

Nepal: On the Edge

RSN Singh

Introduction

It is the November elections for the new Constituent Assembly (CA-2) under the leadership of Chief Justice Khil Raj Regmi that probably stands in the way between ‘New Nepal’ and ‘Functional Collapse of the State’. The journey from the peace accord to CA-1 to CA-2 has been one from consensus to institutional disarray. In 2006, the pro-democracy parties agreed to come on the platform of ‘Republicanism, Federalism and Secularism’. So heady was the political mood amongst these protagonists that they denied space to all forces, substantial by any reckoning, that did not endorse the quest for Nepal’s new identity. Yet they failed to deliver a Constitution and could not decide on a leader under whom elections could be trusted. With the credibility of the political parties at the lowest ebb, and given the impasse, the only alternative was a Chief Justice led government. The four major political parties, the Nepali Congress (NC), Communist Party of Nepal – Unified Marxist Leninist (CPN-UML), Unified Communist Party of Nepal – Maoist (UCPN-M) and the United Democratic Madhesi Front (UDMF) have formed a ‘High Level Political Committee (HLPC) to advise the Chief Justice led election government. The peril, however, is that if the experiment fails it may lead to serious erosion of the credibility of the ultimate institution of the Chief Justice and judiciary

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Elusive Parliamentary Democracy

In March 2013, the Chief Justice of Nepal Khil Raj Regmi was appointed Chairman of the Cabinet, as a compromise candidate to oversee the new Constituent Assembly elections. He can be considered as the *de-facto* Prime Minister of the country, the 36th in line. The whopping number of Prime Ministers, of whom nearly two-third held office after restoration of parliamentary democracy in 1990, is indicative of the vitiated political culture and instability in the country. It may be recalled that in 1990, engendered by a popular revolt, a parliamentary democracy with 205 seats was adopted to supplant the constitutional monarchy over an absolute one. On May 26, 1991, Girija Prasad Koirala became Prime Minister of the first democratically elected government. The fruitless foregoing Constituent Assembly between 2008 and 2012 threw up no less than five Prime Ministers.

Khil Raj Regmi leads an 11-member interim election government comprising bureaucrats and civil society members. His name was proposed by the UCPN-M. To begin with, the NC and CPN-UML were against the appointment of the Chief Justice as the head of the election government as they felt it was against the principles of separation of powers between the executive and the judiciary. The CPN-Maoist (CPN-M) led by Mohan Baidya Kiran, which broke away from the main party in June 2012, is steadfast in its decision of boycotting rather derailing the November CA elections on the same plea, besides other reasons. Prachanda, nevertheless, was of the view that the provisions of the Interim Constitution did permit the appointment; moreover, it was a compelling option of last resort, since

all efforts to forge a national unity government had failed. All four major political parties later concurred with the suggestion. Regmi replaced Babu Ram Bhattarai, who was Prime Minister for nearly 19 months. The outgoing Constituent Assembly failed to deliver a Constitution primarily because of the obduracy of the Maoists. The only agenda of the Maoists was political consolidation and political domination. After all, following the so-called revolution, the Maoists, though not in a majority, emerged as the largest party and, therefore, the dominant political

force. Since they arguably claimed to represent the public mood, it was their responsibility to usher in a new democratic era. To the contrary, even as the Constituent Assembly (CA) was in the process of drafting the Constitution, the Maoists declared a 'people's Constitution' on May 28, 2010. Prachanda recently made a public admission wherein he owned responsibility for the failure of the CA and not bringing the key ingredients of the future Constitution to debate.¹

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New Nepal: Floundering Basics

The CA, which came into being in May 2008, betrayed the people's mandate when it failed to deliver a Constitution even after four extensions, i.e. in May 2010 for one year, in May 2011 for three months, in August 2011 for three months, and in November 2011 for six months upto May 2012. Exasperated, the Supreme Court refused any further extensions. Many legal experts maintain that these extensions were not only illogical but illegal. It only underscored the irreconcilable and fractious nature of Nepal's politics. The major share of the blame must go to the Maoists and their intransigence. If the Maoists persist with their revolutionary

agenda in steering Nepal exclusively as per their ideals, even CA-2 will meet the same fate. The only hope for the success of CA-2 is that the Maoists do not have the weight of numbers to sabotage the framing of the Constitution in any manner.

