Introduction

The concept of human security is relatively a new phenomenon in the youngest Federal Democratic Republic of the world. It neither has been possible for Federal Nepal to adopt human security as a part of her foreign policy according to the United Nations (UN) prescription in totality, nor has she been able to adopt the concepts developed by the international visionaries related to conflict prone zones. If observed keenly, Nepal rather is developing the concept and practice of human security in amalgamation with Amartya Sen’s broader explanation. Visibly, Sen also set his paradigms not only from the violence-hit parameters but also from the theme of general conditions of human dignity. He categorically addressed Former Japanese Prime Minister Keizo Obuchi’s vision. According to Sen, human security is the key word to comprehensively seize all of the menaces that threaten the survival, daily life and dignity of human beings and to strengthen the efforts to confront these threats. Sen further quotes Obuchi, “It is my deepest belief that human beings should be able to live lives of creativity, without having their survival threatened or their dignity impaired.” Sen also worked together with Sadako Ogata as co-chairperson of the UN Commission on Human Security formed on 1 January 2001 and submitted the report to UN in May 2003. It helped to form the United Nations Human Security Unit in 2004. The decision was a strong force to meet the challenges of Millennium
Development Goals (MDGs) because it marked human security as its nucleus. This practice became immensely supportive to mitigate the detrimental effects on economically deprived and violence prone zones, specifically, countries like Nepal heading towards meeting the MDG set in 2000, by the year 2015. The United Nations Human Security Commission Report categorically identified 10 areas of human security applicable to the young democracy of Nepal:

1. Protecting people in violent conflict;
2. Protecting people from the proliferation of arms;
3. Supporting the security of people on the move;
4. Establishing human security transition funds for post-conflict situations;
5. Encouraging fair trade and markets to benefit the extreme poor;
6. Working to provide minimum living standards everywhere;
7. According higher priority to ensuring universal access to basic health care;
8. Developing an efficient and equitable global system for patent rights;
9. Empowering all people with universal basic education; and
10. Clarifying the need for a global human identity while respecting the freedom of individuals to have diverse identities and affiliations.

Besides Sen and Ogata, the key person on human security and behind the perception of MDG is Kofi Annan. Annan brought the vision of human security in a different perspective of humanity.

Although the term security is a physical, mental and psychological feeling related to time, space, environment and level of consciousness, the parameters guided by the theme
here relate to the detrimental effects of extremism in Nepal. In this context, one ponders, what is ‘extremism’ in fact? The answer is, it is the act of ‘an extremist’ and the ‘extremist’ is ‘a person who holds extreme fanatical political or religious views.’ The adjective ‘extreme’ is thus ‘severe, stringent, lacking restraint or moderation.’ Extremism, therefore, relates to the ‘extreme’ act of an individual, group, political party, religious fanaticism, ethnic barbarism, class or even a state authoritarianism or mechanism having a tendency towards terrorism, violence or even genocide.

**Human Security and Origin of Extremism in Nepal**

Nepal’s modern history as a unified nation dates back some 240 years ago, when King Prithvi Narayan Shah, the Great, unified 22-24 smaller states and established the family-hierarchy under monarchical system. It neglected legal, moral, physical, political, social, ethnic, financial, humane, secular, and other forms of human security. And it founded a nation state named the Kingdom of Nepal, which could not be a nation state in real sense, because it failed to achieve the process of inclusiveness in favour of the underprivileged class and community in terms of power sharing and access to economic resources in real sense. Since 1846-1950, a new family-autocracy named Rana Family, under the umbrella of Shah Kings, ruled Nepal. It was founded by the bloodshed known as kotparva in Nepalese history by the then Prime Minister (PM) Jung Bahadur Rana and ended with the then Premiership of Mohan SJB Rana in 1950. During this period (1950-1960, ruled by late Kings Tribhuvan and Mahendra) and the so-called Panchayat democracy (1960 to 1990 promulgated and ruled by late King Mahendra and followed by late King Birendra), human security of the Nepalese people was under the shadow of dictatorial command of absolute monarchy.
Notwithstanding domestic and foreign policy based on popular will of the people and pluralistic values and norms, the monarchical leadership curtailed Nepal to the state of stagnation. But Jung Bahadur Rana maintained a legacy of saving Nepal’s independence from the claws of the British colonialism in South Asia. Unfortunately, in Nepal’s case, it was at the cost of the Gurkha Soldiers’ recruitment in British and Indian army. The ugly legacy of the human security deprivation in the name of the Gurkha recruitment in the foreign military is maintained until today. The reason is clear. Nepal is unable to give suitable employment to her youths. A shock to Nepal, due to the privilege provided by the British government to settle in United Kingdom (UK), most of the Gurkhas not only decided to enjoy the facility but also repatriated back their earnings to that country, clearly, after the British granted them UK citizenship. It marked fundamentally the retarding effect on Nepalese economy with respect to the earnings of the Gurkha soldiers. The country’s economy is the strongest factor responsible for ensuring human security in Nepal. The economic prosperity could uphold the flooding youths from migrating abroad. Today, some 5-6 million youths are selling their blood and body to the foreign soil to earn their livelihood. The remittance from them is around NRs 300 billion per annum. The massive migration of youths and human trafficking for flesh-trade has badly affected not only the economic development but also the cultural value of Nepal. Economic progress despite extremism could save the face of human security in this country.

