



Mantraya

Strategy. Innovation. Alternatives.

# Mantraya Monograph #01

08 April 2019

---



## RED ON RED IN NEPAL: MAOIST INSURGENCY REDUX

Thomas A. Marks, Ph.D.

## RED ON RED IN NEPAL: MAOIST INSURGENCY REDUX

THOMAS A. MARKS, Ph.D.

Recent political violence in Nepal (see Figure 1)<sup>1</sup> by the radical Chand *aka* Biplav faction should not have come as a surprise. Behind the national self-congratulation concerning termination of the insurgency in November 2006, all Maoist factions have ignored the continued use of terrorism by local operatives, both to ensure the outcome of polls and to amass the funds needed for political action.<sup>2</sup> In fact, turning a blind-eye to local violence has been a hallmark of the post-conflict order. Now, events have progressed to the point that this is no longer possible, as radical Maoist insurgent actions against a communist government that includes the mainstream Maoists have forced a reaction. The result is a fraught Red on Red confrontation.

Nevertheless, the government, all political parties, and Nepali society itself are profoundly divided as to how to proceed. That the populace is not interested in a renewal of conflict is clear enough, even as thousands have regularly been made victims of coercion, violence, and illicit fundraising. The ruling Nepal Communist Party (NCP), which most recently has found itself explaining why it had been maneuvered by its Maoist faction into backing the loathsome Maduro dictatorship in Venezuela, has moved from lackadaisical ignorance to embarrassing bravado. Prime Minister KP Sharma Oli most recently is quoted as boasting, “The government will control the criminal and destructive activities [of the Chand outfit] within 15 days. ... We will make them join the political mainstream by April 13. The group will be brought to mainstream politics, if possible

---

<sup>1</sup> Tika R. Pradhan, “Madhesi Parties Hold Little Sway Outside Province 2,” *The Kathmandu Post*, 12 November 2017; available at: <http://kathmandupost.ekantipur.com/news/2017-12-11/madhesi-parties-hold-little-sway-outside-province-2.html> (accessed 22 March 2019).

<sup>2</sup> My use of the term terrorism accords with that used by most of academia, the various departments of the U.S. government, and both U.S. and international law: violence by non-state actors directed against the innocent for political purposes, often associated with conveying symbolic meaning. Such violence may be either method (used by insurgents) or logic (wherein the violence serves as an end unto itself, frequently having propagandistic value). Despite the by now hackneyed observation that there is no accepted definition of terrorism, in reality there is considerable agreement with the formulation I have just provided, particularly amongst the states of the United Nations. For discussion see esp. Reuven Young, “Defining Terrorism: The Evolution of Terrorism as a Legal Concept in International Law and its Influence on Definitions in Domestic Legislation,” *Boston College International and Comparative Law Review* 29, no. 1 (1 December 2006), 23-84; available at: <http://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1054&context=iclr> (accessed 17 March 2019).

politically, if not by even putting ‘the pseudo comrades’ behind bars.”<sup>3</sup> Foolish on its merits, the passage does not explain the government’s previous express orders to the security forces to ignore what it claimed were “political acts” by the Chandists. Now, with the March “banning” of the estranged comrades, the NCP finds itself at odds with both the law – the legal framework to support its orders is lacking – and even the very party that led the previous conflict against the Maoists, Nepali Congress (NC).



Figure 1. Current administrative structure. The model borrows from that of India to place states above the district level. Thus far, Provinces 4, 6, and 7 have names; respectively, Gandaki, Karnali, and Sudur Paschim.

Astonishingly, it has been security figures who have correctly emphasized the political nature of a challenge the government is determined to label criminal.<sup>4</sup> Beyond all else, there is the hollow ring of the label “pseudo comrades” adopted by the NCP. For it has not escaped notice in Nepal and elsewhere that the Chand *aka* Biplav faction is doing nothing more than carrying Maoist rhetoric and strategy to a logical end. It is the

<sup>3</sup> Reported in Anil Giri, “Ruling and Opposition Parties at odds Over Handling the Chand Outfit,” *The Kathmandu Post*, 26 March 2019; available at: <http://kathmandupost.ekantipur.com/news/2019-03-26/ruling-and-opposition-parties-at-odds-over-handling-of-the-chand-outfit.html> (accessed 26 March 2019).

<sup>4</sup> See e.g. discussion in “Why did Former Army General and Former Army Chief Side With Biplav? Polarization is Being Created,” *Medianp.com*, 28 March 2019; available in Nepali at: <http://medianp.com/2019/03/270696.html?fbclid=IwAR2fEg6PGtlhcKvpIuSie1C1q0QYF8cPKb88OXdPwskE45qIMz2HSxS-Mz0> (accessed 2 April 2019).

government and the NCP, claim the Chandists, who are not “real communists.” Hence revolt is the only option. When considered within the closed loop of Marxist-Leninist logic, such a stance is not far off. In reality, there is little difference between what is unfolding and what preceded it save the mainstream Maoist claim “now everything is different.” True to a point, this assessment is normally followed with another, that Chand *aka* Biplav should follow the mainstream example and embrace nonviolence as has the mainstream.<sup>5</sup> The claim that violence has been renounced, though, is inaccurate, and it is to that point that this assessment will speak.

## CURRENT STATUS OF NEPALI MAOIST THREAT

Central to our discussion is the reality that the insurgency period featured an *overt* effort by the Maoists to capture the state using violence, of which terrorism was a central feature, while the post-insurgency period was not an end to the first but its continuation through a *covert* approach. Terrorism of the post-war period has been *by design* but a continuation of the insurgency period violence. Debate over *how* to implement this alternative approach led to splintering of the original Maoist movement. It is disagreement over just how openly and to what extent to take terroristic actions that has been the cause of this division, not, as so often portrayed, a debate over nonviolence versus violence.

Violence remains an integral part of a larger Maoist strategy (conducted over more than two decades) to eliminate rival political party activity and to gain control of local population and resources, ultimately to rule nationally. The result is a distressing situation: The Maoists are now a key component of a communist government that rules the country, and as such they control a number of government positions and ministries, to include the most important as concerns internal security, the Home Ministry. This ministry has charge of both the police (in a national system) and portions of the intelligence apparatus (which is focused internally), with obvious implications for those who have been identified as Maoist enemies.<sup>6</sup> Post-2006 Maoist actions have thus involved many of the same organizations and methodologies as in the 1996-2006 decade.

The original and still largest Maoist group – referred to herein as “the mainstream” and headed throughout by Pushpa Kamal Dahal *aka* Prachanda (“Renowned,” though “Fierce One” is most common in Western media) – has remained dominant and continues to use terrorism *opportunistically* despite having opted to give primacy to political action. Known for much of its history as the Communist Party of Nepal or CPN(M) – the precise manner in which the acronym is rendered was that of the group – it changed its name to the Unified Communist Party of Nepal-Maoist (UCPN-M) after the end of the overt conflict. Post-insurgency splintering saw at one

---

<sup>5</sup> See e.g. Milan Timilsina, “Biplav is Just Following the Footsteps of Mentors,” *Ujyaaloonline.com* 13 March 2019 in *Nepali Times*, 15 March 2019; available at: <https://www.nepalitimes.com/from-the-nepali-press/biplav-is-just-following-the-footsteps-of-mentors/> (accessed 26 March 2019).

<sup>6</sup> Though a decision to transfer the National Intelligence Department (NID) from the Home Ministry to the Prime Minister’s Office, it is unclear to what extent this has been realized. Regardless, some intelligence functions remain within Home.



point as many as ten Maoist parties in existence. When perhaps half of them returned to the fold, the mainstream altered its name yet again, becoming Communist Party of Nepal (Maoist Centre). Subsequently, on 17 May 2018, it was announced that the party's alliance with the communists (but not Maoists) of the Unified Marxist-Leninists or UML, led by Mr. Oli, had resulted in their amalgamation into a single, restored NCP.<sup>7</sup> This body now has complete political power at all levels of governance. Dahal and Oli divide NCP leadership. Though a part of the ruling communist government, the mainstream Maoists maintain a paramilitary capability and use it to execute violence, relying especially upon various front organizations such as the Young Communist League (YCL) and the All Nepal National Independent Students' Union (Revolutionary) (ANNISU-R).<sup>8</sup> These organizations, as is the case with the Maoist mainstream, have themselves splintered and execute the programs of various Maoist factions, a reality which has the consequence of making the situation much more dangerous for Maoist targets.

The division of the erstwhile comrades stems from the Maoist plan to continue their struggle *covertly* using terrorism while placing guerrilla and military action on hold. A strategy session was held in September 2005 in Chunwang VDC, Rukum, at which the course of action was outlined and agreed upon. As understood by all participants at the meeting, the embrace of parliamentary democracy was to be a *tactic* that would enable Maoist organizing in government strongholds (essentially, district capitals and Kathmandu) for ultimate seizure of power through violent mass action linked to then-existing rural domination. The subsequent splits resulted from radical claims of the plan's betrayal by the mainstream. The debate was not one of violence versus nonviolence but over just how aggressively to proceed. All Maoist groups after November 2006 supported the continued use of terrorism.<sup>9</sup>

The Maoists and their splinters have been covered in-depth elsewhere.<sup>10</sup> Here, it is simply necessary to highlight that within the original party, a faction, headed by one of the senior figures of the movement, Mohan

---

<sup>7</sup> For history of the movement from which the Maoists split and which they now claim to have rejoined, see Bhim Rawal, *The Communist Movement in Nepal: Origin and Development* (Kathmandu: UML, December 2007).

<sup>8</sup> Front organizations are ostensibly independent organizations which in reality serve to support the party and its armed effort. Fronts may be controlled either directly or indirectly; YCL and ANNISU-R are controlled directly. Nepali terminology calls these "sister organizations," but this wording does not reflect that in terms of command and control, they take orders from the party. They maintain their own chains of commands, with leaders ostensibly selected by the membership. In reality, the party itself determines candidates and winners.

<sup>9</sup> Of course, none concerned use the term. The final way forward discussed at Chunwang was agreed upon by the eleven individuals of the Standing Committee of the Politburo, the Maoist inner circle. A summary document was then discussed and passed by the larger membership of the Politburo and Central Committee. Significantly, my research has found no disagreement between sources, regardless of faction – to include individuals who were among the eleven – as to what was decided. Rather, intense disagreement broke out concerning implementation, especially what was claimed by radicals to be the unilateral decisionmaking by Dahal in consultation with Dr. Baburam Bhattarai (at the time the number-two figure in the movement).

<sup>10</sup> See e.g. Thomas A. Marks, "Back to the Future: Nepali People's War as 'New War'," Chapter 6 in Shanthie D'Souza, ed., *Countering Insurgencies and Violent Extremism in South and South East Asia* (London: Routledge, 2019), 109-52.

Baidya *aka* Kiran (“Ray of Light”), became increasingly alienated from the mainstream over issues of strategy and finally broke away formally in late June 2012 under the original party name, the Communist Party of Nepal-Maoist, but using CPN-M as its acronym. It took with it perhaps one-third of the entire party.<sup>11</sup> It included at that time an even more radical faction led by firebrand Netra Bikram Chand *aka* Biplav (also rendered as Biplab; “Revolt” or “Rebel”). This Chand *aka* Biplav group bolted in November 2014 to form its own party, which designated itself as the CPN(M), using the original acronym of the Maoist movement. Most of the Baidya manpower departed with Chand *aka* Biplav. The group subsequently recruited actively and grew substantially. It is now second in (Maoist) strength only to the mainstream party. It is this group that presently carries out the most public terroristic acts (e.g., bombings) even as all Maoist factions continue to engage in terroristic actions. On 12 March 2019, under ambiguous circumstances, the government announced that it had proscribed the Chand group for its violent criminal actions. This action came only two months after a government panel, appointed by the Maoist-led Home Ministry, announced that “no more conflict exists in the country.”

