

A Study of Nepal's Constituent Assembly Election: The Influence of Civil Society and the Multilateral System

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The much-awaited election of the Constituent Assembly in Nepal was held on April 10, 2008. The Nepalese see the Constituent Assembly as a process of transforming Nepalese society and polity from a traditional monarchy to a modern democracy. This transformative process has been directly impacted by local civil society organizations and by the formal international multilateral system as well as an ad hoc multilateral coalition including CSOs. In fact, local and international organizations have been key to strengthening the new Nepali democracy and have been instrumental in making the Jana Andolan II (“People’s Movement”) a success. This case study documents the People’s Movement in Nepal within the context of the influence of civil society and the multilateral system on the political and electoral processes. Lessons and strategies for civil society engagement with electoral processes are explored.

Background

The election of the Constituent Assembly (CA) in Nepal was held on April 10, 2008. For six decades leading to this election, the CA had been an unfulfilled dream for the Nepalese. Indeed, the election of the CA was one of the major demands of the 1950’s People’s Revolution in Nepal. However, during the General Elections of 1959, the main political force, the Nepali Congress (NC), sidelined the demand for a CA election and the issue became obscured for over thirty years. The issue surfaced again in 1990 when Mohan Bikram Singh, who was leading the left, demanded to have a CA election to resolve the political crisis. Since, at the time, the NC and the United Left Front were positive that the election of the CA would be successful, the demand did not draw much attention within Nepal’s political discourse. In 2001 the issue of the election emerged again as the central point in the agenda of the Maoists and, following a second round of talks held at Thakurdwar in the Bardiya district September 13 and 14, the Maoists put forward the Constituent Assembly as the bottom line for negotiation. The Maoists and the Seven Party Alliance (SPA) agreed to the idea of election of the CA in April 2005. This agreement materialized when the Maoists, through “Rolpa Plenum”, its extended central level meeting, formally decided to opt for competitive democracy and to support the movement for democracy. Discussions between the Maoists and the SPA produced the *Twelve-Point Agreement*, signed by both parties in November 2005 - setting the stage for the CA.

The *Twelve Point Agreement* not only served to decrease existing antagonism between the rebellion and the political parties but also helped to develop a common understanding to work together to reestablish democracy in the country. In April 2006, after millions of Nepalese supported the successful Jana Andolan II (“People’s Movement”), the agreement ultimately helped to reestablish the foundation of the people’s democratic system. Following the success of the democratic movement and the assumption of power by the leading political parties, the reinstated House of Representatives formally decided to hold the election of the Constituent Assembly at its first meeting. Thus, the CA which, until 2005, had been advocated only by the Maoists and a handful of intellectuals became the priority for the country. Following is an account of the role of civil society and the multilateral system in the successful democratic election of Nepal’s Constituent Assembly.

Building Democracy in Nepal: The Role of Civil Society, Political Parties, and the Multilateral System

Civil Society: Working Together with Nepal's Political Parties

Many believe that only political actors relate to political movements. But, as Robinson (2003) points out, it is difficult to distinguish between civil society (CS) and political organizations because the same or related organizations are active in both sectors. Nepal is an example where civil society and political parties worked together and contributed significantly to making the Jana Andolan II a success. Nepali civil society supported the democracy movement early and actively through writing, creating a discourse, and organizing street protest action under different banners. When, on October 4, 2002, the king sacked the elected government and began to curtail democratic rights and freedoms, civil society organizations (CSOs) joined programs that were organized by political parties. Initially, participation by the people in the Jana Andolan was low due to accusations of corruption and bad governance against the leading political parties and leaders. Civil society groups then came forward to take a lead in the movement, encouraging people to participate in the democracy struggle. In this context, top political leaders such as Girija Prasad Koirala (president of the NC) and Madhab Kumar Nepal (the then General Secretary of the Communist Party of Nepal – United Marxist and Leninist) become involved in the protest programs organized by the *Citizen's Movement for Peace and Democracy* (CMDP). Civil society also inspired political parties to accelerate the movement when the parties could not do so on their own. Civil society leaders criticized the political parties for their “interest for power” (Nepalnews.com, Sept.27, 2005) and urged them to work for the broader public good.

