

# ***EACE BUILDING***

*through*

**PROMOTING VALUE-BASED DISCUSSION**

**ON**

**DEMOCRACY, CONSTITUTIONALISM**

**AND PEACE**

**FINAL REPORT**

May 2005 – June 2006

**KATHMANDU SCHOOL OF LAW**

Dadhikot, Bhaktapur

## INTRODUCTION

Kathmandu School of Law (KSL) is a community-based non-profit and non-commercial business motivated academic institution under Purbanchal University, one of the state universities of Nepal. As it has been privileged to gain status of a 'pioneer institution of law' in a very short period of its establishment, KSL has been widely acclaimed by the government as well as civil society organizations for its 'efforts to generate a pro-active human resource in the filed of law, justice, good governance, and human rights'. A few innovative efforts it has been making in these fields are:

- i. Launching of specialized Master Degree courses on human rights, gender justice, criminal justice and humanitarian laws.
- ii. Engagement in constructive and academic cooperation with National Police Academy and other institutions such as Judicial Academy, Judicial Service Training Centre, and Attorney General's Office as well as many INGOs and NGOs.
- iii. Implementation of research programs in the filed of law and justice, followed by dissemination and training activities to actors of justice.
- iv. Hosting a 'civic education' television and radio program for enlarging the roles and responsibilities of the individuals and civil society in order to promote democracy, constitutionalism and rule of law.
- v. Advocacy of the concept of 'inclusive democracy through orientation and interaction programs as well as mass media dissemination of information'.

Over the last five years, these activities have been widely making impacts in many aspects of the lives of people. Most importantly, the school has been viewed as a 'centre of excellence' for its dedication to generate a 'new and fresh group of legal experts'.

Constructive engagement in activities for building peace through promotion of democratic values and constitutionalism is one of the most significant efforts at present. KSL has been taking initiative in this filed since 2004, and the first comprehensive and organized program was launched in partnership with Danish Institute for Human Rights, the latter being supporting financially as well as intellectually. However, the project was mutually ended before its completion once the Embassy of Denmark, the then Royal Danish Embassy (RDE) in Kathmandu agreed to 'fund the project' ensuring its continuity. Accordingly, all the project activities were conducted in accordance with the agreement between RDE and KSL. The effective timeframe of the project was one year beginning from 15<sup>th</sup> May 2005.

Later, the duration of the project was extended for one and half month in accordance with the agreement between the Embassy and KSL which finally ended on June, 2006.

## **1. OBJECTIVE**

Principal objective of the project was to contribute to the process of peaceful 'transformation of violent conflict to non-violent form' through fostering value-based discourse on democracy, constitutionalism and rule of law. Obviously, the project intended to 'facilitate and foster democratization process', believed giving space for 'excluded people' in the democracy, including economic and social decision making process.

To successfully address the said objective, the project aimed at identifying a wide range of modalities of peaceful and sustainable solution to insurgency. Project was expected to promote constitutionalism and respect over universal democratic values so that inclusion of divergent sections of the Nepali population becomes possible. The project also intended to help emerge the dynamic, versatile, visionary and critical youth leadership and pro-peace media activation by motivated journalists with enlightened democratic pluralist faith.

## **2. IMPLEMENTATION OF PROJECT ACTIVITIES**

Activities under the project smoothly progressed despite the hardships and state of confusion created by the mounting insurgency and takeover of the rule by the king on February 1, 2005. As it is widely acknowledged by the Nepalese population as well as the international community, the prospect of the transformation of the violent conflict is further diminished following the said event, and large part of the democratic system has been virtually collapsed, and the values of constitutionalism and democracy were pushed in a state of redundancy. Such negative development in the political scenario significantly increased the importance of the project activities. Therefore, the project activities became highly contextual and they tremendously deepened the discourse on democratic values and constitutionalism as core issue of political solution as well as the fundamental prerequisite for transformation of the conflict.

