

**The End of Monarchy in Nepal:
An Analysis**

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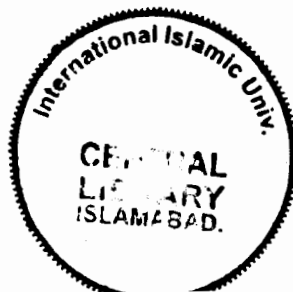
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A Thesis submitted in partial fulfillment of the requirement of the degree of Master of Science in Politics and International Relations

Department of Politics & International Relations

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Certification

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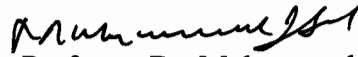
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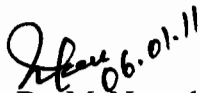


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Abstract

The central thrust of this dissertation is inextricably connected with the problem of the process of transition from authoritarianism or controlled and or limited democracy to representative republican democracy in Nepal. Nepal's struggle for representative democracy has long history of six decades.

The people of Nepal carried on two decisive movements: first against Rana autocracy in 1950s and second, the party less Panchayat system in 1990s. Although, the 1990s movement led to the restoration of multiparty democracy in Nepal – it failed to institutionalize democratic dispensation in accordance with the political aspirations of its all the groups and individuals.

Subsequently, the Communist Party (Maoist) in Nepal launched a violent movement against the newly formed so-called constitutional or nominal Monarchy or democracy and that led to the collapse of democratic governance followed by the declaration of emergency in Nepal in November 2001. Accordingly in February 2005, King Gayanendra imposed direct rule that posed a serious threat to democracy in Nepal then ever before.

However, the mass upheaval of 2006 ousted the King and succeeded in restoring democracy in the country with secular character.

The fall of Monarchy in Nepal provided its struggling peoples an opportunity to consolidate its tumultuous fledgling democracy in an atmosphere of socio- economic and political conflict and violence in the country.

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Abbreviations

C.A	Constituent Assembly
C.P	Communist Party
C.P.A.A	Commission for Prevention of Abuse of Authority
CPN (M)	Communist Party of Nepal (Maoists)
CPN (UML)	Communist Party of Nepal (United Marxist Leninist)
CRC	Constitution Reform Commission
H.R	House of Representatives
MJF	Madheshi Jana Adhikar Forum
N.A	National Assembly
N.C	Nepali Congress
NGO	Non-Government Organization
PPEC	Panchayat Policy and Evaluation Committee
RPP	Rashtriya Parjatantar Party
SPA	Seven- Party- Alliance
TMLP	Tarai Madhesh Loktantarik Party

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Chapter 1: Introduction

1. I. Conceptual Framework

Monarchy is the system of government by a Monarch. It is the advocacy of the establishment, preservation, or restoration of a Monarchy as a form of government in a nation. A Monarch is a supreme ruler who supports this form of government.

The record tells that such type of government we had in different part of world such as United Kingdom, Japan, France and Nepal etc. The Monarchy of United Kingdom is the Constitutional Monarchy. This Constitutional Monarchy came in to exist in the United Kingdom because of Glorious Revolution¹ in England. The Glorious Revolution¹⁶⁸⁸ had ended the long- time clash between the Crown and the Parliament in England. It stamped up out once and for all any possibility of a Catholic Monarchy. It finished the centuries long absolute Monarchy in the British Kingdoms, opening the new way of government – the Constitutional Monarchy-². It had restricted the powers of the King. After this revolution the King could not suspend the law, taxes, make Royal engagements, or maintain a standing army during peacetime without parliament's consent. After this glorious revolution this is known as “British Army” not the” Royal Army”. Since the revolution, under the Constitutional Monarchy, power of the parliament has increasingly enlarged and the power of the Monarch has declined. The Kings and Queens, who have succeeded to the throne since 1688 have all had to follow a set of laws imposed by the representatives of the people that is by the Parliament. In other words, 1688 Revolution marks the end of absolutism and the beginning of Constitutional Government in England.

¹ Anup Chand Kumar and K.K Mishra, *Selected Constitutions*, New Delhi: S.Chand & Companay Ltd, 2001,p. 57

² James Anderson, *The Rise of Modern State*, London: Wheatsheaf Books Ltd, 1986, p. 5

Absolutism continued to be the dominant political principle of sovereignty until the 1789 French Revolution and regicide against the King Louis XIV, which established the concept of popular sovereignty upheld by Jean-Jacques Rousseau.

The foundation of the state of Nepal was laid down by the King Pirthivi Narayan Shah of Gorkha in 1769 C.A. Tracing their origin from the Royal family of Chittor; the Shahs of Gorkha established a political system in Nepal which was essentially military and despotic in character. As Sovereign, the King wielded supreme authority in both civil and military affairs of the State. Monarchy was hereditary institution and every Monarch, on his accession, assumed the title of *Sri Panch Maharaajdiraja*. For the purpose of administration, however, the King employed Ministers and *Bharadars* from higher caste noble families.

System of centuries long system of Monarchy which had been in Nepal was not new but history records that same Monarchy was in England, Japan and France. Monarchy and hereditary system of Government was the part of governmental system of these countries. After a long struggle some of them got democratic form of government but in the constitutional form as in England and Japan. The democratic struggle against the Monarchy and its system in Nepal initially started in 1950s which led to bring about reform in the Constitution of Nepal. Then again 1990s the Monarchy ultimately gave the people right to elect their representatives and that led to this century's long democratic struggle against the Monarchy its logical end in 2006.

Traditionally, Nepal's domestic power had been evolving around three poles. In 1951 the Ranas, the King and the political parties were center of power. At the end of 1950s the King, political parties and Feudal Lords were power poles. In 1980s the King, political

parties and including the Communist parties were enjoying the public power. In 2006 movement the King, political parties including right and left and the Maoist emerged as third power. Whenever, two powers among the three joined hands they achieved success. For example, in 1951 the King and political parties got together and overthrew the absolute Rana rule. At the end of fifties the King and Feudal Lord's unification pushed away political parties from the Government and they were declared outlaw in the new Constitution. In 1990, Nepali Congress and Communist Parties made alliance, and shrunk the power of the King. In 2006, Maoists emerged as dominated as they allied with Seven Parties Alliance (SPA) and squeezed the power of the King at a level that even ceremonial status of the Monarchy was under question.

Some sudden reasons caused to ignite the movement 2006, can be considered as follows:

- 1) King Gyanendra's project of turning the wheel of political history into an absolute Monarchy.

- 2) 12 point understanding between the Seven Party Alliance (SPA) and Maoists and formation of broad coalition for establishing democracy. The Royal move (October 4, 2004 and February 1, 2005) which those in power had sought to justify on the ground of restoring peace and democracy, and improving governance and providing relief to the people failed to deliver. The strong condemnation of Royal move by the International Community at large has also provided an impetus to the movement. Mistrust and suspicions between the King and opposition also played important role in King's defeat. The King could not manage to bring the major political parties on the negotiation table.

The third important characteristic is India's extensive role in fetching political changes in Nepal since its unification. It has many advantages and tools to generate domestic

pressures and pose external shocks to administer the Nepal domestic affairs. This land locked country is dependent on Indian ports. India exploits this position at maximum.

1. II. Statement of the Study

The democratic election took place the same year and during the two years the Constituent Assembly remained unable to design a Constitution. The term of this Assembly has to be finished with out being made a Constitution. Apart of it the country is facing same challenges in the sector of economics and politics at social level. There is no political stability, no economic development. Human rights are being violated in different parts of the country. There is lack of confidence between these parties and collation. This micro effort will be the realization to the public about the problems the Nepal Government faces.

1. III. Literature Review

Following the spread of democracy across large parts of the World during mid 1980s and early 1990s, research on democratization process has significantly increased. The study of transition from authoritarianism to democracy emphasizes the importance of democratic transferences in the framework of state consolidation, national integration and the concept of individual and group right. Keeping this importance several scholars have written on issue of Nepal, its political system, history and the process of transition from Monarchism to democratic system.

The previous literature which has been reviewed for the purpose of this research includes books, journals and magazine articles. The books which have been reviewed are Governments and Politics of South Asia by J.C. Johari, M. Nazrul Islam, W.A. Wiswa Warnapal, Lok Raj Baral and Parkash Chander. 1991. Sterling Publisher Private Limited

New Delhi, Nepal: Struggle for Democracy by Shive Bahadur Singh, (2007). Adhyayan Publishers New Delhi India, Politics in Nepal 1950-60 by Anuradha Gupta, Kalinagh Publication New Delhi India., Nepal from War to Peace by Bishnu Raj Upreti, (2009) Adroit Publishers New Delhi, Towards A Democratic Nepal. Mahindra Lowoti, (2008) Sage publication New Delhi, Nepal from Monarchy to Democracy Pruthi, R.K (2007) Summit Enterprises, New Delhi, "Monarchy VS Democracy Babu Ram. Bhattra, (2005) Samkaleen Teesari Duniya India, "Nepal: Political Parties and Parliament. By Lok Raj, Baral (2005) Adroit Publication New Delhi.

The List of articles included are "Ethnicity and Democracy in Nepal: Transforming the Unitary State into a Federal Organization" by Mukti Rijal, "Federal Reorganization of State: Issues and Challenges" by Ram Kumar Dahal, "The Prospects for Democracy in Nepal" By T.Louise Brown, "Political Conflict in Nepal" by Ananta Raj Poudel, "Transition to Democracy in Nepal: Negotiations Behind Constitution Making, 1990" by Krishna Hachhethu,

"Democratic Movements in Nepal 1949-2006: An Analytical Review" by Ayaz Muhammad,

"Movement 2006 and Challenges Confronting the Political Mangers of Nepal" by Ayaz Muhammad.

In the above maintained Books and Articles, the authors have discussed the issue of monarchy and democracy and they have contributed a lot. But generally most of them have discussed the historical part of monarchy in Nepal and the process and transition to democracy. Some authors discussed the causes of the Maoist insurgency and people's war which started in 1996 and ended with the end of Monarchy in 2006 and discussed the

way to end the centuries old monarchy in Nepal and considered the merger of Seven Party Alliance (SPA) and Maoist as binding force for the successful demolition of monarchy in Nepal. Some authors have discussed Democratic process, its different phases and analyzed the various era of the Kings and Rana regime. They have given the outlook of Maoist insurgency in Nepal its causes and consequences as well. But the current issues of Nepal and challenges faces by the new Democratic Nepal are still remaining incomplete.

1. IV. Objectives of the Study

Purpose of the study is (I) to provide answers to the questions regarding the newly emerged democracy in Nepal. (II) to study the transformation from Monarchy to democracy in Nepal (III) to study the challenges of democracy in Nepal will form main part of the study.

1. V. Justification of the Study

There have been many socio-economic researches in Nepal in the past, but the current political upheaval of the country probably is not worked out. On the challenges faced by the new democratic state such as political consolidation and stability and formation of new Constitution are yet to be analyzed.

1. VI. Related Questions

During the research, the researcher tries to answer various questions, which stimulate the researcher to authenticate the research more. Some of them are given below:

How to compare the historical Nepal to the present one?

Up to what extent the Domestic Economic and Political Policies are stabilized in Nepal?

How the Internal political challenges will be coped?

How the external threats to the country will be handled?

What is the future of Nepal being a democratic country?

VII. Methodology of the Study

The study has been conducted through qualitative as well as quantitative research methods. For this purpose both primary and secondary sources have been used. Primary source includes interview and official reports while secondary source includes books, journals, articles and news papers.

Both the primary and secondary sources have been used to deal with the whole gamut of discourse.

VIII. Periodization

This research covers mainly the periods of 1951 to 2008. Because this is the period when the movements for the democracy and against the autocratic Rana rule and Monarchy in Nepal was getting to take shape while finally culminated in the termination of the Monarchy in Nepal and transition to democracy started with the first ever general elections held in 2008.

IX. Chapters Structures

The research works have been divided into six Chapters. The First Chapter begins with the Introduction of the topic explaining the conceptual framework, statement of the problem etc. The Second Chapter deals with the historical background of Nepal with special emphasis on the political culture and struggle for democracy and against Rana's rule and the Monarchy. It analyzes problem of the democracy in Nepal which culminated into an anti-Rana movement 1950-51. It covers the era of the Kings Tribhuvan and Mahendra as well.

The Third Chapter deals with the era of the King Birendra and the mass upheaval in Nepal and aftermath of 1990 mass movement. It deals the changed political atmosphere after the successful mass movement for the restoration of democracy in Nepal which ended the 30 years of authoritarian rule in April 1990. It analyzes the different strategies adopted by the political parties to make the movement successful. It contains the a brief account of post – movement Nepal’s political developments such as the formation of an Interim Government, Proclamation of 1990 Constitution, the 1991 General Elections, the N.C Party Government and the Mid- Term Polls 1994.

The Fourth Chapter deals with the era of the King Gayanendra and his politics in Nepal. It covers the factors leading to the fall of Monarchy in Nepal. It contains the external factors such as world wide political awareness and Indian independence in 1947 and internal factors include the attitudes of the King Gayanendra, emergence of Seven Political Parties (SPA) and The Communist Party Maoist for the restoration of the Democracy and to mark an end of Monarchy in Nepal.

The Fifth Chapter deals with the restoration of Democracy after the fall of the Monarchy in Nepal. It discusses the challenges faced by the Interim Government and General elections for the Constituent Assembly in 2008.

The Sixth Chapter covers the findings, recommendations and concluding remarks.

Chapter 2: Historical Background

2. I. Unification of Nepal and Rana Regime (1769-1951)

Nepal, in the form of Kathmandu valley, had been a land ruled by manifold tribes since time immemorial. Most of the tribes who ruled this country came from the south India. No clear-cut information is available as regards the nomenclature of these rulers.

“The Vamshavalis mention the rule of several dynasties – the Gopals, the Abhiras and the Kiratas—over a stretch of centuries. However no exact historical evidence has yet authenticated the rule of these legendary dynasties”.³

There is information regarding the emergence of the Licchavi dynasty in Nepal. They were the first ruler in Nepal who left the epigraphic evidences behind them as the legacy of historical documents. Milton observed that “by this time, like one who had set on his way by night and traveled through a region of dreams, our history arrives on the confines, where day-light and truth meets us with a clear dawn, representing to our view, though at far distance, true colors and shape”.⁴

Among the Licchavi rulers Mandeva was the first and other important figures were King Anshuvarma and King Narendadeva. This rule seems to have terminated with Raghavdeva in 880 A.D. After the termination of the Licchavi rule in Nepal the rule of the Thakuri dynasty- a dynasty which claims itself to be of Rajpoot descent, started in medieval era. The Malla Kings are considered as last rulers of Nepal in medieval era. The first Malla King was Ari Malla who ruled the period of 1200- 1216 A.D. Among them Jayasimala, Jaya Bhimdeva Mala, and Annal Mala were the famous Kings. Yaksha Mala who succeeded the throne of Nepal in 1428 A.D. extended the boundary of the state in a

³ Sanu Bhai Dangol, *The Palace in Nepalese Politics*, Kathmandu: Ratna Pustak Bhandar, 1999, p. 3.

⁴ *ibid*, p.5.

large extent. After his death, his three sons, - Raya Malla, Ratna Malla and Rana Malla- ascended the throne of Nepal and ruled jointly. Later on the brothers claimed authority on certain portion of the Kingdom and thus country was divided in to three parts viz. Bhaktpur (Bhadgaun), Kantipur(Kathmandu) and Bhonta (Banepa)each ruled by Raya Malla, Ratna Malla and Rana Malla respectively.

The division of Nepal into three parts after the death of Yaksha Malla, destabilized Nepal in regard to its position and strength. Despite the efforts undertaken by them to enhance the glory and prestige of their Kingdoms but they could not able to make it single Kingdom. Taking advantage of conflict between these three kingdoms, the Kingdom of Gorkha made many attacks to secure the throne. But in the beginning they could not succeed but finally Pirthivi Naryan Shah in 1769 was able to annex these kingdoms with in the Gorkha state.

Prior to the unification of greater Nepal, Nepal was divided in to fifty-four petty states. Among them Gorkha was the poorest and most hated state. It was founded by the Prince of Lamjung, Drabya Shah, with the help of *Tagadharis* (sacred thread wearing community) and dissatisfied people of that area. This state was conquered by his brother Drabya Shah, Narahari Shah, the King of Lamjung, claimed the ownership of Gorkha. But Drabya Sha maintained a separate identity of Gorkha which Lamjung could not bear to witness. As the result never ending conflict started between this family. In 1609 A.D, a knowledgeable King, Ram Shah, emerged in the political scenario of Gorkha State. He prolonged the territory of Gorkha by successful conquering the northern and eastern area. Despite the reforms brought by Ram Shah the economic situation of Gorkha could not

change. Then Pirthivi Narayan Shah, the founder of Greater Nepal, adopted the policy of 'do or die' when he took the leadership of Gorkha.⁵

Nepal's present character had been formed by King Pirthivi Narayan Shah, the ruler of Gorkha, which is located to the West of Katmandu Valley. Sandwiched between the two Asian giants – India and China, Nepal was formally collection of small principalities which were unified by Gorkha King in 1768.C.A.⁶

With the victory of the King Pirthivi Narayan Shah, the history of Nepal turned over a new leaf. The mob which had gathered round Pirthivi Narayan Shah was organized in to regular army which was sent to conquer new territories in all directions. By 1775 A.D these Gorkhas over-ran the whole of the Kairani land east of Kathmandu, Morang in Terai and Ilam touching the borders of Sikkim.⁷

Before the death of Pirthivi Narayan Shah, he conquered most of eastern part of Nepal including Rothat, Parsa, Bara and Makwanpur. Later expansion was completed in the western part by his daughter –in- law and second son Rajendra Laxami and Bahadur Shah respectively. The expansion was stopped in 1816 when she had been forced to sign on the Treaty of Sugauli with British East India Company. Under this Treaty Nepal lost its position in Sikim, Kumaunand Garhwal. Ultimately in 1816 political boundaries of Modern Nepal was settled.⁸

2. I.I. Rana's Regime

Pirthivi Narayan Shah who laid down the foundation of modern and greater Nepal after the conquering the three kingdoms. He spent almost all his life in warfare. Just after

⁵ *Ibid*, p.7

⁶ Shiva Bahadur Singh, *Nepal Struggle for Democracy*, New Delhi: Adhyayan Publishers, 2007, p.19.

