

Title: The end of monarchy in Nepal and its delicate journey towards a republic

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Source: [Contributions to Nepalese Studies](#). 35.1 (Jan. 2008): p63.

Document Type: Report

Introduction

Nepal's interim parliament declared the country as a 'federal democratic republic' on 28 December 2007. This is a historic declaration. The Maoist Chairman Prachanda claims that the monarchy has been legitimately ended. However, people will long be debating whether or not Nepal has formally become a republican state on the same day, because only the first meeting of the elected Constituent Assembly (CA) will remove the king properly.

After a long silence, King Gyanendra expressed his disenchantment, first to a local journalist, then to a foreign press, Yomiuri Shimbun in Kathmandu. He said, "The decision doesn't reflect the view of the majority of the people. This is not democracy." This makes it clear that King Gyanendra is desperate to save the obsolete monarchy with a hope to continue the regime. On 7 January 2008, the only known royalists' party, the National Democratic Party (Nepal) took to the streets against the move in Kathmandu and announced that they would continue fighting to retain the monarchy in Nepal.

When the CA election date was fixed for 10 April 2008 the people were doubtful about the date, as it was been deferred twice in the past. Furthermore, the law and order situation in the country deteriorating because of the unabated violence in the Tarai and protests organised elsewhere by several organizations affiliated to indigenous nationalities (Janajatis), women and disadvantaged, oppressed low caste groups (Dalits).

It is notable that when the 2006 people's movement was launched, the target was the authoritarian monarchy. People of all walks of life including Janajatis, the Madheshis, Dalits and women participated in the movement to defeat the king with the hope of turning Nepal into an inclusive, accommodating and democratic state where all could enjoy equal rights and equal share in the state power. All of these groups have remained oppressed and neglected for almost two and half centuries under the Shah rulers. The high caste Hill Hindu Bahuns and Chetris controlled the power structure. However, after the 2006 change, the state power has just shifted from the king to the same high caste Hill Hindu Bahun and Chetri elites led by the party politician GP Koirala, who became Prime Minister five times. His interest in Bahun supremacy did very little to change the faith of the oppressed and disadvantaged section of the society. The Bahun and Chetri elites cannily sidelined all these neglected groups when the interim constitution was promulgated on 15 January 2007. This time the 'revolutionary Maoists' who fought a guerrilla war against the 'feudal centralised state' also supported the interim constitution as such disregarding their earlier commitment to 'empower' all these oppressed segments of the society. The Maoists joined the Seven Party Alliance (SPA) to bring down the king, Then they shared state power with their one time 'class enemies' that had forced them to resort to arms. As a result, all the Janajatis and the Madheshi remained dissatisfied content and Madheshis led to violence in the Tarai coinciding with the promulgation of the interim constitution. The Government showed little interest to solve the issue fearing that it would help the Maoists,

therefore, and the Tarai problem in parliament escalated. With the Tarai burning affecting the economy and security of the country the CA elections became uncertain.

The Shah dynasty's successor

Since Nepal has been declared a republic, the burning question now is how to replace the system of monarchy. Many scholars such as Marie Lecomte-Tilouine (2004) have presumed that the Maoists leadership under the hill Bahun elites might well succeed the king. Analysing the fierce warrior strategy that the Maoist has applied during their war against the feudal kingship, she presented the Bahun leadership of the Maoists to be the most likely successor of the Shah kings. However, monarchy was not militarily defeated. They joined hands with the SPA to defeat the king, through peaceful Jana Andolan, and joined the government accepting GP Koirala, a 'bourgeois' chieftain as an all-powerful Prime Minister and the head of state of the 'New Nepal'. (1) The Maoists wished to turn the victory only for them to succeed as the new rulers of the country and saviours of all the oppressed and disadvantaged groups in Nepal, but that did not happen. Therefore, they repeatedly demanded to make Nepal a republic instantly and Koirala to become the first president. The latter refused; he wanted to wait until the CA election. The Maoist party began projecting its top leader Prachanda as the only viable candidate for the 'first president of Nepal'. We will have to wait until the CA election to see if the people will accept the projection.

Those who are against the 'communists' and the 'Maoists' but support a republic has no other worthy candidate than the octogenarian GP Koirala as the most suitable person as the 'first president of Nepal'. He is grooming his lone daughter Sujata Koirala as his successor by picking her up as a minister without portfolio to look after his own tasks. If we look at the current trend of family dynastic role in South Asian politics, from India to Sri Lanka and Pakistan to Bangladesh, Nepal

may not come out as an exception. Sujata Koirala's sympathy to monarchy also fits her ambition to succeed her father. Nevertheless, if we look at the gravity of the situation within Koirala's own party and outside about her appointment, it is still premature to forecast anything clear about her future. Actually, Prime Minister Koirala, very reluctantly accepted 'republic' only because of the Maoists' pressure. Some people like NC leader Gopalman Shrestha also opined that King Gyanendra be made the first president of Nepal so as to smoothen the transition towards a republican set up.