Following are the activities performed under project implementation during the period of 15 May 2005 to June, 2006:

- Orientation to Journalists on Pro-peace reporting, which necessarily included issues of democracy, constitutionalism and human rights
- Discourse on Democratic Values and Constitutionalism

- Motivation and Activation of Youth Leaders towards consolidation of democracy and transformation of the conflict
- Mobilization of School and University Students for deeper understanding of the democratic values and constitutionalism among adolescent and youth population.
- National Symposium on Constituent Assembly and Inclusive Democracy for Conflict Transformation

### **3.1 Orientation to Journalists**

Kathmandu School of Law (KSL) organized twelve interaction programmes in eleven zones of Nepal under the programme *Orientation to Journalist*. Before implementing the field activities KSL identified resource persons to facilitate the programmes and organized a programme to orient them on the vision and mission of the project. The main objective of the resource persons' orientation programme was to familiarize them of the programme objective and develop programme models and prepare thematic materials for presentation to the participants.

Consultation was made with senior journalists and media decision-makers to decide and outline the criteria of the prospective participants. Journalist with assignments related to political reporting and working in conflict-prone areas were identified as the primary participants of the programme. As such, the participants of the programmes comprised journalists and media workers, mostly the reporters and correspondents of national daily newspapers, government-owned media, media workers of local newspapers and local commercial and community FM stations.

All the programmes in districts were conducted in support of local NGOs and district unit of Federation of Nepalese Journalist, the former facilitating the local arrangement of the programme and the latter facilitating KSL in identifying the participants.

Attendance at the programmes was excellent. Participants arrived on time and had informal discussions with one another, and the resource persons during breakfast. Proceedings began normally at 8 am with a welcome extended to all participants from the organizer's side. Participants and resource persons alike then introduced themselves which was immediately followed by first presentation of the morning session on "Ethics of Journalist". In this session, a finding of KSL study entitled "Worthy and Un-worthy Items in Media" was presented before participants and need of scientific mindedness in professional work of journalism was also discussed. The group then broke for lunch, which was followed by the afternoon presentation on the second theme, "Journalism as the Fourth Estate". In this session, discussions were

held on ethical issue and role of journalist in promoting and respecting principles of human rights.

The programme on second day also began usually at 8 am with a presentation on third theme, "Peace Journalism" which focused on the difference between traditional journalism and peace journalism. This session was followed by a practical session after lunch. The sessions were interactive and lecture with audiovisual aid and question answer was the approach in sharing the knowledge. Most of the participants engaged in a lively discussion. The programme ended with a short wrap up session and comments from the participants. Overall feedback from participants alike was that the programme is useful, relevant and timely but short and insufficient. There was a fair amount of newspaper coverage after each programme.

The content of the orientation was totally related to the media sector. In the scientific mindedness in professional work of journalism following issues were discussed:

- Scientific approach of professional work
- Open mindedness
- Critical mindedness
- Nature of information and its relation to facts and opinion
- Role of evidence in establishing truth by facts

In the ethical issue, basic concepts of human rights relevant to media work, law and the international standards were discussed:

- Article 19, 26 and 27 of Universal Declaration of Human Rights
- Article 16, 17, 19, 20 and 26 of International Covenant on Civil and Political Rights
- Focus on responsibility as medium of protection of the rights of people
- Declaration of Principles on Conduct of Journalist adopted by International Federation of Journalists

In the peace journalism and role of journalists, following issues were highlighted:

- General idea of journalism
- Notion and principles of peace journalism
- Understanding peace and the conflict
- Objects and styles of peace journalism
- The difference between traditional and new approaches of conflict reporting
- Sensitive issues under peace journalism

In the beginning of each programme, a sheet of questions related to peace journalism was provided to the participants to fill up. Through the information filled by the participants, it was observed that there is scarce of guiding materials in conflict reporting. Rare of the participants have received training before in conflict reporting and concept of peace journalism. Most of the participants have expressed need for further training particularly on conflict reporting and analysis. Many journalists admitted that they don't have sufficient knowledge on ethical issues and the idea of human rights. They shared that the programmes have been effective to give them proper direction in the current crisis. Participants expressed that the orientation has been helpful for them in carrying out their profession in conflict-conscious way taking great care for peace building.

Under this programme, 209 journalists and media workers of eleven zones got critical knowledge on human rights concerns, their role in conflict transformation and conflict reporting as responsive *fourth estate* (Details of the participants are scheduled in Annex 1). The concept of inclusive democracy was one of the core issues of discourse for media, which not only reflected on the need of 'consolidation of democracy and constitutionalism' for transformation of the conflict, but also emphasized need of 'inclusion of economic and social democracy, benefiting all segments of the population' for successful transformation of violent conflict.

