

International Alert.



# VOICES

FROM THE VILLAGES:

PEOPLES' AGENDAS FOR PEACE

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# FRIENDS FOR PEACE (FFP)

**F**riends for Peace (FFP) is a non-governmental, non-profit organization registered under the Societies Registration Act 1977. It was established in May 2004 with a view to facilitate research in the field of conflict transformation and peacebuilding by contributing to future peace processes in Nepal. It works with local and international specialists on specific issues of concern in Nepal, convenes workshops for the sharing of experiences on peace processes from around the world and endeavors to be a leading research organization providing a central source of information for a range of actors on conflict-related issues.

It also aims to build the capacity of Nepali and other researchers to develop strategies. In a post-conflict environment, it remains a public resource to be drawn upon for relevant information and expertise on conflict transformation and peacebuilding. The main objective of FFP is to establish a credible knowledge-base that provides technical expertise on issues of concern in future peace negotiations and wider peace process, and facilitates greater participation of civil society organizations and individuals in bringing about a peaceful resolution to all the socio-political conflicts in the country.

Based on a range of consultations, FFP is conducting research on various issues thought to be of concern in the current conflict context. With incredibly diverse societal groups Nepal needs a highly sensitive approach to establish peace by resolving variety of social contradictions. The effects of conflict have been more widespread in Nepal's rural communities than in any other conflict contexts. However, it is in the rural areas that new and imaginative ways of dealing with conflict situations, reconciling community differences and winning space for co-existence have been developed.

The local communities, which have been at the receiving end of the curses of violent insurgency, are aware of the real causes of conflict and the ways to address them. This is the reason why this particular research was attempted. Our purpose of undertaking this research was to understand people's perceptions of peace and their views about the basic pre-conditions for bringing sustainable peace in their communities. The research identifies the peace needs of multiple social groups at the grassroots level and draws attention to the agendas of those living in and around conflict.

It would be vital to exploit the local clues in those areas for conflict transformation and peacebuilding. The research findings have brought forth many aspects of grassroots concerns which must find echoes in the national agendas for post conflict settlement. As in the past, FFP has been making persistent efforts to ensure that its research findings reflect the genuine voices and concerns of the grassroots people. Our research is, in fact, a conduit of communication between the grassroots and the policy makers. If the national policy makers internalize the recommendations and make them reflect in the ongoing peace process, we will feel proud for being able to pave a small stretch of the path leading towards durable peace in the country.

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**Friends for Peace & International Alert**  
Kathmandu, Nepal

**November 2007**

*Published by*

**Friends for Peace**

117/36, Puja Pratisthan Marg, Purano Baneshwor

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First edition: 1000 copies

The views and opinions expressed in this document are of the authors and do not necessarily reflect those of FFP and IA.

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# Contents

i. Foreword .....	VI
ii. Acknowledgements .....	IX
iii. Acronyms and Abbreviations .....	XI
iv. Executive Summary and Recommendations .....	XII
<b>1. Introduction.....</b>	<b>1</b>
<b>2. Context .....</b>	<b>3</b>
<b>3. Conceptualization of Peace, Peacebuilding and the Importance of People’s Participation in the Peace Process .....</b>	<b>5</b>
3.1 <i>Peace</i> .....	5
3.2 <i>Peacebuilding</i> .....	6
3.3 <i>The Importance of Local Peace Agendas</i> .....	8
<b>4. Research Objectives .....</b>	<b>9</b>
<b>5. Rationale .....</b>	<b>10</b>
<b>6. Methodology .....</b>	<b>11</b>
6.1 <i>District Selection</i> .....	11

## IV VOICES FROM THE VILLAGES

<b>7. Local Peace Agendas – Main Findings .....</b>	<b>16</b>
7.1 <i>Local Mechanisms for Building Sustainable Peace .....</i>	16
7.1.1 <i>Indigenous Dispute Resolution Mechanisms .....</i>	20
7.1.2 <i>Civil Society Representatives .....</i>	23
7.1.3 <i>Government Representatives .....</i>	25
7.2 <i>Effects of the Conflict .....</i>	27
7.2.1 <i>Community Discussions .....</i>	28
7.2.2 <i>Civil Society Representatives .....</i>	32
7.2.3 <i>Government Representatives .....</i>	35
7.3 <i>Local Peace Agendas – Conditions for Sustainable Peace .....</i>	36
7.3.1 <i>Community Discussions .....</i>	36
7.3.2 <i>Civil Society Representatives .....</i>	42
7.3.3 <i>Government Representatives .....</i>	45
7.4 <i>Finding Negotiation Space amid Conflict .....</i>	47
7.4.1 <i>The Conflicting Systems .....</i>	47
7.4.1.1 <i>The Functions of the Maoist Government</i> <i>("Village People's Governments") .....</i>	47
7.4.1.2 <i>The Functions of the Nepal Government System .....</i>	48
7.4.2 <i>Negotiating the Dual Governance System .....</i>	49
<b>8. Conclusion .....</b>	<b>51</b>
<b>Bibliography .....</b>	<b>53</b>

## List of Maps, Tables and Charts

Map 1:	Research locations .....	13
Table 1:	The number of total interviewees by district .....	12
Table 2:	Population and other indicators for the five research districts .....	15
Table 3:	Impact of conflict upon given indicators .....	30
Chart 1:	How can peace be restored to your area? .....	38
Chart 2:	What issues need to be addressed in order to ensure sustainable peace in your area? .....	41
Chart 3:	Can local organizations successfully act on your peace needs? .....	42

## List of Boxed-texts and Case Studies

Box 1:	Anti-Maoist Resistance Committees .....	18
Box 2:	The Tharu Bhalmansa/Khyala System .....	24
Box 3:	The Kamaiya System .....	40
Case Study 1 -	Naresh, Kailali .....	31
Case Study 2 -	Bishnu, Nawalparashi .....	34
Case Study 3 -	Sarita, Kailali .....	43
Case Study 4 -	Negotiating for local security in Jhapa .....	50

## Foreword

Non-violence is the weapon of the strong. The act of violence is the last resort of the weak. To end conflict, the efforts should not converge on ending up just one, or just ten, but the efforts should be made to end the idea of conflict itself altogether. For many, conflict has become a tool, a secret habit to compel the authority to meet their demands. However, choosing violence to catalyze change is the worst way to reckon with.

As Gandhi aptly propounded, "There is no way to peace... peace is the way." The way of peace has to become a new habit to change for better, as every individual - be it state or nonstate actor - should be the carrier of peace strategies. Government(s) can allocate resources and negotiate binding accords and enforce and implement them, but only citizens can effect change in promoting human relationship with their own instruments.

As the ten years of civil conflict in Nepal heads towards settlement, queries are being raised on whether the national level peace process, now underway, would adequately fit in the perception of the local communities as to how conflict can be resolved and a lasting peace restored. One of the biggest risks of any peace process is the failure of the state to address the basic concerns (of the citizens), which often form

the root cause of the conflict. A country like Nepal with incredibly diverse societal groups needs a highly sensitive approach to establish peace by resolving multifarious social contradictions dividing it.

Nowhere have the effects of conflict been so deep and all pervasive than in Nepal's rural communities. However, it is in the rural context that new and imaginative ways of dealing with violent forces, reconciling community differences and winning space for co-existence were practised and developed. The local communities, which bore the brunt of the violent insurgency, are cognizant of the real causes of conflict and the way to address them.

It is precisely why this particular research was an attempt on our part to discern and understand people's perceptions of peace and the basic requirements for bringing sustainable peace in their respective communities. The research highlights the peace needs of the pluralistic social groups at the grassroots level, and at the same time, drawing attention to the agendas of those living in rural Nepal, those most affected by conflict and those who stand to gain if peace returns.

The premises of this research were the hotbeds of the violent conflict, where the people of those remote rural areas suffered penury, exclusion, economic disparity, socio-cultural alienation, lack of infrastructural development and host of other factors creating social resentments. This being the case, it would be vital to exploit the local clues in those areas for conflict resolution and peacebuilding. The research reveals that the voices of the grassroots be heard before framing agendas for peace negotiation so that the measures agreed upon at the national level truly reflect the sentiments of all the stakeholders of conflict.

The research findings outlined in this report will

demonstrate that an enormous diversity of peace needs and experiences exists at the district level, differing within and between ethnicities, caste groups and genders, and political as well socio-economic groups. In drawing attention to this plurality of issues and opinions, this report has underlined the need of taking these into account before framing policies and programmes.

During the conflict, the Nepalese society at large and the rural communities in particular, underwent severe shake-ups in terms of physical destruction, socio-psychological trauma caused by family separation due to death in combat or displacement. In addition to the long-standing social malaises, the above mentioned misfortunes befell the people living in and around the hotspots of conflict. The concerns of the local communities were, therefore, not the power equations at the top or the ongoing wrangling among parties over vested interest. What people have explicitly asked for is broad human security, including access to food, employment, freedom against domestic violence, end of impunity, resettlement of the displaced in a dignified manner and infrastructural development. These are the exigencies echoed in the voices of the grassroots. Thus, we at Friends for Peace (FFP) and International Alert (IA) strongly recommend that these voices from the grassroots be heeded by political parties, civil society leaders and international actors involved in conflict transformation and peace building in Nepal.

**D B Gurung**

*Executive Director*

Friends for Peace (FFP)

November 2007

## **Acknowledgements**

Friends for Peace (FFP) and International Alert (IA) wish to express their heart-felt gratefulness to all the friends, colleagues and well-wishers, who were involved in the preparation and publication of this report.

In particular, we express our thanks to our field researchers, who courageously travelled to remote villages and communities in search of the truth, in spite of the prevailing environment of conflict and insecurity.

At various stages during the research period, we have benefited from thoughtful and helpful discourse with many local actors who have played a vital role, though imperceptibly, in helping the community keep the light of hope flickering, coping with the threats and hardships of conflict, mediating dispute and managing co-existence between the diametrically opposite expectations of the rebels and the government armed forces. We take this opportunity to thank these people for giving voice to the issues and needs that their respective communities wished to be incorporated within the national level peace process, and hope that this report goes some way to doing so.

