

# Impact of the Peace Agreement 2005 in Nepal

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## Abstract

*This study is related to the significance and importance of Nepal's peace agreement. The peace agreement and the interim constitution led politics from a precarious situation to the constituent assembly. The constituent assembly had appeared as a base to take on dialogue whether the state was trying to search for a solution to the boorish problem. The peace agreement that followed the Maoist war is very important in the politics of Nepal. The study has tried to find out whether the government has been able to operate after that time according to the comprehensive peace agreement in Nepal. This paper examines the impact of the peace agreement on Nepalese politics and its significance. The conclusion has been derived by using secondary data only.*

**Key Words:** conflict, federal, inclusive, peace, transformation,

## Introduction

The peace agreement to end the nearly ten-year-old Maoist insurgency has a significant place in the country's politics. The peace agreement between the seven ruling political parties and the Maoists demanding the election of the constituent assembly and inclusive democracy is an important event in the political history of Nepal. That incident has far-reaching consequences for Nepal's politics and future. Nepal had sought complete liberation from the conflict while the interim constitution was being drafted. It is hoped that the republic constitution can bring a stable situation from the long political transition. But there may be some hidden truths inside. It is a fact that the peace agreement has led national politics to a stable direction. Sometimes there is a possibility of another revolution if the intention is not clear between the purpose of the movement and the peace agreement. 'More wars are stopped by negotiated settlement than by a military victory. In this regard, our process is atypical one. A prolonged transition period without good progress can pose are real promotions of negotiated settlement world wide replaced into conflict within five-year,' (Hainiger, 2009). Even each peace agreement has a different way because different characteristics were created there. On the other hand, some cases have created a peace agreement's environment by their internal and external factors. Sometimes, the personal conduct of the leadership has also played a vital role to create such a situation in the countries. In the context of Nepal, it was believed that promulgating the constitution of the federalre public of Nepal can address all kinds of problems that were created over a long history. The unitary system has not been successful to deliver pleasing development to Nepal. This fact may be closer to the truth that the long-awaited development in Nepal was accompanied by that painful struggle. Issues of the revolution

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were guided by organized development with inclusive democracy, but poverty, backwardness, and transition all political situations could not be turned into prosperity and political solidity. “The people of Nepal suffered much during the conflict and are still suffering from the weak rule of law, a media that is less than free, and from short ages of everything from food to electricity they are very much depending on the co-operation of the main performers in favor of peace agreement”, (p. 58).

Such a kind of conflict could create a further challenge to the country’s integrity. But federalism of Nepal has searched to institutionalize the system that can be implemented through the constitution-making process of the peace agreement.

Generally, conflict emerges between inequality and democratic justice. The then communist party of Maoist was at the time forming a revolutionary group of socio-political structure. Revolution for prosperity was appearing as a general principle of that time. Such a situation was created for a long time. But combatants of Maoism weren't guided by the general principle of war at that time. During the entire time of the peace agreement, the role of the many political stakeholders had been incredibly important for the end of the armed conflict, but that historical revolution has not spread its mantle over the democratic value. Nepali still faces problems from its century's poverty, illiteracy, and declining political values. Social exclusion and political biases could not be destiny for the long course of history. Revolution, dialogue, peace agreements, and making constitutions are made as phenomenon replicas of politics.

The shifting situation of politics has sketched far-sighted courses for all segments of development. The peace agreement has drawn a new political feature for prolonging the political system. Practically that application was guided by the then Maoist movement which was not an accepted aspiration of the popular vote. The federal republican system and secular state were seen in disparity. The ideal of parliamentary democracy was in a declining phase in its practices and values at that time. People were moved toward gloominess of fear. The course of political change was acknowledged for the creative ground. All those factors were supporting the insurgency for the development and prosperity of Nepal. The crucial new political force of the communist party of Nepal (the then Maoist) was struggling through the issues that were healing slogans for all sorts of discrimination at that time. New political development has produced a new result for Nepal. This article has tried to analyze these questions in the present situation of political outline and peace agreement on which is given below:

- Is the peace agreement creating some significant importance in Nepal?
- Does it have some comprehensive effects on Nepalese politics?

