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Nepal: The Political Labyrinth



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Abstract

In Nepal, recent political debate has focused intensely upon acceptance of U.S. aid. On 20 June 2022, the Nepali Cabinet appeared to bow to demands that it repel the ostensible American military invasion represented by the State Partnership Programme (SPP), a post-Cold War initiative designed to bring the civilian expertise of the various National Guard programmes in the U.S. states and territories to assist as requested partner democracies. The victory was touted by the left as representing something of a counter-blow against the demise of national sovereignty embodied in the controversial acceptance, just months earlier, of the American half-billion dollar Millennium Challenge Corporation (MCC) grant for road construction and hydropower construction in the country. Though grounded more in ideological and personal positioning than reality, the episode provides useful insight into the state of Nepali politics in 2022. Though seldom (if ever) noted explicitly in commentary, it is self-proclaimed Marxist-Leninists who are in charge.

Introduction

On 20 June 2022, the Nepali Cabinet appeared to bow to demands that it repel the ostensible American military invasion represented by the State Partnership Programme (SPP), a post-Cold War initiative designed to bring the civilian expertise of the various National Guard programmes in the U.S. states and territories to assist as requested partner democracies.¹ The victory was touted by the left as representing something of a counter-blow against the demise of national sovereignty embodied in the controversial acceptance, just months earlier, of the American half-billion dollar Millennium Challenge Corporation (MCC) grant for road construction and hydropower construction in the country. Though grounded more in ideological and personal positioning than reality, the episode provides useful insight into the state of Nepali politics in 2022.

Background

Though seldom (if ever) noted explicitly in commentary, it is self-proclaimed Marxist-Leninists who are in charge. Nepal has a struggling non-communist opposition, represented primarily by Nepali Congress (NC), of which Sher Bahadur Deuba is the head, though NC is torn by factional division. As present caretaker prime minister, Deuba has limited power, because the communists dominate both his coalition and the opposition. That he is in his position at all stems from the bitter personal animosity that has ripped the Nepal Communist Party (NCP) apart. Deuba is a known entity of lackluster past, goes the thinking of his communist-dominated coalition, who will make no waves in the time remaining until a new round of provincial and national elections is held between November 2022 and March 2023.

¹ Ample description at: <https://www.nationalguard.mil/leadership/joint-staff/j-5/international-affairs-division/state-partnership-program/>.

Already, it should be clear where MCC and SPP fall into this situation. The programmes may be freebies – in a country which depends upon foreign input for a large slice of its annual budget² – but to the hard left, the money is a trap, even as more direct intrusion comes from China but is not commented upon; e.g., ensuring that the country’s Tibetans are suppressed by Kathmandu and that it colludes with Beijing in ensuring that increasingly few are able to flee Tibet itself. Ultimately, despite a substantial effort at disruption, to include street demonstrations and inert IEDs placed in public places by Deuba’s communist coalition partners, MCC squeaked to acceptance in February (2022).³ SPP would not follow.⁴

To clarify, [MCC](#) assists in development by working to alleviate global poverty. It was stood up in 2004. A country applies for the grant for a specific purpose. Assessments of development potential have long highlighted the central role, for Nepal, of tapping its hydropower potential, which in turn requires power and transportation infrastructure. To address those needs, Nepal asked for the grant in September 2017, it was accepted – and the U.S. then saw the process turned into a political football that went on more than four years. Finally, the U.S. put its foot down – take it or leave it – which convinced the left all the more that loss of sovereignty was afoot. In the extreme version, the left claimed the power generated might be sold elsewhere – which, of course, it would, given the state of Nepal’s economy.

Nepali media quite correctly highlighted the various motives of the actors involved and pointed out how little the debate touched upon either facts or national interests.⁵ It was driven by ideological and personal calculations but went on nonetheless, with too many pretending that serious issues were in play. Leading the charge in the sheer foolishness of discourse, not surprisingly, were the Maoists and certain elements of the larger communist movement embodied in the UML (Unified Marxist-Leninists). Their claim was that the grant compromised Nepali sovereignty and that it was part of the U.S. Indo-Pacific Strategy. To disentangle that one took Olympian effort.

² USAID notes, “Foreign aid is a critical component in Nepal’s development. According to the Ministry of Finance’s recently published Development Cooperation Report, foreign aid in Nepal accounts for 26 percent of the national budget. “ See USAID, “Nepal’s Aid Management Platform: A Tool for Managing Aid in Nepal and Making it More Effective,” 12 July 2021, <https://www.usaid.gov/nepal/newsletter/may-june-2013/nepals-aid-management-platform-tool-managing-aid-nepal-and-making-it-more-effective#:~:text=Foreign%20aid%20is%20a%20critical,percent%20of%20the%20national%20budget>.

³ Useful summary, Biswas Baral, “Nepal Ratified the MCC Compact. What Now?” *The Diplomat*, 14 March 2022, <https://thediplomat.com/2022/03/nepal-ratified-the-mcc-compact-what-now/>. For demonstrations, Anup Ojha and Shuvam Dhungana, “Anti-MCC Protests Disrupt Road Traffic in Kathmandu Throughout the Day,” *The Kathmandu Post*, 21 February 2022, <https://kathmandupost.com/valley/2022/02/21/anti-mcc-protests-disrupt-road-traffic-in-kathmandu-throughout-the-day>; for inert IED in “A Suspicious Object Found in Front of the Federal Parliament Reads ‘No MCC’,” *Koshi Online*, 28 February 2022 12:02 PM, <https://en.koshionline.com/newsdetails/32068>.

