

Transition of Nepal From Monarchy To Democracy

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Abstract: Nepal is the mid-Himalayan country of South Asia and has its border with India on the South, East & West and China on the North. They are interrelated with each other by all measures, including geography, ethnicity, language, religion, and caste. The two countries not only share an open border and unhindered movement of people but they also have close bonds through marriages and familial ties, which is unique in Asia. They share a long standing, cordial and multi-faceted relationship based on mutual respect and understanding, characterised by open borders, deep-rooted people-to-people contacts and extensive cooperation. Both countries are bound by ancient history, geography, culture, religion and shared values. This present paper is a small effort towards analysing the transition of Nepal from the period of Kingdom to democracy. This paper is an attempt to understand the domestic political scenario that Nepal has experienced with major turmoil and transformation both in the nature of political system as well as in the character of the government.

Keywords: Constitution, Democracy, Kingdom, Monarchy, Transition, South Asia.

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I. INTRODUCTION

Nepal is a mid-sized South Asian nation neighboring India and China. It is a greatly dissimilar to other countries by all its measures, including geography, ethnicity, language, religion, and caste. [1] Nepal is not only an important neighbour of India but it also occupies special significance in its foreign policy because of its historical, cultural and economic linkages that cover up centuries. The India-Nepal relationship is determined more by its geography and history than any other considerations. They even not only share an open border and unhindered movement of people, but they also have close bonds through marriages and familial ties, which is unique in Asia. The open border is a symbol of their deep trust and friendship. [2]

From most of its history, Nepal was governed by a series of hereditary rulers. There were numerous governments formed and numerous failed in Nepal. Even there were three elections in 1991, 1996 and 1999 since 1990 restoration of democracy. [3] In 1990, a popular uprising known as the Jana Andolan i.e. the People's Movement guided in a new period of political freedom. However, constant infighting and factionalism between and within political parties led to political instability and feeble governance. Nepal always wants to move from a monarchy to a democratic government that needs to change its constitutive rules in order to conduct a new society. Nepal had witnessed several popular movements for democracy. In November 2006 agreement between the political parties and the Maoists came as a peace pact which enabled a cease-fire and temporarily ending the conflict in which more than 13,000 people died. Meanwhile the Constituent Assembly elections were postponed thrice, because of *firstly* citing lack of preparedness, *secondly* unfavourable security situation and *thirdly* the Maoists opposition.

Nepal's monarchy has drastically changed from being traditional, titular, democratic, absolute and stripped-off-powers until recently. The abolishment of monarchy has shelved the 240 year old rule in the history forever. The domestic political scenario in Nepal has experienced major turmoil and transformation both in the nature of political system as well as the character of the government. [4] Nepal is in transition from conflict to peace and from authoritarian rule to democracy, and has the chance to redefine both the nation and the State. [5] Nepal is undergoing a transformation from a feudalistic country to a democratic and inclusive state. The signing of the Comprehensive Peace Accord (CPA) put an end to the decade after a long ongoing conflict that giving relief to the common Nepali citizens. Nepal is a country which has been administered under various kinds of governmental systems. The Nepal has witnessed with two types of system-

- Monarcy i.e. from the unification of the country in 1768 till 2006 and
- Republican democracy i.e. from 2007 to till present day.

1. Constitutive Monarchy (1768 to 1774)

This was the phase of Constitutive Monarchy from 1768 to 1774. This phase begins with the political combination of Nepal by King Prithvi Narayan Shah in 1768. He was a Gorkha King, and he founded the ruling House of Nepal – the Shah Dynasty. The Gorkha's rules were as:-

1.1 The fame of Gorkha's was given to two higher castes – Brahmins and Kashtriyas.

1.2 The effort to establish the office of King according to Hindu traditions and take in an element of divinity to it.

2. Diminishing Monarchy (1775 to 1846)

This was the phase of Diminishing Monarchy from 1775 to 1846. In this phase the King Prithvi Narayan Shah died in 1775. After him the throne of Nepal was occupied by minors from 1777 to 1832. In this period, the political system was characterised by a highly divided constitution dominated by a handful of Kshatriya families, supported and advised by a number of prominent Brahmin families. [6] The power and influence kept rotating among these families the Chautarias [7] were dominant from 1785 to 1794, the Pande Family from 1799 to 1804, and the Thapas, from 1806 to 1837. These Bhardars were holder of the burden of the state or courtly nobles and members of the highest advisers more of the Prime Minister than that of the king. [8] Thus simultaneous to the decline in power of Throne, was gradual vanished of Bhardars as an effective policy making body.