Monarchy, Maoist’s ‘People’s War’ and Human Security

Nepal has not been able to reconstruct the massive destruction of infrastructure caused by the People’s War (PW) waged by the Communist Party of Nepal-Maoist (CPN-M)
during 1996-2006. The People's War succumbed to more than 16,000 lives and thousands were displaced. Side by side, during those 240 years of monarchy also many Nepalese had no record of life. Many had to embrace martyrdom during different phases of the history of Nepal. The movements to safeguard human rights and basic value system of the indigenous people are continued until today. The crucial point at the present day context lies in the implementation of the Comprehensive Peace Accord (CPA) signed by the CPN-M and other seven political parties including Nepali Congress (NC), Communist Party of Nepal (CPN-UML), the Terai based regional parties and other smaller political parties on 21 November 2006. The major task is to make the new constitution of Nepal and restructure the country on the basis of inclusion of the underprivileged classes, communities and regions.

Internationally, nearly 100,000 Nepalese gave their lives to fight in favour of the British Government during the World War I (WWI) and World War II (WWII). Bilaterally, Nepal fought the last wars with British-India during 1814-1816 ending with Shugauli Treaty of 1816 and Tibet-China during 1791-1792 ending with Betrawati Treaty of 1792. Both the wars saw great human losses. The founder of modern Nepal, late PN Shah observed that Nepal is the 'yam between two boulders'. The Maoists term today's Nepal as the 'dynamite between two boulders'. Contrary to both the interpretations, from the date when China went nuclear in 1964, India in 1974 and Pakistan in 1998, Nepal perhaps on nuclear perspectives, stands 'between three boulders' in the region.

Domestically, the major war in the modern history of Nepal is the People's War. It challenged Nepal's first democratic constitution of 1990. By the provision of the constitution of 1990, the absolute monarchy had come down to constitutional. The so-called Panchayat Democracy was
eradicated by re-introducing multi-party system. By dissolving the elected parliament the late King Mahendra in 1960 had introduced the authoritarian system in Nepal. The Maoists were not satisfied by the achievement of the first Jana Aandolan of 1990. Therefore, after 6 years, in February 1996, they started the People’s War. Before going to the armed struggle, the Chairman of the then United Front of Nepal, Dr. Baburam Bhattarai on 4 February 1996 submitted a 40-Point-Demand to the Deuba Government but the government turned deaf to the demands. Then immediately on 12 February 1996, the CPN-M declared armed struggle against the monarchy and the existing multi-party system. During the decade long war, human security was threatened in many respects. It was both way - by the state and also by the insurgents themselves.

The Maoist Party was tagged as terrorist by India and the USA. The Maoists continued claiming that PW was a class struggle based on ideology. Since the PW was based on ideology, it was not even extremism. They went on clarifying their definition. Of course, the CPN-M’s objective at the beginning was to establish People’s Republic of Nepal under the dictatorship of the proletariat. They sacrificed their objective and were satisfied with Federal Democratic Republic of Nepal while signing the CPA with other seven political parties and aftermath while making the interim constitution of Nepal.