⁴ Pranaya Rana, “After the MCC, Now the SPP,” *Off the Record*, Issue 57, 17 June 2022, <https://recordnepal.substack.com/p/off-the-record-057-after-the-mcc>.

⁵ See e.g. Pranaya Rana, “Not the MCC Again,” *Off the Record*, Issue 39, 4 February 2022, <https://recordnepal.substack.com/p/off-the-record-039-not-the-mcc-again>; also, Kosh Raj Koirala, “What Happens to MCC Deal is a Big Question as Rival Factions Prevail in Ruling NCP,” *Republica*, 2 May 2020, <https://myrepublica.nagariknetwork.com/news/what-happens-to-mcc-agreement-is-a-big-question-as-rival-factions-prevail-in-ruling-ncp>.

MCC is a semi-autonomous development mechanism (see web-site). Indo-Pacific Strategy is a formal document that explains what the U.S. military theater command for “Indo-PACOM” is trying to do with its power.⁶ Its first stated objective is to “advance a free and open Indo-Pacific.” To assist Nepal – as it has been by the U.S. and the myriad other donors active in the country – to become “free and open” was indeed the nefarious objective. As to motive, it comes as no surprise that the democracies of the world, of which the U.S. is the most powerful, are opposed to the dictatorships of the world, with a mushy “authoritarian” halfway house in-between. Several Nepali political parties, though claiming to be democratic, are in thrall to dictatorship.

The only puzzle is just how it has been possible for some very vociferous Nepalis to claim they want democracy even as they support the opposite. What happened, of course, was that the decline and near-fall of Nepali democracy found its fig-leaf in opposition to MCC.

To examine the situation: All currently available evaluation on the state of the Nepalese polity is negative. The authoritative Economist Intelligence Unit (EIU) annual democracy ratings, just released for 2021, place Nepal at 4.41 of 10 (metrics in report), or 101st of 167 countries – down from an already low 5.22. The country is categorized as a “hybrid regime” and located in the third tier of four, between “flawed democracy” and “authoritarian” on the scale, and just six slots above falling into “authoritarian.” The highly regarded Transparency International annual corruption perceptions index, in its report issued in January 2022 (for 2021), scored Nepal at just 33 on a 100-point scale (metrics in report), which placed it 117th of 167 countries. Amnesty International, in its annual regional review of human rights, issued in early 2021, was equally negative in its assessment, including in its Nepal section (pp.260-62) the blunt charge: “Torture and other ill-treatment were widespread in pre-trial detention to extract ‘confessions’ and intimidate detainees. Although the 2017 Criminal Code criminalized torture and other ill-treatment, no one had been convicted under it by the end of 2020.” Human Rights Watch had just before, in November 2020, issued an equally scathing report, the title reflecting the contents: *No Law, No Justice, No State for Victims: The Culture of Impunity in Post-Conflict Nepal*. Recently, the esteemed scholar of Nepali society and politics, Karl-Heinz Krämer, openly questioned whether Nepal could even be called a democracy.⁷

⁶ Available at: (<https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf>).

⁷ This is a position with which I agree. For assessment cited, Karl-Heinz Krämer, “Is Nepal Still a Democratic State?”, *English.khabarhub.com*, 19 June 2021, <https://english.khabarhub.com/2021/19/191404/>. Other sources cited: For democracy, EIU, *Democracy Index 2021: The China Challenge* (London: EIU, 2022), <https://www.eiu.com/n/campaigns/democracy-index-2021/>. For corruption score and ranking, “Nepal Country Report,” <https://www.transparency.org/en/countries/nepal>. For human rights, Amnesty International Human Rights Report 2020/21: *The State of the World’s Human Rights* (London: AI, 2021), 262, <https://www.amnesty.org/en/documents/pol10/3202/2021/en/>; and Human Rights Watch, *No Law, No Justice, No State for Victims: The Culture of Impunity in Post-Conflict Nepal* (London: HRW, November 2020), [file:///G:/19%20Oct%202020%20backup-ACTUAL%20FILES/1-Downloads%20\(Nepal\)/Nepal-2020/11-Nov%202020/20%20Nov%2020-No%20Law,%20no%20Justice-HRW-nepal1120_web_1.pdf](file:///G:/19%20Oct%202020%20backup-ACTUAL%20FILES/1-Downloads%20(Nepal)/Nepal-2020/11-Nov%202020/20%20Nov%2020-No%20Law,%20no%20Justice-HRW-nepal1120_web_1.pdf). Useful on the current political crisis is Sambridh Ghimire, “Institutional Collapse in Nepal,” *The Indian Express*, 30 May 2021, <https://indianexpress.com/article/opinion/columns/institutional-collapse-in-nepal-7336977/>.



(Figure 1: Police seal off area in order to defuse a bomb planted in Pokhara by the Maoists as part of an effort to enforce a general strike (banda) on 14 March 2019. Inset shows the same location during the most recent violent effort to carry out a nationwide strike, 16 November 2021. Pokhara, a large peri-urban valley, is located in Kaski district in the former Western development region.)

