

THE IDEOLOGY OF NEPAL'S PANCHAYATI RAJ

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PREFACE

This study was possible only because of the Peace Corps policy of encouraging research and providing interesting and worthwhile assignments. As a Peace Corps Volunteer I worked 21 months in Nepal with the Panchayat Ministry. My assignment in the publicity and training sections of the Panchayat Development Department in Kathmandu enabled me to travel extensively and to examine all levels and phases of the panchayat system. All doors were open to me, and I would like to thank all who helped -- civil servants, panchayat members, and private citizens. Special appreciation goes to Mr. Tara Dev Bhattarai, former Director of the Panchayat Development Department, who was my supervisor and political "guru" in Nepal. Thanks is also extended to Mr. Dor Bahador Bista, anthropologist with USAID/Nepal, Mr. Harry Barnes, Jr., Deputy Chief of the U.S. Mission to Nepal, Dr. John C. Cool, Deputy Director of USAID/Nepal, and Dr. William F. Unsoeld, former Peace Corps Director/Nepal.

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ABSTRACT

On December 15, 1960, King Mahendra of Nepal abolished the parliamentary government, suspended the Constitution of 1959, and banned political parties in Nepal. Mahendra declared that the political parties had failed to govern Nepal adequately, and that a Western-style parliamentary system was not suited to Nepal's conditions. Mahendra contended that he had to assume power and establish a political system more Nepali in nature that relied upon traditional political concepts and institutions. By 1962, Mahendra had established a new political system called panchayati raj that relied upon ancient Nepali and Hindu political concepts. A four-tier system of indirectly elected councils was established from the village to the national level; a national guidance system was established and later abolished; and class organizations were formed.

The thesis examined three key traditional concepts of the panchayat ideology -- monarchy, panchayats, and class organizations. These concepts were found to have a firm base in Nepali political culture. However, when examined in relation to present social and political conditions in Nepal, these traditional concepts and their representative institutions in many ways did not fit conditions in Nepal.

CHAPTER I

INTRODUCTION

Since World War II many nations in Africa and Asia have become independent from colonial rule or have overthrown traditional rulers who have ruled the country for decades. The political goal expounded by the leaders of these new nations is generally that of "democracy," but the governmental systems and methods these nations have used and are using are many and varied. Many of the new nations have tried such features of Western democracy as parliaments, political parties and free elections with high hopes that the transplanted institutions would solve the problems of their countries. The institutions were found to be lacking. Concepts of absolute political freedom were tried and the result was often chaos. New concepts of democracy had to be found and these new considerations were often different from those of Western political thinkers.

The new developing nations that have rejected a Western style of democratic government of parliaments, competitive political parties, and free elections are many. Burma, Pakistan, Indonesia, and Nepal are Asian examples.

The ideologies arising from the developing nations rejecting Western democracy must be viewed within their context. Each

ideology is a response to problems of that particular nation -- problems of illiteracy, political immaturity, administrative organization, poverty, insecurity, and leadership. Searching to find solutions to these problems, leaders of the developing nations often resort to different forms of rule which they call Basic Democracy (Pakistan), Guided Democracy (Indonesia), Arab Socialism (United Arab Republic), Democratic Dictatorship (Guinea) or Panchayati Raj (Nepal). While the means to reach their goals may vary, the goals are unity of the populace, independence from foreign domination, economic development, and "democracy."

Nepal is now attempting a new political system called panchayati raj. The events leading up to the initiation of this political system are similar to those of other developing nations. In 1950, a century of tyrannical rule by a Nepali noble family, the Ranas, was ended. The King of Nepal was restored to power, and both he and the new political leaders aspired toward a Western type democracy of competitive political parties and parliamentary government. This aspiration was realized in 1959 when a parliament was democratically elected. In 1960, Nepal's traditional elite and a new King rejected Western style parliamentary democracy and political parties and embarked on a way of government that they claim is not a borrowed political system but one which is based upon traditional Nepali concepts.

Most developing nations in Africa and Asia attempt to accommodate traditional cultural concepts in their governmental systems. Since the overthrow of a Western-style democracy in Nepal a system of government has been established that is unique because of its rejection of Western democracy and its heavy reliance upon traditional Nepali concepts. The concepts of panchayat, for instance, is of ancient origin in the Indian sub-continent. Although a panchayat means a council of five, a panchayat can be of any number of members. Panchayat refers to the elders of a caste or village who by the consensus of the caste or village are the leaders of that group. Scholars believe that in ancient India panchayats were widespread and generally effective in caste and village government.

What this thesis will attempt to do is first, to account for some of the political, social and geographic forces and factors that shaped the ideology; second, to describe the implementation of the system of panchayati raj in Nepal; thirdly to describe the basic assumptions and goals and aims of the panchayati raj ideology; fourthly, to isolate key traditional concepts within the ideology that make it specifically unique and non-Western and to examine these traditional concepts in terms of their compatibility with the reality of social, political and economic conditions in Nepal.

The passions and beliefs about the desirability of parliament and political parties have not yet died in Nepal, and to get an objective viewpoint is difficult. Consequently, this study is limited to an examination of what the formulators of panchayati raj have said and what they have done to implement their ideology. The ideology of panchayati raj is not as articulately explained as the ideologies of a number of other non-Western nations. This being the case, a major aim of this thesis is to develop a coherent synthesis of an ideology that has not been presented in a single written document.

CHAPTER II

THE HISTORICAL, CULTURAL, AND POLITICAL

BACKGROUND TO NEPAL

Nepal is a very isolated and undeveloped nation. To understand the conditions in present day Nepal it is essential to have knowledge of Nepal's history, culture, and politics. This chapter will provide basic knowledge about Nepal.

Historical Background 1700-1960

The territory of present day Nepal has had a rather colorful history.¹ Present day Nepal began when King Prithwi Narayan Shah of the small hill Kingdom of Gorkha, a five day trek west of the Kathmandu Valley, began to think about the conquest of his neighbors in the middle of the 18th century. At this time in Nepali history the present day geographic Nepal was a collection of many independent kingdoms. Then "Nepal" referred only to the Kathmandu Valley. The Indo-Aryan Hindu royal families and nobles of most of these kingdoms

¹Accounts of pre-18th century Nepal history are available in D. R. Regmi, Ancient Nepal (Calcutta: Mukhopadhyay Press, 1962). Daniel Wright, ed., History of Nepal, First edition, 1877 (Calcutta: Susil Gupta Pvt. Ltd., 1958).

migrated to Nepal during the Moslam invasion of north India in the 13th century. In western Nepal they ruled over the indigenous population of Tibeto-Burman peoples. By the middle of the 18th century the kingdoms in Western Nepal were divided into two loose confederations called chaubisi (meaning the number 24 kingdoms) and baisi (meaning the number 22 kingdoms). In eastern Nepal the Kirati tribes, Rai and Limbu, had their own tribal kings.

The Valley of Nepal was undoubtedly the pearl of the territory. It was divided into three principalities ruled by Hindu kings (the Mallas), though the bulk of the population were Buddhist. In the three principle cities of Kathmandu, Patan and Bhadgaon a centuries old culture flourished. The land of the valley was very fertile. The three kingdoms were the richest in Nepal.

In 1737 Prithwi Nayan Shah returned to Gorkha from Kathmandu. In the Nepal Valley he had been the guest of the Prince of Bhadgaon. He had observed a chaotic political situation in all three valley principalities. This led him to believe that the valley was ripe for conquest.² After raising an army and suffering several major setbacks at the hands of the armies of the Kathmandu valley, in 1768 he

²An excellent account of the Gorkha conquest of the Valley of Nepal is in D. R. Regmi, Modern Nepal: Rise and Growth in the 18th Century (Calcutta: Makhopadhyay, 1961).

rapidly expanded his conquest to include all of the present day Nepal, Sikkim, part of Bhuttan in the east, and west to Kumaon and the Terai areas to the south. The Shah royal family moved to Kathmandu and established the capitol of the new nation in that city.

The Gorkhas, as they were called, became overly ambitious in their empire building and invaded Tibet in 1788. This turned out to be a mistake, and Tibet with the help of the Chinese Army forced the Gorkhas to sign a treaty in 1792. Soon Nepal was in another war; this time in the south. Nepal's territorial interests began to conflict with those of the East India Company.³ The Anglo-Nepali war fought from 1814 to 1816 was settled by the Treaty of Sigauli in 1816. Nepal lost to the East India Company her claim to Bhuttan, Sikkim, Kumaon, and parts of the western Terai. From 1816 to the present Nepal has maintained almost the present political borders. The East India Company, recognizing the sterling qualities of the Gorkhas as soldiers, also won the right to recruit Nepalese into the East India Company Army. These troops became the famed Gorkhas of the British Army.

The Shah kings of Nepal were sovereign in all matters within their country. However, to administer the affairs of the state the kings

³ For Anglo-Nepali relations see: K. C. Chaudhuri, Anglo-Nepalese Relations (Calcutta: Modern Book Agency, 1960) and B. D. Sanwal, Nepal and the East India Company (Bombay: Asia Publishing House, 1965).

called upon members of the nobility to act as prime ministers and ministers. After the death of Prithwi Narayan Shah and his brother, Pratap, Nepal lacked a monarch strong enough to rule and keep the quarreling noble families from getting too much power. From 1778 until King Mahendra came to the throne in 1955 all the kings of Nepal came to the throne as minors. The noble families quickly feuded among themselves for the power of ruling. The situation gradually deteriorated into one of general chaos. The powers of the king decreased and the plottings of the nobles grew bolder. The noble families of Thapa, Basnyat, Rana, Pande and Shah were the major contestors for power.

The political situation was carried to its logical end in 1846 when the head of the Rana family, Jang Bahadur, his brothers and followers massacred all opposition leaders of the other noble families. The Kot Massacre, which took 134 lives, was a turning point in Nepal's history. With no opposition remaining among the nobles, the Ranas consolidated their control and ruled Nepal from 1846 to 1951.⁴ Jang Bahadur received from the king a Lal Mohar (royal order) which made the office of prime minister hereditary for the descendents of Jang

⁴For a definitely anti-Rana account of the Ranas see: D. R. Regmi, A Century of Family Autocracy in Nepal (Varanasi: Nepal National Congress, 1950).

Bahadur. The office was to be handed from brother to brother instead of father to son in order to avoid the weaknesses of a minor inheriting a high position. Jang Bahadur was well aware of the consequences of inheritance by minors for he had Nepal's monarchy as an example.

During the century of Rana rule the royal family was kept in the background and allowed to exercise no power. The Ranas acted as the king's representative in all matters. The kings were not allowed to engage in political or public affairs.

The Ranas ruled Nepal as if it were their own personal estate and they became rich in the process. In order to maintain their iron grip on the government and the people, the Ranas permitted no opposition. Non-Ranas were forbidden to participate in public affairs. Education was a privilege for the Ranas and the sons of the few rich nobles. There were no social reforms. Indeed, the Ranas's contribution toward advancing Nepal can be summed up in one word -- nothing.

The British in India played a large role in maintaining the Ranas in power. Jang Bahadur quickly gained official recognition from the British that the Rana hereditary prime minister arrangement was fine with them. He was even granted permission to make a visit to England in 1850 to 1851. As such, he was the first oriental ruler ever to visit that country. He further ingratiated himself with the British by helping put down the Indian revolt of 1857. Nepali troops at his

personal command captured and sacked the large rebel city of Lucknow. In the Rana family the British had a firm and staunch ally. The British did all possible to keep anti-Rana elements from organizing and operating in British India. It was not until after the British left India that the anti-Rana elements were strong enough to overthrow the Ranas.

The fall of the Ranas and the restoration of the king can be attributed as much to the Ranas themselves as to the anti-Rana resistance inside Nepal and in India. The brother to brother succession scheme saved the nation from a minor as a ruler, but pitted brother against brother and cousin against cousin. The Ranas bickered and quarreled among themselves, creating unstable leadership situations. Plots and assassination became accepted political practice.⁵ One whole group of Ranas became discontented because they could never enjoy the fruits of prime ministership. This was because in 1933 a roll of succession was made and all Ranas were divided into three classes -- A, B, and C. The A Ranas were the children of legitimate Rana marriages. The B Ranas were children of union out of wedlock, but later legitimized by marriages. The C class Ranas were the children of the concubines and mistresses that were never legitimized. Many of the class C Ranas were very wealthy and influential. However, in 1935 all class C Ranas were struck from the roll of succession.

⁵One of Jang Bahador's brothers started the practice when he tried to assassinate Jang.

This caused many class C Ranas to join the anti-Rana elements, giving much needed financial support to the campaign.

By 1946 the strength of anti-Rana sentiment in Nepal forced the prime minister, Padma Shamsher Jang Bahadur Rana, to grant concessions and reforms.⁶ The reforms were never carried out because the prime minister was forced to resign by his more conservative cousins. The next, and last, Rana prime minister, Mohan Shamsher, took a harder line.

With the aid of the Indian Embassy in Kathmandu, the king and royal family were flown from Kathmandu to Delhi on November 10, 1950. Anti-Rana Nepali Congress Party forces based in India attacked border points. The prime minister was forced to compromise with the anti-Rana elements and an agreement was made that enabled admission of non-Ranas to high positions in the government for the first time in 104 years.⁷

King Tribhuban returned triumphantly to Kathmandu and a cabinet government was formed in February 1951 composed of Ranas

⁶See Regmi, A Century of Family Autocracy in Nepal and Anirudha Gupta, Politics in Nepal (Bombay: Allied Publishers, 1964).

⁷For an account of the restoration see: Giri Lal Jain, India Meets China in Nepal (Bombay: Asia Publishing House, 1959). Narendra Goyal, Prelude to India (New Delhi: Cambridge Book & Stationery Store, 1964) and Gupta, op. cit., pp. 19-50.

and non-Ranas. Mohan Shamsheer remained prime minister and Bishwa Prasad Koirala, leader of the Nepali Congress organization, was named home minister. By November this arrangement became unworkable. There was widespread disruption, crime and lawlessness. The district governors, responsible for law and order, were unsure of their new position and many came to Kathmandu. Dr. K. I. Singh, a Robin Hood type figure in western Nepal, refused to recognize the coalition government and continued his effort to completely rid Nepal of Rana rule. In Kathmandu the more conservative Rana elements felt that they must once again take control of the government, and they maneuvered to do so. Their organization, the Gorkha Dal (also called Kukri Dal) created disorder in the capital. The coalition arrangement satisfied no one -- Ranas or Congress leaders. After its collapse King Tribhuban asked the Nepali Congress Party to form a new cabinet with Matrika Prasad Koirala (B. P. Koirala's half-brother) as prime minister. The power of the Ranas was broken. King Tribhuban promised elections to form a Constitutional Assembly that would draft a Constitution establishing a democratic parliamentary system of rule. What Nepal calls the era of "democracy" had begun.