Mostly, the reporters and correspondents of national daily newspapers, media workers of local newspapers and local commercial and community FM stations had taken part in these programmes. The primary objective of the orientation was to generate deepening awareness on the need of 'building peace through transformation of the conflict', and to sensitize them to be socially responsive to the issues. Particular focuses of the activities were on:

1. Assessment of the role and performance of Mass Media as the Fourth Estate;
2. Psychological and social impact of frequent coverage and story of violence;
3. Importance and impact of peace friendly coverage and story, and role of journalist during insurgency;
4. Pro- Peace Journalism and role of journalist in peace building process;
5. Ethics and Role of Journalists in Contemporary Situation;
6. Role of journalist in conflict transformation and promotion of peace, democratic values, human rights and civic mindedness; and
7. Need of restructuring of the state by promoting 'inclusive democracy'.

The orientation also provided knowledge and information on:

- i. Responsibility of media workers during conflict situation,
- ii. Responsibility of media workers to defend human rights of individuals and groups during conflict situation,
- iii. Responsibility of media workers to protect victims and affected peoples,
- iv. Roles and responsibilities of media to pressurize the parties of conflict to respect human rights
- v. Roles and responsibilities of media to disseminate information on atrocities committed by parties in conflict
- vi. Competency of identification of pro-peace and pro-violence reporting.
- vii. Roles and responsibilities to confirm news or information before dissemination, etc.

Following table gives an outline of the date, venue and the number of participants:

SN	Date	Place	Participants
1.	2-3 July, 2005	Dhangadi of Seti Zone	15
2.	4-5 July, 2005	Mahendra Nagar of Mahakali Zone	16
3.	13-14 August, 2005	Narayanghat of Narayani Zone	15
4.	31 Aug-1 Sep, 2005	Butwal of Lumbini Zone	17
5.	15-16 September, 2005	Birtamode of Mechi Zone	18
6.	1-2 October, 2005	Nepalgunj of Bheri Zone	17
7.	7-8 October, 2005	Biratnagar of Koshi Zone	15
8.	16-17 November, 2005	Dang of Rapti Zone	17
9.	1-2 December, 2005	Pokhara of Gandaki Zone	26
10.	5-6 December, 2005	Baglung of Dhawalgiri Zone	15
11.	3-4 February, 2006	Kathmandu of Bagmati Zone	20
12.	2-3 April, 2006	Tansen of Lumbini Zone	18
<b>Total</b>			<b>209</b>

### **Impact and Achievement of the Programme :**

The programme generated deepening awareness on the need of 'building peace through transformation of the conflict', and sensitized them to be socially responsive to the issues and present more peace friendly coverage, news and stories and contribute to promote peace and national interest. They got critical knowledge on democratic and constitutional values, human rights concerns, and their role in conflict transformation and conflict reporting as responsive *fourth estate*. The training

provided theoretical and practical guidance to advance peace journalism in their daily media works. They shared that the programmes have been effective to give them proper direction in the current crisis. They admitted that the programme has been successful in sharpening their skills to promote pro-peace and pro-democratic information dissemination. They also shared the programme enhanced their skill to access the situation and take a conflict-resolution approach.

They expressed their commitment to be sensitive in news reporting, promote democratization and human rights culture and act as a mediator in resolving conflicts in the days to come. They agreed that if they work for their personal gains and exaggerate an incident, they cannot raise an issue properly and reduce the potential risk of the conflict. Participants committed to be sincere, free from vested interests, and unbiased while reporting the conflict, and to seek to try to find potential solutions of a problem. They concluded that they would pay special attention to the cause of a problem and its consequences and the impact caused by the armed conflict in disseminating news and views.

The orientation has contributed the media persons to be careful and sincere to test whether their story and write-up has not been supporting the conflict. It has deepened their awareness on the need of building peace through transformation of the conflict so that they could play more crucial and constructive roles in pressurizing the parties of conflict for peaceful resolution of the problem. It also made them more conscious to defend democracy, humanitarian obligations and human rights and sensitize them to be socially responsive to the issues. The visible impact of the programme is that those who participated are found to be conflict conscious in their reporting. Their reporting are found to be fact-based and directed towards peace building. This has, in turn, brought positive understandings on the audience.

