

Saubhagya Shah. 2008. *Civil Society in Uncivil Places: Soft States and Regime Change in Nepal*. Washington, D.C.: East-West Center.

There are very few popular criticisms of civil societies but many of non-governmental organizations (NGOs) in Nepal. Serious critical interpretations of civil society are usually lacking here. Nepal's recent regime transition from monarchism to republicanism, touted nationally and internationally, has also been without deep scholarly attention beyond project based conflict analysis and a quantitative formulation of causal variables of the conflict. Saubhagya Shah's monograph is important in this regard since it attempts to critically analyze the role of civil society in the regime change of 2006, commonly known as *Jana-andolan II*. In this research, regime change is portrayed as a handover of political authority by the king to political parties immediately after the mass protests of April 2006.

The monograph starts by unpacking the word "civil society," the concept behind it and its various avatars based on recent literature. This survey includes heavyweight Western theoretical interpretations such as those of Hobbes, Durkheim, Hegel, Kant, Marx, Montesquieu and Gramsci. The survey shows that the term "civil society" actually gained currency in western academia and policy circles in the late Cold War period to further a liberal economic and political agenda in the East and South. It has also become an agenda of development aid flowing from western governments to developing countries. Such a flow has taken place in the name of human rights, democracy, good governance, social capital, sustainable development and so on. The social formations which

receive these grants are usually non-state actors including NGOs, popular forums, networks, grassroot organizations, and professional and cultural associations.

The author argues that civil society, while operating in the interests of the West, has also acquired an anti-state connotation in the developing world, challenging the dominance and reach of the state. But, in its neo-liberal form, civil society has also been working like the state facilitating service delivery at the “local level,” particularly in the wake of “failing” states. Therefore, we usually see two forms of civil society with respect to the state: an anti-state civil society (as a site of dissidents’ struggles or popular protests) and a pro-state civil society (as a partner of state agencies and their service delivery activities). The author has also conceptualized civil society with respect to the state and in contrast to family and the market providing its class and other cultural attributes. This is a common framework to define the elusive concept of civil society. The famous Gramscian interpretation defines civil society as a site of consensus and hegemony of dominant groups to legitimize their rule. The same site has also become an arena of subaltern groups to generate their counter-hegemonic discourses and actions. Therefore two theoretical positions of civil society, pro-state and anti-state, are possible. The metaphysical existence of civil society in the West was itself transformed into a practical political ideology to forge hegemonic consensus for serving western post-Cold War interests. This interpretation is the author’s analytical framework to analyze civil society’s action in *Jana-āndolan II*.

The growth of new self-ascriptive civil societies beyond traditional associational forms such as *guthi*, *parmā*, and *dhikur* in Nepal has been regarded uncritically as an unmitigated blessing for democracy. Such growth, according to the author, is rapidly dissolving boundaries between NGOs, civil society and political movements in the pursuit of ethnic, religious and regional aspirations and contestations. This interpretation of civil society, beyond the pro-state versus anti-state dichotomy, provides an understanding of its mobilization techniques through the generation of agency from such associational forms. According to the author, civil society’s mobilization technique is usually based on epistemic claims and the legitimization of those claims by actors of local to international level as seen during *Jana-āndolan II*. Its polymorphous technique, meaning the absence of definite organizational form and permanent political movement, has helped in this pursuit. Civil society in Nepal during the regime change generated their strength and moral authority for

mobilization through their claim to scientific knowledge recognized by western epistemic formations as well as universal values such as selflessness, impartiality and the resultant occupation of the moral high ground. While presenting civil society as a conceptual framework the author makes an important point about civil society, namely the importance of understanding source of strengths and power (agency) beyond any organizational structure.

The first topic of the monograph is “Civil Society” whilst the second is the “Regime Change,” about which the author presents details of the events that took place in Nepal during 2005–06 prior to the collapse of the monarchy. I will not go in those details here. However, it is relevant to mention that the author has interpreted King Gyanendra’s moves, such as dismissing the elected Prime Minister, frequently changing cabinets and ultimately adopting absolute power through military-backed emergency proclamation, as an outcome of political upheavals and uncertainty rather than a reflection of the King’s own motives. It has also been argued that the King’s failure was primarily due to his misguided choices of aides. The regime was overwhelmed by agreements made among the opposition and frequent protests from civil and political groups. Events are presented in detail in the monograph under ‘Oppositional Preparation,’ but in some places events are not described in chronological order. For example, there is the sense that civil society protests took place only after the agreement made between SPA and Maoists in India, which is not true. The author has also argued that the agreement was finalized under Indian auspices and after Western assent but without sufficient discussion on it. It also seems that there were a lot of different factors involved and that the King’s ruling group was very active during the mobilization periods. Then obviously a question arises: Why did the King remain so passive while all oppositional forces were preparing for massive protests through civil society mobilization? Although the answer is not explicitly mentioned in the monograph, it could be because either the King underestimated the opposition or lacked any capacity and legitimacy to counter those moves. But what about civil society representatives who supported his move? They might have been very weak and could not make any authoritative claims for mobilization as oppositional civil societies did through claims about knowledge and epistemic legitimacy, universal values and the moral high ground.

