considerably over the past decade. For example, United States Agency for International Development (USAID) funding for civil society jumped from \$56.1 million in 1991 to \$230.8 million in 1999. There has been a similar trend in other Western countries as well: Sweden, Norway, and Finland were channeling 29, 24, and 11 percent of their respective bilat-

eral assistance through NGOs in 1999 (Carothers cited in Pinter 2001: 201). The trend set by Western states has also been followed by multilateral agencies like the UN, the World Bank, Asian Development Bank, and the African Development Bank, which are also expanding their collaboration through the nonstate actors.⁶⁷

Globally, the amount of money channeled to civil society has risen considerably

The World Bank, for example, has been engaging civil society since the 1980s by sharing knowledge and providing funds to reduce poverty and promote sustainable development (World Bank 2005a).⁶⁸ A recent World Bank report shows that “up to \$1 billion a year, or 5 percent of the Bank’s annual portfolio, is channeled to the CSOs [civil society organizations]” through various mechanisms (World Bank 2006: 27). According to another review, the total amount of funds handled by civil society organizations “is at least \$12 billion annually,” or 15 percent of the current overseas development assistance for reducing poverty and promoting sustainable development (World Bank 2005b). Conceptually, an important shift occurred during this period: entities that had been formerly referred to as NGOs were redesignated as civil society organizations by the World Bank and other donors in 1998 or thereafter. The shift from “NGO” to “civil society” for the development sector was perhaps its attempt to move away from a category that had somehow become intellectually exhausted. Civil society provided an attractive alternative with its classical civilizational distinction and moral prestige. For example, out of the EU’s 90 billion euro budget for 2000, “a fair proportion” was allocated for “activities that either fostered the development of cross-border civil society activities or employed the services of NGOs” (Pinter 2001: 204).

International funding priorities are also reflected at the country level in Nepal. Major donors like USAID, the Department for International Development, EU, the World Bank, the Asian Development Bank, and Scandinavian countries are making significant contributions to civil society/NGO activities and have growing civil society portfolios. This does not, however, imply that all groups that identify themselves as part of civil society receive or accept external funding. Contest over resources and recognition is part of the civil society phenomenon. Foreign funds are usually channeled through NGO program accounts and not to the civil society

forum directly. Despite claims of transparency, the civil society funding process is usually kept deliberately obscure. A brief portrait of one such initiative, called the Enabling State Program (ESP) begun in 2001 by the British government, helps to illustrate the relationship between NGO/civil society formation and foreign aid in Nepal. The stated objective of the multimillion pound package was to reduce poverty, promote social inclusion, enhance good governance, establish the “basis for lasting peace,” and promote civil society. The broad set of objectives necessitated an equally wide range of activities such as research, seminars, formation of income and savings groups, publications, filmmaking, strengthening the prime minister’s office, and assisting the Nepal police (ESP 2004).⁶⁹ In 2004 thirty-seven separate ESP project items included “a series of public hearings, TV programs, several major international and national workshops, research on governance issues, a land rights campaign,⁷⁰ action research on service delivery, and a policy review,” and also the “production of 9 books and a documentary film” (DFID [Department for International Development] 2005: 3). Viewed from a critical stance, ESP generates tensions at several levels due to the elementary incongruence between its name, goals, activities, and the target group.⁷¹ The ESP activities summarized above are largely representational and discursive in nature and would have employed the energies of the urban intellectual and professional classes rather than the poor themselves.

Of course it could rightfully be argued that intellectual labor was necessary to represent the poor and excluded and move forward the peace agenda. But what was the stance adopted in this representation? Given the grim triangular struggle that was raging between the Nepali government, the parliamentary opposition, and the Maoist rebels during the period, ESP’s discursive output could hardly be neutral or particularly enabling to the Nepali state. In fact, many of the conclusions of the ESP-funded representations could have been disabling to the Nepali state to the extent that they reaffirmed some of the social, economic, and political rationale articulated by the opposition, particularly the armed insurgents. Nevertheless, ESP was judged to have “Made important contributions towards pro-poor governance in Nepal” by “cultivating and supporting

Contest over resources and recognition is part of the civil society phenomenon

home-grown ideas” (DFID 2005). As the grim struggle intensified, the Nepali government became increasingly suspicious of the foreign programs to promote civil society and NGOs and tried unsuccessfully to regulate them. The failed NGO bill in 2005 was intended to assert some form of regulatory oversight over money coming in for civil society groups.⁷² On the other side, since the West had already come to perceive the monarchy as the main obstacle to peace, democracy, and development, it made sense to apply pressure on the regime through several avenues, including civil society. One indication of the hostile foreign posture at the time involved several public spats between British ambassador Keith Bloomfield and the Nepali government.⁷³ The tension between the government and the donors was so acute that on one occasion King Gyanendra complained—ineffectually—of foreign money flooding into the country to instigate the opposition movement.⁷⁴

One of the more important investments that had a significant bearing on the *janaandolan* was the promotion of several professional and identity-based national federations. Although umbrella organizations of NGOs, ethnic forums, Dalit groups, lawyers, and journalists had existed for some time, they had lacked national visibility and efficacy due to a paucity of resources and programs. The funding from ESP and other donor agencies enabled these federations to strengthen their national networks, provide and fund new programs at the district level, and build the mobilization capacity of the nonstate sector on an unprecedented scale. These capacities were put to good use by the NGO Federation, Nepal Bar Association, Federation of Nepalese Journalists, and the Dalit Federation during the movement to overthrow the king’s government.⁷⁵ A case in point is the Nepal Federation of Indigenous Nationalities (NEFIN), which played a prominent role in the movement. According to Hangen (2007: 25), NEFIN’s sources of funding had “expanded dramatically” over the previous years.

Similarly, years before King Gyanendra’s assumption of direct rule in February 2005, the British Government’s DFID had funded several international workshops and conventions, called “national dialogues,” on critical themes such as (1) constitution writing, (2) balancing people’s sovereignty against constitutional monarchy, and (3) negotiating a political settlement by assembling a large number of local and foreign scholars and civil society activists (ESP 2005). It must be more than a mere coincidence that these issues became the key political themes during the *janaandolan* in 2006 and afterwards.

The foreign promotion of civil society activities is not limited to financial assistance; it includes recognition, visits, lobbying, moral legitimation, and protection in case of prosecution by the state. This is one of the key factors behind the material and moral autonomy of the civil society class from the local economy and the state. During the king's rule, many civil society leaders traveled to European and American capitals to brief and lobby the governments and other important constituencies there. This feature also marks a major distinction between Euro-American civil society and its developing-world version: civil society in the West is an internal *sui generis* phenomenon, while the latter is its programmatic transplantation in the developing world. A similar historical parallel can be drawn between modernity and modernization: the former was Europe's unmeditated experience, the latter is its conscious projection elsewhere.