### **3.2 Discourse on Democratic Values and Constitutionalism**

Under the topic *Debate on Constitutionalism*, Kathmandu School of Law (KSL) organized fourteen value based discussion programmes on Democratic Values, Constitutionalism and Peace in eleven zones of Nepal. Before implementing the field activities KSL identified resource persons to facilitate the programmes and organized series of programmes to orient them on the vision and mission of the project. The main objective of the resource persons' orientation programme was to familiarize them of the programme objective and develop programme models and prepare thematic materials for presentation to the participants. All the programmes in districts were conducted in support of local NGOs which facilitated KSL in identifying the participants and local arrangement of the programme. The participants of the programmes comprised representative of political parties and students and youth



leaders, constitutional experts and law practitioners, social scientists, school and university teachers, leaders of marginalized and indigenous community, women movement leaders and activists. A brief inauguration programme was organized informally at the beginning of each programme to introduce the participants and resource persons with each other. The programme formally began with the highlight of the objective and significance of the programme.

Under this programme, 430 concerned stakeholders obtained opportunity to take part in the discourse. The detail of the participants is attached as *Annex 2*. The major themes of discourse surrounded the 'concept of Inclusive Democracy'. They included areas or themes such as the factors responsible for current political and constitutional crisis, problem of power devolution under present constitution, the issues of inclusiveness, the failure of current model of governance, the causes and factors responsible for corruption, the intra-party democracy etc.

Issues highlighted in the discourse were:

- a. Politics, constitutionalism and democracy: their meaning and importance;
- b. Fundamental values to be incorporated in the Constitution;
- c. Modalities and process of formation of *democratic and legitimate* Constitution;
- d. Forms of democracy and political system suitable to the context of Nepali society;
- e. Electoral system which can form the concrete basis for maximum quantitative and qualitative participation of citizens;
- f. Structure of the State and functioning of different organs thereof;
- g. Conflict, Human Rights and Constitutional provision;
- h. Dynamics of Conflict and its Transformation;
- i. Role of Political parties and leadership in peace building; and
- j. Inclusive Democracy

A series of intensive discussions were held in the above-mentioned topics which were open, frank and constructive. Participants appreciated the programme and expressed high-levels of satisfaction. Following table gives an outline of the date, venue and total number of participants:

S.N.	Date	Place	Participants
1.	3 July, 2005	Dhangadi of Seti Zone	30
2.	5 July, 2005	Mahendra Nagar of Mahakali Zone	35
3.	14 August, 2005	Narayanghat of Narayani Zone	30
4.	26 August, 2005	Nagarkot of Bagmati Zone	21
5.	31 August, 2005	Butwal of Lumbini Zone	30
6.	11 September, 2005	Kathmandu of Bagmati Zone	30
7.	16 September, 2005	Birtamode of Mechi Zone	33
8.	23 September, 2005	Nagarkot of Bagmati Zone	22
9.	1 October, 2005	Nepalgunj of Bheri Zone	34
10.	8 October, 2005	Biratnagar of Koshi Zone	34
11.	16 November, 2005	Dang of Rapti Zone	33
12.	1 December, 2005	Pokhara of Gandaki Zone	30
13.	5 December, 2005	Baglung of Dhawalgiri Zone	38
14.	2 April, 2006	Tansen of Lumbini Zone	30
<b>Total</b>			<b>430</b>

One of the important activities under "*Debate on Constitutionalism*" was to develop and air the audio-visual programmes targeting the common people to promote democratic values, and inculcate message that the faith and exercise of the democratic values, constitutionalism, and methods and techniques of conflict transformation will be able to address a large number of issues and problems surrounding the conflict. To materialize this activity, an agreement was made with CINEROMA Pvt. Ltd., a television based programme producing company, to air twelve episodes of Television programme of 30 minutes duration from Kantipur Television under the title *Anuttarit Prasna*, "Unanswered Question". All of them were talk programmes on issues related to democracy, constitutionalism, human rights, conflict and pro-peace journalism. All the programmes were based on the research carried out by the researchers.