3. Captive Monarchy (1846-1951)

Captive Monarchy was the phase from 1846 to 1951. In this phase the rise of Jang Bahadur Rana also started a new trend in the politics of Nepal. He was a remarkable man who was able to smash all rival political groups in an effectively conducted massacre in the royal palace courtyard after which he stripped the King of political power and centralized absolute power in the hands of his family. [9] The Rana acquired the title of Maharaja of Kaski and Lamjung. The Ranas declared the king as a spiritual head only, God Vishnu's incarnation, so that he could be isolated from governmental affairs. This absolute rule of one family over the country, for a long stretch of time, left the people lying low, from whom obedience was extracted through the coercive methods freely used by the State. [10] They took an active part in the Indian Freedom Movement and were consequently rewarded in 1951, when the Rana regime fell under the burden of popular will.

4. Revolting Monarchy (1950-51)

This was the phase of Revolting Monarchy from 1950 to 1951. In this phase the British withdrawals from India not only deprived the Ranas of powerful external backing, but placed in power in New Delhi a government whose attitude towards the Ranas was sympathetic. Internal frustration also began to assume dangerous proportions, not only in Kathmandu where it could be controlled, but also in the districts bordering to India where Rana authority could be effectively challenged. The crisis developed very quickly, and the Prime Minister Padma Shumshere resigned voluntarily when he found himself in a hopeless minority. He was succeeded by Mohan Shumshere in May 1948, under whose leadership the radical Ranas let loose a control of terror. [11] King Tribhuwan who was a 'prisoner' of the Ranas in the Palace and desired to regain his power joined hands with the people and the Nepali Congress to overthrow the Rana dictatorship. [12] After bloodbath, the 104 years old Ranarchy collapsed under the weight of the popular movement. Tripartite talks began in Delhi in February 1951 between the King, the Ranas and the Nepali Congress, which concluded in the historic Delhi Agreement on 12th February 1951. The Revolution between the phase of 1950-51 was very unique, since the King joined forces with the people at the risk of his Crown.

5. Monarchy Fostering Democracy (1951-1955)

This was the phase of Monarchy Fostering Democracy from 1951 to 1955. In this phase the King Tribhuwan returned to Nepal on 15th February, 1951. He issued a historic declaration, inducting the new political system based upon the interim constitution of 1951, as circulated by the king himself. The most striking feature of this interim constitution was that for the very first time Nepali citizens were granted Fundamental Rights including the essential – Right to form Associations and Unions. Constitutional Monarchy based on the aim which creating the form and facade of a modern state, with overtones of freedom and welfare, social justice and equity. The irrational nature of party politics and the political leadership during the phase of 1951-55 created many uneasy situations for the King Tribhuwan. Five ministries followed one after the other, while the Nepali Congress presented a House divided against it. [13]

6. Competing Monarchy (1955-1960)

This was the phase of Competing Monarchy from 1955 to 1960. In this phase the King Tribhuwan's passed away in March 1955 and the succession of Crown Prince Mahendra to the Nepali throne marked another

turning point in the transitional politics of post Rana Nepal. [14] Exploiting the political instability and the dispute among political parties, King Mahendra declared a new constitution in 1959. Finally acting according to the provisions of the constitution, King Mahendra staged a coup against his own Government, through the instrument of the army, the royal army of which he was the Supreme Commander, on the fateful day 15th December, 1960. [15]

7. Assertive Monarchy (1960-1990)

This was the phase of Assertive Monarchy from 1960 to 1990. In this phase the Royal proclamation on 15th December, 1960 that ended up in parliamentary democracy in Nepal on vague and general charges that baseless and unconfirmed which has been characterized in the modern times upon democracy that was held by King Mahendra. [16] During this phase 1960-62, popularising what he called "Panchayat Democracy" as an alternative to "Parliamentary Democracy". The trend toward Panchayat government became clearer in the royal policy proclamation of 5th January 1961. [17] The King Mahendra passed away in January 1972, and the King Birendra ascended the throne. [18] The turning point came in November, when as a result of nationwide democracy movement, the King Birendra agreed to reduce the powers of the monarchy dramatically by adopting constitutional Monarchy.