Ironically, the Chand *aka* Biplav group is challenging the communist government that includes the mainstream Maoists, with the Home Minister, Ram Bahadur Thapa, not only a former Chand Maoist but also close friends with Chand *aka* Biplav himself.<sup>12</sup> Thapa is a man who has regularly been connected with acts of terrorism over the past two decades. Thus the perpetrators of terrorism have hitherto not been aggressively pursued, despite continued bombings and other terrorist acts. The police, both by orders and by individual posture adopted to ensure survival in a communist-controlled system, have avoided involving themselves in episodes that are “political.” Orders to shift gears have not changed this. Breathless media coverage notwithstanding, arrests have been relatively few, and most of those initially detained are reported as subsequently having been released. Charges actually filed are for collateral actions (e.g., disrupting elections). This is because, as the relevant 2016 annual State Department report correctly notes: “Nepal lacks a law specifically criminalizing terrorism or the provision of material support to terrorist networks. If an act of terrorism were to take place, Nepali courts would likely prosecute the perpetrators on the basis of laws pertaining to its constituent crimes, e.g. murder, arson, etc. Most Nepali officials view Nepal as at low-risk for an international terrorist incident. Accordingly, there is little impetus to introduce new laws.”<sup>13</sup> What this discussion does not make clear is that

---

<sup>11</sup> If one uses post-war vote tallies as a rough guide, total *adult* strength of the Maoists was perhaps 1.5 million. The movement, though, actively recruited and incorporated youths and children, which would increase the figure substantially. Nepal’s population for the 1996-2006 period was estimated at 24 million; it is presently ~28 million (with some tallies using 30 million). As early as 2002, more than half the population was 19 years of age or less. This percentage may have fallen slightly according to recent figures but clouds any efforts to estimate precise Maoist strength, since the party has consistently appealed directly to underage youth.

<sup>12</sup> Excellent discussion of this personal dynamic may be found in Nabin Bibilas, “Comrades at War,” *The Record*, 3 May 2018; available at: <https://www.recordnepal.com/wire/comrades-at-war/> (accessed 17 March 2019).

<sup>13</sup> “Nepal” in *Country Reports on Terrorism 2016*; available at: <https://www.state.gov/j/ct/rls/crt/2016/272233.htm#NEPAL> (accessed 17 March 2019).

in their own treatments, such as that just cited, U.S. and Western sources in general speak only to international terrorism and do not include the domestic variety except as it impacts their citizens. This has caused the ongoing bombings in Nepal and attacks against Nepali individuals to remain largely unpublicized.

Meantime, the communist government has pardoned previously convicted Maoist figures (further discussion below), creating an atmosphere and reality of impunity. Only when actual murder is prominently committed (e.g., in Kathmandu) have the police gone through the motions of responding. It was just such a series of terroristic actions in late February and early March 2019, which created casualties in the heart of Kathmandu, that forced the current move against the Chand *aka* Biplav group. Yet the verbiage has not been matched by systematic response, and strategic planning remains crippled by the continued embrace of the Chand group by the Maoist mainstream. Actions such as using terrorism to ensure a monopoly of political organizing in local space – by the Chand group and others (e.g., ethnic separatists) – are not contested, as illustrated by Figure 2 (below), which is a Chand *aka* Biplav agitprop session held 12 December 2018 in Doti district (see Figure 1, Far-Western region).<sup>14</sup> Such sessions are common, with songs and skits in local language and forced attendance of students and villagers. Those who attempt to challenge the coercion are met with violence. There are no known instances of the police intervening in such sessions. As popular mobilization goes on, a slice of the recruits is trained, armed, and becomes the “muscle” which eliminates opposition to the Maoist political effort. Figure 3 (below) illustrates this well, as it displays weapons and material captured by the police in a Chand combatant camp on 16 March 2019.<sup>15</sup> That such preparations have reached the point illustrated highlights that hitherto the communist government has done little to deal with the threat. It has been oblivious to the needs of popular security even as its own paramilitary capability engages in actions not unlike those of breakaway radical groups.

---

<sup>14</sup> Photo from Chand *aka* Biplav social media distribution, provided by Nepali source.

<sup>15</sup> Photo from Nepali source.



Figure 2. Chand *aka* Biplav group agitprop being performed before forced audience in Doti district, 12 December 2018.



Figure 3. Chand combatant training camp captured 16 March 2019. The lines of Nepali text on the banner read: (top) Hail to Marxism-Leninism-Maoism; (curved at center) People's Liberation Army, Nepal; (penultimate line) Basic Recruit Training Camp; (last line) No. 2 Company.



Popular security thus remains a pressing concern. Regardless of faction, the Maoists continue to target individuals whom they have identified as enemies and sources of support (especially, money).<sup>16</sup> Fleeing or moving elsewhere does not alter the Maoist efforts, with their attendant threats and actions. Attempts to return to normal life are accompanied by Maoist menace and attacks. Pursuit of targeted individuals has been a central feature of the operations of all Maoist factions and remains unchecked by government action. It is especially dangerous now, because it occurs within the context of the intra-Maoist conflict noted above, which concerns how aggressive and ruthless to be in the utilization of terrorism. The precise nature of Maoist terrorist acts has varied considerably, depending upon the faction and the specific campaign intent. This is especially true in dealing with past enemies, but kidnapping, torture (to include rape), and assault have been and remain common, as does the widespread use of bombs. The Chand *aka* Biplav group presently dominates in the use of explosives. Judging by explanations of targeting protocol provided by senior figures in interviews, the group is oriented towards destruction for the purpose of messaging, even as constant local violence, completely lacking in the glamor of sensational acts such as bombings, are executed to establish local control, recruit, and raise funds through criminality. Significantly, it is normally only the most prominent incidents of any sort that are publicized much less recorded.

The state, as noted above, has demonstrated both a lack of will and capacity to respond, much less to protect individuals. Even if they are so inclined, the police can provide no security to citizens. The other armed government forces, the Nepal Army (NA) and the paramilitary Armed Police Force (APF), play no significant role in internal security. The former is primarily devoted to United Nations peacekeeping, the latter primarily to border control. Further, individual and situational cases aside, the performance protocol noted previously, whereby the police are directed not to become involved in “political matters,” is nearly universally interpreted by even the most professional officers to dictate non-intervention in any violent activity carried out by a political party or its organs, which in practice refers to the Maoists. The practical effect is that refusal of mediation or intervention is the norm. Thus, terrorism effectively has been relegated to a position as “background noise” and allowed to continue. Such actions, with their fusion of terroristic verbal and physical acts, go on nationwide.

---

<sup>16</sup> As concerns funding, each insurgent group has its own profile driven by the context at hand. The Revolutionary Armed Forces of Colombia (FARC), for instance, while initially emphasizing the same funding activities as the Nepali Maoists during the insurgency (e.g., kidnap-for-ransom, extortion, bank robbery), was increasingly able to exploit the lucrative opportunities that came with participation in the drug trade. In Nepal, there are no such windfall sources. The Nepali Maoists hence have historically relied overwhelmingly upon extortion, as illustrated well by present Chand *aka* Biplav group activities. See e.g. News Reporter, “Biplav Maoist’s Spokesman Announced to Add ‘Revolutionary Tax’ on Public Representatives,” *Thaha Khabar*, 14 December 2018; available in Nepali at: <http://thahakhabar.com/news/56147?fbclid=IwAR2gIf0XN9wHewstd7qULfOratsdSMgrQwqfL6ifH3HI5UqI0UCXPMrEHBk> (accessed 22 March 2019). For Colombia, see e.g. my chapter, “FARC, 1982-2002: Criminal Foundation for Insurgent Defeat,” in Thomas A. Marks and Paul B. Rich, *People’s War: Variants and Responses* (London: Routledge, 2018), 80-115.

At this point, it is appropriate to illustrate the more obvious manner in which terrorism continues to intrude into public life, despite the formal end of the conflict more than a decade ago. This can be done by detailing prominent attacks that were connected (in time and space) to my recent work in Nepal. It should be noted that the incidents related occurred in the glare of publicity even as widespread attacks on individuals received little or no publicity. Briefly, then: In June 2016, shortly before I arrived in the country for research, the Chand *aka* Biplav group destroyed ten cell-phone towers; in September 2016, just after I departed, a similar set of attacks targeted private schools within Kathmandu with bombs, alleging crimes against the people (see Figure 4).<sup>17</sup> Shortly thereafter, on 6 December 2016, four members of the Chand *aka* Biplav group were apprehended moving a substantial lot of semiautomatic rifle ammunition and magazines.<sup>18</sup> In February 2017, as I was on the verge of returning to Nepal, the Chand *aka* Biplav group held a national congress at which its semi-underground status and active formation of paramilitary units were discussed,<sup>19</sup> as well as the precise manner in which to use terrorism to further the continued revolutionary effort. During my visit, I encountered discussions of arms caches that remain active and evidence that demonstrates mainstream Maoists remain in touch with their former organizational comrades, now in the violent splinters, the Baidya and Chand *aka* Biplav groups. One significant assassination of a rival party personality occurred in Jajarkot district, close to my work in Rukum; and in the months after I departed Nepal, violence continued. In fact, on 9 May 2017, in an area where I conducted work during my 2016 visit (Chitwan district), two leadership cadre of the Chand *aka* Biplav

<sup>17</sup> Figure 4 from *The Himalayan Times*; available at:

[https://www.google.com/search?q=nepal+bombs+2013&tbm=isch&source=iu&pf=m&ictx=1&fir=SRDPUIQkgaGSxM%253A%252Cq6JRgBYdq9hG5M%252C\\_&usq=Ip6AZ\\_O2Mqr8st\\_MHCMJC6ZQW7k%3D&sa=X&ved=0ahUKEwjs97-xv5HXAhr5oMKHXM5D4cQ9QEIPjAE#imgsrc=Hqh7ppvNYzCc8M](https://www.google.com/search?q=nepal+bombs+2013&tbm=isch&source=iu&pf=m&ictx=1&fir=SRDPUIQkgaGSxM%253A%252Cq6JRgBYdq9hG5M%252C_&usq=Ip6AZ_O2Mqr8st_MHCMJC6ZQW7k%3D&sa=X&ved=0ahUKEwjs97-xv5HXAhr5oMKHXM5D4cQ9QEIPjAE#imgsrc=Hqh7ppvNYzCc8M): (accessed 17 March 2019); details (with further photos) at “Chand Maoists Torch 10 Ncell Base Towers,” *The Kathmandu Post*, 12 June 2016; available at: <http://kathmandupost.ekantipur.com/news/2016-06-12/chand-maoists-torch-10-ncell-base-towers.html> (accessed 17 March 2019). For school attacks, see “Bombs Explode at Two Schools; Scare in Five Others,” *The Kathmandu Post*, 20 September 2016; available at: <http://kathmandupost.ekantipur.com/news/2016-09-20/bombs-explode-at-two-capital-schools-recovered-from-others.html> (accessed 17 March 2019).

<sup>18</sup> See “Chand Maoist Cadres Held With Huge Cache of Ammunition,” *The Kathmandu Post*, 7 December 2016; available at: <http://kathmandupost.ekantipur.com/news/2016-12-07/chand-maoist-cadres-held-with-huge-cache-of-ammunition.html> (accessed 17 March 2019). Media cited government sources in identifying the detained individuals as belonging to the Chand *aka* Biplav group. They were in possession of 205 5.56mm rounds and 9 loaded magazines for the Indian-made INSAS 5.56mm semiautomatic rifle, a weapon which had been used by the government during the period of overt hostilities. A number that had been captured do not appear to have been turned in during demobilization.

<sup>19</sup> See “Chand Maoists’ First Conclave From ‘Feb 12-21,’” *The Kathmandu Post*, 9 February 2017; available at: <http://kathmandupost.ekantipur.com/news/2017-02-09/chand-maoists-first-conclave-from-feb-12-21.html> (accessed 17 March 2019).

group were apprehended with explosives they were distributing for use against candidates in the effort to conduct the first local elections in two decades.<sup>20</sup> Only a month later, on 7 June 2017 in another area where I had worked during my 2016 stay (Rautahat district), a further two Chand *aka* Biplav cadre were arrested with an even larger batch of explosives (see Figure 5 below).<sup>21</sup> In Nepal's capital itself, on 25 September 2017, the prominent Shangri-la Hotel was targeted by the Chand *aka* Biplav group in a thwarted bombing attempt (see Figure 6 below).<sup>22</sup> In November 2017, again in Rukum. These 2017 incidents were but the most prominent of a string of explosives-related attacks and attempted attacks that culminated in well over a hundred bombings (without assaults being counted) in late November-early December 2017. These were followed by regular bombings, to include in the capital, Kathmandu; see e.g. Figure 7 below for 5 May 2018 incident.<sup>23</sup> In August 2018, I returned to Nepal. That visit was again punctuated by bombings. Among the targets, on 12 August 2018, was the office of one of the more effective and best-known local government figures of Nepali Congress, Mayor Bhim Parajuli of Biratnagar in eastern Nepal (see Figure 8<sup>24</sup>). Two days later, on 14 August 2018, the Chand *aka* Biplav group declared a nationwide armed strike. It was marked by bombs and widespread threats against schools and other facilities, forcing their closure. Though the strike was of minimal impact in the capital, it was much more successful in other areas of the country, bringing life to a nearly complete halt in as many as fourteen districts.