An agreement was made with Cineroma, a television programme producing company, to develop and air programme on Kantipur Television. Accordingly, the talk show episodes were aired on the prime time at 8:00 P.M. every Tuesday. The issue discussed on the television is presented as *Annex 3*. Similarly KSL made an agreement with Radio Sagarmatha to produce and air radio programmes. These radio talk shows were aired on *Aajako Kura* at 8:00 P.M. in the evening and *Aajako Dabali* at 7:30 A.M. in the morning. The issues discussed on the radio are attached as *Annex 4*. These programmes were fully based on intensive research works carried out by Research Department of Kathmandu School of Law. The procedure of the programme development is as follows:

- i. Areas of research were identified by the research department of KSL within the scope of the present project. The message to inform in each programme is outlined by the department.
- ii. A group of researchers were assigned to conduct the research, and the script of the programme is developed based on findings of the research.
- iii. A documentary ranging from 5 to 7 minutes was developed based on the research findings which are shown to the panellists before discussion.
- iv. A group of three panellists was invited to the television for discussion who will take part in intensive discussion after watching the documentary.
- v. At the end of each programme, a conclusion was drawn which is intended to promote democracy, constitutionalism and transformation of conflict.

The programme became increasingly popular among the youths and intellectuals. Since the programmes were aired on the prime time at 8:00 P.M. which is the most preferred time by majority of the Nepalese TV viewers, it is believed that most of the audience viewed the programme. The programme was highly acclaimed by the intellectual circle and professionals, in particular, for the discussion being based on the research findings and the conclusion drawn at the end of each programme. The feedback received from the audience about the programmes indicated that it contributed for public opinion building and encouraged wide public discourses to address a large number of issues and problems surrounding the conflict. The impact of the programme could also be assessed by the increasing demand of the audience to re-telecast it. The response received from the audience indicated that these programmes contributed to disseminate the information widely among the masses on pros and cons of conflict, its reason, impact and possible solution. This has contributed to create a strong and critical pro-peace and pro-democratic mass to pressurize all the parties involved in the conflict for negotiated political solution.

## **Impact and Achievement of the Programme:**

The overall impact of the programme is immense. The programme has tremendously contributed to deepen the discourse on democratic values and constitutionalism as the fundamental prerequisite for transformation of the conflict. Under this programme, KSL introduced the concept of 'Inclusive Democracy'. Under this theme, a critical analysis of the performance of the democracy over the last 15 years was carried out, and intensely discussed. The conflict was seen in the light of the performance of the democracy, and attempt was made to relate the need of 'transformation of the conflict' for sustainability of democracy and vice versa.

However, participants without almost exception realized that the country's future is secured only in democracy. They strongly believed that the transformation of the conflict was fully impossible without promotion of democracy and constitutionalism. As it was outlined during the discourse, the 1990 movement reinstated the liberal democracy and ensured the political rights, yet it failed to address the economic and social democracy. The democratic system set by the Constitution of the Kingdom of Nepal, 1990 was thus limited. It did not give space to socially and economically marginalized population, and thus could not become "Inclusive" in nature. The population at large could not 'own the democracy', as it was still discriminatory.

The discussion or discourse therefore highlighted on the need of the following interventions to reform the system so that it can be "inclusive" and as such can provide an effective way out for 'transformation of the prevailing conflict".

1. Inclusion of components of consensus democracy, meritocracy, proportional electoral system and devolution of power in the framework of the existing liberal democracy. The discourse suggested restructuring the state by appropriate amendment of the constitution.
2. Inclusion of large massive disenfranchised population in the political process.
3. Promotion of intra-party democracy in order to give space in political decision making process for disenfranchised population.
4. Equitable distribution of national resource by eliminating the existing scenario where 14% of the population consumes 80% of the gross national income.