⁷ Anuradha Gupta, *Politics in Nepal 1950-60*, New Delhi: Kalinaga Publications, 1993, p. 3.

⁸ R.S Chauhan, *The Political Development in Nepal 1950-70*, New Delhi: Associated Publishing House, 1971, p.11.

coming to power he had dealt with rulers of the land –Niwar mercilessly. He killed every person connected with the late Niwar dynasty.⁹

The policy adhered by him was to isolate Nepal from external influences. He was much afraid from the British India Company which had been brought the giant neighbor India under its subjugation. After the death of King Pirthivi Narayan Shah, no king appeared in Nepal who could rule the country very strongly. His son and his successor Partap Singh Shah succumbed to luxurious life of the court. He died in 1777 and the death of Partap Singh was followed by three Kings-- Rana Bahadur Shah, Girvan Yuddha Bikram Shah and Rajendra Bikram Shah. The enthronement of these Kings paved the way of conflict between royal family members and then divided country in different political groups and contested one another for power. Thus political situation of Nepal became worse day by day. The result was that the Kings of Nepal were constrained to loose their *defacto* rule during the Prime Ministership of Bhimsen Thapa and the Ranas.

The issue of the conflict and struggle for power in the history of Nepal was not new. The conflict for power in Nepalese politics started just after the death of King Pirthivi Narayan Shah, and then it was in the periods of Kings Rana Bahadur Shah, and his mother and Uncle Rajendra Laxami and Bahadur Shah. This conflict and clash first started by the King Bahadur Shah by imprisoning Queen mother Rajendra Laxami in the palace on the charge of having illicit relation with Courtier Sarbajit Rana. She was provided no opportunity to face trial. Later on she was released and proved innocent too. She initiated uncompromising action against the followers of Bahadur Shah. The death of Rajendra Laxami in 1785 C.A. paved way for Bahadur Shah to gain the power again. As he gained the power as a regent, he took revenge and initiated measures in brushing away

⁹*ibid*, p.11.

his opponents from the court. But his power did not last long. Rana Bahadur Shah took authority as King of Nepal. In initially stage Bahadur Shah was cornered from power, later on he was imprisoned, then, he was tortured to death by sprinkling the boiling oil on him.

After few years, Kantiwati, the Barhiman widow, died in 1799 giving birth to a son, Girvan Yuddha Bikram Shah. In order to console this queen before her death, King Rana Bahadur Shah abandoned his own throne and coroneted to the child of Kantiwati. The death of this queen made ex- King Rana Bahadur insane person. Then power tussle was resulted between the ex-King and ruling authorities in the name of Girvan Yuddha Bikram Shah. Because of this conflict situation of Nepal began to get worse and was about to bring civil war. As situation was very critical Rana Bahadur Shah fled to Varansi, India with his most trusted followers like Bhimsen Thapa and Dalamanjan Pandey. Rana Bahadur Shah did not remain silent when he was in Varansi. In order to regain the lost power, he approached the British India Company in India for help, but he could not find any help from them in India, then he returned back to Kathmandu in 1904. Damodar and Mulkaji (Prime Minister) accompanied with an army reached Thankot to stop Rana Bahadur Shah but failed to stop because the Army took the side of ex- King.

Return of Rana Bahadur Shah pulled Nepalese politics towards chaos and confusion once again. Bhimsen Thapa took the advantage of this situation of Nepal and eliminated his entire rival from the court of Nepal. This was done at the cost of ex-King's life.¹⁰

Regarding Bhimsen Thapa's strategy Vaidya makes a commentary like this:-

¹⁰ Tribhuvan Nath, *The Nepalese Dilemma 1960-74*, New Delhi: Sterling Publishers, 1975, p.78.

“... Rana Bahadur Shah’s murder was an outcome of the conspiracy politics of Nepal. It had long term effect in the history of Nepal. The power as now shifted from the Royal family to a courtier who became supreme and ruled as *de facto* of thirty one years. Bhimsen Thapa got an opportunity to fish in troubled water and emerged as the ruler of Nepal. He was the outcome of the event. Expert as he was to exploit the existing situation he left no stone unturned to consolidate his power. Bidur Shahi, a dismissed prince, was also dragged and put to death. Prithivipal Sena who was in confinement was also charged of trying to become the King of Nepal and was killed in a cold bloody way. Rajrajeswari along with the maid servants were burn to death in the name of Sati. Not only the family members of Sher Bahadur Shahi, Bidur Shahi and others were reduced to Chandal and obliged to reside with Chandals. The punishment meted out to all these persons reveal how merciless Bhimsen Thapa was. Even the cremation was not permitted. This incident proved the existence of the brutality of medieval world in Nepal. The main thing was the pretext of murder of the ex- King; all the big shots who could challenge Bhimsen Thapa were murdered in the coldest blooded manner. It was more cold blooded than the Kot Massacre of 1846 C.A., because in the later episode at least the Chautarias and others fought bravely with their weapons for their defense where as in this case those people who were sleeping in the dead of night were dragged and put to death one by one. Even the maid servants were not spared. It is one of the most tragic episodes in the history of Nepal”.¹¹

After Rana Bahadur Shah’s murder his youngest wife, Lalit Tripura Sundari took the position of regency for the minor Kings—Yuddha Bikram Shah and Rajendara Bikram

¹¹ T.R Vaidya, *Pirithivinarayanshah: The Founder of Modern Nepal*, New Delhi: Anmol Publications Pvt.Ltd., 1993, p.168.

Shah. Bhimsen Thapa was Mukhtiyar, who ruled the country as a sole authority of Nepalese politics from 1807 to 1837. At that time the position of King was just like that of a *de jure* head. King was not allowed to go out side the palace without the permission of the Mukhtiyar.

In spite of such strategy adopted by Bhimsen Thapa, he is considered as top most political figure in the Nepalese political history. It was because of his significant and enthusiastic steps initiated by him in the consolidation, development and reform works of the country. Some of the reformatory measures taken by him are: (i) the revenue system of the land was reformed; (ii) new towns were developed; (iii) attempts were made to bring uniformity in the implement of law throughout the length and breathe of the country; (iv) irrigational canals were constructed and repaired...etc.¹²

Rajmata Lalit Tripura Sundari died in 1832 and King Rajendra Bikram Shah was already grown up and he wanted to assert his authority as the King of Nepal, but main hurdle to achieve his mission was Bhimsen Thapa. In 1837 he was dismissed from his post on the charge of poisoning to a baby prince. The conspiracy politics of the palace of Nepal, which began with King Rajendar Bikram Shah's coming of age, did not settle even after the removal and suicide of Bhimsen Thapa. One finds palace of Nepal full of conflict, clash and conspiracy to each other. On May 12, 1847 Jang Bahadur proclaimed the crown Prince Surendra as the King of Nepal. He made such declaration in order to prevent aggressive activities of King Rajendra in 1856. He received the red seal (Lal Mohar) from the King Surendra which made him the Maharaja of two districts—Kaski and

¹² Chittaranjan Nepali, *General Bhimsen Thapa Ra Tatkalin Nepal*, Kathmandu: Ratna Pustak Bhandar, 1978, p.135.

Lamjung—and also guaranteed hereditary Maharajaship and Prime Ministership to his family.

In this way hereditary Rana Prime Ministers were vested all authority of Nepal. The Kings of Nepal were deprived of all the political powers. They were bound to remain in palace, although they had been honored with the title of *Maharajadhiraja* (King of Kings). This trend continued to exist in Nepal for about a century Surendra Bikram shah's grand-son King Tribhuvan appeared in the scene to dismantle such a system in 1950.¹³

2. I.II. Rana's Rule in Nepal

Jang Bahadur as a powerful Prime Minister of Nepal also succeeded like Bhimsen Thapa to crush his opponents in the beginning. At the same he realized the situation and felt that with out the goodwill of British Government in India, it would not be possible for him to strengthen his authority. After taking the office he had two important objectives to achieve. First, to establish himself in power permanently as possible and second, to pass on the Prime Ministerships well as other key offices to his brothers and descendants. For this purpose he forced the Monarch to retire and then he took Lal Mohar (Red Mohar) from King Surendra in 1856. He was invested with power to exercise rights over life and death of Nepalese peoples, to appoint or dismiss all public servants, to declare war and conclude peace or sign treaty with foreign powers, to inflict punishment on offenders and to repeal or amend or frame laws of the country.¹⁴ By the same Lal Mohar it was fixed

¹³ Bhadra Ratna Bajracharya, Sita Ram Sharma & Shiri Ram Bakshi, *Modernization in Nepal*, New Delhi: Anmol Publication, 1993, p.105.

¹⁴ Anuradha Gupta, *op.cit.*, p.12.

that succession to Mukhtiyari would pass from Jang Bahadur to his brothers and then to his son Jagat Jang.¹⁵

Jang Bahdur avoided the mistakes which had been done by Bhimsen Thapa in his life. He started the strategy of contracting marriages with the King's family. These marriages proved as a binding force between the Rana regime and Royal family. As no one could deny the importance and status of Brahman family in the society, he provided them full support and gave them Birtas and lands. Though he advocated some reforms like abolition of Sati and slavery he did not touch civil and criminal laws based on the Hindu Dharmshastara (Hindu religious code). Jang Bahadur is considered in Nepalese history as social reformer as one finds in his rule the Legal Code (*Mulki Ain*) was codified in Nepal. The other important figures of the Rana regime were Ranauddip Singh, Bir Shamsher, Deva Shamsher, Chandra Shamsher, Bhim Shamsher, Juddha Shamsher, Padma Shamsher and Mohan Shamsher

2. I.III. The Rana's Hierarchy

The beginning of Rana regime was not by the revolutionary process in the social and political life of the country. It was just to eliminate the families of old and great and to replace them by a new one. The administration of the country was the property of Rana family on the basis of the seniority. There was head of the family was Maharaja Prime Minister, who had all power of the state including civil and military. Absolute power was laid down with the Prime Minister. Below the Prime Minister there was commander-in-chief, who was the next senior member of the Rana family. Then there were four Commanding Generals having civil and military powers in different part of the country.¹⁶

¹⁵ Anuradha Gupta, *op.cit.*, p.12.

¹⁶ Anuradha Gupta, *op.ci.t*, p 14.

2. I.IV. Achievements of the Rana's Regime

The outstanding contribution made during the rule of Rana Prime Ministers can be seen as under: Legal Code (Mulki Ain) was codified during Jang Bahadur's period. The contributions of Ranauddip Singh were described as follows:

“the Bir Hospital(Male and female), The Durbar High School, now re baptized the Bhanu Madhyamic Vidyalaya, the Tower Clock, the Bir library are some of the outstanding specimen of public works of his time. He reduced high incidence of cholera and typhoid through the supply of good pipe-water to Kathmandu and Bhadgaon. The construction of a suspension bridge at Kulekhani and establishment of some hospitals were a few among his other development activities”.¹⁷

During Chandra Shamsher's prime Ministership the tradition of Sati and Slavery were completely abolished. Other significant developments can be summarized as:-

- Starting 14 mile cableway from Dhursing to Matatirtha;
- Supplying power from Hydro-electric project at Pharping in Kathmandu;
- Joining Raxoul and Amlekhganj by meter- gauge railway- line and Amlekhganj and Bhimpheedi by motor able road; and
- Establishing Tri-Chandra College for higher education and tri- Chandra military hospital for treating military personnel; etc.

In fact Rana Regime had played an important and significant role for betterment, development and consolidation of the country, they established good relation with the British government in India and keeping good relation with her they saved Nepal from the domination of British rule and Nepal was remain independent country.

¹⁷ Rishikesh Shaha, *An Introduction to Nepal*, Kathmandu: Ratna Pustak Bhandar, 1975, p.153.

2. I.V. Conflicts between Rana families

Personal jealousies and continuous tension and clash were present in the family of Rana regime. Even during life of Jang Bahadur, his brothers attempted to kill him twice. The rule of succession, which was introduced by him in 1856 proved useless. Just after his death two groups came in to exist, one was headed by his brothers and last one by his sons. Prime Minister Ranodip Singh was murdered in 1885 by his own nephews. The rule of succession was rearranged by Bir Shamsher in 1885-1901 but in spite of this just after three month of succession Dev Shamsher was deposed by Chandra Shamsher. Then in 1901-29 they have divided the Rana in to three Classes, A, B, and C. Later, in 1935 the 'C' Class Ranas were considered to be illegitimate by birth for the succession.

2. I.VI. Draw backs of Rana's Regime

There was struggle of power between Rana families. In a view of uncertainty of the future of their government and power, every person from the Prime Minister to small office holder got busy in collecting as much wealth as he could. As a result, in later stage, the Rana administration became an instrument of systematic loot and oppression. The system of granting Birtas to Ranas and their dependants raised a class of big land owners. This prevented the growth of middle class in the country. Thus one can believe that the survival of the Rana rule depended on the suppression of the growth political awareness in the country. During the later phases of Rana rule the rulers suppressed the growth of an educated intelligentsia. The right of higher education was limited to the members of the ruling family. Just three types of people were able to get educated in that period. Some families from Terai area in Nepal, who went India than Kathmandu, and got the ideas of social and political reforms as generated by the Indian Nationalist movements.

Some lower class officers left Kathmandu for India for permanent settlement. And some 'C' Class Rana migrated to India, where they got higher education. These three types of Nepalese families emerged as the opposition for the Rana rule in Nepal and then they established some political parties as well, which revolt against Rana rule in 1950.

2. I.VII. Anti-Rana Movements

The Rana Government always adopted policy of suppression towards any organized group in country, which could become as opposition for their rule. Even then there was an opposition to Rana government that the members of the old nobility like Thapa and Basnait. Some time Non- Rana *Bhardars* and the King himself joined the conspiracy against the Rana Prime Ministers.

In spite of the policy of suppression, in the beginning of the twentieth century there were some social and religious reform movements in the country, which threatened the Rana regime that time. Though these movements were suppressed by the government, it left influence for others in the future.

By this time some knowledgeable Nepalese came in to contact to Indian freedom movement in 1942. As a result of these contacts some Nepalese tried to form secret political groups in Nepal and also they have some vague ideas about democratic rule. but they failed to achieve their goal, then the Nepalese living in India decided to start struggle against Rana rule and in 1947 they have launched a non- violent movement in Nepal Terai, against Rana rule, which forced Rana rule to present some political and constitutional reforms but due to the great changes accrued in India in the form of Independence in 1947, these reforms could not bring any long impression and finally in

1947 the anti- Rana forces, led by Nepali Congress decided to enter their country with liberation army which culminated in the revolt of 1950 and the fall of Ranas.

2. I.VIII. Reforms of Rana's Government

Maharaja and Prime Minister Padma Shamsher Rana declared on May 16, 1947, that he would form a commission to recommend changes in the administration. At first step, he suggested that the election of local *Panchayat* (Village Council), municipalities and district boards would be held within one year. The Prime Minister gave assurance to establish a sovereign judicial system, to publish annual budget, to give grants as aid to private schools. As a part of reforms he announced the election process in Kathmandu and described it as a "Provisional autonomous local council". In the history of Nepal it was the first election on the democratic pattern. There was series of strike in the country, demanding more reforms and against Rana regime. As a result the Prime Minister Padma Shamsher promulgated on January 26, 1948, *the Government of Nepal Act* which was known as first written constitution of Nepal.¹⁸

2. I.IX. Salient Features of the Rana's Constitution

Rana Prime Minister Padma Shamsher realized the situation and gave the new Constitution to Nepal, which was considered as First written constitution of Nepal. Just after this new development accrued in the country, there were two groups of Rana's one was trying to liberalize the administration and other resisting all kind of innovations. The important features of that act were the provision for establishment of council of ministers, a bi-cameral legislature and a judiciary under the high court. Padma Shamsher laid down constitutional checks on the Rana rule. Introducing council of ministers he recognized that non- Rana had right to participate in governmental offices. According to this new

¹⁸ Anuradha Gupta, op.cit., p.32.

constitution guaranteed to the people the freedom of speech, liberty of the press, freedom of assembly and discussion etc. There was a hope to implement this act in the country but unfortunately Padma Shamsher had to leave Nepal for India where from he sent a letter of resignation on April 26, 1948.

2. I.X. Revolt of 1950-51: the end of Rana's Regime

Padma Shamsher, the Prime Minister of Rana regime was considered as modernizer regarding reforms and other development left Mohan Shamsher, as new Prime Minister who, not only could not put into practice the reforms, promulgated by former Prime Minister but in his speech publically stated that he had come to bear the responsibility of ruling the country "in accordance with the traditional usages and custom of forefathers".¹⁹To prove this he issued a proclamation banning the Nepali Rashtriya Congress. The limited autonomy which was given to Kathmandu was withdrawn. In brief all the reforms initiated by former Prime Minister Padma Shamsher came to close.