<sup>20</sup> See "Chand-led Maoist Cadres Arrested With Explosives," *The Himalayan Times*, 10 May 2017; available at: <https://thehimalayantimes.com/nepal/netra-bikram-chand-led-cpn-maoist-cadres-arrested-explosives/> (accessed 17 March 2019).

<sup>21</sup> "Biplav Maoist cadres detained with explosives from Rautahat," *Khabar* (English ed.), 8 June 2017; available at: <http://english.onlinekhabar.com/2017/06/08/401731> (accessed 17 March 2019).

<sup>22</sup> For cursory details, "Suspected 'Bomb' Defused in Lazimpat," *The Himalayan Times*, 26 September 2017; available at: <https://thehimalayantimes.com/kathmandu/suspected-bomb-defused-lazimpat/> (accessed 17 March 2019); for Twitter photo, [https://www.google.com/search?q=bomb+in+shangri+la+hotel+kathmandu&tbm=isch&source=iu&pf=m&ictx=1&fir=aOqvXXEJcUvG9M%253A%252CIFV20JMR1IIQFM%252C\\_&usq=NFE2JmmjHct0jKP2fxmB7NKn4Iw%3D&sa=X&ved=0ahUKEwiotHX65DXAhUFYiYKHfAdAoAQ9QEINDAC#imgsrc=aOqvXXEJcUvG9M](https://www.google.com/search?q=bomb+in+shangri+la+hotel+kathmandu&tbm=isch&source=iu&pf=m&ictx=1&fir=aOqvXXEJcUvG9M%253A%252CIFV20JMR1IIQFM%252C_&usq=NFE2JmmjHct0jKP2fxmB7NKn4Iw%3D&sa=X&ved=0ahUKEwiotHX65DXAhUFYiYKHfAdAoAQ9QEINDAC#imgsrc=aOqvXXEJcUvG9M): (accessed 17 March 2019). Perpetrators were subsequently identified as Chand *aka* Biplav Maoists.

<sup>23</sup> Photos from Min Kumar Dahal, "NA Squad Defuses IED in Sindhuli," *The Himalayan Times*, 5 May 2018; available at: <https://thehimalayantimes.com/nepal/nepal-army-squad-defuses-improvised-explosive-device-in-sindhuli/> (accessed 17 March 2019).

<sup>24</sup> "Bomb Blast in Biratnagar, Eight Held," *The Himalayan Times*, 13 August 2013; available at: <https://thehimalayantimes.com/nepal/bomb-blast-in-biratnagar-eight-held/> (accessed 17 March 2019).





Figure 4. Nepali bomb squad members inspect a pressure cooker bomb before detonating it; recovered at Kathmandu school, 20 September 2016.



Figure 5 (source at n.21). Indian-manufactured explosives seized from Chand *aka* Biplav cadre in Rautahat on 7 June 2017.



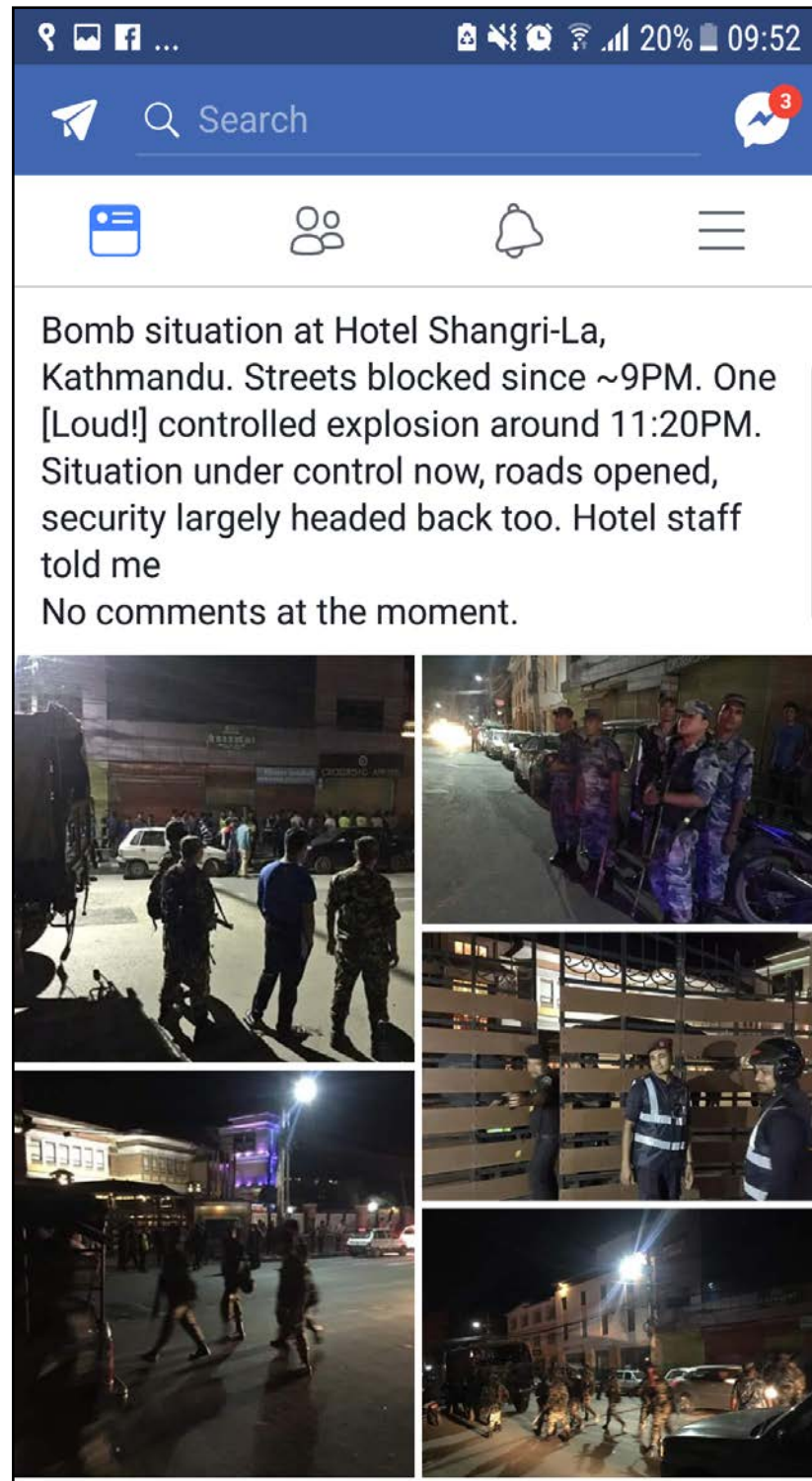


Figure 6. Bombing attempt in major Kathmandu hotel, the Shangri-la, 25 September 2017.

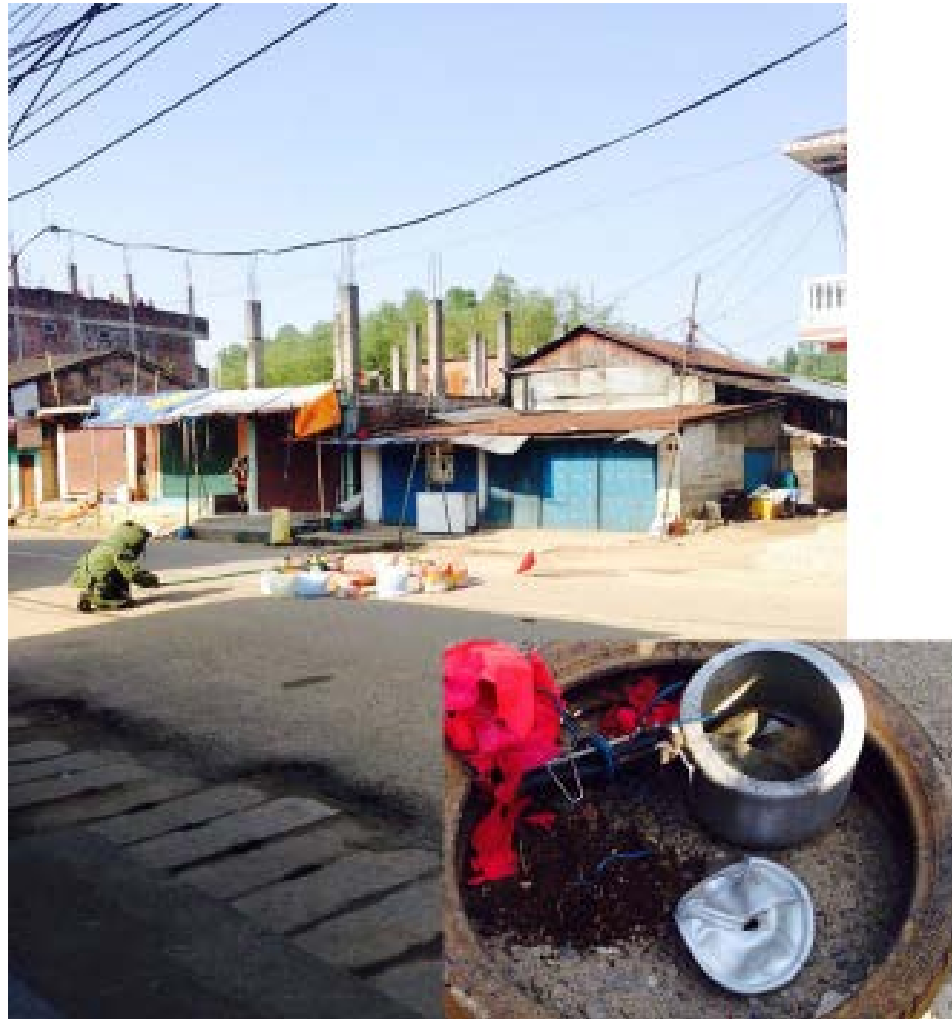


Figure 7. Defusing the most common IED (improvised explosive device) in use in Nepal, a pressure cooker packed with explosives and (as necessary) shrapnel. Incident, one in an ongoing, extensive campaign of Maoist violence, occurred 5 May 2018 in Dhurabazaar [market area] of Kamalamai Municipality-6, Sindhuli district.



Figure 8. Vehicle belonging to Mayor Bhim Parajuli of Biratnagar metropolis stands damaged after a bomb exploded at the metropolitan office, in Morang, on Sunday, 12 August 2018.

Such incidents should not surprise. Recapitulating: The mainstream Maoists themselves committed unspeakable crimes both during a decade of overt effort to seize political power and in a subsequent *covert* effort that now has lasted more than a decade. When the Maoist mainstream finally decided to move to *opportunistic* versus *systematic* use of terrorism against its opponents, an expected outbidding situation was created, whereby the groups still favoring *systematic* violence as a strategy doubled down on their terroristic actions in an effort to emerge as the legitimate standard-bearers of *revolution*.<sup>25</sup> We now turn in the following section to the immediate events (2015-present) that created this context.

<sup>25</sup> As a definitional matter: the overturning of the economic, social, and political systems of social stratification. Revolution is thus an end-state, while the process of “making a revolution” is engaging in revolutionary war. Maoists use the word, though, as both ends and ways; e.g., “I was in the revolution” (which would be the revolutionary war); but, “We have not yet achieved the revolution” (which would be a complete overturning of what was in favor of what is to be).

## BACKGROUND TO CURRENT MAOIST THREAT (2015-PRESENT)

When the destructive April 2015 earthquake hit parts of Nepal, the country was locked in the contentious debates of the Second Constitutional Assembly process and thus, nearly a decade after the formal end of hostilities, was still without a constitution. The Chand *aka* Biplav group (with full knowledge of the mainstream group) was deep into a campaign of aggressively seizing land and dwellings from ostensible enemies for redistribution to Maoist followers and was establishing parallel governance structures in areas it had selected as best suited for rebuilding the Maoist local domination it saw the mainstream as having abandoned (see Figure 9 for illustrative activity).<sup>26</sup> Reports stated that the Chand *aka* Biplav group was also collecting weapons, even as it located and moved against those who had previously resisted the Maoists, whether these individuals had been targeted by the unified movement or its splinters. Terrorism continued. As events unfolded nationwide, state response was characterized by distraction and denial. Within this context, the mainstream Maoists grappled with restless manpower and renewed factionalism; they were under intense pressure from within *to do something*. That something was a decision to move deeper into the system – maintaining the *opportunistic* position on terrorism while agreeing to let the constitution become a reality<sup>27</sup> – simultaneously maneuvering to enter into united fronts as possible in order to strengthen the Maoist position.<sup>28</sup> This, though, served to split the mainstream yet again.