We are also duty-bound to express our thanks to Mr Khadananda Wagley and Mr Padam Prasad Bhattarai in

Jhapa, Mr Posta Raj Kafle in Solukhumbu, Mr Beju Gaur in Nawalparasi, Mr Jagadish Paudel in Parbat and Mr Rabin Pant in Kailali who, as our local facilitators, were never tired of providing relevant information and helping our researchers to navigate through contradictions of the incompatible communities, competing interests of political parties and the environment of insecurity that loomed so large.

Finally, our sincere gratitude goes to Executive Board Members of FFP Mr Padmalal Bishwokarma and Mr Hamid Ansari for making trips to the research sites to guide and encourage our researchers and for helping them identify and fill the research gaps making their findings more truthful and substantial.

## **Acronyms and Abbreviations**

CPA	Comprehensive Peace Accord
CPN (M)	Communist Party of Nepal (Maoist)
CPN (UML)	Communist Party of Nepal (Unified Marxist-Leninist)
CSOs	Civil Society Organizations
FFP	Friends for Peace
HDI	Human Development Index
IA	International Alert
IDPs	Internally Displaced Persons
INGOs	International Non-Governmental Organizations
KII	Key Informant's Interview
MoPR	Ministry of Peace and Reconstruction
MRC	Maoist Resistance Committee
NGOs	Non-Governmental Organizations
NHRC	National Human Rights Commission
SALWs	Small Arms and Light Weapons
SP	Superintendent of Police
SPA	Seven Party Alliance
VDCs	Village Development Committees

# **Executive Summary and Recommendations**

## **Executive Summary**

The failure of Nepal's nascent peace process to address the diverse peace needs of marginalized and excluded communities at the grassroots level threatens to undermine possibilities for long-term sustainable peace in the country. Nepalese society has long been characterized by multiple forms of exclusion, divided along fault lines of, inter alia, ethnicity, caste, gender and economic status. Exclusion, in its multifarious forms, is widely recognized to be a major contributing factor to the past decade of conflict in Nepal. The April 2006 Jana Andolan (People's Movement) and subsequent signing of a Comprehensive Peace Accord (CPA) between the CPN (M) and the Government of Nepal in November later that year, have provided the space within which long-standing grievances contributing to conflict may be addressed and significant steps towards development and long-term peace may be taken.

However, the Nepali peace process remains an exclusive affair with major decisions being taken behind closed doors and with little consultation. Government policy regarding minority rights and issues pertaining to marginalized groups remains insufficient. An example of the impacts of such a

policy can be seen in the escalation of tensions within the Madhesi community in the Terai region in recent months, culminating in outbreaks of violence and unrest which the government has thus far been unable to address.

The inclusion of community and civil society voices in national level peace agendas is vital. People's participation in conflict transformation process generates public pressure for policy makers to listen to, and incorporate, their agendas for peace. In this way, the needs and aspirations of the poor and marginalized find their way onto the national agenda, and are more likely to be addressed through policies which have these needs at the forefront. However, many are dubious at the ability of NGOs and other civil society organizations (CSOs) to relay local peace agendas to the policy making level. People's agendas for peace differ greatly throughout Nepal. However, many people at the local level have a strong awareness of the contributing causes of conflict and, correspondingly, the action needed to resolve conflict and consolidate peace. Unless the peace agendas of Nepal's diverse rural population (incidentally those most affected by conflict) are acknowledged and incorporated into national peace agendas, peace is unlikely to be sustainable.

The government-proposed Peace Committees have the potential to be an important step in addressing the needs of communities in the post-settlement context. As a preventative measure, inclusive and locally-owned forums for dialogue will be able to address small, local conflicts before they escalate into wider conflict. As a curative mechanism, the government envisages Peace Committees at the local level to address the need for justice and reconciliation. However, for any local-level mechanism for dialogue to be successful, policy makers must first acknowledge, understand and build upon existing

indigenous dispute-resolution and governance mechanisms, as well as be responsive to diverse local needs, rather than imposing a top-down one-size-fits-all approach.

Building sustainable peace in Nepal requires, first and foremost, that attitudes in Kathmandu are changed to recognize the value and importance of substantive information based upon the needs and experiences of local communities in Nepal. Only then will any government or international-led attempt at community-level peacebuilding be successful.

## **Recommendations**

In view of the findings of the research, following recommendations have been made to different stakeholders involved in conflict transformation and peacebuilding in Nepal at the national as well as the local level.

### ***To the Government of Nepal:***

- Acknowledge and incorporate the diversity of people's agendas for peace in rural communities into the national peace agenda through:
  - the engagement of civil society in dialogue at both national and local levels
  - creating and strengthening forums for vertical dialogue between local and national levels (Peace Committees can play an essential role in this regard)

### ***Regarding Peace Committees***

Potentially an important means for addressing local peace agendas are the proposed Peace Committees. In order to be successful these must be inclusive and take into account the

diversity of needs and experiences existing at the local level. This report therefore puts forward the following recommendations for Peace Committees:

- Peace Committees need to recognize and learn from past and existing mechanisms for local governance. This includes indigenous mechanisms, the mechanisms and systems of the Maoist 'People's Government', and existing state security provisions. In order for this to be done successfully, further research is needed into the successes and shortcomings of these mechanisms, in particular indigenous processes and their peacebuilding potential, around which little comprehensive research exists.
- Peace Committees need to be locally owned and inclusive if they are to be sustainable. They must take into account the diversity of local peace agendas, including the particular and diverse needs of vulnerable and marginalized groups. These groups must be included in such a mechanism in proportional numbers – only then can there be a real understanding of the needs of local people and effective means for addressing these needs. This would mean that Peace Committees would differ slightly in structure and approach from place to place, rather than adopting a one-size-fits-all methodology imposed by policy-makers in Kathmandu.

### ***To Nepali Civil Society***

- Strengthen ability to deliver local voices to national policy makers by strengthening levels of cooperation between different sectors of civil society.
- Continue to pressure policy-makers by highlighting

the problems of exclusion and advocating for a locally-owned and inclusive peace process.

### ***To the Development Community***

- Understand and take into account local conflict dynamics and agendas for peace in development programming by undertaking in-depth impact assessments in locations of engagement.
- Adopt conflict-sensitive inclusion policies, i.e. policies which aim to include those belonging to marginalized and vulnerable groups (in recognition of the multiple and diverse forms of marginalization) but also take into account local sensitivities in this regard and do not include one group at the exclusion (real or perceived) of another. This requires careful attention to helping to create an enabling environment through which the needs of marginalized groups/classes can be understood and addressed in the entire community.
- Recognize the diverse experiences, needs and values existing within Nepali society, and within particular groups, in particular the existence of elites within marginalized groups, so that development programmes may address the truly marginalized and the diversity of needs at the local level.

### ***To the Political Parties***

- Cooperate and present a united front in advocating for the inclusion of the peace agendas of the constituents they represent into the national peace process through working with civil society to raise local issues at the national level.

# 1. Introduction

Ten years of civil conflict in Nepal have seen over 13,000 men, women and children lose their lives and many thousands more displaced. Nowhere have the effects of conflict been more apparent than in Nepal's rural communities. During conflict the division between rural and urban areas was stark, with most rural areas falling under Maoist control and government administrative offices being forced into urban areas. The result was that the divide between an already insular Kathmandu and the districts outside quickly became a chasm. Policy-makers in Kathmandu were too far removed from the reality of the districts and therefore failed to address the conflict in any constructive way.

The stepping down of King Gyanendra as absolute monarch in April 2006 paved the way for the restoration of democracy and, ultimately, the signing of the Comprehensive Peace Accord (CPA) between the Seven Party Alliance (SPA) and the CPN (Maoist) in November 2006. This has provided new opportunities to reinforce long-term and sustainable peace and development. However, despite these positive developments towards peace, the current 'post-settlement' context in Nepal remains fragile and the gap between Kathmandu and the rest of the country persists.

Recognizing the importance of the experiences and voices of those living in the districts to a future peace process in Nepal, Friends for Peace (FFP) in collaboration with International Alert, began research into Local Peace Agendas in 2005. This research marks an attempt to build upon previous research in Sankhuwasabha, Sunsari, Dhankuta, Dolakha, Ramechhap, Parsa, Chitwan, Tanahu, Syangja, Kaski, Pyuthan, Dang, Bardia and Kanchanpur districts which set out to collect information on the impact and perceptions of the conflict at the grassroots level and document any peace initiatives underway. This report aims to inform policy-makers, Civil Society Organizations (CSOs)<sup>1</sup>, I/NGOs and donors engaged in peacebuilding of the dynamics of conflict at the local level and the agendas of a wide variety of stakeholders for sustainable peace in Nepal.

The term "peace agendas" is used as the research was an attempt to discern and understand people's perceptions of peace and requirements for sustainable peace in their respective communities. The term is deliberately broad, so that the research is able to highlight the peace needs of a plurality of groups at the grassroots level, differing from district to district and group to group. Among the 'agendas' of political parties and national actors are much talked about in Nepal, this research aims to draw attention to the agendas of those living in rural Nepal, those most affected by conflict and those who have the most to gain by a return to peace.

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1. *The Overseas Development Institute (ODI) defines Civil Society Organisations as "organisations that work in an arena between the household, public sector and the state to negotiate matters of public concern". Chambers of Commerce, Trade Unions, Professional Organisations and Religious Groups (to name but a few examples) all fall into this category.*

The findings of the research demonstrate that an enormous diversity of peace needs and experiences exists at the district level, differing within and between, inter alia, ethnicities, caste groups, gender, political and socioeconomic groups. In drawing attention to this plurality of issues and opinions, this report underlines the importance of taking these into account during policy making and programming.

## 2. Context

The year following the signing of the Comprehensive Peace Accord (CPA) between the Government of Nepal and the Communist Party of Nepal (Maoist) (hereafter CPN (M)) has seen many positive developments towards peace in the country. However, despite achievements so far, the current 'post-settlement' context in Nepal remains fragile.<sup>2</sup> Following the April 2006 Jana Andolan (People's Movement) high expectations were placed upon the emerging peace process. It was hoped that the process would be inclusive and transparent. However, the peace process has so far not taken any systematic approach nor been inclusive in its agendas, consisting largely of closed-door meetings between political party leaders. There are many burning issues which need to be addressed during the ongoing peacebuilding process, not least of which is the need to understand and address peace and security needs as interpreted by those living at the grassroots level.