The upshot is that Nepal is in a battle for its democratic soul. The challenge comes from half-baked communism still corrupted by violence and extensive extortion conducted in local spaces.⁸ Unfortunately, Nepal of late has created quite the track record of cozying up to some pretty odious sorts. This gives cause for concern. In foreign policy, when the communists have been the ruling party, they have at times sounded like the marginalized, pro-Maoist Albanians of the Cold War, then Beijing’s only ally in Europe, promising liberation for mankind and sponsoring international symposia (held in Nepal) attempting to pursue this line. One of the more egregious such gatherings

⁸ For discussion, among numerous possibilities in my work, “Back to the Future: Nepali People’s War as ‘New War’,” in Shanthie D’Souza, ed., *Countering Insurgencies and Violent Extremism in South and South East Asia* (London: Routledge, 2019), 109-52; also, “Tenuous Security in the Himalayas: A Focus on Nepal,” in *Terrorism, Security and Development in South Asia: National, Regional and Global Implications* (London: Routledge, 2021), 63-79. also, “Maoist Miscue: MCC and the Future of the Party,” *The Himalayan Times*, 15 February 2022, available at: <https://thehimalayantimes.com/opinion/maoist-miscue-mcc-and-the-future-of-the-party>.

was the 30-31 May 2018 symposium in Kathmandu that was sponsored by the ruling communist party. All major party figures attended, to include the prime minister and the Maoist leadership. The Ambassador of Venezuela was a keynote speaker. Subsequently, the Maoists created considerable stir by releasing an official NCP letter supporting Venezuela and condemning U.S. actions against what objectively is one of the more loathsome Marxist dictatorships (albeit terming itself “Bolivarian”) in the world.⁹ Not to be deterred by sobering reality, the Nepali Maoists, on 26 July 2019 at the “Ninth Asia-Pacific Regional Conference on Solidarity to Cuba,” hosted in Kathmandu, lauded “socialism” and Cuba’s efforts to achieve it, demanding an end to the U.S. embargo of the country, yet ignored Cuba’s central role in facilitating the tragedy unfolding in Venezuela. That Nepal is involved at all with such distant, lamentable regimes can only be explained in terms of imagined yearning for communist ideological solidarity even as the quality of Nepal’s democratic governance has declined steadily.¹⁰

Assisting the democratic decline has been China, a dictatorship of Orwellian proportions, which is intelligent enough to pose as a democracy even as it commits genocide.¹¹ In September 2019, several hundred senior NCP cadre of the government and party spent much of a week in an indoctrination session in “Xi Jinping Thought” (i.e., the thought of the present dictator of China), facilitated by 40 cadre from China (to include officials as high as the Chief of the International Liaison Department of the Communist Party of China). Subsequently, Xi himself, accompanied by a substantial party, visited Kathmandu and signed more than two dozen agreements designed to bind the two countries more closely. This was followed in June 2020 by a second indoctrination session, conducted via internet teleconferencing during the pandemic lockdown.¹²

Small wonder, then, that a good bit of head-scratching went on in the two largest democracies with skin in the game, New Delhi and Washington. It was almost as if Nepalis had no knowledge of the astonishing crimes of those with whom they hang out – or worse, simply chose to ignore the matter. India needs a stable, friendly neighbour. China needs a stooge. And the U.S. wants a stable, prosperous democracy. China wants a vote in the UN and a thorn in India’s side. Cambodia is the

⁹ It ranks near the absolute bottom in the EIU league tables, behind even China (151st to China’s 148th). The Caracas regime, to be clear, maintains its internal position only through the widespread, brutal use of paramilitary thugs and through support of dictatorships such as Cuba, Russia, China, and Iran. Latest estimates state that nearly 6 million Venezuelans are refugees as a consequence of national collapse resulting from the country’s Marxist policies, and a special UN Human Rights Council investigation has reported there exist “reasonable grounds” to charge the country’s dictatorship with crimes against humanity.

¹⁰ Details (to include photo) in Biparta Thapa, “NCP Chair Dahal Calls for Ending Embargo Against Cuba,” *Republica*, 26 July 2019, <https://myrepublica.nagariknetwork.com/news/ncp-chair-dahal-calls-for-ending-embargo-against-cuba/>.

¹¹ Just as West Bengal was used by the Soviets to launch disinformation, which could then be laundered through other outlets, so Nepal has in recent years proved the ideal platform to plant propaganda under the guise of op-eds or citizen contributions.

¹² Excellent for the model advocated by Beijing is Bruce J. Dickson, *The Party and the People: Chinese Politics in the 21st Century* (Princeton, NJ: Princeton University Press, 2021).; also, John Fitzgerald, *Cadre Country: How China Became the Chinese Communist Party* (Sydney: University of New South Wales Press, 2022). Also of considerable value, A. James McAdams, *Vanguard of the Revolution: The Global Idea of the Communist Party* (Princeton, NJ: Princeton University Press, 2017). My own work on the subject may be found in (among others), *Counterrevolution in China: Wang Sheng and the Kuomintang* (London: Frank Cass, 1998).

model, a bought-and-paid-for asset. Central for Nepal, therefore, should be to have a serious discussion as to what it believes in and what it wants to be.

The present fraught state of Nepali democracy highlights the challenge. It is not enough to vote, just as it is not enough to secure voting booths even as the most astonishing crimes occur just outside the perimeters of those voting premises. Countries are not empty vessels. They have systems. A voice in the West who objects to policies or their manner of implementation has a chance to be heard. That is not true of dictatorial systems. That Nepalis representing certain parties claim the opposite rather highlights the point.