<sup>26</sup> See e.g. Basanta Pratap Singh, “Chand-led Maoist Announce Formation of People’s Govt in Bajhang,” *The Kathmandu Post*, 25 January 2016; available at: <http://kathmandupost.ekantipur.com/news/2016-01-25/chand-led-maoist-announce-formation-of-peoples-govt-in-bajhang.html> (accessed 17 March 2019); reprint with better display of accompanying visuals is at: <http://dazibaorojo08.blogspot.com/2016/01/nepal-chand-led-maoist-announce.html> (accessed 17 March 2019). Figure 9 is from these sources.

<sup>27</sup> For text, see *Constitution of Nepal*; available at: [www.wipo.int/edocs/lexdocs/laws/en/np/np029en.pdf](http://www.wipo.int/edocs/lexdocs/laws/en/np/np029en.pdf) (accessed 17 March 2019).

<sup>28</sup> This strategic approach builds upon the front action discussed earlier in n.8. “United front” is a Leninist tactic whereby a communist party joins a more dominant rival ostensibly to face a common foe or pressing issue. In reality, by allowing the communists into its processes and giving them access to its manpower, the rival places itself into a position for being subverted from within. The subject is extensively treated in my *Counterrevolution in China: Wang Sheng and the Kuomintang* (London: Frank Cass, 1998), *passim*; also Thomas A. Marks, “‘The History of Our Sewage Disposal System’: Solzhenitsyn’s Conception of Stalinism as a Necessary Product of Lenin’s Thinking,” *Issues & Studies* 14, no. 5 (May 1978), 65-89.





Figure 9. At the inauguration of the Chand *aka* Biplav party district committee in Bajhang, YCL/combatants performed martial stunts using dummy weapons but accompanied by martial agitprop promising to oust class enemies and carry the revolution through to success. Violent agitprop is integral to all Chand *aka* Biplav faction gatherings.

Throughout the history of the movement, there had been a marriage of convenience and much jostling between the two senior figures, Dahal (a former school teacher with an MA; born 1954) and Baburam Bhattarai (also a former teacher but with a PhD; also apparently born in 1954). Both were active in the second constitutional assembly (CAII), because – though relegated to a distant minority position in popular voting – their mainstream Maoist faction remained important, particularly because it was invariably ready to turn to terrorism even as it maneuvered constantly to reunite its estranged, radical factions. Anxious to keep this reunification from happening, CAII leaders (from the traditional majority parties) kept both Dahal and Bhattarai in gateway positions in the drafting process (i.e., committees through which constitutional drafts flowed) disproportionate to the actual Maoist mainstream party count of delegates. This facilitated the completion of the constitution-writing process and the promulgation of the new constitution on 18 September 2015. Yet faced with the task of selecting – from within the already seated CAII membership – the first officials to govern under the new constitution pending its gradual implementation, the communists of the UML – who were a slight second in CAII votes to Nepali Congress – cut a deal on 11 October 2015 with the mainstream Maoists (and several smaller parties) to provide their crucial swing votes to create a UML majority government. In return for their support, the Maoists were given a number of key Cabinet positions, but these went to supporters of Dahal's faction within the mainstream party to the exclusion of Bhattarai and his followers. As a result, Bhattarai

resigned from the party to form a “New Force.”<sup>29</sup> This left Dahal the undisputed leader of the mainstream Maoists.

The Cabinet positions given to Dahal’s Maoists by their UML partners included the all-important Home Affairs Ministry with its control of the police and intelligence. The individual named to the position, Shakti Basnet, was the longtime personal secretary to Dahal to include during the latter’s initial term as prime minister. That term and its chaotic end had been characterized by extensive use of terrorism. Also rewarded in the new Cabinet distribution of power was Ganesh Man Pun, the head of the YCL, which had played such a prominent role in the post-November 2006 terroristic violence. He was named by the Maoists to head the Commerce and Supplies Ministry. Altogether, eight ministries were “gifted” (the Nepali terminology) to the Maoists. The apex post, though, was the reward bestowed on the former head of the Maoist armed forces, Nanda Kishor Pun *aka* Pasang (also known Nanda Bahadur Pun), who became Vice President.<sup>30</sup> His first recorded act was to call on Dahal to thank him for naming him as the party’s candidate in the pre-arranged vote. Pun’s role in the violence of the past several decades (both during and after the insurgency), as well as his ambiguous attitude towards democratic process, is troubling. In particular, it was during Pun’s post-conflict command of the PLA that the force drew attention to itself through its terroristic actions staged from Shakti Khor camp.

If this was the foreground, the background was violence that threatened to engulf the country in communal strife. For the constitution was a series of tortuous compromises between traditional and radical positions, with the clear loser being minority populations that had been mobilized by the Maoists with the promise that benefits would flow from seizure of power. The party front organizations defined by ethnicity, for instance, had been promised autonomous zones. The most salient such minority was the dominant Madhesi population of Nepal’s *tarai* (also rendered as *terai*), the narrow flatlands bordering India, which felt they were underrepresented politically and looked down upon socially by the dominant hill population. When the promised benefits did not materialize and grievances were further exacerbated by a decade of “more of the same,” an explosion of discontent erupted that has only recently died down.<sup>31</sup> In this violence, members of the radical Maoists, of both Baidya and Chand *aka* Biplav groups, were identified and sought to exploit the situation.

---

<sup>29</sup> Bhattarai’s New Force Party, *Naya Shakti Nepal*, was formally launched on 12 June 2016. It presently holds a single seat in the parliament, that of Dr. Bhattarai himself.

<sup>30</sup> Pun succeeded Thapa (discussed previously) when the latter was made Defence Minister in August 2008 in the first Dahal government. There followed a crisis of governance, which was provoked by the Maoist effort to take over the military from within.

<sup>31</sup> For excellent summary of issues see CK Lal, “Rotary of Revolutions,” *Republica*, 16 January 2017; available at: <http://www.myrepublica.com/news/13133> (accessed 17 March 2019); on the movement itself, see Kalpana Jha, *The Madhesi Upsurge and the Contested Idea of Nepal* (Singapore: SpringerBriefs in Anthropology, 2017).

Matters at the time were made substantially worse for Nepal due to an unofficial blockade of the country instituted by India pursuant to its own geopolitical concerns.<sup>32</sup> By the time the blockade ended and the protests diminished in early 2016, the UML coalition was on such shaky ground that the mainstream Maoists saw an unparalleled opportunity to regain power through advocating a unity government – which they would head, though the distant third party in seats, by holding the irreplaceable balance between the Nepali Congress and UML. The result was that on 3 August 2016, as a result of a united front arrangement with their arch-enemies, Nepali Congress, the Maoists took power. Dahal began his second term as prime minister. Needless to say, he received no support from the breakaway radical Maoists, who continued to demand that the revolution go violently forward. So did Dahal – he simply objected to provocation when subtlety was moving the party steadily forward to its objective, power.<sup>33</sup>

Such maneuvering is far from unusual in violent radical politics. It is the very essence of the revolutionary approach set forth by Lenin and expanded upon by Mao.<sup>34</sup> Perhaps the most relevant case for our discussion is provided Hezbollah in Lebanon, a violent radical Islamist group on the U.S. list of Foreign Terrorist Organizations (FTO). It is decidedly non-Maoist, yet a practitioner of many of the approaches discussed in this declaration. Though ostensibly but one of Lebanon's political parties, it in reality controls a counter-state within the official state, engages globally in extensive terrorism and criminal fundraising, and has

---

<sup>32</sup> When UML appeared to be embracing Nepali nationalism, India worked to undermine its administration by the unofficial blockade (the third such instance of that tactic by independent India).

<sup>33</sup> Douglas Pike, premier analyst of terrorist methodology during the Vietnam War, when explaining the workings then of an insurgent approach not unlike that used later by the Nepali Maoists, put the matter thus: "This does not mean a system in which terror is dominant, all pervasive and always at the forefront. Quite the contrary. What is vital to the system is not terror which has been employed. Terror employed, at that point and in that particular case, must be put down as a program failure. What is vital is the underpinning of terror, the ominous spectre [*sic*] always hovering in the background; ideally, threatening but never emerging. Of course credibility demands periodic demonstrations that one still is able and willing to use terror." Douglas Pike, *The Viet Cong Strategy of Terror*, typescript monograph (Saigon: February 1970), 19; available at: <https://www.vietnam.ttu.edu/star/images/212/2121506008a.pdf> (accessed 17 March 2019).

<sup>34</sup> The subject is extensively treated in my *Counterrevolution in China* (see n.27); also Thomas A. Marks, "The Maoist Conception of the United Front, With Special Reference to the United Front in Thailand Since October 1976," *Issues & Studies* 16, no. 3 (March 1980), 46-69.

demonstrated a willingness to use violence internally to whatever extent necessary to pursue its own policies while covertly maintaining a veto on government policies. Its terrorism has included assassinating state officials, such as the prime minister (14 February 2005),<sup>35</sup> in order to ensure a conducive political environment, as well as engaging in military combat on behalf of its patron, Iran, throughout the Middle East and beyond.<sup>36</sup> Such a situation, as might be expected, poses policy dilemmas for the United States and its allies.<sup>37</sup> This highlights exactly why insurgent groups increasingly adopt approaches such as that illustrated by the Nepali Maoists. Infiltrating the old-order keeps intact a veneer of legitimacy which makes response difficult if not impossible for both the democratic state and its external supporters.<sup>38</sup> Mao Tse-tung used the united front approach most prominently twice: first, in working with the much more powerful revolutionary Kuomintang (the acronym is KMT in *Wade-Giles* but GMD in *pinyin*) to reunify China under the republic; second, to face the Japanese in World War II at the side of the then-ruling KMT. It was the latter front which allowed the communists to largely sit out the war while the bulk of the casualties and resource destruction was born by the KMT. The Maoist bid for power came even as the Japanese invaders began to depart. The Nepali case may appear unusual but is not unique.

---

<sup>35</sup> Excellent overview on the murder and how it impacts the present political situation may be found in Ronen Bergman, "The Hezbollah Connection," *The New York Times Magazine*, 10 February 2015; available at: [https://www.nytimes.com/2015/02/15/magazine/the-hezbollah-connection.html?\\_r=0](https://www.nytimes.com/2015/02/15/magazine/the-hezbollah-connection.html?_r=0) (accessed 17 March 2019); for present political situation, Mona Alami, "Hezbollah's New Cabinet Push," *Fikra Forum of The Washington Institute*, 27 November 2018; available at: <https://www.washingtoninstitute.org/fikraforum/view/hezbollah-new-cabinet-push> (accessed 17 March 2019).

<sup>36</sup> Numerous sources of high quality are available on Hezbollah, to include focused treatments on specific aspects of the group. Among the more recent sources relevant to our discussion here: Dominique Avon and Anais-Trissa Khatchadourian, *Hezbollah: A History of the "Party of God,"* trans. Jane Marie Todd (Cambridge, MA: Harvard University Press, 2012); Joseph Alagha, *Hizbullah's Identity Construction* (Amsterdam: Amsterdam University Press, 2011) and *Hizbullah's DNA and the Arab Spring* (Calcutta: Calcutta University, 2013); Robert G. Rabil, *Salafism in Lebanon: From Apoliticism to Transnational Jihadism* (Washington, DC: Georgetown University Press, 2014); and Melani Cammett, *Compassionate Communalism: Welfare and Sectarianism in Lebanon* (Ithaca, NY: Cornell University Press, 2014). For superb discussion of the violent facets of the subject, see Raphael D. Marcus, *Israel's Long War With Hezbollah: Military Innovation and Adaptation Under Fire* (Washington, DC: Georgetown University Press, 2018).

<sup>37</sup> Most recently, "US Denied Israeli Request to Slap Sanctions on Lebanon, Official Reportedly Says," *The Times of Israel*, 12 December 2018; available at: [https://www.timesofisrael.com/us-denied-israeli-request-to-slap-sanctions-on-lebanon-official-reportedly-says/?utm\\_source=The+Daily+Edition&utm\\_campaign=daily-edition-2018-12-12&utm\\_medium=email](https://www.timesofisrael.com/us-denied-israeli-request-to-slap-sanctions-on-lebanon-official-reportedly-says/?utm_source=The+Daily+Edition&utm_campaign=daily-edition-2018-12-12&utm_medium=email) (accessed 17 March 2019).

<sup>38</sup> See discussion in David H. Ucko, "Resistance and the Future of Insurgency: Trends and Challenges," draft paper prepared for U.S. Army Special Operations Command Center of Excellence, 21 September 2018; intended introductory chapter in book of the same name, in preparation, Ucko and Thomas A. Marks (Bangkok: White Lotus, forthcoming).