Perhaps the most visible result of the exclusive nature of

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2. *With the causes of the conflict still remaining, the current context in Nepal cannot be termed post-conflict.*

the peace process thus far stems from its failure to recognize and address effectively the issues raised by Madhesi communities in the Terai region. This has, as expected, culminated in the ethnic violence in the Terai region, which continues to escalate at the time of writing. Unless the genuine needs of such marginalized and excluded communities are addressed it is possible that Nepal's conflict will reignite across the Terai region, if not across the entire country.

In recognition of the fragility of Nepal's peace process and the need for a local level mechanism to address grassroots issues (thus preventing local conflicts before they escalate), the newly-formed Ministry of Peace and Reconstruction (MoPR) proposes to establish Peace Committees across all 75 districts in Nepal. The Ministry itself recognizes that these committees, if they are to be effective, need to be inclusive. However, a lack of understanding of the diversity of experiences at the local level and the particular issues facing vulnerable and marginalized groups threaten(s) to undermine good intentions.

The voices and experiences of those living outside the capital cannot be underestimated at this critical juncture in Nepal when elites in Kathmandu and other urban centres struggle to connect national level debate with the realities of rural communities. Past efforts to find lasting solutions to the conflict have suffered from the exclusion of local voices, with disenfranchised groups marginalized by elite political and civil society leaders. In a country where at least 86 percent of the population live in rural areas, the establishment of local level mechanisms and processes such as the Peace Committees that are fully inclusive and locally-owned is essential.

### 3. Conceptualization of Peace, Peacebuilding and the Importance of People's Participation in the Peace Process

#### 3.1 Peace

While the word 'peace' is widely used and understood by every individual and a general consensus appears in describing it, a consistent doctrine of peace is elusive, as it could be case specific, cause specific and country/region specific. Peace is best thought of not as a single or simple good, such as an absence of war or violent conflict, but instead as a complex and a variable process. Sustainable peace in particular requires much more than just the absence of war<sup>3</sup>.

A temporary peace can be achieved through efficient coercion of police, but it is unlikely to last longer. Longer lasting peace involves aspects of legitimacy, inclusive political participation, social integration, justice and economic development<sup>4</sup> at the macro as well as the micro level. No peace will be sustainable unless the root causes of the conflict are addressed. In the case of Nepal, this means resolving the problems and difficulties of the poor and the marginalized. Here a distinction can be drawn between 'negative' and 'positive' peace. Negative peace is defined as the absence of war or direct physical violence; it is a condition in which armies are not engaged in violence. Positive peace is a much

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3. Doyle Michael W & Nicholas Sambinas. 1999. *Building Peace: Challenges and Strategies after War*. Centre for International Studies, Princeton University/ Development Economics, The World Bank.

4. Boulding Kenneth. 1964. *Towards a theory of Peace*, in Roger Fisher, ed., *International Conflict and Behavioural Science*. New York: Basic Books, pp 70-87; and Arie Kacowicz. 1994. *Peaceful Territorial Change*. Columbia: University of South Carolina Press, Chapter 1. As cited in Doyle and Sambinas, 1999.

more comprehensive concept, including the absence of direct physical violence and also the absence of indirect forms of harm such as structural violence, and including the presence of social values and institutions which positively maintain a sense of peace.<sup>5</sup>

### 3.2 Peacebuilding

The UN Peacebuilding Strategy<sup>6</sup> has identified four different concepts that express the evolving idea of what is involved in peacebuilding.

1. Post-conflict peacebuilding: identify and support structures which intend to strengthen and solidify peace such as demobilization of soldiers and the reintegration of combatants and refugees and/or IDPs, de-mining, emergency relief, food aid, economic rehabilitation, repair of roads and infrastructures.
2. Long-term political, economic and social provisions to address the root causes of conflict.
3. Interdependent quality and the consequent importance of coordination among peace making, peace keeping and peacebuilding.
4. Cycle of preventive peacebuilding or to ensure against and to prevent a relapse into a violent conflict.

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5. *Resource Pack for Conflict Transformation, International Alert, 1996 (Reprinted 2003)*

6. *Doyle Michael W & Nicholas Sambinas. 1999. Building Peace: Challenges and Strategies after War. Centre for International Studies, Princeton University/ Development Economics, The World Bank.*

Peacebuilding, or post-conflict reconstruction, is a process that facilitates the establishment of durable peace and tries to prevent the recurrence of violence by addressing root causes and effects of conflict through reconciliation, institution building and political as well as socioeconomic transformation<sup>7</sup>. Similarly, social and economic inclusion proves to be vital in the course of conflict transformation to ensure a sustainable peace. A successful peace process should be able to address the following issues.

- Create an environment conducive to self-sustaining and durable peace: Willingness to cooperate in resolving problems. Social and economic transformation is paramount for the establishment of durable peace.
- Reconcile opponents: Consider the psychological and emotional components of protracted conflict and the relationships among antagonist groups.
- Address structural and social factors: Direct efforts towards transformation of the conditions that caused the conflict.
- Prevent conflict from re-emerging: Create mechanisms that enhance cooperation and dialogue among different identity groups in order to manage conflict of interests with peaceful means.
- Integrate civil society in all efforts: Include all levels of society in the post-conflict strategy. Design

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7. SAIS/JHU. 2007. *Peacebuilding – Overview*. School of Advanced International Studies, John Hopkins University. [www.sais-jhu.edu/cmtoolkit/approaches/peacebuilding/index.html](http://www.sais-jhu.edu/cmtoolkit/approaches/peacebuilding/index.html) (accessed June 2007)

political transformation to include civil society in decision making (bottom-up and top-down approaches).

- Establish mechanisms to handle issues of justice: Set up institutions that aim to end impunity from crimes that were committed during the conflict (such as truth and reconciliation commissions, war crime tribunals, fact finding missions).<sup>8</sup>

### **3.3 The Importance of Local Peace Agendas**

Addressing all of the above issues is beyond the scope of this research. However, this research aims to contribute to the consolidation of a lasting and sustainable peace in Nepal through drawing the attention of programme and policy makers to the voices of those at the grassroots, thereby influencing policy and ensuring people's participation in the peace process.

International experience of conflict transformation processes tells us that people's participation can generate public pressure for the parties in conflict to listen to their aspirations for peace, and may convene different sectors of society to formulate a peace agenda. This helps to create a broader 'peace constituency' which gives moral authority to initiatives taken by non-governmental organizations, communities and civil society organizations (CSOs). It also puts on the agenda measures which will immediately address the needs of the poor and marginalized, often those most affected by conflict<sup>9</sup>.

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8. *ibid*

9. Garcia, Ed. 1993. *Participative Approaches to Peacemaking in the Philippines* (Tokyo: United Nations University) P.22-26.

By sustaining dialogue with conflicting parties on specific issues, people's participation will enable a process of communication in Nepal between the grassroots and the national level, which might otherwise be submerged in a state-level peace process. In the case of this research, it is hoped that by bringing local peace agendas to the national level, they can inform, influence and be incorporated into the national agenda for peace.

#### **4. Research Objectives**

The main objective of the research was to gain an understanding of the experiences and concerns of conflict stakeholders at the local level so that this understanding may be used to inform and influence debate and discussion during the national level peace process. The decision to undertake this research was based upon frequent interactions with stakeholders at community level during previous field research and interaction programmes. Research undertaken in 2004 on 'local peace initiatives' demonstrated that local community members often have a strong awareness of the causes of conflict in their area and have developed ways of coping within a conflict environment.<sup>10</sup> This research marks an attempt to assimilate this important social capital into national policy for conflict transformation and peacebuilding, and, in doing so, add a brick or two in building the edifice of durable peace in Nepal.

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10. FFP 2004. *Peace Initiatives in Dolakha and Ramechhap Districts: A Rapid Assessment, Friends for Peace.*

***The more specific objectives of this research are as follows:***

1. To explore the issues and concerns of different groups of grassroots conflict stakeholders and to raise awareness among national level policy makers.
2. To explore existing indigenous dispute resolution mechanisms that may play a key role in a future peace process, through mitigating differences and bringing divided communities together.
3. To ensure a sense of ownership among those at the local level over the process of conflict transformation and peacebuilding.
4. To encourage vertical as well as a horizontal dialogue on the principles and practices of peacebuilding, helping conflict stakeholders build understanding between local and national levels.

## **5. Rationale**

The rationale for undertaking this research project stems from three key observations:

- For any actor to be able to resolve conflict, it is necessary for them to be aware of the issues that are responsible for triggering it. Without identifying root causes of conflict, it is impossible to resolve them. The research attempts to explore whether the national level peace dialogues were able to grapple with the real causes of conflict or were only circling around peripheral issues leaving the core of the conflict to fester.

- No national level peace process can succeed if the voices of the grassroots community are ignored. FFP and IA research, therefore, makes a sincere attempt to help the grassroots people to get their voices heard at the national level.
- The Nepali conflict originated in the villages. Its resolution, therefore, also needs to be found there. This research is carried out with the aim of helping local people develop ownership over the peace process.

## 6. Methodology

*Dialogue plus substance:* Substantive information was an integral part of the project methodology. Dialogue must be built upon a comprehensive and nuanced understanding of community needs and agendas. The information presented in this report was provided by the community itself in individual interviews, key informant's interview (KII) and facilitated community meetings followed by a district level interaction of all stakeholders in each district during which preliminary findings of the research were discussed and deliberated. The emphasis in the methodology of this project was not on research to be conducted by the project staff but rather local people assessing their own needs and concerns for sustainable peace at the community level. This avoids the risks of misinterpretation and distortion by outsiders viewing the issues from their own perspective. Therefore the dialogue and substantive information components of the methodology are closely linked and contingent on each other.

The research was undertaken within a time span of two

weeks in each district. A joint research team from Friends for Peace and International Alert followed the KII model during which they had intensive interviews with a small number of specific groups of people representing a wide spectrum of conflict stakeholders. Target groups/individuals for interview were:

- District level Government officials
- District level officers of the security forces
- Representatives of the private sector
- Representatives of major political parties including the CPN (Maoist)
- Representatives of women's groups
- Representatives of Dalit community
- Representatives of ethnic communities, marginalized and indigenous communities
- Internally Displaced Persons (IDPs) and conflict victims
- Maoist combatants and cadres
- Community people
- Representatives of trade unions
- Religious leaders
- Representatives of professional organizations such as Bar Association, Journalists' Association, Teachers' Associations
- Civil society activists and NGO representatives

**Table 1: The number of total interviewees by district:**

Jhapa	Solukhumbu	Parbat	Nawalparasi	Kailali
53	41	39	56	62

The mode of the district interaction was a roundtable discussion in which representatives of the above stakeholders

actively participated in discussion around local peace agendas and issues which they would like to see addressed in peace negotiations and a subsequent peace process.