As a result of this attitude of Mohan Shamsher political parties in the country decided to launch the movement against the Rana regime. Analyzing the situation one can come to know that one of the important causes of the fall of the Rana rule was the family conflict. 'B' and 'C' class Rana joined the apposition politics in 1940s participating anti- Rana movement initiated by the students studying in India. In 1950, the merger of two democratic parties (Nepali Rashtriya Congress and Nepali Parjatantrik Congress) gave birth a new organization called Nepali Congress. This new political party had aimed to end the 104- year old Rana regime in order to introduce a democratic rule under the Constitutional Monarchy. The Communist Party also supported to Nepali Congress in that Movement. Eventually, the Rana rule ended in 1951 due to the combination of

¹⁹ Rishikesh Shaha, op.cit., p. 160

following reasons; King Tribhuvan's role, the organization of political parties in India, Intra- Family feuds and international support provided by India. King Tribhuvan's role was very important, when he suddenly decided to leave Royal Palace and took asylum in Indian Embassy with his all family members. Then by an Indian special aircraft he went India. This sudden flew of the King gave opportunity to those who were trying to mobilize the mass against Rana rule in the country like Nepali Congress. Nepali Congress started an arm struggle against Rana rule. Prime Minister Mohan Shamsher tried to control the situation and for this he made a three year old grandson of Tribhuvan (Gayanendra) as King of Nepal but this move also could not prove success for Rana rule and India and other foreign powers were not agree on that and then Rana were forced to have discussion to settle the issue. On December 8, 1950 India submitted a memorandum to Nepal stating that "Nepal should be the independent, Progressive and strong". And India also suggested some measures:

- 1) that a Constituent Assembly composed entirely of properly elected members should be brought in to being as soon as possible to draw a Constitution for Nepal;
- 2) Pending the meeting of the Constituent Assembly mentioned above an Interim Government, which will include person representative of popular opinion and enjoying public confidence should be established. this body also include the members of Rana family, one of whom should be Prime Minister; this body should act as Cabinet on the principle of joint responsibility and should frame its own rules of business; and

3) King Tribhuvan should continue as the King in the interest of the realm.²⁰

In this way Rana regime accepted all conditions set by India and the King and that led to the fall of 104 years Rana rule in Nepal. Since the King supported anti- Rana movement and the forces of change in the country, he is considered as “Father of Nation”.

2. II Political Movements since 1951

After the fall of Rana regime in Nepal in 1951 King Tribhuvan became the King of Nepal and it was because of the Delhi Settlement provided by the Government of India, which played an important role to settle the issue of political instability in Nepal. According to the agreement there should be the democratic government under the Constitutional Monarchy.

The democratic struggle against the Monarchy and its system in Nepal initially started in 1950s which led to bring about reform in the Constitution of Nepal. Then again 1990s Monarch ultimately gave the right of people to elect their representative and in 2006 Nepal faced a mass movement (Jan Andolan) for the elimination of the Monarch and restoration of the democracy that led to this century’s long democratic struggle against the Monarchy in Nepal its logical end in 2006.

King Tribhuvan was stripped of de-facto power started clandestine contacts with anti-Rana movement. King Tribhuvan was one of the sources of inspiration to organize the Parja Parishad for overthrowing the Ranarchy in Nepal.

The anti- Rana movement was intensified following the withdrawal of the British Rule in India in 1947. In 1947, the Nepali Rashtriya Congress was formed by the exiled

²⁰ K.P. Karunakaran: *India in World Affairs*, 1950-53, Calcutta: 1958, P.194 (cited in Government and Politics in South Asia. p. 492.

Nepalese. Nepal Paraja Tantarik Congress formed in 1948. The Communist Party of Nepal was established in 1949 at Calcutta India.

2. II.I. Interim Constitution of 1951

In 1950 the merger of two democratic parties (Nepali Rashtriya Congress and Nepal Paraja Tantarik Congress) gave birth to a new organization called Nepali Congress. The aim of new party was to end the 104 – year Rana regime in order to introduce a popular and democratic rule under the aegis of Constitutional Monarchy.

The Rana rule ended in 1951 due to the combination of these reasons King Tribhuvan's Role, the organization of political parties in India, intra- family feuds, and International support provided by India. It was possible because of agreement between Rana and Indian government in Delhi which is known as Delhi Compromise.

On February 8, 1951 all these three parties - King Tribhuvan, the Nepali Congress and the Rana Government – agreed to form an Interim Coalition Government and The King and Nepali Congress leaders returned to Kathmandu to begin a new democratic experiment in Nepal.

2. III King Tribhuvan's Response to the Movement

Soon after the Delhi agreement between the Kings, the Nepali Congress and the Rana, a new era began in the political history of Nepal. According to this agreement King Tribhuvan became as King of Nepal and century old Rana hereditary rule ended. King Tribhuvan expressed his resolve in his historical declaration of February 18, 1951 as he said “the Government of our people be carried on henceforth according to a democratic

Constitution prepared by a Constituent Assembly elected on the basis of direct universal suffrage”.²¹

The King Tribhuvan appointed Rana- Congress Coalition Government on February 1951, under the Prime Ministership of Mohan Shamsher a Rana descendent. The King declared that all the ministers including Prime Minister would hold office during his pleasure and be collectively responsible to him for their action.

The Coalition Government of Rana- Congress was neither natural nor workable. As a result they failed to run the state smoothly. Actually both groups were forced to accept the agreement by the Government of India. Nepali Congress had declared that they would not accept any formula except the overthrow the Rana rule from the country but they accepted.

The Interim Constitution of 1951 granted the King Powers to frame any law for the good government of Nepal. This Constitution also gave the rights of citizen: i.e. freedom of speech and expression, freedom of assembly, associations and movement, right to private property and practice for any profession and business.

The conflict between Rana and Nepali Congress increased day by day. Then the Gorkha Dal incident made situation of the country worst. This Interim Government failed to maintain law and order in the country. Situation led these two groups for the resignation from the government and B.P Koirala with his other ministers presented their resignation to the King directly on November 11, 1951, ignoring the Prime Minister. Two days later Mohan Shamsher Rana with his other ministers submitted their resignation to the King. The King accepted the resignation of both groups.

²¹ Shiva Bahadur Singh, op.cit., p. 56.

On November 16, 1951 the King constituted a new Government under M.P Koirala, who, thus, became first commoner Prime Minister after 104 years of Rana regime in Nepal and the King announced the establishment of new council of ministers under M.P Koirala, the President of Nepali Congress. In his introductory remarks the King expressed his determination to establish a fully democratic political system functioning in accordance with Constitution prepared by a Constituent Assembly.²²

Under the Prime Ministership of M.P Koirala several new departments and Ministries came in to exist and different Cabinet Members were appointed as Minister to work and run the state smoothly. Unfortunately there was sharp division between this Cabinet, one group consisting of Ganesh Mansingh, S.P. Upadhyay and Subarna Shamsher who supported B.P Koirala and worked according to his instructions, while other group consisted of Narad Muni Thulung, B.K Mishara, Mahindara Bikram Shahand Mahavir shamsher, who supported M.P Koirala, the Prime Minister of the country. So conflict with in the ruling party, Nepali Congress started. The conflict between these two brothers B.P Koirala and M.P Koirala and the government and the ruling party began to increase. B.P Koirala blamed on M.P Koirala that his Government was not following the party policy. Situation was going so dangerous so that Indian socialist leader, Jay Parkash Narayan intervened between two brothers and then they signed an agreement that all mutual recrimination against each other would be withdrawn and stops with immediate effect.²³

The agreement between two brothers could not decrease conflict for long period. Under this agreement B.P Koirala became the President of Nepali Congress but relationship

²² Shiva Bahadur Singh, *op.cit.*, p. 67.

²³ Gorkha Patra, June 17, 1952. (Cited S.B. Singh, *op.cit.*, p. 71)

between two brothers continued to deteriorate. M.P Koirala continued to ignore the party policy to implement in the administration and he ignored his party colleagues as well in taking confidence in different issues. He was more dependent on the support of the King Tribhuvan. B.P Koirala began to suspect again that Prime Minister was trying to run the Party Government on the lines different from the party. Non- Ministerial group pulled the Government to different directions. Thus instead of giving the country stable and efficient administration, Nepali Congress Government became incapable of dealing with the fast deteriorating political environment. The severe crisis started with in the Nepali Congress on July 21, 1952, when the Working Committee of the Party directed the Prime Minister and his Cabinet to resign from office. The M.P Koirala rejected the demand for his resignation on July 22, 1952 pointing out that this decision was beyond the power of the Working Committee, it could be taken by the party's sovereign body by a separate session, because committee itself has been nominated by the Congress President.²⁴ The Ministers associated with B.P Koirala resigned from the Cabinet and M.P Koirala with his friends challenged the decision of the Congress Working Committee. Ultimately Congress Working Committee expelled him and his friends from the active membership of the party for one year, which was later endorsed by the all Nepal Congress Committee in August, 1952.

2. III.I. King Tribhuvan's Attitude

During the critical situation of Nepal that time, King Tribhuvan kept himself aloof from the controversy. It is notable that even after the Congress party had expelled M.P Koirala and his colleagues, he did not dissolve the Government. This action gave impression that

²⁴ Jain, Girilal, *India Meets China in Nepal*, Bombay: 1958, P.38. (Cited S.B. Singh, op.cit., p. 74)

the King wanted to continue the Government under the leadership of M.P Koirala because of his close friendship with him and the King had hope that M.P Koirala would get majority support from his party in future but it could not happen and M.P Koirala submitted his resignation to the King on August 6, 1952. The King accepted it on August 10, and dissolved the Government as well. He announced a committee of five members to help him in administering the country until a better alternative could be found.

On January 1, 1953, King Tribhuvan called a meeting of all parties at Calcutta to decide the question of general elections. Most of the parties boycotted the meeting on the ground that the reactionary political groups called Gorkha Parishad had been invited in such a meeting. Same time B.P Koirala claimed that the real party to bring democracy in the country could only is the Nepali Congress. On February 19, 1953, King Tribhuvan addressing the nation talked about the election Commission and urged all political parties to contest election in true democratic spirit. He added that Royal councilor's regime was purely temporary and would be terminated as soon as an influential, action oriented and popular government could be installed. King himself admitted that performance of Royal regime had not been quite up to the mark, that's why he promised to constitute a popular ministry as soon as possible.

King Tribhuvan asked M.P Koirala to discuss with other parties to form a new Cabinet and he made it clear that all the ministers would be holding office in their individual capacity, not as representatives of the political parties. But the Nepali Congress reject this proposal, suggesting new ministry should be formed on the basis of minimum common program and joint responsibility.²⁵ As negotiations and discussion were going on to

²⁵ Gorkha Patra,(Kathmandu), April 13, 1953.

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constitute the new Cabinet, the King Tribhuvan announced the formation of Rashtriya Praja Party Cabinet headed by M.P Koirala on June 15, 1953.²⁶

King Tribhuvan announcing the new Cabinet under the Prime Ministership of M.P Koirala second time, expressed the view that “since every party or political group claimed itself to be largest in the country, it was not easy for him to make a selection”. While it is very difficult to understand what criteria the King adopted for inviting M.P Koirala to form new Cabinet in the country.

It is notable that in September 1953, in the election of Kathmandu municipality ruling party- Rashtriya Praja Party could not able to get even a single seat but the King Tribhuvan instead of empowered M.P Koirala, ordered him to modify the Cabinet again. Opposition parties specially Nepali Congress, Nepal Praja Parishad and Nepali Rashtriya Congress reacted against the action of the King and made “League of Democrats” demanding the replacement of M.P Koirala ministry by a coalition of democratic parties with a Joint Parliamentary Board to conduct the Government.²⁷

King Tribhuvan on February 18, announced to reform the Rashtriya Praja Party Government. There was hope to include other representatives of other political parties. Thus this expanded Cabinet known as National Cabinet was criticized strongly by the major political parties as Nepal Communist Party issued statement saying “it is clear that this Cabinet will pave the way for military dictatorship of the King and will meet the demands of people with brutal repression which it has already began by the arrest of several people at several places who voiced against the declaration quite peacefully”.

²⁶ *ibid.* June 17, 1953.

²⁷ *ibid.* June 17, 1953.

2. III.II. Royal Interference

King Tribhuvan himself intervened and solved some differences among ministers for time being. On April 13, 1954 the King nominated the second advisory Assembly which⁴⁰ was convened on May 25, 1954. M.P Koirala became house of leader. The King addressing the assembly praised the progress of army and stressed the need to hold election to a Constituent Assembly and underlined the need for administrative reforms. But again Nepali Congress refused to participate in the second advisory council and the Communist was not given any representation. In this way the second Advisory Assembly appeared as showpiece. Therefore the Nepalese King became unpopular and situation of Nepal were becoming more unstable.

The King, however, addressed the nation and blamed the politicians for failure to make the country united and prosperous. It was very unfortunate for the tiny Kingdom of Nepal that there was intra-party conflict which was unsolved and the Cabinet was facing the serious problem of disagreement between its members in different issues. Even Prime Minister M.P Koirala was forced to threaten to quite his office if his colleagues did not extend to him full support and cooperation.²⁸ His threat could not bring any change in the attitudes of his cabinet members.

Prime Minister Koirala submitted his resignation to regency council. On February 16, 1955 King Tribhuvan's message delegating full Royal powers to the Crown Prince Mahendra was broadcasted over Radio Nepal and the Regency Council was dissolved.²⁹

The Crown Prince Mahendra in his address to the nation announced that he would assume personally the charge of anti-corruption department, Public Service Commission,

²⁸ *The Hindustan Standard*, (New Delhi) September 29, 1954.

²⁹ *The Times of India*, (New Delhi) January 18, 1955. (Cited S.B. Singh, op.cit., p. 85)

Central Intelligence Bureau and civil servant Office. Ultimately he accepted the resignation of M.P Koirala and his Cabinet which has remained pending for two months. Therefore the national Government was dismissed and came to end. On March 30, 1955, the King Tribhuvan passed away in Zurich, Switzerland and with his death post – revolutionary Tribhuvan era came to end.

Unfortunately the objectives of Nepali Congress in the anti- Rana Movement could not fulfill by the King Tribhuvan. All the powers were centralized in the hand of the King Tribhuvan. King's influence was more utilized for consolidation rather than for fulfilling the objectives of 1950 revolution.

It may be pointed out that due to these intra-party disputes and conflicts which suffered on the floor of the Assembly, the so called National Coalition Government signed its death warrant.

2. IV. King Mahindra's Reformation

The death of King Tribhuvan and succession of the Crown Prince Mahendra marked a turning point in the transitional politics of post-Rana Nepal. King Mahendra in the beginning showed his resolve to participate directly in political process. He immediately introduced direct rule where he himself served as Prime Minister and the head of the state and at the same time dialogue between different political parties were held for formation of the national Government but when he realized there was no acceptable solution to form coalition government the King decided to form one party Government of Parja Parishad under the leadership of T.P Acharya, who agreed to form it under the Royal hegemony on January 27, 1956.

In fact, King Mahendra was not ready to hand over the power to the Government but because of the political pressure he gave these power to the Government and he himself nominated to the Cabinet his own men who were given the key post like defense , finance and parliamentary affairs ministries.³⁰This made the Government of Parja Parishd as puppet in front of the King.

At the same time the Prime Minister apart from the implementing promised reforms, he started openly to support to the institution of Monarchy. Addressing public gathering at Birganj, he declared that he would not tolerate any attack aimed at lowering the status of Monarchy in Nepal³¹

Political Parties were demanding the election for the Constituent Assembly. To reply these demands the Prime Minister declared that it has not been decided that forthcoming election would be for the Constituent Assembly or for a parliament. Actually Acharya wanted to legitimate the existing political set up with in the Constitution granted by the King Mahendra. He repeatedly argued that there would not be two sovereign in one country and people were not fit for the full-fledged democracy and the welfare of the people lies in the Constitution granted by the King. All the political parties' apposed the statement of Acharya.

Again in the history political history of Nepal intra- party disagreement started when Party Working Committee directed the Prime Minister to implement its program but he suffered a lot of differences in the Cabinet between him and nominated members. Then Prime Minister requested to re-shuffle the Cabinet but King Mahendra apart from granting permission to re constitute the Cabinet, expanded the cabinet by appointing his

³⁰ *Gorkha Patra*,(Kathmandu), January 30, 1957

³¹ *The Hindustan Times*,(New Delhi), June 19, 1957.

brother in- law, Arun Shamsher and former commander in chief, Kiran Shamsher as ministers. Action of the King was criticized by the Party Working Committee. The Prime Minister made a request to the King either to allow him “to form homogenous Cabinet” or to accept his resignation”. The King accepted his resignation on July 14, 1957, saying that he was doing so in view of the government’s “ failures to hold the general election” in time and its inability to shoulder the responsibility of Government further”.

It was not the real reason which had forced the King to accept the resignation but the Prime Minister had resigned because of the King’s attitudes and he had not permitted him to reconstitute the cabinet in the manner he had desired to do so. The Parja Parishd took the action of the King as “great surprise and a rude shock to all lovers of democracy”.

King Mahendra, after accepting the resignation of T.P Acharya, issued the proclamation inviting K.I. Singh to form a ministry on July 26, 1957. K.I. Singh was the most controversial leader of Nepal as he was leading a small group called United Democratic Party. King’s action and decision to make K.I Singh as Prime Minister of Nepal was condemned and criticized by most of the political parties. It was known that King Mahendra was attempting to postpone the general election with the help of K.I Singh.

In a bold article entitled” “The Rraja Ghalti Gardaina” (The King can do no wrong), the leading weekly Nepal Pukar observed “; as King who does no wrong and at the same time does not care for the suffering of the people, will find no sympathy from the future historians”.³²

As a result of these actions of the King the political parties of Nepal including the Nepali Congress, Nepali Rashtriya Congress and the Parja Parishd formed the ‘democratic front’ to strengthen the democratic forces in the country and protecting the people’s

³² *Nepal Pukar*, (Kathmandu), July 21, 1957.

fundamental rights. This front got support from the other parties like Nepal Tarai Congress and the Communist Party of Nepal. It started a strong movement against the policies of the King who was trying to build his own position through “forces and undemocratic parties”.