In a highly dependent country like Nepal, it is not possible to speak of the opportunities and constraints, resources and challenges facing the state and the opposition outside of the global structure. Whether they impact projects of modernization, development, or democracy, the external rationale and resources have been critical factors in shaping the political and intellectual environment in Nepal. The paradox of outside sponsorship is that although it generates local autonomy for the actors, it inevitably leads to external dependence for resources, recognition, and agenda. If the past fifty years of Nepal's relationship with the West is any indication, this externality is likely to impact the sustainability of the current civil society enterprise, especially when donor priorities and modalities of intervention shift in the future.

*outside sponsorship...
inevitably leads to
external dependence*

Discernible signs of a shift are already emerging. After the regime change, the intensity and scale of the West's civil society engagement already appeared to be waning in 2007. Even though figures suggest that the number of political killings, abductions, disappearances, human rights abuses, and serious attacks on the press have continued or even spiked after the king was removed from power, the Western media, human rights organizations, and civil society promoters have chosen not to display the degree of interest and activism they had exhibited during royal rule.⁷⁶ The tactical disengagement would suggest that regime change can be as much of a priority for external civil society initiatives as freedom or human rights.

The Radical Connection

If the various elements of civil society coordinated and networked with the SPA and foreign actors to isolate the royal government, their rapport with the Maoist rebels was also critical in the *jananandolan*. In fact, some of the actions and the pronouncements during the course of the general strike and the subsequent transition would suggest that the position of prominent civil society groups and leaders was closer to the Maoists than the parliamentary SPA. For example, right after the SPA formed a new government after the collapse of the royal regime, the Maoist leaders consistently raised the demand that civil society representatives and the Maoists also be included in a new interim government.⁷⁷ As one civil society leader argued, this was because the *janaandolan* had replaced the old regime and established a new balance of power comprised of the SPA government, Maoists, and civil society (Roka 2006). Clearly, the civil society category was seen as one of the three major forces in the country. A week before the general strike began, chief Maoist ideologue Baburam Bhattarai published an article in a local newspaper entitled “Challenges of Democratic Movement” in which he appears to privilege the role of civil society even ahead of political parties. Given the relatively short history of the political parties in Nepal and the extensive activity of nonparty groups and associations in urban areas, Bhattarai indicated that civil society would play an important role in making the movement successful (Bhattarai 2006a).

Immediately after the success of *janaandolan* II, Bhattarai published another article addressed to civil society in which he expressed dismay that the reinstated parliament did not include any of the civil society leaders like Devendra Raj Pandey, Mathura Prasad Shrestha, Krishna Pahadi, Mahesh Maskey, Shyam Shrestha, Kanak Mani Dixit, Khagendra Sangraula, Hari Roka, Damannath Dhungana, Padam Ratna Tuladhar, Professor Krishna Khanal, Sindhunath Pyakurel, Malla K. Sundar and others who had “provided continuous energy to the movement.” Bhattarai saw the SPA leaders already being distracted into the old politics of power and privilege and thus urged civil society to maintain the vigilance and public pressure on the SPA government on a number of critical issues. These included the formation of an interim government that would include the Maoists; abolition of all powers and privileges of the monarchy; dismissal of the chiefs of security agencies; immediate arrest of all those accused of suppressing the *janaandolan*; the dissolution of the reinstated parliament; and the abrogation of the 1990 Constitution (Bhattarai 2006b).

The mutually reinforcing synergy between civil society and the Maoists is reflected in the sudden upsurge in the “vigilance” delegations, meetings, marches, and sit-ins in the immediate aftermath of the regime change. In one of these events organized by PAPAD, civil society leader Krishna Pahadi asked the new government to immediately announce the date for the constitutional assembly elections—which was also the main demands of the Maoists—and warned that if momentum toward a republic was diverted through compromises, the citizen’s movement would be directed against the parties themselves.⁷⁸ CMPD staged a sit-in around the central secretariat in Singha Durbar to pressure the inaugural meeting of the reinstated parliament to declare elections to a constitutional assembly that would be “unconditional.”⁷⁹ Similar vigilance marches and meetings were organized in Pokhara, Dang, Butwal, Chitwan, and elsewhere to put the new government on notice.

Likewise, although the SPA accepted the king’s surrender on April 24 and ended the general strike, the Maoists maintained that had the movement continued for a bit longer, the *janaandolan* would have removed the monarchy altogether (Bhattarai 2006b). Prominent civil society leaders like Devendra Raj Pandey and Damannath Dhungana also hinted that a certain degree of betrayal might have been committed by the SPA in prematurely accepting the king’s surrender when the movement itself contained real potential to remove him altogether.⁸⁰

Civil society can work with political parties and governments, but it can just as easily have an antagonistic relationship with them. Although there is an implicit assumption in most of the existing literature that civil society is an embodiment of democratic impulse and that it advances liberal values, the Nepali case shows that civil society can also make common cause with radical forces like the Maoists. In fact, the Maoists were the first political party to recognize the potential of civil society as a new flank to outmaneuver their opponents.

Given the uneven economic, social, and ideological background of the Nepali civil society formation and the Maoists, the strong alliance forged by the two during the movement is remarkable. Although the leading lights of civil society can be located within Kathmandu’s professional middle class, which to some extent overlaps with the old court circle, the Maoists overwhelmingly hail from rural peasant backgrounds. Ideologically, the two forces were even further apart: the former is largely liberal-democratic in its orientation, the latter a radical communist force.

*the strong alliance forged
by [civil society and the
Maoists]...is remarkable*

Despite these significant divergences, what brought them together was their shared dislike of the king, even if that antipathy emerged for different reasons. The gradual convergence of the Maoists, parliamentary parties, and civil society against the crown indicated a significant shift in the national balance of power.

In terms of efficacy, however, the new alignment would not have proved as decisive as it did had it not received external support and legitimation. Although the major external actors such as India, the United States, and Western Europeans were pursuing slightly different sets of policy objectives in Nepal, what galvanized them all behind the national opposition in 2006 was their own aversion to the traditional Hindu monarchy for both cultural and political reasons. As the religiously sanctioned head of a Hindu state, the Nepali crown functioned as both the protector and the keystone of the traditional social and religious order. For all those networks and organizations engaged in transforming the sociocultural character of Nepali society, it was only natural that they should join in dismantling an institution that was often seen as the bulwark of the status quo. Interestingly, the 2006 opposition movement provided an opportune moment not just for the secularists, but also for evangelical forces. As long as the Hindu monarch remained, the state retained some legal restrictions on open proselytizing and conversions of the local population. Only a secular state would guarantee full freedom to Christian missionary work in Nepal.