## 6.1 District Selection

Five districts were chosen as research locations. This was done on the basis of conflict intensity, geographical region and demographic composition. The selected districts were: Jhapa, Solukhumbu, Nawalparasi, Parbat and Kailali.

Map 1: *Research locations*



**Jhapa** is considered a strong power base of left-wing political parties, especially the CPN (UML), it is politically conscious, and has high development indicators. Jhapa is the first district in which a comprehensive land reform programme was introduced; land resources are, therefore, evenly distributed rather than concentrated in the hands of a few landlords. The Brahmin/Chhetri community account for 40.4 percent of Jhapa's population. For these reasons, the Maoist insurgents struggled to build a strong support base in Jhapa

and the insurgency had its effect only in the later part of the conflict.

**Solukhumbu** was one of the hardest hit districts during the ten year conflict. Situated in the midst of the Himalayas, the people of Solukhumbu rely heavily on tourism for survival, working as porters and guides for trekking groups. Indigenous groups comprise the majority of the population in this area, with Rai and Sherpa groups accounting for 31.5 percent and 18.3 percent of the population respectively.

**Nawalparasi** is a populous district in the western Terai where agriculture and industry form strong pillars of economic development. It shares its southern border with India, from where a large number of small arms and light weapons (SALWs) are smuggled into Nepal. It has a heterogeneous population consisting of high caste Hindu groups and indigenous communities, as well as different strands of Madhesi people and a sizable Muslim population. Largely due to its status as a pilot district for 'Anti-Maoist Resistance Committees' (see Box 1), Nawalparasi is one of the most conflict affected districts of the Terai region.

**Parbat** is a hill district in the western region with a sizable population of Dalits (19.7%) and other indigenous minority groups. It was moderately affected by the conflict and was chosen in the hope that it would serve to draw comparisons between the perception of the people living in highly conflict affected districts and moderately affected districts.

**Kailali** is one of the most populous Terai districts in the far western region. Home to a large population of the Tharu

**Table 2: Population and other indicators for the five research districts**

District	District Pop'n	% of Total Pop'n.	Literacy Rates (%)	Human Dev't Index (HDI) rating	Major Ethnic Groups (% of District Population)
Jhapa	688,109	2.97	66.93 overall 75.35 male 58.65 female	0.421	Hill B/C 40.4 Rajbanshi 9.2 Limbu 6.0
Solukhumbu	107,686	0.47	45.81 overall 56.63 male 35.41 female	0.354	Rai 31.5 Hill B/C 20.3 Sherpa 18.3 Tamang 9.4
Nawalparasi	562,870	2.43	52.99 overall 65.74 male 40.68 female	0.300	Hill B/C 22.6 Magar 17.2 Tharu 16.5
Parbat	157,826	0.68	56.82 overall 68.82 male 47.52 female	0.357	Hill B/C 55.1 Magar 10.7 Kami 7.5
Kailali	616,697	2.66	52.06 overall 63.21 male 40.71 female	0.299	Tharu 43.7 Hill B/C 28.1 Kami 6.2

**Note:** Hill B/C stands for hill Brahmins and Chhetris

**Source:** Population Monograph of Nepal, 2003, Central Bureau of Statistics, National Planning Commission Secretariat, Kathmandu.

District Demographic Profile of Nepal 2002, Informal Sector Research and Study Centre, Kathmandu.

indigenous people (43.7%), Kailali was highly affected during the Maoist conflict. Here large tracts of land are owned by a few landlords (mostly migrant landlords from the hill areas) and many indigenous Tharu families were forced to live as bonded labourers in the region, until the system was outlawed in 2000 (see Box 3). Vast inequalities continue to prevail in Kailali as these Tharu groups remain landless and poverty-stricken.

## **7. Local Peace Agendas – Main Findings**

The major findings of the research carried out in the five districts highlighted four key areas of importance:

1. Existing local mechanisms for building peace,
2. The effects of conflict upon communities,
3. Conditions required by these communities for sustainable peace and
4. The ability of communities to find negotiation space amid conflict.

These four themes will be examined here, taking into account the substantial differences between districts, which was highlighted during the course of this research. These four sections will be further broken down into the responses given by members of local community and those given by representatives of various other stakeholders, including government officials, security services, political party activists, NGO workers, professional organizations, trade unions, trade commerce organizations and religious leaders.

### **7.1 Local Mechanisms for Building Sustainable Peace**

Respondents from all sectors of civil society, those representing the government and those representing the population at large were interviewed to explore the existing conflict-resolution and decision-making processes at the village level. Community respondents were interviewed with the aim of ascertaining common methods of and arenas for dispute resolution. Civil society and I/NGO representatives were asked on the ability of their respective organizations to

act on the 'peace needs' of the local community, while government representatives were asked about their ability to function and carry out activities at the VDC level.

The vast majority of respondents said that they preferred to discuss problems with family, friends or neighbours rather than in a more formal arena. However, most agreed that if action was needed then they would refer the issue to a 'higher level' such as a community group, village elder or the local authorities. Interestingly, two respondents from Solukhumbu said that they would approach a 'well-off' member of the community for help in resolving a dispute. Commonly, problems would be referred to user groups comprised of local stakeholders. The most common user groups cited were women's or mothers' groups, farmers' groups and community forest users' groups. Cases such as domestic violence, quarrels, disputes over local resources and alcohol abuse are most often dealt with by the communities themselves within such user groups, or else referred to an elder, a respected member of the community.

The district exception to this general trend is Nawalparasi. Over half of the community respondents from this district said that they did not discuss problems as a community, although most would discuss issues of concern with friends and family. One respondent said that problems were solved by the 'People's Resistance Committee'<sup>11</sup>. The prevalence of these armed groups in Nawalparasi and the resulting fear and mistrust common to conflict situations may be to blame for this lack of community cooperation.

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11. See Box 1

### Box 1: Anti-Maoist Resistance Committees

On 4 November 2003, Prime Minister Surya Bahadur Thapa unveiled an initiative to establish 'Rural Volunteer Security Groups and Peace Committees' to fight Maoist rebels. The state was to provide these groups with firearms and basic training. Government ministers at the time argued that such armed 'Village Defence Committees' would better protect communities from rebel violence. (Nepali Times 2003).

The idea for armed vigilante groups came under fire from both national and international quarters and was eventually dropped, only to be taken up anew by King Gyanendra's autocratic government in 2005. Nawalparasi was a key testing ground for this policy. Other areas also set up their own vigilante groups in response to repeated Maoist harassment, although without government support the weaponry of these groups was largely limited to kukhuris, knives and sticks.

The Maoists were merciless in their response to resistance groups, often attacking whole villages and killing dozens of villagers. Somani village in Parsa district suffered particularly in this context. In Somani a state-supported resistance group was set up in March 2005. A few weeks later, just after the Nepali New Year celebrations, the Maoists arrived en masse. They dragged the villagers from their homes, rounded up all the men in the village between the ages of 15 to 40 and executed them. They then bombed and burnt houses, set fire to the wheat harvest and burnt down cowsheds with the cattle still inside (Upreti & Thapa 2005).

Conversely the resistance groups themselves began to

take the law into their own hands, using weapons to attack those they bore grudges against and those they accused of being Maoists.

Rather than protecting communities from violence, this particular government policy put villagers on the frontline in their war against the rebels. The effects of this misguided decision continued as weapons fell into the hands of militias and were used against the very people they were supposed to protect. Many of the weapons distributed by the government in the name of resistance groups remain unaccounted for. As Nepal attempts to pick up the pieces after 10 years of violent conflict the legacy of these groups represents a significant obstacle to reconciliation and establishing sustainable peace.

The nature of the dispute or problem was often a key factor in determining who was approached to solve it. Respondents in Solukhumbu pointed out the fact that, during conflict, Maoist cadres took the initiative in solving quarrels between villagers – a letter box was provided to every VDC where villagers were able to post complaints, the Maoists would then solve the problem and dispense justice where necessary. However, many respondents mentioned that the Maoists were reluctant to get involved in development-related issues and these were largely left to the communities themselves.

The difference between districts was marked when respondents were asked who they would discuss a problem with. In all districts, the majority of respondents said family and friends would be their first point of contact. However, respondents from Jhapa and Parbat were more likely to refer problems to NGOs, community organizations and local

authorities than respondents from the other districts covered. In other districts, there was a general feeling of mistrust towards NGOs and the local authorities and scepticism regarding their ability to deal with issues of peace and conflict. This difference may be a result of the lack of access to such organizations in districts more heavily affected by conflict, or more awareness of the existence and capabilities of these organizations in Jhapa and Parbat.

In conclusion, in all districts covered the preference was to deal with problems within the community, through discussions with family and friends, through user groups or through village elders and indigenous mechanisms, rather than referring them to local authorities and official mechanisms. The Maoist presence in most of the districts has had a significant effect upon the way communities solve disputes, with the CPN (M) taking the initiative for this in many areas. Furthermore, access to more formal mechanisms such as NGOs and local authorities differs from district to district.

### **7.1.1 Indigenous Dispute Resolution Mechanisms**

The presence of the Maoists in most of the districts covered meant that many local dispute resolution mechanisms were no longer in use, with Maoist cadres implementing their own dispute resolution mechanisms and brands of justice. Heavily affected were indigenous dispute resolution mechanisms used by particular ethnic communities. Respondents from Tharu communities in Kailali district explained how, prior to the conflict, disputes and quarrels were referred to the *Bhalmansa*

(see Box 2), a respected member of the community who would hear both sides then mete out justice. However, most issues are now

**"The Bhalmansa used to solve any problems, but now the people from the jungle do it."**

**- Community Respondent, Kailali**

resolved by the Maoist cadres and their parallel justice systems. Similarly, respondents in Solukhumbu said that although the *Pancha Bhela* and *Kachahari* (village court)

**"We used to use the Kachahari and Pancha Bhela systems. Nowadays the Party settles serious types of conflict and we settle smaller disputes among ourselves."**

**- Community Respondent, Solukhumbu**

systems were still in existence and used by some, they had largely been replaced by the Maoists' own mechanisms. Respondents in Parbat almost universally identified group discussion as a dispute resolution mechanism indigenous to their communities. All respondents in Jhapa said there were no indigenous mechanisms in existence in their district.