Scholars such as Keshabman Sakya (2007) believe that the anti-king contention was mainly between the two high Hindu castes, the 'Bahuns' and 'Chetris' and now the Bahuns are enjoying the victory after the defeat of the Chetri king. He thinks, since the leadership of the SPA, which includes the Maoists, is in the hands of Hill Bahuns, they are the true rulers of the country now. They could grab state power and discard the king as the Janajatis and the Madheshis put their weight on their side. This balance of power might change any time when these groups change their position. Already the Janajatis and the Madheshis are on the warpath with the ruling Bahun-Chetri elites, because the latter has failed to fulfil their aspirations. As it can be predicted, the 'federal democratic republic of Nepal' will never be the same as the oppressed Janajatis are determined to have their share of state power. However, nothing is crystal clear about the future of the king, federal structure, republic and successor of the Shah dynasty because it appears that the King and the ruling Bahuns will not easily relinquish their power they have enjoyed for hundreds of years.

At this juncture, some top Maoist leaders are also talking about the plot of a 'democratic coup' as the Prime Minister has made his monarchist daughter Sujata a cabinet minister, she is believed to be in favour of the Nepal army, the king and foreign powers such as India and America. The Maoists are also warning people of 'Pakistani style political assassinations'. When we look at the current violence and killings, it is difficult to overlook such possibilities. Similarly, leaders of other parties are accusing the Maoists of hatching a 'nationalist coup' as the Maoists began meeting former royalists in their bid to garner support from 'nationalist forces' in the 'republic Nepal'. If a 'coup' or 'assassination' of any leader takes place, the whole political process will be at stake.

State and power in Nepal

At present, the words 'country,' 'nation,' and 'state' are being used interchangeably. However, in a deeper sense, they carry distinct meanings. When we speak about a state, we are talking about domination of a political unit over a certain geographical area. Nepal was divided into several tiny monarchical and tribal states before the development of centralised feudal power. Historians such as Dhanavajra Vajracharya (1985: 11) supposed that the boundary of ancient Nepal was as big as that of present day Nepal. Inscriptional evidences tell that rulers in ancient Nepal such as Manadev and Amsuvarman proclaimed themselves as great feudal masters (mahasamanta), and were proud of their supremacy and influence over the lands and people they ruled. In the later period of history, Nepal disintegrated into several small states and principalities. These small states and principalities came under the domination of one single administrative unit after the 1769 Gorkha expansion. As it is elsewhere, 'dominance of victors of history' is apparent in Nepal. Max Weber's definition of "monopoly on the legitimate use of physical force within a given territory" is evident in Nepal. Therefore, the various Janajatis that had lost their lands to the Gorkha empire, and remained oppressed by Khas (Brahmin-Chetri) chauvinism under the pretext of Nepali nationalism are now actively asserting their distinct national identities by restructuring the state into a federal set up.

From the dawn of Nepal's history till today, kings and feudal chiefs controlled the lands and monopolised taxes. They punished and rewarded people as they wished. The kings in Nepal did not behave differently than King Louis XVI of France, who proclaimed 'I am the state'. The king's word was the law. For centuries, state power in Nepal revolved around the kings and the royal palace, and it continued to be so until recently. The Nepali kings were the sovereigns of the state. The 1990 political change in Nepal forced King Birendra to give up sovereignty, which empowered Nepali people as the sovereign. Furthermore, indigenous nationalities (Janajati) in Nepal are no longer ready to accept centralised state power; rather they are for a decentralised federal state. (2) This development in Nepal fits the arguments of modern-day scholars such as Michel Foucault, who believe that the notion of a sovereign, centralised state is outdated (Foucault 2000:123). King Gyanendra reclaimed back the sovereignty after he became king in 2001 and behaved as the all mighty, but Nepali people discarded him. The April 2006 people's movement compelled him to give up sovereignty and hand it back to the people.

The role of monarchy

Hindu scriptures put the king at the top of a state mechanism. As a ruler, the king was an agent of the gods, a god in himself or at least he supposedly possessed some divine powers. The notion of divinity gave the highest position to the king in the state (Buhler 1969:216; Kane 1977:1639). As a king his duty was to maintain law and order, therefore no man was supposed to disobey him.

The king was the protector of law and order (Heesterman 1986: 1). The divinity in king authorised him to reward and punish his subjects. The king was considered the supreme or sovereign power of the state.

The belief of divinity in the king is a pre-historic tradition in Nepal. From ancient times to the medieval and from the medieval to modern, the kings behaved according to this tradition. The dawn of ancient history of Nepal started with an inscription dated 185 AD found in Maligaon, Kathmandu, which is believed to have been in existence from the time of Varman dynasty. (3) It is believed that the Licchavis (464-878 AD) came in power after they defeated the Kiratas. Myths and history of Nepal tell that the god Pasupati, the most venerated Hindu god in Nepal or the Lord Shiva blessed the rulers in Nepal. (4) The Licchavi kings (185-878 AD) claimed that they were the descendants of the God Sun. Their successors, such as the Thakuris (879-1200 AD) and the Mallas (1200-1769 AD) made similar claims. The Malla kings also identified themselves with the fearsome god Bhairava, a form of the Lord Shiva. The Goddess Taleju was their tutelary goddess.

