REVIEW ARTICLE

THE NATURE AND PRACTICE OF POLITICAL CONTENTION IN NEPAL

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The theme of the book which is particularly assured of contemporary interests and lasting impression is the integral relationship between contentious politics and the process of democratization in Nepal. The book is built on the foundation of a familiar hypothesis that coercive/violent contention may facilitate democratization during autocratic period but might constrain democracy when the democratic process is operating. Lawoti deserves kudos for bringing together an assembly of scholars and their contributions touching on the low politics long ignored for the best, which is, however, rapidly becoming high politics at the nerve centre of national polity. The book analyses the trajectories of contentious politics and the embattled democracy, tribulations of transition from a non-party to multiparty system, the political transformation marred by inept leadership, systemic corruption and lack of responsibility and accountability. Consequently, both endogenous and exogenous forces of democratization are put on trial as pedestrian performance of political leadership incredibly eroded their legitimacy and lost opportunities for institutionalizing democracy in Nepal. The book also points at ethno-nationalism with identity assertion as increasingly becoming a matter of crucial research interest on contentious politics rather than simply investigating the process of democratization under the rubric of formal politics based on structural, institutional and functional analyses.

In Preface, Lawoti writes about the plethora of uninvestigated contentious activities made possible after the restoration of democracy in 1990. He identifies different types of contentious activities and their effects on democratization, including effects of the April 2006 people's movement for democratization. Mobilization politics has momentous expansion in Nepal ever since the erstwhile democratic constitution of 1990 had become a cause of concern to the discriminated groups leading to identity and ethnic assertions. As the state becomes the object of the social mobilization, the popular impetus remains persuading the state fulfilling the societal demands. Neglect has led the restive people to challenging and contending state policies with the wider implication in the process of democratization. The contributors to the volume thus have argued that contentious politics have

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sometimes facilitated and at others impeded democratization process. Contentions have obviously led to conflicts with unintended consequences. Lawoti, therefore, asks: “Are the conflicts in Nepal due to the incongruence between societal aspirations and state institutions, and were they exacerbated by the gaps between the demands of the mobilized groups and the inadequate response and incapacity of the state? (p. 18).

The answer can be yes in both cases. In the conflict of the first order related to societal aspirations, if understood as a case of democratization, the authoritarian state institution under monarchical system was certainly incongruent to democratic order. On the other hand, the tribulations of democratic transition have imposed limits in responding to most of the demands articulated from the public sphere. For this, the political leaderships are no less responsible. Through their political rhetoric, they have generated conflicts by raising popular expectations but failing to pursue anything other than their personal interests. Politicians have betrayed popular trust and cheated people by denying them, what Hannah Arendt (1958: 296) said long ago, their “right to have rights” to belong to an effective political community.

Crowd and Political Protests
A cursory impression of the core of the book suggests it has constructively consolidated the existing knowledge on the subject of contending politics. There are illuminating insights into crowd behaviour, activities changing into protest politics making it a distinct form of collective defiance. Protest politics is neither a divergent nor a deviant behaviour. It is rather a cohesive form of political mobilization as hartal (strikes) and satyagraha display. Although protest sometimes traumatizes the situation by paralyzing normal life and falling into violence, vandalism, arson and destruction, it is, nevertheless, an effective form of civil disobedience movement noted around the world. Particularly when political regimes become uncompromising, repressive and oppressive, and closes channels of formal opposition, street turns itself into a most congenial site of political protest and mobilization. Batons, tear gas, curfews and even gunfire are defied when protest unleashes human waves for democratic struggle, as was freshly evident in April 2006.

Some contributors to this volume have refreshingly engaged in discussing certain unusually neglected features of collective public protests such as street protests and student movements — the locomotives of democratic struggle in Nepal. The narratives on protest politics by these authors have indeed enriched debates, discussions and discourses that the book intends to generate in public. True to its character, Lakier begins her chapter with the observation that “Democracy in Nepal was born in the street protest and has lived with it ever since” (p.251). Crowd behaviour when examined in its dramatic moment of protests, strikes, sit-ins and even violence feature in positive ends, as was the case of Kamaiya (bonded labour)
emancipation in 2000. Kamaiya agitation was actually apolitical, and purely a social movement if one were to understand it as a “collective, organized, sustained, and non-institutional challenge to authority, power holders, or cultural beliefs and practices” (Goodwin & Jasper 2003: 3; Shah 2002: 15-16). Student movements also provide a specific and controlled laboratory to experiment with and investigate the crowd behaviour of the youths. Snellinger has observed that student movement has shifting involvements from “norm-oriented agendas to value-oriented agendas” used alternatively as the situation entails. Student movements are down to earth in raising demands in relations to daily essentials of the general public under democracy as they are the sister organizations of different political parties. Norms supersede values when launching general strikes and popular protests, which is turned upside down whenever the student uprising occurs in an autocratic polity. The value-oriented political agenda becomes the contending force against an autocratic regime demanding democracy (p.277).