Little research exists around the conflict/dispute resolution and peacebuilding potential of existing indigenous governance mechanisms in Nepal. However, a body of research does exist on the success of indigenous governance mechanisms in the management of natural resources, and the danger of ignoring these existing mechanisms when 'outsiders' attempt to impose alternatives.<sup>12</sup> Researchers in this field have argued that as indigenous systems gain knowledge from outside - thereby turning this into indigenous knowledge - such systems are constantly adapting and updating to fit the changing context and therefore continue to have relevance.<sup>13</sup> They warn of the risk of outsiders imposing 'turnkey' solutions to wrongly perceived problems, thereby destroying indigenous systems that work among imposing alien systems that do not.<sup>14</sup> As Farrington and Martin (1988) argue:

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12. See for example O.P. Gurung & R.B. Chhetri (eds) 1999; D. Tamang, G.J. Gill, G.B. Thapa (eds) 1993.

13. Gill, J. (1993: 39)

14. Gill, J. (1993: 40)

*"The relevance and prospects for the success of innovations brought in from outside will be enhanced if they build upon indigenous knowledge. Where this is not done, the risk of failure is high."*<sup>15</sup>

Further examination of this body of research reveals numerous examples of the failure of policy makers to acknowledge the existence of indigenous governance systems. In the 1970s and 80s rural development policies in Nepal ignored indigenous resource management systems and imposed 'outside' technology on farmers, with often disastrous results. As Thapa (1993) writes:

*"... it was generally assumed that local organisations did not exist for natural resource management, and new and uniform social organizations were imposed where diverse social organizations already existed. This insensitivity often led to a less than anticipated level of success of government sponsored programmes or resulted in the destruction of indigenous management systems or both."*<sup>16</sup>

This highlights the need for the existence of indigenous mechanisms to be taken into account during policy making and programming. With regard to peacebuilding, a more systematic analysis of existing indigenous systems for local security and governance is required in order to encourage more flexible and constructive external interventions in local peacebuilding. It is recognized that indigenous mechanisms

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15. Farrington and Martin (1988: 23) in Gill, J. (1993: 39)

16. Thapa, G. (1993: 2)

are often far from perfect, it must also be recognized that all knowledge and management systems are incomplete and that policy makers must employ the resources of a variety of actors and a variety of systems when formulating local peacebuilding policy.

### **7.1.2 Civil Society Representatives**

Respondents were asked whether they felt that local organizations had the ability to act upon the peace needs<sup>17</sup> of the community. The responses reflected a general feeling of powerlessness at the local level, with many respondents saying that peace should be dealt with at the higher, national level. Kailali was the only district where a significant number of respondents felt that local organizations could play a role in this regard, although the number of respondents that felt this way was less than 50 percent. Those who said 'yes' to this question felt that organizations could have some impact on building peace at the community level, although this was generally limited to the role of local organizations in taking voices to higher levels of power and policy making. One respondent from Nawalparasi answering in the affirmative, pointed to the success of Maoist Resistance Committees in subduing the activities of the Maoist party in that district.

In general, there was a high level of scepticism among respondents in the ability of local organizations to address issues of conflict. This scepticism was often motivated by the belief that conflict is a political issue and therefore needs to be dealt with at political (read national) levels.

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17. The term 'peace needs' was used in order to encourage respondents to consider their own needs as well as the needs of the community in addressing and overcoming violent conflict at the local level.

### Box 2: The Tharu Bhalmansa/Khyala System

In Tharu villages the Bhalmansa (literally "good man") acts as the village chief and has overall responsibility for community cohesion, dispute resolution and general social work.

The Bhalmansa (also known as Matawan or Badaghar depending on area) is usually appointed democratically, during the yearly Bakheri assembly in the month of Magh (mid-January – mid-February). During the Bakheri assembly the activities of the current Bhalmansa are assessed. Only when the activities of the current Bhalmansa are found unsatisfactory by the Bakheri attendees is he removed and another is elected in his place. The Bakheri assemblies are open to all those residing in the village/settlement; and it is at the Bakheri that a plan of community activities (to be overseen by the Bhalmansa) as well as fines and punishments for those breaking the rules are set. When a Bhalmansa is elected he then chooses (with the approval of those present) a Watchman to oversee the village and a Shaman for religious and medicinal duties.

Underlying the above process is the concept of the Khyala, central to Tharu communities. The Khyala has two levels of meaning:

1. A forum for meeting and discussion to solve practical problems of individuals and the community. The Bhalmansa calls meetings of the villagers according to need.
2. A socio-cultural institution which delineates a system of behaviour and norms.

The Khyala system fills an important gap in governance at the village level, carrying out village governance activities effectively and efficiently. Processes are generally inclusive, with economic status being no bar to election or participation. Moreover, Khyalas form strong networks with similar systems in neighbouring villages as well as local businesses and other civil society-based organisations (mothers' groups for example), among also feeding into more formal government positions with many active Khyala participants being elected to VDC positions.

However, a significant drawback of the Khyala system is the fact that it remains largely gender exclusive and therefore fails to address the issues and need particular to women and children. It has also had limited effect in addressing issues outside of the control of the immediate community, such as the Kamaiya system (see Box 3).

### **7.1.3. Government Representatives**

Government officials and members of the state security services were asked about the ability of their respective agencies to function at the VDC level. Among the government officials interviewed there were large discrepancies in the responses. The majority of respondents in each district claimed that they were able to work in all but the most affected VDC's, with five out of nine respondents in Nawalparasi saying that they faced no significant challenge due to the conflict. However, a sizeable proportion of respondents said that there was little to no government presence in the VDCs. One respondent, a Crop Development Officer with the District

Agriculture Development Office in Jhapa, cited the reduction of agricultural service centres in that district from 17 to 4 as an example. From information gathered through discussions with other stakeholders and community representatives, it would appear that government administration in most districts had largely been confined to the district centre.

Members of the security forces were similarly guarded in their responses with many claiming that the situation was under control, that they were able to work in all parts of their district and that the Maoists posed no threat (although research was undertaken during a ceasefire period). Respondents from Parbat district admitted that they had difficulty reaching remote areas but maintained that the Maoists posed no significant threat. One respondent from Kailali, a Superintendent of Police (SP) painted a very different picture in admitting that his forces had been confined to the district centre due to the conflict.

The unwillingness on the part of the security and government officials to admit to problems reflects a long-standing tradition of loyalty towards central government and the palace. This loyalty can be understood through army, police and civil servant posting policies. Selected largely for their loyalty to superiors, the government and/or the palace, bureaucrats and officers are then sent to districts of which they are not a native, thus ensuring that their allegiance is to those above them rather than to their constituents. Loyalty is further rewarded by prestigious and sought-after postings, such as those in urban and central regions (the Kathmandu Valley for example). Conversely, suspected disloyalty can be punished through postings to remote regions, such as the far west or the mountain districts.

A further effect of the government's posting policy becomes apparent when analysed in comparison to the posting policies of the Maoist command. In contrast to the non-native government representatives, Maoist cadres are very often local to the area and as a result have a better understanding of local norms and community needs and perhaps even more respect in the eyes of local people than their government counterparts, who are ill-placed to understand the dynamics of their host communities. This particular government policy worked in favour of the rebels. As native to their areas, Maoist cadres were able to operate at the grassroots level undetected by security forces during the conflict period. They were able to promote their own agendas in the villages and implement effective parallel structures, in many areas completely usurping local government mechanisms.

## **7.2 Effects of the Conflict**

The decade-long civil conflict in Nepal claimed thousands of lives and had a significant impact at all levels of society. It is generally agreed however, that the conflict has hit hardest the millions of people living in Nepal's remote rural areas, who comprise 86%<sup>18</sup> of the population. The field research undertaken for this report aimed to gain a picture of how those in the district felt the conflict had affected them and to what extent. Representatives from civil society, local government and the security services were asked how they felt the conflict had affected the district as a whole and the operations of their respective organizations in particular.

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18. *Government of Nepal, Central Bureau of Statistics – Census 2001.*

### 7.2.1 Community Discussions

Respondents were asked to rate on a scale the extent to which the conflict had affected them, with 1 being 'highly affected' and 5 'least affected'. Interestingly, out of the five districts, it was

District	Average Rating
Solukhumbu	2.71
Parbat	1.27
Jhapa	1.05
Nawalparasi	1.44
Kailali	2.14

the respondents from Jhapa who rated themselves most affected by the conflict, with a collective score of 1.05. Given that Jhapa was one of the least affected districts during the conflict we can only speculate on the reason for its residents rating themselves 'highly affected'. However, the fact that the conflict only really affected Jhapa in the later stages of the war can go some way in explaining this. Jhapa is one of Nepal's more affluent districts with a HDI of 0.471 compared to the national average of 0.334<sup>19</sup>. It is also a highly politically conscious district and a stronghold of the CPN (UML). A combination of these two factors meant that the Maoists were unable to recruit a strong support base in Jhapa. It was necessary for the Maoists to 'encircle' Jhapa by gaining strength in the surrounding districts, before they were able to launch substantial assaults on government installations there. It was only with the destruction of Birtamod police station, located just 5 km away from Jhapa's main military installation that the Maoists were able to break the morale of the existing political parties and gain the space to operate

19. Thapa Shyam 1995. *The Human Development Index: A Portrait of the 75 Districts in Nepal*. *Asia-Pacific Population Journal*. Vol. 10, No. 2, June 1995, pp. 3-14

within the district. The fact that the conflict was a fairly recent phenomena in Jhapa at the time of research, as opposed to a part of everyday life as it had become in Kailali and Solukhumbu, for instance, can explain why people in Jhapa felt themselves so highly affected. The relatively higher levels of development in Jhapa also need to be taken into account, whereas in Kailali conflict was just one more hardship in the life of many, the impact was much harder in Jhapa, where industry was previously thriving and the level of education is comparatively high<sup>20</sup>.

**"We hardly see the faces of our local political leaders."  
- Community Respondent, Solukhumbu**

Respondents from Solukhumbu had a collective rating of 2.71 which was the lowest rating of all five districts. Kailali, Nawalparasi and Parbat had ratings ranging from 2.14, 1.44 and 1.27 respectively.