Leave alone tricky issues like federalism, the CA could not arrive at any consensus even on the basics of the new identity of Nepal. The Maoists dissented on the very name of the Constitution. As opposed to the majority which was for “Constitution of Nepal-2010” the UCPN-M insisted on “The Constitution of People’s Federal Republic of Nepal-2010.” Further, it proposed that the term “people’s war” be included in the preamble. The word ‘people’s’ is an ideological compulsion for the Maoists. It recurs everywhere— people’s court, people’s war, people’s liberation army, etc. This is, in fact, a matter of bitter debate between radical and democratic Communists.

The UCPN-M’s doggedness for inclusion of “people’s war” was based on the premise that the 240-year-old monarchy could be removed from Nepal solely by means of the decade-long war by the Maoists in which 15,000 of their cadres sacrificed their lives. The other parties, however, maintain that the death knell to the monarchy was dealt by the 19-day peaceful movement. Likewise, the other parties did not agree to the demand of mention of the People’s Liberation Army (PLA). For three years, the Maoists did not relent on this demand, but faced with intractable opposition, gave in. For Prachanda, it was matter of prestige of sorts as he was the supreme commander of the PLA.

There was no consensus on the national flag either. While the Maoist leaders felt that the existing flag celebrated monarchy, there was an imperative for a new one representing the aspirations of all ethnic groups of Nepal. It is pertinent to mention that Nepal’s national flag is the only flag that is not rectangular nor square but consists of double triangles. The flag which evolved through history was adopted in 1962 with the formation of a constitutional government and is considered to

be based on very robust geometric and mathematical principles. There are many attributions and interpretations to the flag. Some believe that the two triangles represent Hinduism and Buddhism. There is also an interpretation that the sun and moon on the flag represent action and tranquillity respectively. The most popular narrative including that of the majority of the erstwhile CA is that the flag stands for unity and conveys that Nepal will last as long as the sun and moon. This narrative, however, is not palatable to the Maoist leadership.

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Exasperation of the International Community

At the UN General Assembly, Khil Raj Regmi defended his dual positions on the plea that the major political parties, having considered all options had forged a consensus on forming a neutral government under him to conduct free, fair and credible CA elections. He said in his address: "It (CA elections) will be instrumental in completing the task of the peace process. Settlement of political issues through the democratic process will ensure political stability and eventually open up prospects for broad based economic development which is long aspired by the people."² On his return from the UN General Assembly, Khil Raj Regmi, reiterated that there was no question of his resigning as the Chief Justice. The most strident in this demand is the CPN-M. It is implacable on its participation in the November 19 Constituent Assembly Elections being incumbent upon the resignation of Regmi as Chief Justice.

The new assertiveness in Regmi's posturing after his UN visit is unmistakable. This can be ascribed to the support of the international community, including the UN Secretary General Ban Ki-moon. India's

position too in this regard is unambiguous and emphatic. The Indian Prime Minister Manmohan Singh commented: “It will be good if all sides come to participate in the polls, but their not coming should not be the reason for postponing (Constituent Assembly Elections) it.” The seriousness with which the Western countries are ensuring Nepal’s restoration as a nation-state following its derailment in 2006 is evidenced by their mobilisation efforts in favour of the Constituent Assembly elections. The Ambassadors from the US, Germany and UK have been touring the country and exhorting voters not to be dissuaded by undesirable political outfits. Mohan Baidya, the leader of the CPN-M, the breakaway faction of the Maoists said: “The Chief Justice led government was planted by foreign powers and is a threat to national sovereignty.”³ He indirectly took a swipe at India by saying that the elections will lead to “Sikkimisation of Nepal”.

About 82 members of the dissolved CA have declared allegiance to Baidya. The total number of seats held by the Maoists before the split was 229.