Civil society, generally “used by advocates of democracy and civil rights” (Elliott, 2003) to fulfill the aspirations of the people, formed the CMPD to organize rallies and mass meetings during the Jana Andolan II. Various networks of ethnic groups, Dalits, teachers' associations, labor unions, and others helped to create a congenial environment for the CMPD to accelerate the movement. However, civil society organizations such as SAP Nepal, INSEC, HURON, HURPEC, NGO Federation, PABSON, Bar Association, FECOFEN, Janajati Federation, Dalit Federation, and other such organizations and networks were the real force behind Jana Andolan II's success in providing space for the Maoists to enter the mainstream in the democratic political process. Civil society organizations and networks were continuously organizing discourses, rallies, and protest programs such as *band* (closing down), *gherao* (encircling), and *dharnas* (sit ups) to pressure the royal government to stop militarized actions against political forces including human rights groups and to adhere to a peace process respecting human rights. At the same time these networks reminded the Maoists about their acts of violence in the name of establishing a republican state and pressured them for peace talks. These unifying actions resulted in the then government naming Padma Ratna Tuladhar and Daman Nath Dhungana to act as peace negotiators.

Examining the history of civil society in Nepal, we can recognize that Nepal not only formed alliances to fight for democracy but also contributed to the fight against the root causes of conflict, including bad governance, human rights abuses, and social injustice. The CMDP was the latest civil society formation to act in a coordinated manner making it possible for the agendas of inclusion, secularism, and federalism to become the prime focus of civil society. Throwing the autocratic monarchy of two hundred forty years out of power made it possible to achieve these results. One weakness, however, was that, despite their strong movement, the CMDP were somewhat weak

outside of the Kathmandu valley. Prior to the CA election various collective civil society organizations outside the valley organized a few sporadic discourses.

Civil society also contributed during the election preparation process preparing a “code of conduct” for the election commission and political parties, drafting inclusive Proportional Representation (PR) process, and documenting the demands of dalits, janjati, women and other marginalized communities. They constantly pressured the Maoists to create a better environment for political parties to campaign in the rural areas. Similarly they lobbied with Madhesi rebels, who by then had virtual control over the Tarai, the southern plain adjoining north India, to take part in the CA election. In summary, political parties and civil society in Nepal worked together and contributed equally to making the Jana Andolan II a success.

International Contributions to Nepal's Electoral Process

The international community, particularly international civil society organizations, also played a significant role in the Jana Andolan II. In fact, Nepal's peace process, which began with the *Twelve Point Agreement*, was “heavily dependent upon help and cooperation from the international community” (Muni 2008). During the movement against the King's regime, several international organizations including the United Nations (UN), European Union (EU) and other bilateral, multilateral, regional, and national institutions showed their concerns regarding protection and promotion of human rights in Nepal. Girija Prasad Koirala's request to friendly countries to help the movement, made following the signing of the joint declaration of the SPA, indicated the importance that the political parties of Nepal gave to the role of the international community in the Nepalese polity. Both the SPA and the Maoists, through the *Twelve Point Agreement*, appealed “to the international powers and people to support, in every possible way, the democratic movement against autocratic monarchy in Nepal”. Prime Minister Koirala and the Maoists Supremo Prachanda, as per the *Eight Point Agreement*, signed by the SPA led government and the Maoists on June 16, 2006, wrote to the United Nations Secretary-General seeking a UN role to observe the election process in order to ensure a free and fair election to the CA. The presence of the UN and other multilateral organizations should be considered a visionary step in the Nepali polity.

