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# **"Assessing the Role of Civil Society in Nepal's Democratic Transition: People's Movement II"**

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## **Abstract**

The role of civil society in Nepal's democratic transition, particularly during the People's Movement II, is examined in this article. The monarchical panchayat system had previously been abolished, and a constitutional monarchy and multiparty democracy had been established as a result of the People's Movement I in 1990. But from 1996 through 2006, the Maoist insurgency caused a constitutional crisis in the nation, which gave rise to the People's Movement II. This movement, which called for the restoration of democracy, the abolition of the monarchy, and greater inclusion for disadvantaged groups, was heavily influenced by civil society. Political parties, media outlets, and other voluntary organisations are not included in the three categories for civil society in the paper. The opposition to the king's imposition of restrictions on civil liberties and proclamation of a state of emergency was mostly led by human rights campaigners, professional groups, and citizen movements. The Comprehensive Peace Agreement of 2006, which put an end to the conflict between the government and the Maoists, also received backing from civil society organisations. The civil society movement, however, has come under fire for being patriarchal, casteist, and regionally focused. The piece stresses persisting problems, including poverty, unemployment, and a lack of reforms despite the successful democratic transition in light of the civil society movement in Nepal. Political party internal democracy has worsened, and civil society's influence has diminished. The conclusion drawn by the paper is that Nepal's civil society needs patience to cope with contemporary issues and advance democratic norms, a trajectory of directorship, and long-term viability.

**Keywords:** Nepal, Civil Society, People's Movement II, Democratic transition

## **Introduction:**

Civil society is a flexible organisation that seems reactive and spontaneous, especially during periods of crisis, where, under ideal circumstances, certain groups operate but without proper hierarchies. To avoid authoritarianism, there must be a separation between the state and civil society. The word "civil society" is also used to refer to the 'intermediary' relationships between the individual (or family) and the state in popular discourse. Thus "freedom of association" gave rise to it. Civil liberties (individual freedom, free movement of people, freedom of speech and expression, freedom of belief and religion, the right to a fair trial, equality before the law, etc.) are built on this foundation. Civil society acts as a bridge for communication between the government and the public and as a buffer in the event that tensions between them rise (Gaub, 2019, pp. 163-164). Some have argued (citing evidence from post- Communist transitions) that protest may act as a dialogue tool between the government and civil society when traditional democratic institutions are deemed ineffective or flawed. In certain situations, protesting can take on a regularised pattern of conduct and gain authority. Unconventional but institutionalised political involvement is a sign of democratic vitality or democratic consolidation when it is generally seen as normal and acceptable when it is routine and even institutionalised, and when it does not entail violence or anti-democratic ideas (Ekiert & Kubik, 1999, cited in Chambers & Kopstein, 2008). The state and civil society, or the public and private lives of individuals, are two concepts that liberals divide. Politics takes place in the public sphere when they are required to make decisions as a group. Civil society, the area in which people engage with one another to further their interests, includes the economy, family, associations, etc. As a result, the government's responsibility is to establish and uphold a system of individual rights and to carry out related tasks. To guarantee that people do not trespass on one another's rights when interacting with one another in civil society, the state must have the ability to impose coercion. Liberals are equally concerned that governments will abuse their authority and infringe upon their rights and freedoms. Representative democracy is what liberals support. People elect representatives through the voting process and competitive elections, and those representatives then constitute a government based on the majority rule. Only these representatives are able to make political choices since only they have the people's approval (Srinivasan, 2016, p. 112). One fundamental requirement of democracy was emphasised by the notion of "civil society":

deliberate and involved citizen action is required to monitor, engage with, and hold the state responsible. For those who draw inspiration from it in their efforts for a better world, civil society is on everyone's lips as the opposition to authoritarianism (Chandhoke, 2007). Considering the above arguments, it can be said that civil society and democracy are complementary to each other because civil society strengthens the foundation of democracy and democracy also gives civil society an opportunity to flourish.

So far, I have attuned to the nexus between civil society and democracy. In this article, I am going to explain what role civil society plays in the democratic transition in light of "People's Movement II" in Nepal. In 1990, the "party-less" monarchical Panchayat system in Nepal was overthrown, and a constitutional monarchy and multiparty democracy were formed as a result of a massive political movement (also known as People's Movement I or Pahilo Jana Andolan in Nepali). The Maoist insurgency (1996-2006) created a further constitutional crisis in the country (Hutt, 2004, Cited in Basnet, 2022; Thapa & Sijapati, 2004). Nepal experienced a huge backlash against the royal-military coup led by King Gyanendra in February 2005 for 19 days in April 2006. A restoration to democracy, which paved the way for ending 240 years of monarchy, the maintenance of durable peace, and increased economic and political inclusion for the many castes and ethnic groups that have previously been excluded from Nepali society were demands of the People's Movement II, which is also known as Nepalese Magna Carta or Dosro Jana Andolan in Nepali (Routledge, 2010). Although civil society played a significant role in the democratic transformation during People's Movement II, there is still a big gap in its theorisation. I believe the reason is that, despite being a historically significant revolutionary move, it lacked scholarly research and, on the other hand, achieved its zenith instantly and spontaneously. As a result, the role of civil society is overshadowed, but a handful of civil society leaders get the limelight.