Maoist Parties’ Propensity to Violence

Baidya, known for his close links with China, has been threatening to obstruct the polls even if it necessitates violence. The CPN-M General Secretary Ram Bahadur Thapa has exhorted his party cadres to this effect in no uncertain terms. He has promised to supply weapons to the cadres in every village to foil the elections. The CPN-M has been hindering the voter registration process in the rural areas. They have called for a ten-day countrywide general strike, i.e. from November 09 to November 19, during the election period. Reportedly, the CPN-M conducted training for its cadres in the first week of September, in an obscure location in Rukum, in the art of disrupting elections.

The CPN-M cadres have begun targeting members of other parties, engaged in election campaigning or filing nominations. In Salyan, on

October 03, Baidya's men attacked UCPN-M cadres when they were going to file nominations. A dozen cadres on both sides were injured and one was in a critical condition. Ten days later, in Mugu, i.e. on October 14, 10 people were injured in a clash between CPN-M cadres and Nepali Congress members engaged in a door-to-door campaign. The two incidents, on the southern and northern extremities of mid-western Nepal indicate the extent of the CPN-M threat.

Further, CPN-M Chairman Mohan Baidya, Vice-Chairman CP Gaujrel, General Secretary Ram Bahadur Thapa and Secretary Netra Bikram Chand convened a meeting of their leaders and central committee members in Dang on October 9 and 10 to formulate ways to disrupt the polls. At the end of the meet, Baidya stated: "We won't resort to any violence to disrupt poll activities and we have no plans for such violence." He, however, qualified his statement by saying that in case force was used by the election government, "We will react accordingly."⁴

External Manipulations of Maoists

The China and CPN-M connection became evident when Baidya chose to visit China as his first foreign trip in the wake of the split with the UCPN-M in July 2012. Ostensibly, the visit was at the invitation of the Deputy Head of the International Department of the Communist Party of China, Ai Ping, who had visited Kathmandu only a month earlier. Exactly, a year, later, Baidya and CP Gaujrel again made a sudden visit to China in the second week of July this year. This abrupt visit was at a time when there was a meeting scheduled between Baidya and the Indian Foreign Minister Salman Khurshid at Hotel Dwarika in Kathmandu. This diplomatic insult only reinforced the stranglehold of China over the Maoist parties, and its bid to influence politics in Nepal. In the latest visit of Baidya, the Chinese authorities reportedly urged the CPN-M not to boycott the polls and reunify with the UCPN-M.⁵ This appears to be a motivated leak.

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CP Gaujrel later said: “They (Chinese) leaders did not tell us to go or not go to the polls, according to them the decision is our internal matter.” A politburo member close to Baidya said that the delegation led by Baidya managed to convince the Chinese leaders that the decision to boycott the polls was for the good of the country and the people.⁶

Baidya and Gaujrel have always been uneasy with expressions like ‘peace process’ and ‘democratic republic’. The latter, they contend was only a tactical goal, the ultimate objective being establishment of a “People’s Federal Republic”, in other words a ‘One Party State’ like China. Between 2009 and 2011, when the Maoists were out of power, Baidya and his group asserted that the party must take recourse to “revolt” rather than “peace and constitution”. Baidya and Gaujrel, who were in Indian jails during the 2005-06 peace process, are virulently anti-India.

In January 2013, the Mohan Baidya led CPN-M held the 7th General Convention in Kathmandu to deliberate on the future course of the party, i.e. whether to adopt ‘people’s revolt’ or ‘peaceful politics’. Nearly 2000 CPN-M leaders, activists and representatives from across the country and abroad participated in the convention. Significantly, delegates from Migrant State Committees (India), International State Committees (Europe), including Communist leaders from America, Canada, the Philippines and Turkey participated in the closed door session. The external angle in the Maoist movement in Nepal has, therefore, always been a strong factor. More recently, a 70-year-old Irish man, Peter Tablin was questioned by the police for giving anti-election speeches, while sharing the platform with CPN-M General Secretary Ram Bahadur Thapa.

