

Thoughts on the Maoist Problem

JOHN WHELPTON

Nepal's Maoist insurgency is often seen simply as a reaction to poverty and exploitation. Such an analysis is at once profoundly true and also profoundly inadequate because the pressures generated by poverty manifest themselves in many ways, including temporary or permanent migration and 'normal' (i.e., non-politicised) criminal activity. Other factors are needed to explain why an insurgency of the present type has appeared at this time in Nepal.¹

The list of contributing causes is a very long one. Nepal has always possessed both ethnic cleavages and mountainous terrain, a combination which is itself quite a good predictor of insurgency (Ramirez 2004). To this has been added in recent years the spread of Communist ideology (of which the Maoists themselves are one among many vehicles) and the tactical and organisational skills of the leaders of the Communist Party of Nepal (Maoist) which built upon the earlier work of Mohan Bikram Singh in the same region of

¹ The argument that the insurgency should not be seen in purely economic terms has been made quite frequently (e.g. Gyawali (2000) Lal (2000), Whelpton (2000)) but its most forthright presentation is by Saubhagya Shah (2004). My own analysis is not based on detailed personal research into the insurgency but reflects many years of following Nepalese politics and sometimes contributing to discussion on the key issues. I am grateful to David Gellner, Rhoderick Chalmers, Saubhagya Shah and Mark Turin for comments on the draft though they are not, of course, in any way responsible for the contents.

the western hills. The Maoist leadership's decision to abandon constitutional methods was partly dictated by their ideology but also probably influenced by electoral arrangements which made it more difficult for small parties to gain a stake in the system.

The growth of the rebellion was greatly aided by the general political environment. Externally the Indian authorities failed to prevent the rebels making use of Indian territory as a source of supplies and as a refuge. Internally, a political culture of no-holds-barred struggle for power led governments to misuse the police force and administration for partisan advantage and political parties (including the Maoists themselves in the pre-`People's War' stage) to use their activists to over-awe or intimidate opponents. Because so many people were already disregarding legal restraints in practice, the Maoists' explicit rejection of the whole legal order did not trigger as much public outrage as it might otherwise have done. However, perhaps most crucial as a factor in the rapid spread of the insurgency was the inability of the Nepalese state to respond fully at the outset because of tension between the palace, which was in *de facto* control of the army, and elected governments.² The police campaigns, on which the government was almost solely reliant until the Maoists attacked the Royal Nepal Army (RNA) in 2002, was both brutal enough to antagonise local populations and too ill-focused and spasmodic to seriously hamper the insurgents' activities.

² The exact way in which the Indian connection and palace-party tensions affected the situation is a matter of controversy. Shah (2004) argues that India deliberately fostered the Maoist insurgency to produce a weaker (and therefore more pliable) government in Kathmandu. Some critics of the Nepali Congress governments also argue that they could have chosen to deploy the army from the outset but were unwilling to do so, whilst Congress politicians allege that the palace and/or the

In the present circumstances, it is extremely difficult to assess the true extent of the Maoists' support base. Election results suggest that there is widespread backing for the general aims of the Nepalese Left, which, were it united, would be the single largest political force in the country.³ However the Maoists' own claim to enjoy the enthusiastic backing of the bulk of the population is not accepted by any non-Maoist analyst. Gersony (2003: 79) suggests that, while they do have solid popular backing in the area of the western hills where they were electorally successful in 1991 and 1992, their influence elsewhere depends principally on an effective network of coercion. He believes that, given a free choice, most voters in the districts he surveyed would still back the United Marxist-Leninist (UML), leaving the Maoists with at most 15% of the vote nationwide. Gersony's analysis (relying considerably on interviews with UML activists in district headquarters during 2003) is probably over-schematic⁴ and it should be remembered that, at grassroots level, activists can move readily between Leftist factions and even maintain links with more than one group simultaneously (Hachhethu 2004: 67). Nevertheless, his findings are generally plausible, tallying with de Sales' depiction of both Maoists and the security forces as unwelcome intruders into village life or with the International Crisis Group's assessment of most ordinary Nepalese owing little allegiance to either side in the conflict (ICG 2005a:18).

army itself was unwilling to co-operate (which was certainly the case in 2001).