### **Methodology**

The peace agreement 2005 has a very important place in the political history of Nepal. This has significantly reduced the far-reaching impact on the country. The main goal of the study is to analyze the impact of the peace agreement and its comprehensive effects on Nepalese politics. This study has analyzed new political phenomena and the upward

political place of Nepal. To get a conclusion, the researcher uses secondary data only. Both descriptive and analytical approaches are applied. The library method is analyzed in the descriptive analysis. It is used with different information based on the theoretical review of the related governing system. Identification of dependent variables and other methodological parts are consulted in their proper conditions.

### **Peace agreement**

‘On October 22, 2005, there was an agreement between the seven political parties in Nepal and the then Maoists to defend democracy, protect the nation and nationalism, and accept the multi-party system by opposing the autocratic monarchy’, (Ghimire, 2022). But the then political movement, peace agreement, and current political situation seemed to be different things. The peace agreement in Nepal was binding on the interests of various groups. The political transformation of Nepal is searching for sustainable development for political solidity. After transformation, politics has not been able to take a pleasing route for development and stability. The interests of political parties have tarnished the image of democracy. Sustainable development and political stability are the only goals for modern Nepal, but the political premise is not derived from a promising objective. Sustainable development with political stability is the main objective of the whole political revolution. Nepal had hoped for all these achievements at the end of the then Maoist movement because that was the main objective of that movement. Any post-war peace agreement may not be normal. The peace agreement of Nepal was holding a post-agreement process that became very difficult to implement. The political insurgency had created an application of democracy and prosperity in Nepal. All political movements have carried the objective of democracy and prosperous Nepal. There were different demands in the peace agreement than the objectives of the movement at that time. The secular Federal republic constitution was not demanded of combatants. ‘Issue of federalism that made after the revolution is being very difficult. Bosnia-Herzegovina had established form of the federal governing system by Dayton agreement, but it is still in the type of international conservation’ (Anderson 2007: 11).

The peace agreement of Nepal was agreed on many things that were usually under estimated, though there is also the challenge of implementation, the demands of the movement, and the sentiments raised during the peace agreement. The Maoist insurgency was guided by a standard that Nepal will move forward after dissolving the monarchical system. Since the armed conflict, the demand for a republic system had been growing. During their rebellion, the then Maoist organized different ethnic liberation fronts as the strategy of the revolution. That approach could play a positive role to spread the movement. Different ethnic liberation fronts were formed with the slogans of ‘Right to Self-determination’ and ‘ethnic autonomy,’ (Khanal, 2009). At that time, it had for mediate on enormous regions, including different ethnic groups. The strategy was the foundation for the restructuring process of federal Nepal. Dissolution of monarchy, secular state, and new federal structure are different applications for the unitary Hindu kingdom of Nepal.

A strong republic government is also being unable to carry an attractive plan for sustainable development. Revolution and development are always related to the political history of Nepal. 'Sustainable development goals embody a new era of engagement and exploration in pursuit of equality for everyone on our planet. The goal outlines an opportunity to organize, and overhaul global governance, to be honest for future generations; [they are] rooted in a philosophy of no one left behind, with a human rights blueprint dedicated to the furthest behind first. Indigenous Peoples will be the moral measurement of achievement and nurture of a new relationship with nature,' (<https://www.culturalsurvival.org/2019/07/15>).

Despite the internal motives, the motives of the armed conflict seem to be linked to political change and the well-being of the people. The peace agreement and its outputs are responsible for the revolving situation. Generally, a peace agreement is an agreement to win between both sides. Silencing of arms for political stability, and development with inclusive democracy was a negotiation for the promise. The negotiation to carry out has been far from prolongation and the process usually has taken a lot of time and value, 'but here again, the timing and these quencing with the other aspects of the peace agreement are crucial. Sometimes sequencing can be done and must be done, but not working a tall on one aspect of a peace agreement can back fire against the process,' (Hainiger, 2009). The main objective of the peace agreement was to end violence and manage human rights. In the process of transitional justice, a substantial base was compulsion delivered to stakeholders. It was important to generate impartiality, settlement, and social justice. After the constitution assembly, the post-agreement peace agreement ascended into totally different issues.