The eight years between 1951 and 1959 were politically very chaotic.⁸ High hopes for democracy were raised with the overthrow

⁸ Gupta, op. cit., Goyal, op. cit., and Jain, op. cit.

of the Ranas. The eight years, however, saw ten changes of government and a coronation of a new king before the first elections were held. The types of governments varied; there were single party cabinets, coalition cabinets, non-party cabinets, advisory groups, and direct rule by the king. Political parties during this period multiplied. In the days of the Ranas the Nepali Congress Party was the rallying point for all anti-Rana sentiment. With the Ranas out of power this party disintegrated into splinters. In the elections of 1959 nine parties contested for seats in the parliament. According to Anirudha Gupta, an Indian political scientist who studied this period of Nepal's history in detail,

By the end of February 1955 the course of Nepalese politics fell into a definite pattern. The inexhaustible processes of grouping and re-grouping among the political parties and their factional squabbles, splits and eventual dissolution brought in their wake an atmosphere of unreality in politics. The achievements of political leaders, who had at one time commanded respect, had been too insignificant to instill the confidence of the masses. On the other hand, the new image of the monarch as savior of the nation and symbol of political unity enhanced and enriched the traditional position of the Crown in the minds of the people. Thus, as general distrust of the politicians grew, the Crown came to play a more active part in politics and, in the process, became the strongest political force in the country.⁹

King Mahendra, who became king after his father's death in 1955, was young (35), ambitious, and talented. He viewed with

⁹ Gupta, Ibid., p. 95.

distaste the bickering and power fights that were taking place among the party leaders. He judiciously stayed out of the quarrels and remained relatively aloof from involvement. He traveled widely in Nepal, and abroad, studied Nepal as no other monarch since his ancestor Prithwi Narayan Shah, and in the process strengthened his position as the symbol of unity within Nepal.

Not exactly in keeping with his father's wishes, Mahendra in 1959, after much delay, promulgated a new constitution prepared by a committee he had selected. Elections were held for a national parliament. High hopes were held by all that the end of political instability was in sight and Nepal would at last be able to unify and begin developing. Nine parties contested the elections. The Nepali people, voting for the first time in their lives, completely shocked political observers. Out of 109 constituencies the Nepali Congress Party of B. P. Koirala captured 74 seats. No one thought it had that much strength. Veteran political party leaders of other parties such as Dr. K. I. Singh, Tanka Prasad Acharya, D. R. Regmi, and a host of others were defeated and discredited by the voters in their own home areas. With a ruling majority the Congress Party took over the government, and B. P. Koirala, leader of the Congress Party since the anti-Rana days, became prime minister for the first time in his life.

B. P. Koirala's Congress Party rule of Nepal lasted for 18 months. On December 15, 1960, King Mahendra accused the Council of Ministers of being wholly incapable of maintaining law and order in the country, and of misrule, corruption, and deviating from the path of duty.¹⁰ The economic measures undertaken, the King charged, were based on impractical theories. Invoking Article 55 of the Constitution, King Mahendra took direct charge of the government, arrested B. P. Koirala, leaders of the Congress Party, and opposition parties.

The King was now in absolute control. The government and, indeed, Nepal was his to command as he saw fit. With loyal support of the Nepalese Army and police the crown was in the political arena and the "panchayat" era had begun.

The Emergence of King Mahendra

The most significant single factor behind the takeover and the establishment of panchayati raj was King Mahendra. Mahendra was not content to sit idle and let others do what he thought he could do better. For 104 years the monarchy in Nepal was subjected to complete domination by the Rana prime ministers. He did not want the country or the crown to become dominated by political opportunists (as he saw them) for another century.

¹⁰ See the Royal Proclamation of December 15, 1960.

King Tribhuban, Mahendra's father, apparently had different ideas than his son. Indications are that he wanted to establish a constitutional monarchy with a democratically elected parliamentary government in Nepal. After this was accomplished, he intended to fade into the background.¹¹ Immediately after his powers were fully restored in 1951 and the control of police and army secure from the Ranas, he established a council of ministers under the direction of a popular political figure and promised elections to a constitutional assembly to draw up a constitution for parliamentary government. He died before this could be carried out.

When Mahendra succeeded in 1955, unlike Tribhuban, he took a far more active role in the government and was more inclined to rule directly. He felt the crown was the symbol of unity in Nepal and that his duty to Nepal did not permit him to sit idle. He was very careful to remain aloof from political quarrels, however. He has been accused of deliberately setting up the weak series of cabinet governments from 1955 to 1959 so that rule by political parties would be discredited. He also refused to hold elections for a constitutional assembly that would draft a constitution. He appointed a committee to

¹¹ Whether or not Tribhuban was a sincere believer in popular rule is a moot question. A good many Nepalis, especially those who are in disagreement with Mahendra, very strongly believe Tribhuban's sincerity in wanting a parliamentary government.

draft the document instead. The constitution of 1950 gave the crown broad executive powers with few restrictions. He used these powers to abolish the elected government. Mahendra was not ready to retire as monarch.

In regard to the important place the crown played in Nepali politics the past 15 years it should be remembered that the anti-Rana revolt was not really a popular revolution. Writing before the 1960 take-over by King Mahendra, Girilal Jain commented,

what took place in Nepal was not a revolution but a restoration. The King was the leader of the struggle against the Ranas. The rebel forces had fought in his name. The Government of India had supported him. The Nepali Congress and its leaders were thus auxiliary forces to the King. He was in a position to discard the organization and its leaders as soon as he had won access to the traditional instruments of power in the forms of the army, the police and the administrative machinery. This is precisely what happened soon after the Ranas had been completely excluded from power and there was no chance of their being able to restore status ante bellum.¹²

The results of the 1959 elections probably surprised King Mahendra as much as they did most political observers. Since public opinions would be impossible to determine in the constituencies, the elections were considered unpredictable. However, no one thought that the Nepali Congress party was as strong as it was. The Congress

¹²Jain, op. cit., p. 39.

Party victory made B. P. Koirala, the party leader, prime minister. B. P. Koirala had worked in the Indian independence movement¹³ and was Home Minister in the cabinet of Ranas and non-Ranas established immediately after King Tribhuban's return to Kathmandu in 1951. In the tradition of a true democrat and revolutionary he was not fond of monarchy. This had kept him from participation in any of the party and coalition governments from 1951 to 1959. The conflict between the two personalities -- Koirala and Mahendra -- goes back a long way. When Koirala became prime minister, he took definite control of the government and Mahendra, for the time being, stepped into the background.

It has been argued that if any other person had been prime minister, King Mahendra would not have intervened in 1960.¹⁴ Besides clashing on several issues, the prime minister consulted with the palace less and less on major policy matters. The prime minister had been strongly anti-monarchy in his statements and Mahendra did not trust him. There were rumors that the prime minister was planning to abolish the Nepali monarchy. Mahendra rightly saw the power and prestige of the crown gradually slipping away to the elected leaders

¹³Ironically, B. P. Koirala was a disciple of Jai Prakash Narayan, Indian socialist leader and advocate of panchayati raj for India.

¹⁴"Nepal Under Royal Rule," The Economist, April 15, 1961, p. 238.

He had to act while he still had support of the police and army or forever take a second seat to an elected government. There could not be two sovereigns in one country.

Another factor besides the king's distrust and disputes with the Congress Party government is the nebulous entity called the "Kathmandu elite." Members of this elite are the traditional rulers of Nepal -- the high military, the Ranas, high civil servants, and the royal family. This elite was uneasy and dissatisfied with the Congress Party government. To them the new rulers were "outsiders," B. P. Koirala's home was Biratnager in the eastern Terai 150 miles from Kathmandu. He had also spent more years in India than he had in Nepal. Many of the ministers in the Koirala cabinet were from districts outside Kathmandu. To the Kathmandu elite these people were almost foreigners. This feeling undoubtedly strengthened the king's hand when it came time for the takeover.

As for the charges of corruption and chaos the B. P. Koirala government was working well considering the condition of the country. There was undoubtedly corruption. Even Nepali civil servants and politicians sympathetic with the banned Congress government have indicated that corruption under panchayati raj was little compared to the corruption of the previous governments. If this was the case it must have been substantial. In some districts the central government

was having difficulty maintaining law and order. In one of these the local raja would recognize only the power of the king as legitimate and not that of the elected government.¹⁵ The king was quick to point this out when he deprived the Congress Party of power. But he also abolished the independent kingdoms in Nepal such as Bajhang and crushed their attempts to assert autonomy shortly after the takeover.

While keeping active in the events in Nepal, Mahendra followed with interest the events in the other countries that were trying parliamentary government and failing. He noted that perhaps the guided democracy systems were doing a better job of governing and advancing their countries. Mahendra was especially impressed by Pakistan's basic democracies scheme.

Social and Geographic Conditions

The personal and political factors provide many answers regarding King Mahendra's coup. Geographic and social factors are also important and provide many reasons why a system like panchayati raj was established in Nepal.¹⁶

¹⁵ Bajhang in Western Nepal was the area of most trouble. There was also conflict in Gorkha and West Number I.

¹⁶ Geographic and social data on Nepal can best be found in Pradyumna P. Karan and William N. Jenkins, Nepal: A Cultural and Physical Geography (Lexington: University of Kentucky Press, 1960).

Nepal has never been a united nation in most senses of the term. Within the 54,000 square miles there are so many "Nepals" as to defy description. Differences of language, religion, caste, occupation, and geography make it impossible to point to any one Nepali and call him typical. The only requirement for citizenship is residence inside Nepal's boundaries and loyalty to the Nepali crown, the national symbol of unity. The century of Rana rule did not unify the nation. Rather, it was the policy of the Ranas to discourage unity and nationalism because it might be detrimental to their rule.

Geographically, Nepal is four separate countries, and each geographic region has distinct cultural and linguistic features. The hot dusty plains and dense jungle of the Terai borders India. Here the people are Indo-Aryan; although, there are some tribes of Dravidian origin. In many ways the people of this region are Indian: in language (Hindi, Bhojpuri, Bengali, Maitali), in religion (Hindu), dress (dhoti). Economically, this area is tied to India. All roads lead south. The Terai is rich in wheat and rice, but most of it is traded to India. Trade to the hill areas of Nepal is limited. There is only one motorable road that penetrates the hills from the Terai to Kathmandu. To get rice to Kathmandu from almost all Terai districts requires that the grain be shipped through India by rail or road to the beginning of the road at Birganj. The only way to reach most Terai districts from Kathmandu

is to go through India, because there are few east-west roads. The Terai people, called Madhesi (literally, Indian) by the hill people, are scorned by the Nepalis in the hills.

The foothills of Nepal stretch from the Terai to the Himalayas. The terrain is rough and transportation is by foot. Elevations of the ranges are between three and twelve thousand feet. Most of the older bazaar towns are on top of ridges or mountains at around the 5,000 foot level.¹⁷ The slopes of the mountains and the narrow river valleys are farmed for corn, millet, and rice. The peoples of this area are of Tibeto-Burman origin and generally are Buddhist or animist in religion. There are numerous tribes, but five major ones -- the Rai and Limbu of the east, the Tamang of central Nepal and the Gurung and Magar of western Nepal. From these tribes the British and Indian armies recruit the Gurkha mercenary troops. The Nepali language is usually the second language of these tribesmen. Each tribe has its own language. Throughout the foothills one finds the Brahmin-Chetri castes who migrated from India to Nepal with King Mahendra's ancestors. They are generally the major landowners and have the most influence on politics in their area. In the bazaar towns are found

¹⁷ Bazaar towns were built high for military reasons and also because the malaria carrying mosquito lives below 4,000 feet elevation.

the merchants and traders of the Newari group who come from the Kathmandu valley after Prithwi Narayan Shah's conquest.

In the deep valleys of the Himalayas and behind the Himalayan ranges live the Bhotias, the Tibetans. Like the hill people, they are divided into many tribes, including the Sherpas, Marphalis and Thakelis. They speak Tibetan dialects, and dress, live, and worship as Tibetans. Looked down upon by the hill and Terai Nepalis, they are considered to be foreigners and fair game for the shrewd shopkeeper. With the exception of the Thakalis, these tribes have not tried to adapt to a Hindu culture. Like the Mexican Indians, they have yet to be integrated into the Nepali culture.

The Kathmandu Valley is a fourth geographic area. In the valley's three cities -- Kathmandu, Patan and Badgaon -- a rich urban culture has flourished for centuries. Buddhist and Hindu temples are of very fine quality. The peoples are called Newars. Only their common language (Newari) unites them, for they are not an ethnic group. Tibeto-Burman and Indo-Aryan in origin, they developed a rigid caste system of their own -- even though most are Buddhist. Today Newars are scattered all over Nepal in the bazaar towns. Every large bazaar has shops owned by Newar families. They have a well deserved reputation of being shrewd shopkeepers and are generally mistrusted by the hill people for their shrewd dealing.

The preceding sketch of Nepal's peoples, though be it brief and general, gives a rough idea of the diversity within the small Nepali nation. Combine this diversity with a literacy level of 7%, a \$50 per capita income, few miles of motorable road, a kinship oriented and village based social system and some of the problems of modern government in Nepal become apparent.¹⁸

Over 93% of the people live in small villages and are tied to the land as farmers, fishermen, or herdsman. The villages are generally isolated from the problems of the world and of Nepal. Indeed, outside of the Kathmandu Valley and the Terai there are only three district centers that could be reached by jeep in 1960, and only one could be reached by commercial airline. The remaining 49 were accessible only by foot, horseback, helicopter, or special aircraft designed for short takeoff and landing. Some district centers are reached by helicopter or by one month of hazardous trekking. With such isolation the people do not think of themselves as Nepalis. Most Nepalis outside the Kathmandu Valley do not recognize the name "Kathmandu." Instead, they refer to the city and valley as "Nepal." Invariably when asked outside of the Kathmandu Valley, "Where do you work?", most Kathmandu Nepalis would have to say "Nepal" or not be understood. Communications are complicated in the districts because only

¹⁸ See Karan and Jenkins, op. cit.

about half of the ten million people in Nepal speak and understand the Nepali language.

The ordinary villager cares little about what goes on in "Nepal." Prior to the establishment of the village and district panchayats, the village Nepali's contact with the government was with the tax collector and policeman -- a not uncommon relationship in traditional societies. The lack of interest in what goes on in "Nepal" and the general isolation and ignorance of the mass of Nepali people makes the establishment of viable, responsible, democratic institutions at the center seem an impossible task.

The geographic isolation of the Nepali citizen from the affairs of the central government was matched at the national level by the government's policy from 1846 to 1950 of keeping Nepal isolated from foreigners and foreign ideas. Opponents of the Rana government were forced to take refuge in India. Many of them, such as B. P. Koirala, participated in the Indian independence movement. The Western concepts of democracy did not reach Nepal as they had India. The mass of the people had no idea what the term meant, since they had never heard the term before.

CHAPTER III

THE PANCHAYAT SYSTEM

It took King Mahendra from 1960 to 1963 to establish the panchayat system. Whether or not he planned at the time he assumed power to create the type system that emerged is subject to debate. His critics say he did not. They say that he, at the time of the take-over, did not quite know what course of action to take. Should he drop all pretensions of democracy and rule as his ancestor Prithwi Narayan Shah? Should he call on the political parties and rule with their support? Or should he try to initiate a new system based on an entirely new theoretical approach to government in Nepal? He chose the latter. It would have been rather incongruous to promise a return to parliamentary government, which he had denounced as being out of step with the conditions in Nepal. He also recognized that kings like Prithwi Narayan and prime ministers like the Ranas were both out of date and not in keeping with the conditions of Nepal in the 1960's.

Asserting that the people were confused by the Western institutions of political parties and parliamentary government, Mahendra declared that Nepal must have a political system in keeping with Nepal's culture and tradition. It had to be a Nepali system -- not one copied

from another nation.¹

Ten days after his takeover, Mahendra formed a Council of Ministers under his chairmanship directly responsible to him in all matters.² He also appointed an unofficial committee of high government servants to study the Nepali situation and survey the political systems in Egypt, Indonesia, Pakistan and Yugoslavia. Perhaps some of the elements of these systems could be used in establishing a truly Nepali democracy. A committee was later established which drew up the constitution that Mahendra presented to the nation on December 16, 1962. During the interim Mahendra had been ruling legally under the 1959 Constitution as an absolute monarch.

