

On the Statements of the Former King and Former PM Bhattarai

Bhuwan KC

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The disputes and disagreements on important issues of the new constitution among political party leaders had never taken place. The working schedule of the Constituent Assembly had been amended for the 10th time. The meetings between political parties and their leaders only centred on gaining access to state rule. The Constitutional Committee tasked with finalising the draft of the new constitution had called the leaders of the 25 parties in the CA and warned them that unless there was consensus on the form of government, separation of power and other issues, the draft could not be prepared.

President Dr Ram Baran Yadav had met Prime Minister Madhav Kumar Nepal, UCPN (M) chairperson Pushpa Kamal Dahal, acting president of Nepali Congress Sushil Koirala and asked them to work seriously for constitution drafting. The disagreement between the parties was at its height. There was suspicion whether the CA would draft the new constitution or for the continuity of the CA itself. The UCPN(M) chairperson Dahal was not only accusing the losing forces of obstructing the constitution-drafting process and plotting to dissolve the Constituent Assembly but also threatening to launch people's revolt if the constitution was not drafted on time. There was also debate with UML whether the government could draft the constitution and take the peace process to a logical conclusion.

There were also considerable number of people who questioned the fate of the peace process after the death of the Nepali Congress president Girija Prasad Koirala who was also the coordinator of the High-level Political Mechanism. Nepali Congress was in internal turmoil over leadership issue. UCPN (M) was requesting Prime Minister Madhav Nepal to give way to a UCPN (M)-led national government. However, the prime minister was instead requesting the UCPN (M) to mend its ways, and he was accusing them of being irresponsible and disturbing the environment for constitution drafting. The disputes among the parties, remaining works in the CA, and working style of the government had almost ended the hope that the constitution would be drafted.

Amidst the political confusion, former king Gyanendra reached Janakpur on 24 March 2010. He not only performed a *puja* on the occasion of *Ram Nawami*, he also gave an interview to the Avenues Television. On the question of his personal weakness for the end of monarchy, he said, "I don't think it has already ended, so that's only a 'hypothetical'. Looking back in the pages of history, it (the institution of monarchy) has risen, fallen, in and out of power, so I think these kinds of things happen. So I want to repeat everyone should accept what the people seriously and responsibly decide".

The former king Gyanendra's remarks that everyone should accept the people's verdict created a stir in Nepali politics. Leaders from the ruling and opposition parties heavily criticised the king. After the meeting between Nepali Congress and UML, leaders of both the parties took exception to the kings' comments. UCPN (M) vice-chairperson Dr Baburam Bhattarai demanded that all state-provided facilities be withdrawn and action be taken against the king. The prime minister brushed it off as the former king's daydream.

Five days after the king's remarks, on 28 March 2010, former Prime Minister Krishna Prasad Bhattarai issued a statement requesting that the constitution of 1990 be revived. He said, "The constitution cannot be drafted and it will increase anarchy. Keeping in the mind that the existence of the country is in peril in the present context, I request all the people and parties to move towards reviving the 1990 constitution". He added, "The parties in the Constituent Assembly are in disputes over the hurriedly brought political cloak of federalism, secularism, and republicanism, and it is clear that these are against the unique identity and necessity of the country".

The political parties including Nepali Congress, UML, and UCPN (M) objected to the statement of the former Prime Minister Bhattarai. Nepali Congress Party General Secretary Bimalendra Nidhi said that Bhattarai's comments helped the regressive forces. UCPN (M) spokesperson Dina Nath Sharma accused Bhattarai of supporting the former king's remarks. UML General Secretary Ishwor Pokharel said it was the latest test of conspiracy by the forces opposed to the historical achievement of the people at a time when the political parties have not been able to move ahead through consensus.

The political parties viewed Bhattarai's statement as helping the former king's plan to play a role as the possibility of drafting the constitution on time fades. UCPN (M), Nepali Congress, and UML again came together against what they perceived as attempts by the forces opposed to the people's movement at discarding the achievements of the people's movements in the face of bumpy political process and lack of consensus on several issues. On 31 March 2010, the meeting of the High-Level Political Mechanism was held and it opposed all the conspiracies against the achievements of the people's movement and reiterated that the constitution should be promulgated on time.

The first paragraph of the press statement signed by UCPN(M) chairperson Pushpa Kamal Dahal, acting Nepali Congress President Sushil Koirala, and UML president Jhala Nath Khanal reads, "As a result of 60 years of peoples' movements and revolutions, Nepal is on the way to becoming a federal democratic republic. Political parties are committed to complete the peace process and drafting the new constitution. Our attention has been drawn to the recent organised attacks against the historic achievements of secularism, federalism, and republicanism. We express our firm commitment to foil the daydreams and misadventures of the regressive forces who want to reverse the democratic and progressive changes. We firmly commit to unitedly thwart the regressive conspiracies which seek to take back the achievements of the people and prevent the peace and constitution-drafting process, and also ask the people to unite against such conspiracies".

The parties also committed to complete the peace process for creating a conducive atmosphere for drafting the constitution. "In view of the provision of the article 138 of the Interim Constitution 2007 for state restructuring, the report of Committee on State Restructuring and Distribution of

State Power and its requirement for technical assistance and the discussion on the report in the CA and its concern also for technical assistance, a policy decision has been made to constitute a high-level State Restructuring Commission. Concrete decisions on the Commission and promulgating the new constitution on 28 May by completing the peace process will be made at the next meeting,” states the second paragraph of the statement.

Though the three parties countered the statements of former king Gyanendra and former Prime Minister Bhattarai, they did not attempt to fulfil their commitment on constitution drafting. They not only did not reach any conclusion on completing the peace process but also could not agree on state restructuring. Nepali Congress and UML requested UCPN (M) to submit a clear draft on Maoist combatant integration, management, and rehabilitation. They also brought other conditions, i.e., ending the paramilitary structure of YCL, return of captured land and houses, implementation of past agreements. UCPN (M) kept insisting on the prime minister’s resignation and tied it up with the extension of the CA tenure. They insisted that there was no point in extending the tenure of the CA as long as Madhav Kumar Nepal was the prime minister. Therefore, they went on to approve by their central committee not extending the CA deadline if the prime minister does not resign.

When it became clear that the new constitution would not be ready by 28 May 2010, Nepali Congress, UML and other parties reached a conclusion that if the CA deadline is not extended, the peace process would be in peril. They requested the UCPN (M) not to link the issue of CA extension and resignation of the prime minister. There was no alternative for the government and other parties but to extend the CA deadline in the absence of clear guidelines on the outcome of failure to complete the constitution and not extend the deadline. In the meantime, some leaders feared that there will be president’s rule if there is no extension of the CA. UCPN (M) also knew that there was no alternative to extending the CA deadline. Yet, it wanted to use the prime minister’s resignation as the last bargaining chip. Even after a long series of acrimonious recriminations, there was no sign of an agreement. Amidst the confusion, UCPN (M), Nepali Congress and UML reached a three-point understanding at midnight on 28 May 2010. After it was agreed on completing the remaining peace process, resignation of the prime minister and other issues, the CA tenure was extended by one year by amending the Interim Constitution for the eighth time.