A month later, the UPCN-M, claiming to be the real Maoist party, convened its own 7th General Convention at Hetuda. The CPN-M had

split at the Bauddha National Convention in 2012, accusing Prachanda and Baburam Bhattarai of opportunism, surrenderism, neorevisionism and deviationism as they had dissolved the PLA without writing the People's Federal Democratic Constitution. The Maoist insurgency has an ideological as well as working brotherhood with CCOMPOSA and the Philippines Communist Party. It may be mentioned that the CCOMPOSA, i.e. Coordination Committee of Maoist Parties and Organisations of South Asia, was founded in 2001 and serves as the umbrella organisation of Maoist parties in South Asia to include organisations in India, Bhutan, Bangladesh, Sri Lanka, and Nepal. The CCOMPOSA is now more aligned with the CPN-M rather than the UCPN-M. Consequently, that is the case with the Communist Party of India (Maoists) as well. Baidya and other leaders also blame Prachanda and Bhattarai, particularly the latter, for allowing themselves to be manipulated by India and compromising the revolutionary path for the spoils of office.

Support for Monarchy?

The subtle demand for the restoration of a constitutional monarchy in Nepal is coming from unexpected quarters, i.e. from the ultra-left to the extreme-right. In this regard, the China factor is significant.

Netra Bikram Chand, CPN-M Secretary, at a press meet in Dhangadi in July this year, indicated the possibility of a deal with former King Gyanendra Shah to preserve the country's nationalism and sovereignty. Significantly Baidya who had just returned from China, said that such deal has become a "necessity".⁷

NC Leader Shashank Koirala told BBC that removing the "monarchy was a mistake⁸ and moreover it was not a demand of the mass movement of 2006 and a time will come when we all have to think of the decision. Even BP Koirala, who was jailed by King Mahendra for eight years kept insisting on a constitutional monarchy."Kanak Mani Dixit, the veteran journalist, who was an active participant in the Janandolan, writes in

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the *Kathmandu Post*: “The end of the Shah dynasty was engineered through a political decision of the parties rather than in consultation with the people. Mainly, it was pushed by the Maoist leadership’s need to justify before their fighters the abandonment of the ‘people’s war’. The other political parties, while livid with the palace for its incessant meddling with parliamentary democracy, would not have gone the distance had they the energy to deflect the Maoist machine.”⁹

India No Longer Sole Arbiter

Since the Maoists came to power in Nepal in 2008, the Chinese footprints in the Indo-Nepal border region in the Terai have become increasingly pronounced, particularly by way of more than 20 China Study Centres (CSC). These serve as a training ground of Maoist ideology and anti-India propaganda. Indian Maoists are reportedly visiting these centres. Intelligence gathering on India is very much on the agenda of these CSCs. Also China Radio International has a local FM station in Kathmandu and smaller radio stations in the Indo-Nepal border regions. The pace at which CSCs have multiplied indicates the growing anti-India component of Chinese influence in Nepal.¹⁰

Towards the end of 2012, the Chinese Ambassador to Nepal, Yang Houlan, had divulged that he was in constant dialogue with the Indian Ambassador Jayant Prasad on matters relating to peace and stability in Nepal, thus, indicating China’s challenge to India’s lead role in the country.¹¹

In an interaction programme, organised by the China Study Centre, the then Chinese Ambassador to Nepal, Quo Gaohang, had said: “If Nepal faces a threat to its independence, sovereignty and territorial integrity,

China as a good friend, in addition to arms support in the eventuality, will also provide financial and diplomatic support".¹²

Geopolitically, the run-up to the elections proves three things: first, India is no longer the sole arbitrator in the political destiny of Nepal; second, the Western countries have developed critical interest in the stability of Nepal, may be due to the China factor; and third, the Nepal Army has bounced back as an institutional force since substantial numbers of its personnel are to be deployed for the conduct of elections. It is the Nepal Army, which the Maoist leaders wanted to destroy or at least undermine in their bid to capture the state.