This same cabal was loaded for bear when an odd leak of a purported military alliance of sorts, apparently SPP working papers from a 2015 request by Nepal Army (NA) to be a part of the programme (as are e.g. the Maldives and Sri Lanka in partnership with Montana). SPP, in turn, originated in the effort to turn the militaries of the former Soviet empire into more capable entities that could fulfill missions that frequently are tasked to the local forces of democracies, such as disaster response, crisis management, maritime security, and economic initiatives.¹³ Partnerships with state forces ensure much greater continuity than with regular forces, which not only regularly rotate personnel but are tasked primarily with preparation for combat. With the local US ambassador assuming the lead, and the US providing the funding for address of jointly ascertained needs, the programme was obviously one that would have benefited Nepal. That, of course, was what made it suspicious to the left.

As it was, the communist forces within the ruling coalition, particularly the Maoists, again took the lead in demanding that the American perfidy be opposed. The result was that SPP was rejected by a Cabinet decision, but not before considerable damage to civil-military relations. For the same individuals who had, in fact, backed MCC until it was not in their ideological interests to do so, tried to claim the army (NA) had taken it upon itself to apply for SPP. Reality was quite different. Still, there was little the state could do, and therein lies the heart of this report. Nepal is not a country with a government. Rather, it is a labyrinth of party politics where power, policies, and personalities in which Nepal is the clear loser.

¹³ Ironically, an entry as mundane and accessible as that of *Wikipedia* is quite accurate, https://en.wikipedia.org/wiki/State_Partnership_Program. For semi-official discussion, https://www.army.mil/article/72048/state_partnership_program_emphasizes_building_relationships.

The Labyrinth of Party Politics



(Figure 2: Radical Maoist agitprop being carried out before an audience at Malkot Serapata Narharinath in Kalikot district, 24 January 2020. Inset: Forestry official assaulted on 3 January 2022 in Kailali district for resisting radical forced fundraising (i.e., using violence to obtain “donations.” He has been “blackfaced” as a sign of disrespect. Numerous such assaults have been recorded, with actions often escalating. Actions by the radical Maoists, such as organizing in local space and attacking targets, remain widespread. Radical Maoist agitprop session held 24 January 2020 in Kalikot district. Photo: [Annapurna Post](#), Inset: [Desh Sanchar](#). They occur alongside similar mainstream communist activities (both the Maoists and the UML). In form and content, there is little to distinguish these events, save the route demanded for realization of revolution.)

The major error in assessing Nepali politics is to identify the government as an entity representing the country. In reality, it is the tangible expression of rent-seeking every bit as comprehensive as that associated with classic resource curse.¹⁴ In the Nepali case, though, the only major resource is

¹⁴ Discussion at Syed Mansoob, *The Resource Curse* (Newcastle upon Tyne, UK: Agenda Publishing, 2018).

the state itself. Thus controlling it is paramount for those seeking enrichment – or simply (to be fair) a good life.

There follows a second reality: political power involves a division of spoils, not of tasks much less responsibilities. It makes no difference whether a Finance Minister, for instance, has requisite qualifications, a subject much discussed in present Nepali media as the country lurches through its latest economic challenges. He is there, because Cabinet positions are allocated on quota to political parties – or, if a single party, to its factions.¹⁵ In that sense, one returns to the “bureaucratic polity” model of the late Fred Riggs, wherein he explained, in intricate detail, the manner in which actual politics played itself out within the Thai bureaucracy rather than the constitutive (or representative) system. Nepal may differ in detail but is astonishingly similar in functioning.¹⁶

Deuba, then, is not prime minister in the sense of being leader of a country. He is the representative of a communist coalition. That he has limited power is revealed by the parliamentary math. With a total of 275 seats, and 138 needed for a majority, the ruling coalition has 159: 63 NC; plus 49 Maoists (4 suspended);¹⁷ plus 25 ex-UML communists – now officially recognized as the CPN (United Socialists) or CPN (*Ekikrit Samajbadi*); plus 21 People’s Socialist Party, Nepal (PSP-N or Janata Samajbbadi Party), a majority faction of the *tarai* socialists, who themselves have split – with 13 members refusing to commit to the ruling coalition and with ex-Maoists in key leadership positions; plus a lone vote from an independent and otherwise irrelevant party. The tenuous wording of what might seem to be a straightforward list highlights the point: the composition of the parties themselves, hence the coalition’s majority, remains in flux.¹⁸

The UML rump, for example, *Ekikrit Samajbadi*, exists only due to the prime minister’s unilateral and questionable manipulation of rules governing party splits (precisely to achieve his majority). The same is true for the PSP-N. The existence of both is thus being challenged in the Supreme Court. Regardless, what should be evident is that NC is a minority both within a communist dominated coalition (albeit some members calling themselves socialists, a term also used by the communists) and within the parliament itself. In fact, it has been unable to govern, because until 18 May 2022, parliament was physically blocked by the ousted communist UML, which remains the single largest party in the country. Parliament has met only a limited number of times.

¹⁵ For discussion, Ashim Neupane, “How Finance Minister Janardan Sharma is Failing Nepal’s Economy,” *Nepal Live Today*, 20 December 2021, <https://www.nepallivetoday.com/2021/12/20/how-finance-minister-janardan-sharma-is-failing-nepals-economy/>. The subject of the article resigned under pressure on 6 July 2022. He is to be replaced by another Maoist designee.

¹⁶ Fred R. Riggs, *The Modernization of a Bureaucratic Polity* (Honolulu, HI: East-West Center Press, 1966).

¹⁷ At any point in time, the party numbers may not equal the number of seats due to suspensions or expulsions. In particular, at present during the intense intra-communist battle, a number of parliamentarians, having been expelled by their home parties, have had to vacate their seats.