The Malla kings began the tradition of worshipping the Living Goddess Kumari, believing that she is the manifestation of the Goddess Taleju in human form. (5) In Kathmandu, on the last day of the festival of Indra, popularly known as Indra Jatra, she must put tika, a mark of blessing, on the forehead of the reigning king to re-endorse his rule for the coming year. Till today, it is believed if she refuses to give tika to the king, he might lose his kingdom. As the story goes, this exactly happened to Jayaprakash, the last Malla king of Kathmandu. Prithivinarayan Shah, the warrior king of Gorkha, launched a surprise attack on Kathmandu and conquered it on the day that the people of Kathmandu were celebrating the Indra Jatra (festival of Indra). That year King Jayaprakash failed to receive tika, but soon after the conquest of Kathmandu, Prithivinarayan Shah arranged to receive tika from the Goddess Kumari and legitimised his conquest. His descendants continued this tradition till date. In 2007, however, only after the Prime Minister, as the head of state received the tika, King Gyanendra went to receive his tika too, fearing that an evil spell may befall on him if he did not get the tika from the Kumari. This was a break to the centuries old tradition in itself. He has already been barred from attending other religious and cultural programmes as the head of state.

The Gorkha rulers enforced the rules based on Hindu religious scriptures encouraging caste-based hierarchies, discriminations while giving the Gorkha Kings supreme position as a reincarnation of the Hindu God Vishnu. The geographical boundary of Nepal was reduced to its present size since the time it had to sign a treaty with the British Empire in 1816. Although Nepal never came directly under the British colonial rule, the rulers of Nepal were subservient to the British rulers after the 1816 treaty.

Historical evidences tell that internal power struggles among the royal family members of the Shah dynasty existed long before they conquered Nepal in 1769. This turned out more intense after their conquest of Nepal. There is a long list of sons killing fathers or nephews killing uncles or brothers killing brothers or imprisoning or sending in exile. (6) No Prime Minister died natural death before Janga Bahadur Rana. In the series of such killings and conspiracies, a dictator, Janga Bahadur Rana, emerged after a political massacre he committed to please the then queen in 1847. Janga Bahadur was a Kunwar, who began to call himself a Rana, in an effort to link himself to the prestigious Mughal Empire of India. Janga Bahadur established the notorious Rana

oligarchy in Nepal, which lasted for 104 years (1847 to 1951). The Ranas confined the post of the Prime Minister among their brothers and cousins.

As a result of a massive people's uprising, the Rana oligarchy came to an end and Nepal achieved democracy on 19 February 1951. However, the political change only reinforced the power of the Shah Kings. In 1955, with the death of King Tribhuvan, his eldest son, Mahendra became the new king. On 12 February 1957, he promulgated a constitution and held the first parliamentary election in 1959. The Nepali Congress Party (NC) won the election and formed its government. On 15 December 1960, however, Mahendra staged a coup d'etat, dismissed the elected government, banned political parties, and imprisoned all prominent political leaders. (7) King Mahendra introduced the Panchayat system under his dictatorship. It lasted for thirty years. The Panchayat system tried to homogenise the country by adopting one religion (Hindu), one language Khas as Nepali, one culture and one nation policy under the pretext of 'Nepali nationalism'. It systematically suppressed the ethnic languages and cultures. In 1971, with the death of King Mahendra, his eldest son Birendra inherited the throne and the Panchayat system.

In 1979, a spontaneous students' protest movement forced King Birendra to proclaim a referendum seeking people's opinion whether to retain the Panchayat system with reforms or to reintroduce the multi-party democracy in Nepal. The 1980 referendum gave a victory to the Panchayat with reforms, so all the political parties had to suffer prohibition once again. However, they continued their struggles to restore multiparty system. Finally, a People's Movement (janandolan), succeeded at obliging the king to lift the ban on the political parties on 8 April 1990.

King Birendra reluctantly transferred sovereign power to the people with the promulgation of the 1990 constitution. (8) The constitution, however, failed to address the problems of the neglected communities and ethnic nationalities, the Madhesis, the non-Hindu populations, the Dalits, socially disadvantaged low caste and women. (9) It also maintained Nepal as a Hindu kingdom and reasserted a single Khas language as Nepali, the official language of Nepal as the Panchayat constitution had done.

In April 1991, the first general election returned the NC as the largest political party enabling it to form a single party government under the leadership of Girija Prasad (GP) Koirala. However, the ruling party could not act effectively towards fulfilling the hopes and expectations related to social, political and economic changes. Corruption, nepotism, and upper caste dominance contributed little to uphold democratic norms. Inflation and rampant corruptions angered and frustrated the people. At the same time, inter- and intra-party conflicts increased day after day (Hacchethu 2006). On 10 June 1994, as the ruling party failed to pass a motion of vote of thanks for the king's speech, Koirala tendered his resignation, dissolved the parliament and announced a mid-term election in November the same year.

The 1994 mid-term election was proved to be the most devastating as it resulted in a hung parliament. It returned the CPN (UML) as the largest party in the parliament, but it had to seek support from the opposition parties to form its government. The UML government lasted for only nine months. Nepal experienced a series of government changes, because no coalition sustained for more than a few months. In the general election of 1999, once again the NC returned as the largest party, but intra-party disputes did not cease. As a whole the journey to multi-party democracy was on a failure course.