The UN established the United Nations Mission in Nepal (UNMIN) in Kathmandu and the regions providing significant human resources to monitor the human rights situation in the country. In addition, the UN installed 28 offices in all cantonments to monitor the combatants of the Maoists. It established an office to monitor arms decommissioned from the Nepal Army and deployed electoral advisers to all 75 districts to support the work of the district electoral officers. However, the UN itself was not a principal observer in this election. The main work of election observation was undertaken by the European Union, the Asian Network for Free Elections (ANFREL), and the Carter Centre among other organizations. The UN itself had a small Electoral Expert Monitoring Team, reporting directly to the Secretary-General and evaluating the success of the electoral process. The Office of the UN High Commissioner for Human Rights became more active after the request of the Prime Minister. United Nations Development Program (UNDP) established the Constituent Assembly Advisory Unit (CASU) under the leadership of experienced professor and constitutional law expert, Yash Pal Ghai, to facilitate the CA. Nepalese, especially the marginalized groups, were the main beneficiaries of the CASU [1]. Several bilateral and international organizations like the EU, International IDEA, Action Aid, Save the Children, CARE Nepal, NDI, and The Carter Centre directly and indirectly contributed towards creating awareness of the importance, relevance, and technicalities of the CA in Nepal.

The Chief Election Commissioner, Mr. Bhoj Raj Pokharel, in responding to a question about international assistance to the Election Commission of Nepal (ECN), assessed the contribution:

The ECN has enjoyed the support of the whole world to manage the CA polls. International assistance has been forthcoming in spirit, encouragement and moral support as well as in resources, monetary and otherwise. For instance, the support we have received to develop new policies and guidelines from the different international agencies working with the ECN. All the support is highly valued, and we are happy to know that we are not alone in conducting this historic CA election.

International IDEA newsletter, March/April 2008.

When the government twice decided to postpone the CA elections, the international community pressured the government to set a new election date quickly. International advocates argued that the people of Nepal had been denied a timely opportunity to shape the future government of Nepal. They initiated discussions with the Maoists and other leaders to urge movement on the peace process. The international community expressed “deep disappointment” over the suspension of the CA polls and warned the government to hold the CA election on schedule. International missions and INGOs along with the EU and UN Secretary-General Ban Ki-moon issued statements urging the government, the political parties, civil society, and others to work together in support of the peace process and to honor their agreements and commitments. The European Council (EC) also expressed its concern, calling the parties’ local leadership ill-prepared to take on their political/electoral roles.

The Role of Election Monitoring and International Election Observers

The electoral process is a basic expression of people’s political right to choose representatives to manage the country’s democratic political system (See Article 21(3) of the Universal Declaration of Human Rights). Election monitoring, the cornerstone of a democratic political system, has been recognized both domestically and internationally as an important task in the legitimization of the electoral process.

While internally practiced in many countries, election monitoring was not a common phenomenon before World War II. After the UN sanctified the acceptance of free and fair elections as an important component of democracy, many multilateral organizations became serious about ensuring free and fair elections in emerging democratic countries. In the 1990s, with more countries moving to a ‘democratic’ framework, election monitoring became a major focus for many multilateral organizations and INGOs. On October 27, 2005, with an endorsement of more than two dozen international organizations [2], the UN facilitated the creation of a Declaration of Principles for International Election Observers [3] and the Code of Conduct for International Election Observers. Through endorsing this Declaration and Code, intergovernmental and international non-governmental organizations have focused on “genuine democratic elections” as an expression of sovereignty. Genuine democratic elections serve to resolve peacefully the competition for political power within a country and thus are central to the maintenance of peace and stability. Where governments are legitimized through genuine democratic elections, the scope for non-democratic challenges to power is reduced.

The Nepal Election Observation Committee (NEOC) emphasized the importance of the election monitoring, which “can enhance the credibility and legitimacy of elections... help to reduce

electoral violence... prevent the parties in power from manipulating the vote... assist in building and strengthening domestic electoral institutions”[4]. Indeed, strong election monitoring is relevant to a post-conflict society like Nepal, which is poorly equipped to conduct elections. In spite of a formal end to the fighting, instability persisted and instances of gun violence occurred. A continued lack of security in many parts of the country made the election campaign a difficult task and a security concern of many international observers [5].