King Mahendra's first indication that panchayats would play a major role in the formation of the new political order came on January 5, 1961, 20 days after his coup.

Since Panchayats are the basis of democracy and a democratic system imposed from above has proved unsuitable, as is apparent from the present experience of the country, we have got to build democracy gradually layer by layer from the bottom upwards. It is our aim to associate the people in the administration at all levels and to develop

¹ See Mahendra's Royal Proclamation of December 15, 1960 that dissolved parliament. Pages of History: A Collection of Proclamations, Messages, and Addresses Delivered by His Majesty King Mahendra. Series I. December 15, 1960 - December 10, 1961. (Kathmandu: Ministry of National Guidance, 1962), pp. 1-4.

² Royal Proclamation of December 26, 1960. Ibid. pp. 5-7.

village, district and town Panchayats, with the view to enabling them to take active interest in the problems and progress of the country.³

Just how long it would take to set up the entire panchayat system, King Mahendra, in the first months of his new regime, would not venture to guess.⁴

Shortly after the takeover, Mahendra appointed a committee to examine the forms of government in Egypt, Indonesia, Pakistan, and Yugoslavia in order to determine if the recent experiences of these nations could help in establishing a new form of government for Nepal. About one year later a constitutional drafting committee was appointed by Mahendra. The 1962 panchayat constitution affirmed the key role of the Crown in Nepali affairs. The structure of the panchayat system spelled out in the constitution was an odd mixture of Nepali concepts and borrowing from other developing nations shaped ingeniously to Nepali conditions and terms.⁵ Basically, there were four unique elements

³ Royal Message of January 5, 1961. Ibid., p. 15.

⁴ Interview by His Majesty with representatives of the Nepal Sambad Samiti on August 24, 1961. Ibid., p. 55.

⁵ Several works describe the panchayati raj structure and elements. The most comprehensive in English are: Leo E. Rose, "Nepal's Experiment in 'Traditional Democracy'" Pacific Affairs XXXVI (Spring 1963), pp. 16-31, S. B. Shrestha, How Nepal is Governed (Kathmandu: Pashupati Press, 1964), and U.S. Army Area Handbook for Nepal (With Sikkim and Bhutan). Department of the Army. No. 550-35 (U.S. Government Printing Office, Washington, D.C., May, 1964). In Nepali

in the new system: the four tier panchayat structure, National Guidance, Tour Commissions, and class organizations. In theory these four institutions are to work together in a coordinated effort; each is designed to support and help the other three. The system in Nepal is called panchayati raj -- government by panchayats.

The Panchayat Structure

The four tier elected panchayat structure is a closely inter-linked system of indirectly elected councils and assemblies. In structure it closely resembles Pakistan's Basic Democracies scheme.⁶ The basic unit in the system is the village and town. Elections were held in 3,500 villages and 14 towns between February 18 and May 20, 1962.⁷ The electorate consisted of all males and females over 21 years of age and not insane. In these elections the villagers elected a council of

see: Pramon Shamsher, Nepalma Panchayati Bybashtha (Nepal's Panchayat System) (Kathmandu: Ministry of Panchayat Department of Publicity, 1965).

⁶See S. M. Z. Risvi, A Reader in Basic Democracies (Peshawar: West Pakistan Academy for Village Development, 1961) and Karl VanVorys, Political Development in Pakistan (Princeton: Princeton University Press, 1965).

⁷The Nepali village generally is unlike its Indian counterpart in that it is not a compact spacial unit. Rather, the Nepali village comprises several smaller units. There are an estimated 25 to 30 thousand of these smaller units. See: Pradumna P. Karan and William M. Jenkins, op. cit.

nine members in the villages and a varying number in each town (depending on the population of the town). These were the basic units. They elected from among them a chairman and vice chairman (pradhan panch and upa-pradhan panch)⁸ and also one member to represent the village at the district level in the 75 district assemblies (jilla sabha). When all elections in the district at the village and town level were completed, the district assembly met. From among them they elected a district chairman (sabha patti), and vice chairman (upa-sabha patti) and a district (jilla) panchayat of nine members.

The 75 districts are divided into 14 zones. Members of the district panchayats are also members of a body called the zonal assembly (anchal sabha). When the district assemblies had concluded their elections, the zonal assembly met to elect from among themselves a zonal panchayat. They also selected from among their membership individuals to represent the districts in the National Panchayat.

The National (Rastriya) Panchayat membership is composed of 125 members, ninety of whom are elected by the 14 zonal assemblies. Two members from each class and professional organization, four "graduate's" representatives, and not more than 15% appointed by the

⁸ Changes of the Village Panchayat Act in 1966 require that the Pradhan Panch be elected by the village assembly.

king make up its membership. By April 14, 1963 the members had been chosen and the panchayat structure was complete.

The Council of Ministers is chosen by the King from among members of the National Panchayat. However, the king can appoint a person who is not a member of the National Panchayat to the Council, but that member must become a member of the National Panchayat within one year or resign from the council. Each minister is individually responsible to the king and not to the council as a whole or to the National Panchayat. However, a vote of no confidence by 2/3 of the National Panchayat can recommend to the king that the minister be replaced.

The duties and functions conferred on each body differ. Village panchayats were given the power to tax, administer village affairs, and to carry out development projects.⁹ They were also, on paper, given broad judicial powers. In order to raise revenue the panchayats can claim 10% of the land tax collected by the central government in their village area; they can also tax a number of activities and objects listed in the Village Panchayat Act. In carrying out the administrative function village panchayats are to keep records such as census, birth and death, budgets, and are to administer any lands

⁹ See the Village Panchayat Act, 1962.

(forest, roads, temples, etc.) that the corporate village owns. The development powers of the village panchayats are broad. They can undertake any project for which they have funds and technical knowledge and skills. Technical help and matching grants-in-aid funds are available at the district centers on request to the district panchayat.

The 14 town panchayats were given essentially the same powers as the village panchayats without the judicial powers.¹⁰

Broad powers to tax, administrate, and develop were given to the 75 district panchayats.¹¹ They were also given a grant-in-aid fund from the central government (financed by USAID) that is to be used for village development projects. At the district level the biggest change taking place is the phasing out of the old system of governing the districts. Formerly each district was in the charge of a Bara Hakim (governor) appointed from Kathmandu. They were not of the district. Their job was to keep order and run the administration of the district. They had broad police powers, and, due to the total lack of communication and transportation in Nepal, were in many ways like a local king. By June 1965, only 11 Bara Hakims remained. Many of their powers were transferred to the district panchayats. This marks

¹⁰ Town Panchayat Act, 1962.

¹¹ District Panchayat Act, 1962.

the first time in Nepali history that the people's elected governments were running the affairs of the districts.

At the zonal level very few powers are conferred. The zonal panchayat remains solely an advisory body.

(They) are conceived as a rung of the ladder to move up to the National Panchayat and therefore the attention of the members at this level is designed to be devoted to the economic, political and social problems of the country. The Zone Panchayat Committee will from time to time deliberate on the different problems of the country and thus it will pave the way for the exchange of mature views in the National Panchayat.¹²

The National Panchayat at the summit of the panchayat structure is to be a perpetual body. One-third of its members will be up for re-election every two years. From among its members they choose a chairman and vice chairman.

Organized political groups are not to be formed in the National Panchayat. Mahendra has declared, "in the National Panchayat, there being no representatives of any specific party, the representatives of panchayats and class and professional organizations will deliberate on every problem from the national perspective."¹³

¹² B. Maheshwari, Studies in Panchayati Raj (Delhi: Metropolitan Book Co., 1963), p. 175.

¹³ King Mahendra's Inaugural address to the Intellectual's Conference June 5, 1962. In Pages of History: A Collection of Proclamations, Messages, and Addresses Delivered by His Majesty King Mahendra. Series II, December 15, 1961 to December 9, 1962 (Kathmandu: Ministry of Panchayat Affairs H.M.G., 1963), p. 181.

The meetings of the National Panchayat are not to be open to the public.

One of the new features of the workings of the National Panchayat is its setting in camera which screens out the personal publicity of the members and fosters the habit of abiding by the decisions once taken after full and free discussion. This is in tune with the ideals of the common and indivisible responsibility of the Rashtriya Panchayat as a whole.¹⁴

The National Panchayat is expected to discuss bills put forth by the ministers and to pass, reject, or amend them.¹⁵ The final power to approve or veto legislation, however, rests with His Majesty. Thus far the Rastriya Panchayat has not carved out a definite role for itself within the system. It remains a rubber stamp for the executive.

National Guidance

The second element in panchayati raj is the National Guidance System. In February 1961 the National Guidance Ministry was formed. At its head His Majesty placed Vishwa Bandha Thapa, formerly chief Congress Party whip in the abolished parliament. In December 1961, King Mahendra enacted the National Guidance Act that provided for district and zonal guidance committees in all 75 districts and 14 zones.

¹⁴ Bishwa Pradhan, Panchayat Democracy in Nepal (New Delhi: Prakash Press, 1963), p. 24.

¹⁵ See Vishwa Bandha Thapa, National Panchayat (Kathmandu: Ministry of Panchayat Affairs Department of Publicity H.M.G., 1964).

At the national level the National Guidance Council was formed.

In establishing the National Guidance Ministry on National Day (February 18, 1961), King Mahendra declared the plans for the new ministry:

The principle duty of this new ministry will be to work in the broader interests of the country and to achieve a greater measure of progress and development in all sections of society and among its various classes, to co-ordinate the rights and interests of the various areas and their people and not let regional interests conflict with national interests or with similar interests of other areas.¹⁶

The first task of the National Guidance Ministry was to supervise the establishment of panchayats and class organizations. The panchayat elections were carried out by the Panchayat Department which was under the Development Ministry. However, the National Guidance Ministry maintained a close interest in some elections to see that men hostile to panchayati raj were not elected. The National Guidance ministers, Vishwa Bandha Thapa, also held the Development portfolio. Besides seeing that the panchayats and class organizations were set up and operating, the National Guidance Ministry to "coordinate the activities of these two institutions to assure that they didn't impinge upon each other's sphere or exceed their proper function and powers."¹⁷

¹⁶ King Mahendra's National Day Message of February 18, 1961. Pages of History Series I, pp. 22-23.

¹⁷ Rose, op. cit., p. 27.

Of all the phases, institutions and programs of panchayati raj the National Guidance Ministry was the most criticized. The class organization committees were very critical of the Ministry's supervising of their operations. At the Intellectuals' Conference, sponsored by the government in June 1962, the general feeling was expressed that the Ministry must either drastically change its methods or it should be abolished. The National Guidance program, it was charged, was an undemocratic part of panchayati raj and did not allow for freedom of thought and action on the part of panchayats and class organizations. It was an instrument to impose the will of the center on the various organizations and on the people in general.

The king bowed to public opinion, and in the Royal Proclamation of April 3, 1963 (when the Council of Ministers and National Panchayat opened) announced:

The Ministry of National Guidance, which was constituted and organized on February 1961 for the purpose of deciding in advance the various targets for accomplishment in every sphere of national life and activities through the development and organization of collective efforts, has now fulfilled its allotted task. . . and we do hereby amalgamate the functions of the said Ministry of National Guidance with the Ministry of Panchayat Affairs.¹⁸

¹⁸Royal Proclamation of April 3, 1963. Pages of History: A Collection of Proclamations, Messages, and Addresses Delivered by His Majesty King Mahendra. Series III, December 16, 1962 to November 10, 1963 (Kathmandu: Ministry of Panchayat Affairs Department of Publicity and Broadcasting, H.M.G., 1964), p. 36.

The policy making functions of the National Guidance Ministry were transferred to a created National Guidance Council. The administrative functions were given to the newly created Organizations Department in the Panchayat Affairs Ministry. At its head was a regular civil servant. In early 1965 the Organizations Department was abolished and its functions transferred to a section of the Panchayat Development Department in the same Ministry. The administration was handled by a civil servant of lesser rank. The national guidance system, once a key part of panchayati raj, has now been greatly reduced.

Tour Commissions

The Tour Commissions of panchayati raj were established to fulfill several needs. First was the need of King Mahendra and his advisors to know the thinking and conditions in the Nepal outside the Kathmandu valley. His sources of information before the establishment of the Tour Commissions were limited and often unreliable. A second problem was that there might be people in the government positions outside the valley who opposed the king and his panchayati raj. These people had to be removed from their posts. Thirdly, and this fits well with the second need, the king had to make good his charges that there was corruption in the Koirala government (and no doubt there was). To this end some corrupt officials had to be fired.

Lastly, and most importantly, there was a great need to explain to the people why the king had dissolved the parliamentary government, thrown its leaders into jail and outlawed political parties. The new panchayat system being formulated was only vaguely understood outside of the Kathmandu valley; it had to be explained to the people.

In February 1962 14 Tour Commissions consisting of a chairman, secretary, member of the judiciary and police were formed by the National Guidance Ministry. One was sent to each of the 14 zones. After their tour they were to file a report with His Majesty.

The Commission's powers were great. They were to inspect all government offices in their zone. They could dismiss any non-gazetted officer and suspend a gazetted officer. They were to recommend changes, if necessary, in the operation of any office. They were to investigate development needs in each district and recommend action. The Commissions were also given judicial powers equal to the district courts. Operating under the National Guidance Ministry, they were

. . . to make the administration and judicial administration of the Kingdom of Nepal less expensive, impartial, expedient and efficient, to further promote development works, to organize panchayats in every district, to remove the grievances of the innocent, the old, the poor and women by taking action against and punishing oppressors, cheats, liars, exploiters and other persons of bad conduct and to establish a close relationship between the public and His Majesty's Government.¹⁹

¹⁹ Rose, op. cit., p. 29.

In the course of their tours the Commissioners inspected and reviewed the work of the government offices and recommended changes. Since justice is slow in Nepal, the Commissions dispensed numerous judicial cases that had been in the court's backlog for years. Several government officials were removed from office on charges of corruption.

The Tour Commission's explanations of the King's seizure of power and the rudiments of the panchayat system stand as a great achievement. Many public meetings were held in which the Tour Commissioner explained what had happened and what was now being done. The Commissioners traveled throughout the zones and the importance of their work as representatives of the king and the future political system cannot be underestimated.

Returning to Kathmandu the Commissions submitted reports to Mahendra. An audience with the king was granted for each Commission to discuss its zonal report. Finding the Tour Commissions a useful tool, the king appointed each Commissioner to a zone. They were transferred to the Home Ministry and have now become the chief administrator of the zones. Their position is similar to the old district Bara Hakim position.²⁰ Exercising wide powers they have become zonal governors.

²⁰ A conference of Zonal Commissioners (Anchalades) was held in April 1964. They were urged by the government not to become like the traditional Bara Hakim.

Class Organizations

The initial objective in establishing class and professional organizations was to fill the gap left by the outlawed political parties. King Mahendra declared, "Though a ban was imposed on political parties, my government saw the need for the formation of class organizations so that people's creative faculties and organizational propensities might have free play."²¹

Class organizations were no new thing to Nepal. The 1951-1960 period saw political parties trying to organize class interests by means of various organizations. The parties were mainly interested in trying to organize peasants, students and laborers. These party organizations were abolished along with the political parties in 1960. The idea of imposing national class organizations by the government has been implemented in Egypt and Yugoslavia. The five official organizations established under panchayati raj are the Nepal Peasant's Organization, Nepal Youth Organization, Nepal Women's Organization, Nepal Labor Organization, and the Nepal Ex-Serviceman's Organization.