**PLA-RNA/NA: Serious Challenge to the Military Integration and Peace Process of Nepal**

When CPN-M was founded in 1996, it is said that there were only 70 people altogether to start the party. The People’s Liberation Army (PLA) was rather founded formally in 2001 with Prachanda as its Supreme Commander. Nanda Kishore Pun ‘Pasang’ became Supreme Commander of the PLA on 12
September 2008 after Prachanda became Prime Minister of Nepal. Prachanda delegated the authority because there were strong opposition from other parties that he cannot lead two armies - PLA and Nepal Army (NA).

Popular woman leader of CPN-M, Com. Parvati after 8 years of PW, gave an interesting detail about the development of PLA and participation of women in it. She stated that the historic PW was started under the leadership of CPN-M in 1996 with mere sticks, sickles, *khukuris* and literally two guns. One of the guns did not function and the other, which worked, was popularly known as ‘WT’ (Whole Timer!). In 2004, she detailed that PLA had GPMG, SMG, SLR, and Rocket Launchers. Similarly, in the initial phase of PW, there were combat, defense and self defense forces, but by 2004, PLA was expanded to the level of 2 divisions, 7 brigades, 19 battalions, several companies, platoons, sections and ten thousand militias. Today, 19,206 PLA are stationed in 7 cantonments in different parts of the country under the supervision of United Nations Mission in Nepal (UNMIN). Minor aged soldiers were numbered nearly 5000 and the government by the help of UNMIN separated them from the cantonments. The Maoists recorded some 5000 weapons but many speculate that this might not be the correct figure. Immediately, after the ceasefire when the then PM G. P Koirala was asked about the weapon, he had joked that the NC also had not declared all weapons to the government in 1950!

In an interview with the author on 12 November 2009, the Young Communist League (YCL) Chief Ganesh Man Pun informed that today, the militia could be around 300,000 to 400,000. But according to unofficial data it could also be nearly around 800,000 to 900,000. Similarly, the trained guerrillas could be nearly 33,000 or more.

In her article, ‘Women’s Participation in PLA’, Com. Parvati observed that what made people’s army distinct from
the reactionary army is that it also acted as an organizational and political force. In fact, PLA was essentially an ideological army with military force and in hostile areas, it was the PLA, which organized the masses in which women combatants were more readily accepted. The presence of the women in People’s Courts made the masses, particularly women, more accessible, more at ease and more helpful for egalitarian justice and that increased the organizational power of PLA. In the human security perspectives, as per their claim, by infusing women in PLA, it had catalyzed the process of integration of different castes, races, ethnic groups and regional groups, through inter-marriages among these communities within PLA, thus mitigating non-class distinctions and made PLA more multi-ethnic and multi-racial. This was in sharp contrast to what existed in Royal Nepal Army (RNA), later nick-named by PLA as Royal American Army because of the US support against the PLA, and this fighting force as the national army was divided on the caste, class, ethnic, religious and regional basis.²⁰

Royal Massacre, Change of Warfare Tactics and Agreement to Monitor Arms and Armies

In the evening of Good Friday on 1 June 2001, at a regular family gathering, King Birendra’s dynasty was brutally massacred. The blame went to the then Prince Dipendra’s hatred to his parents for not accepting his love Devyani, who was the daughter of the Rastriya Prajatantra Party President Pashupati SJB Rana. Almost each and every Nepali does not believe that the then Prince Dipendra could do this horrible phenomenon. Until today, the real killer is not identified. Senior journalist K. C. Shyam writes that there are many unanswered questions regarding Royal Palace Massacre.²¹

Since the late King did not allow the military to use its force against Maoists, the then Nepal Police, during 1996-2000
and later, used different techniques of warfare - code named “Operation Romeo”, “Kilo Shera Two”, “Jungle Search Operation” and “Search and Destroy”. The basic policy of all those attacks were ‘encircle and kill’, which, it is said, Chiang Kai-shek government applied against the Long March guerrillas led by Mao Tse-tung in China during 1930s. The Chinese Long March guerrillas also had working alliance with the nationalist force in 1931 and in 1937 to fight against the foreign forces – the Japanese forces. The Long March was successful in China in expelling the Chiang Kai-shek government in 1949, but in Nepal, the PW made historic CPA with the seven major political parties and lead the war to go for ballots in the multi-party system after 10 April 2008 Constituent Assembly (CA) election, which made Prachanda to be the first Prime Minister of the Federal Democratic Republic of Nepal.