India is no longer the sole arbitrator in the political destiny of Nepal; the Nepal Army has bounced back as an institutional force since substantial numbers of its personnel are to be deployed for the conduct of elections. It is the Nepal Army, which the Maoist leaders wanted to destroy or at least undermine in their bid to capture the state.

The police and the armed police force are to provide 54,000 and 22,000 personnel respectively for manning booths during the election. This still falls short by at least 20,000 security personnel to man 18,412 booths. Therefore, to meet the requirement, in September 2013, the Election Commission under Bhoj Raj Ghimre has decided to recruit temporary security personnel for manning the booths.¹³

From the latest signals and preparations, it can be inferred that the election government and the international community are more than aware of the threat and are determined to defeat any attempts at disruption by the CPN-M and 33 other smaller parties.

Nepal Army: Institutional Resurrection

The Nepal Army as an institutional force is back in the reckoning .It may

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well, though unwittingly, be drawn into the sphere of governance if the political discourse in the country does not mend in the run-up to the CA election or after.

It may be recalled that the political fortunes of the Prachanda led government hurtled down since the sacking of the then Army Chief Gen Rookmangud Katwal on May 03, 2009, a decision subsequently overruled by the President. This led to the withdrawal of support by the CPN-UML and the collapse of the Prachanda government. Gen Katwal had fiercely resisted absorption of Maoists rebels in the Nepal Army and was intransigent to attempts by the Maoist government to alter the character of the Nepal Army. Recently, among many confessions made publically, Prachanda acknowledged his mistake of sacking the Army Chief.¹⁴

Arguably, one of the success stories of the foregone Constituent Assembly has been the absorption of 1,460 Maoist (PLA) cadres out of 19,600 into the Nepal Army. The rest opted for a civilian life with a rehabilitation package of \$10,200.¹⁵

Some 70 officers and 1,350 other ranks were absorbed in the Army on August 2013. The officers underwent training of nine months at the Nepalese Military Academy at Khairpatti (12-miles east of Kathmandu). Of the 70 officers, 13 were taken as Majors, 30 as Captains and 24 as Lieutenants.¹⁶ The final integration of the Maoists has come after bitter and protracted differences between the Nepal Army and the Maoists. The Army has resisted the integration on the grounds that it was dangerous to have politically indoctrinated cadres in its ranks. Fortunately, these absorbed Maoist cadres will only form part of non-combatant units dealing with natural disasters, industrial security, etc.¹⁷

In end-September 2013, Baidya wrote to the UN Secretary General, not to support the deployment of the Army on the plea

that it was against the spirit of the ‘Comprehensive Peace Accord’ of 2006. Reportedly, Baidya has also intensified meetings with various Ambassadors in Kathmandu to press his case for cancelling the CA election.¹⁸

Federalism: An Explosive Issue

The issue of a new federal structure in Nepal has been most intractable because every political party-based on electoral considerations, has huge stakes in the nature of future federalism. The external powers like China and India too have stakes. The state structure adopted by the monarchy was based on the imperative of unity. It was during the regime of King Mahendra that Nepal was divided into five developmental regions i.e. eastern, central, western, mid-western and far western; comprising 14 zones, 75 districts and 3,913 village development committees. This was primarily based on the exigencies of governance.

On the very first meeting on May 20, 2008, the CA declared Nepal as a Federal Democratic Republic. It may be mentioned that out of the 193 UN member countries, only 24 are classified as federal states. Based on their historical background and geographical realities, each of these countries has its own unique cultural practices.

Federalism in countries like the US and Switzerland is purely a product of historical circumstances. The constituent units in these countries were already functioning state entities and had a long history of political and administrative existence.

The case of Nepal is different. It has always been administered as a unitary state. It was Prithvi Narayan Shah who created the state of Nepal after painstakingly amalgamating more than four dozen principalities and kingdoms. The cultural and linguistic unity of Nepal, therefore, formed the very basis of nationalism.

Given these moorings, the establishment of the very principles of federalism is proving an elusive affair. Moreover, the very discourse of

federalism in Nepal is a relatively new phenomenon. It gained currency during the Maoist insurgency. Some Madhesis (Terai groups) and ethnic groups were the first to raise the demand. In fact, the provision of federalism was included in the Interim Constitution after violent protests in the Terai in 2007.