The establishment of the Democratic Front was the significant step toward the democratic form of government. This front stressed and focused public attention on the important and fundamental question which was present in political life of Nepal. Those questions were: with whom the sovereignty lie, people or the King. What was the main objective of the 1950's revolt against Rana rule? Was it merely to submit another form of despotism or to establish a popular democratic system for the wellbeing of the people. As these questions were imposed by the Democratic front, the role of King in politics came under heavy criticism. Even once B.P Koirala, leader of Nepali Congress, under the banner of democratic Front in a public gathering attacked on the King saying that King had no right to rule the country through dictatorial method.³³

The Democratic Front ignoring the K.I. Singh's Government directly attacked on the personal role of the King in political affairs of the country. Prime Minister K.I Singh realized the fact that under the Royal hegemony he could not practice full power and now he also changed his old policy and tried to bring some reforms as he sought to replace two of four Principal Private Secretaries of the King under the name of rampant corruption. He also attempted to introduce curtain reforms in armed forces.

These actions threatened the King Mahendra and he realized that K.I Singh was overstepping the limits set for him. Ultimately on November 14, 1957, the King dismissed the K.I Singh Cabinet and assumed himself as an incharge of administration.

³³ Naya Samaj, (Kathmandu) September 21, 1957.

After dismissing the K.I Singh Cabinet, the King again was in search for a national Government in which he would himself function as Prime Minister in a cabinet composed of party leaders of his own selection.

Political parties were ready to accept the King as Prime Minister in the Cabinet but refused to accept his own selection of leaders in Cabinet. At the same time the democratic front made it clear to the King that if he failed to announce the date of general election, they would be forced to launch a *satyagrah*. There was a long dispute between the King and the political parties but ultimately King Mahendra on December 15, 1957, announced on February 18, 1957 as the date of general elections.

Most of the political parties demanded to hold the election for Constituent Assembly as King Tribhuvan had promised in 1951 and King Mahendra wanted to hold elections for parliament, under the Constitution, granted by him. Ultimately political parties agreed upon King's proposal.

On February 1, 1958, King Mahendra proposed the early establishment of:

- a Constitution Drafting Commission to draw up a Constitution providing a bicameral legislature;
- a nominated Advisory Assembly in the interim period before the election and
- a council of ministers with out a Prime Minister consisting of independent persons as well representatives of political parties

King Mahendra appointed a Commission headed by Bhagwati Parsad Singh, chairman of the Public Service Commission; to draft a Constitution for Kingdom. And on February 1959 he promulgated the Constitution replacing 1951 interim Constitution.

2. IV.I. The Parliamentary Constitution of 1959

The 1959 Constitution was modeled upon the British Constitutional System. One of the most important features of that Constitution was two power centers the King and the Cabinet headed by an elected Prime Minister.³⁴

King Mahendra who had ascended the throne in 1955, decided to participate in the first ever general election for parliament under a Constitution given by the King himself. This was the major departure from the spirit of the Delhi Compromise as the issue of Constituent Assembly to be duly elected by the peoples. Yet the Nepali Congress won two- third majority in the lower house of parliament. Its leader B.P Koirala became first elected Prime Minister of Nepal in May 1959.

Despite the various progressive and result-oriented measures implemented by the elected Government, traditional forces were not reconciled to the domination of their hold in country's politics and economy. King Mahendra himself showed dissatisfaction with the performance of the Koirala Government. He was unsuited to the idea of Constitutional Monarchy, so he was looking for an opportunity, rather than an excuse, to intervene.³⁵ On December 15, 1960 the King Mahendra dismissed the elected Government of B.P Koirala.

The era of Panchayat system began with Royal announcement on January 5, 1961. Under the new dispensation political parties were banned. Many political leaders fled to India they launched a fresh campaigns against the termination of parliamentary system.

³⁴ Leo E. Rose and Margret W. Fisher, *The Politics of Nepal: Persistence and Change in an Asian Monarchy* Ithaca: Cornell University Press, 1970, pp, 50-51.

³⁵ Hem Narayan Agarwal, *The Administrative System of Nepal: From Tradition to Modernity*, New Delhi: Vikas Publishing House, 1976, p. 325

2. IV.II. The Panchayat Constitution of 1962

After 22 days of the dissolution of parliamentary system the King Mahendra came out with a formula on January 5, and said "Since Panchayat are the basis of Democracy and a Democratic system imposed from above has proved un suitable, as it apparent from experience of the country, we have now to build democracy gradually layer by layer from the bottom upwards".³⁶

The Constitution of 1962 incorporated the provision of the Hindu State. Its other active factures were active Royal leadership, party less, class coordination and Sajha (Mixed Economy).

The national Panchayat was a unicameral legislature. It has limited power and function to make any crucial decision. Its proceeding was kept secret and only censored reports were made available to the public by the national Panchayat secretariat.

The Constitution of Nepal (1962) which provided the Panchayat system to the country was infact rewritten trice in the name of the amendments. There was a lot of changing of directions but the main purpose of these amendments was to secure the "party-less character of the 1962 Constitution given by the King Mahendra. In the beginning it was implemented but in the later period the character of "Party-less" restricted the freedom of the people as well.

2. IV.III. Constitutional Amendments

In 1967 the Constitution of Nepal was amended. Party less character of system was constitutionally recognized. The council of ministers headed by Prime Minister was collectively responsible to the King.

³⁶ Lok Raj Baral, op.cit., p.509.

The Second Amendment to the Constitution of Nepal reduced the role of Constitutional bodies like National Panchayat, Ministry and Class Organizations. King Mahendra died in 1972 and his son Birendra succeeded him. He has introduced some changes including evaluation of Political workers, enforcement of political disciplines, Cadre development, voter education and correct interpretation of Panchayat Ideology. Another notable feature of second amendment was the abolition of graduate's constituency election to the National Panchayat.

The Third Amendment of 1980 was the product of the changed political context. One basic feature of third amendment was the provision for direct election Panchayat on the basis of adult franchise. This amendment had given a parliamentary system of government to Nepal. The Third Amendment of to the Constitution also included Nepal as a zone of peace.

2. IV.IV. Continuation of the Movements

The struggle for the restoration of the democracy which started in 1950s against the Rana regime got success partially in 1951, and Pirthivi Narayan Shah promised to establish democracy in Nepal as it was the main feature of the Delhi Agreement. But it could not flourish in the life of the King Pirthivi Narayan Shah because of different reasons. After the death of the King Pirthivi Narayan Shah, his son Crown Prince Mahendra succeeded the throne in 1955 and introduced absolute Monarchy in Nepal, taking all the executive power with his hand, banning the political parties. The political parties had been working for the cause of democracy but the King was not in a mood to accept the idea of democracy for Nepal.

After his death his son Crown Prince Birendra Bir Bikram Shahdev became the next King and he also used absolute power as an absolute Monarch and the struggle for the restoration of the democracy was there in the minds of people. The new King favored to amend the Constitution but this was not acceptable for the political managers in Nepal. In this way the continuation of the movement for democracy could not stop that time and Nepal faced a mass movement (Jana Andolan) in 1990 to bring complete democracy in the country.

Chapter 3: Mass Upheaval in Nepal - 1990

3. I Aftermath of 1990 Mass Movements

3.1. I. Pro- Democracy Movements

The year of 1990 was a turning point for the history of Nepal. The Panchayat System which, was introduced by the King Mahendra collapsed because of the mass movement led by political parties of Nepal.³⁷ The Nepali Congress had called for mass movement in late 1989 to restore the democracy in Nepal. On January 5-7, 1990, NC held conference which was attended by a large number of national and foreign delegates besides the participation of intellectuals and professionals. The Panchayat Government tried to undermine the importance and the significance of the NC conference and could not take any step to deal this issue positively. The Panchayat Government could not take any step to prevent to hold the meetings. Most important feature of that conference was that it was attended by Indian delegates and leaders both from ruling party and opposition. They all extended their support and cooperation and expressed their solidarity with the Nepali Congress for the restoration the democracy in Nepal. The Communist Party also supported the Nepali Congress in Anti-Panchayat System struggle.

Then on 18-20 January, 1990, another conference was held. This conference succeeded to get the International support for its movement. Chandra Shekher, a prominent Indian political leader delivered a fiery speech in favor of the democracy and such movement.

Reacting to the speeches made by the various Nepali and foreign leaders, the Chairman of the Panchayat Policy and Evaluation Committee (PPEC) criticized them as “reactionary elements who are trying to harm the nation’s unity and independence with

³⁷ Vaidya, Kamal Ratna, *Nepal in Political Crisis*, Kathmandu: Systematic Printing Services, 2008, p.230.

the support of external forces”.³⁸

The Government, instead of taking measures to defuse the tension and crisis faced by the country of that time, the Government used force and administrative powers to suppress the Anti- government movement through arresting the party workers and leaders in nation wide.

There was a hope that the King Birendra would come forward to defuse the crisis, presenting an appropriate message on the occasion of democracy day on the February 19, 1990, which was the date fixed for launching the mass movement against the Panchayat System. But the King failed to address the issue.

After getting disappointment from the King, the Nepali Congress and other political parties launched the movement with two defined objectives- end of the party-less regime and installation of an Interim Government. In a joint statement, two leaders of the alliance, K.P Bhattarai and Sahana Pardhan, said that “the Nepali Congress and Communists have their own ideologies, but they had today same political goal and slogans: Termination of the Party-less Panchayat System”.³⁹

On Febuarry18, 1990, 10,000 students and their sympathizers gathered at the streets of New Road in Kathmandu to launch movement for democracy. They were shouting slogan against Panchayat system introduced by the King Mahendra, the father of present King Birendra. The clash between anti-Panchayat System protestors and the police continued whole day; even the police used Lathi charge and tear gas to disperse them. This clash between police and protestors erupted all over the capital. The administration had lost control over the massive Anti- Panchayat System demonstrators despite the police firing

³⁸ LokRaj Baral quoted in, J.C. Johari et.al., *Government and Politics of South Asia*, New Delhi: Steerling Publishers Ltd., 1991, p. 544

³⁹ *The Nepali Times*, (Kathmandu), February 17, 1990.

and deaths of dozen of people.

3. I.II. Continuation of Pro- Democracy Movements

On February 18, 1990, the movement against Panchayat System started again and from that day onward it continued almost daily and it took fifty one days for its ending. During this period they arranged a number of programs, which included work stoppage of the professional people, slogan shouting procession and street corner meetings. At the same time burning of the Prime Minister's effigy, Hartals, Banda programs were among other activities of the protestors. Such programs and Anti- Panchayat protest⁴⁰ spread over other parts of the country as well.

3. I.III. Response of the Palace towards the Movements

The Royal Palace remained inflexible to listen the voices of the demonstrators and tried to suppress the movement using the force and influence from the beginning. The result was that 12 people were killed and other 54 injured in the clash with the police by the end of first week of the movement. To control the situation the police even used the bullets against the protestors.

3. I.IV. Professional Groups against the Government

The Government used force and bullet to suppress the Anti- Panchayat System protests. The professional groups realized that it was the violation of human rights and they protested against the action taken by the Government. A large numbers of protests and demonstrations were held by the different groups of all shades. As for examples. The daily *Samaj* described boycotting of school teacher in this way.

“School teachers in Kathmandu boycotted their classes on March 4, 1990 protesting

⁴⁰ Bhishnu Kumar Dhital, *Naya Nepal ko Khoji*, Kathmandu: Sanjeeta Dheeta Patan, 2008, p.1.

against the arrest of one of their colleagues.”⁴¹

The lawyers and legal practitioners protested against human rights violation which was described by the daily *Naya Nepal* as follows.

“On March 5, 1990, about 350 legal practitioners staged a one hour sit- down at the premises of the Supreme Court, against the violation of the human rights”.⁴²

Teachers and students of different educational institutions supported the movement for the restoration of the democracy. The Nepal National Teachers’ Organization staged protest against the policy of the Government which was highlighted by the Weekly *Matribhumi Nepal*.

“The Nepal National Teachers’ Organization submitted the memorandum to the Prime Minister protesting against the Government policy of resorting violence and bloodshed to the ongoing peaceful march by labeling imaginary charges. They demanded the release of all the arrested teachers and students and also asked for a clean academic atmosphere”⁴³.

The movement for the restoration of democracy got support of different intellectual, editors as well. They criticized the policy of suppression of democratic movement adopted by the Government.

The publishers, editors and managers of 40 literary and other magazines denounced the Government’s attempts to suppress the voice for timely change, and warned that ‘the situation may become fearsome if the policy (of suppression) is continued.

Other professional groups could not remain silent on the issue of violation of human rights in the country and policy of repression by the Government.

“An extraordinary general meeting of the Nepal Chartered Accountants’ Association,

⁴¹ *Samaj Daily*, (Kathmandu), March 6, 1990.

⁴² *Naya Nepal*, (Kathmandu), March 6, 1990.

⁴³ *Matribhumi Weekly*, (Kathmandu), March 6, 1990.

held in Kathmandu on March 30, unanimously expressed the solidarity with the pro-democracy movement. The meeting also demanded to bring an end to repression and killings and to make a search for peaceful solution and to release all the detainees including its president, Kuber Sharma".⁴⁴

"The official Nepal Primary Teachers Organization and Nepal Secondary Teachers Association, and the Nepal National Teacher's Organization⁴⁵ formed a joint committee under the chairmanship of Devi Parsad Ojha to extend support to the pro-democracy movement. They also announced a program for this purpose among which one was to launch a nation wide teachers strike on May 4, 1990".⁴⁶

The people's reaction was spontaneous. As this Anti- Panchayat System movement continued through weeks with large number of protestors, huge mass demonstrations, carrying the flags of the Nepali Congress Party and Communist as well.

On April 8, 1990, King Birendra had decided to invite the political leaders to the Palace and to present their demand for restoring the multi-party system in Nepal.

3. I.V. Demand for Democratic Constitution

The Anti-Panchayat System movement demanded to install a new Interim Government. On April 9, 1990, a huge public rally was organized for celebrating the victory of the multi-party system and the leaders of the movement declared that restoration of the multi-party was the minimum demand and main objective of the movement was to frame a democratic Constitution for Nepal. The King Birendra tried his best to keep the Government of Lokendra Bahadur Chandra as Interim Government but the political forces rejected it, demanding a new Interim Government. The King Birendra invited the

⁴⁴ *Samalochna Daily*, (Kathmandu), April 4, 1990.

⁴⁵ *Saptahik Nepali Awaj*, (Kathmandu), April 6, 1990.

⁴⁶ *The Kathmandu Post*, (Kathmandu), May 6, 1990.

acting President of Nepali Congress, Krishna Prasad Bhattraï to form an Interim Government. The new Government had eleven members with representation of NC (4), ULF (3), Royal Nominees (2) and Independents (2).

The direction of that Government was described by the statement of the supreme leader of the Nepali Congress, Ganesh Man Singh, as he said that priority of the Government would be to hold elections within a year and to promulgate a Constitution before the elections.

It is important to note that the Constitution Reform Commission (CRC) was established for framing the Constitution within three months. At the same time question of the Constituent Assembly (C.A) was raised by some of the leftist groups and intellectual and scholars but it was rejected by the leading political leaders. The argument of those leaders was that despite the fact that idea of the Constituent Assembly for framing a democratic Constitution was valid but the time and situation could not permit the Government to do so. They tried to get Popular Sovereignty, Constitutional Monarchy, Multi-Party System, and the Fundamental Freedom of the Nepali people.

The Constitution Reform Commission (CRC) drafted a Constitution for Nepal and circulated it as well, and at the same time the Palace secretariat released a new draft of the Constitution, which was claimed that it was prepared after the full consultation of the present Prime Minister. This draft had given sovereignty to the King, multi-party system under the Constitutional Monarchy. But it was totally different from the draft, which was circulated by the Council of Ministers. Prime Minister Bhattraï also denied for his consultation to frame that draft and he threatened to resign from the Ministry as well. Despite these misunderstanding between political parties and the King, the Nepali

Congress Leaders like Ganesh Man Singh and Girja Prasad Koirala held talks to resolve the issue and ultimately, the King announced that a new Constitution would be promulgated on November 9, 1990.

3. II Amendments to the Constitution and Restoration of Democracy

3. II.I. The Constitution of 1990

Because of the Mass- movements and protests organized by the political parties for the restoration of the Democracy and the democratic Constitution for Nepal, the King Birendra announced a Constitutional Commission to frame the new Constitution. As a result, this Committee had succeeded to bring a new and democratic Constitution in the country.

The new Constitution underlined four basic features in its preamble.

Sovereignty of the people

Constitutional Monarchy

Multi- Party System

Fundamental Freedom of the Citizens.

In the history of Nepal, for the first time sovereignty of the people was accepted constitutionally, as Article 3 of the Constitution says that the " Sovereignty of Nepal is vested in the Nepali people, and shall be exercised in the manner provided for in this Constitution"⁴⁷.

According to new Constitution Nepal had been declared as a Hindu Constitutional Monarchial Kingdom. The executive power of the Kingdom shall be vested in the King and the Council of Ministers. All the authorities to be functioned by the King under the

⁴⁷ Lok Raj Baral quoted in, *J.C. Johari et.al., op.cit.*, p. 549.

Constitution and the Prime Minister of Nepal will be sole link between the King and Council of Ministers. The Constitution had planned a parliament consisting of the King, the House of Representatives (H.R) and National Assembly (N.A). The House of Representatives includes 205 members elected from each district constituency on the basis of population.

The National Assembly (Upper House) has 60 members including 10 members designated by the King. The new Constitution of Nepal had established a Commission to prevent and investigate the abuse of authority by a person who was holding public office through an unacceptable action or corruption. It was named as Commission for Prevention of Abuse of Authority (C.P.A.A.).