The Maoists in fact had declared ‘ceasefire’, but other political parties dealt with them under ‘surrendered’ psychology. Since the Maoists were careful with the ex-King Gyanendra’s extensive military operations and the charges of the human rights organizations like Amnesty International and others they had also changed the war tactics. In 2004, after brutal warfare in different parts of the country, between PLA and RNA, particularly, the Beni-warfare at the district headquarters of Myagdi district, west Nepal, on 12 March 2004, Prachanda changed his tone regarding human rights issues. In that war, government claimed that some 500 guerrillas were killed, but the figure did not tally with the claims of the Maoists. According to the Maoists the war was won by them, and had killed 120 RNA fighters, captured 26 police and 33 RNA together with the administrative chief, Chief District Officer. Since, the senior Maoist leader CP Gajurel was already arrested in Chennai in India on 20 August, 2003 and was charged with passport forgery case and more in
West Bengal courts, there was no chance for him to be taken out from the jail. They bargained with the government for the release of their comrades Matrika Yadav, Suresh Ale Magar and Tilak Sharma.

Four days after the capture of the Beni warfare, on 16 March Prachanda issued a statement saying, "Our party has been committed to the fundamental norms of human rights and the Geneva Convention since the start of PW. Anyone who without prejudice judges the facts of the eight years can find that PLA has been showing respectful behaviour like treating the injured and releasing the Prisoners of War in good condition." The fear regarding the abducted people during the Beni insurgency was relieved and later they were released at the witness of the human rights organizations. Two years later, CPA was implied and PLA remained under the command of the joint security committee UNMIN as witness. An agreement between the government and the Maoists was signed on 8 December 2006. Ian Martin, Special Representative of the UN Secretary General and the UNMIN Chief was the witness between the government and the Maoists regarding the monitoring of the management of arms and armies.

Constituent Assembly Election, Maoist Government and Civil Supremacy Debate

The CPN-M did not agree with other political parties in the old Parliament to go to the polls for CA elections without declaring Nepal a republic. Finally, CPN-UML came to their side and it was decided as per the Maoists proposal and election for the CA was held on 10 April 2008. It took nearly three months to form the government by the leadership of the Maoists. Finally, Prachanda, with more than 78.3 percent votes in the legislative Parliament, defeating the Former Prime Minister Deuba from Nepali Congress (NC), formed the
government without NC. NC remained in opposition but the parties in power also never had unanimous voice in many state affairs because of the fresh wounds of the defeats of the other political parties.

The differences increased so rapidly that like former communist Prime Minister late Manmohan Adhikari; Prachanda also could not exceed more than nine months in power. Prachanda resigned immediately from the post of the Prime Minister when the President Dr. Ram Varan Yadav staged a constitutional coup at the recommendation of NC, CPN-UML, part of the Madhesi People’s Janadhikar Forum, Tarai Madhesh Loktantrik Party and the smaller parties numbering 18 in total. Article 144 of the interim constitution clarified about the President’s role. The President can appoint the Chief of the Army Staff (COAS) only at the recommendation of the Cabinet. But the President disqualified the Prachanda appointed acting COAS named Gen. Kul Bahadur Khadka, second in command, in place of the sacked COAS Rookmangad Katuwal. This started the chaos and made Prachanda to resign from the post of the Prime Minister.

After the historic CPA, CPN-M had honestly accepted the multi-party democracy and had come to power securing majority votes. But they could not get majority in the proportional representation from the community votes. Unfortunately, the latter provision was theirs in fact. Still, they emerged as the largest party of the country with 238 out of 601 seats in the Constituent Assembly. The UNMIN record of PLA is 19,206 and NA is 100,000. The integration of PLA and democratization of the NA has been the greatest challenge to the government today. Because of the fear of the rising popularity of the Maoists, the Confidence Building Measures (CBM) among other political parties to date is at great risk.
Human Security, Nepal’s Strategic Location in Global Politics and Natural Calamities

Geographically, Nepal occupies 0.03 percent of the total land area of the world and 0.3 percent of Asia. She is 22 times smaller than India and 75 times smaller than China but possesses perhaps the greatest strategic value in South Asia in modern times. She offers extreme topography and climate with unique flora and fauna, and the altitude ranging from 70m to 8848m. Nepal alone owns 8 out of 14 mountains above eight thousand meters in the world. Thus, human security geographically varies in three ranges - from the mountainous, hilly and Terai (plains) belts - North to South. The country’s mean length is 885 km East-West and breadth is 193 km North-South. The geo-political map played a crucial role to Nepal’s People’s War to be quite effective even in the 21st century. Obviously, wars are inversely proportional to human security with special relation to PW in Nepal.