There is no denying the fact that student movement remains the siren of democratic struggle in Nepal. In the absence of any chance for the “loyal opposition” as in the parliamentary system, streets naturally become the platform for oppositional politics led by the students posing outright resistance to the undemocratic government. The orientation of national polity and the strength of the political parties are also measured on the basis of student politics and the electoral results in the university campuses even under a democratic setup. Perhaps because of this reason party holds on to student unions is direct and distinct. The organizational setups of unions are usually filled with the nominees of the powerful party presidents. Both the essays in this volume have successfully imparted a message that streets are the vast and boundless political canvas in which a spectrum of colours of democratic struggle is painted by soft and hard brushes dramatically reflecting the rainbow sometimes and bloody nightmares at the others.

**Contending minorities and identity politics**

*Contentious Politics* is authored largely by a cast of scholars with varied disciplines. They are all based outside Nepal. Both Nepali and foreign nationals comprising the contributors, however, have enriched knowledge on the subjects treated through extensive fieldworks and contacts. So the focus of some like Hangen becomes of particular importance when she brings to light the functioning of a let down “minor political party” like the Mongol National Organization (MNO) with ethnic clamour and identity assertion pursuing to transform Nepal into a secular, federal and republican state (p.179). The MNO’s posture actually reflects the tensions created by the conflicting identity of the people marginalized by the political centre and the swelling of grievances of that specific group concentrated in eastern Nepal. Although the MNO was denied registration as a political party on the ethnic
ground earlier, it had experienced electoral politics through fielding its candidates independently making elections not only competitive but also contentious. With this understanding, the MNO had used both national and local elections as forums to raise “awareness about ethnic inequality” as well as ventilate its radical views (pp.180-87). Despite the long suppressed minority voice of the MNO has currently become the crucial national agenda by constitutionally declaring Nepal a “federal democratic republic” and a secular state, ethnic organizations like the MNOs and Madhesi forums are ironically denied their credible position in the national mainstream.

Similar was the case with other marginalized groups like Newars, an economically dominant but culturally subjugated urban population (Chapters 8 and 9). In this context, Maharjan has noted the use of religious proselytizing through “Vihar Buddhism” by a specific group of Newars as a subtle form of political protest against the Rana oligarchy beginning in the 1930s. Later martyr Sukra Raj Joshi “Shastri” had also taken this tactic as a form of protest mobilization against the Ranas by preaching Hindu religious texts, although the latter was definitely not an identity based movement. Despite this he was led to gallows, as Lakhan Thapa Magar was previously killed for his anti-Rana activities under religious façade.

The denial of the “right to have rights” leading to Kamaiya emancipation has been the epithet of how protest mobilization of non-violent nature can contribute to the process of democratization of social space. The Newar nationalism as depicted by Shrestha, on the other hand, has infused a powerful sense of purpose for preserving identity amongst the scattered minority community through bonding of linguistic collectivity leading even to the extent of demanding national autonomy for Newars settled densely in Kathmandu Valley (pp.209-13). Such a tumultuous movement in the sphere of Nepali politics occurred under democracy through strikes, protests, dharnas (sit-ins) and bandhs (closure). Protest becomes a procession and a programme for asserting minority rights besides its larger dimension encompassing universal human rights. Recognizing this reality, Lakier conclusively argues, “Protest is therefore one of the many ways in which democratization is, has been and will continue to occur in Nepal; but one which reveals the essentially political and contingent nature of even democratic equality” (p.268).

But when protest politics and disturbances it creates in the social milieu is scrutinized, protests and non-affirmative actions concerning the interests of a specific group also interfere with common concerns and civil liberties of general mass. The strikes called by the transportation syndicate against the government’s liberal provision for national transport system through chakkajam (putting all the vehicles off the streets) asserting its monopoly over the area of operation and forcing the government come to its terms fall into this category. This has been succinctly described by Lakier as “The
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syndicate thinks it owns the road, that those roads are its own property. It has been running vehicles on them a long time. They give no one else permission to conduct service” (p.265). The syndicate, by asserting its corporate privileges, has prevailed over the government and compelled the latter to bend policies suitable to the wishes of the former.

This is an indication of how power operates in a modern state. Lakier states: “The relationship between the modern state and society in Nepal cannot therefore be characterized as simply a one-way optic of simplification, legibility and control” (p.267). Protests mounted by the syndicate led to a compromise and alteration of government policy. “This process indeed can be understood to be a kind of democratization, but one which did not result in a horizontal liberal order composed of autonomous and equivalent citizens – instead produced a highly varied terrain of corporate interests, in dialogue with but never fully described by, the rationalizing impetus of the state’s law ”(p.267). The beneficiaries of such a process are a few – the business elites in particular and the political elites supporting them at the cost of the general populace. It is well known to all that the syndicate controls and regulates transportation system throughout western Nepal comparably charging more to the commuters/travellers than their eastern counterpart, where transport cartel does not exist. The nexus formed by the vested interest groups in western Nepal therefore has foiled the rule of law clipping the democratic order.