The end of monarchy

With the introduction of the 1990 constitution, powers of the king had considerably been reduced. The king and other royal members, however, could not take the change easily. In general, King Birendra behaved as a constitutional monarch and acted as a stabilizing factor, but one faction in the palace led by his brother, Gyanendra and queen mother, Ratna Rajya always opposed the loss of royal power and it is believed that they played an active role in weakening political parties, so as to regain the lost power of the palace. (10)

The modern history of Nepal refers to the palace as the seat of conspiracies (Dangol 2005). High posts in the army were reserved for the relatives of the king and queens. In the 1 June 2001 royal palace massacre, King Birendra and all the members of his family, his two sisters and youngest brother were killed. The Royal Investigation Commission blamed the crown prince Dipendra of committing regicide. He was made the king while he was in a coma for two days before being declared as dead. However, the Nepali people did not believe the report, they accused Gyanendra, the only surviving brother of King Birendra, who succeeded to the throne as the culprit. Gyanendra, as the Prince, was notorious for his multiple businesses before he became the king. Many link him to underworld trades, such as smuggling of ancient treasures from Nepal to other countries and drug trafficking (Greenwald 2001:131-33). In addition, his only son, Paras, whom he made the crown prince, is infamous with several records of killing and brawls at nightclubs. Therefore, the Nepali people do not like King Gyanendra and his son Paras as the successors to the Nepali throne.

The slaying of the king in a family feud was astonishing in the country where the king was supposed to be an incarnation of Lord Visnu, but the 2001 incident made it clear that divinity did not protect the king from being killed, not even by his own son or brother, let alone by his foes. This naturally shattered the people's traditional faith in the power of the divine ruler. Even for the most religiously minded people, that was the end of the divinity in the king.

A widespread myth about the Shah dynasty is that the ascetic Gorakhanath had bestowed King Prithivinarayan Shah and his descendents with the rights to rule Nepal for ten generations. Incidentally, it ended with King Birendra's death. As both of his sons and even the only one married daughter were also killed, no natural line of succession is left behind him. Therefore, the Nepali people thought of an end of a dynasty. Although, Gyanendra has succeeded Birendra, religious people do not accept him as a true king.

The political turmoil

Soon after the palace massacre, the game of toppling Prime Minister Koirala began in his own party. This time none other than by his own protege, Sher Bahadur Deuba, was on the warpath and succeeded in bringing him down. On 22 May 2002, Prime Minister Deuba dissolved the elected parliament as he failed to gain support from his own party members to extend the state of emergency for the third time. On 4 October 2002, however, King Gyanendra abruptly sacked Deuba and took over executive power by overstepping the constitution. (11)

Against the king's authoritarian move, five major political parties, though remaining loyal to constitutional monarchy, intensified their agitations. Amidst increasing anti-king agitations, Gyanendra reluctantly reinstated Deuba whom he had sacked two years ago as the Prime Minister on 5 July 2004. However, on 1 February 2005 King Gyanendra suddenly staged a coup d'etat, which further damaged the already unpopular monarchy in Nepal.

Suppression was severe, but the streets in all major cities and towns in Nepal witnessed massive demonstrations against the king. On 22 November 2005, a twelve-point agreement was signed between the SPA and the CPN (Maoists) to end the king's arbitrary rule. The twelve-point agreement was explicit against the 'absolute kingship' (nirankush rajtantra)' and implicit for a 'republic' Nepal. However, the Maoists reiterated that they were firm in their goal to turn Nepal into a republic. Except for the royalist parties all other parties dropped their commitments to 'constitutional monarchy' from their party constitution by 2006. During the April 2006 Movement, the Nepali people's single demand was to declare Nepal a republic by ending the monarchy instantaneously.

The SPA with active support from the Maoists launched their decisive agitations from 6 April 2006. It drew massive support from the people of various walks of life. The Movement spread from the Kathmandu Valley to major cities and the villages throughout the kingdom. At the peak of the movement, on the late night of 23 April, in a televised speech, the king accepted the people's sovereignty, and reinstated the parliament that he had dissolved four years ago, and agreed to accept the roadmap of the SPA. However, by the time of his announcement the people no longer wanted to retain the kingship in Nepal. Throughout the country, wherever they could, the people smashed down the statues of the present and past Shah Kings and tore apart or burned down hoarding boards with the quotations of the kings in the public places. This was clearly the end of the 240 years old Shah dynasty's power in Nepal.

On 18 May 2006, the reinstated parliament revoked all the powers of the king and declared Nepal a secular state. It also declared to nationalize all properties he had obtained by virtue of being king, such as palaces, forests and national parks, historically important heritage sites, etc. Furthermore, Nepal received its interim constitution on 15 January 2007, which completely deprived King Gyanendra of any executive rights.

The people's war

The root cause of the birth of the Maoist movement in Nepal is the extreme inequality in income and political power. In 1992, scholars such as R. Andrew Nickson predicted a Peruvian type of Maoist uprising in Nepal. In February 1996, indeed the CPN Maoist, launched the people's war as the then government ignored their 40-point demands.