On the other hand, Nepal falls in the seismic zone. Besides frequent minor tremors, almost every three decades, it has witnessed dreadful earthquakes. Similarly, landslides, floods, fires, epidemics, extreme heat and cold etc. kill thousands of people, and make millions homeless every year. Demographically, Nepal’s 27.4 million people are hemmed between the two largest populations of the world – China and India - more than a billion each. It may be mentioned that Nepal is a multi-ethnic, multi-cultural, multi-linguistic, multi-religious and Hindu turned secular state. There are more than 91 languages and 101 ethnic groups in this tiny land at the northern hemisphere. This country is known as Land of Mt. Everest. Once a ‘Zone of Peace’ supported by 116 countries of the world, except India, Nepal is the home of the apostle of peace Gautam Buddha.

But extremism existed in this country. There are some 109 small armed-groups in the southern part of the country. Few of
them are of political nature, and many of them are individual criminals. All of them are based on adjoining borders to India. They are indeed the challenges to the Special Security Strategy (SSS) brought out by the MK Nepal government. These variables and the probable ethnic violence are the serious threats to the human security in Nepal. Since 1 November 2009, the UCPN-M—Unified Communist Party of Nepal waged new street protests for civil supremacy of the people against the President’s unconstitutional move. They also threatened virtually to go to Peoples War II or Jana Aandolan III, if the provisions of CPA were not met. And finally, UCPN-M on the People's Movement Day Celebration Day on 6 April 2010, in presence of nearly 400,000 people, announced peaceful mass protest from 1 May 2010. In fact, this demonstration witnessed nearly 800,000 to 900,000 people in the streets of Kathmandu alone and such demonstrations were organized in 12 major cities of the country. Perhaps first time in the world, such a huge mass demonstrations were peaceful and disciplined.

That followed a six-day-long General Strike in the country by the declaration of People's Movement III on 26 April 2010. The important provisions included making new constitution on time before the deadline of the Constituent Assembly on 28 May 2010. The major demands were to bring the peace process to a logical end, constitution of inclusive federal structure, save sovereignty of the country, integration of PLA in NA and a national government of consensus participated by all major political parties. At the midnight of 28 May, the CA decided to extend its life for one year more to accomplish the constitution writing and form the new government of consensus. Till this writing was made, the pro-government parties did not seem to come to a politics of consensus to fulfill their agreement made on 28 May 2010. But the challenge is that if the nation's greatest force goes to war, it could lead to the greatest disaster to the history of human security in Nepal.
Ethnic Division and the Maoist Design of Federal Restructure of the State

No other party except the UCPN-M has been so far able to submit the model of the federal structure to frame the new constitution of Nepal. Since they had run the parallel government, they had gone to the election campaign with their ethnic, linguistic and geographical division of the state. According to Nepal’s last census of 2001, the following caste/ethnic groups in percentage exist in Nepal:

<table>
<thead>
<tr>
<th>Ethnic/Caste Group</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chhetri</td>
<td>15.80</td>
</tr>
<tr>
<td>Brahman</td>
<td>12.74</td>
</tr>
<tr>
<td>Magar</td>
<td>7.14</td>
</tr>
<tr>
<td>Tharu</td>
<td>6.75</td>
</tr>
<tr>
<td>Tamang</td>
<td>5.64</td>
</tr>
<tr>
<td>Newar</td>
<td>5.48</td>
</tr>
<tr>
<td>Muslim</td>
<td>4.27</td>
</tr>
<tr>
<td>Kami</td>
<td>3.94</td>
</tr>
<tr>
<td>Yadav</td>
<td>3.94</td>
</tr>
<tr>
<td>Rai</td>
<td>2.79</td>
</tr>
<tr>
<td>Gurung</td>
<td>2.39</td>
</tr>
<tr>
<td>Damai/Dhuli</td>
<td>1.72</td>
</tr>
<tr>
<td>Limbu</td>
<td>1.58</td>
</tr>
<tr>
<td>Thakuri</td>
<td>1.47</td>
</tr>
<tr>
<td>Sarki</td>
<td>1.40</td>
</tr>
<tr>
<td>Teli</td>
<td>1.30</td>
</tr>
<tr>
<td>Harijan</td>
<td>1.19</td>
</tr>
<tr>
<td>Koiri</td>
<td>1.11</td>
</tr>
<tr>
<td>Others</td>
<td>9.31</td>
</tr>
<tr>
<td>Total</td>
<td>100.0</td>
</tr>
</tbody>
</table>