³ Even with Maoist supporters officially boycotting the election, Leftist parties gathered around 40% of the vote in the 1999 election (Whelpton 1999: 30).

⁴ The study has also been criticised because it was U.S.-funded (and claims have been made that Gersony himself was a CIA. agent) but in broad terms its findings are plausible. It should be remembered that the Himalayan Border Countries Research Project, led by Leo Rose, produced a creditable body of work despite being U.S. Defense Department-funded.

Where public opinion was concerned, the Maoists' advantage has been a negative one. They are not particularly popular but an opening was created for them because the police and the state apparatus in general could not expect the kind of automatic public support they would receive if subject to armed attack in stable democratic societies.

Most ordinary citizens of Nepal are trying to survive by following the orders of whoever appears more powerful at a particular time and place. One hundred and fifty years ago, Jang Bahadur Rana told a British officer that in Nepal 'although revolutions (i.e., violent transfers of power) often occurred, ... the country as a whole did not suffer more from such disturbances than England would from a change of ministry; neither the army nor the peasantry taking any part in the disputes, and submitting without a murmur to the dictates of whichever party might emerge the victors.' (Cavenagh 1884: 132). The struggle for power unfortunately now has much greater effect on ordinary people's lives but the old tradition of acquiescence survives and was encapsulated in a remark made by one Jumla resident in 2003: "We obeyed the Ranas and during the Panchayat we did what we were told. Democracy came and we followed. Tomorrow there may be another system and we will have to listen to them too. We can never say we won't obey" (Mainali 2003).

Amongst those who do voluntarily and enthusiastically support the insurgents, the most marginalized groups, including Kham Magars, the Tharus of the western *Tarai* and *dalits*, appear especially well represented, even though the top leadership of the Maoists, as of almost all political organizations in Nepal, is high

caste.⁵ If and when the western hills are able to vote for a government of their choice free of intimidation, it is conceivable that substantial *dalit* support for the Maoists could cause more members of other castes to swing behind the Maoists' opponents.⁶ There could well be a split of votes along caste lines as seen in recent years in Bhaktapur, where the highest castes have generally backed Congress, the Maharjan agriculturalist caste provided the power-base for Rohit's Nepal Workers and Peasants Party, and the lowest castes aligned with the UML. In the Far West, where the *janajati* presence is relatively low, the Thakuris might rally to Congress and the *dalits* to the Maoists whilst Khas/Chhetri cultivators either follow their traditional patronage links to the Thakuri elite or back the UML.

At the moment, the actual fighters on the Maoist side of the 'People's war' clearly have a wide variety of motivations. There are the 'true believers' who have thoroughly imbibed the CPN (Maoist)'s ideology but, particularly among the 'volunteers' supporting the better trained and equipped People's Liberation Army 'PLA' units, there are many who have simply been conscripted. In western Myagdi in May 2004, for example, one journalist was told by villagers: 'Those who have money have to give them cash, those who have food have to give them rice, those who have clothes have to give them clothes, and those who have

⁵ Prachanda (Pushpa Kumar Dahal), Baburam Bhattarai and Krishna Bahadur Mahara, are all Brahmins.

⁶ I am grateful to Mrigendra Karki for pointing out that this factor may be behind the persisting support for the Nepali Congress (Democratic) suggested by a report of a victory for its candidates in an election organised by the Maoists themselves for 'People's Governments' in two Achham villages (*Kantipur* 1/7/04). The villagers evidently imagined they were being allowed an unfettered choice and were warned by the Maoist commander against repeating their mistake.

nothing have to give them one member of the family' (Ogura 2004: 123-24). Then there are others for whom joining the Maoists was, like enlisting in the Indian or British army, simply a job opportunity. The analogy with Gorkha/Gurkha recruitment into foreign armies has been frequently drawn. Saubhagya Shah (2004: 193) actually cites the existence of this tradition in the hills as a major factor in the rise of the insurgency and Prachanda's own comments about 'brave and honest' hillmen echoes the language of many British officers' memoirs (Shah 2004: 219). There is now some concern in Indian official circles because in many cases one member of a Nepalese hill family may be serving in an Indian army unit whilst another is with the Maoists.⁷ In some cases, families may be divided on issues of political principle, in many others the brother (or sister) with the Maoists was either given no choice but to join them or saw them as just another prospective employer.