In Nepal, beyond mutual opportunism and Maoist strategic calculation,<sup>39</sup> the willingness of past mortal enemies Nepali Congress and the Maoists to enter into a united front stemmed in large part from the shared imperative to neutralize the increasingly pressing issue of transitional justice.<sup>40</sup> It was especially important for the Maoists to avoid a true airing of the crimes of the 1996-2006 period, because this would open the door to what had been going on during the 2006-present period. Popular demands for a settling of legal accounts had quite naturally looked in the first instance at indiscipline by the security forces,<sup>41</sup> which for much of the in 1996-2006 period had answered to a Nepali Congress government. This made Nepali Congress ultimately responsible for the transgressions committed by the police and the military, which had rarely if ever been investigated during the conflict years.<sup>42</sup> It did not take long, though, for inspection to be directed towards the insurgents. For the Maoists, the possibility that the process would go further was a potential disaster, because their criminal acts were not violations of prevailing norms and laws, as was the case with the government, but pursuant to party policy. Even during the bitter fragmentation of the party, therefore, Maoist splinters periodically came together at public sessions to denounce attempts by victims to pursue justice through the criminal justice system. Such pursuit appeared increasingly likely as a series of Supreme Court decisions provided mechanisms to do so.<sup>43</sup> Gaining control of the government would place the Maoists in the position to deal definitively with the situation through perverted application of the law.

---

<sup>39</sup> For a particularly critical (and accurate) assessment of the role of the political parties at this time, see Drew Cottle and Sunil Thapa, “The Role of Political Parties in Nepal’s Peace Building Process,” *PEOPLE: International Journal of Social Sciences* 3, no. 2 (2017), 1117-34; available at: <https://www.grdspublishing.org/index.php/people/article/view/652> (accessed 17 March 2019).

<sup>40</sup> Transitional justice as both a formal category and a human rights challenge refers to the measures to be taken in the post-conflict present to address abuses committed during the conflict past. A constant tension is present between reconciliation and punishment, particularly where crimes involve actions of no, little, or indeterminate military utility (e.g., in the case of the first of this list, rape). As related in detail in the preceding text, the Maoist strategic approach necessarily involved the instrumental use of terrorism against civilians and officials who stood in the way of insurgent popular mobilization, with the actual choice of targets and techniques largely decentralized. This resulted in serious abuses. For their part, though not acting pursuant to policy as was the case with individual insurgents, government security forces also committed widespread legal and human rights abuses. Useful works discussing the issues with specific reference to Nepal are: Tazreena Sajjad, *Transitional Justice in South Asia: A Study of Afghanistan and Nepal* (NY: Routledge, 2013); and Indu Nepal, “Nepal’s Botched Truth and Reconciliation Program,” *The Record*, 29 July 2016; available at: <http://www.recordnepal.com/wire/nepals-botched-truth-and-reconciliation-program/> (accessed 17 March 2019).

<sup>41</sup> For a poignant but typical example, see Gaya Prasad Chaudhary, “But Not Living Either,” *The Record*, 25 August 2015; video op-ed available at: <http://www.recordnepal.com/perspective/but-not-living-either/> (accessed 17 March 2019).

<sup>42</sup> A comprehensive discussion of legal issues and incidents is United Nations Office of the High Commissioner for Human Rights, *Nepal Conflict Report 2012* (Geneva: UNOHCHR, October 2012); available at: [http://www.ohchr.org/Documents/Countries/NP/OHCHR\\_Nepal\\_Conflict\\_Report2012.pdf](http://www.ohchr.org/Documents/Countries/NP/OHCHR_Nepal_Conflict_Report2012.pdf) (accessed 17 March 2019).

<sup>43</sup> Discussion at “Maoists Want SC Verdict Corrected,” ICTJ, 1 April 2015; available at: <https://www.ictj.org/news/maoists-want-sc-verdict-corrected> (accessed 17 March 2019).

Once the mainstream Maoist faction again was in power in the post-CAII united front, with its attendant ability to distribute positions and resources, some of the leading estranged radical leaders returned to the fold. Still, most radical leadership and much of the manpower involved did not; and a burning question amongst Nepalis during my 2016-17 fieldwork was whether the violent splinters actually intended to move forward with their plans for renewed assault upon the system. Based upon my interviews with well-informed Chand *aka* Biplav faction members, it was clear they did. What followed should not have been the strategic surprise that it apparently was for the state. Even as I conducted work in Rukum, for instance, in the incident mentioned briefly above, Chand *aka* Biplav personnel assassinated the Nepali Congress district head of neighboring Jajarkot. He had interfered with the Chand *aka* Biplav fundraising effort and was killed on 28 March 2017 in the Nalsing Gad area to the close west from where I was working in Magma and Duli VDCs.<sup>44</sup> The purpose of these and other acts of terrorism, as has been noted a number of times above, was to re-establish local political domination; that is, to regain the overwhelming position which the Maoists held in November 2006.

As a Chand *aka* Biplav group leadership figure stated flatly (in translation) in September 2016: “At this point in time, we need to focus our attention on the reality that we [the party] did not say [in opting for “peace”] that the people’s war was unnecessary or wrong. Rather, we were opting [through the united front] for people’s revolt [seizure of power through largely urban uprising]. If that failed, then we would continue with the people’s war.”<sup>45</sup> The point was that the mainstream had deviated from the strategy that had been agreed upon beginning with the September 2005 Chunwang Plenum and subsequently several more times in hard-fought meetings of the party’s central leadership.<sup>46</sup> It may be further clarified that the wording states the Maoists opted for peace in order to gain access to government (largely peri-urban) strongholds, thus to prepare and carry out popular upheaval that would sweep them to power. There was, in fact, an ominous Chand *aka* Biplav group silence after their February 2017 congress in Rolpa. It now is clear the Chand *aka* Biplav group was preparing for a significant assault on the system prompted by the mainstream Maoists’ continued insistence

---

<sup>44</sup> Nalsing Gad is the site of a massive Asian Development Bank (ADB)-funded (approximately USD 10 million) hydroelectric project which is a source of illicit funds for both mainstream and radical/ultra-radical Maoist groups. The crime itself entered the netherworld that characterizes all such episodes, with most of those arrested just as quickly released, a very low-level operative detained, and the actual political issues ignored. For discussion, see Dinesh Kumar Shrestha, “Vengeance, Money Matter Behind NC Jajarkot Leader’s Murder,” *The Himalayan Times*, 4 April 2017; available at: <https://thehimalayantimes.com/nepal/vengeance-money-matters-behind-nc-jajarkot-leaders-murder-police/> (accessed 17 March 2019).

<sup>45</sup> Interview, 4 September 2016.

<sup>46</sup> This divergence emerged again quite clearly in my August 2018 interviews in Nepal with leading figures of both the mainstream and Chand *aka* Biplav factions. These included discussions with key figures at the Standing Committee (of the Politburo) level, the highest rung of leadership in the Maoist hierarchy.

upon pursuing what the Chand *aka* Biplav group claimed was a betrayal of the strategy agreed upon at Chunwang. What this strategy meant on the ground was that violence in the form of terrorism was to continue as the driver for the Maoist effort.

As was the case during the overt 1996-2006 phase of hostilities, there was little the state could do to counter it and provide security for ordinary citizens, even assuming it was willing. This was driven home in a typical but noteworthy incident that occurred on 27 April 2017, when – unable to lay hands on a rival party activist many times attacked and long sought by the Maoists – they kidnapped the victim’s father in Dang district and assaulted his mother. In the attack, at least some of the Maoists were armed, a reality which has surfaced in similar incidents. Though the subject of major coverage in the vernacular press, nothing resulted. The father, who had refused to give his son’s location, remains missing, and the perpetrators were never apprehended. Evidence, though, strongly suggests they were originally with the Baidya group (which, of course, had once been with the Dahal group), though it is likely they are now with the Chand *aka* Biplav group.<sup>47</sup> The targeting protocol used against such an identified enemy, moving directly and through his family, as well as the fluidity with which the perpetrators moved between Maoist factions, remains a hallmark feature of the present security context.

Initially, it appeared the Maoist-NC united front would continue for some time; but with local elections completed, Dahal spotted an extraordinary opportunity to take his gambit to a further level. When tallied, the election results revealed a combined UML and Maoist Mayor/Chairman strength versus Nepali Congress of 400 to 266, with the Deputy Mayor/Chairman figure, 442 to 223. By mapping these local figures over the provincial and federal electoral districts that would select their representatives in staggered voting on 26 November and 7 December 2017, Dahal discerned the possibility of a communist landslide – if only left-wing unity could be achieved.<sup>48</sup> By pivoting again to the Marxist UML led by Oli, but this time offering a classic “Left Alliance,” Dahal engineered a situation whereby the two often bitter rivals would not merely cooperate but would field a unified slate of candidates, divided 60-40 percent in favor of UML. After their expected victory, they would unify and rule as a reconstituted Nepal Communist Party (NCP).<sup>49</sup> The deal was sealed in early October 2017, despite much (and continuing) resistance from the membership of the UML. To the latter, the Maoists were a group which had not only embraced terrorism and vociferously denounced parliamentary democracy but appeared insincere in its claim to have opted for another direction. To the UML leadership, however, the bottom line was simple: absent the union, there could be no communist seizure of power in Nepal

---

<sup>47</sup> The incident, with particulars identifying the Maoists as the perpetrators, is discussed in-depth, together with consideration of the background, at “Abduction by Maoist [*sic*] Before Local Election,” *Goraksha National Daily*, 29 April 2017 (read in translation); available in Nepali at: <http://gorakshadaily.com/> (accessed 27 October 2017, retained in hard copy; domain name expired 10 December 2017).

<sup>48</sup> For mapping, see *Nepali Times*, 6 October 2017; available at: <https://twitter.com/kundadixit/status/916135113401835520> (accessed 17 March 2019).

<sup>49</sup> Useful for conceptual treatment of this important Maoist approach is Gerry Groot, *Managing Transitions: The Chinese Communist Party, United Front Work, Corporatism and Hegemony* (NY: Routledge, 2003); available as PhD dissertation (under slightly different title), Centre for Asian Studies, University of Adelaide, Australia, December 1997, at: <https://digital.library.adelaide.edu.au/dspace/bitstream/2440/19225/2/02whole.pdf> (accessed 17 March 2019).

– of any variety – rather a series of continuing efforts at cobbling together coalitions. Agreeing to Maoist terms, which included stymying transitional justice and a formal rotation of power, was seen as a small price to pay to eliminate Nepali Congress from its historically ascendant position.

For victory indeed came to pass. In the two-phased election – marked by a level of Maoist-executed violence which apparently exceeded that of the 2013 CAII election – the combined UML/mainstream Maoist slate dominated. With the true contests being overwhelmingly UML versus Nepali Congress, the Maoists were able to emerge as the second strongest party in first-past-the-post (FPTP) seats. This was because the Maoists locked these up in virtually impregnable areas electorally; that is, in those areas in which they had systematically used terrorism over the previous two decades to eliminate the opposition. Party list seats (i.e., those selected by proportional representation) altered the final toll to make NC the second largest party overall but did not affect the lopsided representative margin. In the combined tally, UML had 121 seats and the mainstream Maoists 53, while NC had just 63 seats. The remaining seats were filled by two Madhesi parties in the *tarai* (RJPN, 17 and FSN, 16) and independents (5 seats for 5 parties that did not make the 3 percent threshold for party list representation). To make matters worse, the much smaller upper house – 59 seats selected from the seven provinces – was completely Left Alliance (six provinces) and Madhesi (one province). Considerable irony attends these stark figures. In contrast to the seat totals was the popular vote, which saw the UML and NC run neck-and-neck, 3,173,494 to 3,128,389, respectively (of a registered total of 15,427,731, with 68.63 percent turnout). The Maoists were a distant third at 1,303,721 votes, but they were the decisive tie-breakers. Electorally, then, NC was consigned to irrelevance, thus validating Dahal's strategy. Once backroom deals were brokered, the Left Alliance had the unassailable two-thirds that allowed it to do anything, to include amend the constitution.