Apart from its value orientation, civil society as a polymorphous power and mobilization strategy can be open to adoption by progressives, liberals, radicals, and conservatives alike. During times of heightened political action like the *janaandolan*, civil society's submerged network potential is instantiated in its central role in mobilizing and coordinating other groups and parties from the political, voluntary, and NGO domains for the oppositional moment. The local constituency aside, the polymorphous nature of civil society power becomes particularly effective in the developing world context when it is also able to garner external legitimacy and engagements to assist with internal mobilization.

Conclusion

Civil society emerged as a new discursive and opposition force during the 2006 political upheaval in Nepal. The mobilization of the dispersed and diffuse constituencies of civil society in the media, NGOs, professional groups, and self-ascriptive civil society forums played a critical role in the dismantling of the royal government. Civil society's real impact was in its ability to network between the local political forces and the external actors to create an enabling environment for the oppositional moment. Civil society's intellectual and communicative efforts helped to put the regime on the defensive while justifying and supporting the political agenda of the opposition alliance comprised of the seven parliamentary parties and the Maoist rebels. Moreover, civil society's intervention was instrumental in restoring the political legitimacy and acceptability of the Maoist Party, without whose military and organizational assets the April uprising would not have been so decisive. Earlier, the Maoist Party had been isolated as a "terrorist" organization by some of the parliamentary parties and the United States.

Although civil society discourse will remain visible in the public domain for the foreseeable future, its level of efficacy and prominence will be contingent upon its ability to attract the continued interest and engagement of external actors. If the past fifty years of Nepal's relationship to the West is any indication, external actors are likely to impact the sustainability of the current civil society enterprise if and when the donor priorities and modalities of engagement again shift in the future.

Endnotes

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1. See Migdall (2001) for a useful exploration of state-society relations and the way they constitute state power.
2. Damannath Dhungana, a well-known civil society leader, criticized the political parties for not giving all the allocated forty-eight seats to civil society activists. Tellingly, the ex-speaker of the parliament also warned that should the eight political parties fail in solving the crisis, “civil society would present itself as the ninth party to solve the nation’s problems” (*The Himalayan Times*, January 19, 2007).
3. When the infighting between the ruling Nepali Congress Party’s prime minister Sher Bahadur Deuba and party president Girija Prasad Koirala reached its climax, Deuba dissolved the parliament to preempt Koirala’s move to withdraw parliamentary support that would have technically ended Deuba’s prime ministership. Koirala had just expelled Deuba from the party for three years while the latter was still the party’s prime minister. The bitter row resulted in prime minister Deuba’s group breaking off and forming a new party named Nepali Congress (Democratic).
4. The king declared a state of emergency and presented a three-year roadmap that included establishing peace, holding elections, and handing back power to an elected government. Article 127 of the 1990 Constitution gave the king some discretionary power to act during a national crisis.

5. "Pradhumna Khadka atharun sahid" [Pradhumna Khadka is the eighteenth martyr], *Kantipur* (Kathmandu), April 30, 2006.
6. The newly drafted Interim Constitution leaves no power or space to the King (NG 2006).
7. See Shah (1993) for analysis of missionary work in Nepal; Sanu (2006) for evangelical projects among South Asian ethnic groups such as Sherpas and Lepchas; and Langham (2004), Harvey (2003), and Jenkins (2002) on the rise of Christian influence in global politics.
8. NSP leader Hridaysh Tripathi at BBC studios in Kathmandu, November 29, 2007.
9. Telephone interview with Nepal Workers and Peasants Party chairman Narayanman Bijuckchhe on December 17, 2007.
10. Unlike the Western powers, which employed civil society networks to pursue their policy interests in Nepal, New Delhi, which remained the most influential external actor in the 2006 upheaval, relied on direct political action to achieve its objectives in the country.
11. I am indebted to Anil Jha of NSP for some of the information on JPMCC operations.
12. "Satdal dwara Kathmandu jaun" [Let's go to Kathmandu with seven parties], *Kantipur* (Kathmandu), March 14, 2006.
13. "Nakabandile asta besta" [Blockade disrupts life], *Kantipur* (Kathmandu), March 15, 2006.
14. "Dal-Maobadi dosro samajdhari" [Parties-Maoists' second understanding], *Kantipur* (Kathmandu), March 20, 2006.
15. "Julush rokepachi sadakmai dharna" [Sit-in on the street after procession stopped], *Kantipur* (Kathmandu), March 21, 2006.
16. "Abarodh panchaudi nagarik sabha" [Citizens' meeting held overcoming obstacles], *Kantipur* (Kathmandu), March 24, 2006.
17. "Pesa karmidwara dharna" [Professionals stage sit-in], *Kantipur* (Kathmandu), March 25, 2006.
18. "Shanti samajko dharna" [Sit-in by peace society], *Kantipur* (Kathmandu), March 29, 2006.
19. "Neta-pesa karmi antarkriya: andolanma junta abhan," [Leaders-professionals interaction: Call to join the movement], *Kantipur* (Kathmandu), April 2, 2006.
20. "Upatekama yudhabiram" [Ceasefire in the valley], *Kantipur* (Kathmandu), April 4, 2006.
21. Ibid.
22. "Bal prayog nagarna abhan" [Call not to use force], *Kantipur* (Kathmandu), April 4, 2006.
23. "Pradhyapakharudwara mulukbhar dharna ra kalam bandh" [Countrywide sit-in and pen strike by professors], *Kantipur* (Kathmandu), April 5, 2006.
24. Ibid.
25. "Chakrapath bhitra rati karfeu" [Nighttime curfew inside Ring Road], *Kantipur* (Kathmandu), April 6, 2006.