The new and democratic Constitution of the Kingdom of Nepal declared that political parties shall not be banned by any law. This Constitution has long list of fundamental rights given to citizen of Nepal such as right to establish organizations, right to freedom of speech, right to equality, right to organize a peaceful assembly and right to engage in any profession and any place of the country. Under this Constitution death penalty was banned.

The King had power to enforce emergency through out the country or in any particular region in the event of any severe crisis facing the sovereignty or territorial integrity of the Kingdom of Nepal. Regarding constitutional amendments, the new Constitution declared that it can be amended by the Parliament but there are certain fundamentals which are beyond such amendments. These features are: Sovereignty of the people, Constitutional Monarchy, Multi-Party System and Fundamental Rights of the people.

The new Constitution of the Kingdom of Nepal was an improved document over all other previous Constitutions. In the history of Nepal it was the first time that the sovereignty of the people has been guaranteed by the Constitution. This Constitution was the product of the mass movement of pro-democracy, not the gift of the King, for the people as it is maintained in the preamble of the Constitution of Nepal. Ganesh Man Singh, leader of the Nepali Congress said that new Constitution has opened up numerous prospects for political, social and economic development of the country. The Central Committee of Nepal Communist Party (ML) said the struggle of the people had now entered a new phase. The people should fully utilize their freedom for further democratizing the Constitution.

In the same way National Democratic Party leader said that the Constitution reflected the universal truth that public opinion is supreme in determining the political policies of the nation. Prime Minister K.P Bhattarai, addressing a seminar in Katmandu on November 10, said that the Nepali people have obtained sovereign power under the new Constitution. .

However some leftist opposed the Constitution, particularly the Nepali Communist League and the Party Unity Convening Committee rejected the Constitution. Their opinion was that it represented the "bureaucratic, feudal and capitalist classes. It is contrary to the sacrifices, feeling and desire of the people".⁴⁸

Whatever the public opinion and comments the new Constitution of 1990 was considered as one of the best political solution of the country. The mass movement for the democracy and the Constitution came to end with agreement between political parties and

⁴⁸ Krishna Hachhethu, *Transition to Democracy in Nepal: Negotiations behind Constitution Making, 1990*, Contributions to Nepalese Studies Vol. 21, Jan, 1994, Kathmandu: CNAS.

the King on April 8, 1990. It was the big transformation from absolute Monarchy to Constitutional Monarchy. The King, who was enjoying absolute powers, has accepted his limited role.

3. III. The Monarch - A Constitutional Head of the State

After the announcement of the new democratic Constitution by the King Birendra, he became a Constitutional Head of the State. An Interim Government was established under the leadership of K.P. Bhattarai, a leader of Nepali Congress Party. Under this Interim- Government, general election was held on May 12, 1991, (please see the Table: 1) which was the country's first multi-party general elections since 1951. Elections were held for all the elective seats of the new Parliament provided for in the November 1990 Constitution. The former Unicameral National Panchayat (Assembly) last elected in May 1986 had been dissolved in April 1990.

Table: 1

3. III.I. General Elections 1991 for House of Representatives

S.No	Party & Independent	Total Candidates	Elected Candidates
1	The Nepali Congress	204	110
2	Communist Party of Nepal	177	69
3	United Peoples Front Nepal	70	9
4	Sadbhavana Party	75	6
5	The National Democratic Party (Chand)	154	3
6	Nepal Workers & Peasant Party	30	2
7	Communist Party of Nepal (Democratic)	75	2
8	The National Democratic Party (Thapa)	163	1

9	Dalit Mazdoor Kisan Party	1	0
10	Rashtriya Janta Party(H)	27	0
11	Nepal Communist Party (Amatya)	14	0
12	Janwadi Morcha Nepal	14	0
13	Communist Party of Nepal (Burma)	36	0
14	Bahujan Janta Dal	1	0
15	Rashtriya Janta Party (Nepal)	9	0
16	Ekta Party	1	0
17	Janata Dal (Socialist Democrat)	15	0
18	Nepal Conservative Party	6	0
19	Nepal Rashtriya Janmukti Morcha	50	0
20	Independent Candidates	219	3
21	Total	1345	205

Sources: Kantipur, Kathmandu, May 10, 1991.

The May 1991, general elections marked the final phase of year's democratizations process highlighted by the adoption of the new Constitution in November 1990. Under this Constitution, the old Panchayat System of Parliament was replaced by a mostly elected bicameral legislature. A number of political parties – which had been banned under Panchayat System – contested the general elections for 205 House of Representatives seats. There were altogether more than 1,100 candidates from 20 political parties and over 200 Independents. The election and polling process was considered fair. The Nepali Congress ultimately gained majority with 110 seats and 69 for the Communists.

religious, multilingual and multi-cultural character of the nation. He demanded that Nepal be declared a secular state.

3. III.IV. Internal Conflicts in the Nepali Congress

The Prime Minister of Nepal, G.P Koirala had to face internal and serious challenges inside the party as this issue was not new in the party. This was there in the time of Interim Government between K.P Bhattraï and G.P Koirala. Actually there were differences between G.P Koirala and the other prominent leaders of Nepali Congress K.P Bhattraï and Ganesh Man Singh. After the general election of 1991, situation had been changed because both leaders were out of power. Once G.P Koirala said that “his Government had to sweep away the garbage accumulated by the Panchayat and the Interim Government” which was strongly criticized by a faction of the Nepali Congress. Mahendra Narayan Nidhi, the General Secretary of the party criticized him saying that, “I don’t understand the intention of Prime Minister Koirala behind such accusation against ‘Interim Government’. In the month of September 1991, the supreme leader of NC Ganesh Man Singh announced his intention of retiring after 52 years of active political life as he was fed up with the arbitrary style of the NC and its support to the elements opposed to democracy. He also surrendered his title of ‘Supreme Leader’ and said “either G.P Koirala should resign from the Prime Ministership or I will quit the party”⁵¹.

In December 1992 G.P Koirala reshuffled his Cabinet and dropped some of his colleagues. Ganesh Man Singh once again criticized Koirala for following the footsteps of his step brother Matrika Prasad Koirala to destroy the democracy in Nepal.

When Madan Bhandari, General Secretary of Communist party of Nepal died on May 16, 1993, in a road accident the Communist Party gave blame on Koirala. At the same time

⁵¹ Shiv Bahadur Singh, op.cit., p.203.

the Communist party moved no-confidence vote against Koirala. So situation was very critical and the Prime Minister Koirala resigned from the post suggesting the King to dissolve the Parliament and to hold new elections.

3. III.V. The Mid-Term Elections of 1994

The mid-term election held on November 15, 1994. The result of the election as under:

Table: 2

General Elections 1994 (Mid-term Poll)

S.No	Parties	Total Candidates	Elected Candidates
1	Nepal Communist Party (UML)	196	88
2	The Nepali Congress	205	83
3	Rashtriya Parjatantra Party (RPP)	202	20
4	Nepal works Peasant Party	27	4
5	Nepal Sadbhavana Party	86	3
6	United Peoples Front	49	-
7	Janta Dal (SP)	1	-
8	Janabadi Morcha Nepal	3	-
9	NCP(Samyukt)	34	-
10	Nepal Janabadi Morcha	41	-
11	Nepal Janahit Party	2	-
12	Nepal Praja Parishad	7	-
13	Rashtriya Janata Party	7	-
14	Liberal Democrat Party	1	-
15	Samyukta Prajatantra Party	1	-

16	N.C. (Biswestor) Party	10	-
17	United Peoples Party	9	-
18	N.C. (B.P.)	2	-
19	Rashtra Janta Parishad	28	-
20	Rashtra Jan Mukti Party	1	-
21	Radical Nepali Congress	1	-
22	N.C.P (Marxist)	49	-
23	Nepal Congress (Subarna)	4	-
24	Parjatantraik Lok Dal	10	-
25	Independents	384	7
26	Total	1,442	205

Source: The Nepali Times, December 10, 1994.

3. III.VI. The Communist Party in Power

On November 23, 1994, CPN elected Man Mohan Adhikari as its leader and the Prime Ministerial candidate. So Adhikari along with party Secretary General Madhav Kumar Nepal met the King and presented the claim to form the Government because it was the largest party of the election of 1994. Nepali Congress and Rashtriya Parjatantra Party decided to sit in opposition and not make alliance with CPN. Finally, the King Birendra invited the CPN to form government and on November 30, 1994, Adhikari took oath as the Prime Minister of Nepal. But CPN could not get the support of other leading political parties to run the state smoothly and just after seven months on June 9, 1995, Man Mohan Adhikari recommended to dissolve the Parliament. On June 13, the House was dissolved

by the King Birendra again on the recommendation of the Prime Minister of Nepal. The action of the Prime Minister was criticized by all the political parties.

3. III.VII. Coalition Governments in Nepal

After the dissolution of the Parliament, the King invited the Sher Bahadur Deuba, leader of Nepali Congress to form a Coalition Government and he took support from Rashtriya Parajatanra Party and Nepal Sadbhavana Party. But this was not accepted by the Communist Party practically and started effort to make alliance with a faction of the Rashtriya Parajatanra Party to pull down the Government. On March 13, 1996, CPN-UML presented a move of no-confidence motion against the Government. In March 1997, this Coalition Government got defeated to get vote of confidence and it collapsed. Then the King appointed Lokendra Bahadur Chand, from RPP, as Prime Minister and Bam Dev Goutam, from CPN, as Deputy Prime Minister.

On October 3, 1997, Prime Minister Chand resigned from the post of Prime Ministership and Surya Bahadur Thapa took oath for new Prime Minister of Nepal as a head of the new Coalition Government. Then again on April 10, he resigned and G.P Koirala was appointed as new Prime Minister by the King Birendra.

3. III.VIII. General Elections of 1999

On May 13, 1999, Nepal got a new general election in which the Nepali Congress Party got 111 out of 205 parliamentary seats and elected K.P Bhattraï as parliamentary party leader. On May 27, 1999, the King appointed him as a new Prime Minister of Nepal. It was very unfortunate for the Nepalese politics that there was no one permanent Prime Minister who completed his tenure. On December 15, 1999 G.P Koirala demanded to

resign from the post of Prime Ministership. Ultimately on March 18, 2000, G.P Koirala was elected as parliamentary leader.

The 1990 Constitution of Nepal had opened up windows of opportunities to get rights of Nepalese citizens. As a result of the popular movement of 1990 Nepalese people came from a closed hierarchical society to an open society. The multi-party democracy provided the opportunities for different categories of people to organize, to form an organization to fight for their rights. The NGOs sector strongly emerged after 1990. Several NGOs came to help Nepal. This 1990 movement also raised the high expectations of the people where the political parties in the early 1990s irrationally fuelled these expectations to win the popular vote but at the same time, the political parties failed to address their concerns and meet their expectations. People became more aware about poverty, inequality, discrimination, corruption and lack of empowerment opportunities⁵²

3. III.IX. Maoist Insurgency in Nepal

In 1996 a group of Nepal Communist Party headed by Babu Ram Bhatrai participated in general elections 1991 and it won 9 seats in the Parliament. They raised several concerns. But the Government did not respond properly and took an autocratic approach towards United Peoples Front. Then they submitted 40 point demand to the Government which had set deadline of two weeks. Unfortunately the Government could not take it seriously and they started arm struggle in Nepal. The Government took it lightly in initial stage of this armed conflict as the Home Minister said, "I am confident that we will be able to

⁵²Raj Bishnu Upetri, *Nepal from War to Peace: Legacies of the Past and Hopes for future*. New Delhi: Adroit Publishers, 2009, p.23.

bring the present activities under control within four, five days.”⁵³

The Maoist insurgency was not a result of just the failure of the new democratic Government but it had several other valid reasons and foundations. It was the effect of more than 345 years of exploitations and post-1990 governments' failure gave space to escalate this conflict. The causes can be seen in the terms of socio-economic foundation, political foundation, ideological foundation, psychological foundation, external foundation and legal foundations.

3. IV. Conspiracy against the King Birendra

King Birendra Bir Bikram Shah Dev accepted the demand of the people of Nepal and announced the new democratic Constitution under the Constitutional Monarchy, which had limited his absolute rule that he had been exercising in the past. There was a government of different political parties in Nepal specially headed by the two largest parties of Nepal, the Nepali Congress and the Communist Party of Nepal. It was widely recognized that these political forces failed to achieve the objectives of the 1990 movement. At the same time Nepal had been facing the Maoist insurgency as well.

On June 1, 2001, there was a Royal massacre in Narayanhiti Darbar where the King Birendra including with most of his family members were killed brutally. National and International media took the view that the Crown Prince Dipendra killed all his family members and injured himself and ultimately he died after three days.

Nepal's stability was completely threatened when the King Birendra and most of his family were massacred at a Royal dinner on June 1, 2001. However the published report and the result of an investigation carried by a two-man committee made up of Chief of Supreme Court Keshav Prasad Upadhyaya and the Speaker of the House of

⁵³ *ibid.*, p.29.

Representatives Taranath Ranbath, confirmed his eldest son and heir, Dipendra, was the gunman. The report of the Commission was questioned by large number of Nepalese people, who blame Gayanendra brother of King Birendra as he was the sole beneficiary of the tragedy. Some political faction of Nepal has blamed foreign⁵⁴ element as being involved in the massacre of Royal family of Nepal.

3. V. King Gayanendra- Stepped up as a Constitutional Monarch of Nepal

After massacre of the King Birendra and other all family members including the Crown Prince Dipendra, Gayanendra brother of the King became the Constitutional Monarch and as a head of state. He was the last Monarch of the Kingdom of Nepal. During his life, he has held the title of the King twice: between 1950 and 1951, as a child when his grand father Tribhuvan was forced into exile in India, and from 2001 to 2008, following the Nepalese Royal massacre.

In 2005 King Gayanendra dismissed the elected Government of Sher Bahdur Deuba leader of Nepali Congress. His action helped to bring the Seven- Party- Alliance (SPA) and CPN (M) together and International Community distanced from him and supported the popular people's movement of April 2006. In this way King Gayanendra was forced to accept the demands of the Seven Parties Alliance (SPA) and he restored the Parliament and ready to leave the Kingship as well. By the proclamation of the House of Representatives in May 2006, the power of the King was stripped, he was removed from his position of Supreme Commander of the Army and the Prime Minister was assigned the position of Head of State and Nepal was declared as Secular State. His Majesty's Government had been changed to Government of Nepal.

⁵⁴ Babu Ram Bhattra, *Monarchy VS Democracy: The Epic Fight in Nepal*, New Delhi: Samkaeem Teesari Duniya, 2005, p.19.

Chapter 4: Anti-Monarchy Movement – 2006

4. I External Factors

4. I.I. Worldwide Political Awareness and Democracy

A number of third world countries has moved either from military dictatorship or from one-party authoritarianism to pluralistic democracy. Nepal, which has also a long democratic history, got democracy in 1951, after the overthrow of Rana regime. Then democracy was restored through the mass movements in 1990. It was the political change from absolute Monarchy to a Constitutional Monarchy system with multi-party system. Then again it is found that a Janaandolan (Mass-movement) in 2006 against the King's direct rule and for the restoration of democracy in Nepal. Ultimately mass- movement succeeded and the King surrendered power to the people of Nepal. Developing countries have made tremendous development towards democracy in 1980s and 70 present of less developed countries made considerable effort to expand political freedom.⁵⁵

The concept of democracy⁵⁶ and democratic rule was found in ancient Greek City- states where it was direct democracy⁵⁷ based on actual participation of the citizens in their government. This struggle and political awareness was found in the form of the Glorious Revolution of 1688 in England, and with the overthrow of the King James, modern English parliamentary democracy began to grow. The Declaration of Right was in December 1689 enacted in an Act of Parliament, the Bill of Rights 1689⁵⁸. It ended

⁵⁵ Rudra Nitra, "Globalization and the Strengthening Democracy in the Developing World" American Journal of Political Science, Vol. 49, No.4 (Oct., 2005), pp, 704 -730.

⁵⁶ Will Durant, *The Story of Philosophy*, Rawalpindi: Services Book Club, 1985, p. 3.

⁵⁷ David L Sills, *International Encyclopedia of the Social Sciences*, Vol, 3, New York: The Macmillan Company, p, 115.

⁵⁸ Sarfraza A. Akhund, *International Political /Economic Relations Principals and Policies* , Karachi: Khatiawar Store, p.139

moves towards absolute Monarchy in the British Kingdom by circumscribing the Monarch's power. The Magna Carta of 1215 protected the certain rights of individuals.

The concept of representative democracy arose largely from ideas and institutions that developed during the European Middle Ages and the Age of Enlightenment and in American and French Revolutions. Democracy has been spread across the globe. The Constitution of United States of America, adopted in 1788, provided an elected government and protected the civil rights and liberties of its citizens. It was based on principles of the natural freedom and equality. The French Revolution in 1789 was the mile stone for the democracy and democratic rule against the Kingship. This revolution was also called as democratic revolution. It had affected the world at large. The French Revolution of 1789 had played significant role to bring the political awareness in the world in general and particularly in Europe

The 20th century observed the wave of democracy. The World War I and the dissolution of Ottoman ⁵⁹Empire resulted in the creation of new nation- states and most of them claimed democratic states. One of the reasons was the concept of liberal democracy adopted and propagated in the world as American President Woodrow Wilson had presented 14 point formula to make the world safe for democracy. In 1920 the democracy flourished but the Great Depression turned the most of European countries, Latin America and Asia, to one-man rule or dictatorships. After World War II the concept of democracy flourished and was adopted by a large number of states. Spain, Portugal, (1974), and several of military dictatorships in South America returned to civilian rule in the late 1970s and early 1980s (Argentina in 1983, Bolivia in 1984, Brazil in 1985, and

⁵⁹ Nicola, Pratt, *Democracy & Authoritarianism in the Arab World*, New Delhi: Viva Books, 2008, p.26.