The author also looks at the issue of how Nepali civil society carved a niche in the peace process. However, the author tracks their involvement only during the later part of the insurgency. As stated by the author, a

self-proclaimed civil society came into political negotiations mainly during the first peace talks between the Maoists and Deuba government in 2001. After that there were many forms of civil society organizations along with titles such as peace, dialogue, facilitation, democracy, development as they were named by themselves. This was also period when peace and conflict were a principal focus of foreign aid. It is worth mentioning that in this environment, a leading group in political mobilization called Civic Movement for Democracy and Peace (CMDP), also mentioned by the author, consciously denied the civil society label and also publicly refrained from accepting any foreign grants for mobilization. This is very interesting and remains a matter for more detailed analysis, which is missing in this study. However, the author has mentioned elsewhere that civil society organizations were planning their activities in a highly strategic way. The level of strategic awareness and understanding of polymorphous power, as well as of universal values and the high moral ground might have been higher in the case of CMDP.

The author highlights the close relationship between civil society organizations and political society (political parties) in Nepal, each legitimizing each other and reinforcing each other's strengths and actions towards the regime change. Although the critical role and assistance of civil society in producing change has been recognized by the three major political parties in Nepal, the question of which civil society counted as legitimate differed in interpretation among the parties themselves. In other words, it is more about which civil society is linked with which political party. Hence, the author has rightly indicated the partisan nature of civil societies with respect to relations with the Nepali Congress, Communist Party of Nepal (United Marxist Leninist), Communist Party of Nepal (Maoist) respectively. Shah has further emphasized that the NC and UML were relatively silent after the regime change (i.e. King's handover of power to the political parties after the 19-day general strike and mass protests) while the Maoists, in contrast, were loud and continued to be vocal even after the handover. It is perhaps surprising that a Maoist party was justifying the role of civil society more strongly than any of the other so-called more liberal parties. Therefore, there was a great diversity in political aims and positions as well as strong political dynamics within civil society organizations working for regime change. However, the author has failed to explore such diversity and instead put all of them in a single category. Studying the internal political dynamics within civil society is important because it may explain the varied political aims and motives of organizations for engaging in regime change. The author has

also discussed the contribution of other formations such as the media, development NGOs, and professional groups within civil society for regime change. However Shah is silent on another broad category: the private sector/business group outside the two conventional categories of state and civil society. An analysis of the motives of various groups for joining or not joining in political action may explain the underlying purpose of their involvement and their tendency of being sometimes silent and, at other times, vocal.

The author's argument in this monograph can be summarized as follows: there were three forces behind the regime change – civil society for moral authority, political parties for political muscle and the international community, mainly India and the West, for providing international legitimacy and various other support. It could be argued that the formulation of such a framework is inadequate to understand all actions and objectives for regime change, because all three blocs are composed of highly diverse groups or individuals. For example, constituents of civil society were very diverse, sometimes having opposite positions toward regime change as discussed above. Similarly, political parties also had differing positions towards the monarchy. The same was also true for so-called external forces or the international community which was broadly categorized as India and the West. Stating that the West wanted to remove monarchy to further their religious aims (opposing the Hindu monarchy to help spread Christianity through the secular state) and also mentioning a historical conflict of Indian political elites with the Nepali monarchy is simplistic, if not completely misleading, towards understanding their position in regime change. Similarly, an inadequate understanding of the extreme diversity in these three actors in regime change – civil society, political parties and the international community is not, in fact, useful when portraying a complete picture of regime change in Nepal.

While discussing the political economy of civil society in Nepal, the author has critically analyzed the support base and linkages from sub-national level to supra-national level. This has helped civil society to strengthen their external agenda and interest particularly on the themes of democracy, development and security. The author's critical analysis of these linkages, which are usually labelled as typically neo-liberal civil society behavior, may not cover all civil society organizations active during the change of 2006. Many of them either did not have any direct institutional linkages with donors or were equally critical of such neo-liberal formations who advocated for popular resistance and struggle.

Therefore, depicting civil society in developing countries as an outcome of the political logic of late capitalism through projects of governance and democracy may be useful for a general characterization of NGO–donor relations and their interests and objectives. But it may not be an adequate interpretation of their actions during regime change. The radical connection, that is the connection of civil society with the Maoist party, nevertheless, is a very interesting point made by the author, which requires further exploration. As such, how these formations materialized, even when civil society and the Maoist party have different ideological stands is a question on which future research could possibly be undertaken.

Despite the limitations, this research is important in highlighting the under-explored issue of the relationship between civil society and regime change in Nepal. The author has a critical outlook on such political issues without explicitly putting in his own normative positions on civil society and regime change. Of the many frameworks through which to understand civil society, such as liberal, Marxist/critical and analytical, the author is critical towards a liberal understanding of civil society although in many places these categories are mixed up. It is therefore confusing to understand which type of civil society he critiques in both the theoretical discussion and later sections.

As discussed before, the research has ignored the political dynamics and diversity of political positions/motives for being engaged in regime change between and within three major actors of regime change, namely civil society, political parties and foreign forces. Shah portrays it as if they all worked as a single block. The author has strongly argued for an engagement with foreign forces in regime change through civil society. But it is not clear whether or not the main external actor, India, operated through civil society. I think the author's limited source of information for research may be the cause behind these limitations in his analysis. His source of information is confined to newspaper reporting (here comes the politics of media) and his own observations and perspectives towards events, including interviews he carried out with a few actors. If he had expanded his source of information to include at least studies of the dynamics inside civil society, the diversity and broader picture of civil society in regime change could have been elucidated. Nonetheless, the research published in this monograph is a good contribution to understanding one major aspect of recent social-political change in Nepal.

Sharad Ghimire

Martin Chautari