### **Political ground**

Today's political situation in Nepal is an achievement after the 2005 movement, but the agreement between the Maoists and the seven political parties, today's political situation, and the initial demands raised by the Maoists cannot be compared. Federalism and restructuring of the state were not the initial demands of the then Maoists. Maoists started the movement under the slogan of development and equality. The situation of Nepalese politics, at that time when the then Maoist war started, was completely different. Nepal, which has a long unitary system, was going to accept the state restructuring process. Nepali a land locked country, diversity of landscape, cultures, castes, religions, ethnic groups, language, and extensive cords of customs are live characteristics of the country. All Nepalese people give importance to its diversity and social tolerance. At that time brand, new voices were raised in the name of change, and it remains to be seen whether those voices were popular voices of the people or not. Nepal was a peaceful area of the Asian zone for the restoration of the democratic period. After the restoration of democracy, the constitution of the Kingdom of Nepal in 1990 provided the space to seek those problems which were remaining from the long route of Nepalese history. The constitution of 1990 was a strong democratic constitution for democratic values. It has ensured democratic norms with a multi-party system, supremacy of law, and delegation of power, but the government of Nepal has not recognized unmarked plans for remote

areas, hillsides, terai, and the marginalized sectors. People have not found any change in their problems which were coming from a long course. They haven't felt new changes in their upward life. After the restoration of democracy, people enjoyed democratic value shifting situation has not delivered favorable post. The shifting point of the political dimension hasn't changed its constant character. After the restoration of democracy, political parties haven't been successful to deliver nominal obligations too.

The federal government system has been developing as an alternative to the unitary system. Nepal is not the only country moving toward federalism. Federal History has guided a long route to setup its procedure. The United States of America is the first modern federal country. United State of America and Switzerland are leading countries for modern federalism. The United States of America and Switzerland have been organized by a centripetal process, but Nepal has been turned into a federal country by a centrifugal process. The demand for federalism in Nepal has not taken up the long route. After the restoration of democracy in 1990, the demand has slightly taken place in Nepal, 'though Terai Congress had demanded a 'Terai autonomous state' after 1950, National Janamukti Party, Nepal Rastiya Janajati Party, as well as other different ethnic organizations, had demanded the federal structure State just after the movement of 1990,' (Khanal, 2009). However, the claim of feeding the raw Nepal profile has slowly gone to the surface. Terai Congress and other ethnic base parties could not remain in their slogan. They failed to hold their sentiment. People's elections could not support them in parliament and local body too.

After the people's movement of 2006, Nepal was in an unannounced form of a 'federal republic' country. With the peace agreement, the development of the country moved forward by rejecting the autocratic monarchy and accepting the multi-party system. Infact, under the pressure of the Madesh movement, the subject of state structure has been included in the interim constitution. After the settlement of the armed conflict, Nepal promulgated a federal republic constitution. Political transformation on a new out line is an enormous achievement for politics. 'In Nepal, federalism is promoted among other things to bring an end to discrimination and marginalization. The interim constitution, Article 138 based on the amendments of 13 April 2007 and 12 July 2008, states that federalism and inclusive governance shall bring an end to discrimination based on class, caste language, gender, culture, religion, and region by eliminating a centralized and unitary form of state,' (Top perwien, 2009). Whether all the people participated in these changes in Nepal or not, whether the sentiments of the people were appreciated in these changes or not, questions are being raised even today. Many people have also objected to the system of governance. Federalism is a process to regulate law between the national and sub-national levels by the constitution. Major political parties through a strong federal democratic-republican government can not be able to deliver a clear file for looking at the federal base till onward. Even some parties have been seen as not in favor of the federalizing process.

'Federalism is an idea who seimportanceisak into natural law in defining justice and to natural right in delineating the origin and proper constitution of society, though

those foundation have been some what eclipsed since the shift to organic and then positivist theories of politics, which begin in the mid-nineteenth century, federalism as the form of political organization has grown as are a son shaping political behavior,' (Elazar, 1991).