Accompanying these stunning political developments was again significant Maoist terrorism. Though no overall figures were released, it is known that the three weeks alone leading up to 7 December 2017 saw more than a hundred bombs exploded or neutralized-prior-to-detonation as the Chand *aka* Biplav faction sought to stymie the elections. Explosives themselves were overwhelmingly from mining stocks in India; delivery mechanisms were the same IEDs that were ubiquitous during the 1996-2006 period (and since); e.g., wired pressure cookers packed with explosives and shrapnel (see Figure 10<sup>50</sup>). The substantial damage yet relatively low loss of life and wounded was a result of Chand *aka* Biplav instructions that terrorizing through property damage was in this instance to take precedence over creating human casualties in order to avoid a popular backlash. The instructions issued by the Chand *aka* Biplav group stated, though:

To render the elections a failure, the party will not adopt violent measures but will mainly focus on propaganda and promotional measures. No individuals will be harmed. However, it is the responsibility of all the party cadres to carry out small- to medium-scale sabotage operations after careful assessment of the target and the situation. All District-in-Charges and Secretaries

<sup>50</sup> “Bomb Found at NC Candidate’s House,” *The Kathmandu Post*, 30 November 2017; available at: <http://kathmandupost.ekantipur.com/news/2017-11-30/bomb-found-at-nc-candidates-house.html> (accessed 17 March 2019).



are required to prepare a plan for their respective districts and send it to the Central HQ at the earliest. Our party will take full responsibility for all the actions undertaken.<sup>51</sup>

A more disingenuous set of orders would be hard to imagine. Numerous Nepali Congress figures were in fact targeted, to include Prime Minister Deuba and the most prominent representative of the younger forces in the party, Gagan Thapa (see Figure 11<sup>52</sup>). Local NC candidates were attacked nationwide (see e.g. Figure 12<sup>53</sup>), and many injuries were suffered (see e.g. Figure 13<sup>54</sup>). So numerous were bombings and attacks upon individuals that in a sense they were relegated to background noise (a phrase this declaration has had cause to use previously). No source reported on them systematically.<sup>55</sup> More than a thousand Chand *aka* Biplav cadre were arrested (and most just as quickly set free). The latest available State Department annual report on the subject, *Country Reports on Terrorism 2017* (issued September 2018, nearly one year after its 2017 subject date), in the section on Nepal (pp. 182-84) frames its presentation within terrorism directed at U.S. or Western targets.<sup>56</sup> Westerners are rarely targeted even for crime in Nepal, and the report duly notes no acts of (international) terrorism directed at Americans or Westerners. It does speak to “an increase in terrorist attacks during the year [2017]” aimed at “domestic targets” and even notes the hundred bombs figure, but it fails to grapple in substantive fashion with events in the country as discussed here, especially the terror-crime nexus.

---

<sup>51</sup> In Nepali as translated; original is a two-sided intra-party circular that was distributed under Chand *aka* Biplav’s authority and signature; dated 5 November 2017.

<sup>52</sup> Manish Gautam, “NC’s Thapa Among 11 Injured in Blast,” *The Kathmandu Post*, 5 December 2017; available at: <http://kathmandupost.ekantipur.com/printedition/news/2017-12-05/ncs-thapa-among-11-injured-in-blast.html> (accessed 17 March 2019).

<sup>53</sup> In Dilliram Khatiwada, “NC Candidate Among Seven Hurt in Udaypur IED Blast,” *The Kathmandu Post*, 30 November 2017; available at: <http://kathmandupost.ekantipur.com/news/2017-11-30/nc-candidate-among-seven-hurt-in-udaypur-ied-blast.html> (accessed 17 March 2019).

<sup>54</sup> In Basanta Bhattarai, “Lost her leg, but not her Zeal,” in *Nagarik*, 9 December 2017, translated and reprinted in *Nepali Times*, 15 December 2017; available at: <http://archive.nepalitimes.com/article/from-nepali-press/Lost-her-leg,4088> (accessed 17 March 2019).

<sup>55</sup> The single attempt of which I am aware, by *The Record* (Kathmandu), has a well-done interactive feature that attempts to detail the most significant IED attacks nationwide. The display, with photos, is but a fraction of the actual IED total; available at: <https://www.recordnepal.com/wire/bomb-blasts-leading-up-to-the-polls/> (accessed 17 March 2019).

<sup>56</sup> Report available at: <https://www.state.gov/j/ct/rls/crt/2017/index.htm> (accessed 17 March 2019).



Figure 10. A pressure cooker bomb found on 30 November 2017 at the house of the Nepali Congress parliamentary candidate for Mugu constituency-1, in the Mid-Western region.



Figure 11. Nepali Congress candidate, Gagan Thapa, who was running (and won election) in Kathmandu, returns home after suffering injuries in a bombing on 4 December 2017 that targeted an election rally he was holding. Two of his supporters who were accompanying him were critically injured, another two less seriously injured.





Figure 12. Critically injured NC candidate for Udaypur constituency-2, Narayan Karki, evacuated on 29 November (2017) after his vehicle was bombed. Half a dozen others were injured in the assault.



Figure 13. While IED victim Narayan Karki, 68, a school principal, had his left leg broken in five places and his right in three in the blast, Mira Katwal, 24, a student leader, suffered amputation of her right leg.

This period of extensive terrorism serves to illustrate the intense debate that continues within the Maoists: how aggressively and in what form to use violence in the post-2006 (i.e., post-war) period. Dahal has claimed all along that the use of *opportunistic, covert terrorism* was producing results, while Baidya and Chand *aka* Biplav see an actual revolution nowhere in sight and thus favor *systematic, overt terrorism* such as marked the election cycle (see e.g. Figure 14<sup>57</sup>). Ultimately, in the strategy advocated by the latter, terrorism would be accompanied by the use of urban mobilization and guerrilla warfare linked to action in the countryside along the lines pursued in 1996-2006. From Dahal's perspective, this Chand *aka* Biplav position not only is incorrect but misses the dramatic strategic shift that has occurred. The mainstream Maoists, he claims, have won – and won using terrorism not provocatively so as to provoke response but subtly in order to be effective. A combination of violence and deft political action has resulted in communist rule.<sup>58</sup> The Maoists hold key positions and ministries; they control the police, as well as elements of the intelligence apparatus; they also have complete control over two of the seven provinces (Provinces 6 and 7 in Figure 1), which include many of their legacy areas of domination occasioned by their wartime and post-war use of terrorism. Finally, in a formal undertaking, the UML has agreed in three years' time to move Dahal to the prime ministership for the final two years of the present government's five-year term. For now, the two men engage in joint decision-making, with Oli heading the government and Dahal taking the lead in party matters (see Figure 15).<sup>59</sup>

---

<sup>57</sup> “NC, Maoist Centre Leaders Attacked,” *The Kathmandu Post*, 18 November 2017; available at: <http://kathmandupost.ekantipur.com/news/2017-11-18/nc-maoist-centre-leaders-attacked.html> (accessed 17 March 2019).

<sup>58</sup> The Nepali Communist Party (NCP) apex leadership body, the Standing Committee, consists of 45 members, of whom 26 are from the former UML, 19 from the mainstream Maoists. The ruling hand, the General Secretariat (included in the 45 total), is divided 6 to 3 in favor of the UML. In an organizational word game of sorts, the nominally senior Politburo is now a directly subordinate body of 135. The nominally supreme body, the Central Committee, is a very large 441 (with 241 being former UML). These inflated figures reflect the difficulties in bringing diverse factions under one umbrella, thus to need to allocate prestige and resources as necessary to secure support for the actual leadership. A more normal Marxist-Leninist arrangement would be that of FARC in Colombia, which throughout its four decades of conflict had a 7-man Secretariat and a 25-person General Staff (or Central Committee).

<sup>59</sup> Precise nature of the relationship at any point in time remains captive to the personalities involved. Excellent discussion may be found in P. Kharel, “Conflict Between Two Chiefs,” *Republica*, 2 October 2018; available at: <https://myrepublica.nagariknetwork.com/news/conflict-between-two-chiefs/> (accessed 17 March 2019).





Figure 14. Result of a “nonlethal” IED attack on the vehicle carrying important NC politician, Ram Sharan Mahat, and members of his party, 17 November 2017 in Nuwakot district, north of Kathmandu. Though six people were injured, they could just as easily have been killed.



Figure 15. Co-leaders of a reunited Nepal Communist Party (NCP), Dahal (left) and Oli (right) rule with an unassailable two-thirds majority – achieved through united front action at the strategic level combined with terrorism to shape the vote at the local level.

Regardless of such outcome, what is occurring – in the analysis of the Maoist radical splinters – is disaster for Maoist *revolution*. The result has been that the Chand *aka* Biplav group, in particular, has continued to attack the state and traditional rivals, such as Nepali Congress, while carefully avoiding actual injury to mainstream Maoists. Entire districts have had their elected officials receive radical Maoist letters demanding that they resign or face attack. Increased pressure has been placed upon families and acquaintances in efforts to locate previous Maoist targets who have fled. Such activity has been met with inaction. More than that, government in the two provinces controlled by the mainstream Maoists has moved to retroactively legalize land seizures and other gains achieved through terrorism by Maoist supporters. At the national level, Left Alliance behavior in its year in office has supported concerns as to what communist domination would mean. In particular, there have been efforts to neutralize key civil society and external oversight mechanisms, to include the media. The highly regarded Economist Intelligence Unit (EIU) annual democracy ratings, released January 2019, place Nepal at 5.18 (of 10) for 2018 and categorize it as a “hybrid regime,” occupying the third tier of four, between “flawed democracy” and “authoritarian” on the scale, 97<sup>th</sup> of 167 in the tables. This positions it between Uganda (5.20) and Kenya (5.11), neither at present lauded in terms of political freedom or public probity. Dahal and the mainstream Maoists, as noted, openly support dictatorial states such as Venezuela, North Korea, and China and denounce American imperialism for “challenging democracy, sovereignty and peace.”<sup>60</sup> No transitional justice cases have moved forward of the 63,000 case files created, with the government focusing instead upon arresting important Nepali Congress activists and charging (and holding) them on spurious grounds. These included the head of the Nepal Student Union [*sic*] or NSU, the major NC youth organization.<sup>61</sup>

Indeed, in the run-up to the current turn of events, the security situation was fraught. A warrant for Chand *aka* Biplav’s arrest that was registered 28 February 2018 in the district court of Bhojpur district was struck down for lack of evidence, indicating the astonishingly indifferent manner in which security had been pursued. Indeed, at a massive Chand *aka* Biplav group rally held in central Kathmandu on 24 November 2018 – at which police were present but inactive – the group’s leadership appeared openly, with Biplav himself attending

<sup>60</sup> For democracy rating, see EIU, *Democracy Index 2018: Me too? Political Participation, Protest and Democracy* (London: EIU, 2019); available at: [http://www.eiu.com/public/thankyou\\_download.aspx?activity=download&campaignid=Democracy2018](http://www.eiu.com/public/thankyou_download.aspx?activity=download&campaignid=Democracy2018) (accessed 17 March 2019). For Dahal denunciation of the United States, see his signed NCP Press Statement, 25 January 2019, English version (as released by NCP); available within Anil Giri, “Venezuela Quietly Lobbied Nepal’s Ruling Party to Release a Strong Statement Condemning the US and its Allies, Sources Say,” *The Kathmandu Post*, 27 January 2019, at: <http://kathmandupost.ekantipur.com/news/2019-01-27/venezuela-quietly-lobbied-the-ruling-party-to-release-a-strong-statement-condemning-the-us-and-its-allies-sources-say.html> (accessed 17 March 2019).

<sup>61</sup> For transitional justice cases, Interview, 12 August 2018 (Kathmandu) with senior Truth and Reconciliation Commission member; for arrest and holding of NSU president and other NSU cadre, see Sanjay Lama, “Nepal Student Union President Mahar Among 11 Held for Staging Demonstration in Restricted Zone,” *The Kathmandu Post*, 5 February 2019; available at: <http://kathmandupost.ekantipur.com/news/2019-02-05/nepal-student-union-president-mahar-among-11-held-for-staging-demonstration-in-restricted-zone.html> (accessed 17 March 2019).

in disguise (see composite displayed as Figure 16).<sup>62</sup> Faced with such a situation, the government claimed that it would provide security; but it had never done this for the general public. It had neither the capability for such action nor, it appeared, the will, given that the objects of such action were their estranged but still close comrades. As if to illustrate the point, it has been noted previously that a Home Ministry-appointed commission, charged with engaging in talks with estranged political forces, announced in late December 2018 that “no more conflict exists in the country,” even while admitting it had not actually met with the major armed groups in the country, such as the Chand Maoists, only with less than two dozen minor groups. In such context, observed a Nepali contact at the time, “The Biplav [Chand] faction has been able to spread fear among the masses.”<sup>63</sup>

---

<sup>62</sup> Reproduced clipping (Kantipur’s Nepali language daily, 26 November 2018), provided by security forces source; insert (as marked) sent contemporaneously by Nepali researcher.

<sup>63</sup> Private communication from Nepal dated 25 November 2018.