This data might slightly differ in the proposed census of 2011. In Nepalese perspective, the grounds for the federal structure could depend on economic, cultural, linguistic, geographical and political grounds. A noted geographer and anthropologist, late Dr. Harka Gurung wrote, "A country or a nation does not merely refer to its geographical space, but should also reflect the citizen’s aspirations. Today’s political dilemma, economic depression, and social tension do not bode well for the country’s future. Since consolidation means conserving something that exists, it seems pertinent to enquire into the extent to which the Nepali state has evolved into a nation."

The UCPN-M had proposed 14 Federal States for the coming Constitution of Nepal 2010. They were named as: Seti-
Mahakali, Bheri-Karnali, Tharuwan, Magarat, Tamuwan, Awadh, Newah, Bhojpura, Tamsaaling, Mithila, Kirant, Limbiwan and Kochila. The names are in order from West to East. The map is drawn on three principles. The first two Seti-Mahakali and Bheri-Karnali are on geographical basis, Bhojpura and Mithila on linguistic basis and the rest more or less on ethnic basis. This author personally and publicly debated with senior Maoist leaders like Dr. Baburam Bhattarai, CP Gajurel, Suresh Ale Magar and many more but their stronghold in the party is on the ethnic basis. They want the real representation of the state from the stronghold of the majority of the people.

On the occasion of the Republic Day of Nepal, the UCPN-M declared its constitution of Presidential System and the federal provinces were proposed only.

The argument from the author’s side was that if the names were after one majority caste or race, the minority would always feel humiliated by the feeling that it lives in other community’s state. That could go against the notion of the principle of inclusion and harmony. History’s largest migration took place when India was divided into two in 1947, which became the root cause of Indo-Pak enmity until today. Even though Gandhi had repeatedly said, “You shall have to divide my body before you divide India”, but India was divided because of ethnic cause. Therefore, the best suggestion to the Maoists could be that they name their divisions geographically. For instance Kathmandu’s ‘Newa’ state could be named ‘Bagmati’ after the holy river.

Earlier, the division was on North-South basis namely: Eastern, Middle, Mid-Western, Western and Far Western. Takashi Miyahara, a Japanese turned Nepalese with the help of this author, has proposed Seven Provinces stretching from North to South on economic basis. The third largest party in
the CA, CPN-UML has suggested 15 provinces and one small party, Samyukta Janamorcha, led by Chitra Bahadur KC, is campaigning for a non-Federal Nepal. The Teraian parties are after the whole southern belt as a province. The slogan is *Ek Madhesh; Ek Pradesh*. It may hamper the economic division particularly the division of the water resources of the north and the production of the south.

**Human Rights Violation and Threat to Human Security from Extremism**

Abduction, torture, murder, donation etc. were common during PW both way from the insurgents and the state all over the country, but after CPN-M accepted the multi-party system and came to power after the people’s mandate, the southern border area of Nepal has been developed as a violent zone. The government has clarified that out of 109 different armed groups very few bear political ideology. The most important of them as a political party is CPN-M - a dissident faction of Prachanda’s party led by the Former Minister Matrika Yadav. Another important is Goit group and the rest are very few political parties in existence with ideological banner. Most of them are either extremists or terrorists or dacoits in character.

During 2008 number of killings all over the country by the non-state actors came to be 491, among which, 4 were from the Maoists, and the rest were from others. Total incidents took place 438 times and out of the 491 dead, there were 339 male and 150 female. Most of the dead, numbering 202, were from the agriculture profession. Similarly, the state killed 50 people in 2008 of which female deceased was one. This shows that human security is still in turmoil in Nepal in physical terms keeping aside the social, health, psychological, economic, cultural, religious, linguistic, natural and other security.
Breach of CPA means Fiercest Human Security Violation in Nepal

President Ram Varan Yadav's extra-constitutional decision violated the human security paradigm in Nepal. It is marked as the declaration of civil war in Nepal. The largest party having greatest force in the country is in the streets. Regarding Indian Home Minister's doubt that the weapons for the Indian Maoists, besides Bangladesh and Myanmar, might also have come from Nepal and also some speculation that the Nepalese UCPN-M might have relations with the Indian extremist groups, Prachanda, on 8 November 2009 clarified, “Though we had political relations with Indian Maoists earlier, we ceased to have any contact with them after we joined the peace process.”

