

Elections Without Accommodating Maoists?

By BIPIN ADHIKARI

Matthew Arnold, a well-known poet, gave his famous lament more directly in "Dover Beach," when he called his bride to stand beside him in a world shaken up by Darwin and amid doubt and the collapse of tradition:

"Ah, love, let us be true to one another!

For the world,

which seems to lie before us like a land of dreams,

so various, so beautiful, so new,

hath really neither joy, nor love, nor light,

nor certitude, nor peace, nor help for pain;

And we are here as on a darkling plain,

Swept with confused alarms of struggle and flight,

Where ignorant armies clash by night."

Our context is different, but we are also swept with confusing alarms of struggle and fight.

Conflict is an inherent feature of all societies because it springs from two roots that cannot be eradicated: material scarcity and disagreement over values.

A legitimate government can provide a society with a way to manage and sometimes solve its internal conflicts. Nepal also needs a legitimate government in this regard.

Legitimacy refers to the willingness of citizens to obey the decisions of their government. A government which has been appointed by the King to serve as his mouthpiece cannot pass the test of legitimacy. This is the reason that the present government of Surya Bahadur Thapa is failing on all counts.

However, in his New Year message to the nation, King Gyanendra has again affirmed his Government's commitment to holding polls for the House of Representatives within 2061. Stressing that the highest priority must be accorded to the creation of an environment wherein the governance of the country can be handed over to elected representatives, he has again made a point that "all those who have faith in multi-party democracy must be able to participate in these elections without let or hindrance." The King expects cooperation of political parties to maintain peace and security to conduct elections, and appoint a legitimate government.

The issue then is whether that cooperation is possible in the given situation. The answer is 'no.' The message of the King has two significant flaws. First, his message does not specify the date for elections. Secondly, it is not clear on the message why the King thinks the elections handled by his (illegitimate) Government will be acceptable to the mainstream political parties. It is understandable that the King cannot specify the date because he knows that elections cannot be held until the force which has challenged these elections are brought into the mainstream politics, and allowed to participate in elections with their political agenda. The date for elections, in the past, had to be postponed because then Government was considered incompetent to solve the Maoist problem and hold elections. This situation has not changed. In fact, it has aggravated with the assumption of executive power by the King, and several scuffles with the constitutional process. If the elections are meant for the political parties, what is preventing the King to handover power to these parties immediately, and entrust them all constitu-

tional powers that they deserve to make the constitution functional, and ensure free and fair elections. There is no answer.

The ongoing movement of the five-party political alliance has raised several questions on the ambition of the monarch. The movement comes out of months of street protests that culminated in the past fortnight with daily demonstrations by tens of thousands near the Royal Palace. While all genuine sympathizers of Nepal, want all constitutional forces unite in their struggle to maintain Nepal's independence, and sort out Maoist problem unitedly, the political development is going towards wrong direction. The human rights catastrophe occurring in Nepal as a result of the eight-year civil conflict between the Government of Nepal and the Communist Party of Nepal (Maoists) is now being further aggravated by the fight between the pro-democracy forces and the illegitimate government of the King. While the rebels are fighting the monarch from the jungle, the political parties are fighting from the streets. A full-fledged constitutional system that was devised in 1990 to ensure the democratic rights of the people has already been defunct.

The Amnesty International has recently advised the United States, which has been said to be working with the government to sort out Maoist problem, that it has an opportunity to address the human rights crisis in Nepal by sponsoring a resolution at this year's session of the United Nations Commission on Human Rights (UNCHR) in Geneva. It said that the resolution "should express concern about the human rights crisis and call for the establishment of an Office of the UN High Commissioner of Human Rights in Nepal to provide technical expertise to Nepal's National Human Rights Commission as it monitors and reports on human rights."

Stressing that the "elements of the Nepalese armed forces seem to be pursuing a strategy of "disappearances" and extrajudicial executions as part of their counter-insurgency operations", the Amnesty International has pointed out that "during the course of the war, security forces have killed thousands, "disappeared" hundreds, and arbitrarily arrested and imprisoned numerous civilians. Torture is routine and widespread and includes rape, electric shocks, mock executions, and severe beatings resulting in some deaths. There have been reports of security forces trying to cover up the death of prisoners who have died under torture by claiming that such prisoners were "killed during an escape attempt" or during an "encounter." Impunity is rampant and there has been a tendency by the security forces to ignore court orders." The Amnesty International believes that sponsoring a resolution at the U.N. will help focus international attention on Nepal. The international community needs to take action to help prevent the human rights catastrophe from continuing to unfold.

In fact, the promise for election is not enough. The whole nation is critical about the procedures being followed after the royal takeover of October 2002. What is needed is an aspiration to govern the country democratically, and a genuine desire to accommodate Maoists in the days ahead. ■

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