Election observation became an international phenomenon after the UN endorsed the Declaration of Principles for International Election Observation on October 27, 2005. In Nepal, the ECN accredited 856 international observers from 30 observer groups, and expected approximately between 62,000 and 70,000 domestic observers to be active on the Election Day of the CA. Later however, the ECN stated that 57,113 observers had been issued accreditations. The UNDP, upon the request of the EC, established an Election Observation Resource Centre in Kathmandu to facilitate observation activities. Some 810 international observers from 28 different organizations [6] were fielded across the country to observe the election. The EU, ANFREL, the Carter Centre, SAPI and NDI were the main entities for mobilizing these international observers [7]. Most of the observers were fielded for a short period, although a few long term observers especially from ANFREL, EU and the Carter Center followed the entire process throughout Nepal from election preparations, to the campaign, and to Election Day monitoring.

The ECN welcomed and gave a high value to the International Election Observers, assisting them to solve any problems they faced. Prime Minister Koirala spoke of the importance of having such teams of foreigners observing the election. He stressed the Observers bring the benefit of lessons from other post-conflict situations and help strengthen ties with neighboring countries.

However, election observer teams received strong criticism from some civil society leaders, like Dr. Devendra Raj Panday, over the presence of a relatively large number of foreign observers [8]. Even Maoists chairman Prachanda followed Panday claiming that the large numbers of observers were conspiring to claim the election unfair if the Maoists won. But, largely, political parties and civil society welcomed the international observers’ role. Madhab Nepal, for instance, commended the international community and strongly countered the remarks of Maoist chairman Prachanda [9].

Lessons and Elements for Success

As this case study illustrates, there are many reasons the Constituent Assembly election in Nepal was successful in bringing state and non-state actors into the democratization process:

- Collective action by Nepal civil society, international NGOs, and bilateral and multilateral agencies was instrumental in achieving the desired results. Their active participation before and during the election created an environment conducive environment made it possible to manage the election without major disturbances and resistance, despite a few undesired actions by Maoist and Madeshi groups as mentioned above. The awareness, of the masses and political parties, of the importance of peaceful mainstreaming of non-state actors in the democratization process contributed substantially to a peaceful electoral process.
- Media also played a crucial role in informing and alerting the people about the ongoing process. Their coverage also helped build people’s confidence to vote.
- Women voted in higher numbers than men during the CA election [10].
- The presence of election observers pressured political parties including Maoist and Madeshi to avoid engaging in unwanted activities that could create a negative public image of their

parties. However, the concentration of observers in the constituencies of Kathmandu valley and in major hot spots could not prevent sporadic incidents of violence and election rigging.

- Constitutional provisions were made to ensure the representation of marginalized communities including women, and were followed to some extent by major political parties. These provisions helped to assuage the anxiety and anger of deprived groups and communities. However, as major political parties, using the “First Past the Post (FPTP) nomination system” did not nominate strong women candidates, women lost the opportunity to demonstrate their competence.
- Achieving more than the 33% representation of women was mainly due to the PR system. By entering under the PR list, however, women lost some credibility for the next general election.
- NEC’s policies to prevent major expenditures and to limit the amount of campaigning may have helped women candidates of major political parties to win against the high profile male candidates.
- NEC constructively maintained neutrality in the nomination of Election Commissioners and transparency in regular communication of the process, agendas and programs with civil society and international agencies. NEC’s preparedness in terms of educating their staff and civil society won confidence and helped to manage the CA election successfully.
- The accommodating, inclusive, and tolerant nature of the Nepali people is another possible reason for the CA election’s success. People were tolerant of different points of view and this helped to provide space to all parties and to bring into the mainstream the otherwise violent Maoists and rebellious Madheshis. Civil society helped to facilitate this process.