26. “Pesakarmiko julush dharpakad: 61 giraftar, sanjha sabai riha” [Arrests from professionals’ rally: 61 arrested and all released in the evening], *Kantipur* (Kathmandu), April 6, 2006.
27. “Antarastriya samudayadwara giraftariko ninda” [International community condemns arrests], *Kantipur* (Kathmandu), April 7, 2006.
28. “Paryatakdwara mainbatti julush” [Candlelight rally by tourists], *Kantipur* (Kathmandu), April 11, 2006.
29. Ibid.
30. “Patrakarmathiko akramanko birodh” [Attack on journalists condemned], *Kantipur* (Kathmandu), April 12, 2006.
31. “Surakshyakarmi niyantranma rakhna amnestiko agraha” [Amnesty calls for keeping security personnel under control], *Kantipur* (Kathmandu), April 13, 2006.
32. “Daman birudha utrane chikitsakharuko chetawani” [Medical doctors warn they will rise up against repression], *Kantipur* (Kathmandu), April 16, 2006.
33. The International Commission of Jurists, which played a prominent role in the Nepali political struggle, was funded through the British government. See DFID Nepal: Annual Report, 2005.
34. A number of European and American journalists were feted in Kathmandu in November 2006 by *Janamanch* weekly, the Maoist mouthpiece, for their contribution during the political movement.
35. NTV broadcast of the parliamentary session, April 28, 2006.
36. During the *janaandolan*, allegations arose that rural households were being pressured by the Maoists into sending their members to swell the antigovernment demonstrations in the towns.
37. “Hami janata, hamro sambidhan” [We the people, our constitution], *Kantipur* (Kathmandu), May 1, 2006.
38. Ibid.
39. See Adams (1988) for a pertinent study of the medical doctors in the 1990 movement.
40. See *Shanti Prayaska Ek Barsa* [One year of peace efforts], a bulletin published by CSPD.
41. I am indebted to Sudip Pathak, president of the Human Rights Organization of Nepal and Bishnu Pukar Shrestha, member of the National Monitoring Committee on Code of Conduct for Ceasefire for providing me the details of the civil society genealogy in Nepal.
42. *Loktantra* is a Hindi word for democracy that gained wide currency during the *janaandolan* for symbolically powerful reasons. The old Nepali term for democracy—*prajatantra*—was considered too passé in an environment in which the opposition’s political thrust was not simply anti-king but also increasingly republican. Composed of two nouns, *praja* + *tantra*, the word literally refers to the rule of the subjects. In contrast, *lok* + *tantra* carries two potential meanings: folk rule and rule of the masses. It was the latter sense the activists picked up in 2006 to send an important message that they were no longer willing to remain the king’s subjects. After King Gyanendra’s takeover in 2005, the opposition groups had gradually begun to replace *prajatantra*

with its Hindi synonym to signal their ideological shift and to rally the diverse constituencies that were arrayed against the monarchy. This linguistic shift was telling: *prajatantra* marked the epoch of constitutional monarchy and multiparty democracy, but *loktantra* could be instituted without a king. Many of the political leaders and activists purposefully played upon this ambiguity when they deployed *loktantra* as a code word for a republic, even though there is a separate word, *ganatantra*, in Nepali for republic. It is astonishing how rapidly *prajatantra*, perhaps the most dominant term in the Nepali political lexicon for the past eighty years, disappeared from public usage following the April uprising.

43. Taken from the 8:15 PM talk program on *Radio Sagarmatha*, April 28, 2006.
 44. Another important decision of this period was a new act that granted Nepali citizenship to nearly three million residents of Indian descent and recent immigrants in a total national population of 26 million. Most of these landmark decisions were contained in the declaration issued by the parliament on May 18.
 45. *Annapurna Post*, June 16, 2006. The controversial interim constitution drafted by a committee headed by former Supreme Court judge Laxman Aryal was vehemently attacked by ethnic and regional groups for maintaining the caste and regional status quo in favor of the dominant political parties and failing to incorporate the aspirations of the marginal and neglected communities. After a twenty-one day strike during January 2007 in Eastern Terai that surpassed the April movement in deaths and destruction, the new government was forced to grudgingly accept calls for amendments to the interim constitution.
- Unlike its central role in the April movement, civil society and the media maintained a rather cool if not a disapproving posture against the Terai strike. The differential engagement is partly explained by the caste, class, and regional difference between the Terai activists and the mainstream media and civil society actors in Nepal.
46. Dixit was speaking on the theme "Peace and Democracy in Nepal" in New Delhi. "Janaandolan success attributed to media," *Kathmandu Post*, May 11, 2006.
 47. The symbiotic relationship between the media and civil society can be instantiated in another sense as well. On March 25, 2004, *The Kathmandu Post* published an investigative report, "Milking Aid Money the CVICT Way," by journalists Ghaneshyam Ojha and Yuvraj Acharya. It was the first installment in a four-part series intended to expose corruption and other financial malpractices in different civil society and NGO groups. Alarmed by the expose, prominent civil society leaders met the publishers and convinced them to drop the series. The civil society leaders reportedly argued that their ongoing political struggle against the king would be jeopardized by damaging reports of corruption. This incident also helps to set the limits of "free" press: it is free only to the extent that it does not suffer government control, but that does not mean it is free of all ideological or corporate controls. A more accurate description, thus would be "private," or "corporate," press.
 48. Addressing the national convention of the Nepal Federation of Journalists in Mahendranagar, parliament speaker Subash Nembang lauded the media's role during the April uprising. *Radio HBC* news bulletin, December 20, 2006.
 49. Apart from television, radio, and newspapers, the new cyber medium, which included the various websites and discussion forums run by private groups and agencies, played a critical role in mobilizing local and international opinion against the regime.

50. "Diagnosisnai galat" [Diagnosis itself is wrong], *Nepal*, December 18, 2006.
51. Ramesh Singh, director of Action Aid International, interviewed in "Tadhadekhi dekhnyako pariwartan" [Changes seen from afar], *Kantipur* (Kathmandu), May 7, 2006.
52. Along with the local NGOs, some international NGOs also joined the *janaandolan*. For example, on April 12, representatives of foreign NGOs working in Nepal took part in a protest march against the government in Jawalakhel area.
53. "Lakshit nakabandi ahwan" [Calls for targeted sanctions], *Kantipur* (Kathmandu), April 19, 2006. It should be recalled that many of the Western countries and India had announced aid cuts and an arms embargo immediately after the king's takeover in February 2005. During the *janaandolan*, the international effort was toward imposing individual sanctions on the king and other high ranking government officials. In 2007, most of the royal properties and assets were nationalized by the government.
54. "Loktantra bahaligarna missionko agraha" [Mission calls for reinstating democracy], *Kantipur* (Kathmandu), April 17, 2006.
55. "Rajparivarko sampatibare antarastriya bahas" [International discussion on royal family's property], *Kantipur* (Kathmandu), March 24, 2006.
56. "Preslai sahayog garna missionko agraha," [Mission calls for aid to the press], *Kantipur* (Kathmandu), March 25, 2006; and "Patrakaritako pandhra barse bikas dhosta" [Fifteen years of press development destroyed], *Kantipur* (Kathmandu), March 26, 2006. The twelve members that comprised the mission included: Article 19, Free Voice, International Federation of Journalists, International Freedom of Expression Exchange, International Media Support, International News Safety Institute, International Press Institute, Reporters sans Frontiers, South Asia Press Commission, UNESCO, AMARK, and World Press Freedom Committee. A similar mission had visited Nepal in July 2005 as well.
57. "Tatkal prajatantra puna staphana gara" [Immediately reinstate democracy], *Kantipur* (Kathmandu), April 12, 2006.
58. "Prajatantrako upahas" [Mockery of democracy], *Kantipur* (Kathmandu), April 8, 2006.
59. Earlier, during his state visit to India in 2005, U.S. President George Bush made comments on the situation in Nepal that were seen as critical of King Gyanendra.
60. Saddam Hussein's controversial hanging in Baghdad might be used as an indicator of this autonomy and dependence. Although a few political parties in Kathmandu condemned the act and even marched in protest, the response of the various civil society groups and human rights organizations was quite muted in comparison.
61. Elsewhere, Carothers (2002: 19) calls on democracy promoters to help create "alternative centers of power" like civil society and NGOs to weaken a national regime.
62. Although many have argued that a stable state is necessary for the proper functioning of civil society, Rotberg sees the collapse of the Somali government as having been beneficial for the growth of vibrant civil society in the country (Rotberg 2004: 248).
63. Although Japan is a major international donor, its funding of civil society projects in Nepal has not been as pronounced as that of the Western governments.