Maoists' Objectives

Whatever the personal motivation of those carrying guns on their behalf, the Maoist leadership's own objective is to use military force either as a direct means to wield political power and/or as a bargaining card to leverage themselves into an advantageous position in the post-conflict political order. They have for some time been claiming that, whatever the eventual institutional set-up in Nepal, they would in the interim be prepared to work within a multi-party system. However, participation would be restricted to parties 'opposed to feudalism and imperialism.'⁸ A restriction of

⁷ *Hindustan Times*, 15/5/05.

⁸ Prachanda interview with *Time-Online*, consulted at www.nepalnews.com, 23/4/05.

this sort has in fact been advocated by a large section of the Nepalese Left including (at least in the early 1990s) some members of the largest parliamentary Communist party in Nepal, the UML. What they then envisaged and what the Maoists would probably prefer now is a system something on the lines of the present Chinese one, where other political parties do exist but operate under broad control of the Communist Party. As a matter of short-term tactics the Maoists would probably be willing to operate in a more genuinely pluralist system but they hope that their own organizational strength, including in particular the framework of coercion they have established at village level, would let them gain control of the levers of power. There are precedents for Communist revolutionaries abandoning pluralism if it proved inconvenient. Mao himself, when still trying to obtain power, advocated a considerably more liberal system than the one he actually eventually established, while Lenin dissolved the Russian constituent assembly when his opponents won a majority, and the Communist regimes installed in Eastern Europe after World War II often started as coalitions with other parties and only afterwards established rigid control.

Apart from the question of the Nepalese Maoists' intentions for their own country, there is also the question of the effect across South Asia and beyond. Although the Maoist insurgents in Northeast India do not pose an existential threat to India, they are a major headache, which would worsen if 'People's War' tactics are perceived to have succeeded in Nepal. This assessment is shared by the Indian security establishment, the US government and also (whatever they may say at particular moments for tactical purposes) by the Maoists themselves. Li Onesto, the leading western apologist

for the Maoists, told an Association for Nepal and Himalayan Studies conference in 2002 that '[the Maoists] know that when they take control of Nepal, it will upset the stability of the whole region' (ANHS 2003: 68). The choice which the Maoists faced in the mid-1990s, between operating in alliance with a larger, more moderate Left-wing party, or opting for insurrection is also one faced by similar groups in many parts of the developing world. Since such groups devote so much of their time to analyzing and debating the experience of their counterparts elsewhere, a Maoist success in leveraging themselves into a controlling position in Nepal would strengthen those advocating the option of insurrection in many different countries.

These international implications are the reason why major Western countries still see the Maoists as the greater danger, even though Gyanendra's clamp down on party politics and basic freedoms has prompted some in the parties to consider an alliance with the Maoists as the lesser of two evils. Gyanendra's penchant for authoritarianism does indeed mirror that of the Maoists: just as the latter want dominance for their own Communist Party with a pluralist fig leaf, the King envisages some kind of multi-party façade with himself pulling the strings. However, neither in South Asia nor anywhere else are there groups whom Gyanendra's example would encourage to use violence to establish active monarchies. Within Nepal itself, even if Gyanendra managed to stabilise some kind of neo-Panchayat system it would not last long before succumbing to the kinds of pressures that brought the old one down. In contrast, Maoist-style authoritarianism could be considerably more difficult to shift.