However, the concept of the republican federalizing process of Nepal has been raised in either the modern political trend or in the traditional approach. On the other hand, questions have arisen again about the political system and the system of government established by the armed conflict. These indicators show that political stability has not yet been maintained in Nepal.

The issue of the republic federal structure of Nepal has not drawn closer as of long question and struggle. Even, though the issue had not been initiated as part of the Interim Constitution 2007; it was not the Maoist agenda of its forty points demand paper which they had submitted to the government of Nepal before they declared the People' srevolt 2006. On the political ground, it has been assumed that the republic federal system can manage in equity, and underdevelopment, and bring the marginalized sections of the people into the forefront of the state machinery. It has been a huge assumption that the federal government would bring as tonishing changes for human beings to the unitary system. Even some political parties have declare din their manifesto that the feed rail system is only one alternative for the improvement of Nepal, but it can not be a correct supposition for any management scheme which is a kind solution to out door state problems. So, Federalism is not a state's end for problems it self and state structure is a tool for development. "Federalism is certainly no miracle cure and may not be appropriate for all countries in all situations. There are successful examples of feeding the rail state, but also along list off ailed federation" (Top perwien, 2009: 80).

On the other hand, the sentiment of the supposition is incorrect that the unitary system could not address such problems. The constitution of Nepal has declared an inclusive federal republic government that shall carry a conclusion to a ll kinds of problems like caste, language, region, culture, etc. Differently, the supposition is constructive to the people. The Issue of the secular state and federal republic system has been question edregarding the self-centered tendency of leadersandun healthy political activities. National Identity and sovereignty are being gloomed due to the worrying situation of politics that the political out line is being on out rage.

The federal system is going to revolve into a reluctant subject for the nation. The term 'federalism' issued to describe a system of solutions when so vereignty is constitutionally divided between central authority and constituent its to construct the nation in federalism. The issue of federalism in Nepal has not been guided by the remote past as crucial demand because Nepal has a dopteda long historyof a unitary system, but some regional and marginalized group shave demande ditsince 1950 and were struggling against discrimination. Some prime causes are obligated to develop the concept of federal is min place of a unitary system. The long route of the unitary system of Nepal was led by a few elites, who especially professed Hinduism. Monarchy was also surrounded by

prevailing castes. There were some issues to begin conflict in Nepal which could not become obliging for the multicultural society, those pressing issues still exist as a chronic infection in present Nepal. The issue of the republic federal system emerged from those who were suffering from hegemony.

From the post-peace agreement till now, the signs of sustainable development and proper democracy are not seen. Due to the self-centered tendency of the political leaders and the growth of corruption institutionally from the center to the local level, such a situation is created. The issues of the secular state and federal republic system are being questioned. The question is being stronger for national arrogance, sovereignty, and sustainable democratic issues that the system is not being pleased for hoping growth. The politics of the country has progressed differently than the peace agreement between the seven political parties and the then Maoists, while the issue of republicanism and federalism is not raised anywhere in that agreement. It can be a subject of new research on whether the country has moved forward according to the peace agreement today.

### Conclusion

The settlement of armed conflict and promulgation of the federal republic constitution are enormous achievements in the political history of Nepal. Nepal has been a geographically and socially diverse country throughout its history. Due to the internal and external influences of the people due to the democratic movements, the voice of language and religion has come to the fore. This voice was growing stronger, especially after the restoration of democracy. The then Maoists started a movement in the name of the development of caste, religion, language, and region. The movement ended with the peace agreement which created a republic and federalism. That peace agreement has given a new look to the country. Eventhough some points contained in the comprehensive peace agreement and the achievements mentioned today may be reconciled, the subject of republicanism and federalism is not included in the peace agreement. It can become a subject of research. Whether or not these changes were the subjects of all other movements and of the Maoist movement itself could be the subject of research. But the peace agreement has had a significant impact on Nepal's political and governance structure.

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