Chili in the early 1990s). Trends of liberal democracy spread to Africa in 1990s.⁶⁰

The decolonization period started following the World War II. This was mainly in Asia and Africa. Most of the independent states adopted the democratic form of government. India also got independence in 1947 and being the close neighbor Nepal influenced by this independence movements. The global trend of democracy, infact affected the Nepalese people and it gave guideline and path to start struggle to get democracy in the tiny and Himalayan state of Nepal as well. The mass movement of 1990 interned to restore multi democracy in Nepal as part of global democratization.⁶¹

4. I.II. Indian Independence in 1947

The Nepalese democratic movement and its process are being found in India and especially it was influenced by the independence movement to liberate from British Empire.⁶² The first leading Nepalese political leaders, who started struggle against the Rana rule, had been taken their education in India. India has its extensive role in shaping the political changes in this neighboring sovereign nation since its unification. It is considered as power broker, consultant or guru. For example, in 1950 the King Tribhuvan signed a tripartite agreement known as 'Delhi Compromise' for power sharing with NCP and Rana regime in Delhi. Maoist and SPA agreement was concluded in Delhi on November 24, 2005.

One can not reject that some educated Nepalese openly joined Gandhi's movement. Krishna Prasad Koirala was deeply influenced by the teachings of Gandhi and he began

⁶⁰ Barry Ruban, *Modern Dictators A history of Tyranny in the Third World*, London: Mackays of Chatham Ltd, 1987, p.7.

⁶¹ Kamal, Ram, Dahal, " *Federal Reorganization of State: Issues and Challenges*" Reading on Government and Development, Vol,XII, Institute of Government and Development, Kathmandu 2009, p. 19.

⁶² Attar Chand, *The Policy Pattern and Strategy of Political Parties*, Vol. II, New Delhi: Modern Publisher, 1986, p, 383.

to express his liberal ideas. He was the father of leading political leaders, M.P Koirala, B.P Koirala and G.P Koirala. He was known as “Nepal’s Gandhi”. A number of young men who escaped India to get higher education returned to Nepal by the end of thirties and began social and educational movement in new lines. During the thirties a new organization – Nepali Nagrik Adhikar Samiti was established at Kathmandu.

The democratic movement anti-Rana rule was intensified following the withdrawal of British Empire in India in 1947. It is important to maintain here that many young Nepalese, who were influenced by the anti-British movement in India, organized themselves under the political parties. Nepalese leaders like B.P Koirala, Dr Regmi and K.P Bhattraï took part in Quiet India movement in 1942. In 1947, Nepali Congress was established by the exiled Nepalese in India. Later on Nepali Parjatanarik Congress led by Subarna Shamsher, S.P Upadhaya and Mahendra B. Shah was formed in 1948. Then in 1949, the Communist Party of Nepal was formed in Calcutta⁶³. This showed that India’s independence from the British rule in 1947 had provided the foundation for anti-Rana and pro-democracy movements in Nepal. The struggle for democracy in Nepal was influenced by the India’s independence proved useful to start the movements in 1950s. The logical end of the movement which started in 1950s was the abolishment of the Monarchy in Nepal in 2006, by the mass movements.

The movement of 1990, for the restoration of democracy was influenced by the Indian role as well. In the conference organized by the Nepali Congress in 1990, was attended by the prominent leaders from ruling party and opposition party of India as well. They had extended their full support to the pro-democracy movement and the Nepali Congress.

⁶³ Baxter, Malik, Kennedy and Oberst, *Government and Politics in South Asia*, Lahore: Vanguard Book (PVT) LTd, 1988, p, 360.

4. II Internal Factors

4. II.I. The Attitudes of the King Gayanendra

The Royal Mass-murder of June 2001, led to the announcement of Gayanendra's succession to the throne as 13th Monarch of the Shah dynasty⁶⁴. All the political parties except CPN (Maoist) extended their support to the King Gayanendra to stabilize his position in order to maintain continuity of the tradition. The King delayed his announcement of new Crown Prince as he was fully aware of anti-Paras opinion of Nepalese people. Ultimately he announced on the occasion of *Dashara* (A famous Hindu Festival) that his son Paras will be new Crown Prince. He also declared that he would not deviate from the path of his late brother King Birendra's commitment to the Constitutional Monarchy and Multi-Party democratic system in the country.

The Government of Nepali Congress was facing serious internal conflict and as a result of that inter-party conflict Girja Parsad Koirala had resigned from the post because of allegation of corruption, nepotism and bad governance. Then Sher Bahadur Deuba succeeded him as new Prime Minister. Deuba showed his willingness to solve Maoist problem and the Maoist accepted to talk with the government as well but the process of negotiation could not resume and the government of Deuba recommended to impose emergency in the country. On the recommendation of Prime Minister Deuba, the King Gayanendra imposed emergency on November 26, 2001. There was restriction on the Press Freedom. Nepalese media and human rights activist became most sufferers. In May 2002, when Deuba tried that state of emergency to be extended for the second time by the Parliament, his own party the Nepali Congress and opposition Communist Party of Nepal- UML, opposed the move. G.P Koirala, President of the ruling party and

⁶⁴ *Kantipur* (Daily) (Kathmandu), June 7, 2001.

opposition both demanded that Royal Army should be under control of civilian authority but it was rejected by the Prime Minister Deuba. He realized that he could not survive in the parliament and suggested the King to dissolve the House of Representative and to hold new parliamentary election on November 13, 2002. The King Gayanendra dissolved the House of Representative and emergency was extended for another three months through an ordinance.

There was a meeting of all parties to discuss the issues relating to new general election and they reached to an agreement to postpone until the end of 2003 and Deuba approached the King for the postponement of election, the King asked him to resign but Deuba rejected to accept the order of the King. On October 4, 2002, the King Gayanendra⁶⁵ assumed executive power and dismissed the Government of Deuba while he termed the action of the King as unconstitutional.

The political parties of Nepal apposed the action of the King considering it to derail the Constitution of Nepal. This had challenged the sovereignty of the people and the survival of the democracy in Nepal as well. G.P Koirala, the president of the Nepali Congress demanded the revival of the dissolved House of Representative while Madhav Kumar Nepal Secretary General of Communist Party of Nepal asked to form all party government. Small leftist and Maoist also condemn the act of the King.

The Nepali Congress (Democratic) led by Deuba had firm belief that the Constitution of Nepal had been derailed and the only way for accepting for its revival was to revert the status quo as existed prior to October 4, 2002. Political crisis in Nepal became worse. The Government of Lokendra Bahadur Chand had no support from other political parties except those who were involved in the Government.

⁶⁵ *Gorkha Patra* (Daily), (Kathmandu), October 5, 2002.

There were three opposing forces in the country: political Parties, Maoist and the King with Army. Maoists showed their willingness to talk with the Government for peace. There were some rounds of talks between the Maoist and the Government but there was no such progress.

After the action of the King to dissolve the Deuba's Government, the power struggle started between three polls: the King and his Government, the political parties and the Maoists. It is notable that political parties got no benefit and at the same time the King also became loser because in Nepalese history it was the first time when people criticized the Institution of Kingship openly and harshly. The situation of the country became very critical serious and Thapa resigned from the post on May 2004.

The King Gayanendra, after the resignation of Surya Bahdur Thapa, tried to put any pro-Monarch Prime Minister again but he got strong protest from the political parties and he was forced to ask the political parties to nominate any single name for the post of Prime Minister of Nepal but failing in nominating one, the King appointed Sher Bahadur Deuba as new Prime Minister on June 2, 2004. The King put the responsibility to bring all the political parties in one fold, to end the Maoist insurgency and make ground for the general election to be held in 2005.

The Nepali Congress led by G.P Koirala refused to extend its support to from the new Cabinet. Then Sher Bahadur Deuba formed his Cabinet and Government with the help of Communist Party of Nepal, (United Marxist Leninist), Rashtriya Parjatanara Party (RPP), Nepali Congress (Democratic) and Nepal Sadbhavana Party. However the Government of Deuba faced series of challenges and problems as Maoist rejected the idea of talks with new set up and the Prime Minister, saying that he is puppet Prime

Minister of the King and demanded to talk directly with the King. At the same time other political parties joined hand not to hold election until the law and order situation of the country was not improved.

The King Gayanendra was in search of opportunity to take power in his hand and rule directly as Shahs were enjoying absolute power before 1990 revolution. He dismissed the Deuba led Government on February 1, 2005, claiming that Deuba had failed to hold the election and to end the Maoist insurgency and imposed new state of emergency.⁶⁶

This move of the King was not unexpected because the King already had dismissed three governments since May 2002. The take over was a serious blow to the political parties, as the King blamed them for the corruption, insecurity, and violence and weakening of the national unity and sovereignty⁶⁷. All main leaders of the different political parties were detained or put under house arrest including Girja Parsad Koirala, President of Nepali Congress, Madhaw Kumar Nepal, Secretary General of the Communist Party Nepal and Sher Bahadur Deuba the existing Prime Minister.

Imposing the state of emergency in the country the King abolished all democratic rights, from the right to assemble to right to make a phone call. Mobile phones, Tele-phone lines and internet were cutoff. Absolute censorship was established over news papers, radio and T.V Channels. He decided to deal with Maoist directly and with force. About 45 Non-Government Organizations were ordered to be closed immediately. The international flights in to and out of Nepal were banned for three days. The Constitutional freedom like freedom of press, free speech, free assembly, the right to privacy and the ban of precautionary arrest were canceled. The print and electronic media were not

⁶⁶ *The Hindu*, (New Delhi), February 2, 2005.

⁶⁷ Bishnu Raj Upreti, op.cit.,p, 47.

allowed to criticize the King, his Government, state of emergency and the Armed Forces for six months. Army officers were deployed at radio and television stations to monitor the programs and the newspaper articles were to be approved by the military authority before its publications. The journalists were warned not to write any thing against the interests of current regime⁶⁸.

The King Gayanendra appointed a Cabinet under Tulsi Giri as Vice-Chairman of the Council of Ministers. The main job of new Cabinet was to hold peace talks with Maoist to end the insurgency and the civil war in the country. The attempt to deal with Maoist rebels was more ultimatum than to solve it peacefully as the Chief of the Royal Nepal Army Pyar Jang Thapa threatened to take strong action against them, if they ignored the King's call to lay down their arms, join the mainstream and continue their violence.⁶⁹

4. II. II. Role of Political Parties

The take over by the King Gayanendra was criticized and condemned strongly by all the political parties of Nepal and imposing the state of emergency in the country as second time by the King Gayanendra had changed the situation of the country completely. It had affected the domestic political environment and provided the chance to bring huge strike and protest against these actions and even against the King as well.

The Seven Parties Alliance (SPA) namely the Nepali Congress, Communist Party of Nepal (UML), Nepali Congress (Democratic), Janmorcha Nepal, Nepal Workers and Peasant Party, Nepal Sadbhavana Party and United Left Front decided to join hands and start the movement for the restoration of the democracy. They agreed to a six point program that contained restoration of House of Representatives as an entry point and the

⁶⁸ *Nepal Samachar Patra*, (Kathmandu), February 5, 2005.

⁶⁹ *The Kathmandu Post*, (Kathmandu), February 10, 2005.

election of the Constituent Assembly as an exit point for the resolution of armed conflict. These seven political parties declared to boycott the municipal election of February 2005, protesting against the direct rule of the King. The senior political leaders of main political parties visited India and discussed the current political crisis with Indian leaders. Girja Prasad Koirala, leader of NCP, Bam Dev Goutam, leader of CPN-UML and Gopal Man Sherestha, leader of NCP-D visited India and discussed with senior Indian political leaders and the Government as well.

4. II.II.I Seven Party Alliance (SPA) and the Maoist

The Seven Party Alliance (SPA) was a united front for the restoration of the democracy in the country. When these political parties agreed on one ultimate point program, the Maoist showed willingness to extend their support to this alliance if their demand for an elected Constituent Assembly and drafting a new Constitution were accepted by the political parties.

Ultimately, the Maoist and the Seven Party Alliance (SPA) agreed to abolish the Monarchy and to restore the suspended democracy in the country. This important agreement was signed in November 2005. Both side finally reached to 12 point understanding to start the united struggle against autocratic Monarchy and bring the democracy.

The post – February 1, 2005, relationship between the SPA and CPN (M) was changed to a cooperative relationship. The enhanced relationship has been finally successful in ending the rule of Monarchy and suspending the King's power in a move to ultimately overthrow the Monarchical System and replace it with the Federal Democratic Republican System for Nepal.

The International pressure against terrorism also pushed NCP-Maoist to find out some way to join the mainstream politics. Communist Party, which was the part of SPA played the role of mediator and same time India has its extensive influence in internal politics of Nepal, also played role to bring the SPA and Maoists closer. Hence, SPA and Maoists agreed on 12 point agenda on November 22, 2005, in New Delhi.⁷⁰

4. II.II.II. Strategies adopted by the leadership in Jana Andolan 2006

The SPA had protested against the King's rule right from the beginning, but Nepalese people had lost confidence in these parties because of their poor performance in the past and therefore had not meaningfully participated earlier protest program. Once SPA reached the 12 point understanding with the CPN (M) and publicly accepted their past mistakes and promised not to commit same mistakes again, the situation changed. The leadership of this mass movement was almost the same as 1990 movement. They adopted almost same techniques like Band, Blackout, demonstrations, Protest processions and Public Meetings. The SPA and Maoists had capacity to use aggressive pressures to implement the decision. They had capability to provide man-power and trained cadres to show street power. The SPA and Maoists succeeded to bring intellectual community and people in pro-democracy movement. They played an important role to make struggle successful.⁷¹

4. II.III. Mass Upheavals

In 1990, the Nepalese people, through their struggle, brought a new Constitution. It was turning point from absolute Monarchy to the Constitutional Monarchy. The expectations

⁷⁰ Bishnu Budhathok, "*Parties, Maoists Announced 12-pt agreement*", Kathmandu Post, 23 Nov, 2005, Kathmandu.

⁷¹ Ayaz Muhammad, "*Democratic Movements in Nepal 1949-2006: An analytical Review*" (unpublished Article)

of the people had risen quite high because of the regime change from autocratic to multi-party parliamentary system in 1990. The leader of political parties committed to resolve the suffering of the people. But unfortunately, this was denied not only by the previous regime, but also by the different political parties who came riding the waves of the political change. They ignored their commitment completely and political leadership could not come up to the aspiration of the people⁷². So, people were frustrated and alienated by them. The King used this frustration of the people to play against the political parties and took over the democratic Government. The King promised to people to restore peace, and security, control the corruption, maintain law and order, achieve national unity and avoid the nation from further frustration. However in 15 month rule the King could not fulfill his promise made to the people. As a result of this Nepalese people came to realize that the King's direct rule was even more harmful to people and the country. Therefore, they supported fully to mass movement against the King and his rule.

The ultimate aim of the *Janandolan*, (the struggle and mass movement) of 2006 was to eliminate the King's rule to resolve the armed conflict and to bring the lasting peace and democracy in the country. These political parties and the Maoist rebels had realized that these aims would be possible only by changing the competitive and adversarial relationship between the Seven Party Alliances (SPA) and the CPN (M) in to one of partnership approach.

The Jana Andolan (Mass Movements) was basically the result of the King's actions and behavior. Repression, violence of human rights, blatant abuse of state power and

⁷² Ayaz Muhammad, , “*Federal State Building: Techniques and Suggestions*” Readings on Governance and Development, Vol.XII, Kathmandu, 2009, Institute of Government and development, p. 88.

resources, abuse of authority, and tense relation with the international community marked the King's direct rule. The King himself gave the opportunity to these political parties to join its hands and support with CPN (M) to fight against his regressive regime, the Jana Andolan of 6-24 April 2006.

The mass movement of 2006 proved that people's power and struggle can defeat the autocratic, suppressive and feudal regime that 10-year armed conflict was unable to do. It is appreciable that in the mass movement (Janaandolan) 2006 people from every part of life participated and played active role to defeat the autocratic rule. In that non-violent movement youth, children, women, students, journalists, labours, lawyers, peasants, ethnic communities, workers, housewives, businessman, retailers, scholars, poets, writers, school teachers, peace and human rights activists, marginalized groups, disabled, doctors, nurses, shoe makers, tailors, government employees, technicians, artists, film actors and actresses, university professors and researchers participated.

4. II.III.I. Nepal Band (General Strike) 6-9 April 2006.

The Seven Party Alliances (SPA) called a general strike for 4 days. Responding the call of the SPA, hundreds of thousands of people came out across the country to show solidarity with political parties and to show the power of people to the King and his Administration. The SPA leaders declared that their protest was non-violent and in peaceful manner but the Government asked the SPA to call off the general strike and threatened to use force for the suppression of demonstrators. Despite of the threatening by the Government, the people organized mass rallies all over the country. The angry protestors destroyed the statues of the Shah Kings in some area of the country. The Royal

Government tried to suppress the first day protest with force and it deployed its armed forces to deal with it forcefully.