64. In his comparative work, Pevehouse (2002) shows that international organizations can have a significant role in regime change and democratization.
65. Furthermore, a number of UN officials like Ian Martin have been calling for the establishment of a “Truth Commission” to probe government excesses during *janaandolan II*.
66. See Huntington (2003: 192–98) for a discussion of the West’s adoption of human rights and democracy as new foreign policy initiatives during the 1980s and 1990s that introduced government funding streams for civil society operations across the world.
67. According to one report, more development money is disbursed through international nongovernmental organizations than through the United Nations (Keane 2001: 26).
68. The World Bank review for 2002–04 shows that of the 262 projects approved for the period, 194 had some civil society component. The policy shift is described in these terms: “While the Bank’s principal activity is to provide loans to governments, it has also established numerous funding mechanisms over the past two decades to provide grants to civil society” (World Bank 2005: xiii–xiv).
69. The last two projects were suspended after the king’s takeover as part of the British economic sanctions. With the installation of a new government, they were likely to be restarted again in 2007.
70. On a lighter note, President Robert Mugabe of Zimbabwe will certainly be pleasantly surprised to know that Britain does on occasion support the right of the indigenous and poor to their land.
71. The authors of ESP were perhaps aware of the ambiguity when they christened the new program. This is perhaps why the program has not translated its official name, Enabling State Program, into the local language. Nepali documents use the English terminology in the Devnagari script, but it is unclear how much sense it would make to the rural and poor constituency that were supposed to benefit from the program (ESP 2004). By ensuring a certain level of ambiguity and mystification over its name, means, and goals, ESP accorded its practitioners considerable latitude in terms of activities, means, and ends that could be undertaken without triggering concerns about transparency and accountability.
72. During the last year of the king’s rule, a public row occurred when the government refused to approve a new British development program by alleging that it was another cover to funnel funds to the opposition that was preparing for a final showdown with the regime.
73. The British envoy’s tussle with the Nepali kings has a long and colorful precedent. During the nineteenth century, distinguished “residents” of the East India Company in Kathmandu like Brian Hodgson and Sir Henry Lawrence had played various sections of the court against the crown before settling for the dependable Rana clan as hereditary prime ministers (Whelpton 2005).
74. The *People’s Review* weekly (February 23, 2006) published a list of over a half-dozen civil society/NGO groups that had allegedly received various amounts of money from several European governments during this period ranging from Rs. 70 million to 600 million, significant sums in the local context.

75. One development program staff member said with a bit of humor that some people even credit the ESP for orchestrating the whole *janaandolan*.
76. For example, a National Human Rights Commission of Nepal study reported 101 such deaths in just five months between February and July of 2007 alone. For the full story, see *The Weekly Mirror*, November 9, 2007, and *Rajdhani*, December 13, 2007.
77. Speaking on a BBC Nepali program on May 4, 2006, Baburam Bhattarai raised this demand along with the call for an interim constitution and the dissolution of the reinstated House of Representatives, which was dominated by the SPA.
78. "Sambidhan sabhako tithi toka" [Fix the date for constituent assembly], *Kantipur* (Kathmandu), May 9, 2006.
79. "Aaja Singha Durbar gherau" [Singha Durbar encirclement today], *Kantipur* (Kathmandu), April 28, 2006.
80. *Kantipur*, May 1 and May 5, 2006. Parenthetically, the physical proximity and body language at the historic Maoist-SPA press conference in Kathmandu on June 16, 2006, might be an indication of the relative distance between the main actors. The major civil society leaders present on the occasion were clustered immediately behind the Maoist leader rather than near the SPA leaders, who occupied the other end of the stage at the press conference.

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Internal Conflicts and State-Building Challenges in Asia

Project Information

Project Rationale, Purpose, and Outline

Project Director: Muthiah Alagappa
 Principal Researchers: Morten Pedersen (Burma/Myanmar)
 Saroja Dorairajoo (southern Thailand)
 Mahendra Lawoti (Nepal)
 Samir Kumar Das (northeast India)
 Neil DeVotta (Sri Lanka)

Rationale

Internal Conflicts and State-Building Challenges in Asia is part of a larger East-West Center project on state building and governance in Asia that investigates political legitimacy of governments, the relationship of the military to the state, the development of political and civil societies and their roles in democratic development, the role of military force in state formation, and the dynamics and management of internal conflicts arising from nation- and state-building processes. An earlier project investigating internal conflicts arising from nation- and state-building processes focused on conflicts arising from the political consciousness of minority communities in China (Tibet and Xinjiang), Indonesia (Aceh and Papua), and southern Philippines (the Moro Muslims). Funded by the Carnegie Corporation of New York, that highly successful project was completed in March 2005. The present project, which began in July 2005, investigates the causes and consequences of internal conflicts arising from state- and nation-building processes in Burma/Myanmar, southern Thailand, Nepal, northeast India, and Sri Lanka, and explores strategies and solutions for their peaceful management and eventual settlement.

Internal conflicts have been a prominent feature of the Asian political landscape since 1945. Asia has witnessed numerous civil wars, armed insurgencies, coups d'état, regional rebellions, and revolutions. Many have been protracted; several have far-reaching domestic and international consequences. The civil war in Pakistan led to the break up of that country in 1971; separatist struggles challenge the political and territorial integrity of China, India, Indonesia, Burma, the Philippines, Thailand, and Sri Lanka; political uprisings in Thailand (1973 and 1991), the Philippines (1986), South Korea (1986), Taiwan (1991) Bangladesh (1991), and Indonesia (1998) resulted in dramatic political change in those countries. Although the political uprisings in Burma (1988) and China (1989) were suppressed, the political systems in those countries, as well as in Vietnam, continue to confront problems of legitimacy that could become acute; and

radical Islam poses serious challenges to stability in Pakistan, Bangladesh, and Indonesia. The Thai military ousted the democratically-elected government of Thaksin Shinawatra in 2006. In all, millions of people have been killed in the internal conflicts, and tens of millions have been displaced. Moreover, the involvement of external powers in a competitive manner (especially during the Cold War) in several of these conflicts had negative consequences for domestic and regional security.