¹⁸ Initially, the coalition could muster but 129 seats: 61 NC (2 suspended); plus 49 Maoists (4 suspended); plus 19 from the split *tarai* socialists (who had 34 total in their party). A majority was achieved by adding 14 ex-UML in the CPN (United Socialists) or CPN, who announced on 27 August 2021 that they would support the coalition. Their status, as noted, remained legally contested, but they were subsequently able to expand their numbers enough to provide the majority as indicated in the text.

Prior to the current crisis, the ruling communists had 191 votes (NCP 174 in coalition with half of the *tarai* “socialists”). Thus, they had more than a two-thirds majority, which allowed, in practice, ruling by decree. This, the communist prime minister, Khadga Prasad Sharma Oli, did, concerning himself with widespread terrorism only to the extent necessary to force the radical Maoists – those responsible for the numerous bombings and extensive illicit fundraising – to return to the unified communist fold. Attacks upon non-communist actors were acceptable; jeopardizing the communists’ dominant position was not. The pandemic was the intervening variable, because Oli sought to exploit it not only to solidify communist power but his own personal position at the expense of other prominent communist personalities. Those who took most offense and had communist party followings sufficient to allow them to challenge him were Maoist leader Pushpa Kamal Dahal *aka* Prachanda and UML stalwart Madhav Kumar Nepal, both of whom had previously served as prime ministers.

It is Dahal who is of central importance to the present situation. He remains the leader of the original and still largest Maoist group within the communist movement of Nepal. It continues to use terrorism *opportunistically* despite having opted to emphasize political action and subversion within the context of Nepal’s flawed democracy. Known for much of its history as the Communist Party of Nepal or CPN(M) – the precise manner in which the acronym is rendered was that of the group – it changed its name to the Unified Communist Party of Nepal-Maoist (UCPN-M) after the end of the overt conflict. Post-insurgency splintering saw at one point as many as ten Maoist parties in existence. When perhaps half of them returned to the fold, the mainstream altered its name yet again, becoming the Communist Party of Nepal (Maoist Centre). Subsequently, on 17 May 2018, it was announced that the party’s electoral alliance with the communists (but not Maoists) of the UML, led by Oli, had resulted in their amalgamation into the restored NCP. As a result of Dahal’s efforts to seize leadership of the NCP, aided by UML anti-Oli dissidents – even as that party controlled the government – a crisis erupted in December 2020.

In January 2021, the party split, with the rival factions mutually “expelling” each other. The situation became even more complicated when a 7 March 2021 Supreme Court decision found that the reunification of the communist movement was legally flawed and thus null. Though the original two parties, the UML and the Maoists, again came into existence, personal differences had already led to line-crossing by individuals. The result has been a situation both chaotic and tense, with the major communist forces fielding paramilitaries, and episodic violence occurring nationwide. Oli was ousted as the prime minister by a Supreme Court decision on 12 July 2021 that appointed the caretaker government.¹⁹ Dahal remained head of the Maoist party – now, again, the Communist Party of Nepal (Maoist Centre) – but saw several prominent lieutenants – to include the longest

¹⁹ The decision stated that an actual head-count of parliamentarians (versus Mr. Oli’s submission of single votes of support “by party”) revealed defections of such scale (i.e., movement between communist factions) as to place a non-communist but minority figure – former prime minister Deuba of NC – in the position of prime minister., because he was nominated by the communist coalition that was opposed to the manner in which Oli ruled.

serving Home Minister in the democratic era²⁰ – formally join the communist faction of the UML that was ousted.²¹

This maneuvering has not altered local realities or changed the situation there for victims of violence. One of the defining characteristics of the post-conflict years has been the increasing divergence between the formal rituals of national political participation and the local politics of political domination. Leninist political forms result in a reality where obedience is demanded by the central party organs, but decentralization devolves tactical considerations of area domination and violence to local party entities. This creates deniability for the Centre and a sense of empowerment at the local level through widespread networks of cellular action, each of which is replete with offices and the authority to act against party enemies. Little discipline is exercised through the chain of command, with the overriding party factor for evaluation of performance being results – delivery of local domination and the funding necessary to support party operations.

Deniability remains essential to Maoist functioning above-ground, as is ensuring that Transitional Justice cases are not heard.²² The sheer level of atrocity unleashed in local space during the conflict has not yet been comprehended by either national or international observers.²³ Regardless of precise count – which is substantial, even using existing data – the Maoists claim whatever occurred is evidence of the repressive nature of the old-order or actually carried out by the state. Rage, they state, was the predictable result when revolutionary impulse emerged. This line of argument has continued to the present.²⁴

²⁰ The current constitution was effective from 18 September 2015, with the first government, that of the communist UML, beginning its term 11 October 2015. The Home Minister, a Maoist, was named 12 October 2015. Thereafter, until the commencement of the caretaker government's term, the Maoists held the position 1,611 days or 77 percent of the total. For incumbents and tenure (in Nepali): <https://moha.gov.np/>.

²¹ As an avowed communist party, the unified NCP had as its ostensible apex leadership body a Standing Committee, which consisted of 45 members, of whom 26 were from the former UML, 19 from the mainstream Maoists. The ruling hand, though, was the General Secretariat (included in the 45 total), structurally was aligned 6 to 3 in favour of the UML but in reality consisting of individuals bitterly divided by ideological leanings, policy differences, and personalities. At the time of the December 2020 crisis, it was divided 5-4 in favour of the Maoists. Most NCP leadership figures of consequence were men, and the General Secretariat was entirely male.