### **Civil Society and Democratic Transition in Nepal:**

I believe civil society can be classified into three categories based on the role played in the democratic transition in Nepal during the People's Movement II. To begin with, it is advisable to keep the political party outside the realm of civil society because they are driven by their vested

political interests for power. In addition, although they play a significant role, media houses should be kept in the gray area because they are profit-driven businesses. The role of the media can be assessed in this way: during the People's Movement II, Kantipur National Daily got the status of the eighth party (Seven political parties were in agreement to lead the movement). Furthermore, all the other associations (study circles, trade unions, music clubs, foreign donor organizations, NGOs, etc.) that voluntarily participated in their efforts should be included in the arena of civil society (Basnet, 2022b). After the People's Movement I, the system shifted to "multi-party democracy," but the political parties enjoying power at the peak of this system had become quite unpopular because they could not make significant changes in the lives of the populace. King Gyanendra drastically curtailed civil liberties in February 2005 when he launched a military coup, restricted the power of political parties, and declared a state of emergency. Numerous influential political figures fled to India and the West while others were jailed or placed under house arrest. Civil society took the lead in the movement, and the parties had no choice but to accept it, so they easily supported it (Basnet, 2022). In general, the civil society players that opposed Gyanendra's administration took on three main forms. Human rights activists played a major role in the frontal protest against the king's severe limits on fundamental civil rights and the declaration of emergency rule. The king's harsh restrictions limiting basic civil rights and the declaration of emergency rule were first the subjects of a frontal protest, where human rights activists were the key backers. In order to address their professional concerns and interests as well, the second set of actors performed the identical action in a more concrete manner. In opposition to the king's decision to suspend the rule of law, the leaders and members of the Nepal Bar Association demonstrated; the restriction of free speech and the press's chastisement by the authorities, notably the Army, were opposed by the media, notably the Federation of Journalists, and the professors also sought to regain their academic independence. The third group, the Citizens' Movement for Democracy and Peace (CMDP), instigated the movement when the general public was not in the mood to heed the call of the Seven Party Alliance (SPA, a coalition of Nepalese political parties that included the Maoists during the People's Movement II) or take part in their initiatives. "Civil societies" sprung up all throughout the nation after the CMDP had some success with the programs it started in Kathmandu. The mobilisation that was seen during the 19 days of the April Revolution was set in motion by the gatherings and demonstrations that were subsequently planned (Pandey, 2008).

It does not matter when someone says that the democratic movement led by civil society in Nepal is person-centered. Civil society leaders are famously known as “Nagarik Aguwa” in Nepali. Even though it was called a civil movement, some people eventually became prominent faces, naming a few: Krishna Pahadi, Dr. Devendra Raj Pandey, Dr. Mathura Shrestha, Dr. Mahesh Maskey, Prof. Krishna Khanal, Khagenra Sangraula, Dr. Sundar Mani Dixit, Padma Ratna Tuladhar, Daman Nath Dhungana, and Nilambar Acharya, who were well-known intellectuals and upper caste elites in hilly Nepal (Basnet, 2022). Therefore, the civil society movement in Nepal that contributed to the democratic transformation was very patriarchal, casteist, and region-oriented by nature. Civil society has been regarded as the new avatar for conflict resolution in the Nepali setting. Since the signing of the peace negotiations, several civil society organisations (CSOs) have taken a variety of different roles in conflict settlement initiatives. Because of this, regardless of their expertise in this area, every INGO/CSO and, in some cases, even individuals, have presented themselves as experts in conflict resolution (Subedi & Bhatta, 2016, p. 29). The above-mentioned activists and many other civil society organisations also campaigned in support of the 2006 Comprehensive Peace Agreement (CPA), which was signed between the government of Nepal and the Maoists, which shows that civil society plays a significant role in a peaceful resolution. The state's reformation and the election of a representative constituent assembly to write a new constitution were both supported by Nepal's major parties. With regard to proportionate inclusion in state structures, mobilisation by marginalised socioeconomic groups was crucial in bringing concerns pertaining to their particular interests to both the CPA and the Interim Constitution (Tamang, 2017). The fact that the same issue had been brought up by citizen associations for a long time was one of the key reasons political parties supported the election of the Constituent Assembly and the proportionate inclusion of marginalised groups. The first-ever meeting of the Constituent Assembly (CA), in which the monarchy was abolished, as well as the April 2008 elections for the CA, in which the CPN-M won the majority of the votes and an unprecedented number of women and members of marginalised communities won seats, were viewed as important steps toward reaching those aspirations and paving the way for gender equality and representation in Nepal (Tamang, 2009). The people's movement erupted across the nation like a raging fire in the wake of the November 2005 12 Points Agreement between seven political parties and the Nepal Communist Party (Maoists). Likewise, international forces were mobilised by established civil society players,