Internal conflicts in Asia can be traced to contestations over political legitimacy (the title to rule), national identity, state building, and distributive justice—that are often interconnected. With the bankruptcy of the socialist model and transitions to democracy in several countries, the number of internal conflicts over political legitimacy has declined in Asia. However, the legitimacy of certain governments continues to be contested from time to time, and the remaining communist and authoritarian systems are likely to confront challenges to their legitimacy in due course. Internal conflicts also arise from the process of constructing modern nation-states, and the unequal distribution of material and status benefits. Although many Asian states have made considerable progress in constructing national communities and viable states, several countries, including some major ones, still confront serious problems that have degenerated into violent conflict. By affecting the political and territorial integrity of the state as well as the physical, cultural, economic, and political security of individuals and groups, these conflicts have great potential to affect domestic and international stability.

Purpose

Internal Conflicts and State-Building Challenges in Asia examines internal conflicts arising from the political consciousness of minority communities in Burma/Myanmar, southern Thailand, northeast India, Nepal, and Sri Lanka. Except for Nepal, these states are not in danger of collapse. However, they do face serious challenges at the regional and local levels which, if not addressed, can negatively affect the vitality of the national state in these countries. Specifically, the project has a threefold purpose: (1) to develop an in-depth understanding of the domestic, transnational, and international dynamics of internal conflicts in these countries in the context of nation- and state-building strategies; (2) to examine how such conflicts have affected the vitality of the state; and (3) to explore strategies and solutions for the peaceful management and eventual settlement of these conflicts.

Design

A study group has been organized for each of the five conflicts investigated in the study. With a principal researcher for each, the study groups comprise practitioners and scholars from the respective Asian countries, including the region or province that is the focus of the conflict, as well as from Australia, Britain, Belgium, Sweden, and the United States. The participants list that follows shows the composition of the study groups.

All five study groups met jointly for the first time in Washington, D.C., on October 30–November 3, 2005. Over a period of five days, participants engaged in intensive discussion of a wide range of issues pertaining to the conflicts investigated in the project. In addition to identifying key issues for research and publication, the meeting facilitated the development of cross-country perspectives and interaction among scholars who had not previously worked together. Based on discussion at the meeting, twenty-five policy papers were commissioned.

The study groups met separately in the summer of 2006 for the second set of meetings, which were organized in collaboration with respected policy-oriented think tanks in each host country. The Burma and southern Thailand study group meetings were held in Bangkok, July 10–11 and July 12–13, respectively. These meetings were cosponsored by The Institute of Security and International Studies, Chulalongkorn University. The Nepal study group was held in Kathmandu, Nepal, July 17–19, and was cosponsored by the Social Science Baha. The northeast India study group met in New Delhi, India, August 9–10. This meeting was cosponsored by the Centre for Policy Research. The Sri Lanka meeting was held in Colombo, Sri Lanka, August 14–16, and was cosponsored by the Centre for Policy Alternatives. In each of these meetings, scholars, and practitioners reviewed and critiqued papers produced for the meetings and made suggestions for revision.

Publications

This project will result in twenty to twenty-five policy papers providing a detailed examination of particular aspects of each conflict. Subject to satisfactory peer review, these 18,000- to 24,000-word essays will be published in the East-West Center Washington *Policy Studies* series, and will be circulated widely to key personnel and institutions in the policy and intellectual communities and the media in the respective Asian countries, the United States, and other relevant countries. Some studies will be published in the East-West Center Washington *Working Papers* series.

Public Forums

To engage the informed public and to disseminate the findings of the project to a wide audience, public forums have been organized in conjunction with study group meetings.

Five public forums were organized in Washington, D.C., in conjunction with the first study group meeting. The first forum, cosponsored by The Johns Hopkins University's School of Advanced International Studies, discussed the conflict in southern Thailand. The second, cosponsored by The Sigur Center for Asian Studies of The George Washington University, discussed the conflict in Burma. The conflicts in Nepal were the focus of the third forum, which was cosponsored by the Asia Program at The Woodrow Wilson International Center for Scholars. The fourth public meeting, cosponsored by the Foreign Policy Studies program at The Brookings Institution, discussed the conflicts in northeast India. The fifth forum, cosponsored by the South Asia Program of the Center for Strategic and International Studies, focused on the conflict in Sri Lanka.

Funding Support

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Project Participants

Project Director

Muthiah Alagappa

Director, East-West Center Washington (from February 2001 to January 2007)

Distinguished Senior Fellow, East-West Center (from February 1, 2007)

Burma/Myanmar Study Group

Morten B. Pedersen

United Nations University

Principal Researcher

Mary P. Callahan

University of Washington

Christina Fink

Chiang Mai University

Saboi Jum

Shalom Foundation, Yangon

Kyi May Kaung

Freelance Writer/Analyst, Washington, D.C.

Tom Kramer

Transnational Institute, Amsterdam

Curtis Lambrecht

Yale University

David Scott Mathieson

Australian National University

Win Min

Chiang Mai University

Zaw Oo

American University

Martin Smith

Independent Analyst, London

David I. Steinberg

Georgetown University

David Tegenfeldt

Hope International Development Agency, Yangon

Mya Than

Chulalongkorn University

Tin Maung Maung Than

Institute of Southeast Asian Studies, Singapore

Ardeth Thawngmung

University of Massachusetts, Lowell

Meredith Weiss

East-West Center Washington

Khin Zaw Win

Independent Researcher, Yangon

Harn Yawnghwe

Euro-Burma Office, Brussels

Southern Thailand Study Group

Saroja Dorairajoo

National University of Singapore
Principal Researcher

Thanet Aphornsuvan

Thammasat University

Marc Askew

Victoria University, Melbourne

Suchit Bunbongkarn

Chulalongkorn University

Kavi Chongkittavorn

Nation Multimedia Group, Bangkok

Neil John Funston

Australian National University

Surat Horachaikul

Chulalongkorn University

Srisompob Jitpiromsri

Prince of Songkla University, Pattani
Campus

Joseph Chinyong Liow

Nanyang Technological University,
Singapore

Chandra-nuj Mahakanjana

National Institute of Development
Administration, Bangkok

Duncan McCargo

University of Leeds

Celakhan (Don) Pathan

The Nation Newspaper, Bangkok

Surin Pitsuwan

MP, Thai House of Representatives

Thitinan Pongsudhirak

Chulalongkorn University

Chaiwat Satha-Anand

Thammasat University

Vaipot Srinual

Supreme Command Headquarters,
Thailand

Wattana Sugunnasil

Prince of Songkla University, Pattani
Campus

Panitan Wattanayagorn

Chulalongkorn University

Imtiyaz Yusuf

Assumption University, Bangkok

Nepal Study Group

Mahendra Lawoti

Western Michigan University
Principal Researcher

Itty Abraham

East-West Center Washington

Meena Acharya

Tanka Prasad Acharya Memorial
Foundation, Kathmandu

Lok Raj Baral

Nepal Center for Contemporary
Studies, Kathmandu

Surendra Raj Bhandari

Law Associates Nepal, Kathmandu

Chandra Dev Bhatta

London School of Economics

Krishna Bhattachan

Tribhuvan University

Sumitra Manandhar-Gurung

Lumanthi and National Coalition
Against Racial Discrimination,
Kathmandu

Harka Gurung (deceased)