Obviously, the discourse emphasised the stronger advocacy for the inclusive democracy. Through the discourse, the programme was successful in influencing the political parties as well as the civil society. Participants started to transfer this

message within their party cadres and among the masses with great impact. All participants were by and large highly qualified and capable people in their party circle. So the programme contributed to build pressure for the central leadership from district level party activists to work according to the democratic values, constitutionalism, and think seriously on methods and techniques of conflict transformation. It generated the need of bringing rebels into democratic political mainstream and strengthening human rights and rule of law for peaceful transformation of the conflict. The following developments prove the massive impact of the programme:

1. CPN (ML), CPN (UML) and Nepali Congress discussed in their meetings about the need of adopting the agenda of "Inclusive Democracy" as goal for future. This influence was generated by their central committee members and youth leaders who participated in the discourse. Following some programmes, there has been number of requests from these parties to 'organize more such programmes for their cadres and leaders'. The programme thus takes privilege to claim that 'it had been able to spark discussion on "Inclusive Democracy" as a right way out to the transformation of the conflict. The contribution of the TV programme to raise the issue couldn't be undermined.
2. A fashion of condemning the functionality of 'democracy' over the last some years was common. Many people in the wake of king's takeover of the government condemned democracy for the intensifying conflict and increased corruption. This programme was largely effective to 'educate the young generation' about the importance of 'democracy' and separate the political failure from the significance of democracy. The programme has initiated a discourse among youths and adolescents on need of fostering democracy and constitutionalism.
3. This programme was implemented in a time when country was plunged into 'emergency'. However, KSL, taking a great risk of suppression, implemented programme carefully, and kept the discussion on democracy alive even in the time of hardship. Obviously, the programme gave impetus to leaders and civil society to think about democracy, and its protection. This programme thus substantially contributed to 'intellectually boost up the capacity of the political parties and emerging civil society', which emerged as a force to defend the democracy against autocracy.

### 3.3 Motivation and Activation of Youth Leaders

Under the topic *Motivation and Activation of Youth Leaders*, Kathmandu School of Law (KSL) organized fourteen value based discussion Programmes on Democratic Values, Constitutionalism and Peace in eleven zones of Nepal. Before implementing the field activities KSL identified resource persons to facilitate the Programmes and organized series of Programmes to orient them on the vision and mission of the project. The main objective of the resource persons' orientation Programme was to familiarize them of the Programme objective and develop Programme models and prepare thematic materials for presentation to the participants. All the Programmes in districts were conducted in support of local NGOs which facilitated KSL in identifying the participants and local arrangement of the Programme. The participants of the Programmes comprised representative of sister organizations of different political parties, students and youth organizations, and young civil society activists. A brief inauguration Programme was organized informally at the beginning of each Programme to introduce the participants and resource persons with each other. The Programme formally began with the highlight of the objective and significance of the Programme.

Under this Programme, 434 concerned stakeholders obtained opportunity to take part in the discourse. The detail of the participants is attached as *Annex 5*. The critical thinking and the importance of democratic leadership to address the crisis were the major themes of the discourse.

The main issues covered during the deliberations were:

1. Importance of Politics and Democracy
2. Scientific and Critical Thinking
3. Democratic Values and Civic Rights
4. Democratic Leadership for Peace and Democracy
5. Importance of Human Rights and Rule of Law
6. Youths role in promoting Peace and Democracy
7. Electoral Process and Representation System
8. Dynamics of Conflict and its Transformation

A series of intensive discussions were held in the above-mentioned topics which were open, frank and constructive. Participants appreciated the Programme and expressed high-levels of satisfaction. Following table gives an outline of the date, venue and total number of participants:

S.N.	Date	Place	Participants
15.	2 July, 2005	Dhangadi of Seti Zone	37
16.	4 July, 2005	Mahendra Nagar of Mahakali Zone	32
17.	13 August, 2005	Narayanghat of Narayani Zone	30
18.	27 August, 2005	Nagarkot of Bagmati Zone	21
19.	1 September, 2005	Butwal of Lumbini Zone	30
20.	15 September, 2005	Birtamod of Mechi Zone	33
21.	24 September, 2005	Nagarkot of Bagmati Zone	22
22.	2 October, 2005	Nepalgunj of Bheri Zone	34
23.	7 October, 2005	Biratnagar of Koshi Zone	34
24.	18 October, 2005	Kathmandu of Bagmati Zone	31
25.	17 November, 2005	Dang of Rapti Zone	32
26.	2 December, 2005	Pokhara of Gandaki Zone	30
27.	6 December, 2005	Baglung of Dhawalgiri Zone	38
28.	3 April, 2006	Tansen of Lumbini Zone	30
		<b>Total</b>	<b>434</b>