While the Maoists have been advocating ethnicity based federalism, the NC and CPN-UML have been arguing for geographical divisions based on five provinces or at the most seven. However, due to the exigencies of vote-bank ethnic groups, parties have been oscillating on the issue.

The Maoists' emphasis on ethnicity-based federalism was driven by their agenda to steer the country away from a Hindu identity and nationalism. Moreover, it was from the ethnic groups that the Maoists drew their armed cadres. Nevertheless, very recently, in August 2013, Baburam Bhattarai unambiguously abandoned the idea of 'single ethnicity based federalism' while addressing a gathering in Itahari. He said: "We should go for a federal model based on geography, language, culture and history."¹⁹

A US based Nepalese scholar, Tilak Shrestha, avers: "The concept of ethnic federalism is the greatest threat to our nation". He says: "Ethnic marginalization has been exacerbated by the Maoists to weaken the center and get support especially from *janjatis*. They have pressed our every social fault-line without any regards to the negative effects on the nation..." Further, he discerns that the Maoists have realised the dangers and are trying to wriggle out of it.²⁰

There are some 59 ethnic groups/nationalities in Nepal, i.e. 18 in the mountains; 24 in the hills; 7 in inner-Terai; and 10 from outer-Terai.²¹ As per the 2001 census, they constitute 38.8 percent of the 23 million people. Ethnicity-based federalism suffers from inherent flaws. In the proposed provinces, the ethnic groups like Rais (Kirat province), Tamangs (Tamsling province), Newars (Newa province),

Gurungs (Tamuwan province), Magars (Magarat province) and Tharus(Lumbini-Awad-Tharuwan) are between 33 and 35 percent. Similarly, Limbus will account for only 27.4 percent of the population in the proposed Limbuwan province. No group, therefore, is in a majority in these proposed provinces.²² A majority of these ethnic groups (*janjatis*) live outside the claimed/proposed areas and have fused with the social, economic and cultural life of their home communities. For example, about half the population of Newars and Rais, 66 percent of Magars, and 63 percent of Tharus live outside the proposed provinces.

The European Union and Scandinavian countries view the future federal structure of Nepal entirely through the prism of the religious agenda. They see rich dividends by way of religious conversions in an ethnic federal structure. Terms like ‘indigenous nationalities’ or ‘ethnic nationalities’ have been mischievously coined to dilute the sense of nationalism in the targeted ethnic groups. Organisations engaged in promoting separate identities for so-called ‘indigenous nationalities’ are being funded by entities in Norway, Sweden, Canada and the European Community. The agenda is to cause disaffection amongst these ethnic groups by transcending the loyalties of their respective countries. One such organisation is the Asia Indigenous Peoples’ Pact Foundation (AIPP), whose objective is to “build solidarity and cooperation of indigenous peoples’ of Asia”.

Professor Khangendra Thapa, Ferris State University, Michigan, USA, writes: “It is unfortunate that the NGOs and INGOs, financially supported by Western Europe and some religious organizations, are involved in blatant racial and ethnic group inflammation. It is hoped that these groups will be held accountable for the ultimate racial violence. These people are instigating and supporting hatred among people of different regions and ethnic groups.”²³

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Federalism: China's Worry

On his return from China in April this year, Prachanda said that China was worried about whether federalism would result in stability or push Nepal into anarchy. He further clarified that China's prime concern was Tibet and, therefore, was apprehensive that federalism may spawn different power centres which would provide an opportunity to manoeuvre different activities to create problems in Tibet. Similar apprehensions were raised by China during the visit of Mohan Baidya in July 2012.

The memory of Mustang continues to haunt China. Mustang, a northern district of Nepal, inhabited by Tibetan speakers following the Lamaist religion, served as a base to launch operations by US trained and armed Khampa rebels against the Chinese PLA in Tibet in the late 1950s and early 1960s.