²² Transitional justice, as both a formal category and a human rights challenge, refers to the measures to be taken in the post-conflict present to address abuses committed during the conflict past. None of the 63,000 case files created (the figure goes to 66,000, when disappearances are included) have been heard, with the government focusing instead upon co-opting the responsible organizations by populating them with placemen. The result has been impunity for perpetrators – overwhelmingly Maoists who remain in local spaces. For general discussion, Yvette Selim, *Transitional Justice in Nepal: Interests, Victims and Agency* (London: Routledge, 2018).

²³ For Nepali Congress alone the toll was staggering, as may be found in a massive compilation of conflict casualties, *Report on Stateistical Record of Conflict Victim in Nepal [sic]*, prepared by the Peace Process and Conflict Victim Monitoring Coordination Committee, Central Office of the Nepali Congress (2008). Apparently, only three printed and bound copies exist. That examined during my August 2018 fieldwork was in English, with what appeared to be 8 pt. font filling every line of both sides of more than 500 pages. The result is tens of thousands of recorded atrocities. On Maoist post-conflict terrorism, see Kanak Mani Dixit, *Peace Politics of Nepal* (Kathmandu: Himal Books, 2011), as well as my own work noted earlier.

²⁴ Though integral to radical left-wing thought, especially that of Maoism, the line of argument is repugnant in its denial of agency and accountability. A very different standard was applied to instances of military indiscipline during the conflict. Discussion at, Thomas A. Marks, "Miscarriage of Justice: the Major Basnet Case," *Amalekh*, 28

At heart, the issue is as stated above: Nepal, its declared political status notwithstanding, is at best a quasi-democracy. As a self-proclaimed communist state, it seeks to implement what it claims is “21st Century Marxism” or “scientific socialism.”²⁵ Maoism is but one thread of this fervently embraced communism.²⁶ That the Maoists reunited for several years with the historically larger, above-ground communist movement resulted from the strategy of Dahal, who intended to use the united front approach to subvert the dominant UML leadership so that the Maoists would control the entire communist party (and the country).²⁷ As Oli has been in poor health, Dahal until recently saw strategic patience as all that was necessary for Maoist victory. Ultimately, he expected subversion (within the communist movement) and terrorism (directed at non-communist foes) to drop leadership of the combined communist forces into his lap. This would allow the Maoists to complete “the revolution” under the façade of democratic process.²⁸

December 2009, <https://amalekh.wordpress.com/2009/12/28/miscarriage-of-justice-the-major-basnet-case/>. For post-conflict violence, there is complete denial that incidents such as comprise this case even happen.

²⁵ For details of the ideological approach, Paul Thomas, *Marxism and Scientific Socialism: From Engels to Althusser* (London: Routledge, 2008). For the Chinese model and trajectory to power that the Nepali communists seek to emulate, Tony Saich, *From Rebel to Ruler: One Hundred Years of the Chinese Communist Party* (Cambridge, MA: The Belknap Press of the Harvard University Press, 2021).

²⁶ This communism is more fervent belief than ideologically sound politics. A well-established body of scholarship deals with the concept of “political religion,” with its constituent analysis drawing upon the affinity between religious quest, with its constant division in search of salvation or deliverance, and totalitarian utopianism. Communism and fascism have been the most widely examined cases. Nepali communism, which beyond all else seeks “development” – a way out of a perennial state of deprivation – has consequently been characterized by extensive splintering and its accompanying violence. Even Nepali Maoism has in the years since 2006 had at one time numerous parties claiming to be the authentic voice of this variant of communism. For relevant treatment of the potential for dictatorial violence inherent to political religion, see Marcela Cristi, *From Civil to Political Religion: The Intersection of Culture, Religion and Politics* (Waterloo, Ontario, Canada: Wilfrid Laurier University Press, 2001); also, Hans Meier, ed., *Totalitarianism and Political Religions: Concepts for the Comparison of Dictatorships*, trans. Jodi Bruhn (NY: Routledge, 2009). For the mindset which reifies ideology as political project, Phillip W. Gray, *Vanguardism: Ideology and Organization in Totalitarian Politics* (London: Routledge, 2020).

²⁷ “United front” is a fundamental Leninist tactic whereby a communist party joins a more dominant rival, ostensibly to face a common foe or pressing issue. In reality, by allowing the communists into its processes and giving them access to its manpower, the rival (even if formally communist) places itself in a position such that it can be subverted from within. The united front approach historically has been a central element of Maoist people’s war, the strategy followed by the Nepali Maoists. The subject is extensively treated in my *Counterrevolution in China: Wang Sheng and the Kuomintang* (London: Frank Cass, 1998), as well as my “‘The History of Our Sewage Disposal System’: Solzhenitsyn’s Conception of Stalinism as a Necessary Product of Lenin’s Thinking,” *Issues & Studies* 14, no. 5 (May 1978), 65-89. It is a central component of the discussion in Thomas A. Marks and David H. Ucko, “Gray Zone in Red: China Revisits the Past,” *Small Wars and Insurgencies* 32, no. 2 (March 2021), 181-204.