Violent contention and its implications

A major finding of the book, therefore, is that contentious politics can “hinder democratization” (p.324). Lawoti has argued that although the Maoists may justify violence in achieving democratization objectives in the long run, their violent contention has essentially “undermined the emerging electoral democracy by attacking institutions such as elections, local governments and associations that are fundamental for democracy to function” (p.327). Rather than anything, the objective of the Maoists violence has been the state capture, so it is still at loggerheads with whatever the multiparty democratic system had achieved and professed. Disrupting social fabric by creating chaos and instability has been the prima facie objectives of the Maoists insurgency. They have largely benefited from the debilitating political situation caused by the wrangling at the political centre. Amidst the increasing Maoists violence in the countryside the credibility of the government was lost with its inability to manage conflict, arrest economic decline that was further endangered by the nagging corruption, human rights abuses and misgovernance. Politicians under democracy have reneged on their electoral promises and resorted to the same bad behaviour that autocracy was previously accused of perpetrating. T. Louise Brown in her book published in 1996 (the year the Maoist insurgency begins) thus has ruefully
observed, "[D]emocratic Nepal differs only superficially from Panchayat Nepal" (Brown 1996: 145). She concludes on a pessimistic note asserting that unless the intriguing monarchy is tamed and poverty remains at unsatisfactory level the hard won democracy could be stifled by the "hungry [who are] yet to be fed" (p.222) because the ensuing "poverty and prolonged economic stagnation are the greatest threats to Nepali democracy" (p.213).

The Maoists have transformed all the weakness of the government into their strength; the government’s in-competency into their competency and the government’s suppressive urge into a powerful motivation for resistance and armed rebellion. They have also succeeded in discrediting the political leadership and government with adverse impact on democratic process as evident by the case of imposition of national emergency compromising civil liberty and human rights – the liberal plank on which democracy thrives. Emergency coupled with TADO/TADA caused the oppressive situation. This was followed by indiscriminate counterinsurgency operations ultimately destroying the bond between the people and the government thus providing opportunity for the Maoists to justify violence. The failure of the government and legitimate political parties to stand and deliver has become a relative success of the Maoists (pp. 87-90). Their protracted armed struggle has destroyed the political edifice of democratic state. Although they lack sufficient capacity to seize state power through armed insurrection by overrunning the national armed forces, they have, however, managed to become at the top of the political echelon through change in their strategy of protracted armed conflict to protracted negotiation central to the process of nation building in the post-Jana Andolan II period. Their continuing rhetoric of state capture through jana bidroha (people’s revolt) in case of failure to hold the constituent assembly elections is nothing but a testimony to the Maoists insatiable lust of state power.

Contrary to the public posture of the Maoists, and the assertion of Onesto as insurgency being an assurance of liberation for women and marginalized groups (Chapter 5), Crawford et al. suggest otherwise. Particularly in the case of the rural women and children, the Maoists insurgency has created a calamitous situation forcing the widows and orphans to cope with unbearable burnt of political violence (pp.95-119). At the personal loss of husband or the male members, many households in the villages are headed by women, their children have become scavenger and those who are forcibly evicted and displaced are facing risks of starvation. And as noted by Crawford et al., young women are at the risk of being trafficked with different motivations exploiting their vulnerabilities as they are entrapped between guerrillas and the security forces (pp.107-110).

The Maoists violence has definitely caused untold miseries and sufferings. The Maoists have functioned with excessive military zeal. Violence has enhanced the Maoists alter-ego. Their so-called base camps
were militaristic in intent rather than civilian in governance. The “liberated areas” that have become the Maoists’ proto-state are virtually reduced to the places of primitive subsistence for the people trapped between their economic exploitation and drying up of government development assistance. The pauperized community where the Maoists rule as “rentier” class extracting whatever surplus they can put their hand on have been transformed into their ilaka where their wish prevails. Notwithstanding their behaviour pattern of the Maoists is thoroughly power-centric, not people-centric. They are also reneging on most of their “revolutionary commitments”.