On the evening of April 7, 2006, the Government imposed night curfew, then extended it to day and night curfew on 8th and 9th April with a 'shoot at sight' order. However, people came out in the street for protest ignoring the curfew order. By April 9, almost 90% of political leaders and more than 70% of local civil society members, human rights activists and journalists supporting the mass movement were detained or imprisoned. Civil disobedience across the country paralyzed the nation. The King's Government and its Home Minister, with the mobilization of full army and other national resources could not maintain the law and order of the country. Government employees from law courts, ministers, all joined the civil disobedience and in protest. Civil servants, banking sectors and state-owned public sector employees participated in the protest. Even tourist and foreign citizens joined in the protest held in Kathmandu and Pokhara, to show their solidarity with Nepalese people and pro-democracy movement.⁷³ The Government massively mobilized vigilantes, criminals and Royalist youth to suppress the pro-democracy movement. The Home Minister spent millions of rupees weekly for this purpose. But this did not work.⁷⁴

4. II.III.II. King Gayanendra's Address to Nation and offer of Talks

The mass movement rapidly spread in the whole country. The SPA succeeded to bring the people in the protest against the King and his rule. On the occasion of Nepal's New Year's Day in his message to the nation, the King invited the SPA to negotiate with him and on April 14, 2006, he said, '....Democracy demands restraint and consensus as all

⁷³ *The Kathmandu Post*, (Kathmandu), April 24, 2006.

⁷⁴ *Rajdhani*, (Katmandu), April 15, 2006.

forms of extremism are incompatible with democracy. While facing the challenges confronting the nation democracy also emphasizes acceptance of the pre-eminence of the collective wisdom in charting a future course.’⁷⁵

The SPA leaders rejected the offer of negotiation proposed by the King saying that it was meaningless. It stated’ the King has used the trump card of dialogue at a time when he was completely isolated at the national and international level. The idea of dialogue was a play by the Royal regime to create confusion among the people and international community. There was a contradiction in the King’s offer of dialogue, that was during the 14 months of his direct rule, King had been rejected the demand of political parties, civil society and international community to hold talks with the political parties and to reach to a peaceful settlement of the issues.

4. II.III.III. Refusal of King Gayanendra’s Offer for Talks

After rejecting the talk offer of the King by the SPA leaders, the King started to convince the world community and particularly United States of America and India (who were in favor of Constitutional Monarchy) to help him out. India and USA put pressure on SPA leader to accept the offer of dialogue of the King. Even Karan Singh⁷⁶ as a representative of Indian Prime Minister, Man Mohan Singh visited Nepal to mediate between SPA leaders and the King. He discussed the package prescribed by Indian Government with SPA leaders and the King. This package was to start talks, ensuring Constitutional Monarchy, and handing over executive power to SPA by the King. The King accepted the package and on April 21, he addressed the nation and said, We, through this proclamation, affirm the executive power of the Kingdom of Nepal, which was in our

⁷⁵ *The Himalayan Times*, (Kathmandu), April 14, 2006.

⁷⁶ Dev Raj Dahal, “Nepal’s Challenges to Democracy and Peace”, *Readings on Governance and Development*, Vol VII, Kathmandu: Institute of Governance and Development, 2006, p.8.

safekeeping, from this day, shall be returned to the people and be exercised in accordance with Article 35 of the 1990's Constitution.

In other side on April 22, 2006, representatives of USA, U.K, France, Sweden, Germany and Finland went to SPA leader Girja Prasad Koirala to pressurize the SPA leaders to accept the offer of the King. But people opposed this offer totally. A large demonstration reached the residence of senior leader Girja Prasad Koirala, where those foreign envoys had meeting with him, shouting against King's offer. They were holding slogans for not to accept and compromise with the King under the pressure of foreigners. Ultimately the SPA leaders rejected this offer of the King as well as suggestions made by a group of foreign diplomats. Then the leaders of SPA publicly acknowledged the fact that the movement from now onward is in people's hands.⁷⁷ The local coordinator of the Mass Movement Coordination Committee in Kathmandu said, even if the seven parties accept the King's offer , we are in no way going to compromise... the people will choose their leader.

4. II.III.IV. Civil Society and the Mass Movement 2006

The Civil Society had played a vital and an important role to make successful, the Janaandolan to restore the suspended democracy and to get rid of the autocratic rule of the King Gayanendra. Just after the Royal take over in 2005, the civil society started to arrange rallies, discussion and debates, that provided the strong base for launching the mass movement for the restoration of democracy in the country. It was the civil society, which encouraged the political parties to gain confidence and win back the lost trust with the people. The civil society defied the curfew with a march from Teaching Hospital,

⁷⁷ *ibid*, p.10.

one of the coordination centers in Kathmandu for the mass protest, and came out on the street despite the 'shoot at-sight order.

4. III Abdication of the King Gayanendra

Ultimately, on April 24, the Nepalese people succeeded in bringing his beleaguered Monarch to his knees as he was forced to retreat by the people's power. In a late night announcement on state run, T.V., the Nepal's King Gayanendra said that "he is reinstating Parliament". He also admitted "state and sovereign power are inherent in the people of Nepal, taking cognizance of the wishes of Jana Andolan (People's Movement) and the road map for peace, democracy and people's welfare presented by the Seven Party Alliance. He appealed to parties to move ahead and work for national unity and progress.⁷⁸

The formation of Constituent Assembly after holding elections on April 10 was a paradigm shift in Nepalese politics. The May 28, Declarations abolished the 237 years old feudal Monarchy declaring Nepal a Federal Democratic Republic.⁷⁹

⁷⁸ *The Times of India*, (New Delhi), May 1, 2006.

⁷⁹ *Ananta Raj Poudel*, Politics Conflict in Nepal , *Journal of Political Science* , Vol.XI, No. 1, July 2008, Kathmandu.

Chapter 5: Restoration of Democracy

5. I Interim-Government and Formation of the Constitution

After the successful mass movement for the restoration of democracy in Nepal, political parties were able to form an Interim Government on April 30, 2006, under the veteran democrat leader Girja Prasad Koirala, the president of Nepali Congress. The Prime Minister of new Nepal formed a Cabinet of seven members as well. The first Cabinet meeting was on May 2, and that meeting agreed to initiate steps to bring the Maoist in to the mainstream politics. In next Cabinet meeting the Prime Minister G.P Koirala presented a proposal to hold election for the Constituent Assembly that will decide the future of Monarchy in Nepal and it was approved by the House of Representatives unanimously.

5. I.I. Formation of the Interim Constitution

The House formed an Interim Constitution Draft Committee under the Chairmanship of former Supreme Court Justice Laxaman Prasad Aryal. This Committee has drafted an Interim Constitution for Nepal. It was promulgated on January 15, 2007.

The key program of the Seven Party Alliance (SPA) and the Maoists was to hold election for the Constituent Assembly (CA). The prime duty of this Assembly was to draft⁸⁰ and promulgate a new Constitution defining the future political system for Nepal.

The Interim Constitution was adopted on January 15, 2007. The Interim Constitution expressed full assurance to democratic principles and norms, including competitive multi-party democracy, civil liberties, fundamental human rights, adult enfranchisement, periodic election, press freedom, an independent judiciary and the rule of law. The

⁸⁰ Mukti Rijal, Constituent Assembly: The Road Ahead, *Readings on Governance and Development*, Vol VII, Kathmandu: Institute of Governance and Development, 2006, p.10.

Interim Constitution also guaranteed the basic rights of Nepali citizens to formulate a Constitution for themselves and to take part in the Constituent Assembly in an atmosphere free from fear. This Interim Constitution transferred all the executive powers of the King as a Head of state to the elected Prime Minister. According to the Interim Constitution issue of the Monarchy was to be decided by the first meeting of the Constituent Assembly.

House of Representatives passed a declaration proclaiming itself the “Sovereign and Supreme Body” of the country and extremely cutting the Powers of the King and his rights. The Interim Government renamed the government ‘the Nepal Government’ and the country’s army as ‘Nepal Army’. Till now, the government was called “His Majesty’s Government and the army “Royal Nepal Army”. It declared the Nepal as a secular state, instead of the Hindu Kingdom. According to this proclamation Royal Family’s income will be taxed and King’s action can be questioned in the court. On June 11, the House decided to strip King’s veto power and it authorized to the speaker of House of Representatives to certify the bills and laws passed by the Parliament and it will not need to seek King’s approval.

5. II. Challenges of the Government

The mass-movement of 2006, for the restoration of democracy was not an ordinary movement in the history of Nepal. It brought the country at the door step of revolution. Since, the SPA with the cooperation of CPN (M) succeeded to restore democracy in Nepal, the responsibilities of the political parties and its leadership has been increased. They had to restructure the political, economic, social and cultural setup of the state according to the aspirations of the people. The expectations of the people from the

political leadership were very high. The Interim Government had series of the challenges to deal with in order to run the Government of new Nepal. It must be realized that most urgent was to improve the millions of Nepalese out of extreme poverty and illiteracy. The Government's priority would be to create an environment of trust and confidence among Nepalese citizens by ensuring peace and security through political and democratic reforms, good governance, improving economic policies and constant growth.

The serious of problems and challenges faced by the Interim Government of 2006 are:

5. II.I. Legitimacy and Recognition of the Interim Government

The first and foremost job of Interim Government was to ensure legitimacy and recognition of the Interim Government at national and international level.⁸¹ This recognition should be based on consensus and recognized by the domestic political, ethnic, regional and religious groups and international community as well. The Maoist who played an important role in the struggle for the restoration of the democracy, was not ready to accept the Interim Government because they had fear of not to get share in the Government legally as they did not have any seat in legislature.

In other side the small political parties of SPA were also demanding a big share in the Interim Government. They were of the opinion that the restoration of present assembly was fruit of their effort. It was the fact that interim legitimate national government was urgently needed to deal and settle the new issues.

5. II.II. Inclusion of Maoist in the Mainstream Politics

Emergence of Maoist and the Seven Party Alliance provided the strong base to launch the

⁸¹ Bishnu Raj Upetri, *People's Movements and Transformation of the State in Nepal: Challenges and Risks Ahead, Readings on Governance and Development*, Vol VII, Kathmandu: Institute of Governance and Development, 2006, p.22.

mass- movement against the King's direct rule and to restore the suspended democracy in Nepal. The one of the most important duty of the Interim Government was to bring the Communist Party of Nepal (CPN) Maoist in to the mainstream of politics. It was difficult for the Government of Nepal to run the affairs without the support and cooperation of the Maoist. They could not be ignored at any cost because of their vital role in bringing democracy in Nepal.

5. II.III. Elections of the Constituent Assembly

The third important and severe challenge before the Interim Government was to form a Constituent Assembly consisting of the elected representatives. It should have the representations of all identical cultural, religious, regional, economic and other politico-ethnic groups. The participation of large number of the Nepalese citizens in the mass movement for the restoration of the democracy in Nepal showed clearly that their minimum demand of the movement was to hold Constituent Assembly⁸² to form a new Constitution for Nepal.

The political leadership in the mass movement of 2006 promised the people that the elected Constituent Assembly carrying the public will and desire, would formulate the Constitution. Therefore, it was imperative to hold a general election for the Constituent Assembly as soon as possible. At the same time there was an increase in number of different regional, linguistic, ethnic and religious parties in Nepal. Each party had demand to get big share in political affairs of the state.

Traditionally, power concentrated in the hands of Brahmans and Chetries, in either that is King or that is political parties' regime. Other communities like Dalits, Tharus, Muslims,

⁸² Bhimarjun Acharya, *Constituent Assembly: Pathways to Constitution Making, Readings on Governance and Development*, Vol VII, Kathmandu: Institute of Governance and Development, 2006, p.24.

Janjati groups and women do not enjoy proper share in power. According to the Civil Services Record out of total (11,032) gazetted officers (special class, first class, second class and third class) about 80.3% (9,297) were Brahman, ,and Chetri. The 13.4% (1,475) were from Newar. There were 2.3% (260) among the Indigenous Nationalities groups represented in civil services are Magar, Gurung, Rai, Limbu, Thakali, Tharu, Tamang, Sherpa, Kumal, Rajbansi, Danuwar Sunuwar and Bhujal.⁸³

They were demanding an active role in the formation of the new Constitution process. There was need to remove their reservation and to provide effective, positive and visible representation to these communities. This would help to promote national integration and confidence in these communities⁸⁴. However, it was the difficult task to address this issue. For this reason the government recognized 43 castes. An important indigenous nationality which was left to be reported was Muslims who claim 4.5 percent in Nepal.

5. III General Elections of 2008

The general election for the Nepalese Constituent Assembly was held in Nepal on April 10, 2008. It was supposed to be on June 20, 2007, then November 22, 2007 but first postponement was due to the lack of the preparation of the Election Commission of Nepal as well as the Seven Parties, which had the essential part of the Government. The second delay was due to the demand presented by the Communist Party Nepal Maoist that was Republic to be affirmed before the election and fully proportional system must be used in the election. Ultimately, the leaders of SPA and Maoist reached an agreement on November 4, 2007. According to this compromise proportional system would be used

⁸³ Bhisnu Raj Upretii, *op.cit.*, p, 77.

⁸⁴ Ayaz Muhammad, *Movement 2006 and Challenges Confronting the Political Managers of Nepal*, (Unpublished)

in the election and the Republic would be declared just after the Constituent Assembly Election and finally, it was held on April 10, 2008.

Table: 3

5. III.I. Result of Elections for Constituent Assembly 2008

S.No	Parties	Total Seats obtained by each Party
1	Communist Party of Nepal (Maoist)	229
2	Nepali Congress	115
3	Communist Party of Nepal (United Marxist Leninist)	108
4	Madheshi Jan Adhikar Forum Nepal	54
5	Tarai Madhesh Loktantarik Party	21
6	Rashtriya Parjatanara Party(RPP)	8
7	Communist Party of Nepal(Marxist Leninist)	9
8	Sadbhavana Party Nepal	9
9	Janamorcha Nepal	8
10	Communist Party of Nepal (United)	5
11	Rashtriya Parjatanara Party Nepal	4
12	Rashtriya Janamorcha	4
13	Rashtriya Janshakti Party	3
14	Nepal Workers Peasants Party	5
15	Sanghiva Loktantrik Rashtriya Manch	2
16	Nepal Sadbhavana Party (Anandi Devi)	3
17	Rashtriya Janamukti Party	2

18	Nepali Janta Dal	2
19	Communist Party of Nepal (Unified)	2
20	Dalit Janajati Party	1
21	Nepal Rashtriya Party	1
22	Samajbadi Parjatanarik Janta Party	1
23	Chure Bhawar Rashtriya Ekta Party	1
24	Nepal Loktantrik Samajbadi Dal	1
25	Nepal Pariwar Dal	1
26	Communist Party of Nepal (Marxist)	0
27	Tamsaling Nepal Rashtriya Dal	0
28	Rashtirya Janata Dal	0
29	Communist Party of Nepal (United Marxist)	0
30	Lok kalyankari Janda Party	0
31	Nepal Janabhavana Party	0
32	Rashtriya Janta Dal Nepal	0
33	Nepal Janata Party	0
34	Mongol National Organization	0
35	Nepal Shanti Ksertra Parishad	0
36	Shanti Party Nepal	0
37	Rashtiyra Bikas Party	0
38	Nepal Sukumbasi Party(Loktantraik)	0
39	Nepal Rashtiyra Bikas Party	0
40	Nepal Dalit Sharamik Morcha	0

41	Samajbadi Party Nepal	0
42	Muskan Sena Nepal Party	0
43	Nepali Congress (Rashtraabadi)	0
44	Nepal Samyabadi Dal	0
45	Naw Janaabadi Morcha	0
46	Hindu Parjatantarik Party	0
47	Nepal Samta Party	0
48	Rashtraabadi Yuwa Morcha	0
49	League Nepal Shanti Ekta Party	0
50	Rashtraabadi Ekta Party	0
51	Sa- Shakti Nepal	0
52	Janakukti Party Nepal	0
53	Nepal Rashtriya Loktantaraik Dal	0
54	Naw Nepal Parjatantarik Dal	0
55	Liberal Samajbadi Party	0
56	Nepal Rashtriya Jankalayan Party	0
57	Independents	2
	Total	601⁸⁵

Source: *The Kathmandu Post*, Kathmandu, May 10, 2008.

The official result of the election was announced on May 8, 2008. The election for the Constituent Assembly was considered as fair and peaceful. The overall voter turnout stood approximately at 60%. The CPN (M) won the majority seats in the election

⁸⁵ *The Kathmandu Post*, (Kathmandu), May 10, 2008.

securing 229 seats and it claimed to form the government. On May 12, 2008, it was announced that the first session of the Constituent Assembly would be held on May 28, 2008. The members of the C.A took oath on May 27, 2008.

In the first session of the Constituent Assembly the House declared Nepal as a 'Federal Democratic Republic, abolishing the centuries old Monarchical system. All the political parties represented in this session and 564 members of the Constituent Assembly voted in this motion with 560 in favor and four opposed. Girja Prasad Koirala said that Nepal was entering in a new era and that the nation's dream has come true.⁸⁶ The Constituent Assembly on May 28, 2008 decided that the King Gayanendra should leave the Narayanhiti Palace within 15 days.

5. III.II. CPN (M) to form the new Government

Communist Party of Nepal (Maoist) appeared as major party in the election of Constituent Assembly securing 229 seats and claimed to form the government. The president of the CPN (M) Pushpa Kamal Dahal (Parchanda) pledged that the Communist Party of Nepal (Maoist) would work together with other parties in the drafting process of the new Constitution. He had expressed its commitment to multi-party democracy through the election and that it would be faithful to its mandate from the people "to consolidate lasting peace"

On August 18, 2008, Pushpa Kamal Dahal, the Maoist leader known as "Parchanda" took oath for the post of Prime Minister of Nepal. The Seven Party Alliance (SPA) and Maoist were able to form a new Government under the leadership of Maoist leader Parchanda after four months of the election of the Constituent Assembly which was held on April 10, 2008.

⁸⁶ *The Himalayan Times*, (Kathmandu), May 29, 2008.

There was disagreement between these political parties and the Maoist on the issue of power sharing in next government and particularly, on the issue of President and executive Prime Minister. Girja Prasad Koirala expressed the importance of power-sharing according to the popular mandate and consensus. Mainali expressed the view that Maoist should lead the Government, post of President should go to the Nepali Congress and the post of Chairman of the Constituent Assembly should go to CPN (UML).