Similarly, Article 5.1.2 of the historic CPA signed on 21 November 2006 by the then Prime Minister of Nepal, the octogenarian leader of NC, GP Koirala and Chairman of the then CPN-M, Prachanda, clearly states, “Both sides shall not recruit additional military forces or shall not transport arms and ammunitions and explosives or conduct military activities against each other; provided that the interim Government may, in order to prevent illegal trafficking of materials like arms and weapons, explosives or part thereof or raw materials thereof, conduct patrolling, search or confiscate them in international border or custom points by mobilization of the security forces.” But the NA recruited 3000 personnel and has again advertised for more recruitment. The arms purchase has also been declared time and again by the government Ministers.

One hot example is that in early November 2009, the Defense Minister Bidya Bhandari, the widow of the popular leader of CPN-UML late Madan Bhandari, had said that there was an urgent need to revise the CPA signed between the government and the Maoists. Reacting on the Minister's
reaction, Dr. Baburam Bhattarai, Vice President of UCPN-M and the Coordinator of the National Joint Struggle Committee for ‘civil supremacy’, denounced the Defense Minister and said, “We object to that and we caution her not to make such irresponsible comments that go against the spirit of CPA and the peace process”. While PW was going on, the country was in turmoil, and the government had failed by any means to suppress or eradicate the insurgency. The USA, UK, India and many powerful countries had trained and supported RNA. But the quality of the guerrilla warfare by PLA had shown a very high level of professionalism. It was a reading of the public that PLA seldom lost in the civil war and thus they had developed a public morale. It was a ‘new revolution’ of bullets and ballots in South Asia.

On the other hand, UCPN-M, because of the President’s declaration of the killing of the “civil supremacy”, is fighting against the decision from two grounds: from the House and from the streets. As the main opposition and largest party in the House, it has a very strong hold enjoying people’s participation as well as PLA in the 7 cantonments under the supervision of the UNMIN. From the House, UCPN-M wanted a sankalpa prastaav – a resolution of regret to the President’s move, to be tabled and debated. The issue of ‘civil supremacy’ at the present juncture is so important to the Maoists that for the cause of ‘civil supremacy’ issue, Prachanda had resigned from the post of the Prime Minister. But understanding that as per the constitutional provision of the resolution, a simple majority of the Member of Parliaments (MPs) present in the House during the motion was enough to pass the resolution, the parties in power were hesitant about the resolution to allow to table in the House. Article 55 of the Interim Constitution of Nepal states that any resolution on any issue could be passed by the simple majority except the provisions barred by the constitution.
The situation is so complicated that the Maoists were hesitant to bring the ‘no confidence motion’ in the House because the defeated leaders in the CA election have conspiringly tightened the majority by giving portfolio in the Jumbo Cabinet even to the weaker people also. On the other hand, they were not lodging the ‘Impeachment’ against the President for his violation of the constitution injuring human security, according to Article 36.5.2, because, there was a provision that it demanded a two-thirds-majority of the MPs in the House. Unfortunately, the Maoists were barred by earlier ‘panchas’ and former vanguards of monarchy, the opportunists and corrupted leaders. But for making a new Constitution in favor of the human security also, two thirds majority is obligatory.

This paradoxical situation compelled the Maoists to go to the streets. It is impossible that without the Maoists a constitution in favour of human security could be written. They staged three tiers of countrywide demonstrations in the aftermath of the President’s move. The largest ever was surrounding the Central Secretariat, Singha Durbar, for two days on 11 and 12 November 2009. More than 400,000 demonstrators with their cultural identities participated in the ‘standstill’ movement. The South Gate on 11 November remained violent. Many senior leaders including Former Deputy Prime Minister Amik Sherchan suffered injury and many security personnel were injured too. Some 5 dozens of tear gas shells and 16 rounds of rubber bullets were fired. The Coordinator of the agitation, Dr. Baburam Bhattarai warned in the evening that if force was used against the peaceful demonstrators the government should be responsible for any untoward incident. The next day a higher number of people gheraoed the secretariat but remained peaceful, because, the government knew the consequences if it had ventured to oppress like it did previously. Prachanda went to Singapore to see the ailing GP Koirala for higher level of talks to prevent
Maoists from entering ‘The Third Jana Aandolan’. The High Level Political Mechanism (HLPM) coordinated by the octogenarian leader GP Koirala of NC and also supported by the Maoists and CPN-UML at least was able to stop the indefinite strike proclaimed by the Maoists from 24 January 2010.