Under the established laws each class organization would have a structure similar to that of the elected panchayats. Each village and town would have a committee, one member of which would be part of

²¹Inaugural Address to the Intellectuals' Conference on June 5, 1962. Pages of History Series II, p. 175.

a council at the district level. At the district level a five man executive committee would be elected. From among the district council members of the central National Guidance Council would appoint a zonal committee. The government would also appoint a 15 man central executive committee for each class organization. As one can see, the government is closely supervising the controlling these bodies.

The duties of the class organizations were spelled out on December 13, 1963 by King Mahendra in a speech inaugurating the annual youth conference held at Rampur, Chitwan District.

Every class organization should have three objectives -- first, to further the interests of one's class, secondly, to see to it that the social, economic, and political policies suiting the genius of one's country permeate thoroughly the life of all the people in the country, and finally, to render every possible co-operation in the development of the country.²²

Far greater difficulty was encountered in setting up the class organizations than was encountered in setting up the panchayats. One probable reason is that the government maintained more control over the formation of the organizations. The result was that many qualified people refused to cooperate. There was also confusion on the part of

²² Speech by King Mahendra inaugurating the Youth's Conference in Rampur, Chitwan, December 30, 1963. Pages of History: A Collection of Proclamations, Messages and Addresses Delivered by His Majesty King Mahendra. Series IV, December 30, 1963 to May 26, 1964 (Kathmandu: Department of Publicity Ministry of Panchayat Affairs, H.M.G., 1964), p. 2.

the people about why class organizations were being formed and what they would do once they were organized. The young civil servants who were assigned to the 75 districts to carry out the formation of the organizations were unsure of what the government was trying to accomplish. Thus, they couldn't explain class organizations adequately to the people. The criteria for membership were a bit confusing to many Nepalese. For instance, a thirty year old ex-serviceman engaged in farming might not know if he should join the Peasant's Organization (since he was a farmer), the Youth Organization (he was under 40 years), or the Ex Servicemen's Organization (he had been in the army). The class organizations were not met at the village and district level with enthusiasm. After three years they remain organizations at the center only and have played only a ceremonial role at the district level. According to my observations they play no role at all in the vast majority of Nepal's villages.

The organizations are supposed to be "free from partisan spirit"²³ but many have been anything but that. The Nepal Peasant's Organization has been plagued with quarrels at all levels -- especially at the center.

²³ Address to Central Convention of Nepal Youth Organization March 17, 1963. Pages of History Series III, p. 28.

It is doubtful if these organizations will ever act as an effective channel through which popular opinion will reach the central government. It is also unlikely that the organizations will solidify class interest. Since the organizations are guided from the center, there is little hope that they can serve a useful advisory purpose in the government at any level. One purpose for which they have been useful is to provide ministers for the Council of Ministers. In June 1964 six ministers were representatives of class organizations in the National Panchayat.

CHAPTER IV

THE IDEOLOGY OF PANCHAYATI RAJ

The term "ideology" can be equated with philosophy or theory.¹ When applied to national ideologies, the term takes on added meaning. There is an emphasis on action; there are certain goals that must be accomplished. There is also usually a distortion of fact and reality in order to coincide with the ideology. Realities are ignored and new realities are often created.

An ideology is both a political tool and a sincere belief. Not only is it fervently believed by its formulators and propagators, but it serves certain functions. It can nullify opposition arguments, united the citizenry, and be used to promote authoritarian rule. Generally people are lined up for it and against it. Passions and convictions about the desirability of parliament and political parties have not yet died in Nepal, and to get an objective viewpoint is difficult. I

¹ Definitions of ideology are found in Fred R. von der Mehden, Politics of the Developing Nations (Englewood Cliffs, N. J.: Prentice-Hall, 1964), pp. 117-140; Mary Matossian, "Ideologies of Delayed Industrialization: Some Tensions and Ambiguities" in John H. Kautsky, ed., Political Change in Underdeveloped Countries (New York: John Wiley and Sons, Inc., 1962), pp. 252-264; and David Apter, Ideologies and Discontent (Glencoe: Free Press, 1965), pp. 16-18.

can only examine what the formulators of the ideology have said and what they have done to implement their ideology. The realities of Nepal related to the ideology are discussed in the last chapter of this study.

One might ask at this point, is there an ideology of panchayati raj? The panchayat ideology is not as articulately explained and skillfully propagated as many ideologies of developing nations. To be sure, the ideologies of Pakistan, Guinea, and Indonesia are far more coherent and elaborated. The panchayati raj ideology has never been adequately put in written form. There is no one speech of its chief articulator, King Mahendra, comparable to that of Sukarno's exposition on Guided Democracy in Indonesia. The lack of such articulate panchayat philosophy is recognized.² The caustic Kathmandu newspaper Samaj on August 4, 1964 editorialized:

. . . all books so far published on the Panchayat System present conflicting ideologies. Even the speeches made by responsible persons do not express identical views on the system So long as the people do not get a uniform interpretation of the ideological aspect of the Panchayat System in written form, they will remain in the dark and no number of speeches can ever pacify their

² Leo Rose contends that as yet the formulators of panchayati raj have not developed internally a panchayat philosophy "toward rationalization of the political system." See Leo E. Rose, "Nepal: Under Same Management, Business as Usual," Asian Survey, V (February, 1965), pp. 74-78.

conflicting arguments. The Panchayat System cannot be explained as a good system by merely stating that the people were deceived under the parliamentary system.³

While there is no single source for the panchayati raj ideology, there are numerous sources from which one can extract the basic elements of the ideology. From the speeches and documents of King Mahendra, official government publications, private works, minister's speeches, newspaper accounts, and discussions with panchayati raj officials the panchayati raj ideology will be constructed.

According to David Easton there are four components to any theory.⁴ The basic assumptions of the theory are the facts of the society as viewed by the theory's formulators. The goals and aims of the theory are what the theory attempts to accomplish in the society. Implementation of the theory explains the proposed system necessary to carry out the goals and aims. Finally, the theory can be related to other theories so as to determine its place among the philosophies. I have already discussed the implementation of the panchayat ideology in the previous chapter. To place this before other parts of the ideology serves to clarify some of the elements discussed in the other phases. At this time the basic assumptions and goals of the panchayat ideology will be discussed.

³ Samaj (Kathmandu), August 4, 1964.

⁴ David Easton, The Political System (New York: Knopf, 1953).

Basic Assumptions of Panchayati Raj

Making up the foundation of the panchayat ideology are several basic assumptions. They are distinct from the goals and aims of panchayati raj. The basic assumptions are what the propagators of the panchayat ideology assume to be the needs of the time and the facts of Nepali society. They are used to justify both the king's takeover and the formation of the panchayat system.

Fundamental to the foundation is the assumption that the parliament and the parties failed in their attempt to rule Nepal. King Mahendra declared that "We could not think of any other way (prior to 1960) of establishing the democratic system in the country other than that of holding general (parliamentary) elections."⁵ A constitution was drawn up; elections to parliament were held; and elected government ruled the nation. The party government, Mahendra declared:

. . . contrary to the popular hope and belief that the representatives elected in accordance with the democratic procedure would attempt to dispel the atmosphere of misunderstanding prevailing between the government and the people and make an all-out effort to promote the progress and well-being of the nation, the elected government, taking shelter behind the democratic system set aside the interests of the country and the people, wielded authority in a manner designed to fulfill the

⁵ Royal Message of January 5, 1961. Pages of History, Series I, p. 9.

party interests only.⁶

He accused the Congress Party government of corruption, misuse of power and failure to maintain law and order. The result was that "a very dangerous situation came into existence which seemed to threaten the future of the nation."

The assumption is that Nepal had to be saved from misrule, and King Mahendra, using his constitutional powers, "saved" the nation.

Parliamentary rule, Mahendra believes, is a good system of government for other countries. He had no quarrel with parliaments as such. However,

so far as Nepal is concerned, parliamentary democracy as a form of government is completely unknown to the people and whatever its merits elsewhere has no possibility of taking immediate roots in Nepal. The experiment of parliamentary democracy has been abandoned after an honest and sincere trial because it brought complications, up-rooted the normal tenor of life in the country and produced chaos.⁸

Y. N. Khanal, Mahendra's ambassador to India pointed out that,

⁶Royal Proclamation of December 15, 1960. Pages of History, Series I, p. 2.

⁷King Mahendra's National Day Message February 18, 1961. Pages of History, Series I, p. 21.

⁸King Mahendra's speech to the Indian Council for World Affairs in Delhi, April 20, 1962. Pages of History, Series II, p. 156.

Nepal is not an isolated case so far as the failure of parliamentary democracy is concerned we cannot quite ignore the fact that the experience of many of the countries in the region other than India in respect to parliamentary democracy has been rather mixed Burma, Pakistan, the United Arab Republic (while it was still Egypt) and Indonesia, to name only a few, worked for some time enthusiastically to realize the goal of parliamentary democracy to be disillusioned later. Artificial transplantation was not possible even if desirable. The failure of parliamentary democracy in these countries is not the outcome of a concerted move taken by the ambitious politicians. In many cases the leaders of the new movement are the same people that led the movement for parliamentary democracy.⁹

The parliamentary system is condemned for use in Nepal because "it was not (an) indigenous system, and, it was not in response to the political urgings of the masses."¹⁰

Directly related to the basic assumptions about the previous parliamentary regime is the subject of political parties. To King Mahendra political parties are bad for Nepal. They failed to rule effectively from 1951 to 1960. They were especially inept during the elected parliamentary government. As cited earlier, the party government was accused of misrule and corruption. Parties, Mahendra contends, are made up of "self seeking persons,"¹¹ who try to advance

⁹ Pradhan, op. cit., foreword.

¹⁰ Ibid., p. 49.

¹¹ King Mahendra's National Day Message February 18, 1961. Pages of History, Series I, p. 22.

their own interests and their party's interests instead of the interests of the nation as a whole. This leads to a lack of "national unity and solidarity."¹² Factions are formed that continually fight each other rather than work for the common good of Nepal. "Communalism, regionalism, anti-social and anti-national activities were let loose to serve the party interest."¹³ Parties were divisive elements when what Nepal needs is a government that will bring unity. For the good of Nepal the panchayat system, therefore, should have no political parties.

Another important basic assumption is that Western-style democracy is unsuited to Nepal, that Nepal must have a Nepali democracy. A parliamentary government is a borrowed system imposed from the top. It was found unworkable. Mahendra, speaking at the Indian Council on World Affairs in New Delhi, declared,

The problems which confront the new liberated nations vary from one country to another, but there are some fundamental and basic problems which are common to all, viz., illiteracy, poverty and political immaturity. Democracy, though no doubt the best form of Government, is also the most difficult, because people can rule themselves only when they are enlightened and financially content and have a tradition of free institutions. That is what the Orient lacks today and that is why most of

¹²Inaugural Address to the Intellectual's Conference June 5, 1962. Pages of History, Series II, p. 167.

¹³Pradhan, op. cit., pp. 50-51.

the countries who have as the supreme objective the democratic pattern of life run into trouble time and again. Blind imitation of the west cannot solve the problems. Imitated experience in many Afro-Asian countries is not functioning comfortably and efficiently, and the number of critics is growing rapidly.¹⁴

The panchayat system attempts to establish in Nepal an indigenous political system that the people can understand.

The speciality of the Panchayat system lies in the very fact that, by virtue of its sprouting forth from the basic life pattern of the Nepalese people, there is no special novelty in it. This system bears the stamp of the genius of the Nepalese race. It is a plant flourishing in the natural soil and climate of Nepal.¹⁵

This Nepalese plant growing from the grass roots is altogether suited to the Nepalese soil. There is no Nepalese who does not understand what Pancha and Panchayat mean. This is no new system for our country.¹⁶

The traditional form of village and caste rule -- the panchayat (literally, council of elders) -- is relied upon to create a whole political system. It will create a system the common people can understand.

¹⁴ Mahendra's Speech to the Indian Council for World Affairs in Delhi April 20, 1962. Pages of History, Series II, pp. 151-152.

¹⁵ Mahendra's Inaugural Address to the Intellectual's Conference in Kathmandu June 5, 1962. Pages of History, Series II, p. 173.

¹⁶ King Mahendra's speech to Pradhan Panchas of the Kathmandu Valley April 13, 1962. Pages of History, Series II, pp. 117-118.

Another assumption underlying the overthrow of the parliamentary government and the establishment of panchayati raj is that Nepal's sovereignty was threatened by the chaotic (as His Majesty calls it) party government. The case is made that a strong ruler and stable government is needed because of the tense international situation surrounding Nepal. Khanal felt this view when he wrote,

. . . the Panchayat system envisages evolution in an atmosphere free from party strife and free from extraterritorial pulls and pressures inevitable in the party system and dangerous to a small developing country like Nepal poised between two giants like India and China.¹⁷

Mahendra sounds the same note, "Neighbors of two big people, we cannot afford to remain ignorant and destitute."¹⁸

The foreign policy of Nepal must be strict neutrality and friendship with all countries. Nepal must not allow itself to become overly friendly or aligned with either of its two large neighbors. Mahendra felt that the party government was beginning to make this mistake by showing too much friendship with India.

The most basic assumption on which the panchayat ideology rests concerns the role of monarchy in Nepal. This basic assumption

¹⁷ Pradhan, op. cit., foreward.

¹⁸ King Mahendra's speech to Pradhan Panchas of the Kathmandu Valley April 13, 1962. Pages of History, Series II, p. 120.

is that monarchy is essential for Nepal; the king is the sole symbol of national unity. The 1959 Constitution gave the king powers to suspend parliament and rule the country in an emergency¹⁹ -- which is just what King Mahendra did. Between December 15, 1960 and December 19, 1962 he was an absolute monarch. The 1962 Constitution places the crown at the center of government. All else revolves around it.

Kingship is the factor of stability and the symbol of unity in the politics of Nepal. The crown transcends the barriers of caste and creed, language and culture and geography and ethnology; and as such commands loyal allegiance and fervent devotion from all the people of Nepal.²⁰

T. R. Tuladhar writes of the crown, "anyone who is incapable of having proper appreciation of the central role which history has conferred on the crown in relation to the administrative set-up today is qualified to hold brief neither for the prosecution nor for the defense."²¹

To King Mahendra, the crown, like panchayat, is an indigenous concept to Nepal. The people understand it.

We have to sell the idea of democracy to the people through institutions that are known rather than through

¹⁹ Article 55 of the Constitution of Nepal, 1959.

²⁰ Pradhan, op. cit.

²¹ T. R. Tuledhar, Partyless Democracy (Kathmandu: Ministry of Panchayat Department of Publicity, 1963), p. 30.

institutions that are unknown. There are two institutions in Nepal, namely, kingship and panchayat, that are commonly known and understood by the people, and that work for unity and stability and peaceful progress, and it is through these institutions that the edifice of Nepal's progress has to be built.²²

Since it is contended that the King saved Nepal from ruin and is to play the key role in the new system, much is done to honor his person and his actions. The following is an example.