Transparency International, Nepal

Dipak Gyawali

Royal Nepal Academy of Science and
Technology, Kathmandu

Krishna Hacchethu

Tribhuvan University

Susan Hangen

Ramapo College, New Jersey

Lauren Leve

University of North Carolina,
Chapel Hill

Prakash Chandra Lohani

Former Finance Minister, Nepal

Pancha Narayan Maharjan

Tribhuvan University, Kirtipur

Sukh Deo Muni

Observer Research Foundation, New
Delhi

Anup Pahari

Foreign Service Institute, Arlington

Rajendra Pradhan

Social Science Baha, Kathmandu

Shree Govind Shah

Environmental Resources Planning
and Monitoring/Academy of Social
Justice & Human Rights, Kathmandu

Saubhagya Shah

Tribhuvan University

Hari Sharma

Social Science Baha, Kathmandu

Sudhindra Sharma

Interdisciplinary Analyst (IDA),
Kathmandu

Dhruba Kumar Shrestha

Tribhuvan University

Seira Tamang

Centre for Social Research and
Development, Kathmandu

Bishnu Raj Upreti

National Centre of Competence in
Research, Kathmandu

Northeast India Study Group**Samir Kumar Das**

University of Calcutta
Principal Researcher

Dipankar Banerjee

Institute of Peace and Conflict
Studies, New Delhi

Sanjay Barbora

North Eastern Social Research Centre,
Assam

Kalyan Barooah

Assam Tribune

Sanjib Baruah

Center for Policy Research,
New Delhi
Bard College, New York

M.P. Bezbaruah

UN – WTO (World Tourism
Organization), New Delhi

Pinaki Bhattacharya

The Mathrubhumi, Kerala

Subir Bhaumik

British Broadcasting Corporation,
Kolkata

Bejoy Das Gupta

Institute of International Finance,
Inc., Washington, D.C.

Partha S. Ghosh

Jawaharlal Nehru University

Uddipana Goswami

Center for Studies in Social Science,
Kolkata

Sanjoy Hazarika

Centre for North East Studies and
Policy Research, New Delhi

Anil Kamboj

Institute for Defence Studies and
Analyses, New Delhi

Bengt Karlsson

Uppsala University, Sweden

Dolly Kikon

Stanford University

Ved Marwah

Centre for Policy Research, New Delhi

Pratap Bhanu Mehta

Centre for Policy Research, New Delhi

Sukh Deo Muni

Observer Research Foundation, New
Delhi

Bhagat Oinam

Jawaharlal Nehru University

Pradip Phanjoubam

Imphal Free Press, Manipur

V.R. Raghavan

Delhi Policy Group

Rajesh Rajagopalan

Jawaharlal Nehru University

Swarna Rajagopalan

Chaitanya—The Policy Consultancy,
Chennai

E.N. Rammohan

National Security Council, New Delhi

Bibhu Prasad Routray

Institute for Conflict Management,
New Delhi

Ronojoy Sen

The Times of India, New Delhi

Prakash Singh

Border Security Force (Ret'd.)

George Verghese

Centre for Policy Research, New Delhi
Jawaharlal Nehru University

Sri Lanka Study Group**Neil DeVotta**

Hartwick College
Principal Researcher

Ravinatha P. Aryasinha

American University

Sunanda Deshapriya

Centre for Policy Alternatives,
Colombo

Rohan Edrisinha

Centre for Policy Alternatives,
Colombo

Nimalka Fernando

International Movement Against All
Forms of Discrimination & Racism,
Colombo

Bhavani Fonseka

Centre for Policy Alternatives,
Colombo

Mario Gomez

Berghof Foundation for Conflict
Studies, Colombo

Air Vice Marshall Harry Goonetilleke

Colombo

Anberiya Hanifa

Muslim Women's Research and Action
Forum, Colombo

Dayan Jayatilleka

University of Colombo

N. Kandasamy

Center for Human Rights and
Development in Colombo

S.I. Keethaponcalan

University of Colombo

N. Manoharan

Institute of Peace and Conflict Studies,
New Delhi

Dennis McGilvray

University of Colorado at Boulder

Jehan Perera

National Peace Council of Sri Lanka,
Colombo

Gajendrakumar Ponnambalam

MP, Sri Lanka

Mirak Raheem

Centre for Policy Alternatives,
Colombo

Darini Rajasingham

Centre for Poverty Analysis, Colombo

John Richardson, Jr.

American University

Norbert Ropers

Berghof Foundation for Conflict
Studies, Colombo

Kanchana N. Ruwanpura

Hobart and William Smith Colleges,
New York

P. Sahadevan

Jawaharlal Nehru University

Paikiasothy Saravanamuttu

Centre for Policy Alternatives,
Colombo

Muttukrishna Sarvananthan

Point Pedro Institute of Development,
Sri Lanka

Peter Schalk

Uppsala University, Sweden

Asanga Tilakaratne

University of Kelaniya

Jayadeva Uyangoda

University of Colombo

Asanga Welikala

Centre for Policy Alternatives,
Colombo

Jayampathy Wickramaratne

Ministry of Constitutional Affairs, Sri
Lanka

Javid Yusuf

Attorney-at-Law, Colombo

Background of the Conflicts in Nepal

Founded in 1769 with the Gorkhalis' conquest of the third and final principality of Kathmandu Valley, the Nepali state is one of the oldest in the region and in the world. Prithvi Narayan Shah and his descendants subsequently won over vast tracts of land and conquered peoples from the Tista River region in the east and the Satlaj River area in the west. The 1814–16 War with the British East India Company and the subsequent Sugauli treaty in 1816 defined the borders of present-day Nepal. Jang Bahadur, who later adopted the title of Rana, killed important palace courtiers during the Kot Massacre in 1846 and established the Rana regime. Until 1951, the hereditary Rana prime ministers effectively controlled political power, even though the king remained on the throne. The Rana rulers kept Nepal isolated, discouraged development and mobilization, and brutally repressed dissent while maintaining good diplomatic ties with the British in India. In 1854, Jang Bahadur introduced a civil code (Muluki Ain) that codified and standardized the existing diverse customs, laws, and practices in the context of Hindu precepts and laws and enforced them upon all communities including non-Hindu communities. This code and its implementation reinforced the process of assimilation of diverse ethnic, religious, and linguistic groups in Nepal that had begun under King Jayasthiti Malla of Kathmandu.