Respondents were also asked how they felt the conflict had affected given aspects of everyday life: caste and gender discrimination; health services; hospitality; family relationships; education and health services. Again the results differed significantly from district to district. Most respondents felt that the conflict had had a positive impact upon caste and gender relations and a negative impact on all the other factors. The exception was respondents from Kailali district who felt that the conflict had had a positive effect upon health services, family relations and gender relations but a negative effect upon caste relations, education and hospitality. The fact that Kailali was the only district to rate health services improved during conflict can largely be

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20. According to the 2001 National Census, the literacy rate (6+ years of age) in Jhapa stood at 66.9 percent. This is in comparison with 45.8% in Solukhumbu, 52.1% in Kailali, 53 percent in Nawalparasi, and 56.8 percent in Parbat.

**Table 3: Impact of conflict upon given indicators**

**Q: In your opinion, how has the conflict impacted upon the following?**

- a. Religious Rituals
- b. Ethnic/Caste Relations
- c. Gender Relations
- d. Family Relationships
- e. Hospitality Traditions
- f. Health Services
- g. Education

**Results by District**

**Solukhumbu**  
Positive effect on...

**Ethnic/Caste Relations**

**Negative effect on...**

Hospitality Traditions  
Religious Rituals  
Education

**Nawalparasi**  
Positive effect on...

Ethnic/Caste Relations  
Gender Relations

**Negative effect on...**

Family Relations  
Health Services  
Hospitality Traditions  
Education

**Kailali**  
Positive effect on...  
Health Services  
Family Relationships  
Gender Relations

**Negative effect on...**

Religious Rituals  
Ethnic/Caste Relations  
Education  
Hospitality Traditions

**Jhapa**  
Positive effect on...

Ethnic/Caste Relations  
Gender Relations

**Negative effect on...**

Health Services  
Hospitality Traditions  
Religious Rituals  
Education  
Family Relationships

**Parbat**  
Positive effect on...

Ethnic/Caste Relations  
Gender Relations

**Negative effect on...**

Health Services  
Hospitality Traditions  
Religious Rituals  
Education

### Case Study 1 - Naresh, Kailali \*

I was born in 2022 (1965) in Dadeldhura. My family migrated to Shripur VDC when I was 6 months old. I had been active in politics since my school days and was well respected within the society. I was elected the Vice President of Nepal Student Union in 2036 (1979) in the school. From 2050 (1993) onwards I became an active member of the Nepali Congress and was elected VDC Chairperson. I carried out my responsibility well. Everything was fine until 2054 (1997), until I developed a bad company and started drinking.

The Maoists filed cases against me for rape and exploitation, among other things. They raided my house with weapons, and then looted everything. They didn't even leave a single piece of cloth for my mother and my wife. They attacked my son with an axe. I wasn't in the house when they arrived, but returned to see them destroying everything. I was powerless to stop them. A few days later I found out that some of my neighbours were also involved in the looting. I was very aggressive at that time and tried to take on the perpetrators.

A few weeks later, I was on my way to Dhanagadhi with my wife and son, I was attacked by three people. I managed to run away and reached the hospital at Dhanagadhi, soaked in blood. My family was horrified and asked me to leave the district as soon as possible.

Seeing no other way, I left for Kathmandu. The financial situation at home was very unstable after the looting. I felt so helpless being so far away, I was still drinking heavily. Then, I had a sudden change of mind

on the day of the new year 2061. I gave up drinking. I went back to my village after the ceasefire. There, the Maoists confessed that the whole incident had happened due to wrong information.

Now I go to my village to cultivate my land and have not encountered any problems so far. The relationship among villagers is becoming stronger, they ask me to return to the village permanently but my family won't allow it. Nowadays we stay in Dhanagadhi, the district headquarters. Many people have been displaced or have migrated from the villages. My father is 86 now but he never asks to go back to the place where he spent more than six decades of his life. You can see tears rolling down his cheeks. Even after peace comes, it will take a long time for people to forget the pain of this war.

*\* Name changed to protect respondents' identity*

attributed to the fact that prior to conflict, people in Kailali had limited or no access to health services, the only hospital being in the district centre, Dhangadi. During the conflict the Maoists adopted a strategy of attempting to 'win hearts and minds' in this district through offering rudimentary health care and access to Maoist medics. Responses by district are outlined in Table 3 (page 30).

### **7.2.2 Civil Society Representatives**

The majority of the political parties interviewed said that their activities were limited to certain areas, mainly district and urban centres. The exception was the majority of representatives of political parties in Jhapa who, although

they felt that the conflict was increasing, said that the influence and activities of political parties in the district generally remained unaffected. Representatives from political parties in Nawalparasi, although they generally felt that the conflict had lessened in intensity, expressed concern over the growing power and influence of resistance groups under the King's rule, and the large numbers of people that had been displaced from their homes as a result.

Businesses, trade and commerce establishments and trade unions all cited Maoist extortion and threats as being the biggest effect of conflict upon their activities. Many experienced a 'lack of freedom' and felt caught between two conflicting sides. Trade union representatives in Nawalparasi cited obstruction and extortion from both resistance committees and the Maoists as major obstacles to their ability to operate. The 'displacement' of industries was also cited as a key effect of the conflict on the private sector. Respondents in Jhapa pointed out that businesses had been key targets for looting and theft and many respondents said that sales had lessened and the volume of customers decreased as a result of conflict. Professional organizations felt similarly sandwiched between the conflicting parties, with educational organizations being particularly affected. One respondent from Solukhumbu felt that the conflict had destroyed 'opportunities' in the district.

NGO representatives in all districts cited threats and extortion from the Maoists and suspicion from state forces as major obstacles to their operation. NGO workers in Nawalparasi reported that they had even received threats of torture from resistance committees. Respondents in Kailali

## Case Study 2 - Bishnu\*, Nawalparasi

Bishnu is the President of local NGO working on human rights issues and a well known civil society leader in Nawalparasi. He recounts one incident that has affected him mentally and physically and also damaged his character and career:

Twenty-three human rights activists went to study incidents of human rights violation in Ratanganj Village of Paklihawa VDC and returned on the same day. An armed group of Maoists attacked the village that evening and killed two members of the Maoist Resistance Committee (MRC). To monitor the incident, I and a friend of mine then went back to Ratanganj and spoke to MRC members. Meanwhile the army arrived and arrested us. They blindfolded us and whisked us away to an Armed Police Force camp at Bardaghat. There they took our photos before moving us to Parasi Army Camp. We were kept blindfolded for three days, only to be freed on 2061/9/13 (28 December 2004).

During our time in custody, it was reported by the army spokesperson on the television that I, along with three others had threatened people and I had therefore been arrested for questioning. Then, a few days after this, the leader of the MRC in Paklihawa VDC told Nepal TV and Channel Nepal that the human rights activists that had been in Ratanganj village that day were Maoists and had killed two people.

Since then, I am still being harassed and threatened by the MRC cadres. They have extorted money from me and my family members and looted wheat from my farm. My reputation has been tarnished and I am suffering from psychological trauma.

*\* The name and certain details in this report have been changed to protect the respondent's identity.*

also cited the government-imposed NGO Code of Conduct as a further obstruction to their ability to operate effectively.<sup>21</sup>

### **7.2.3 Government Representatives**

None of the government officials interviewed had access to all of the VDCs in their district. Officials in Kailali in particular were limited to the district centre, Dhanagadhi. Many said that they faced obstruction from the Maoists in carrying out their work. Nawalparasi was the only district in which the majority of government respondents claimed that they faced no significant challenge to their activities from the Maoists. This could perhaps be explained by the prevalence of Anti-Maoist Resistance Committees in this area and their 'success' in limiting Maoist activity. Government officials in Kailali were the most vocal in criticizing higher authorities. Respondents claimed that "the government doesn't listen" to its representatives at the local level, that the (palace-appointed) "District Development Committee authorities are illiterate" and that "people from the Panchayat system are in higher authority." These admissions perhaps go some way to explaining the reluctance of the general public to approach the local authorities regarding issues of concern.

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21. King Gyanendra's royal regime unveiled an NGO Code of Conduct on 11 November 2005. The Code of Conduct barred NGOs from making public the information they acquire. This provision prevented organisations from exposing rights violations committed by the state or organised groups. The Code of Conduct further required that all NGOs operate in coordination with government programmes and local government agencies. The Code was put into place without the consultation of NGO leaders and without recognition of existing legal instruments with which NGOs had to abide.

**"We are just the machinery of the government. We can only act according to the order of higher authorities; we can't do anything to address local issues."**

***– A senior police officer in Kailali***

Perceptions of the effect of the conflict differed greatly between respondents. At the time of this research King Gyanendra had imposed autocratic rule with the full support of the security forces. The representatives of the police and army therefore felt that the King's rule had lessened the conflict, although there was some feeling that the security forces were just the 'puppets' of the palace and were just blindly following orders from higher levels.

### **7.3 Local Peace Agendas – Conditions for Sustainable Peace**

The final aim of the research was to ascertain what preconditions people outside of the capital felt were needed to ensure a sustainable peace in Nepal. Respondents at the community level were asked what they felt their personal peace agendas were, what the local peace agendas were and what key issues they would like to see addressed for sustainable peace in their district. Civil society respondents were asked about their personal peace agendas, local peace agendas and the peace agendas of their organizations.

#### **7.3.1 Community Discussions**

**Q: In your opinion, how can peace be restored to your area?** Regarding respondents' personal peace agendas the differences between districts were quite distinctly marked. Respondents from Nawalparasi displayed a strong anti-Maoist feeling, believing that peace would only come after

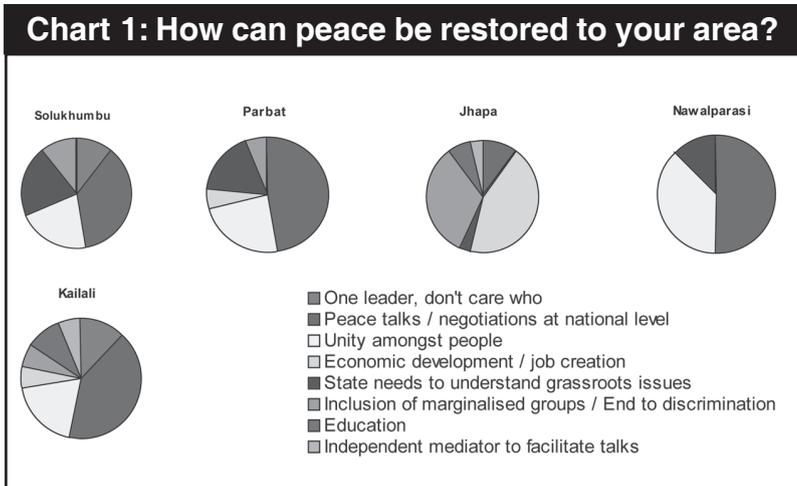
"the elimination of the Maoists". Again, this can be attributed to the influence of Maoist resistance committees in this district. Respondents from Kailali felt that in order for peace to prevail, key issues

such as caste discrimination and unemployment first needed to be addressed. In Jhapa the prevailing view was that the solution lay in social and economic development programmes and garnering a consensus of opinion on key issues within the society.