On June 19, these three parties Nepali Congress, CPN (UML) and CPN (M) agreed for constitutional amendments that would enable the Government to be formed or dismissed by a simple majority vote of the Constituent Assembly, rather than two third majority vote and also an agreement reached on the issue of integrating the Maoist rebels in to the Nepalese Army. There was no such agreement over the issue of presidency and CPN (M) had been focusing on the resignation of Girja Prasad Koirala and handover the power to the Maoist led government. Sher Bahadur Deuba, a leader of Nepali Congress said that G.P Koirala would resign after the election of President and CPN (M) had no authority to ask his resignation before then. On June 24, the SPA agreed on the Constitutional Amendment providing for the election of the President. Then there was the Amendment in the Interim Constitution, which allows the President, Vice- President, Chairman of Constituent Assembly, and the Deputy Chairman of the Constituent Assembly to be elected by majority vote if there is no consensus.

Nepali Congress proposed the name of Ram Baran Yadav for Presidency, CPN(M) put Ram Raja Singh and MJF put Parmanand Jha for vice- President and CPN(UML)'s candidate was to become the Chairman of the Constituent Assembly. Election of the first President of Nepal held twice first on July 19, neither Yadav nor Singh could not get

necessary vote for the post. As a result second round was scheduled on July 21, Ram Baran Yadav supported by Nepali Congress , CPN(UML) MJF, was elected as the first President of new Nepal, taking 308 out of 590 votes and defeating CPN(M) candidate Ram Raja Prasad Singh who received 282 votes. On July 23, 2008 Ram Baran Yadav was sworn in as the first President of Nepal.

Girja Prasad Koirala submitted his resignation from the post of Prime Ministerhip on July 23, to the new elected President and accepting the resignation the President asked CPN (M) to form the Government. On August 18, 2008, Pushpa Kamal Dahal, the Maoist leader known as “Parchanda” took oath for the post of Prime Minister of Nepal at President’s office. Then on August 22, the Prime Minister formed his Cabinet consisting members of CPN (M), CPN (UML) and MJF.

The Prime Minister Pushpa Kamal Dahal, the president of CPN (M) resigned from the Government over the issue of dismissal of the Chief of the Army Staff on May 4, 2009. Following the resignation of Maoist leader, on May 23, 2009, members from 22 of the 24 political parties represented in the Constituent Assembly elected Madhav Kumar Nepal, leader of the Communist Party Nepal (UML) as the next Prime Minister. Madhav Kumar Nepal took oath of Prime Ministership on May 25, 2009.

5. IV. Challenges of the Coalition Government

The major plan of the Seven Party Alliance (SPA) and the Maoists was to hold election for the Constituent Assembly (CA). The most important responsibility of this assembly was to draft and promulgate a new Constitution defining the future political system for Nepal. After having general elections for the Constituent Assembly, the coalition

Government came in to exist. The Coalition Government had been facing serious challenges since its beginning.

5. IV.I. Formation of New Constitution

The most important issue was the formation of the new Constitution. The Nepalese nation is struggling for Constitution retaining the sovereignty of people since long. The first Constitution was drafted by Rana regime in 1949 but Rana Family was not satisfied with that, so the succeeding Prime Minister put that a side. From 1949 to 2006 the rulers promulgated, proclaimed, abrogated, suspended and changed many constitutions according to their requirement. The King Tribhuvan laid down the foundation of new Constitutional Nepal and managed state affairs with Interim Constitution 1951. The King Mahendra proclaimed the Constitution of 1959, which was abrogated by him in 1960. The King Mahendra formulated and introduced the Constitution of 1962⁸⁷ carrying party-less Panchayat system, which was changed by the mass- movement of 1990. The King Birendra and the political parties in power adopted a new Constitution in 1990. Political parties managed it up to 2001. After the Royal Massacre in 2001, the King Gayanendra ascended the throne, who could not maintain balanced relationship with major political parties and used discretionary power. As the result of this the Jana Andolan 2006 demanded major changes in political as well as power structure of the state.

The obligation of the government was to formulate a new Constitution, which must be democratic, dynamic, flexible, supreme and comprehensive. It must possess aptitude to adjust any emerging national and international changes. It should contain strong democratic, economic and cultural institutions. It must have capability to ensure the

⁸⁷ Prem Sharma, Constituent Assembly: Context, Issues and Concerns, *Readings on Governance and Development*, Vol. VII, Kathmandu: Institute of Governance and Development, 2006, p.38.

representations of all religious, regional, ethnic and politico-economic groups in decision making process.

5. IV.II. Inclusion of new groups in main stream.

Asian nations are characterized by ethnic⁸⁸ problems with their cross-border implications and ethnic issues create social tension and economic problems. Emergence of the new ethnic, religious and regional groups was one of the significant consequences of the mass-movement (Jana Andolan) in Nepal. Tarai based different political parties came in to exist such as Madhesh Jan Adhikar Manch and Tarai Madhesh Loktantarik Party. These parties are demanding autonomous Madhesh state.

The emergence of the regional and ethnic political⁸⁹ forces, some of them armed, across the country transformed the nature of Nepal's peace process in fundamental ways. The Government has to deal these challenges in a way they can play their role in the state building because lack of the people's participation in the process of the constitution making was a point in question regarding people's role in state building.

5. IV.III. High Aspirations of the People

The mass movement of 1990 gave hope to Nepalese people regarding their fundamental rights and needs. But the political parties failed to fulfill the commitment to the people of Nepal. Sharpening perception of inequality in social, economic and political spheres and denial of basic human needs motivated the Maoists to energize the feelings of neglect and discrimination janjaties (ethnic identities groups), women, Dalits⁹⁰, (Suppressed people)

⁸⁸ M.Nazrul Islam, *Consolidating Asian Democracy*, Dhaka: Nipun Printing Industries Ltd, 2003, p.11.

⁸⁹ Mahendra Lawoti, *Towards a Democratic Nepal: Inclusive Political Institutions for a Multicultural Society*, New Delhi: Sage Publication, 2005, p. 67.

⁹⁰ Tek Tamrakar, *Constituent Assembly and Issues Relating to Inclusion of Dalits, Readings on Governance and Development*, Vol VII, Kathmandu: Institute of Governance and Development, 2006, p.47.

disadvantaged and job-less youth and attracted them with the slogans of ethnic autonomy and self determination.

The King Gyanendra used this as an opportunity to take power in his hand because people were dissatisfied from these political parties. Again after 2006 revolution the people have high aspiration from these political parties and Maoists. It is notable that the Dalits, indigenous people, Madheshis, women, workers, Muslims and professional associations are struggling for the realization of their constitutional rights.

It is the responsibility of the Government to provide dynamic political and economic system where these people can play their due role with equal basis.

5. IV.IV. Economic Instability`

The landlocked country Nepal is considered one of the poorest countries on the world map. For Nepal serious financial and human resources constraints improvements in income earning and overall quality of life have been discouraging. Successive Government since the dawn of democracy in 1951, were mostly headed by short-sighted individuals lacking vision and capability to guide the development process effectively. Even after the 1990 democratic change, Nepal remained in the grip of weak leadership mostly preoccupied with vested interests of individual leaders. Personal and party squabbling for power resulted in instability and inefficient governance and bad politics with rather disappointing outcomes of public apathy towards parties and leaders and even towards the multiparty system.⁹¹ It continues to struggle with policy inadequacies, outdated institutions, inefficient bureaucracy and lack of capacity for program implementation. Private sector remains weak. Investment climate has remained

⁹¹Bhavani P. Dhungana, "Economic Development: Challenges for New Government" *The Himalayan Times*, April 27, 2006, Kathmandu p.6.

unfriendly. So leadership and the new government have major role to play in such process.⁹²

5. IV.V. Lack of Trust and Confidence

One of the serious challenges is the lack of trust and confidence between the political parties and the SPA and Communist Party Nepal (Maoists). The history of conflict and clash between these political parties is not new. Some of the parties are rightist and some leftist and they have different ideologies and opinion as well, so it is quite natural to have clash of opinions between these political parties but the struggle for just power, ignoring the people's interest is questionable and in Nepalese politics always they fulfilled their own desire rejecting the peoples wishes.

In 1951, after having democracy and defeating Rana regime, Nepal faced inter-party conflict within Nepali Congress between B.P Koirala and M.P Koirala for power. Then in 1990, again these political parties could not fulfill the commitment to people in the mass-movement. The Political Parties lost the confidence and trust among general people.

In 2006, Seven Party Alliance (SPA) started movement to restore democracy but it had no effect on the people in beginning of the movement. After the agreement between SPA and the Maoists the struggle got support of mass people. Emergence of Maoists and SPA built the confidence and trust of political parties among people.

It is historical fact that emergence of seven political parties and Maoist was unnatural. They came close on the issue of over throwing the King's direct rule and restoring the democracy in Nepal but even that their way of thinking in major political issues are totally different. One can take the example of lack of trust between these parties was the

⁹² Ayaz Muhammad, *"Movement 2006 and Challenges confronting the Political Managers of Nepal"*. (Unpublished)

resignation⁹³ of Pushpa Kamal Dahal, Prime Minister and leader of the Maoists from the Government over the issue of dismissal of Chief of the Army Staff of Nepal.

5. V. Future of the Coalition Government

Democracy was first attained in Nepal in 1951 through an armed revolution against the Rana regime. The first experiment of democracy was short-lived as the King Mahendra, by a Royal coup introduced Panchayat system with its twin characteristics; active Monarchy and party-less system. In 1990 a mass movement led by Nepali Congress with some Communist Parties terminated it with restoration of democracy. This experiment was derailed by the King Gayanendra in 2002 and then 2005 by Royal take-over. Then again in 2006 Janaandolan (Mass Movement) succeeded to restore democracy. The third experiment of democracy is remarkable in taking radical and revolutionary changes like abolishment of Kingship by Republic, converting Nepal from Hindu to Secular state. The election of Constituent Assembly in 2008 is significant in transforming these changes in the legal and political structure of the country, through forming a new Constitution.

The elected Constituent Assembly which will not only frame a new Constitution, but it will function also as a normal parliament for day-to-day affairs. The Government's future lies on the preservation of the national integrity, democratic values and its sovereignty.

The people of Nepal want to see Nepal climb a more permanent, stable democratic hierarchy, given its geo-strategic importance and its abundant natural resources. The international community expressed their hope that this election will provide historic opportunity to choose their representatives who will decide the constitutional framework for the Nepal's future government.

⁹³ *The Kathmandu Post*, (Kathmandu), May 5, 2009.

The Constituent Assembly has set its dead line of May 2010 to formulate a new Constitution. There is a provision that all the articles in the new Constitution must be endorsed by the two third majority of the Assembly. But in the present scenario, that looks unlikely, so the prospects for new Constitution remain in limbo. The situations indicate both hope and fear. On the one hand there is broad consensus among the major ideological forces of the country on fundamental goals and principles of new Constitution: establishment of Republic, Multi-party system, Respect to universal value of democracy (i.e. fundamental and human rights of the citizens, popular sovereignty and supremacy of the Constitution, rule of law and independent judiciary, periodical election and peaceful competitive politics etc) and pursuance of inclusive democracy for the excluded groups⁹⁴. On the other hand political parties representing in the Constituent Assembly have serious differences on some fundamental issues: on the form of government (presidential or Parliamentary), electoral system to be adopted for the future, and modality of constituting federal units (primarily on the basis of ethnicity or a combination of geography, economy and ethnicity).

Table: 4

5. V.I. Political Parties and Contentious Issues⁹⁵

Parties	Form of Government	Electoral System for Lower House	Proposed number of Federal Unit	Basis of creating Federal Units	Economic Policy

⁹⁴ Bhaskar Goutam, *Madhes Bidhroh ko Nalibali*, Kathmandu: Choutari Pustak Shankkhala, 2008,p.142.

⁹⁵ Hachhethu, Krishna, *An observation on Contemporary Nepali Politics*, (Paper presented a seminar on "Social inclusion in South Asian states" 25-27 June 2009. Kathmandu, Center for Nepal and Asian Studies, Tribhuvan University .Nepal.

CPN- M	Executive President to be elected directly by the people	PR on the basis of caste/ ethnicity	11 provinces and 3 sub- provinces in Madhesh	Caste Ethnicity and region	New Transnational Economic policy with selective Privatization
NC	Executive Prime Minister to be elected by the Lower House	Silence	Not categorical	Multiple factors	Mixed economy, titled to liberalization
UML	Executive Prime Minister to be elected directly by the people	Mixed electoral system	Not categorical	Multiple factors	Mixed economy
MJF	Executive President to be elected directly by the people	PR system	One single province for the whole Madhesh	Ecological	Silence

TMLP	Executive Prime Minister to be elected by the Lower House	PR system	One single province for the whole Madhesh	Ecological	Mixed economy
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Source: *The Himalayan Times*, Kathmandu, June 30, 2009.

Keeping in view the differences between these major political parties on the fundamental issues and experience of last 2 years of the Coalition Government and its achievement, one can say that the future of the coalition Government is not bright in the sense that it could not work, which was assigned to them by the people. These parties are focusing more on the power struggle than on the people's aspiration and making the new Constitution for new Nepal. Now situations became very critical and serious because the period of the Constituent Assembly is going to finish in May 2010 and if the Coalition Government failed to formulate a new Constitution for Nepal then the situation of democracy in Nepal will be more dangerous.

Chapter 6: Conclusion

6.1 Findings

Nepal, a small landlocked in the foots of Himalayan mountains, sandwiched between India and China has changed from 'Kingdom of Nepal' to 'Federal Republic of Nepal' in April 2006. This transformation was extraordinary revolution in Nepal. The duration taken for transition may sound too long to some and too fast to those who had been studying such changes taking place elsewhere in the world history.

Nepal's struggle for democracy has a long history of six decades as its people carried two significant movements in the process against Rana rule in 1950s and the party less Panchayat system in 1990s. Then in 2001 and 2005, the takeover of King Gayanendra after dissolution of the democratic Government posed great and serious threat to the survival of the democracy in Nepal. The future of democracy in Nepal was under question. Then the Jana Andolan (Mass-movement) against the direct rule of the King succeeded its logical end in April 2006, which was the elimination of the Kingship from Nepal and restoration of the suspended democracy in the country.

The Interim Government under the Prime Ministership of Girja Prasad Koirala, the President of the Nepali Congress, was formed on April 30, 2006. The main objectives of the Interim Government were to hold the general elections for the Constituent Assembly, to draft a Constitution for new Nepal which would provide the new political system for the country. For this purpose an Interim Constitution was drafted and under this Constitution, Kingdom of Nepal was declared as "Government of Nepal".

The general election for the Nepalese Constituent Assembly was held in Nepal on April 10, 2008. The Communist Party Nepal (Maoists) appeared as major party in the

Constituent Assembly securing 229 seats. On August 18, 2008, Pushpa Kamal Dahal, the Maoist leader known as “Parchanda” took oath for the post of Prime Minister of Nepal.

The Prime Minister Pushpa Kamal Dahal, the President of CPN (M) resigned from the Government over the issue of dismissal of the Chief of the Army Staff on May 4, 2009.

Following the resignation of Maoist leader, on May 23, 2009, members from political parties represented in the Constituent Assembly elected Madhav Kumar Nepal, leader of the Communist Party Nepal (UML) as the next Prime Minister. Madhav Kumar Nepal took oath of Prime Ministership on May 25, 2009.

The long historical democratic struggle in Nepal indicates that there were series of challenges and threats in the transition of democracy in Nepal.

Resistance from feudalist group

King Mahendra’s power seeking approach

Absolute Power of the King Birendra

King Gayanendra’s hegemonic attitudes

Maoist’s insurgency

Lack of trust between the political parties

Inclusion of Maoist in the Mainstream Politics

Rise of different ethnic regional and religious groups.

6. II Recommendations & Concluding Remarks

6. II.I. Recommendations

The challenges faced by the Coalition Government of Nepal can be tackled through adoption of the progressive and constant policy of understanding, broad-mindedness and tolerance. There is a firm need of building the trust and confidence between these

political parties. Lack of the trust is leading the Coalition Government not to function according to the Constitution. The Government needs to initiate meaningful and result-oriented negotiation process with the new ethnic and regional groups and the Maoists to settle the issues which have been presented to the Government.

6. II.II. Concluding Remarks

The struggle which started in 1950s for bringing the democracy in Nepal concluded with its logical end with the abolishment of the Kingship and restored the suspended democracy in Nepal in April 2006. Then the general elections for Constituent Assembly were held successfully and now Nepal has the Constituent Assembly to draw a new Constitution for new and democratic Nepal. The duration of this Assembly was two years which has been completed on May 2010, but this Assembly could not provide any sustainable and unanimous Constitution yet. Now the duration has been extended for one year more to draw a New Constitution for Nepal.

Keeping this situation in view, the future of democracy in Nepal seems ambiguous. Some hold pessimistic view that democracy can not flourish freely in developing, poor and having low literacy rate in a country like Nepal, and on other side some have optimistic belief that the future of democracy in Nepal would be bright.

World history stands witness that after any revolution and changes in the political, economical and social system, takes time to strengthen and stabilize. One can observe the democracy in India, Pakistan and Bangladesh etc are still in the process of democratic building. So defiantly, Nepal also will take time to stabilize in its democratic norms and values. Democracy in Nepal is in its transition process now. The leadership is also non-

experienced. The political leadership of Nepal needs to address the people's problems in combating poverty, illiteracy and child labor.

The Government should formulate such policy where it can provide a standard and quality education for all, increase literacy rate, create the employment opportunities and fulfill the aspirations of the Nepalese people and commitment done by the leadership to them. It should initiate the mass political awareness plan in urban and rural areas of Nepal.

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