V





Consequences of the lack of government commitment and focus were thus on full display when, on 22 February 2019, the Chand *aka* Biplav Maoists attacked cell phone towers nationwide in some fifteen simultaneous bombings, which included striking the cellular firm's Lalitpur (Kathmandu) office, killing one and wounding several (see Figure 17).<sup>64</sup> It is this event which appears to have driven commentators to slip their government-imposed shackles of silence. A veritable explosion of frustrated public discussion followed. Nepali-language newspaper *Nagarik*, for example, editorialized, speaking directly to unstated realities, "Netra Bikram Chand was close to the current Home Minister Ram Bahadur Thapa who may still have a soft spot for him. It remains to be seen if the Home Ministry will prosecute this case strongly. So far, the government seems to be hurt more by a few bitter words in social media than by such heinous acts."<sup>65</sup> The barbed reference was to the communist government's continued efforts to stifle critique of its poor performance and indifferent approach to security. As if on cue to put the lie to the government's repeated claims that "nothing was happening," February ended with the apprehension of the Chand *aka* Biplav group's commander for Dhankuta and Morang districts (see Figure 1 for locations) as he traveled with a concealed light machinegun and an M16A2, both apparently from captured wartime government stocks. There followed a renewed Chand bombing campaign, with the most significant attack that upon the residence of the head of the Nepal Association of Foreign Employment Agencies (NAFEA) in Kathmandu (see Figure 18).<sup>66</sup> It was at this point that the government finally declared the Chand *aka* Biplav group to be proscribed. To what extent remains a mystery, as the bellicose verbiage of the government is matched by neither the laws available nor the deployment of forces necessary to provide popular security and to staunch radical publicity, recruiting, and fundraising.

---

<sup>64</sup> Useful for the bombings is "Ncell Attacked Over Tax Evasion: Chand's Party," *Republica*, 25 February 2019; available at: <https://www.msn.com/en-xl/news/other/ncell-attacked-over-tax-evasion-chands-party/ar-BBU1WxV> (accessed 9 March 2019); picture in Nayak Paudel, "At Least Three Injured After a Bomb Explosion in Lalitpur," *The Kathmandu Post*, 22 February 2019; available at: <http://kathmandupost.ekantipur.com/news/2019-02-22/bomb-detonated-outside-ncell-head-office-three-injured.html> (accessed 12 March 2019); for duplicity, Tika R. Pradhan, "In Maintaining Silence Over Chand Outfit's Terror, Dahal Sees an Opportunity to Rebuild his own Image," *The Kathmandu Post*, 26 February 2019; available at: <http://kathmandupost.ekantipur.com/news/2019-02-26/in-maintaining-silence-over-chand-outfits-terror-dahal-sees-an-opportunity-to-rebuild-his-own-image.html> (accessed 9 March 2019).

<sup>65</sup> "Stop the Extortion," *Nagarik*, 26 February 2019, translated in *Nepali Times*, 1 March 2019; available at: <https://www.nepalitimes.com/from-the-nepali-press/stop-the-extortion/> (accessed 9 March 2019).

<sup>66</sup> For report and photo, "Two People Injured After a Bomb Exploded Inside a Private Residence in Kathmandu," *The Kathmandu Post*, 9 March 2019; available at: <http://kathmandupost.ekantipur.com/news/2019-03-09/bomb-detonated-at-a-house-of-association-of-foreign-employment-agencies-chairman-two-injured.html> (accessed 12 March 2019).



Figure 17. Crowd gathers at the scene of the 22 February 2019 bombing of the offices of Nepal's largest cell phone provider, Ncell.



Figure 18. Bombing of NAFEA director's residence in Basundhara neighborhood of Kathmandu on 8 March 2019.

In fact, all sources, both public and private, appear aware of the extent to which the government itself remains divided as to its approach, with the mainstream Maoists opposed to moving against the Chand *aka* Biplav group (with whom they have maintained direct and indirect contact). It would appear that only the resurrection of an 8 February 2019 police “special bureau” report highlighting the extent to which the situation had deteriorated provoked action by key government figures to the exclusion of consultation with other factions within both the former UML and mainstream Maoist wings of the NCP. The report, in addition to highlighting the extent of weapons stockpiling and combatant training, extortion of funds nationwide (to include apparently seeking to buy arms externally; e.g., in India), and plans to attack isolated police posts in the classic arms-gathering tactic of any insurgency, also was said to have a targeting list that moved beyond the acceptable (to the communists) Nepali Congress victims to the communists (and mainstream Maoists) themselves. It was this final element which provoked the 12 March 2019 “banning,” though the analysis that read “hit list” into what was more likely a naming of those to be opposed emerged from a misreading of Maoist terminology – supreme irony given that the key debate as to interpretation occurred within the mainstream Maoist faction of the communist government.<sup>67</sup> Not to be dissuaded, the Chand group responded with a nationwide armed strike that shut down many parts of the country (see Figure 19).<sup>68</sup>

---

<sup>67</sup> For excellent discussion of the esoteric Maoist terminology involved, see Tika R. Pradhan, “In Dahal’s ‘My Life Under Threat’ Claim, Many See Bid for Sympathy,” *The Kathmandu Post*, 16 March 2019; available at: <http://kathmandupost.ekantipur.com/news/2019-03-16/in-dahals-my-life-under-threat-claim-many-see-bid-for-sympathy.html>. For police reporting, Rajesh Bhandari, “Special Bureau Report: Biplav’s Plan to Attack Police Stations, This is How the Secret Plan Was Uncovered,” *Rato Pati*, 17 March 2019; available in Nepali at: <https://ratopati.com/story/80965?fbclid=IwAR1ti3-Nk2mOv6uBfK0XmpPpkN-mMDe7KQZ8GhZXctPCN-bGr6ONO-XfIW4#modal>. For proscription of Chand group, Anil Giri and Tika R. Pradhan, “Government Labels Chand Party a Criminal Group, Bans its Activities,” *The Kathmandu Post*, 13 March 2019; available at: <http://kathmandupost.ekantipur.com/news/2019-03-13/government-labels-chand-party-a-criminal-group-bans-its-activities.html> (all accessed 18 March 2019).

<sup>68</sup> For discussion of impact upon important area, as well as picture (among many), see Rishi Ram Baral, “Chand-led Nationwide Strike Hits Pokhara,” *The Himalayan Times*, 14 March 2019; available at: <https://thehimalayantimes.com/nepal/chand-led-nationwide-strike-hits-pokhara/> (accessed 18 March 2019).



Figure 19. Police seal off area in order to defuse a bomb in Pokhara, the nation's second largest peri-urban center, 14 March 2019.

The risk to targeted individuals posed by muddled government response and conflicting Maoist attitudes towards terrorism is obvious. Yet nothing that has been discussed is new. For decades, even the most prominent individuals have not been safe. It is remarkable how similar such context is to that occurring globally, as described, for instance, in recent press dealing with the local level in eastern Germany, where neo-Nazi strength is pronounced, and in the United States itself, where similar degradation of the political process has become widespread. Analysis highlights a point well known when examining political violence: failure to intervene, either through law enforcement or the legal system, only causes extremism to grow.<sup>69</sup> Not only does such assessment match the situation in Nepal, it is significant that a Maoist figure such as Dahal has consistently refused to condemn political violence – even when holding the highest positions. At an event in December 2016, bringing together communist parties in the country on the birthday of Stalin, the once-again prime minister was reported as opining that “the fundamentals of Marxism cannot be ignored including the armed conflict as a tool to capture the state power.”<sup>70</sup> Both Dahal and Home Minister Thapa have singled out

<sup>69</sup> For the first case, see Anonymous, “I Live Among the Neo-Nazis in Eastern Germany. And it’s Terrifying,” *The Guardian*, 31 October 2018; available at: <https://www.theguardian.com/commentisfree/2018/oct/31/neo-nazi-eastern-chemnitz-germany-saxony> (accessed 17 March 2019). For the U.S. case, see Cass Sunstein, “Political Savagery Makes Self-Government Impossible,” *The Economist*, 9 March 2019; available at: <https://www.economist.com/open-future/2019/03/08/political-savagery-makes-self-government-impossible> (accessed 9 March 2019).

<sup>70</sup> Rather than a direct quote, the reporting used “has said.” There is little doubt, though, that the words were uttered. See “Fundamentals of Marxism Cannot be Ignored: Dahal,” *The Kathmandu Post*, 27 December 2016; available at: <http://kathmandupost.ekantipur.com/news/2016-12-27/fundamentals-of-marxism-cannot-be-ignored-dahal.html> (accessed 17 March 2019).



“counter-revolution” and “reactionary forces” as the main threat to the country, whenever challenged concerning the ongoing slide into repression.<sup>71</sup> The terms are Maoist labels for those who favor parliamentary democracy and the market. Ironically, the same vocabulary and approach inspire the Chand *aka* Biplav group. The latter, for instance, honored Karl Marx’s birthday, 5 May 2018, by bringing Nepal to a standstill through an armed strike. Any who sought to resist were attacked (see Figure 21 below for example<sup>72</sup>). Yet the communist/Maoist government stood by and labelled the assault upon the populace as but “political action.”

Still, nothing could better illustrate the mainstream Maoist position with respect to violence than another episode. On 13 April 2017, as I returned from a period of fieldwork, the Supreme Court ordered the police, who were under the Dahal government at the time, to execute a longstanding arrest warrant for Bal Krishna Dhungel, a mainstream Maoist Central Committee member, who had been convicted of murder in 2004. Dhungel operated in the open, and on 12 March 2017, he was filmed giving a speech threatening the judge who had sentenced him to life imprisonment, as well as others. Notwithstanding such actions, he remained untouched, because the police would not act due to “political circumstances.”<sup>73</sup> Only a contempt filing against the police chief himself (in a national force) caused Dhungel to be detained (on 31 October 2017). That he was unlikely to remain so-detained was obvious to all. Indeed, after a short detention, he was released in honor of the 29 May 2018 celebration of Republic Day as part of a staged presidential pardon for a larger group deemed to have exhibited “good behavior” while imprisoned (see Figure 20<sup>74</sup>). He was welcomed back into the mainstream faction. He promptly renewed his threats against those who had seen him convicted. Nothing

---

<sup>71</sup> For the former, “Dahal Warns of Counter-revolution,” *The Himalayan Times*, 11 December 2018; available at: <https://thehimalayantimes.com/nepal/nepal-communist-party-ncp-co-chairperson-pushpa-kamal-dahal-warns-of-counter-revolution/>; for the latter, Rewati Sapkota, “Reactionary Forces Trying to Topple Govt, Says Thapa,” *The Himalayan Times*, 24 October 2018; available at: <https://thehimalayantimes.com/nepal/reactionary-forces-trying-to-topple-govt-says-ram-bahadur-thapa/>; for repression, “AHRC Paints Bleak Picture of Human Rights Situation in Nepal,” *The Himalayan Times*, 12 December 2018; available at: <https://thehimalayantimes.com/kathmandu/asian-human-rights-commission-paints-bleak-picture-of-human-rights-situation-in-nepal/> (all accessed 17 March 2019).

<sup>72</sup> “Entrepreneur Attacked,” *Republica*, 5 May 2018; available at: <http://www.myrepublica.com/news/41127/> (accessed 17 March 2019).

<sup>73</sup> See “Court to Govt: Arrest Murder Convict Bal Krishna Dhungel,” *The Kathmandu Post*, 14 April 2017; available at: <http://kathmandupost.ekantipur.com/news/2017-04-14/court-to-govt-arrest-murder-convict-bal-krishna-dhungel.html> (accessed 17 February 2019); speech (in Nepali): <http://www.bing.com/videos/search?q=Bal+Krishna++dhungel&view=detail&mid=1F2CC3BF7EB1B03458891F2CC3BF7EB1B0345889&FORM=VIRE> (accessed 26 June 2018; video subsequently removed; notification obtained at 3 August 2018 access attempt; related videos still loaded when accessed 17 March 2019).

<sup>74</sup> “Hearing on Govt Decision to Offer Amnesty to Murder-convict Dhungel on Monday,” *The Kathmandu Post*, 27 May 2018; available at: <https://kathmandupost.ekantipur.com/news/2018-05-27/hearing-on-govt-decision-to-offer-amnesty-to-murder-convict-dhungel-on-monday.html> (accessed 17 March 2019).

was done. For their part, the radicals have been just as provocative. On 24 November 2018, Chand *aka* Biplav supporters – in a show of force arranged by the faction (as noted above) – paraded through Kathmandu (see Figure 21).<sup>75</sup> It is just such situations – involving as they do the unfettered movement and public appearances by ruthless Maoist figures, to include those who have been convicted of murder – that remain normal and go to the heart in discussing personal security.



Figure 20. Maoist leadership figure, Bal Krishna Dhungel, freed in late May 2018 despite conviction for murder and a Supreme Court order directing his imprisonment.