However, the Maoists had succeeded in generating tremendous public awareness in rural Nepal simply by becoming the dream merchant. They have raised awareness about the livelihood situation of the people and their rights as the citizenry of the state that none has ever attempted before. Perhaps the Maoists mobilization tactics were not always fair but they have significantly contributed to bringing issues of social exclusion and widening rural-urban disparities to the limelight. Their ideological excursions in the rural community have also help ameliorate discriminatory gender issue and other social ills by infusing “revolutionary culture” for promoting equality between men and women, abolishing caste system and untouchability along with respecting minority rights (p.127). Although the discriminatory practices are in vogue amongst the higher caste hill people than the egalitarian matawali caste people where the Maoists thrived, the implications of social change brought about by their decade long insurgency remain in doubt. For example, the cases of the Dalits’ entry into the Hindu shrines are yet not permissible in western Nepal. Next, the impact of the Maoists is widely felt by the weaker section of the population more negatively as the ire of both insurgency and counterinsurgency fell on them. The Maoists failure to bring about any systemic change even in the public utility sector is apparently testified by the existence of the monopolistic transport syndicate system in western Nepal that has been the citadel of the “People’s War” for over a decade.

Though the Maoists have politically become an achiever working as a catalyst to the “state restructuring” process, people today have, however, become little sanguine about their cause. Agendas that the Maoists had assiduously promoted during the time of their violent mobilization with revolutionary romanticism are mostly becoming uncongenial to them. For example, they are retracting from their relentlessly pursued agenda of “right to self-determination” to the ethnic minorities (besides the bhure-takure) fearing secession when the Madhesi jagaran (uprising) has become an irrefutable reality. As the Maoists fear a Kosovo in Nepal, they are trapped in a dilemma of being in a reverse role of a party defending the integrity of the Nepali state. Hence the Maoists are, ironically, the first amongst the ruling parties to advocate for mobilizing national armed forces against the Madhesi
uprising in the Tarai. This reflects the political preference built on the idiosyncrasies of the Maoist leadership to deal with political dissent that could again jeopardize the democratization process. Their reliance on the force of arms rather than power of persuasion thus puts them in the category of oppressors rather than liberators. If the Maoists were to become an oppressive class they can free neither others nor themselves from the shackles of feudal political culture they had rebelled against.

Perhaps their late realization of an era of playing with the fire of minority politics coming to an end with the securitization of majoritarian state in the post-9/11 period has forced the Maoists to stop manipulating ethno-nationalism. Minority rights movements, if unleashed with the armed struggle, are discouraged and denied recognition even in the liberal world. The UN Security Council Resolution 1373 passed in the aftermath of 9/11 calling for an “international consensus” against “terrorism” has become a blanket cover against anti-state violence. As a consequence, minority movements, even that of a credible Madhesi variant in Nepal, are fast losing their legitimacy, when asserted through the armed resistance and violence. Thus the implications of violent contentions are largely negative than positive. This is also exemplified by the change of strategy of the Maoists from armed rebellion to unarmed contention. Perhaps this is the reason why Lawoti has observed: “Contentious politics should be defined not solely based on formal nomenclature of agents and organizations and activities, but more on the consequences of those activities” (p.334).

Consequences of contention are both direct and indirect. One indirect and negative consequence of the contending activities is the creation of a chaotic situation with overwhelming impact on environment and its ramifications on urban dwellings like Kathmandu (Chapter12). The degrading impact of environmental damage on the life of the urban population has fuelled antipathy towards disorder that democracy has allegedly created through its inability to maintain systemic order. It has been a frustrating experience for the common people that the utter negligence of the government for social responsibility and insensitivities towards meeting basic essentials has increased public insecurity and contempt. Government’s laxity and unresponsiveness have incited irritation and ignited violence. Thus a democracy which is non-functioning can be easily endangered with open defiance of the alienated mass. Nepal experienced such a grievous situation throughout the post-1990 multiparty parliamentary system when the political process revolved around the urge for democratization and enduring temptation for authoritarianism. Leaders were then preoccupied with consolidation of power in the hands of the executive, not consolidation of democratic institutions and build its solid foundation. That led to centralization of power and authority, which was definitely antithetical to democratization. Democratization, in essence, not only refers to a process of
political transition away from authoritarianism, it is also a continuing process of opening up the avenues of participation through sharing power, expanding civil liberty, protecting and preserving human rights and making responsive governance.

In lieu of Conclusion
All said, Contentious Politics is engaging and certainly is an invaluable addition to the literature on Nepal despite “tons of scholarly works” (p.52) have already discussed and debated various aspects of democracy. The book is written in a good spirit within the perceptive framework of contentious politics and deliberated upon with empirical reference to the pertinent cases. Despite this, a glaring omission is noticeable in the entire volume that has covered the politics of contention. Except from a fleeting reference, there is no mention of the latent and long enduring Madhesi problem that is integral to ensuring popular sovereignty, equal citizenship, distributive justice, social inclusion and the “right to have rights” in the process of democratizing the Nepali state. The Madhesi contention in particular will remain unless the issues concerning them are seriously addressed and resolved. Democratization, as Dryzek (1996: 475) says, is “largely a matter of the progressive inclusion of various groups and categories of people in political life”. This case deserves to be included and treated separately whenever the second edition of the book is planned and produced.

References