The Maoists' 40-point demands were related to three themes: nationalism, democratic rights and people's living. (12) The first nine demands were related to nationalism, including the removal of all unequal treaties with India: the end of the monopoly of foreign capital in Nepal's industry, trade and economic sector, etc. The next seventeen demands were related to democratic rights of the people, which included the rights to draft a new constitution by the people's elected representatives; curtailing of all the special rights and privileges of the King and his family: bringing of the army, police and administration under the people's control; declaring Nepal a secular state; giving equal property rights to daughters and sons; end of all kinds of exploitation and prejudice based on caste; autonomy to ethnic nationalities, end of the status of Dalits as untouchables; equal status to all languages; arrangement of education up to high school level in the children's mother tongue; guarantee of free speech and free press. The remaining demands were related to people's living, such as tillers' rights over land, guarantee of work and welfare allowance to jobless people, free and scientific medical service and education to all, etc. Unfortunately, the government chose to suppress the Maoists instead of fulfilling any of these

demands or finding a negotiated settlement. It only helped in spreading support for the Maoists across the country.

The history of communist movement in Nepal began with the establishment of the Communist Party of Nepal (CPN) in 1949. They actively contributed to Nepal's 1951 democratic movement but only to be in a limbo for years. They participated in the 1959 general election and were able to send only four members to the 108 members' parliament. After the 1960 royal coup d'etat, it again had to function underground or in exile. Soon after the 1960 royal coup, sharp ideological differences surfaced in this party. The CPN split into many fractions during the 30 years of Panchayat regime while functioning underground. At the time of the 1990 people's movement, about a dozen different communist groups were in existence. (13)

In 1990, the CPN underwent polarisation and unifications. The 1991 election result showed CPN (UML) and the United People's Front (UPF), a legal front of the CPN Unity Centre as the two strong communist parties, which were on the opposition bench in the parliament. The first won 69 and the latter 9 seats respectively in 205-seat parliament. Conflicts between the ruling NC and the UPF increased as their demands for underprivileged sections of the society were ignored. In addition, the UPF experienced suppressions in their constituencies. For them, their presupposition that the parliament was not a right place to solve the people's problem was proving correct. Therefore, they boycotted the second general election in 1994 and initiated a new party: the CPN Maoist.

In 1996 they launched the people's war. Against general predictions, the Maoists insurgency sustained its guerrilla war for ten long years and succeeded in influencing the entire country by 2006. The Maoists, although not very popular among the affluent populations, boasted of support at the grassroots. Since November 2005 they began to collaborate with other parliamentary parties to fight against Gyanendra's authoritarian rule. When the war ended in May 2006, more than fourteen thousand Nepali had lost their lives and displaced more than half a million people from their homes. The country and people experienced a deep economic crisis. Especially, women and children in rural areas suffered a great deal because of the war.

The Maoists are tarnished for their extortions and atrocities, but are admired for many social reforms and changes. For instance, in a country where women have been socially dominated for centuries, the Maoists recruited thousands of women in their people's army (PA), which even encouraged the government to recruit women in the royal army. The Maoists are also credited for awakening the rural poor, Janajatis, women and oppressed low castes against social injustice and discriminations. Some like Lokraj Baral consider that Prachandpath (Prachand's doctrine), though principally based on Marxist, Leninist and Maoist values, is moulded according to the need in the Nepali context. He said the Maoists were flexible enough to accept multi-party system and pluralistic society, which made them compatible to cooperate with the other bourgeois parties (Baral 2007).

Some others claim that their "Joining the political mainstream is only a tactical move designed to weaken the state from within and seize power" (Mehta 2007). The Maoist top leaders claim for a 'final victory' during the CA elections so that they could restructure the state according to their principle and install its top leader Prachand as the first president of Nepal. The Maoists, however, are still to be tested in polls. Current coercive activities of its Young Communist League had damaging impacts, despite some commendable works it had done.

After the Maoists signed a peace agreement with the government in November 2006, they agreed to confine their thirty-one thousand people's army (PA) in cantonments and lock their arms in containers under the command of the United Nations Mission in Nepal (UNMIN). However, the UNMIN has verified only nineteen thousand of them as PA, as some of them left the cantonments and others were under-aged. The debate is now going on about whether or not to integrate the PA into the regular national army. At the same time there is the fear if the peace process fails, the Maoists will return to war with these soldiers again.

The international players

Nepal, a country situated between two giant neighbours China and India, is subject to multiple foreign influences, especially from India and more recently from America. The geopolitical reality combined with historical, cultural, and economic links between the two countries increased the importance of India for Nepal's politics. It has already been apparent since the early 1950s, when Nepalese people began agitations against the Rana rule. It is notable that with the help of India, Nepal achieved democracy in 1951, but Nepal had to sign unequal treaties with India, such as the 1950 peace treaty that was signed secretly by the last Rana Prime Minister Mohan Shamsher. During the 1951 uprising, following the call of the NC, the Nepalese people actively participated in the struggles to end the Rana rule, and the Rana regime collapsed, but the Indian Prime Minister Jawaharlal Nehru in Delhi decided the outcome of the uprising. In the later period, India's role in Nepal did not diminish.