<sup>75</sup> For discussion, “Chand-led Maoists Stage Show of Strength in Capital,” *Republica*, 25 November 2018; available at: <https://myrepublica.nagariknetwork.com/news/chand-led-maoists-stage-show-of-strength-in-capital/> (accessed 17 March 2019). For Figure, <https://ratopati.com/story/68546> (accessed 17 March 2019).





Figure 21. Chand *aka* Biplav Maoists march through Kathmandu on 24 November 2018.

Flight provides no safety once the Maoist targeting network is activated, a reality that has begun to approach certainty as the Maoists have exploited the particulars of cellular communications and social media.<sup>76</sup> Newcomers to any locale, even the largest, such as Kathmandu, invariably can be identified and located. A Maoist network of informants – which is substantial (and now enabled by technology) – has demonstrated little difficulty locating targeted individuals, regardless of where they have sought to hide in the country.<sup>77</sup> This reality may be further illustrated by examining Figure 22, a recent, typical Chand *aka* Biplav front group poster displayed in Kathmandu:<sup>78</sup>

<sup>76</sup> Cell phones were common by 2005, and Facebook ubiquitous by 2007, nationwide cellular coverage by 2008. Facebook remains the dominant social media platform. For the methodology of tracking, useful is Mark Bridge, “Social Workers ‘Spying’ on Families Through Facebook,” *The Times* (of London), 22 March 2019; available at: <https://www.thetimes.co.uk/edition/news/social-workers-spying-on-families-through-facebook-tkt5kwhxh> (accessed 22 March 2019).

<sup>77</sup> Throughout the conflict, Maoist intelligence was far superior to that of the government, a reality occasioned by the local origins and presence of the Maoist structure and manpower.

<sup>78</sup> Obtained during April 2017 work in Nepal.



Figure 22: Chand aka Biplav poster in Kathmandu.

Translation:

*Let the laborers of the world unite.*

*Marxism-Leninism-Maoism – Hail.*

*Unified People's Revolution\* – Hail.*

*Let's not fall into the trap of delusion set by the reactionary, corrupt parliamentary system.*

*Let's march forward to achieve scientific socialism through unified people's revolution.\**

*Nepal Communist Party welcomes you.*

*Courtesy: AKHIL (Revolutionary)*

*Kathmandu University Area Coordination Committee*



To clarify: AKHIL (Nepali for “all”) is the Chand aka Biplav version of the mainstream Maoist student front organization, ANNISU-R; and “unified people’s revolution” (at the two points where I have inserted \*) is the use of urban uprising (involving mass uprising and terrorism) combined with rural action to seize power.<sup>79</sup> Such posters are numerous, not only in the capital but throughout the country. In my recent work in Nepal, they were displayed in even the most obscure spots. It is the disseminators of such sentiments – the work force, if you will – who were the eyes and ears of the Maoist intelligence and assassination network during the *overt* conflict and remain as such during this, the *covert* conflict. The evidence is extensive that they have continued to function now in the same manner they did during outright warfare. Nepal has neither declared the present situation as one of emergency nor passed the necessary laws for dealing with terrorism. It moved against the Chand group using the provisions appropriate to dealing with organized crime, which quite misses the point as to what has been happening. The result, for an outsider, is a startling level of open insurgent propaganda under the guise of normal political speech. The arrest, on 8 August 2018 in Kathmandu, of Chand faction spokesperson, Khadga Bahadur Bishwakarma *aka* Prakanda (“Profound,” as in intelligent), was on the grounds of extensive acts of party fund-raising by coercion not on charges related to subversion or terrorism. His arrest prompted both demonstrations from supporters and a legal challenge for alleged “fascist suppression.”<sup>80</sup> Ultimately, Bishwakarma was freed and was the keynote speaker at the 24 November 2018 Chand *aka* Biplav group rally in Kathmandu discussed above (see Figure 25<sup>81</sup>).

Examining the realities of the discussion in the previous pages, it can be discerned that a target is dealt with as time and revolutionary circumstances dictate, especially, *opportunity*. Analytically, this does not surprise. All violent clandestine organizations, whether political or criminal, are driven by the realities of manpower and resources matched against the tasks to be accomplished. They must prioritize the use of available resources. Yet a defining feature of this conflict has been the consistency with which previously targeted individuals have been pursued, regardless of where they have sought safety. During the *overt* period of conflict, a parallel system of revolutionary justice operated openly. Now, its legacy “arrest warrants” and court sentences (complete with fines) live on, executed by not only the splinters but local organs of the mainstream party as it

---

<sup>79</sup> Strikingly similar plans and procedures were used by the drug-funded left to seize control in Bolivia. See David Spencer and Hugo Acha Melgar, “Bolivia, a New Model Insurgency for the 21<sup>st</sup> Century: From Mao Back to Lenin,” *Small Wars and Insurgencies* 28, no. 3 (2017), 629-60; available at: <https://www.tandfonline.com/doi/full/10.1080/09592318.2017.1307617> (accessed 17 March 2019).

<sup>80</sup> “Party Condemns Arrest,” sidebar to “Netra Bikram Chand-led CPN’s Spokesperson Held,” *The Himalayan Times*, 9 August 2018; available at: <https://thehimalayantimes.com/nepal/biplav-led-cpn-maoist-spokesperson-prakanda-arrested-on-criminal-charge-home-minister-ram-bahadur-thapa/> (accessed 17 March 2019).

<sup>81</sup> Khadga Bahadur Bishwakarma as featured in “Biplav Maoist [*sic*] Shows its Strength in Kathmandu,” *People’s Review*, 25 November 2018; available at: <http://peoplesreview.com.np/biplav-maoist-shows-its-strength-in-kathmandu/> (accessed 17 March 2019).

is decided such actions fit their tactical and even strategic needs. New cases are added. In the absence of either protection or legal intervention from the state, impunity creates uncertainty and fear.



Figure 25. Khadga Bahadur Bishwakarma, a member of the Chand *aka* Biplav group Politburo, or ruling body, denounces the government at a rally held in downtown Kathmandu on 24 November 2018.

A permeable membrane divides mainstream Maoists and their radical splinters. The contending factions, whatever their differences and now the criminal ban on the Chand *aka* Biplav group, continue to interact, particularly at the local level.<sup>82</sup> The mainstream Maoists, as stated above, have not renounced terrorism. Rather, they feel that in its present form, it has achieved and sustains their objectives. Notwithstanding their estranged comrades' critique, the mainstream Maoists point out that *they* are in a position of power. To this end, they have been willing to tolerate more aggressive radical terrorist actions as long as they do not target the mainstream Maoists themselves and are not seen to be endangering their position in the open political spectrum. The radicals, however, do not accept this state of affairs and are determined to push violently

<sup>82</sup> For instance, following the arrest discussed above of Chand *aka* Biplav spokesperson, Bishwakarma, he was visited by a number of mainstream Maoist figures.

forward. The criminal proroguing of the Chand group notwithstanding, widespread terrorism to achieve local domination and to produce funds through extortion continues, as does regular bombing.<sup>83</sup>

Especially revealing as to the Chand *aka* Biplav group's position on violence is a video displaying the normal agitprop used at their rallies to energize party followers. The featured dances include the use of weapons – prominently, *kukris*, the ubiquitous agricultural tool and oft-used weapon of the Nepali hills – in performances that include aggressive pantomime slitting throats and slashing limbs of opponents (see Figure 26 below).<sup>84</sup> The accompanying lyrics (in Nepali) are unabashed in their violence and are repeated numerous times as the dance is executed by the performers, actual Chand *aka* Biplav faction members. In translation:

*Enemies!*

*Your death approaches!*

*Left, right! Left, right!*

*We will fight to this beat,*

*with our kukris,*

*if we must.*

*We will use guns,*

*if we must.*

*We will no longer*

*tolerate oppression!*

---

<sup>83</sup> Documentary evidence obtained when Bishwakarma was arrested (refer again to previous discussion) revealed NPR 77 million (approximately USD 663,829) raised in the 28 months before mid-July 2018. See “Chand-led CPN Collects Rs 77 Million in Donations,” *The Himalayan Times*, 2 September 2018; available at: <https://thehimalayantimes.com/nepal/chand-led-cpn-collects-rs-77-million-in-donations/> (accessed 17 March 2019). My own information, based on mid-August 2018 interviews, supports the NPR 77 million as a *minimum* figure. This would seem to be more than confirmed by latest reporting. See especially the figures in “Extortion in a Federal State,” *Kantipur*, 28 February 2019, Nepali translated in *Nepali Times*, 1 March 2019; available at: <https://www.nepalitimes.com/from-the-nepali-press/extortion-in-a-federal-state/> (accessed 9 March 2019).

<sup>84</sup> Screen-grab from complete video, available at: <https://www.youtube.com/watch?v=a9VBn3661EE> (accessed 18 March 2019).



Figure 26. In this screen-grab (at 6:33 of 17:30) is displayed the agitprop dance at the 13 February 2017 celebration of the launching of the people's war in 1996. *Kukris* (highlighted by yellow arrows) are enthusiastically used to simulate slicing throats and slashing the limbs of the enemy – those who oppose the Chand *aka* Biplav group.

This is the norm that challenges victims. On the one hand, the communist government has been focused upon ideological positioning to an extent that has caused it to ignore terroristic violence by one of its key constituent elements, the mainstream Maoists. On the other hand, for the dozen years since the formal end of hostilities, it has been deemed by the same actors as more than acceptable that terrorism be used – by both splinters and the mainstream through its paramilitary capacity – to attack those determined to be enemies. Neither time nor space has altered the nationwide targeting by Maoist local operatives, regardless of faction, of those they feel it necessary to remove from the political playing field and to generate the means for the revolution to continue (e.g., through extortion). It is this refusal to move beyond a worldview that posits a constant struggle with enemies – even to let past victims go about their lives in the new era of “peace” – which remains the Maoist norm. In a sense, for the Maoists, this must be so, because neutralizing rival political opposition and tapping their resources remain imperative. In biting commentary, one of Nepal's most prominent commentators, CK Lal, put the reality thus: “Comparable to the concept of a vegetarian fox, a non-violent Maoist isn't just an oxymoron but a ruse intended to fool its victim. In its ideology, peace is possible only by waging a ‘People's





War'. Thus, a non-violent Maoist is at best a utopian, often a charlatan, and mostly a cunning carnivore claiming to be a vegan."<sup>85</sup>

\*\*\*

*Thomas A. Marks, a member of Mantraya's advisory board, is Distinguished Professor and MG Edward Lansdale Chair of Irregular Warfighting Strategy at the College of International Security Affairs (CISA) of the National Defense University (NDU) at Ft. McNair, Washington, DC. All content is personal and does not represent the position of NDU, the U.S. Department of Defense, or the U.S. government. This monograph is published as part of Mantraya's ongoing "Mapping Terror and Insurgent Network" project. Mantraya publications are per reviewed publications.*

---

<sup>85</sup> CK Lal, "The Maoist Cul-de-sac," *Republica*, 18 March 2019; available at: <https://myrepublica.nagariknetwork.com/news/the-maoist-cul-de-sac/?categoryId=blog> (accessed 18 March 2019).

## Welcome to Mantraya

---

Mantraya is an independent research forum that seeks to make constructive contributions in the realm of strategy, innovation and alternatives. It aims to:

- Inform public debate through regular publications on subjects of national and international importance ;
- Produce cutting edge research and provide alternatives by employing qualitative and quantitative methodology, primarily field based studies;
- Serve as a platform for exchange of ideas and strategy involving scholars, researchers, academia, media, governmental and non-governmental personnel/institutions.
- Provide advisory and consultancy services.
- Outreach and partnerships with likeminded institutions/ individuals.

Mantraya's research areas include:

- Non-traditional security challenges in South Asia
- Reconstruction, Governance and Institution building in transitional societies
- Challenges to Policy making in fragile states
- State and Peace building in post conflict societies
- Politics of Aid, Development, Gender and Security in South Asia
- Water, Climate change, Borders, Diaspora, Energy, Nuclear and Cyber Security
- Security Sector Reform and Civil-Military Relations
- Insurgencies, Terrorism and Strategies in Counter terrorism
- Non-State Armed Groups, Illicit Networks, Organised crime and Conflict Economy
- Countering violent extremism (CVE), counter terrorist financing and anti-money laundering
- Women in CVE, Conflict Resolution, and Strengthening Civil Society
- Rule of law, Political systems, Electoral and Constitutional Reform in South Asia
- Strategic Communications and Role of Media
- Role of Dialogue, Negotiations, Reconciliation, Mediation, Confidence-building measures and Track II initiatives
- Conflict Prevention, Management and Resolution
- Great Power Politics, Global governance and Emerging Powers
- Regional Cooperation in South Asia and South East Asia
- India's foreign, aid and security policy