China's interest in Nepal is, therefore, not merely the market but the larger strategic interests that encompass neutralising the influence of the US and European Union with regard to Tibet in Nepal. Moreover, China considers Nepal as a gateway to South Asia. This explains China's increasingly active interest in the politics of Nepal. It does not want to contend with too many federal states on its border. A unified Nepal with one power centre is, therefore, of vital strategic interest to China. It feels that ethnic-based federalism will create several power centres and may lead to the disintegration of the country.

The Indian official stand has been that federalism in Nepal is an internal matter of the country and is necessary for prosperity and economic development. Notwithstanding the official position, the type and future structure of federalism in Nepal is a matter of concern. Shashank Koirala

maintains that both China and India do not want federalism with many provinces in Nepal. Few federal states, he said would benefit the vested interests of both countries. He cited hydropower and security issues as the reasons for India not wanting the federation of too many states.²⁴

Prachanda vis-à-vis China and India

The current Indian position with regard to the political discourse in Nepal is very clear from the treatment meted out to various Nepalese leaders. This year, four prominent leaders representing various political parties visited India, i.e. Prachanda – Chairman, UCPN-M and former Prime Minister; Madhav Kumar Nepal – leader of the CPN-UML and former Prime Minister; Sher Bahadur Deuba – NC leader and former Prime Minister; and Sushil Koirala – President of the NC. Sonia Gandhi met Deuba and Koirala, but did not meet Prachanda. Koirala and Madhav Nepal also interacted with the Chief Ministers of Bihar and Uttar Pradesh, and discussed matters of bilateral interest. This is unprecedented in the sense that visiting dignitaries from Kathmandu to Delhi had never interacted with the Chief Ministers of Indian states with which Nepal shares its borders, something which has been suggested for long.

It may be recalled that it was New Delhi, which had brokered the seven-party alliance in 2006 that spearheaded the *Loktantra Andolan* and was responsible for the abolition of the monarchy. In fact, without this movement, the Maoists would have never gained political legitimacy and de-isolation which paved the way for the Prachanda government. As per some analysts, the cold official posturing towards Prachanda during his visit indicated the end of the Indian honeymoon with the UCPN-M.

Prachanda's trip was in the wake of his week-long visit of China, wherein he had confabulated with the new Chinese leadership, including President Xi Jinping.²⁵

Significantly, during his visit, Prachanda proposed trilateral cooperation among India-China-Nepal. This mischievous proposal

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came at a time when New Delhi and Beijing were engaged in the military and diplomatic stand-off in the Daulat Beg Oldi (DBO) sector in Ladakh. Besides, other joint ventures, he particularly emphasised on investment by India and China in hydel projects and development of Lumbini as a religious and cultural centre. The latter proposal is of concern to India, given the historical linkages and proximity of Lumbini on the Indo-Nepal border. The project has attracted tremendous diplomatic controversy as the Hong Kong based company, which was to undertake the project by investing US\$ 3 billion, was considered to be actually a Chinese quasi-government organisation. Prachanda has been clamouring for revision/abrogation of the Indo-Nepal Peace and Friendship Treaty of 1950. At the same time, he has been a diehard proponent of a similar treaty with China. Thus, by way of trilateral cooperation, he is trying to use a devious method to ingratiate Nepal into the strategic orbit of China. Rightly, the Union External Affairs Minister Salman Khurshid turned down the proposal with the refrain that the time was not right.²⁶

It may be recalled that against the established diplomatic practice of the last 50 years, Prachanda, on becoming Prime Minister, had chosen China for his first visit and not India.

The anti-India and pro-China bias of the Prachanda camp in the UCPN-M became quite obvious when his close aide, the former Deputy Prime Minister Narayankaji Shreshta, who was also in-charge of foreign affairs, levelled a blatant allegation about alleged 'secret meetings' between Prime Minister Baburam Bhattarai, President Ram Baran Yadav with the Indian Ambassador. Shreshta could have never gathered the gumption to speak in the same vein about the Chinese Ambassador. He

had also warned a US Embassy official that high-level US officials should stop the practice of meeting the Army Chief without the concurrence of the government.