8. Constitutional Monarchy (1990-2001)

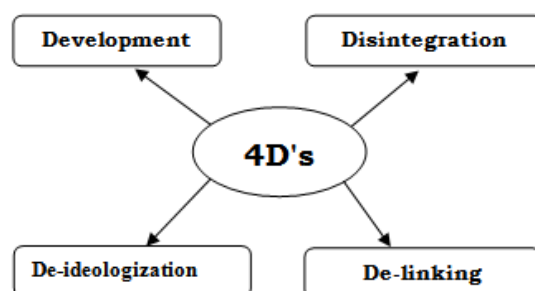
This was the phase of Constitutional Monarchy from 1990 to 2001. In this phase the King Birendra announced a new constitution on November 9, 1990. Nepal was declared as a multi-ethnic, multi-lingual, democratic, independent, indivisible, sovereign, Hindu, constitutional monarchical kingdom. The executive authority of Nepal was vested in the King and the Council of Ministers, and the constitution made it clear that all functions discharged by the King should be discharged on the advice and with the consent of the Council of Ministers. [19] This system functioned nearly for ten years in Nepal, i.e. till June 2001, when there was a massacre in the royal palace.

9. Diminishing Monarchy (2001-2008)

This was the phase of Diminishing Monarchy from 2001 to 2008. In this phase the Nepal experienced the first major disaster in its political history in June 2001, when the 250years old monarchy suffered a major setback following the cruel slaughter of King Birendra, the queen and other members of the royal family by the Crown prince Dipendra, who later finished himself on June 1, 2001. [20] The Crown of Nepal was now passed on to Gyanendra, the younger brother of King Birendra, who led the throne as the 13th Monarchy of the Shah dynasty. During the years of 2002 to 2005, chose and subsequently dismissed three prime ministers. The newly elected interim government of Nepal abolished the institution of Monarchy on 28th May 2008, declaring Nepal as a Federal Republic.

Nepali politics is in a state of transitional flux. The stability of the obtaining democratic structures is ensured by the Constitution providing for popular sovereignty, constitutional monarchy, multi-party parliamentary system, and fundamental rights of citizens as unamendable. [21] The avowed commitment to the fundamental principles of the Constitution by both the rightist Rashtriya Prajatantra Party (RPP) and several leftist splinter groups, irrespective of their different ideological stands in the past, showed how the first phase of transition was successful in setting up democratic structure and in assimilating major ideological and political forces into the mainstream of parliamentary process. The first phase of transition came to an abrupt end with the defeat of the ruling Nepali Congress (NC) of mid-term elections in the 1994. [22]

Nepali politics has entered into the second phase of transition towards consolidating democracy. But contrary to expectations, democracy in its functional attributes, overwhelmed by power centric intra-party and inter-party conflicts, is widely perceived as eroding. The transformation of Nepali political parties from the phase of movement organizations into competitive parliamentary parties appears to be characterized by 4-D's [23] that are: Development, De-Ideologization, Disintegration and De-linking.



1. Development: The Nepali political parties during their movement phase had weak organizational base. In the post 1990 period, the NC and the UML appeared successful in expanding their support bases among different sections of society. [24]

2. De-ideologization: Most of Nepali political parties originated along ideological lines. A party's ideology is a composite frame of its faith in certain kind of political system, its goal, its policy and programme, and norms and values it sets up for collective behaviour. Looking back to the principle doctrine enunciated by each party at the time of their formation, the major parties at present represent three different ideological groups:

2.1 The Nepali Congress (NC) symbolizes the multi-party system;

2.2 The Unified Marxist-Leninist (UML) professed one-party communist system; and

2.3 The Rastriya Prajatantra Party Nepal (RPP) is popularly considered as a party of former panchas with their political background of being ardent advocates of partyless panchayat system.