In him we have found a King, a reformer, a dedicated soul constantly looking ahead for the progress, prosperity and unity of the nation King Mahendra today has appeared as an architect and apostle of panchayat democracy in Nepal.²³

Goals and Aims of Panchayati Raj

Whereas the basic assumptions of an ideology reflect the values of the formulators of the ideology, the goals and aims of the ideology are responses to the conditions and problems facing the society. In general, the goals and aims of panchayati raj are little different than those of other developing nations. This relationship will be discussed later.

Panchayati raj goals and aims can be organized into four major categories. There are other lesser goals, but these are the

²² King Mahendra's speech to the Indian Council for World Affairs in Delhi April 20, 1962. Pages of History, Series II, p. 156.

²³ Pradhan, op. cit., p. 57.

most important. The four categories are: (1) to develop Nepal; (2) to build the Nepali nation and foster nationalism; (3) to lay the foundations for democracy; and (4) to bring unity and cooperation and to instill a sense of duty in the people.

Nepal must develop. King Mahendra accused the parliamentary government of failing to carry out programs to develop Nepal. He held that the government had approached development haphazardly and that no planning had gone into development programs. Ten years of rule by parties had failed to make much headway toward putting Nepal into the 20th century. This he deplored and promised to correct.

Our country has now to develop and make progress in fields, economic and political, suited to the spirit of the times, and in line with advanced countries of the world. Everyone has to understand that because our country is far behind in comparison with other developed nations, it is not advisable to make a carbon copy of the economies and political experiences of those countries.²⁴

Mahendra constantly refers to national development as the "one supreme aim"²⁵ of panchayati raj. He speaks of "comprehensive

²⁴ Royal Message December 15, 1961. Pages of History, Series II, p. 10.

²⁵ King Mahendra's New Year's Message April 13, 1961. Pages of History, Series I, p. 35.

development of the country."²⁶ The urgency of such development he shows in this statement,

We must endeavor to achieve within a period of one or two decades what others have accomplished in a century, otherwise we shall not only be unable to achieve a level of parity with other countries but we shall also be left behind in the march of progress for all time to come. We cannot afford to sit with folded hands until our shortages of necessary experts and finance are overcome.²⁷

Specific policy programs were outlined in the January 5, 1961 speech given shortly after he ousted the party government. These programs were "cheap and expeditious justice," expansion of educational and health facilities, administrative decentralization and reforms, planned development, abolition of the Birta land tenure system, land reform, development of transport and communication facilities. He did not say that all these development programs were not proposed by the former governments since 1951; they were. Mahendra pointed out that the previous governments failed to carry them out. There were no basic differences between the economic development aims of the Congress Party government and King Mahendra's panchayati raj.

²⁶ Interview by King Mahendra with the directors of Sagarmatha Sambad Samiti June 2, 1961. Pages of History, Series I, p. 52.

²⁷ Royal Message of December 15, 1961. Pages of History, Series II, p. 5.

Nation building. There are many divisive elements in Nepal that obstruct national integration of the citizens. Differences of caste, religion, ethnic groups, and language, when combined with almost no communication and transportation facilities create many problems for a nation. Under the strict dictatorship of the Ranas, the people were kept divided and were not given a real sense of belonging to a nation. Gaining independence from the Ranas, Nepal went through a period of party strife that did little to develop nationalism except among the intellectuals. One fundamental aim of panchayati raj is that Nepal develop into a unified nation.

The fundamental essence and the principal objective of the panchayat system is to keep intact our ancestral glory and the pride of national sovereignty, independence, culture and tradition and to create a partyless, healthy, clean and advanced society which is free from struggle and exploitation.²⁸

It is a task of "creating a new Nepalese society."²⁹

To build democracy. Immediately after the coup, King Mahendra declared, "The final aim of all of us should be to build democracy by all fair means we are called upon to adapt whatever method is suitable for laying the foundations of democracy

²⁸ Royal address to the first session of the Rastriya Panchayat April 18, 1963. Pages of History, Series III, p. 45.

²⁹ Ibid., p. 45.

securely."³⁰

A fundamental assumption on which the panchayat system is based is that parliamentary democracy imposed from the top is not suited to Nepal. The Nepal people did not understand it; it was not in keeping with the prevailing conditions and culture of the country. A system had to be found that the people understood. According to Mahendra, "since panchayats are the basis of democracy and a democratic system imposed from above has proven unsuitable, as is apparent from the present experience of the country, we have to build democracy gradually layer by layer from the bottom upwards."³¹

The people were given an elected panchayat system in which they could participate and learn how to rule and administer their public affairs. In this way the panchayat system hopes to establish an identity between the government and the people. Prior to panchayati raj the only contact the village people had with the government was with the tax collector and the policeman. As the people learn to govern their affairs at the village and district level they will eventually be able to govern at the center. But for the time being the crown will stay in control at the center. Democracy is not easy to achieve, according to

³⁰ Royal Proclamation of December 26, 1960. Pages of History, Series I, p. 6.

³¹ Ibid., p. 7.

King Mahendra,

Democracy is not merely the name of a system of government, but it is a way of life; and unless by constant, conscious endeavour we learn to subordinate ourselves to the country, learn to sacrifice personal interest that public good might progress, learn to be patient in the midst of disappointment and danger and work doggedly on to a set goal and that goal not our personal advancement but our country's, we are not really democratic.³²

The Congress Party and other parties had pledged the formation of panchayats and a system of village self-government, but it was never fully implemented or emphasized. Under the panchayat system village government became the foundation upon which the entire system was built.

Unity and duty. Mahendra states that there is nothing Nepal cannot do if the people are united and work together to do it. The goal of panchayati raj is to unite the people and make them aware of their duties so that they will work to make a better Nepal.

Perhaps more than any other themes, King Mahendra stresses the themes of unity, cooperation, and duty. Typical of such an appeal is, "I appeal to all my countrymen to bear always in mind that the country is common to all and that it is common duty of every Nepali to work heart and soul for the betterment of the country and the people, and

³² King Mahendra's convocation address at Tribhuban University, Kathmandu March 11, 1962. Pages of History, Series II, p. 101.

thus to fulfill his or her duty in a spirit of unity."³³ In almost every royal message and address His Majesty dwells on these themes and asks the people to unite behind panchayati raj. For example,

The call to the Nepalese nation today is for sacrifice and discipline.³⁴

What Nepal needs now, above all, is national solidarity so that united national effort might give birth to the Nepal of our dreams.³⁵

. . . rededicate ourselves heart and soul to the task of all round development³⁶

The appeals are attempts to rally support for panchayati raj and encourage participation in the new institutions. It is a call for the people to unite for a single purpose of bettering Nepal, and it is a call for the people to forget the religious, social, ethnic, and political factors that keep them from uniting.

Summary of the Panchayati Raj Ideology

From the description of the basic assumptions, goals and aims, and implementation of the panchayat ideology, a model of Nepali

³³ King Mahendra's speech at Dhankuta, Nepal, February 3, 1964. Pages of History, Series IV, p. 37.

³⁴ Royal Message of January 5, 1961. Pages of History, Series I, p. 14.

³⁵ King Mahendra's speech in Kathmandu on the first Panchayat Day Anniversary January 5, 1962. Pages of History, Series II, p. 19.

³⁶ King Mahendra's National Day message February 18, 1961. Pages of History, Series I, p. 19.

panchayat democracy emerge. Some writers have called it "Nepalism."³⁷

Basic to the model of panchayat democracy is the rejection of Western instruments of democracy. It is argued that Nepali people do not understand parliaments -- parliaments mean democracy at the top. A parliamentary government tried and failed to rule effectively. Political parties are faction-creating organizations whose leaders work only for the good of themselves and their party. Since 1951 they have never had the good of Nepal foremost in their minds. Therefore, for the time being they should not be allowed to organize.³⁸

Placing the crown into the political arena, King Mahendra has taken the position that the crown is the only symbol of unity in Nepal and that it was his duty to take the steps he did in banning parliamentary government and initiating panchayati raj. The king, he contends, is responsible for the welfare of Nepal, and duty called.

Traditional political institutions are relied upon to establish the panchayat system. The crown, the traditional symbol of authority in Nepal, is to take an active part in governing at the top. Panchayats are to be established from the village level to the national level. The

³⁷ Gupta, op. cit.

³⁸ As late as October 1966 Mahendra had not changed his mind about allowing political parties to form in Nepal. See Nepal Press Digest, X (October 1-7, 1966), p. 314. Kathmandu: Regmi Research Project.

term "panchayat" has acquired in this century a mythical and mystic meaning in countries of Hindu culture. To base a government on this concept endows it with a magical religious quality.

The model of panchayat democracy envisions a broad ordering of society. People are no longer free to form political organizations such as political parties. They are to work within the framework of the class organizations and panchayats for "political" activity. Village people are viewed as being content to govern their affairs at the village level by means of the elected village panchayat. Eventually all village panchayats will be given complete control of administrative, developmental and judicial affairs. At the district level the affairs of the district will be governed by the district panchayat. And so on up the structure to the national panchayat that will debate the national issues. The class organizations will be the agents for channeling the opinions and needs of the people to the various panchayats. Each person fits into a class organization. This organization is also supposed to educate the members of its class about the government and their responsibilities in it. Great emphasis is placed on unity of thought and action. There is no place for the individual in panchayati raj. He must work within the system and must not oppose it.

With this ordering of society comes strong authoritarian leadership on the part of the king, and the government. The king

has declared in speech and demonstrated in action that anyone openly opposed to him and to panchayati raj is deprived of freedom of action or speech.

Along with authoritarianism and the ordering of society, the system established is also a democratic one at the village and district level. Panchayats were established, and for the first time Nepalis are able to govern the affairs at their village. The expressed aim of panchayati raj is to bring the administration and the people closer together and to teach the people to govern their affairs at the primary level before they take a prominent hand in governing at the center. The people it is argued must place their faith in the crown to rule at the top level until they can rule intelligently.

While the party and parliamentary governments failed to make progress in developing Nepal, panchayati raj promised and initiated programs of land reform, administrative decentralization and reorganization, industrial and agricultural development, and expansion of health and educational facilities.

Also found in the model is an intense spirit of nationalism. The system, it is argued, is a Nepali one, and every Nepali should support it.

CHAPTER V

TRADITIONAL CONCEPTS IN PANCHAYATI RAJ

The formulators of Nepal's panchayati raj have often declared that the system and the ideology are indigenous to Nepal, and therefore, suited to Nepal's culture and political climate. Mahendra often has made an analogy between panchayati raj and a plant that is suited to Nepali conditions and will grow well in its soil.¹ Panchayati raj relies on traditional concepts to formulate a political way of life which can solve its modern day problems.

Nepal is not the first nation to seek a back to the traditional culture solution to present day problems. Most of the developing nations have tried to revive the culture of the past in religion, art, music, and political institutions. Some nations, such as India, have a strong and rich traditional culture from which to draw.²

Nepal, like her neighbor, India, has a rich cultural background from which to borrow. Having little contact with the outside world prior to 1951, Nepal was isolated from foreigners and foreign

¹See Chapter III footnotes 15 and 16.

²Sigmond, op. cit., pp. 31-33.

ideas. Education was restricted to a few of the higher and richer noble families in Kathmandu. However, the men who led the anti-Rana rebellion were educated in India and participated in the Indian independence movement. It is no wonder that they wanted an Indian type parliamentary government to be established in Nepal. And it should be no surprise that the traditional elites who had not had the benefit of such liberal, Western education should view the Western system of government warily, just as many elements in India viewed the establishment of the Indian parliament.³ When the "imported" parliamentary system in Nepal was overthrown in 1960 by the traditional ruler of Nepal, it is not surprising that it was replaced by a less alien system.

What are the elements and lines of thought in the ideology of panchayati raj that are traditional? Cultural ties of the Nepali ruling class and India have been very close, so concepts of Hindu culture must also be taken as indigenous.

There are a number of concepts that can be examined. I have chosen to deal with the concepts of monarchy, panchayats, and class organizations. These concepts were chosen because they are

³ See the debates of the Indian Constituent Assembly and S. N. Agarwal, A Gandhian Constitution for Free India (Allanhabad: Kitabistan, 1946).

the key elements in the panchayati raj system and ideology. The success of the panchayat system depends upon these three concepts.

After a discussion of the background and place of these traditional elements, each concept will be examined in terms of its strengths and weaknesses in the present panchayat system. The traditional concepts may be truly indigenous and have a firm historic foundation. However, whether or not these concepts of monarchy, panchayats, and class organizations are applicable to the present political and social conditions in Nepal may be another matter. The realities of present day Nepal may make difficult the full implementation of the ideology, its system, and its programs, and ultimately cause the panchayat ideology to be a failure in Nepal.

Monarchy and Panchayati Raj

King Mahendra has placed the Nepali monarchy in a key role in panchayati raj. Insisting that a king could not sit idle while his country deteriorated under parliamentary rule, King Mahendra asserted himself and established a more accommodating governmental system -- panchayati raj. Who but the monarch can guide Nepal through the transition period to complete democracy? The king is above politics and is the symbol of unity in Nepal. It was the king's duty to act as the savior of Nepal (so the doctrine goes).

It is difficult to see how the present panchayat system could work at the center without a strong monarch maintaining a close grip on the affairs of state. In the 1962 panchayat Constitution the concept of monarchy is firmly entrenched in the state and government of Nepal. Article 2 of the Constitution defines the nation as, "having common aspirations and united by the common bond of allegiance to the Crown, the Nepalese people irrespective of religion, race, caste or tribe collectively constitute the nation."⁴ Hence is stated that the basic criterion for calling a person a Nepali is his allegiance to the king. This king must be "a descendent of King Prithwi Narayan Shah and adherent of Aryan culture and Hindu religion."⁵

His Majesty is the source of all power in Nepal.

The sovereignty of Nepal is vested in His Majesty and all powers, executive, legislative and judicial emanate from Him. Those powers are exercised by His Majesty through the organs established by or under this Constitution and other laws for the time being in force keeping in view the interests and wishes of the subjects according to the highest traditions of the Shah dynasty.⁶

⁴The Constitution of Nepal, 1962, p. 2.

⁵Ibid., Article 20.

⁶Ibid., Article 20.

The remaining articles of the Constitution firmly place the king in control of the government.⁷ The Council of Ministers under the 1959 parliamentary constitution were under the collective responsibility of the parliament. The 1962 Constitution places the Council of Ministers under the responsibility of the crown. The entire executive authority is under his direct control. Legislative power is maintained by the crown because all acts passed by the National Panchayat must have the King's approval before they become law. If the National Panchayat is not in session the king may make laws and ordinances at will and then submit them to the National Panchayat for approval at its next session.

The Constitution and King Mahendra's actions place the monarchy in the key role of guiding the nation. To say that this is the traditional role of the monarch in Nepal is not at all true. The status and the lot of the monarchy in Nepal have varied greatly since Prithwi Narayan Shah conquered the Nepal valley and established the Shah dynasty as rulers of all Nepal.

At the grass roots level the concepts of Hindu Monarchy also has undergone change since the Hindus migrated to Nepal in the 12th century. The traditional Hindu concepts of the role of the monarch

⁷ Benjamin Schoenfeld, "Nepal's Constitution: Model 1962." Indian Journal of Political Science, XXIV (October-December 1963), pp. 326-336.

were accepted by the Brahmin and Chetri (Kshatriya) castes in Nepal because these were the people who migrated to Western Nepal from India along with the Shah family. The Brahmin-Chetri in Nepal maintained the traditional Hindu religion, culture, and system of governing (monarchy) that they practiced in India. The king's subjects this time -- instead of being the vaisyas, sudras and outcastes -- were the indigenous people of Nepal. These tribesmen - Magar,, Gurung, Tamang -- were non-Aryan of Tibeto-Burman origin and were more Buddhist in orientation than Hindu. These tribesmen were recruited into the armies of the kings and learned that the king was the ruler and that he was of divine nature. The Shah kings are alleged to be manifestations of the Hindu diety Vishnu. Buddhist and Hindu thought have intermingled in Nepal and most Nepalis would have no difficulties in viewing the Shah king as such -- either as a Hindu diety or a Buddhist diety.