Moving Forward with Lessons Learned

Increasing electoral participation among marginalized groups is a strategic challenge for civil society. In the case of the Nepal Constituent Assembly election, proportional representation was highly effective in increasing the electoral participation of marginalized groups such as women, ethnic groups, and dalits. Concerns were raised about PR however, where women and other marginalized groups were not properly consulted or registered to vote. To avoid this in future, civil society could promote participation of women and other marginalized communities by advocating the preparation of closed prioritized lists of the candidates within political parties in consultation with all listed candidates.

The FPTP system has benefited male politicians more than their female counterparts. There should be gender sensitive provisions for ensuring representation of women through direct election. Here civil society can persuade political parties and the NEC to make provisions like exclusive constituencies designated for women candidates where the election is held only among women candidates of different political parties.

Ensuring security is also a strategic consideration linked with gender sensitivity. To promote gender sensitivity and maintain security during the election process, civil society should have worked with state security mechanisms including police, election officers, and state authorities. Awareness building and sensitization for security personnel can be organized by civil society to increase their understanding of the electoral process, to avoid possible conflict situations, and to increase gender sensitivity during the electoral process. Civil society should have established effective and accessible mechanisms for addressing women's security concerns.

Organizations should lobby political parties to ensure remedies for combating violence faced by the politicians of the marginalized groups, to be reflected in their political manifestos.

Media should also support actions to encourage the participation of women and combat violence against women in politics. Civil society should have sensitized media about the importance of focusing on the value of local leaders, especially leaders from marginalized communities.

In future, civil society can do more to encourage the NEC to make provisions for women and other marginalized groups from rural and remote areas to participate in elections. Relaxation of eligibility criteria, with regard to age and nomination fees, for women, dalit, and ethnic candidates would facilitate their participation. The NEC should be encouraged to address security issues and develop materials to help motivate women and marginalized groups to engage in campaigning. Civil society organizations, together with state and donor agencies, should organize awareness camps to educate voters, party cadres, security personnel, state authorities and media. Interested organizations should work with media to create more positive images of marginalized groups to encourage their participation.

Prior to elections, civil society organizations should enhance the capacity of marginalized politicians, including women, to manage their campaigning process effectively. They can organize awareness programs targeted at family members of marginalized communities including women. The politicians from marginalized communities should be provided with information on the different support systems available to the political leaders. They should also be trained to interact with media to both communicate their ideas and stay informed.

Increased cooperation and solidarity among like minded organizations, institutions and individuals contributes to peaceful, inclusive, and violence free democracy, to increasing representation of marginalized communities including women, and to combating violence against women in politics.

Conclusion

In conclusion, one can clearly state that there has been an influential role of civil society and the multilateral system to reinstate democracy in Nepal and to strengthen the achievements of Jana Andolan II. The election of the CA was an important step to sustaining democracy in the country and to solidifying the peace process. Many organizations worked together to make the event a success. These groups included national and international civil societies encompassing various networks of ethnic, dalit, women, professionals, and labour unions. Groups also included Nepalese political parties and other state actors, especially the security sector. In other words, the presence and pressuring efforts of civil society and international agencies on state and non-state actors made the CA election possible. The effort of the international election observers helped to minimize coercion and manipulation of power during the CA election. Due to the constant pressure of the international community, the Maoists chairman Prachanda was compelled to urge his cadres “to exercise maximum restraint” and to become “Gandhi” for a week before the election. At the same time, the engagement of the multilateral system encouraged the ECN and the government of Nepal to move for an election even when the pre-election situation was not encouraging. All of these efforts ultimately led to the election of Nepal’s Constituent Assembly on April 10, 2008.