3. Disintegration: De-ideologization of Nepali political parties, in the course of their transformation from movement to parliamentary parties, meant the emergence of power as the single most determining factor in party politics.

4. Delinking: The Nepali politics has been overwhelmed by in-party fighting, and making and breaking of inter-party coalition. In such a power centric politics, the need and interest of the people has been grossly ignored.

The 21st century is considered as the struggle for social justice and inclusive democracy. Democratic transition is defined as the interval between an authoritarian organization and a consolidated democracy. Democratic transition is complete when the institutional structure is established; sufficient agreement is reached about the political procedures to form an elected government, and when a government comes to power through free and popular vote. In the long term, it has come to ensure political participation and socio-economic inclusion of every individual in the government. The sudden collapse of the old regime may lead to an unrestrained competition among democratic actors, making the transition less consensual and more violent. [25]

Citizens of Nepal are predominantly rural, multi-ethnic, multi-cultural, multi-lingual and have unequal economic status, which provide a fertile ground for political parties to exploit the grievances and aspirations of racial, ethnic, caste, class, tribal, religious, linguistic, regional and gender groups for political expediency. [26] Since 2006, Nepal has struggled with the difficult transition from war to peace, from autocracy to democracy, and from an exclusionary and centralized state to a more inclusive and federal one. The new democratic Nepal has been struggling for a constitution. Nepal's immediate priority is the promulgation of its constitution. If it does not succeed, then we know what situation will occur again in Nepal.

Nepal suffered from its own kind of an inherent political conflict. Nepal for long retained its identity as a 'monarchical Hindu state' in the international field, but the turn of events in the year 2006 overhauled this reputation of the country and Nepal transformed into a 'secular, democratic, republican state'. The constitutional development of Nepal is shaped by five separate conflicts. They were as follows:-

- a. The conflict between the state of Gorkha and other states, which ended up with the integration and foundation of the modern Nepal.
- b. The conflict between the Shah Dynasty and the Rana Dynasty which was ended up with the abolition of the Rana Dynasty.
- c. The conflict between the King and the people, which ended up with the abolition of monarchy on May 28, 2008.
- d. The conflict between the Maoist and democratic political parties which has drawn the country into a new landscape of socio-politico conflict.
- e. This conflict is expected to conclude with the formulation of a new democratic constitution that will assimilate the Maoists into a democratic framework. [27]

India and Nepal are civilisational twins. Even the Himalayas did not divide them. The people of Nepal have come out of the throes of monarchy and the Maoists after a long and bloody struggle. [28]

Nepal adopted constitution on 20th Sept. 2015 after 67 years long democratic struggle marking its transition into a fully secular and democratic republic from a Hindu monarchy, among violence by minority Madhesi groups over a seven province federal structure. However more than half the population especially Janajatis [29], the Madhesi and Tharus were sidelined in the entire Constitution making process due to prevailing distrust towards them among the mainstream political parties [30] and the people living in the Terai region, Dalits and women rights groups that opposed the new Constitution. [31]

Madhesis [32] dislike the Constitution:

1. **7 States Model:** Nepal has divided the nation as 7 states cut in north-south direction. This would permit the majority ethnicity to be present in every state. Madhesis demand a separate state to have their own individuality.
2. **Proportional Representation:** Madhesis dislike constitution because of they demanded that the federal legislature should contain more than half from people elected through a proportional representation.
3. **Citizenship:** This has always been a thorn for the Madhesis. The present Constitution makes it quite hard for those Nepal women marrying men from outside. The children are not given citizenship until the men gets the citizenship through a challenging process.