During the 1990 change, India's role was vital (Parajulee 2000:177-219). Nepal and India had a serious trade and transit dispute in 1989 and 1990, which contributed to economic hardship in Nepal and created a fertile basis for a movement for regime change and democracy. India and its people provided moral support to the democratic movement; although the Indian government remained neutral (Hoftun et al. 1999: 267-268). Similarly, the United States played an active role and encouraged the Nepali elites to solve the problems through dialogue and negotiation. Furthermore, European Union, Amnesty International and Asia Watch also created public opinion in favour of a democratic transition. During the transition period, too, international community played positive role (Parajulee 2000: 233-255).

However, since September 11, 2001, the world has changed. Since then, the 'fight against terrorism' became more important than reinforcing democratic consolidation. Military, economic and political aid from the United States, for example, strengthened the authoritarian regime in Nepal. Eventually, it encouraged Gyanendra to stage the 2005 coup d'etat. At the early stage of the king's direct rule, America continued its support to the king with a hope of the king's success in wiping out the 'Maoist terrorists', but mounting public dissatisfaction over the king's authoritarian rule pressed the SPA to join hands with the Maoists. Therefore, international community, India, America and European Union began supporting the agitating parties. The SPA and the Maoist signed a 12-point agreement in New Delhi. Although they refuted Indian government's involvement, it was widely reported that the Indian authority had facilitated them. Similarly, it was reported that the then American ambassador to Nepal and other envoys in Nepal supported the agreement.

Both India and America also tried their best until the last minute for a negotiated settlement to save the king. A student leader told the BBC that an American authority even threatened that they would revoke their visa while they were planning their journey to America, if they did not stop their anti-king agitations. When the people's movement was at its peak in April 2006, Karan

Singh, a special envoy of the Indian government arrived in Nepal in a bid to rescue the king. Immediately after he left Nepal, King Gyanendra announced some concessions to the agitating SPA, which India, United Kingdom, United States and European Union welcomed instantly. However, the agitating parties discarded it and continued the agitation. As the people were all prepared for a final showdown against the king on 24 April 2006, the king announced his retreat at late night on 23 April. Radhakrishna Mainali, then a royal minister disclosed to the BBC that the king had done so, as the then Indian envoy in Nepal had assured him of retaining a certain form of monarchy.

After the success of the 2006 movement, Nepal is experiencing more foreign influences. In this regards, India and America are at the forefront (Mage 2007). It delayed the peace process in Nepal, as they both disfavoured the 'communist Maoists'. Especially, James F. Moriarty, American envoy, even when he was departing from Nepal after concluding his tenure, was not ready to shake hands with the top Maoist leader Prachanda, because the Maoists did not give up violence (Moriarty 2007). The Maoists already joined the government in April 2007, but the American government has still to remove terrorist tag from them. These diplomats could also be seen lecturing in tour in different parts of Nepal preaching people against one or other party as local political leaders. On an occasion, some irate local even pelted stones on the motor carrying the American envoy, James F. Moriarty when he was in a visit to west Nepal. He blamed it to Maoist YCL workers, which the Maoists rebutted.

The Prime Minister's door was open to high-level foreign visitors and diplomats rather than to his own party colleagues and coalition partners. In an interview to the BBC, foreign minister Mrs Shahana Pradhan criticised the Prime Minister for his mindset. Foreign powers in Nepal are also blamed for escalating violence in the Tarai. In this regards, there is much talk about India's hand. At one point, the Prime Minister Koirala said that the violence in Tarai could be ended within minutes if India wished it. In addition, during these troubled days, India is also seen encroaching upon Nepalese lands in several disputed zones at the border. The Indian authority, however, is quick to refute their involvement in any kind of disorder in Nepal.

China, on the other hand, has maintained non-interference policy towards Nepal. It has always supported mainstream politics in Nepal. It supported the king until he was made irrelevant in Nepali politics. When the Maoists were fighting with the Nepali government, China never supported them. However, China reaffirmed that they would not tolerate outside intervention in Nepal's internal affairs (Junmei 2007).

Interim constitution, Janajatis and the burning Tarai

Nepal received its interim constitution and interim parliament with the Maoist rebels on 15 January 2007. However, the constitution miserably failed to address longstanding demands of Janajati and Madheshi populations. After the April 2006 revolution, there were lots of discussions on restructuring of the state, but the Bahun and Chetris leadership of major parties managed to secure a safe haven for themselves by denying any clear commitments to oppressed nationalities, Madheshis and low castes people (Shrestha 2007a).

It has been well acknowledged fact that after the success of 1990 people's movement, all the political parties loyal to the 1990 constitution neglected the issue of rights to oppressed nationalities (janajati), Madheshi populations, Dalits and women. The Maoists have been advocating federal type of state structure, autonomy and rights to self-determination for the

indigenous nationalities in Nepal. In the aftermath of the 2006 April Revolution, leaders of all other parties, including the Communist Party of Nepal (UML), and certain leaders of both the Nepali Congress Parties have been campaigning for restructuring of the state in federal structure to grant rights of autonomy to indigenous nationalities. The interim constitution they promulgated totally ignored these promises.