Leo Rose points out that "while there were many significant differences in the attitude towards kingship among Nepal's many communities and ethnic groups, there were two consistent themes -- the absoluteness of the king's authority and the divinity of his status."⁸ To the rural groups of Nepal the Shah king was indeed the symbol of

⁸ Leo E. Rose, Monarchy and Parliamentary Institutions in Nepal (typewritten manuscript), 1965.

unity in Nepal.

The king's relationship with the court nobles since Prithwi Narayan Shah has been one of anything but absolute authority. After Pratap Singh Shah ruled from 1775 to 1778, the next five monarchs came to the throne as minors. Since a minor obviously could not rule, the custom of appointing a regent to act in his name was practiced. The regent could then appoint a member of one of the noble families -- Pandey, Thapa, or Basnyet -- to be Prime Minister and run the affairs of the government. When the minor king did become of age, attempts on his part to begin to rule were stifled. Historians indicate that at least two kings were assassinated once they reached maturity while two others were forced to abdicate in favor of a minor son.

The trend of chaos and intrigue resulting from a minor king and regents came to an end in 1846 when Jang Bahadur Rana and his kinsmen murdered the leaders of the other noble families. The Kot Massacre, as it is called, left the Rana family in firm control of the affairs of Nepal. Shortly after this Jang Bahadur received from the king a royal order (panja-patra) that made the office of the Prime Minister hereditary for the Rana family. All state authority was to be exercised by the family in the king's name. And thus it was from 1846 to 1951.

The monarchy in Nepal, as we see, has not had a very distinguished record of governing the country since Pratap Singh. This poor record is perhaps a factor that accounts for King Mahendra's desire to restore prestige to the crown and his strong reaction to those who would attempt to reduce the crown in status.

The present nature of the royal family is quite different than before the Rana family's coming to power. The Rana family established the practice of marriage between the royal Shah and Rana family. Through this subtle means the ties of kinship bound the two families together, and still influences royal behavior. It is doubtful if King Mahendra would have overthrown the parliamentary government in 1960 had he not had the support of the military and police, who were still under the leadership of Rana officers.

The justification Mahendra uses for abolishing the Congress Party parliamentary government and what he expects panchayati raj to accomplish read like pages from ancient Hindu political texts.⁹ In many respects he is echoing the thoughts of the ancient Hindu monarch. He stresses continually that it was his duty to save the country from ruin and that not to do it would have been contrary to the highest responsibility of a Hindu king. A good Hindu king must look after his

⁹ Charles Drekmeir, Kingship and Community in Early India (Stanford: Stanford University Press, 1962), pp. 243-262.

subjects and save them from harm. A king must also safeguard the interests of the nation. Mahendra maintains that both the citizens and the nation were in danger. Mahendra also presses for unity of the people -- urging them to work together, conduct themselves righteously, and recognize their place and role in society. According to Mahendra,

Today, Dharma or Righteousness is the only key to the salvation of mankind. This is why Nepal has adopted the Panchayat System based on Hindu traditions and policy. Its principal aim is the spiritual development of the individual, which is the only way to the realization of the basic values of life. To this end, this system wants to put everybody on the path of Dharma by developing in him an awareness of his duties, responsibilities and rights.¹⁰

Emerging from Mahendra's statements are sets of responsibilities for both the King and the citizens. He is stressing dharma, the Hindu concept of duty. Dharma has many meanings, among them virtue, righteous conduct, custom, tradition, and eternal law. The ideal Hindu state upholds dharma and assures that all citizens practice their dharma. A primary duty of the king in ancient India was to protect his subjects. Failing to do this, he ruled unjustly. Mahendra contends that it was his dharma to protect his subjects from the excesses of political parties and parliamentary government. By appealing for

¹⁰ A Message of Good Wishes from King Mahendra of Nepal to the Hindu Cultural Rally at Nagpur, January 14, 1965. (Kathmandu: Department of Publicity, Ministry of Panchayat Affairs, H.M.G. / Nepal, 1965), pp. 4-5.

unity and cooperation to implement the panchayati raj system Mahendra wants the citizen to renounce his personal interest and place the national interest first. This is defined by Mahendra as proper behavior (dharma) in the panchayat system.

As we have seen, monarchy as an institution has had an unbroken history for several centuries. However, power of the kings has varied greatly. King Mahendra has become one of the most active monarchs in Nepali history. Much of his political thinking appears to be of a very traditional Hindu nature. At this time the role of the monarch, and specifically King Mahendra, will be examined in reference to the conditions of Nepal in the 1960's.

There were some Nepalis who did not accept Mahendra's charges against the parliamentary system and the political parties, and who were not willing to submit to Mahendra's concept of dharma. For two years after Mahendra's coup there was considerable overt opposition to his course of action. Mahendra managed to jail Prime Minister B. P. Koirala and many leaders of the political parties; however, some escaped to India. These anti-nationals, as they are called in Nepal, were led by Subarna Shamsher, who was number two man in the Congress party government, and Bharat Shamsher, leader of the Gorkha Parishad Party and head of the parliamentary opposition. The anti-nationals united in India and demanded that Mahendra release

the jailed party leaders and immediately restore the parliamentary government. Mahendra refused to do so, and the anti-nationals began propaganda activities against Mahendra and his course of action. The liberal Indian press deplored Mahendra's action. The Indian government expressed concern over the turn of events in Nepal and seemingly allowed the anti-national forces to operate at will in India. Several clashes between the Nepali police and anti-national forces took place at points in the Terai. Undaunted by the disturbances, Mahendra scheduled a speaking tour in the most troubled areas. On January 16, 1962 at Janakpur in the eastern Terai, an attempt was made on Mahendra's life. Nepali-Indian relations grew worse. India was accused of harboring the anti-nationals and giving them aid. India denied this, but appeared to do nothing to halt anti-national activity in India.

So things drifted until the Chinese invasion of India (in late 1962). New Delhi suddenly realized that King Mahendra non-aligned but essentially friendly was a great deal better than Mahendra still non-aligned but thoroughly irritated. As if by magic the Nepali rebels, over whom India supposedly had no control, laid off, and the Indian press ceased to expound John Stuart Mill. Mahendra, whom the Chinese have always handled with utmost delicacy, is now undisputed king in his own home.¹¹

With the failure of the overt anti-Mahendra campaign and Mahendra's implementation of his panchayati raj, Mahendra's position

¹¹"Himalayan Tito." Economist, CCIX (November 23, 1963), p. 751.

in Nepal became stronger. The anti-national's treasury (financed by Subarna and Bharat Shamsher) dwindled and the anti-Mahendra, anti-panchayati raj campaign in India has largely quieted.

The threat to the crown's rule and to panchayati raj in Nepal is no longer an overt threat. It is an internal disorder both inherent and created within the system itself. This decay may ultimately cause the system to fail.

Several important elements of Nepali society are not incorporated in panchayati raj. The most important is the intellectuals. It must be noted that almost all Nepali intellectuals reside in the Kathmandu Valley. There is little place for them in the outlying areas except in government service. Steeped by education in the works of Mill, Locke, Jefferson, and other Western democratic thinkers, they have reacted unenthusiastically about the new political system, especially to absolute monarchy. Politically, these intellectuals are aligned to political parties and parliamentary institutions or to Nepali Communism. They are genuinely desirous of seeing Nepal take her place among the nations of the world. However, Mahendra's change to a system that is village oriented at the bottom and monarchy oriented at the top has little appeal to them. In most cases they have never been to villages outside the Kathmandu Valley and have no desire to go. Besides that, their Western-type education has prejudiced them against kings.

"Kings are a thing of the past" is a common intellectual's comment. They appear at times to be a little ashamed than an absolute monarch is still ruling Nepal. Their view of monarchy in many ways parallels the views held in England.

The intellectual's discontent with Mahendra and panchayati raj manifests itself in many ways. An editor of a monthly Nepali literary magazine confided that he must reject two thirds of the articles and poems he receives because they are anti-panchayati raj or anti-monarchy. The restriction over free thought galls the intellectual. Many refuse to participate in the government. Many, after receiving their high school certificate or their B.A., remain at home, content to live a leisurely life in the joint family. Those who accept employment must invariably work for the government, for there are few other institutions in Nepal that hire educated men and women.

To the uneducated rural Nepalis, however, the King's role in panchayati raj has been generally welcomed. In the countryside the people do understand the concept of a king ruling his kingdom. This concept is very prevalent in their religion and folkore. The people have also seen some positive progress under his rule since 1960. Village, district and zonal panchayats have been formed, and in some cases are working very well. The program of land reform, long promised by the political leaders, was commenced in late 1964 and

should further ingratiate the peasant and the man on the street with monarchy and panchayati raj.

The king, as symbol of the traditional elite, was able at the time of the takeover to have strong backing from the landholding interests -- many of them Brahmins and Ranas, and members of his own family. It is highly probable that these interests urged him to act before the Koirala government could implement a land reform program. However, a large segment of the landed interests now oppose him, since the land reform program they sought to avoid is being implemented.

It appears that monarchy in Nepal is there to stay. This is not to say that King Mahendra is in a strong position. At the present time there is just no individual or group strong enough to challenge his power. His greatest strength lies in the weakness of his opposition. Attempts by individuals or groups to undermine his power or dissent from panchayati raj are quickly repressed. Public criticism is discouraged. In 1964 Dr. K. I. Singh, an outspoken, charismatic revolutionary hero and former prime minister, attempted to lead a satyagraha movement against aspects of panchayati raj. He was arrested, tried, convicted of anti-national activities, and sentenced to several years in jail. There was no public protest. Singh later appealed his case to the Supreme Court, and was set free. The government also dealt harshly with protesting student groups in the spring of 1964 and 1965.

Operating outside of the Nepal Youth Organization, the students demanded some reforms at the colleges (mainly at Tri Chandra College in Kathmandu). At one demonstration in 1964 several students were brutally beaten by over-zealous police. The government's harshness in dealing with the deviants from the panchayati raj doctrine certainly doesn't ingratiate Mahendra and his political system with the intellectuals. It does, however, keep overt criticism from getting out of hand and can give the impression of solid support for Mahendra and panchayati raj.

Mahendra has strong support from the military and the police. These two institutions, as long as they remain loyal and nothing happens to his person, are enough to keep him in power by force if it is necessary.

Mahendra is no novice at governing. At times he displays the qualities of a good politician. A constant shuffling of portfolios among the ministers keeps any one of them from feeling secure enough to challenge him on major policy decisions. It also accentuates the fact that he is their boss. But this shuffling hampers the implementation of panchayati raj by confusion at the top of the structure. Ministers are chosen and dropped at the discretion of King Mahendra. No minister is secure in his position. Shifts of portfolios are frequent, and many ministers have found themselves as Minister Without Portfolio.

Dr. Tulsi Giri was appointed Chief of the Council of Ministers three

times, and three times he "resigned." The recognized capable (by Nepali intellectuals) men of the early panchayati raj days have resigned from their positions -- Vishwa Bandha Thapa, Tulsi Giri, and Rishi Kesh Shah. Mediocre men (in Nepali eyes) have replaced them. Ministerial shifts are so common that no one seems to mind anymore. The first major change in the early Spring 1964 when Dr. Giri resigned and portfolios were shuffled was a very important occasion in political circles and in the Secretariate. One could sense the tension in the air. By the Spring 1965, no anxiety greeted the change of ministers. The once highly coveted post of minister had dropped in status. Ministers no longer had a power base outside of their small district, their class organization, or the King's palace.

The Concept of Panchayat in Nepal

The four-tier panchayat structure forms the foundation of Nepal's panchayati raj. It is by far its most distinctive feature and its most integral part. The 1962 Constitution and later acts set up the panchayat structure as described in Chapter III. While the four-tier structure resembles in many ways the Basic Democracies scheme of Pakistan, the idea of government based on panchayats from top to bottom was formed in Nepal 10 years before Pakistan established her Basic Democracies. The concept is indigenous -- not only in terms of

Nepali political thinking, but also in terms of Hindu thought.

This section will try to sketch the concept of panchayats in Nepal and discuss how they were conceived prior to 1960.

The concept of the panchayat -- the council of five -- dates far back into South Asian history. The council -- not necessarily restricted to five members -- was composed of the elders of a caste or village. The panchayat is usually identified with caste only, although some villages probably were ruled by such an institution. The caste panchayat met whenever necessary to discuss the problems that arose and to settle intra-caste disputes. It was an informal body in nature and was in no way an elected body. Larger panchayats were composed of the leading caste members in an area of several villages. They would meet at times to change caste policy or settle disputes between caste members who came from different villages. The extent to which panchayats ruled villages is not known. This probably depended upon the caste composition of the village. If of one caste, a panchayat ruled; if of various castes, probably a panchayat didn't rule.

Pointing to this quasi-democratic institution of early times, Indian scholars and politicians of the Indian independence movement, such as Gandhi, claimed a democratic self-governing tradition was prevalent in India and that she could rule herself if the British left India.

Apparently, though, panchayats as village ruling bodies had died out in India by the time the British tried to revive them in 1909. By 1930 a commission reported that attempts to revive panchayats as governing bodies was largely unsuccessful. Attempts after independence proceeded slowly. Whether these panchayats are functioning effectively or not is another question. The Mehta commission that studied the workings of village and block panchayats reported that "not more than 10% of the total number of panchayats are functioning properly."¹² Rather than uplifting the rural people of India, the panchayats have been "torn by factions"¹³ and elections "have resulted in creating or aggravating factional rivalries in about one-third of the villages in which there was a contest."¹⁴

The panchayati raj system of India stops at the district level and does not extend to the top as in Nepal or as in Pakistan's Basic Democracies. In India the Western-style parliamentary bodies have been grafted onto the states and to the center.

Village and caste panchayats probably existed in ancient Nepal as they did in Hindu India. Most of the Nepali people were not in the

¹² The Mehta Report, Volume II, p. 1.

¹³ Ibid., p. 2.

¹⁴ Ibid., p. 7. A good study of village panchayats is Iqbal Narain, "The Concepts of Panchayati Raj and Its Institutional Implications in India," Asian Survey, V (September 1965), pp. 456-466.

traditional Hindu culture, and were more oriented toward tribal and Buddhist thinking. Some writers maintain that the village panchayats were functioning under the Lichchhavis in ancient times and under the Malla kings later.¹⁵ Whether or not they did or did not function in Nepal will probably never be known.

At any rate, the Hindu kings, nobles and Brahmins that migrated out of India when the Moslems invaded in the twelfth century did not make a great attempt to impress local panchayat government on the villages. The villages usually were ruled by a headman who collected taxes for the central government and distributed minor punishments for breakage of the laws. He also settled village disputes. He was usually the well-to-do landowner of the area.

Just as in India the decline of the village panchayats is blamed on the British, most observers blame the Ranas of the fall of the panchayats in Nepal. This is assuming they existed when the Ranas came to power.