In spite of this, the Constitution of Nepal 2015 (2072) is the seventh constitution of Nepal. This is the first Constitution made and adopted by the Constituent Assembly (CA). The impact of new constitution was being felt in the violence, curfew, protests and loss of lives. After nine months the Prime Minister KP Oli resigned because two of three major parties in Nepal were against him. [33]

Nepali Congress and CPN Maoist Centre signed a three- point agreement with the Madhesi Front to secure support from the Madhesi parties for their bid to form a new government led by Prachanda the only official candidate for peace. Prime Minister's election, Maoist chief Prachanda and NC chief Deuba signed the agreement with the Madhesis, mostly of Indian origin who assured the Madhesi communities of addressing their demands through political understanding and amendment to the constitution. [34]

The impact of Nepal on India is that India shares an open border with Nepal the violence and instability in the Terai would have consequences for India's security and may threaten the security of Indian businessmen and traders who engaged in business with Nepal. Moreover, cross border ethnic linkages and familial ties makes India an interested party. [35] Prachanda Prime Minister of Nepal nominated Deep Kumar Upadhyay as its representative to India, nearly four months after he was recalled by the previous Oli government.

Prime Minister of Nepal Pushpa Kamal Dahal Prachanda visited India met Prime Minister Narendra Modi on 16th September 2016 that his significance of the visit to India was aimed at restoring mutual trust so as to put the soured bilateral relationship back on track. They talked a lot on the matters of the issues of Nepal making amendments in its constitution came up and India remains hopeful that Nepal will make these amendments in order to make the constitution an inclusive document. Furthermore they talked about the matter of 1500 mw Nathpa-Jhakri Hydro-power Project of Sutlej Jal Vidyut Nigam Limited (SJVNL) at Jhakri, Himachal Pradesh. They both were working together on more projects to strengthen their relations.

Moreover they talked that India-Nepal both have similar topography, geography, culture and people it makes Prachanda to feel that he is not in India but in Nepal these words and what they talked was very fruitful and the relations between the two neighbouring countries were more stronger. 'Dil se baat huyi, Khul k baat hui' i.e. we had 'Heart-to-Heart talk without any reservations' and both countries found new grounds to go forward. Likewise both the countries have thought that Nepal was mindful of the need of creating a sense of partnership and participation among all the sections of the society. Whether Nepal PM Prachanda will fulfil his promises for making necessary amendments as promised with Madhesis in the constitution or not that only time will tell.

II. CONCLUSION

From the above description it is clear from the very beginning Nepal was governed by a series of hereditary rulers. There were numerous governments formed and numerous failed in Nepal. Even there were three elections in 1991, 1996 and 1999 since 1990 restoration of democracy. Monarchy of Nepal has drastically changed from being traditional, titular, democratic, absolute and stripped-off-powers until recently. The abolishment of monarchy has shelved the 240 year old rule in the history forever. This paper is an attempt to understand the domestic political scenario that Nepal has experienced with major turmoil and transformation both in the nature of political system as well as the character of the government. Nepal adopted constitution on 20th Sept. 2015 after 67 years after a long democratic struggle marking its transition into a Hindu monarchy to fully secular and democratic republic. When Prime Minister of Nepal Pushpa Kamal Dahal Prachanda visited to India that signifies the visit to India was aimed at restoring mutual trust so as to put the soured bilateral relationship back on the track and the relation became smoother in the future scenario.

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- [33]. The word '**Madhes**' is stands for the most popular or accepted version that it refers to Madhya-desh, a region between the hills and the plains. Also known as 'Terai', Madhes region consists of twenty districts i.e. Banker, Bara, Bardiya, Chitwan, Dang, Dhanusa, Jhapa, Kailai, Kanchanpur, Kapilavastu, Mohattari, Morang, Nawalparasi, Parsa, Rautahat, Rupandehi, Saptari, Siraha, Sunsari all of which share their borders with India. Madhesis/Terai is those who are the southern plains of Nepal. Madhes refers to all of Terai, the term Madhesi use by many Nepalis primarily refers to caste Hindus who moved from northern Indian in the recent centuries, distinguishing them from native groups like Tharus. The trouble for Madhesis with the dominant Nepali group CHHE (Caste and Hill Hindu Elite) is partly ethnic and partly caste centric. CHHE are ethnic Nepalis, while most Madhesis are recent migrants from India to build the Terai region. One part of them is caste Hindus and other are dalits, muslims and tribals.
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