Various organizations belonging to indigenous nationalities Janajatis under the umbrella of Nepal Federation of Indigenous Nationalities (NEFIN) (14) and Madheshi people are expressing their dissatisfactions over the third amendment of the constitution, as it failed to respect their major demand for an electoral system, based on all-out proportional representation. It is notable that soon after the introduction of interim constitution in January 2007, Madheshi people in Tarai began fierce agitations, which has already killed several dozens of people and displaced thousands of people of mountain origin (Pahadi) from the Tarai. The Tarai is stretched from east to west in the southern belt of Nepal bordering India. The border between Nepal and India is open for peoples of both sides, which has helped to escalate violence and criminal activities. There are at least a dozen militant groups with arms, spreading violence in Tarai.

Recently, many influential leaders from the Tarai abandoned their mother parties and formed the "Tarai-Madhes Loktantrik Party" under the leadership of a former NC leader Mahanta Thakur. These Tarai based parties, which include the United Madheshi Forum, Madheshi Janadhikar Forum (MJF), Madheshi Liberation Forum, the Sadbhavana Party and United Madheshi Front are all determined for a decisive Tarai outcome. At the same time there are other Tarai groups led by Jaykrishna Goit and Jwala Singh, who advocate an independent Tarai and announced that they would do everything viable to disrupt the CA elections.

The third amendment of the interim statute has also turned the country into a federal republican state. The people belonging to various indigenous nationalities and the Madheshis remained neglected, suppressed, subjugated and ruled by 'others' but now they are determined to live in dignity as equal citizen of the state with same pride. In other words, they seek autonomy, rights to self-determination if not independent states such as the Janatantrik Tarai Mukti Morcha (JTMM) fractions led by Jay Krishna's Goit and Jwala Singh are demanding. The three main demands of the Madheshi and Janajatis include immediate declaration of a republic, an electoral system based on all-out proportional representation, and a federal state with the right to self-determination. Even the third amendment of the interim constitution did not introduce an electoral system based on all-out proportional representation, although the Maoists pressed hard for it.

Nepal has been declared a 'federal democratic republic', but the government is not clear about the federal structure of the state. Major political parties such as the NC and the CPN UML have reluctantly accepted to restructure the country as a federal state but other fringe parties such as led by Mohan Bikram Singh and Narayanman Bijukache are all against the federal structure of the state. Those who are avowed for a federal state believe that it will enhance harmony among various groups. However, there are conflicting views regarding the acceptance of a federal state amongst parties and Janajatis. Some are of the view that the country should be divided along the line of geography, while others, especially, various Janajati groups insist on division on the basis of ethnic and lingual line (Tamang 2006). The Janajatis' demands for autonomy and self-determination rights are intended to promote their languages and cultures on equal basis, while certain groups in Tarai are insisting a federal state with rights to secession.

Nepal hosts more than sixty distinct nationalities. In a certain place a single nationality may be residing densely as a major group, but in many places populations are mixed in terms of nationalities and languages. It might ignite more conflicts, if necessary homework is not carried out to the satisfaction of each of these nationalities before the implementation of a federal structure. The Maoists have proposed to divide the country into nine to thirteen federal states based on ethnicity and geography, but it is not satisfactory to everyone. Other political parties have presented no clear view yet, while the agitating Madheshis are demanding that the whole Tarai be declared one single province for them, despite the fact that the Tarai is not inhabited by a single homogeneous group, but by different nationalities. If the government fails to address effectively the Madheshis' and Janajatis' demand of autonomy with the right to self-determination, voices for a separate land in the Tarai will grow even stronger in the near future.

The delicate transition

It has become clear from our discussion that the present transitional politics in Nepal is in a volatile stage. The 2006 popular movement forced the king to renounce state power but the fate of the monarchy has remained uncertain. An alternative to the Shah dynasty is still uncertain. Many perceive that the King is waiting for an opportunity to strike back, albeit he would need the help of the Nepal Army. He, however, lacks international and national support. (15) However, if India and America decide to rescue him, he might act bravely. In such a case, the Maoist people's army will not stay idle in their cantonments. Therefore, no miracle of the king's return in power is foreseen.

After the king has been defeated, the 'victors' are claiming a share in state power. Including the Maoists, the SPA, the Janajatis, the Madheshis, oppressed low castes Dalits and women all claim that they have defeated the king, so each of them believe to be a rightful force for sharing state power. However, as the leadership of all the major parties are in the hands of the high caste Hill Bahun and Chetri, they are now in-charge of the state (Giri 2007). They are acting as if they are the ones to 'mercy' rights upon other parties, the Janajatis, the Madheshis, low caste Dalits and women. However, these neglected segments of Nepal are no longer ready to live at the 'mercy' of anyone but they seek an equal share in state power. Hence, they opt for autonomy, self-government and self-determination rights. They are determined to live in dignity as equal citizens of the state with the same pride and power. To pacify them, the present interim constitution has turned Nepal into a 'federal republican state.' At the same time, the ruling elites of the major political parties, particularly the NC and the CPN (UML) are confused on federal structure fearing to lose the power they enjoyed for so long along with the king. They think federal structure is divisive and will fragment the country.