²⁸ This strategy has become the norm for authoritarian polities in the post-Cold War political environment. See e.g. Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism: Hybrid Regimes After the Cold War* (NY: Cambridge University Press, 2010). Particularly apt in illustrating the point are the book’s introductory remarks (e-book, no pagination): “Unlike single-party or military dictatorships, post-Cold War regimes...were competitive in that opposition forces used democratic institutions to contest vigorously – and, on occasion, successfully – for power. Nevertheless, they were not democratic. Electoral manipulation, unfair media access, abuse of state resources, and varying degrees of harassment and violence skewed the playing field in favour of incumbents. In other words, competition was real but unfair.”

The wild-card was the issuing of a long-delayed court decision, which, in essence, found NCP to have expropriated as its name the title legally belonging to another party. The resulting chaos had powerful consequences, because all Nepali socio-economic realities (especially distribution of resources and favours) take place within the matrix of party politics. The latter, in turn, are driven by Leninist party forms that are themselves bounded by a complex legal framework which is derived from the equally byzantine post-war maneuvering. The crisis within the NCP saw actions which all but destroyed the foundations of the edifice that had been built.

In a parliamentary system, there is effectively no need for impeachment; rather, the offending individual is ousted from position or party. The offending individual in the crisis under discussion was Oli, who, having brought the Maoists into a reunited communist party and then destroyed the opposition NC, ruled dictatorially. The Maoist plan was to use UML line-crossers – who had been enticed into UML ranks by remunerative party positions of power – to support them in ousting Oli from his own party positions. Dahal would then emerge as not only head of the party but also of the country (i.e., prime minister). With the two-thirds parliamentary position, he would have achieved his long-sought objective and could refashion Nepal at will into a proper communist state modeled on that of China.

As per the constitution, the president, Bidya Devi Bhandari, was to act as the referee in the complex moves that followed. In reality, as a UML placeman of longstanding, as well as an Oli intimate, she connived in a series of increasingly dubious measures designed not only to keep Oli in power but to buy him time to suborn factions within both communist ranks and others, especially the *tarai* socialists.²⁹ The latter, divided into two factions of 17 parliamentary seats each, were themselves a recently reunited separatist force, thus comprised of factions nearly as antagonistic to each other as those within the communist movement itself. Indeed, as noted, the two premier socialist leaders were ex-Maoists, to include the man who had been the second leading figure during the entire 1996-2006 insurgency, Dr. Baburam Bhattarai.

As the Supreme Court slowly but regularly ruled illegal each of Mr. Oli's measures, the various communist factions readied their paramilitaries for action. For these, too, had split in the same manner as was driving the crisis within the larger communist movement. Oli and Nepal, the main antagonists within the UML ranks, were no strangers to political violence. Both were former Naxalites (proto-Maoists inspired by the first Maoist insurgency in India, that of the Naxalites, so-named, because their struggle emerged from the district of Naxalbari, which borders eastern Nepal). Where they differed from the Maoists was not in rejecting local violence per se but in their refusal to embrace people's war as the route to power. Similarly, Maoist re-entry into the open political scene stemmed not from acceptance of the parliamentary premise but from a decision that the changing political circumstances of 2005-2006 allowed them to offer a united front to the communists (UML) and NC in their ongoing battle against the monarchy.³⁰ In the event, in May

²⁹ It may be noted that the vice president, Nanda Kishor Pun, and speaker of the house, Krishna Bahadur Mahara, are both Maoists, who have been involved in similar activity to support the party.

³⁰ Reintegration of the Maoists is the premier illustration of teleological thinking in assessments of where Nepali politics now stands. At the key strategy session, held in September 2005 in Chunwang VDC, Rukum, the course of action outlined and agreed upon was understood by all participants to be the embrace of parliamentary democracy as to be a tactic that would enable Maoist organizing in government strongholds (essentially, district capitals and

2008, the monarchy was abolished, and the political parties then returned to battling each other.³¹ In that battle, the non-communists had seen the ground slip from under their feet, as revealed when all major communist forces reunited.

Domination Without Unity



(Figure 3: Mainstream Maoist armed strike on 27 February 2022 in Kathmandu, accompanied (Inset) by inert IEDs placed to achieve the disruptive and propaganda effect of actual IEDs – without the possible popular backlash. In the recent violent street actions and bandas called by the mainstream Maoists (in February 2022) – which occurred even as they technically were a part of the caretaker regime – use was made of inert IEDs, strategically planted to disrupt normal life without likelihood of a mass-casualty event. In this sense, as concerns the high-end of terrorism, the practical difference between the various Maoist factions lies only in their willingness to use explosives in public venues. All groups continue to attack individuals and groups, and they often coordinate their actions. Main graphic: [The Kathmandu Post](#), Inset: [Koshi Online](#).)

Kathmandu) for ultimate seizure of power through violent mass action linked to then-existing rural domination. The subsequent splits resulted from radical claims of the plan’s betrayal by the mainstream. The debate was not one of violence versus nonviolence but over just how aggressively to proceed. Dahal’s presentation to the Chunwang meeting states as its first military goal of five (translation from the Nepali): “To extensively militarize the party, authority, party members, and people and seek to configure, specialize, and train the People’s Liberation Army to take necessary action in the cities, center, region, districts, and capital” (i.e., to prepare forces for urban insurrection). Original document examined during March 2017 fieldwork in Nepal.

³¹ See e.g. Murari Raj Sharma and Bhagirath Basnet, *The Rise of Communists and Fall of Monarchy in Nepal* (Bhaktapur, Nepal: Kathmandu School of Law, 2017).