Recommended Action

None of this means that the Nepalese Maoists could not eventually come to function as just one party in a genuine multi-party system but this is only likely to happen if the non-Maoist forces are sufficiently strong to block any other path. At the moment, those forces are in disarray, largely because of Gyanendra's attempt to use the present crisis as a pretext for curbing the constitutional parties and of his disregard for the advice which India, the US and the UK had all been giving him in the run-up to February 2005. As a first step, he clearly needs to be induced to reverse course through a combination of persuasion and pressure. It is unlikely that pressure from the political parties themselves will be sufficient to achieve this, so the role of external power here remains crucial. The three countries mentioned above remain in a good position to exercise decisive influence even if the royal regime is able to obtain a small amount of military supplies from other sources. There are presently signs of disagreement within both the Indian and U.S. administrations on how strong a line to take against the King. The Indian Defence and Home ministries, worried about giving any encouragement to India's own Maoists, would perhaps prefer to resume military assistance to the King whilst the Foreign Ministry seems more willing to back the constitutional parties in their current agitation against the royal regime and also to countenance their current (October 2005) overtures towards the Maoists.⁹ Similarly, the American ambassador in Kathmandu has appeared more understanding of Gyanendra's position than some others in

⁹ See, for example, Weinstein (2005). His assessment of the Indian attitude is convincing, though he differs from many other analysts in seeing a real possibility of Gyanendra receiving enough Chinese help to offset the loss of Indian support.

Washington. However, since February 2005, the embargo on 'lethal' military aid maintained by both countries as well as the U.K. and also their repeated public criticism of the King's actions suggest that they are, at present, willing to make use of the leverage they possess. Another measure that could be considered is the blocking of Nepal's participation in international peace-keeping operations (recommended by Amnesty International recently as a sanction for use in connection with human rights abuses). This would deprive the Royal Nepal Army (RNA) of a valued source of both funds and prestige without altering the military balance within the country in favour of the insurgents.

The next step, as has now been agreed by the main parties, would be the reconvening of the 1999 parliament with a mandate to establish an all-party government and an agreed position for negotiation with the Maoists. The parties would need to reach consensus amongst themselves and the King to be willing to follow their lead. No one should underestimate the difficulties in achieving such an agreement, given the poor track record of both the parties and the palace in maintaining trust and co-operation. During summer 2005 the obstacles mounted with the growth of republican sentiment amongst the mainstream political parties. Many of their rank-and-file, who frequently clashed with the police in demonstrations against the royal regime, have become more attracted to an agreement with the Maoists rather than with the king.¹⁰ Even with considerable prompting and support from the international community, the process would thus be fractious and

¹⁰ The Nepali Congress, which had hitherto always been committed to constitutional monarchy, voted at its August 2005 convention to remove reference to the monarchy from its party statute.

time-consuming but, as argued in a recent ICG report (2005b), retuning to the constitutional path remains the best of the various bad options available to Nepal at the moment.

The third step, namely bringing the Maoists into the settlement process after an understanding has been reached between the countries' other political forces, will be even harder despite the apparent flexibility suggested by the insurgents' declaration of a unilateral three months' ceasefire in September 2005. Their public bottom-line remains the summoning of a constituent assembly but this would be unacceptable to the palace unless some kind of agreement was reached informally on the position of the monarchy, an agreement which, given the sensitivity of the issue for Maoist cadres (and increasingly for cadres of other parties), would have to be reached secretly and probably also kept secret. There could, though, be public agreement on some kind of compromise on the procedural issue – for example, the election of a legislature which would be specifically empowered to amend any provision of the 1990 constitution or possibly to submit proposed amendments to the electorate in a referendum.¹¹ This would have the advantage of appearing open to all arrangements, including the monarchy itself, to debate but at the same time not granting the Maoists precisely what they have for so long been demanding. Again, though, reaching agreement would surely be a lengthy process, particularly because even when formal principles have

¹¹ Suggestions along these lines have been put forward by a number of individuals. One expatriate academic, Professor Surya Subedi of Leeds University in the UK, reported that when he himself put it forward there was a positive reaction from many of the party representatives but not from the palace (Surya Subedi, personal communication). The legal and constitutional difficulties surrounding different approaches are discussed in ICG's June 2005 report (ICG 2005b).

been established, the Maoists own role in the interim administration would still have to be decided.