Traditionally, Nepal army is loyal to the king) (16) Whether they indeed shifted their loyalty to present government as they have been posing or waiting for a chance to revolt is difficult to predict, because the top brass of the army remained still untouched who were loyal to king for so many years. Therefore, possibility of army revolt is not out of the question. Most recently in January 2008, the Army Chief chuckled provocative comments regarding the integration of the Maoists people's army into the National army. He stated that it was not acceptable for the Nepal Army to integrate any politically indoctrinated army. However, the Maoist leaders took it exceptionally and came heavily against such claims. (17) If any of these two armies are provoked, no doubt Nepal's peace process will face danger.

Everyone is now talking of the CA elections as the last solution, but uncertainty is looming about the elections itself because of conflicts of interests among various forces. It is likely that if any of the three main parties, the Congress, UML or Maoists think that they will lose they will definitely make any excuse to delay or cancel the CA election. International power brokers such as India and America will not let it happen if they believe it will go against their interests. Similarly, the king and royalists will do everything to disrupt the elections, because it will be the end of their supremacy. Even if the CA election is successfully completed, how an unwieldy body of 601 people will draft a constitution acceptable to all the parties is unpredictable. If the actors are going to be more or less the same, the content of the drama is unlikely to be too different from the Interim Constitution. In such a case no immediate peace can be expected in Nepal. Therefore, it is premature to forecast how smooth or fragile the transition of Nepal from a dictatorial monarchy to a federal republican state will be, until the CA succeeds in promulgating a new constitution satisfactory to all the interest groups.

Acknowledgments

This paper was written within broader project 'Do some forms of democracy consolidate more easily than others?' and was financed by NWO Social Sciences Research Council, the Netherlands. I am indebted to Dr Renske Doorenspleet, now at the University of Warwick, UK for her help and support before and during this project, and the comments she made to this paper. I thank Professors Rudy Andeweg, Ruud Koole and Peter Mair, and other colleagues at the Department of Political Science, University of Leiden, the Netherlands for their support, where I was associated as researcher and assistant professor (2006-2007). I also thank Professors Tej Ratna Kansakar and Kamal P. Malla of Tribhuvan University, Kathmandu and Shalendra Sharma of University of San Francisco, USA, Keshar Lall Shrestha, Kathmandu and Swoyambudhar Tuladhar, Geneva for their helpful comments.

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Notes

- (1.) The Maoists popularised the slogan of 'New Nepal' but at present all others talk about it. See (Kiran 2007) for the Maoists' concept of 'New Nepal'.

- (2.) A lot of discussion is going on regarding restructuring of the state to empower ethnic nationalities, see (Tamang ed. 2006) for instance.
- (3.) See (Tamot and Alsop 2001) for their definitions of the epigraph. Bangdel (2005) is the first person to declare King Jayadeva as from the Varman dynasty.
- (4.) See (Vajracarya and Malla 1985: folio17-18).
- (5.) The Goddess Taleju is a form of Shakti, the female power. There are also stories about a subdued erotical character and the relationship between the king and the Goddess Taleju (Hock 1991:151).
- (6.) See (Shah 1990; Stiller 1975).
- (7.) He accused the NC that it fostered corruption, encouraged anti-national elements and failed in maintaining law and order (Joshi and Rose 2004: 384).
- (8.) See (HMG 1992: 1). However, the constitution is criticised for its rigidity as its preamble forbids amending the 'Parliamentary System of Government and Constitutional Monarchy and Multi-Party Democracy', see Shrestha (1991: 13).
- (9.) See (Hacchethu 1992; Lawoti 2005).
- (10.) See (Thapa 2006) for more on relations between kings and parties in Nepal.
- (11.) The King cited using of the Article 127 of the 1990 Constitution, but the Constitution did not permit him to take such an action (HMG 1992: 30).
- (12.) Numerous publications discuss on the Nepalese Maoists' uprising (Baral 2006; Karki and Seddon 2003, Thapa ed. 2003; Hutt ed. 2004; Shrestha 2004; Onesto 2005; Pathak 2005).
- (13.) See (S. Shrestha 2007) for History of Communist Movement in Nepal.
- (14.) See (Gellner, et.al 1997; Shrestha 2007b) for more on Ethnic Nationalism in Nepal.
- (15.) A survey conducted from 28 March to 27 April 2007 showed that 59 per cent of respondents among 4,089 people spread over 41 constituencies in 40 districts of Nepal rejected the idea to retain the king in Nepal (Pandey 2007).
- (16.) See (Mehta 2005) for more on the Royal Nepal Army.
- (17.) The peace pact talks about the integration but how it will be implemented is unclear.

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Source Citation

Shrestha, Bal Gopal. "The end of monarchy in Nepal and its delicate journey towards a republic." *Contributions to Nepalese Studies* 35.1 (2008): 63+. *Academic OneFile*. Web. 10 July 2011.

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