One of the important activities under "Motivation and Activation of Young Leaders" Programme was to develop and air the audio-visual Programmes targeting the youth to promote democratic values, and inculcate message that the faith and exercise of the democratic values, constitutionalism, and methods and techniques of conflict transformation will be able to address a large number of issues and problems surrounding the conflict. To materialize this activity, an agreement was made with CINEROMA Pvt. Ltd., a television based Programme producing company, to air twelve episodes of Television Programme of 30 minutes duration from Kantipur Television under the title *Annuttarit Prasna*, "Unanswered Question". All of them were talk Programmes on issues related to democracy, constitutionalism, human

rights, conflict and pro-peace journalism. All the Programmes were based on the research carried out by the researchers.

An agreement was made with Cineroma, a television Programme producing company, to develop and air Programme on Kantipur Television. Accordingly, the talk show episodes were aired on the prime time at 8:00 P.M. every Tuesday. The issue discussed on the television is presented as *Annex 6*. Similarly KSL made an agreement with Radio Sagarmatha to produce and air radio Programmes. These radio talk shows were aired on *Ajako Kura* at 8:00 P.M. in the evening and *Ajako Dabali* at 7:30 A.M. in the morning. The issues discussed on the radio are attached as *Annex 7*. These Programmes were fully based on intensive research works carried out by Research Department of Kathmandu School of Law. The procedure of the Programme development is as follows:

- i. Areas of research were identified by the research department of KSL within the scope of the present project. The message to inform in each Programme is outlined by the department.
- ii. A group of researchers were assigned to conduct the research, and the script of the Programme is developed based on findings of the research.
- iii. A documentary ranging from 5 to 7 minutes was developed based on the research findings which are shown to the panellists before discussion.
- iv. A group of three panellists was invited to the television for discussion who will take part in intensive discussion after watching the documentary.
- v. At the end of each Programme, a conclusion was drawn which is intended to promote democracy, constitutionalism and transformation of conflict.

The Programme became increasingly popular among the youths and intellectuals. Since the Programmes were aired on the prime time at 8:00 P.M. which is the most preferred time by majority of the Nepalese TV viewers, it is believed that most of the audience viewed the Programme. The Programme was highly acclaimed by the intellectual circle and professionals, in particular, for the discussion being based on the research findings and the conclusion drawn at the end of each Programme. The feedback received from the audience about the Programmes indicated that it contributed for public opinion building and encouraged wide public discourses to address a large number of issues and problems surrounding the conflict. The impact of the Programme could also be assessed by the increasing demand of the audience to re-telecast it. The response received from the audience indicated that these Programmes contributed to disseminate the information widely among the masses on



pros and cons of conflict, its reason, impact and possible solution. This has contributed to create a strong and critical pro-peace and pro-democratic mass to pressurize all the parties involved in the conflict for negotiated political solution.

### **Impact and Achievement of the Programme:**

Youth leaders and adolescents from student organizations, youth organizations, political parties and civil society were the participants in each Programme. The Programme provided forum for youths, students and leaders of political parties' to meet and discuss the issue. It helped them to 'analyze the causes and factors affecting the democracy', and also provided a 'platform to think about ways for protection, promotion and sustainability of the democracy. During the Programme, they were oriented on the idea of dirty politics and good politics, democratic values, constitutionalism and interrelationship of human rights, good governance and rule of law. They also discussed the meaning, nature, types, and causes of conflict emphasizing the methods and techniques of conflict transformation. In light of previous experiences of developing countries on conflict and its transformation, they thoroughly discussed the possible ways to address the political conflict of the nation. In this way, youth population was critically nurtured with politics. They realized their role in conflict transformation and peace building approaches.

Other issues prominently raised during the interaction were scientific and critical mindedness, and the issue of leadership and its succession and their role in peace building approaches. Failure of the political parties to give space to meritorious and youth leadership in decision making process was prominently raised by participants during discussion. They also raised the issue about gender equality, social and economic isolation of the dalit and marginalized population. The Programme was fairly influencing and the idea brought to discussions was accepted by the majority of the participants. The discourse was successful in considerable degree to penetrate new thinking and change in their attitudes. The visible evidence of the Programme impact was that they started to participate in activities promoting peace and human rights and took initiation to create forums for peace. After the participation in the Programme, some student and youth leaders were found actively involved in initiating debate of succession of leaderships in their respective organization which also justifies the massive impact of the Programme.