After the end of the Rana regime, Nepal witnessed several different governments led by various political leaders. Nepal conducted its first parliamentary elections in 1959. The Nepali Congress obtained a majority, and its leader, B. P. Koirala, formed the government. King Mahendra, however, removed Koirala in 1960, and in 1962 he promulgated the Panchayat Constitution, which centralized political power in the royal palace and promoted monocultural nationalism: one language (Nepali), one religion (Hindu), one dress (Daura Suruwal), and one culture (Hill Hindu). The Panchayat era, however, also brought an end to untouchability in 1963, and land reform was introduced in 1964. Adult franchise was introduced after a referendum in 1980, but political parties were still banned. The Panchayat system ended in 1990 after a popular movement forced King Birendra to relinquish power.

Democracy was restored in 1990, but the country failed to achieve stability, despite three parliamentary and two local elections. Twelve governments were formed between 1990 and 2002. Corruption became wide-

spread and unemployment grew. A culture of impunity flourished as powerful political leaders got away with the abuse of their power. The decade saw an explosion of identity movements as marginalized groups—including various ethnic, caste, regional, and gender groups—each of which faced political, economic, cultural, and social discrimination—began to demand autonomy, reservations, and proportional representation. Despite the growth of the media, the private sector, and successful community initiatives, such as management of forests, Nepalis became increasingly disenchanted, as the poorer segments of society did not benefit from development and growth.

The Maoists, capitalizing on this growing disenchantment, launched a violent insurgency against the parliamentary democracy in 1996. Police brutality against the Maoists and those suspected of being Maoists also fuelled the insurgency. The Maoists received considerable support in rural areas, especially from women and excluded caste and ethnic groups, and expanded rapidly. The Maoists also suppressed opposition in rural areas with violent means and benefited from infighting in the formal political establishment. The army was deployed in a counterinsurgency role only after the death in 2002 of King Birendra who had refused to deploy the army against the Maoists.

The government and the Maoists engaged in peace talks but failed to reach a settlement during the first two attempts (June–November 2001 and January–August 2003). The Maoists attacked an army barracks after the first peace talk, which resulted in the army joining in the fray, and the death toll increased considerably. The deterioration of law and order was so extensive that the governments were not able to conduct the overdue local and parliamentary elections.

King Gyanendra, who became king after Birendra's entire family was killed in the palace massacre in 2001, dissolved the elected government in October 2002, charging that it had failed to hold elections. However, Gyanendra himself failed at both holding elections and establishing peace. The royal governments tried to suppress the insurgency, but despite some initial success in hampering the rebels, they could not quell the movement.

King Gyanendra took complete control of the country in February 2005, an action that brought the Seven Party Alliance, which was fighting to reinstate the parliament that was dissolved in June 2002 and take back executive power from the King, and the Maoists together. They agreed to launch a joint movement against the king and were successful in forcing

him to relinquish power in April 2006 after a 19-day popular protest that mobilized people from all over Nepal. The Maoists and the government signed a comprehensive peace treaty in 2006. Since then, an interim parliament and an interim government with the Maoists' participation have been formed. The plan of the eight ruling parties is to hold an election for the constituent assembly to draft a new constitution.

Despite the peace agreement, Nepal faces numerous challenges. The process of forming the constituent assembly has become contentious. Madhesi movements, indigenous nationalities, women, and Dalits have demanded proportional representation in the constituent assembly. The demand for a federal structure and for proportional representation by the Madhesi Janaadhikar Forum turned violent in March 2007 resulting in several dozen deaths. Although the Maoists have joined the interim government and peace is holding, the postponement of the Constituent Assembly elections scheduled for June 2007 has created an uncertain political environment. A major challenge for Nepal as it moves forward is to accommodate the various excluded groups, which collectively form two-thirds of the population. Another is to establish the rule of law. The Maoists continue to coerce the people and extort funds and have refused to return properties confiscated during the insurgency. They are also intolerant toward opposition groups, against which they have employed violence. Finally, Nepal faces the challenge of holding leaders—such as the prime minister, who has been made more powerful by the Interim Constitution—accountable. A dramatic improvement in governance, an increase in accountability of leaders, and rule of law are essential for the creation of a viable and responsive state in Nepal.

Map of Nepal



- Capital Cities
- Cities and Towns
- ▲ Mountains
- ∩ Provincial Boundaries
- ∩ Country Boundaries

Note: Map boundaries and locations are approximate. Geographic features and their names do not imply official endorsement or recognition by the UN.

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Series Editor, *Policy Studies*
East-West Center in Washington
1819 L St., NW, Suite 200
Washington, D.C. 20036
Tel: 202-293-3995
Fax: 202-293-1402
ewcwpubs@eastwestcenter.org

About this Issue

This monograph analyzes the role of civil society in the massive political mobilization and upheavals of 2006 in Nepal that swept away King Gyanendra's direct rule and dramatically altered the structure and character of the Nepali state and politics. Although the opposition had become successful due to a strategic alliance between the seven parliamentary parties and the Maoist rebels, civil society was catapulted into prominence during the historic protests as a result of national and international activities in opposition to the king's government. This process offers new insights into the role of civil society in the developing world.

By focusing on the momentous events of the nineteen-day general strike from April 6–24, 2006, that brought down the 400-year-old Nepali royal dynasty, the study highlights the implications of civil society action within the larger political arena involving conventional actors such as political parties, trade unions, armed rebels, and foreign actors.

The detailed examination of civil society's involvement in Nepali regime change sheds light on four important themes in the study of civil society. The first relates to a clear distinction between civil society as a spontaneous philosophical and associational form in the West and its mimetic articulation in the developing world. The second addresses the nature of the relationship between civil society and political society and the way the former generates its moral authority and efficacy based on claims to universal reason, knowledge, and techniques of polymorphous power. The third theme explores the connection between the ideological and material basis of civil society and distinguishes between its autonomous Western origin and the recent growth in the developing world. Finally, civil society is examined in the international arena: the example of Nepal reveals ways in which civil societies in the developing world are burgeoning as alternative policy instruments in interstate relations.

About the Author

Saubhagya Shah is Assistant Professor of Anthropology in the Department of Sociology/Anthropology and Program Coordinator for Conflict, Peace, and Development Studies, Tribhuvan University, Kathmandu. He can be reached at shahsaubhagya@yahoo.com.

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