The present situation of communist domination without unity, in a sense, is a return to the historical norm. NCP's recent three years without major schism were an anomaly, because in the past it is largely division within the larger communist movement that has allowed NC to garner parliamentary majorities during the democratic era (1990 to present). These parliamentary majorities, while supported by an at-times strong popular base, were a consequence of a first-past-the-post (FPTP) voting scheme which allowed numerical victory over the divided communist forces.³² This is no longer true, regardless of communist splintering, because the voting system was altered by the 2015 constitution. It is now a mixed FPTP and proportional (i.e., popular vote percentage) system. Ironically, were it not for this reality, NC would hardly exist as a parliamentary party, having been driven from the field by the unified communist campaign in the 2017 election. NC won just 23 FPTP seats in a 275-seat lower house – emerging with 63 total due to proportional representation – and had limited power in the upper house, which represents 7 provinces (it has 10 seats of 59).

This maneuvering does not represent a maturing of post-war parliamentary practice. Rather, it exemplifies lurching from crisis to crisis, with political violence widespread and its perpetrators enjoying all but total impunity. In their public and private statements, all communist parties and forces make clear that their ultimate objective is to produce in Nepal viable “21st century socialism,” with internal debates revolving around the tactical benefit in temporarily putting aside the “communist” label, while maintaining the essence of the communist approach and objective. This is classic Leninism, wherein any tactical compromise is acceptable as long as the strategic objective is maintained.³³ Even Deuba's communist partners have stated, publicly and privately, that NC remains wedded to a regressive ideology (democracy and the market), and that the U.S. remains the principal foe. Hence, they have allowed the caretaker government to do little save manage response to the pandemic. Dahal, in fact, has publicly made clear – as recently as 24 June – that, for the coalition to continue following national elections, he expects to be named prime minister.

In such circumstances, there will be little change in national or local circumstances. The Maoists, in particular, have actually been strengthened, because they remain willing to bolt even as they leverage their coalition position to the hilt. “Inside,” they are demanding that their present 36 seats be raised to 65 representing the coalition in the upcoming national elections. “Outside,” they continue to use paramilitary violence to attack positions with which they do not agree and to ensure

³² Tallies in fact frequently produced a communist popular majority. In the 2013 election for the constituent assembly which produced the present constitution, for example, NC dominated in seats won, but its popular tally was 2,421,252 compared to a split communist vote that when combined was 3,682,143 (2,243,477 UML and 1,438,666 Maoist). Once the Maoists became more subtle in their continued use of violence, the UML in 2017 opted for unity grounded in ideological affinity. For comparison between the two major parties, NC and UML, see Krishna Hachhethu, *Party Building in Nepal: Organization, Leadership and People – a Comparative Study of the Nepali Congress and the Communist Party of Nepal (Unified Marxist-Leninist)* (Kathmandu: Mandala Book Point, 2002). Excellent on the transition to democracy is Kiyoko Ogura, *Kathmandu Spring: The People's Movement of 1990* (Kathmandu: Himal Books, 2001). For background, Krzysztof Debnicki, *Royalists and Populists: Evolution of the Political System of Nepal 1950-1980*, limited edition of *Orientalia Varsoviensia* 5 (Warsaw University Press, 1992).

³³ For modern application, Thomas C. Schelling, *Arms and Influence*, new edition (New Haven, CT: Yale University Press, 2008).

domination of local areas they already hold. Similarly, having enlarged the UML breakaway faction considerably, Nepal is demanding greater effort to strengthen his party's wins.³⁴

Ironically, for the remaining months of the caretaker term, the partners need each other, because Oli has continued his aggressive efforts to reclaim his position and still leads a mainstream communist UML of 96 parliamentary seats (111 if line-crossers return). Local elections were held in a single round on 17 May 2022, with the caretaker coalition achieving a majority of ward and municipal positions yet only because the communists again split their votes (between UML of both factions and the Maoists). Altogether, the communists held their majority. Local governance is symbolically important but has little power, which derives from the provincial and national elections.³⁵

In all this, the clear loser is the Nepali public. Analytical opinion is all but united in its condemnation of present politics, and my April 2002 fieldwork verified that local cadre were extremely unhappy at national bed-sharing. The dilemma, though, is as it invariably is in Nepal: with a staggering array of challenges buffeting individuals, few in local space have time, energy, or resources to mount resistance in local space. That moment may well come, but not yet.

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³⁴ In the local elections, Nepal (as he has made abundantly and publicly clear) felt his UML rump was slighted in the distribution of "one coalition representative per seat." This allowed the mainstream UML of Oli to gain many lower level positions that Nepal felt his people could have won. He thus expects redress. His desires, though, collide with reality. In the upcoming election, 165 seats of the federal House and 330 in the seven provincial assemblies will be contested. If, as speculated by astute observers, NC reserves 100 seats for its own people, and Dahal's Maoists demand 65, the math dictates crisis. It is noteworthy that in their gambit, the Maoists seek to nearly double their representative numbers without a commensurate increase in actual popular backing. This is quintessential united front tactics (as well as a form a political Russian Roulette, given the consequences of any partner refusing to back down).

³⁵ Astute commentary at Deepak Thapa, "Impressions From the Election Past," *The Kathmandu Post*, 18 May 2022, <https://kathmandupost.com/columns/2022/05/18/impressions-from-the-election-past>. For discussion of ample election violence, Prithvi Man Shrestha, "Festering Political Feud Resulted in Violent Election Day, Observers Say: *The Kathmandu Post*, 15 May 2022, <https://kathmandupost.com/national/2022/05/15/festering-political-feud-resulted-in-violent-election-day-observers-say>.

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