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Notes

1. The Constituent Assembly Advisory Unit (CASU) took funds and help from multilateral and bilateral cooperation agencies and organized several empowerment based programs. The Regional and National Dalit Conference, held in five regions and in the capital city, was a CASU program designed to help grassroots Dalit workers to understand the Constituent Assembly. The program collected Dalit demands from regional level meetings and submitted a cumulative proposal representing Dalit civil society demands to the Prime Minister.
2. Among the Endorsing Organizations, as at October 2005, were: the African Union; Asian Network for Free Elections (ANFREL); The Carter Centre; Centre for Electoral Promotion and Assistance (CAPEL); Commonwealth Secretariat; Council of Europe - European Commission for Democracy Through Law (Venice Commission); Council of Europe – Parliamentary Assembly; Electoral Institute of Southern Africa (EISA); European Commission; European Network of Election Monitoring (ENEMO); Electoral Reform International Services (ERIS); International Idea; Inter-Parliamentary Union International Republican Institute (IRI); National Democratic Institute (NDI); Organization of American States (OAS); Organization for Security and Cooperation in Europe; Office of Democratic Institutions and Human Rights (OSCE/ODIHR); Pacific Islands, Australia, and New Zealand; Electoral Administrators' Associations (PIANZEA); Pacific Islands Forum; Southern African development Community Parliamentary Forum (SADC-PF); United Nations Secretariat; United States Association of Former Members of Congress (USAFMC).
3. The declaration developed from a need for credible methodologies and for cooperation in establishing accurate and impartial international election observation. The declaration supported elections as a free expression of the people and provided the basis for the authority and legitimacy of government. It further argued that the rights of citizens to vote and to be elected through periodic, genuine democratic elections are internationally recognized human rights.

4. Nepal Election Observation Committee Press Release, April 9, 2008, Lalitpur.
5. Jan Mulder, a Dutch Member of European Parliament who was leading the largest international election observation mission in Nepal, in a statement, said: "We are watching the security situation in the country very carefully and hope that our presence in large numbers all over Nepal will contribute to a more peaceful environment and greater confidence in the election", "80 Asian observers arrive in Kathmandu; more EU observers to leave for districts" nepalnews.com, April 3, 2008; Carter Centre also said, "In countries emerging from long-term conflicts, it is the trend of bilateral and multilateral agencies and civil society's presence as a strong international observer through the presence they help to build confidence in the electoral process and, if necessary and appropriate, help mediate acceptance of credible election results", Please visit the website of the Carter Centre, <http://www.cartercenter.org>
6. The Carter Centre, Asian Network For Free Elections (ANFREL), Forum-Asia, Universal Human Rights Network (UNIRIGHTS), The Asia Foundation, European Union (EU), National Democratic Institute (NDI), The Researchers, Unragginodiluce, South Asia Foundation (SAF), Embassy of the United States, International Foundation for Election System (IFES), International Crisis Group, South Asia Forum for Fair Elections, Socialist International, South Asia Partnership International (SAPI), Canadian Embassy, British Embassy, Embassy of France, Embassy of Malaysia, Embassy of Japan, Embassy of Finland, Royal Norwegian Embassy, Australian Embassy, Embassy of Bangladesh, Embassy of Thailand, Tevel b' Tzedek in co-ordination with Israel Embassy and Coordinating Council for Human Rights in Bangladesh (CCHRB) are the 28 organizations that fielded International Observers in the CA election in Nepal; for details see, <http://www.nepalelectionportal.org/EN/observation/observers-list.php>
7. The EU Election Observation Mission was the largest international mission with 120 observers from 22 EU Member States and Norway and Switzerland. It was present in 62 of the 75 districts and visited 517 polling stations in 83 constituencies on Election Day. The Asian Network for Free Elections (ANFREL established in 1997, is Asia's first regional network of civil society organizations to promote and support democratization at national and regional levels in Asia, since 22nd February 2008 in Nepal. It had over 100 observers across the country who observed 431 polling stations in 49 districts, and deployed 20 long term observers in the field. Members were from 22 Asian countries. It was the Carter Centre that deployed a larger short-term delegation of 62 international election observers from more than 20 countries to monitor the election of the CA. South Asia Partnership –International (SAP International) imported 14 South Asian election monitors from Bangladesh, India, Pakistan, Sri Lanka and Nepal in 42 constituencies to observe the election. It also carried out research in 42 constituencies to study women's participation and political violence against women in the election. From 1997-99, NDI built the capacity of parties to develop women political leaders, training almost 11,000 candidates and facilitated the creation of the Multi-Party Women's Caucus to campaign for women's issues within political parties and across Nepal. Most recently, NDI conducted programs to support the April 10, 2008 CA elections. NDI assisted the Democracy and Election Alliance Nepal (DEAN) to train and deploy more than 9,000 non-partisan poll watchers. NDI also trained some 1,000 master trainers from political parties, who in turn trained local party workers to serve as party polling agents.
8. For details, see International IDEA newsletter, March-April 2008.
9. See nepalnews.com, Apr 4, 2008.