The majority of the respondents felt that the solution to the conflict lay in peace talks between the government and the Maoists at the national level. However, opinions were generally mixed in all districts with some calling for peace talks and others development programmes and equality as key factors in the restoration of peace to their area. In Jhapa a large majority felt that peace could be restored through economic and social development programmes, particularly those targeting the education and development of indigenous and oppressed groups and those providing employment and controlling inflation. In the heavily conflict-affected districts of Kailali and Solukhumbu, a significant number of people expressed the opinion that they wanted "one leader", they didn't care who that was. This can perhaps be regarded as an expression of the people's frustration at having to negotiate between two conflicting sides. In Nawalparasi, one third of the respondents felt that peace could be restored through unity between people whereas half of them felt that the solution lay in peace talks at the national level.

**"Dalits should be socio-politically included from the village to the central policy making level, only then will peace come."**

**- NGO Representative, Parbat**



**Q: What issues would you like addressed to ensure a sustainable peace?**

Issues of importance for sustainable peace also differed from district to district. With the exception of Jhapa and Nawalparasi districts, the most-cited issue of importance was the need to put an end to discrimination of all types. This was an issue of particular importance in Kailali, with discrimination against Dalit and Tharu communities as well as discrimination against women being cited by two-thirds of the respondents in that district. Land distribution and the welfare of freed Kamaiyas (bonded labourers) were also of central importance to the people of Kailali, as was education

and poverty. Similarly the most pressing issues of those in Nawalparasi were employment and an end to poverty. One respondent was quoted as saying: "We don't care whose government comes, all we care about is to have

**"Everything is Kathmandu centred. Governance needs to be decentralised and people from all backgrounds should be heard in decision making process."**

**– Community Respondent, Kailali**

food and work freely". The majority of respondents from Solukhumbu wanted to see an end to caste discrimination and the demand for 'freedom to live' also featured heavily. In Solukhumbu, Rai and Sherpa communities felt that the Maoist ban on alcohol was impeding their ability to work in the harsh mountainous environment. Caste discrimination was also the most popular issue for those in Parbat, along with land reform, employment and poverty alleviation.

The above responses were markedly different to those from Jhapa where respondents saw the key to sustainable peace very much at the political level, in democracy and the election of a Constituent Assembly. Only a few respondents in Jhapa cited food and shelter as issues of pressing concern and many seemed to be considerably more politically aware than their counterparts from other districts. Again this could be attributed to the relatively higher levels of development and education in Jhapa.<sup>22</sup>

**Q: Do you think that any local organizations in your village or district can successfully act on your peace needs?**

Respondents were sceptical regarding the ability of local organizations to successfully act on their peace needs. Responses reflected a general feeling of powerlessness at the grassroots level regarding issues of peace and security, with many expressing doubt at the ability of groups and organizations to induce change in the face of Maoist militias armed with guns. Many also expressed a feeling of mistrust towards organizations and concerns about hidden agendas. However, many respondents accepted that human rights

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22. See footnote 20 on Pg 29.

### Box 3: The Kamaiya System

The Kamaiya system was a traditional system of bonded labour, prevalent in the western Terai region, whereby people without land or employment received loans for survival from the local landowner. In return, they lived and worked on the landowner's land as quasi slaves. Debts were charged exorbitantly thereby forcing whole families into slave labour for years and, in many cases, for generations. The Kamaiya system was particularly prevalent in the western Terai districts, such as Kailali, and affected largely the Tharu communities.

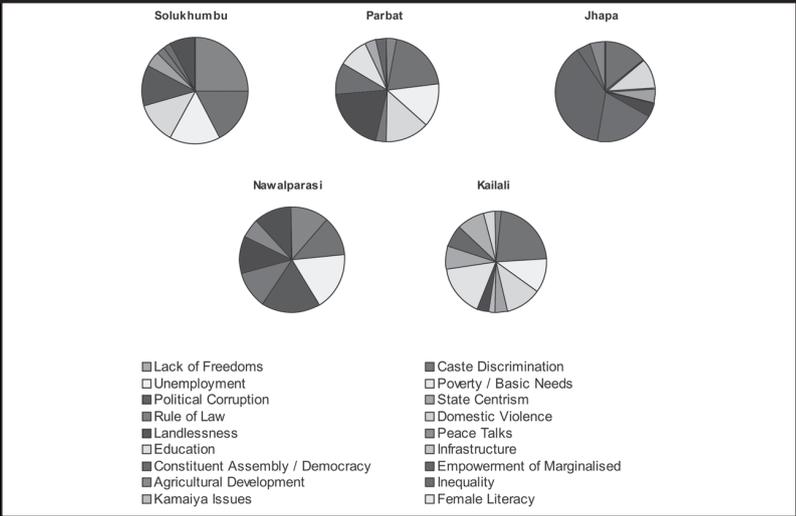
Ten years of democracy passed before the then Government of Nepal finally declared the Kamaiya system abolished on 17 July 2000. All outstanding debts were cancelled and Kamaiyas set free with the promise of rehabilitation packages and their own land. However, although most Kamaiyas were freed, the promised rehabilitation packages did not emerge. Some were given unproductive land to farm, among many were simply freed into poverty.

*"The area that they gave us for our settlement is also called Sri Lanka. Every year during the rainy season the surrounding area is flooded and we have to leave our homes. The army people come and rescue us with their boats." – Freed-Kamaiya, Kailali*

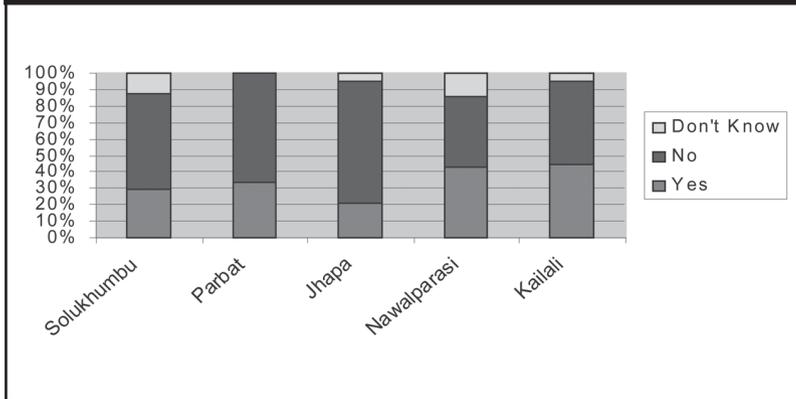
Seven years later, majority of freed-Kamaiyas continue to live in desperate poverty, squatting illegally on private or government land. At the very bottom of Nepal's rigid socioeconomic hierarchy, freed-Kamaiyas rarely feature

on the radar of local and national political actors. Low educational and political awareness combined with the more pressing day to day struggle for survival means that the issues and agendas of the conflict have largely passed these communities by. Freed-Kamaiya respondents interviewed for this research largely equated their personal peace agendas with basic survival needs, such as food security. When asked how they felt peace could be restored to their area, the majority answer from freed-Kamaiya respondents was "we don't care who rules the country, we just need enough to eat." These findings underline the need for national level peacebuilding policy making and programming to take into account the plurality of community peace agendas and peace needs.

**Chart 2: What issues need to be addressed in order to ensure sustainable peace in your area?**



**Chart 3: Can local organisations successfully act on your peace needs?**



organizations play an important role in reporting and documenting human rights abuses and that civil society organizations can act as a vehicle for uniting the masses to create pressure for change as well as taking local voices up to the national level.

Throughout the field research, the call for the inclusion of all sectors of society in the peace process and a future, peaceful, Nepal was an overriding factor heard at many levels and in all districts. When asked about the role of national authorities in local peace agendas the majority of respondents expressed an overwhelming desire for being listened to, for the national level authorities to understand the needs and experiences of those in the districts and stressed on the need for not imposing programmes from the centre down to the districts.

### **7.3.2 Civil Society Representatives**

The peace agendas, both personal and local, of civil society representatives often reflected those of the community respondents. Again in Solukhumbu, the overwhelming issue

### Case Study 3 - Sarita, Kailali \*

I am thirty four years old but I look much older. I was born and brought up in Dang district. My father is a businessman. I was married at the age of 17 to a man from Baglung with a good educational background; he was just graduating at the time. My husband was good-looking and kind and a teacher by profession. He was not outspoken, he was a shy sort of person. He was killed by the army on 7 Chait 2058 (20 March 2002) in Baglung because he was a Maoist.

We are living here in Chaumala village for four years. I had no idea about my husband's involvement with the Maoists for a long time. When I found out, we were just planning to come to the Terai and settle here. One day he came to me and told that he had left the party, but still there were regular phone calls from his 'friends'. Eventually he told me that he could not leave the party, even if he wanted to as they could kill him. What could I say? Now I am alone with my son and daughters and an old mother-in-law who is crying all day long for her dead son.

I didn't get any kind of help from the Maoist party after the death of my husband. I would only have got some if I were in the party with him. For the past there years I have been suffering from a uterus problem and I also have a stomach ulcer. Doctors advise me to have an operation as soon as possible but I don't have the money. I spoke to the Maoist leaders here and they told me they could bear half of the cost, but I still can't manage the other half.

So I did nothing, and now my condition is getting worse. I am too weak to do much of the farming work. The Maoists still ask me to join their party. Sometimes, I

get angry, and then I think I will join their party, but the anger soon passes. They also try to lure my son, telling him that he needs to avenge the death of his father, blood for blood. So far he is not convinced; he says "I am not an educated fool like my father".