Such negotiations will be particularly important because of the likelihood that people without strong, pre-existing loyalties would 'follow the victor' and vote for whichever side appeared the stronger. In one of my last conversations with the late Rishikesh Shaha, a one-time advisor to King Mahendra turned political dissident and writer, he confidently predicted that the tendency to side with the winner would deliver victory to Baburam Bhattarai (whom he knew well personally) if the negotiations then (summer 2001) underway led to elections. Other observers would be less categorical than Shaha, but there is something to what he said. Voters will be anxious to make sure that they themselves are not excluded from any benefits to be distributed by the winning side, but may also feel that backing the stronger faction will help guarantee that the conflict does not start again later.¹² Everyone involved in the negotiation will be aware of this reality and will therefore be determined not to let the other side appear to be in a stronger position.

The fourth step would be the holding of elections to whatever kind of body was decided upon. Here the first difficulty would be ensuring that the campaign and voting could take place free of intimidation. While it will be relatively straightforward to require the RNA to return to its barracks and to require the Maoists

¹² Gersony (2003: 79) suggests that the second calculation would not operate because at the time of his research there had been no general massacres or large-scale transfers of population. Because of the difficulty of separating out normal economic migration from refugee flows, precise figures cannot be given but in Kathmandu government circles internal refugees are now reckoned at around half a million and an even greater number may have moved across the

to stop overt military operations (which they themselves in any case unilaterally suspended in September 2005), covert intimidation by the Maoists will be much more difficult to detect and prevent. The scale of the problem is clearly illustrated by the upsurge in Maoist demands for 'donations' that occurred during the 2001 ceasefire.¹³ A very large monitoring effort will be required – not just a few more 'Aidocrats ...in their air-conditioned SUVs', to borrow C.K. Lal's dismissive characterisation of the Office of the United Nations High Commissioner for Human Rights (UNOHCHR) inspection effort (Lal 2005). Ideally there ought also to be some kind of peacekeeping force from outside South Asia with Maoist fighters required either to surrender their weapons to the peacekeepers or to move to 'holding areas' under international supervision.¹⁴ It will also help if a start has already been made on the rehabilitation of the Maoists' full-time fighters. The Maoist leadership's own preferred plan is their amalgamation into a new national army but a large standing army for post-conflict Nepal would be a financial burden and also politically dangerous, whilst any merger proposal will be a sticking point for the RNA and the palace, so the former insurgents will have to be found civilian roles (Kumar 2003).

The key point for steps three and four is that unless they are put under very strong pressure, the King and the Maoists are unlikely to yield what they presently possess: in Gyanendra's case,

open border into India.

¹³ Up to now (early October 2005), the Maoist's unilateral ceasefire, which commenced at the beginning of September, has not seen any increase in their activities in urban areas but extortion and abductions are continuing throughout the countryside, as are search operations by the security forces.

¹⁴ In an interview with the author (Kathmandu, 9/8/05), UML leader Madhav Kumar Nepal argued that such an arrangement would be essential for a fair election to take place.

effective control of the urban areas, and in the insurgents', their status as the strongest force at village level. Above all, if genuine supporters of the Maoists are a minority outside their original mid-western stronghold, the Maoist leadership will be even more anxious for a dominant role in interim arrangements and Maoists at village level will have every incentive to continue covert intimidation.

As already argued, continuing international pressure on the palace is essential to start the whole process but once a government of all the main parliamentary parties is established, pressure on the Maoists will also be necessary. This is why the Indians were previously urging the King not only to mend fences with the political parties but also to make more effective use of the RNA. The army has been rightly and heavily criticized for human right abuses but there are also grounds for worry about its professional competence. Failure to disclose information about persons in military custody is in some cases a deliberate intimidatory tactic but in other cases may reflect organisational failure in transferring and acting on information. The latter may well be the reason why some of the Maoists' attacks on district headquarters have been so costly, even when it has later transpired that there were prior indications that an attack would take place. Military action on its own will not end the insurgency but a negotiated settlement acceptable to other parties will result in Maoists holding considerably less power at the village level than they do at present and the Maoists can only be expected to accept this if the alternative is the slow erosion of their present position. Bringing the army and police themselves under the rule of law and then gradually extending the areas of the country where they can maintain a basic level of security will be

one important way of ensuring this. As with insurgencies in India, the 'time-honoured combination of coercive and accommodative measures' (Manor 1998: 28) will be needed to restore peace in Nepal.

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