10. See International IDEA & SAP International, CA Election Research Report, 2008.

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- The Kathmandu Post, September 4, 2008

Comments

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The primary problems of Nepal are poverty and social exclusion. The principal impediments to addressing these issues are ineffective governance and, more recently, a civil war. The country has, seemingly, pulled itself out of a destructive conflict and is now, hesitantly, on the road to peace and laying the basis for representative democracy and a chance to address its long standing problems. The elections for a Constitution Assembly were a one-time political event but represent a critical step on this journey. This case study by Rohit Nepali and Uddhab Pyakurel briefly describe the important roles played by Nepalese civil society and the multilateral community in the CA elections toward making them legitimate and changing the Nepalese political process.

Nepal is a small yet exceedingly complex country with virtually no long history of representative government and an embryonic civil society that is still in the early days of finding its place in society. Yet in some respects, civil society organizations exercised a disproportionate influence on securing the fragile peace and in galvanizing the new democratic process. The case study describes this influence well.

Civil society was instrumental in creating an environment for dialogue between the insurgent Maoists and political parties that operated within the state. Early CSO initiatives were the first in the country to break the "conspiracy of silence" around the civil war, something that everyone talked about, but around which there was no serious public discourse, including by the media. They began with organized discussions in the villages, then within and among districts, and on up to the national level in Kathmandu¹. At the national level, both government and Maoist sympathizers and proxy representatives were invited to discuss and to listen to the voices of others. The plea for peace, and for the two sides to find ways to talk, grew among the voices from different sectors of the public. This creation of public space for non-violent dialogue was crucial to encourage the two protagonists to consider other options and to enable people to feel confident about their own voices. These actions laid the basis for subsequent political events, including the eventual Constitutional Assembly.

Nepali and Pyakurel identify the roles exercised by civil society including:

- Creating initial space for public discourse;
- Capacity building for communities to engage in the political process;
- Group organization to enable people to gain confidence and initiate their own actions;
- Advocacy on peace, democracy and human rights to the government, political parties and the Maoists;

¹ N.B. There is some indication that this process may have proceeded from the national to the village level (Uddhab Pyakurel communication February 19, 2009).

- Holding parties with political power to accountability for their positions and actions;
- Emphasizing the participation of women and excluded minorities.

The brevity of the paper leaves open a number of questions that would more fully illustrate these roles, such as: How were civil society actions carried out? To what extent was “civil society” unified in these actions or did groups act independently and with varying effectiveness? How did CSOs interact with political parties to exercise their influence? What cooperation was there, if any, between Nepalese civil society and the UN and international agencies that entered the country with their assistance? Were ideas and strategies exchanged, and what influence did each have on the other?

The study importantly identifies the problem of low participation by women in politics in Nepal, how gender played out in the CA elections, and how civil society and the international community can affect this issue in the future.

The world community had almost ignored Nepal, noting its turmoil and conflict but doing little to help lift it out of its “internal” conflict. With a cease-fire in place and the political protagonists in a delicate dialogue on the way forward, however, a few other countries and notably the multilateral system moved to reinforce the peace process and the exploration of a new governance system.

The political actors in Nepal are sensitive to international influences, particularly from its neighbour India, the United States, and the United Nations. With the growing strength of Nepalese civil society, an opportunity exists for cooperation between it and the better instincts of the international community to encourage Nepal’s political system to address its weaknesses and move forward on the extension agenda of human development and fulfillment of people’s rights.