Whatever may have been the status of village panchayats in Nepal prior to the century of rule by the Rana family, panchayats as governmental units at the village died. Attempts at reviving this institution have attested to this.

¹⁵ Davendra Raj Arjel, Panchayat: A Socio-Economic Necessity (Kathmandu: HMG Press, 1962), p. 3.

The establishing, or rather, the attempts at establishing, village panchayats did not begin with King Mahendra -- as much as he likes to take credit for it. In fact, it was Prime Minister Padma Shamsar who introduced the idea of panchayati raj in Nepal in 1947.

In 1946 the interim government was formed by the British in India as a preparation for India's self-rule. The anti-Rana Nepalis in India at last could organize and work without fear of sanction from the British. B. P. Koirala and others organized a front called the Rastra (National) Congress and called for a strike of workers in the rice and jute mills at Biratnagar (a large town in the eastern Terai of Nepal). The Rana government sent armed police and troops against the strikers and several unarmed men and women were killed. A general civil disobedience (satyagraha) movement spread among the districts. So spontaneous and widespread were these anti-Rana demonstrations that Prime Minister Padma Shamsar thought that reforms must be made or an end would soon come to the century of Rana rule. On May 16, 1947 Padma Shamsar announced that extensive political reforms were needed in Nepal and that he was willing to grant them provided that he was willing to grant them provided that the satyagraha movement was terminated. The Rastra Congress met and, after much discussion, decided on June 2 to honor Padma Shamsar's promise of reforms. The civil disobedience movement was called off.

A reform committee was established by the Prime Minister. Indian political experts Shri Prakash, Gaghunath Singh, and R. U. Singh were invited to Nepal to help the committee. Padma Shamsher had suggested to the committee that elections for panchayats be held at the village and town level. He also indicated that he wanted an independent judiciary, annual budget presentation, establishment of schools, and diplomatic relations with other countries.¹⁶

That Prime Minister Padma Shamsher wanted reforms did not mean that the remainder of the Rana family wanted them. Regmi states:

His Highness Padma had to wage a single-handed fight in all these matters As soon as he declared himself in favour of constitutional rule, he was subjected to undue pressure to change his intention and break his earlier promises for reforms. The whole aristocracy was taking the side of his cousins who dominated the scene, because of wealth and power. Numerically they were stronger and their resources were immense. In all points of vantage they were safely seated because of hereditary rights, and nothing could be done without their co-operation.¹⁷

Padma Shamsher arranged for the election of the Kathmandu municipality panchayat while the reforms committee was meeting. This was the first democratic election in Nepal's history. Further disturbed were the more conservative Rana interests when Padma

¹⁶ Regmi, A Century of Family Autocracy in Nepal, pp. 198-202; and Gupta, op. cit., pp. 30-40.

¹⁷ Regmi, Ibid., p. 196.

granted concessions to striking university students.

The Rana Constitution that emerged from the reforms committee was in many ways a compromise measure between those in the Rana family who favored some kind of reform and those who wanted none at all. On January 26, 1948 Padma Shamsher presented to Nepal the country's first constitution. Its official title is Government of Nepal Act, 2004 V.S. (A.D. 1948). Upon presenting the constitution, Padma announced that because of "health" he would soon be forced to retire from the office of Prime Minister.

The Preamble of the constitution stated the aims:

"through all social, economic and political developments to bring Nepal . . . in line with the advanced nations of the world and give our beloved motherland her rightful place in the community of nations."¹⁸ The second goal:

through the resurrection of our ancient ideals of Panchayat and other similar institutions, it is our declared policy to provide for the increasingly closer association of our dear people in every branch of administration and thus bring about enhanced prosperity and happiness to our people.¹⁹

The 1948 Constitution did not change the right of the Rana family to the prime ministership. Article three declared that the

¹⁸ The Government of Nepal Act, 1947, Preamble, in Amos J. Peaslee, Constitutions of Nations, Vol. II, 1st ed. (Concord, N.H.: Rumford Press, 1950).

¹⁹ Ibid.

succession of both the king and the prime minister were to be maintained according to custom. The Constitution established a three-tier elected panchayat structure. The primary -- village and town -- panchayats were to be elected by universal suffrage. The next two tiers -- district and national -- were to be elected indirectly by the members of the next lowest body. There would be a bicameral legislature -- the upper house appointed by the prime minister and the lower house was to contain 42 elected members and 28 members nominated by the prime minister. In the council of ministers at least two members were to be chosen from among the elected members of the lower house. The ministers were responsible to the prime minister and not to the parliament. The prime minister had legislative as well as broad executive emergency power.

For its time and place the Rana constitution was revolutionary in nature. For a few years earlier even to think the thoughts expressed in the constitution would have been committing high treason.

All the efforts of Padma Shamsheer and the reformists came to naught, however. Padma Shamsheer hurriedly decided to visit India, and while there sent his resignation to Kathmandu. His cousin, and next in line for the job of prime minister, Mohan Shamsheer, had already moved into the vacated prime minister's palace. Mohan, opposed to reforms of any kind, shelved the constitution without

fanfare and continued to rule Nepal as Rana prime ministers had done for the last 102 years.

Two years later, however, when the anti-Rana forces were growing stronger and threatening his regime, he enacted the 1948 Constitution and quickly formed a "democratic" parliament in hopes to appease his foes. The king and the anti-Rana forces refused to be appeased, and shortly he and his family retired from ruling Nepal.

In light of current political developments in Nepal the Rana Constitution of 1948 is of high significance. Here was the first attempt at establishing an ordered political system in Nepal. And what form should it take? A panchayati raj system. The three tier system of elected panchayats is only slightly different from the panchayati raj established in the 1962 Constitution.

The tone of the 1948 and 1962 Constitution and corresponding statements are very similar. In fact, some are indistinguishable.

. . . to bring Nepal in line with the advanced nations of the world and give our beloved motherland her rightful place in the comity of nations. ²⁰

. . . to provide for the increasingly closer association of our dear people in every branch of administration and thus bring about enhanced prosperity and happiness to our people. ²¹

²⁰ Ibid.

²¹ Ibid.

It is this government's desire that all good, able and energetic elected representatives of the people should come to the center and cooperate with the government, but it would be very unfortunate if the introduction of political elections should lead to quarrels or disorder in the country, and I need not say that the government will allow this to happen under any circumstances.

It is not the intention of the government that the country should be thrown into the vortex of the party system, and the government will never lend its encouragement to the habit of bringing about the election of any candidate by the strength of party machinery rather than by his own ability and eligibility. The elective system has been introduced because it helps to bring the most able individual to the front, but we should take care not to allow the noncomitant evils of electioneering, excessive expenditure, worry and strife, simultaneously to creep into our political lives.²²

The words above could be used either in 1948 or 1962. The tone and tenor is the same. The goals are practically the same. First, both constitutions keep the traditional rulers in power. In 1948 it was the Rana family. In 1962 it is King Mahendra and the crown. The 1962 Constitution, however, does permit the king to step aside and allow an appointed prime minister to rule. The 1962 Constitution provides for the ministers to come from the elected national panchayat. But the legality for rule by the strong man -- whether king as in 1962 or prime minister as in 1948 is provided for. Both constitutions provide for the establishment of an elected government based

²² Address of Prime Minister Mohan Shamsher upon the inauguration of the Government of Nepal Act, 1947. Ibid.

on the principle of panchayati raj. The 1962 four-tier system closely resembles the three-tier 1948 system. The key difference between the 1948 and 1962 panchayati raj constitution is in the motive behind them. The Rana prime minister, Padma Shamsher, had no intention of implementing his constitution. It was made as a concession to quiet the popular elements so a continuation of the Rana position in Nepal could be maintained. The more conservative Ranas felt that, rather than reforms, more police and military action should be used. Mahendra, realizing that strict rule of an absolute monarch or hereditary prime minister was impossible for long periods of time in present day Nepal, fully implemented his panchayati raj.

Considering the usual ineptness of Nepali administration, the full implementation ranks in my mind as one of Nepal's major achievements of the century. It suggests that with proper guidance and leadership much could be accomplished in areas of development such as land reform. The Nepal administration concerned with establishing the panchayat structure received expert and sound advice and guidance from the U.S.A.I.D. advisor, Dr. John C. Cool.²³ His guidance was greatly needed. He had excellent personal relations with Nepali officials concerned with setting up the new system, and his

²³ See John C. Cool, The Panchayat System and Self-Help Development (Kathmandu: USAID/Nepal, 1962).

influence in all phases of the program was great.

Between 1948 and 1960 various attempts were made to establish village panchayats in Nepal. Seeing the power of the Rana family threatened, Mohan Shamsher tried to quickly restore the 1948 Constitution shortly before he was forced to compromise with King Tribhuban. To establish village panchayats was the pledge of every political party in Nepal. But, due to administrative weakness, lack of leadership, and lack of continuity of governments, village panchayats were never established throughout Nepal. The Government of India Aid Mission to Nepal sent advisors to Nepal to work with Nepal's village development program soon after the Ranas were removed from power. The program attempted was based on the model operative in most Indian states. It created village and district councils that were primarily development oriented rather than government and administration oriented. Mahendra's panchayati raj system at the village and district level is almost identical to the proposed village and district panchayat schemes of the previous government. Mahendra attached the zonal and national panchayats to the already existing but not implemented village and district panchayat laws. But the lower bodies took on new meaning with the use of the village as the base of the whole political system. The emphasis was placed on village democracy rather than village development as it had been previously.

In attempting to implement the village panchayat scheme, one quickly learns that panchayats as a village governing body had faded from Nepal. Political power is based on traditional kinship ties and land holdings in most Nepali villages. The villagers were aware of what panchayat means, but did not know what to do once they had elected a panchayat and a Pradhan Panch. The administrative functions and the overwhelming detail of the laws and procedure relating to village panchayats make the institution an entirely new political body. It is an imposition from the Kathmandu valley, and the people could not suddenly take charge and start governing themselves by the new institution -- especially if the real rulers of the community were not members of the panchayat. It will take a long time before most of the village panchayats will be able to administer fully the affairs of the village. Ancient village panchayats were primarily judicial bodies, and although judicial powers are given to the village panchayats under the Village Panchayat Act, village panchayats are not yet allowed to exercise this power. In some areas there is still confusion about the new panchayats. Under pre-1962 laws village councils had been formed in some areas, and had been given funds for development projects. In Kabhre district in late 1964 village panchayats were still squabbling with the defunct development councils over unspent development funds of the pre-panchayati raj days.

The panchayats at the village level had, and are still having, much difficulty. Once formed, they were prescribed by law to meet once each month. But for what? No one bothered to inform them as to their role. Many panchayats became disenchanted before someone from the district center offered them information and advice. The 700 village level workers, ill-trained, were of little help, for they did not know what to do themselves.

The advance to democracy at the district level has also been erratic. With the abolition of the appointed post of district Bara Hakim, the government was faced with the problem of turning over broad powers to inexperienced and untried district councils. Clearly, the district panchayats could not wield responsibly the new power if it was transferred to them. Many district panchayats -- Morang, Nuwakot, Gorkha and Khabre to name a few -- have been racked with factionalism and unable to perform even a basic task of meeting once a month or of allocating grant-in-aid funds to village panchayats. The panchayat advisory staff at the district level is generally poor in quality and understaffed in quantity. By April 1964 only 27 officers of gazetted rank were assigned as Panchayat Development Officers in the 75 districts. The panchayats in the remaining 48 districts were under the advice of engineers and accountants who were for the most part untrained and uninterested in village or district democracy or

development. Recruiting new advisory staff to help village and district panchayats is done by the Nepal Civil Service Commission. It is an extremely slow process. It is difficult to recruit Nepali college graduates to work outside the Kathmandu valley. Until 1965 no extra allowances were given to officers in hardship posts. Since the average college graduate views any place outside the Kathmandu valley as a hardship post, there was no incentive to go to work.

Despite the difficulties the village and district panchayats have experienced, it is at these levels that the panchayat system is the strongest. The elected panchayat members are generally eager to learn and sincerely want to do their part. This is manifested in the attendance at non-compulsory training sessions for village panchayat members. Attendance in the spring of 1965 was around 85% to 90% of the village panchayat memberships. Whatever may happen to the top levels of panchayati raj or to the monarch, the lower levels can never be abolished. At the grass roots level the people have some idea, however vague, of what panchayat means. They can see panchayati raj in action and take part in the action in their local panchayat.

The outstanding weakness of the panchayat structure lies not so much with the elected panchayats as with the civil service assigned to advise and help the village and district panchayats. It is unfortunate that the Nepali bureaucracy is not geared to helping the panchayat

members learn to use the panchayat system. The bureaucracy is not geared toward getting things done. It is the lasting legacy of the century of Rana rule. Under the Ranas,

. . . the function of the Civil Service was to maintain the flow of revenue and keep down costs. All decisions were made by members of the Rana family. Civil servants carried out orders and focused their attention on avoiding the most dangerous of all mistakes: misuse of funds. Initiative and enterprise were not only unwanted qualities; they were dangerous. The Rana civil service, staffed by nervous men terrified by decision-making, was one of the family's most unforgettable legacies.²⁴

The higher civil servants are a fairly competent group. The Secretaries, Directors and Deputies I have observed are sincere and dedicated men who work long hours at their jobs. Yet lack of communication and coordination between the ministries make many of their actions fruitless. In the ranks below there is chaos, for it is here that the intellectual I spoke of earlier is found. The bureaucratic system below the Deputy Departmental Director level provides little incentive, low pay, slow advancement, and many blocks to actually getting things done. The most important event of any working day appears to be signing the register in and out each day. In between these two events the civil servant puts off any work that need be done until the next day. If the workers are not enthusiastic about the

²⁴ Eugene Mihaly, Foreign Aid and Politics in Nepal (New York: Oxford Press, 1965), p. 15.

political system, there is sabotage by foot-dragging. In Nepal, the lower civil servants are not wholehearted supporters of panchayati raj. The whole system goes from slow operations to slower operations. Programs are implemented months behind schedule, and when implemented are done so in a haphazard manner. Girilal Jain's comment in 1959 is as true in 1966 as it was then:

The relevant issue is how to implement any plan of development in Nepal as long as the administrative machinery is not at all geared to getting things done.²⁵

Class Organizations

In Nepal there is much confusion about the established class organizations. As yet neither King Mahendra nor his ministers have given a definitive statement concerning the duties, aims, functions and philosophy of the organizations.²⁶ Indeed, the guidance has varied and at times has been contradictory.

The chief reason for the confusion and lack of certainty now is that since the National Guidance Ministry was abolished in April 1963

²⁵Jain, op. cit., p. 156.

²⁶For an example of such vagueness see "Reports of the Sub-committees of the National Guidance Council," Gorkhapatra, July 21, 1964 and Panchayat Democracy under the Leadership of His Majesty King Mahendra (Kathmandu: Department of Publicity, Ministry of Information and Broadcasting, H.M.G. of Nepal, 1965), pp. 11-14.

there has been no strong figure or agency to guide the class organizations. The needed national guidance functions were transferred partly to an independent National Guidance Council under the direction of His Majesty and partly to a department in the Ministry of Panchayat Affairs. In early 1965 the department was abolished and its functions were transferred to the Panchayat Development Department. Within this department two low-rank gazetted officers were in charge of the organization section. They were in no position to exert any influence or guidance. The National Guidance Council, composed of ministers and old politicians, has failed thus far to provide spiritual guidance necessary to give the organizations coherent objectives and programs. The class organizations have floundered in confusion.