**Conclusion**

‘Civil Supremacy’ is the soul of ‘human security’. If the President had moved forward to the ‘Emergency Rule’, authorized by the Interim Constitution of Nepal, Nepal’s New Constitution making process could be in peril, and human security could be again curtailed and synergy of CPA could be at the brink of zero-sum-game. A bigger armed revolution would destroy Nepal further. Any war is inversely proportional to human security. If so really happened, the state of human security would not only be paralyzed but also could be vanquished in this Youngest Federal Democratic Republic of the world. If political security is not determined by the state, socio-economic, ethno-cultural, religious, linguistic, regional and security related to gender, class and modern civilization could not be imagined. If these variables are not met, political extremism, terrorism and violence go on increasing. The synergy of CPA has been in great danger due to the loss of CBM among political parties.

If seen through the balance of power angle, the largest party UCPN-M to the top political mechanism has its Deputy Speaker only. The President belonged to NC, the Vice President from Madheshi Janadhikar Forum, Prime Minister from CPN-UML, the Speaker from CPN-UML, the two Deputy prime Ministers – one from NC and another from Forum again and the Chairperson of the Constitution Drafting Committee is also from NC. Therefore, it deems natural that UCPN-M in opposition looks for a position to represent the largest segment
of the people as the largest party of the country. If observed from another prism, it is clear that all the parties in power currently were against the New Constitution when the Maoists launched the PW in 1996. Then, all other parties, except Maoists, had declared that the 1990 Constitution of Nepal was the best Constitution of the world. Neither they were in favour of the CA, nor the Federal Democratic Nepal. Thus in true sense, the Maoists brought them to this obligatory point of New Constitution. Therefore, not to miss the outcome of the bloodshed of the people, to serve “human security” by saving “civil supremacy”, the Maoists should have filed the “Impeachment Motion” against the President in the House. They did not do so still being liberal not to break the ethics of CPA. This could have opened the “deadlock” to proceed ahead by means of peaceful settlement of disputes. The Maoists lastly eased the situation further by letting the House function without meeting their major demand for civil supremacy. They allowed re-open the House, closed for months by themselves. If they had registered the ‘No Trust Motion’, no matter, they might lose the vote, but they could win it in the eyes of the people of Nepal and the world. That could be the precedence for the cause of the civil supremacy from a party that waged war against feudalism. This could finally save the country from rise of extremism again and ensure the synergy of CPA to write the Federal Constitution of Nepal guaranteeing human security.

The weeklong exemplary peaceful huge mass demonstration organized by UCPN-M from 1 May 2010 proved that the Maoists could seize the state power without weapons. But they again believed in the pro-MK Nepal government political parties’ three-point agreement of the midnight of 28 May, 2010 to come to a consensus government to write the new constitution. Writing a constitution needs two-third-majority in the Constituent Assembly. If the Maoists realized that the pro-government political parties deceived them this time also, then Nepal would enter a dreadful conflict further.
Endnotes


5 For SAARC Perspectives, see also Sadako Ogata, *Japan-Afghan Relations* available at www.mofa.go.jp/region/middle_e/afghanistan/assist0210.html.


14 Author’s Interview with Economist Dr Khanal, Kathmandu, 16 November 2009.


Ibid.


Interim Constitution of Nepal-2063 with Sixth Amendment, Bauddhik Darpan Prakashan, Kathmandu, pp. 56-57.


33 *Republica*, 12 November 2009, p. 3.

34 See Bishnu Hari Nepal, “If I were a Leader, I would not Allow the Country to Move a Single Inch”, *Nepal Bhoomi*, Kathmandu, 28 July 2009, p. 3.

35 *Interim Constitution*, op. cit., p. 18.

36 Ibid.


38 Ibid.