The indulgence of both Baidya and Prachanda by China is typical of its strategic culture, as it maintains more than one leverage in the countries of interest. It is again typical of China to invest both in the revolutionary and political route to influence politics in the target country. India can afford to ignore this truism at its own peril.

Conclusion

Political revolutions invariably generate passions and ignite the imagination but do not necessarily yield a stable and enduring order. Nepal today is trapped between the increasing nostalgia of ‘Old Nepal’ and the failing hopes in ‘New Nepal’. What stands between functionality and the institutional collapse of Nepal is yet another CA election in the third week of November, to elect yet another 601-member CA under the supervision of the Chief Justice, the last credible institutional bastion. Destiny is not likely to give Nepal a chance for a third CA. For India, Nepal remains the acid test of its diplomacy and geopolitical acumen. While China can live with a failed Nepal, India cannot, given the inextricable historical, geographical, social, economic, cultural and, most importantly, security symbiosis.

Notes

1. Yubaraj Ghimire, “A Belated Mea Culpa,” *The Financial Express*, October 19, 2013
2. Available at <http://www.un.org/apps/news/story.asp?NewsID=46115&Cr=general+debate&Cr1=#.UmFN2FCnqqA>
3. Available at http://www.satp.org/satporgtp/detailed_news.asp?date1=2/21/2013&id=15
4. “Poll Shy CPN-Maoist Meeting Holding CC Meet in Dang,” available at www.myrepublica.com
5. “China Suggests Baidya Takes Part in Poll,” July 11, 2013, at www.myrepublica.com
6. “China Visit Won’t Affect Election Stand, says Gaujrel,” *Kathmandu Post*, July 12, 2013.
7. “Nepal-Baidya Hints at Links with King, Talks in Progress,” July 21, 2013, at www.telegraphnepal.com

8. Available at <http://www.nepalimes.com/blogs/thebrief/2013/07/21/abolishing-the-monarchy-was-a-mistake/>
9. Available at http://www.ekantipur.com/the-kathmandu-post/2013/07/18/related_articles/royal-republicans/251331.html
10. Abhishek Bhalla, "Dragon Act in Nepal Big Worry for India," *Mail Online India*, November 26, 2012.
11. Yubaraj Ghimire, "Is India Losing its Lead," *The Indian Express*, December 10, 2012.
12. Available at <http://www.telegraphnepal.com/headline/2009-09-06/china-to-safeguard-nepals-territorial-integrity-ambassador>
13. Available at <http://www.southasiaanalysis.org/node/1351>
14. Ghimire, n. 1.
15. "Ex-Maoist Fighters Join Army in Nepal, But Challenges Remain," *Reuters News*, August 26, 2013.
16. For more details, see n. 13.
17. "Former Maoist Rebels Join Nepal Army as Officers," *The Hindustan Times*, August 27, 2013, p. 15.
18. "CPN-M Writes to UN not to Support Army Deployment," September 29, 2013, at www.kantipur.com
19. Amar Khadka, "Single Ethnicity Based Federalism a no-no: Bhattarai," August 14, 2013, at www.myrepublica.com
20. Dirgha Raj Parsai, "Ethnic-Based Federalism, RAW, EU, CIA's Agenda to Break Nepal," July 12, 2013, at www.weeklyblitz.net
21. *Nepal Gazette*, February 2002.
22. Akanshya Shah, "Nepal's Continuing Quest for Federalism and Peace," *ORF Occasional Paper*, No. 42, p. 20.
23. Available at <http://www.nepalnews.com/index.php/guest-column/15604-making-new-constitution-more-inclusive-and-democratic>
24. "India-China Wary of Federalism in Nepal: Koirala," April 19, 2013, at www.ekantipur.com
25. Available at <http://www.ndtv.com/article/india/nepal-maoist-leader-prachanda-to-visit-india-today-359532>
26. Available at <http://newindianexpress.com/nation/Prachanda-for-trilateral-cooperation/2013/04/30/article1567917.ece>