It is difficult to determine just what role is expected of the class organizations. Undoubtedly, in the "partyless panchayat democracy" a need was felt for some institution to replace the banned political parties. Mahendra declared,

Though a ban was imposed upon political parties, my government saw the need for the formation of class organizations so that people's creative faculties and organizational propensities might have free play²⁷

²⁷ Inaugural Address to the Intellectuals Conference in Kathmandu, June 5, 1962, Pages of History, Series II, p. 175.

Mahendra and his advisors felt that the class organizations of the panchayat system could be used to garner support for the system just as the former class organizations did for the political party they represented. Former party workers were even recruited to work in the class organizations.

Though the class organizations were to take the place of political parties, they were not to be political in nature.

The tendency to move away from the class interest and indulge in politics will be curbed Every class must confine its activity to its own interests. The history of the past 10 years has made amply clear how undisciplined party politics spoils class interests.²⁸

What is "political" and what is not has never been defined in clear terms. The definition finally decided upon appears to be that those activities are political which the government does not approve.

The most clearly and widely expressed function of the class organizations is to establish and promote class consciousness.

The principle of National Guidance presupposes that every citizen belongs to some particular class. On the basis of this theory it aims at making the people understand their class character. Proper protection and preservation of the achievements and legacy of these classes are considered to be of primary importance.²⁹

²⁸ Gorkhapatra, March 7, 1961.

²⁹ Anata Poudyal, "Rashtriya Nirदेशan Janata Ko Sathi," (National Guidance: Friend of the People). Nirदेशan, May-June 1961.

What Mahendra appears at times to be constructing is a new foundation upon which to base the Nepali society. Instead of the four varnas of traditional Hindu society, he appears to be seeking a new class orientation for the Nepali people. Once the people become aware of their class and their new dharma (duties and responsibilities) required of them, the Nepali society will be on its way to progress and happiness.

In the new Nepali society everyone fits into a class. These classes have definite interests. Class organizations mobilize these classes and promote the class interest. The interests are in harmony with each other and therefore one class should not be in conflict with another (for this would be politics). Internally, the class organizations should have unity of thought and actions. Within a class there should be no class conflict. Everyone should realize his place in the society as defined by his class and should carry out the corresponding duties prescribed.

The concept of class in the ideology of panchayati raj is not Marxian in nature. It is not an emotional call to overthrow oppressors. Instead, classes are urged not to be aware of class differences, but rather, class harmony is stressed. Once people become aware of their problems of their class they can work with the various levels of panchayats to help eliminate these problems. Class in panchayati raj

appears to be a modern interpretation of the indigenous Hindu caste concept of dharma.

All groups are supposed to work within the class organization framework established. The government allows no groups to form outside of the official organizations. Labor, business, students, and women's organizations cannot be autonomous and must affiliate with the official organization. During the student strikes in the spring of 1965, Shailendra Kumar Upadhyaya, Minister for Panchayat Affairs, declared, "no separate union of students will be allowed to be formed . . . No organization or conference will be permitted to function against the interests of the student community and the Nepal Student's Organization."³⁰ The government also would not permit the formation of a group by some ex-party politicians that had the sole purpose of promoting panchayati raj. There appears to be no change forthcoming to allow any political groups to function outside of the guidance of the class organizations.

The class organizations were to be the guiding light of the panchayat system, but as yet they have not fulfilled this role. The role of the various class organizations in administration of the government's programs has been minimal. Indeed, in the important land

³⁰ Gorkhapatra, March 22, 1965.

reform program commenced in the winter of 1964, the Nepal Peasant's Organization played a minimal role in shaping the new program and in implementing it. The class organization's relationship with the village and district panchayats has never been clarified. There is much confusion at these levels. Instead of creating harmony and helping the panchayats, conflict is generated between the various organizations and between the panchayats and the organizations.³¹

If Mahendra is trying to re-order Nepali society into new groups with common interests and dharma, the program has been a failure. Not only has the guidance needed been lacking, but the groupings are arbitrary. The Nepali class organizations do not fit into the Nepali culture or times. They fail to represent the true picture of the interests in Nepal. The five general class interests are present, but no allowance has been made for stronger and more articulate groupings such as the merchants, large land owners, tribal groups, students, and civil servants. The Peasant's Organization to be truly representative and meaningful would have to be divided into hill peasant and Terai peasant, for the crops, conditions, and land tenure systems differ. To expect the large landowner to operate within the

³¹In 1964, Panchayat Supervisors from the Panchayat Ministry on field tours to rural districts reported much conflict between elected panchayats and the class organizations.

the Nepal Peasant's Organization is absurd.

Summary

While panchayati raj in Nepal may be a truly Nepali political system, there are many social and political factors and conditions in Nepal that may not allow the "panchayat plant" to grow. Many of these negative conditions and factors are directly related to the key traditional concepts of the ideology and system.

The panchayat ideology in Nepal revolves around the concept of a monarch ruling his country. The intellectuals of Nepal are educated in Western political thought and institutions and do not hold the same views as His Majesty. They feel that the parliamentary government elected in 1959 was not given the opportunity to prove itself. While the monarch may be strong in rural Nepal, the intellectuals in the Kathmandu Valley and in government service are in a much stronger position to influence the outcome of the ideology and system than are the rural masses.

The concept of panchayat is an ancient one in Nepal and governments since 1947 have tried to form village panchayats in Nepal. The present four tiered panchayat structure is an entirely new system. Village panchayats are given executive powers that traditional panchayats never enjoyed, and they are deprived of the

judicial powers that the ancient panchayats were said to have exercised with great effectiveness. Panchayats are also expected to maintain modern records and accounts that are extremely confusing to villagers. Advisory support for village and district panchayats has been poor.

The class organization system appears to have been borrowed to create a new national ordering of society. The organizations have been active only at the national and zonal levels and have in no way relieved the need for political organizations.

In implementing any new political system, there will be points of agreement and disagreement with conditions in the nation at the time of implementation. In the new nations the disagreements are important due to the volatile nature of politics in the developing nations. Disagreements about basic concepts of a national ideology can seriously impair the success of the ideology and political system in question. It is too early to determine the success or failure of panchayati raj in Nepal. It was found that while the traditional concepts of the panchayati raj ideology are in keeping with Nepal's history and culture, in many ways the traditional concepts and the system used to implement the concepts do not correspond to social and political conditions in Nepal.

CHAPTER VI

SUMMARY AND CONCLUSIONS

There have been several turning points in Nepal's history which greatly influenced Nepal for years after. The conquest of the Kathmandu Valley and the establishment of the Gorkha Empire by the Shah family in the 1760's was one such turning point. From that time until the present, Nepal has had a monarch as head of state. For a list of the kings and prime ministers of Nepal since 1735 see the Appendix. Another major turning point was in the mid-1800's when deteriorated political conditions allowed one noble family, the Ranas, to establish a system of hereditary prime ministers and rule Nepal for 100 years. A more recent turning point came in the early 1950's when the Rana family was forced to relinquish their hold upon the government of Nepal. At this time the traditional power of the king of Nepal was restored, and political parties formed and vied with each other for power. King Tribhuban promised his subjects a Western-type democracy, but was unable to carry out his pledge before his death. His son, Mahendra, came to the throne in 1955. Elections were held in 1959 for a parliament; the Congress Party won a sweeping victory and formed a government with a dynamic, young prime

minister. The most recent turning point in Nepali history came in late 1960 when King Mahendra abolished the parliament, suspended the constitution, and banned political parties. Parliament, Mahendra declared, was a borrowed political institution that did not fit Nepal's conditions and needs. Political parties, Mahendra believed, had failed to rule effectively and had brought factionalism and disorder in Nepal's life. Mahendra declared that Nepal must develop and that the country could not develop unless the government was one the people could understand and work within.

After the parliament and party system were abolished in Nepal, political, historical, and cultural factors of Nepal played a large part in shaping the political system and ideology that emerged. What was sought by King Mahendra was a system that would enable the monarch to remain sovereign, allow for popular participation in the government, create nationalism among the Nepali people, and develop Nepal politically, economically, and socially. What was sought was a truly "Nepali" political system that matched Nepali conditions. The King and his advisors, realizing that the absolute monarch of Nepal's past was out of date, shaped a political system which contained a blend of old and new. The heavy reliance upon traditional elements of Nepali society -- monarchy, panchayats, authoritarianism, and consensus -- were mixed with the goals and aspirations of a

modernizing nation. The crown, the symbol of unity in Nepal, is to play the central role in bringing Nepal into the 20th century. It is the King of Nepal's duty to play this key role, and if he does not he would fail to carry out his dharma, his duty to his subjects. The system structurally is built upon the ancient concept of panchayats. Attaching two more layers on top of already existing village and district panchayat laws, Mahendra used this system to establish national legislature. Besides these strongly traditional concepts of monarchy and panchayat, a system of class organizations was established as a substitute for the banned political parties. Nepalis are arbitrarily grouped in one of six basic organizations. The class organizations appear to be a means to re-shape the Nepali society along class lines. Declaring that the people cannot govern now at the national level, the ideology purports to teach democracy at the village and district level first. Eventually, the ideology contends, the people will be able to select national leaders that will rule them, but not now.

The path taken by Nepal since 1950 is the path not unlike many of the Afro-Asian nations. The pattern followed is very similar to patterns of Burma, Pakistan, Indonesia and many of the African nations. First, independence is achieved from a colonial power. In Nepal's case, independence meant not freedom from colonial rule but from the autocratic rule of hereditary prime ministers. Following

independence is a period of high expectations and hope among political leaders and intellectuals for a democratic Western-style democracy. Nepal tried eight years to realize parliamentary democracy. Thirdly, the new parliamentary government was initiated with enthusiasm. But it made mistakes. It undermined the power and prestige of the traditional elite and proceeded too slowly in carrying out some pledged reforms and too swiftly in implementing others. The party in power quarreled within its own ranks. Nepotism, corruption and inefficiency were prevalent. The fourth step sees the traditional ruler (the king in Nepal's case) or the military (as in Pakistan) abolish the elected government on charges of corruption, do-nothingism, and dividing the citizens. The fifth step is the promise and implementation of a system of government that purports to rely heavily upon the traditions of the country. Produced is a basic democracy, guided democracy, or a panchayati raj.

Since there is such a pronounced rejection of Western democracy and reliance upon traditional concepts in Nepal's panchayati raj ideology, three key traditional concepts and their representative institutions were examined to determine if they were applicable to Nepal's social and political conditions. The three concepts examined -- monarchy, panchayats, and class organizations -- were found to have a firm basis in ancient Nepali and Hindu philosophy and culture.

However, there is little evidence that the concepts will fit the needs of present day Nepal. The concept and institution of the absolute monarch, for instance, is not attractive to intellectuals or to former political leaders who long for the times of political party competition. While monarchy is generally accepted in the rural areas, the uneducated are in poor political position to help the king. Village panchayats in Nepal were apparently non-existent in Nepal for many decades until some were established in the 1950's. Here again, the panchayati raj has the support of the rural people, but not of the intellectuals. The present village, district, zonal, and national panchayats are an entirely new way of governing despite the ancient origins of the panchayat concept. Progress toward the panchayats management of their affairs at the four levels has been slow. However, at the village and district levels the panchayats have begun to grasp and utilize the powers given to them. The class organizations, based upon the ancient Hindu concept of dharma, are poorly constituted and in many ways do not represent vital interests in Nepal.

The weaknesses of the traditional concepts in the panchayat ideology cause one to wonder if the panchayat plant will grow in Nepal's soil. It is too early to predict if the panchayat system will succeed or deteriorate. There are certainly elements within the system which are hindering its progress. However, the same was true for

for the Western-style parliamentary government and the political party system. The success or failure of any government or ideology in Nepal will depend upon how well the government can balance the volatile interests and solve the problems of development facing the modernizing nation. The task in Nepal is overwhelming and there is no easy path. King Mahendra feels that he has the best solution and is providing the leadership and the political system and ideology.

APPENDIX

KINGS AND PRIME MINISTERS OF NEPAL SINCE 1735

DATE	KING (AND REGENT)	PRIME MINISTER
1735-1766	Jaya Prakash Malla (King of Kathmandu)	
1769-1775	Prithivi Narayan Shah (established the present Shah dynasty by conquest)	
1775-1778	Pratap Singh	
1778-1799	Rana Bahadur (aged 3 1/2) Queen Rajendra Lakshmi, Regent until 1785 Bahadur Sah, Regent 1785-1794 1794 - regency terminated 1799 - Rana Bahadur abdicated	
1799-1816	Girban Juddha (aged 1 1/2) 1799 - Queen Raj Rajeshwari & joint council regent 1800-1803 - Queen Subarna Prabha, Regent 1803-1804 - Raj Rajeshwari, Regent 1804 - Raj Rajeshwari banished 1806 - Queen Tripura Sundari, Regent	1800 (app) Damodar Pande 1st Prime Minister 1804 (Mar) Rana Bahadur 1806-1837 Bhim Sen Thapa
1816-1847	Rajendra (aged 2 1/2) Queen Tripura Sundari, Regent (she died in April 1832 & Rajendra had attained majority)	1837 (July) Rana Jang Pande 1837 (Aug) Raghunath Pandit

DATE	KING (AND REGENT)	PRIME MINISTER
		1838 (Aug) Raghunath Pandit resigned
		1838 (Oct) Pushkar Sah and Rana Jang Pande (Joint Ministry)
		1839 (Apr) Pushkar Sah subordinate to Rana Jang Pande
		1840 (Feb) Rana Jang Panda
		1840 (Nov) Coalition led by Fateh Jang Sah
		1843 (Apr) Mathabar Singh Thapa
		1845 (May) Coalition led by Fateh Jang Sah
		1846-55 (Sep) Jang Bahadur
1847-1881	Surendra (aged 17)	1856 (Aug) Bam Bahadur May 1857-77 Jang Bahadur May 1877-85 Ranodip Singh
1881-1911	Prithvi (aged 6)	Nov 1885-1901 Bir Shamsher Mar 1901 Deb Shamsher Jun 1901-29 Chandra Shamsher Nov 1929-32 Bhim Shamsher Sep 1932-46 Juddha Shamsher Jan 1946-48 Padma Shamsher Feb 1948-51 Mohan Shamsher Feb-Nov 1951 Mohan Shamsher (Coalition Cabinet) Nov '51-Aug '52 M. P. Koirala (Nepali Congress) Aug '52-Jun '53 Tribhuvan ruled directly Jun '53-Feb '54 M. P. Koirala

DATE	KING (AND REGENT)	PRIME MINISTER
Sep 1954	Council of State under Prince Mahendra	Feb '54-Mar '55 M. P. Koirala (Coalition Cabinet)
Feb 1955	Full authority delegated to Prince Mahendra	Mar '55-Jan '56 Mahendra ruled directly
1955	Mahendra acceded to Throne	<p>Jan '56-Jul '57 Tank Prasad Acharya (Praja Parishad)</p> <p>Jul '57-Nov '57 K. I. Singh (United Democratic Party)</p> <p>Nov '57-Feb '58 Mahendra ruled directly</p> <p>Feb '58-Jun '59 Council of Ministers; Coalition Cabinet; No Prime Minister, but Subarna Shamsheer (Nepali Congress) served as Chairman</p> <p>1959-Dec '60 B. P. Koirala (Congress Party elected)</p> <p>Dec. 1960 King Mahendra with Council of Ministers</p>

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