But I am afraid of the Maoists. One day they may be successful in recruiting my son. I want to leave this place and to enable my son to study somewhere else. I am not sure whether I will get treatment or not. I am too scared to take any help from the Maoists, in case they ask for something in return. If I can get some treatment then I will be able to earn money outside of the house.

*\*Name changed to protect respondent's identity*

was the need for freedom. Organizations in Kailali called for an end to caste discrimination and the need to address the problems of freed Kamaiyas<sup>23</sup>, illiteracy and poverty.

In Nawalparasi many respondents expressed concern over the influence of resistance committees<sup>24</sup> and cited the need for their disarmament as a major local peace agenda in that district. True to form, those in Jhapa cited local peace agendas as the development of agriculture and the expansion of the tea industry, as well as the need for 'social justice', increased employment and the equal distribution of resources.

Among the respondents, there was a high level of awareness that socioeconomic development would have to form a key part of any successful peace process, that people needed peace, but not at the expense of their rights and

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23. See Box 2

24. See Box 1

freedoms. As one respondent from Parbat observed: "People want peace along with rights, not a Murda Shanti (Peace of the graveyard)".

The majority of respondents were positive about the role their organizations could play in articulating local peace agendas to the higher level through, workshops, peace rallies and other awareness-raising activities. In Nawalparasi, although NGO and political party respondents were generally positive, those representing trade unions and professional organizations were more pessimistic about the ability of civil society to be effective in this regard.

Religious leaders interviewed cited the importance of internal as well as external peace and viewed their role as helping to eliminate the environment of mistrust which the conflict had created. The respondents among the religious community said that the religious people were, in fact, playing a proactive role in assisting the broader national effort for conflict transformation and peacebuilding. This can be vindicated by the fact that the Inter-Religious Council, Nepal, which acts as an umbrella organization for a range of major religious faiths, has been actively involved in popularizing religious values such as peace, non-violence, tolerance, truth, reconciliation and harmony as tools of conflict transformation and peacebuilding.

### ***7.3.3 Government Representatives***

Again, the local and personal peace agendas of government representatives reflected those of civil society and the community at large. Many mentioned the need for peace talks between the two conflicting parties (the state and the Maoists) as a key concern and recognized the need for peace as a precondition for development. However, when asked

whether they felt the government administration could play a role in articulating peace agendas to the national level, many were pessimistic. One respondent from the Women Development Office in Parbat explained that "even the agendas of the lower level are not implemented, so discussing them at higher levels would be useless". In Nawalparasi, only one of the nine respondents felt that the government administration could play a role in this regard, the majority answer in this district was 'don't know'. In sharp contrast, all of the respondents from Jhapa answered positively, with many feeling that the government machinery played an important role in articulating local peace agendas to higher levels through development programmes in villages and by publishing factual information.

There was a general feeling of powerlessness among the security forces when it came to the issue of articulating local peace agendas to the national level. The general feeling was that the security forces were "just the machinery of the government" and advocacy was the job of higher levels and NGOs. Most respondents from the security services wanted to see dialogue between conflicting sides and peace talks at the national level.

In conclusion, the majority of the respondents, regardless of background, realized the need for inclusion and an end to inequality as key factors contributing not only to sustainable peace but also to the resolution of conflict itself. Community representatives expressed the need for the state to listen to and act upon the needs of those at the grassroots. Interestingly, it was the civil societal organizations like NGOs which felt that they had a role to play and could be effective in articulating local peace agendas to the national level, and not the local government representatives.

## **7.4 Finding Negotiation Space amid Conflict**

Our research thus far has demonstrated the far reaching effects of the conflict at the grassroots level and the impact that parallel systems have had on local governance and decision making. With state agencies and Maoist rebels running parallel structures in most of the areas covered by this research while struggling to gain and maintain control of the villages, many respondents relayed a feeling of being trapped between the two conflicting sides. Nevertheless, building upon research from the districts, the following section will outline the nature and functions of both systems, before exploring the ways in which many ordinary rural Nepalis have managed to negotiate the space to live and work within a conflicting dual governance system.

### **7.4.1 The Conflicting Systems**

#### **7.4.1.1 The Functions of the Maoist Governments ("Village People's Governments")**

After the Fourth Plenum of the Communist Party of Nepal (Maoist) in 1998, the senior cadres decided to take advantage of the power vacuum in the VDCs to establish their own administrative systems. Local tax collection began, people's courts were established and collectivization plans were initiated. Local communities were regularly organized into mass gatherings, with the aim of creating a large support base. In community research programmes conducted by FFP in 2004 and 2005, approximately 80 percent of community respondents said that they used and trusted Maoist courts to resolve disputes, the main reason being the speed at which justice was administered in comparison with the inefficient and

unreliable government judicial mechanism.

Maoist's Village People's Governments have also been able to enact some positive changes in the areas of social ills. Many women reported that the banning of alcohol and a public campaign against domestic violence has significantly improved the quality of their family life. In Kailali district, many feel local health services have improved significantly under Maoist control. There is also recognition in many districts that lower castes should no longer be marginalized and considered 'untouchables'.

The Maoist governing systems which existed throughout many villages of Nepal during the conflict were fluid entities with an agenda for social and political change. However, the political cannot be divorced from the military and the Maoist battle to win the 'hearts and minds' of rural Nepal can also be viewed as a military strategy to control the villages in order to strangle the cities.

#### ***7.4.1.2 The Functions of the Nepal Government system***

At the time of research, government control over the VDCs was minimal. The provision of governance in terms of justice, public security forces, public services and the state bureaucracy was centred in the district headquarters. Senior government and security force representatives, who were appointed largely on royal patronage (after 1 February, 2005) were, therefore, loyal to the national authorities in Kathmandu rather than the local constituency. The ability of government mechanisms to provide good governance to the people was significantly weakened.

Nevertheless, the government had significantly more resources at its disposal than the Maoist parallel systems

in terms of public service provision and bureaucratic infrastructure. It remained necessary for people to travel from Maoist-controlled areas into government-controlled areas in order to gain access to these services. This generated mistrust from the Maoists against any individual trying to negotiate the dual governance system to survive and was the dilemma of hundreds of thousands of Nepalis during the conflict.

#### ***7.4.2 Negotiating the Dual Governance System***

For many rural Nepalis, coercion, fear and violence have become a part of everyday life. The dual governance system has made it increasingly difficult for people to access basic services such as education and health. However, despite the ongoing conflict and parallel systems operating in the rural areas, there are occasions when local communities have found mechanisms enabling them to live within both systems. On a basic level, these measures may be defined as coping strategies but evidence from district research suggests that the way people have negotiated the dual governance system is far more sophisticated than reactive coping measures. The following case study, selected from many, will serve to illustrate the power that local people can have through collective negotiation and making subtle compacts with local Maoist cadres.

The successful resolution of these local problems, and many others like them, illustrates the sophisticated level of collective action that local communities are able to take in difficult circumstances. Such mechanisms go beyond simple coping strategies and demonstrate sophisticated community negotiation and bargaining techniques in order to work the system to people's minimum disadvantage. This is not to

### Case Study 4- Negotiating for local security in Jhapa

There are various permutations regarding the modalities of how local communities can negotiate to live within a dual governance system. An example from Jhapa districts relates to seeking better local security mechanisms in regard to the problems posed by the open border with India. In the southern-most part of Jhapa, along the border with India, cross-border raids and daylight robberies committed by Indian dacoits were severely imperilling local people's lives. Local communities judged that the Maoist forces did not possess the resources to provide them protection from this growing problem. Therefore local communities entered negotiations with both the local Maoist forces and the (then Royal) Nepal Army to seek a solution. The result of these negotiations was a request presented to the Maoists to allow the Government Security Forces to set up a base camp in the area. In the face of strong public pressure the Maoists had no choice but to grant this request and a limited measure of protection was provided to the communities from the Government Security Forces.

suggest that such negotiations are prevalent throughout Nepal - there are many circumstances where people cannot make the system of dual governance work to their minimum disadvantage. Assessing the extent to which local communities were able to negotiate a better deal or develop coping strategies during conflict, however, is beyond the scope of this research.

## 8. Conclusion

Nepal's decade-long civil conflict has had a profound effect upon its rural communities, leaving physical and psychological scars that will take many years to heal. Livelihoods have been disrupted and social infrastructure destroyed. Many indigenous dispute resolution and decision-making mechanisms for example have been replaced by alternative Maoist structures. These Maoist mechanisms constituted the only recourse to justice for people in many of the research locations, where access to alternative arenas (for example NGOs, government services, CSOs) was often limited. Many of the groups interviewed expressed an overwhelming feeling of being trapped between the two conflicting sides.

Nevertheless, this research has demonstrated that many communities have managed to find constructive and innovative ways of negotiating the space to live between the conflicting parties and their parallel systems. Community awareness of the causes of conflict (and, correspondingly, issues that need addressing in order to resolve it) is high. Substantive information based upon the needs and experiences of the community therefore represents an essential resource for policy- and programme-makers for peacebuilding in Nepal. This report has also highlighted the plurality of peace needs and peace agendas existing at the local level. Peace agendas differed from group to group and district to district. It is vital that the diverse experiences and needs of those at the local level are recognized at the national level and taken into account during policy making and the formation of a national peace agenda, thereby ensuring that the peace process in Nepal

is fully inclusive and representative.

The Ministry of Peace and Reconstruction (MoPR) has expressed its desire to move forward on the planned creation of Peace Committees at the district level. This recognition that the root cause of the conflict lies outside of the capital, in the villages and communities of an impoverished rural Nepal marks an important step in the Nepali peace process. By putting community peacebuilding on the national peace agenda the government is taking significant strides towards addressing the root causes of violent conflict and unrest in Nepal. However, for any such community mechanism to be successful, it is essential that it is inclusive and that it represents the heterogeneity of Nepali society. Failure to do so will render it ineffective in tackling the diverse needs of those at the grassroots. It is also important that any future community dispute resolution / security mechanism take advantage of the wealth of experience contained within indigenous mechanisms and attempts to build upon and work alongside these rather than creating a less effective parallel structure. This report has demonstrated that many such indigenous structures exist within communities, however, an in depth review of these structures has been beyond the scope of this report. For indigenous mechanisms to be an effective tool in playing a part in a broader community peacebuilding mechanism, further research and evaluation of the role and effectiveness of indigenous mechanisms is urgently needed.

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