

Conspiracy forces dissolution of Nepal Constitutional Assembly

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Nepal's Constitutional Assembly, originally elected for two years in 2008, has been dissolved and new elections called for November. Despite several extensions of its term, the Constitutional Assembly proved unable to draft a new constitution. The stumbling block proved to be the criteria for establishing provincial divisions within a federal republic. It had been thought that the main parties would come up with at least a draft statute and leave the most intransigent problems to a ?transformed parliament?.

Despite the Supreme Court?s verdict that there could be no further extension of the deadline after May 27, the government, headed by the Maoist vice chairman and one of party?s top figures, Dr. Bhattarai, tabled a bill to extend the CA term by three more months. In a dramatic turn of events, the courts ruled against the prime minister and the law minister on contempt charges. This was exactly what was wanted by the right wing parties, and their foreign backers, who had never accepted their defeat at the hands of the Maoists and had managed to block any progress by the Assembly.

The Prime Minister, Baburam Bhattarai, of the Unified Communist Party of Nepal (Maoist) UCPN(M) dissolved the Assembly at midnight on May 28th. The right wing forces, such as the Nepali Congress and the reformist Communist Party of Nepal (United Marxist-Leninist) CPN(UM-L) calculate that they can increase their representation as a step towards resolving the deadlock. However, after four years of parliamentary paralysis, the Maoists no doubt also concluded that an election offered the only opportunity of progress.

On the other hand, the Maoist party itself is on the brink of division. Earlier, Bhattarai's rivals, led by the senior vice-chairman, Mohan Baidya (Kiran) had decided to stay united with the party until May 27, the deadline of the fourth and last extension of the Constitutional Assembly. The bloc claims to have the support of nearly 35 percent of the party?s lawmakers and more than 30 percent of the 148 members of the Central Committee. Both sides have already boosted their organisational grip on the rank to file in their strongholds across the country. The splinter group had threatened a split if the establishment faction retreated from the party?s stance of basing provinces on ethnic identity.

Although a number of federal models had been put forward, there was no agreement on any of them. The major political parties had agreed in principle on a number of key contentious issues, such as the restructuring of the country into 11 states, but without their naming and mapping or defining their forms of governance or electoral systems. The country saw widespread protests by many ethnic minorities against the agreement to carve out 11 zones. The Maoist lawmakers representing the ethnic minorities within the party had strongly pressured the leadership to backtrack from the 11 state model. Almost 300 out of 601 Constitutional Assembly members from a range of political parties also opposed the model.

Various ethnic organisations and political forces demanding statehood and a guarantee of their rights in the new constitution enforced shutdowns and rallies in many districts. Recently, there was a massive and unprecedented demonstration and a continuous 21 day general strike in the Far Western district demanding that the Far West be undivided. Although their demand was conceded in the 11-state model, this then brought widespread outrage within the Tharu community (a minority and oppressed ethnic group) living in the Far West who were demanding their own state.

As a result, 'federalism', which was earlier guaranteed by the interim constitution, has become very contentious and is tearing the country apart. There has been strong demand for federalism based on ethnicity from different tribes and ethnic communities within Nepal's heterogeneous society who feel oppressed and marginalised by state repression. Similarly, in the lowland plain region (Madhes) adjoining India, there is a strong demand for identity-based federalism as well as the creation of not more than two provinces in this part.

Moving forward without rightly addressing federalism in the new constitution will not be accepted by the majority of this poor but centralised nation. The lawmakers from the Madhes-based parties and those representing ethnic minorities are united on the issue of federalism. They obstructed parliamentary proceedings that were aimed at shortening the process of statute drafting but withdrew their protest after prime minister Bhattarai assured them that the recent agreement between parties was only a preliminary one. This in turn again outraged the supporters of the undivided Far West.

Nepal, located in South Asia, is one of world's poorest countries. Despite six decades of huge foreign aid flow, agriculturally-based Nepal has not been able to develop. Almost 80 percent of the people are dependent on agriculture for their livelihoods. There has not been any significant economic and social change over the last half century. 82 percent of the cultivated land is dependent on the monsoon for irrigation. Almost half of the population earn less than a dollar a day. The Human Development Index, HDI, is frustratingly low compared to other poor countries in Asia and elsewhere. The Gini coefficient for income distribution is 0.4 which shows very high inequality in Nepal.

Similarly, like other countries of the third world, Nepal is strongly indebted to international financial institutions like the World Bank and the IMF that subsequently regulate and dictate its economic policy. There has never been a thorough-going land reform and an unequal, quasi-feudal, land-distribution pattern and rampant unemployment have forced hundreds of thousands to go abroad to difficult and dangerous jobs for very low pay. Thousands voluntarily join the Gurkha brigades of the British and Indian armies.

It is no surprise that the second coalition government headed by the Maoist party has not been able to transform or develop the nation. They have failed to address the underlying problems facing the people, which give rise to continuous strikes, while electricity, fuel and water crises have added to the severity of life throughout the nation. The over populated capital, Kathmandu, is faced with the hazards of an unprecedented level of pollution that can have serious health consequences.

It is well known that the Maoists have completely given up their arms and integrated their fighters into the national army. In the name of ending the rule of a few feudal lords and bourgeois, the UCPN(M) has changed itself into a parliamentary party and is trying hard to strengthen the rule of capital - both national and multinational! This will prove a bankrupt strategy, as it has elsewhere. The underlying problems of the oppressed and exploited masses can only be addressed by revolutionary measures; a thorough-going land reform to put agriculture under the control of the peasants themselves, the socialisation of all modern industry and commerce and their development by democratically controlled planning. Now it has become all too clear that the Maoists have abandoned the revolutionary struggle; now the failure of the guerrilla strategy has been exposed; a space can open up for the development of a real revolutionary party in the

country.

Revolutionary socialists in Nepal must now launch a fight for a workers' and peasants' government. Part of this struggle means proposing a revolutionary constitution to the Assembly, one that places power in the hands of mass working class and peasant councils. Building these councils as part of the struggle against capitalism, landlordism and the interventions of imperialist capital is a crucial part of the revolutionary struggle.

A constitution which does not deal with the issues raised by the Nepalese class struggle and historic underdevelopment will be merely a code of conduct for government by those who directly work against the vital interests of the majority of the already oppressed and brutalised people. A constitution based on a socialist society is the only alternative. In order to fight for this, we need a revolutionary party with a programme for socialism in Nepal.

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