notably activists connected to human rights NGOs, who also engaged their channels. This led the most influential international actors to oppose the royal regime, and on April 10, 2005, the government was forced to sign an agreement for the establishment of an office in Kathmandu with the High Commissioner for Human Rights in Geneva. On April 24, 2006, the king bowed down to the power of the people declaring that sovereignty would eventually be in their hands. The previous Prime Minister Sher Bahadur Deuba had recommended on May 22, 2002, that the Parliament be dissolved; the King also ordered its reinstatement. A new interim constitution was adopted by the parliament in January 2007 when the Maoists entered the legislature and the government (Bhandari, 2012; Basnet, 2022).

Civil society is barely even a sociological notion, much less a legal one, under the most oppressive dictatorship. In the famous concept of "anti-politics," George Konrad encourages citizens to live as if the state didn't exist while carving out small niches of autonomy within totalitarian societies (Konrad, 1984, Cited in Chambers and Kopstein, 2008). For instance, most of the civil servants in Nepal secretly participated in political gatherings during the People's Movement II, and they were making strategies to indirectly disobey the government. The conflict does not necessarily have to be between civic society and an authoritarian regime. There are instances when conflicts arise between civic societies with various ideologies. A status quo civic society known as "Mandale" was engaged in a counter-revolutionary campaign in support of the king during the People's Movement II. There would occasionally be violent confrontations among them. Civil society played a vital role in the success of the People's Movement II in Nepal. As a result, grand political narratives such as the abolishment of the monarchy, constitutionalism, federalism, free and fair elections, inclusiveness, secularism, etc. were achieved by the people. But despite the change in the system, there was no significant change in the condition of the people. Still, the issues related to poverty, unemployment, health, education, transportation, drinking water, farmers, and administrative reform have not been addressed to date. The internal democracy within the political parties of Nepal is deteriorating, due to which the role of civil society is also shrinking. In particular, the Communist Party of Nepal (United Marxist-Leninist) and KP Sharma Oli, or the Communist Party of Nepal (Maoist Centre) and Pushpa Kamal Dahal (Prachanda) have become synonyms. They are election-centric, seem to be less responsible only during the election, and expect civil society not to raise questions during

their five-year tenure. If someone holds a different opinion against them, the trend is to immediately suppress it. Political parties seem determined not to listen until colossal mobilization. Unlike People's Movement II, they lack a grand narrative to start another movement. That's why now the civil society groups are also looking for the umbrella of the parties and being operated as the shadow organisation of the parties. As is the case in certain Western European nations, the state responds to the demands of civil society in stable democracies. However, the role of civil society has become more ambiguous in recent years as right-wing parties have entered government. Although that is not customary in the Nepalese setting, civil society issues are nonetheless given prominence in the media. Critics claim that the current initiatives launched by Nepalese civil society are merely attention-seeking. This is mostly accurate due to the lack of direction, long-term sustainability, and patience displayed by the leaders of the current civil movements.

### **Conclusion:**

In a nutshell, civil society serves as a bridge for communication between the public and the government. The idea of "civil society" highlighted one essential condition of democracy: purposeful and active citizen action is necessary to monitor, interact with, and hold the state accountable. Everyone uses the term "civil society" to describe the counterpoint opposing tyranny. It will be challenging for an authoritarian regime to crush a civil society movement if the international community supports it. Chandhoke believes that "the absence of civil society means the absence of democracy" (Chandhoke, 2007, p. 613). Democracy and civil society function admirably together because democracy's base is strengthened by civil society, and civil society is provided an opportunity to prosper by democracy. Mass movements for democratic transformation that are begun by civil society can occasionally turn person-centric. It is not necessary for conflict to arise between civil society and authoritarian rule. Conflicts between civic societies with different ideologies do often emerge. Even certain elements working under government structures can be indirectly involved in "anti-politics." In the backdrop of Nepal's democratic transition during the People's Movement II, civil society played a significant role; however, its relevance has been overlooked as a result of a dearth of scholarly research and the predominance of a select group of celebrated leaders. Human rights campaigners, professional



organisations, and citizen movements were the key protagonists opposing the monarchy and pressing for democratic reforms. Civil society also backed peace talks and campaigned for disadvantaged groups' inclusion in governmental structures. Political party internal democracy is declining, which has an impact on the role of civil society as they become more election-centric. In stable democracies, the state responds to the concerns of civil society. Civil society cannot function effectively unless political parties give it space. Due to this, political parties have always had some sort of hold over civil society.

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