This project thus substantially contributed to 'intellectually boost up the capacity of the young leaders, which emerged as a force to defend the democracy against autocracy. Since the Programme was taken down to the 'grassroots' workers of the political parties and youths, the Programme was thus 'largely catalytic in addressing the mounting apathy of youth leaders toward politics. This significantly inspired the 'involvement of youths in the political process'.

The following impacts are now obvious:

- Young group of central committee leaders of the parties had been fully convinced with the argument that 'the liberal democracy guaranteed by the present constitution lacks components of socio-economic democracy'. Similarly, the issue obtained a primacy of discussion in their meetings and conventions and eventually has been adopted as agenda for the future.
- From Mechi to Mahakali, youth leaders of seven political parties had opportunity to discuss the 'issue of intra-party democracy' and the weaknesses of their respective organization in this regard in a common forum. So this forum had been catalytic to 'collectively examine' their weaknesses in consolidation of the democracy. The need of 'the emergence of the youth leadership' in all political parties was effectively injected.
- The project has immensely changed the 'outlook of youth population towards politics', which is so instrumental in present context. The project has developed a 'scientific approach' to analyze political issues. In this context, the project has injected the 'concept of planning of succession' of leadership.
- The Programme was successful in considerable degree to penetrate new thinking and change in their attitudes. The commitment made by the participants at the end of the interaction clearly shows that critical youth mass and movement in defence of the democracy and open society has been generated, which is a foundation for protection and strengthening of the human rights and rule of law.

### **3.4 Mobilization of School and University Students**

Under the Mobilization of School and University Students programme, discussion programmes were conducted with students of 30 different schools/colleges having different levels i.e. grade 9 to Masters with different subject background, viz; education, science, humanities and management faculty. The detail of the participants is attached as *Annex 8*. The Programme was started from 29 May, 2005 and ended on 24 November, 2005. Eighteen Programmes were conducted in Kathmandu School of Law whereas the organizers and the experts visited to the 12 different schools and colleges. The list of the school, date and venue is attached as *Annex 9*.

The main objective of organising such programme for student was to encourage them to be aware and motivated toward democratic values with non-violent means. Core concepts of human rights, good governance, democracy, politics, conflict and conflict transformation and role of civilian population in politics and violent conflict

transformation process were included as major issues of the discussion programme. The discussions were conducted with 1557 students of 30 different schools/colleges.

The general objective of the program was to orient the students and insulate them the ideas of good governance so that they could have increased interest in politics and favour democracy. Specifically it was intended to encourage them in lobbying politicians for progressive restructuring of the society with increased constructive participation of youth population. As root causes of the conflict were in socio-economic aspects it was also intended to make them internalised. Attempts were also made to make them realize the interrelation between politics, social problems and efficacy of educational endeavours.

Major findings of the discussions indicated that Most of the students hate politics and consider it as dirty game; however, in contrast most of the students have interest in social service. The controversy was mitigated through discussion as the programmes cautiously addressed the interrelation of social issues, politics, education, law and human rights.

Following issues were especially highlighted in the programmes:

1. Civic Education focusing on importance of political sensitivity
2. Human Rights as prerequisite for democracy
3. Causes of Conflict focusing on socio-economic disparity in Nepal
4. Conflict Transformation focusing on need of addressing the socio-economic disparity
5. Election Process & Representation on Government
6. Types & Importance of Leadership and situation of leadership succession in Nepal

### **Impact and Achievement of the Programme:**

Programme was quite success to achieve its objectives. According to the comments from the participants, the programme achieved its objectives. The participants commented that they had adverse considerations regarding politics prior to the Programme; the Programme gave them a new perspective in over-viewing the politics. The participants expressed that their attitude about the politics and the State affairs has been changed. Likewise, earlier they had viewed that they had noting to say and do with the current conflict. However, after the programme they were convinced that they are not out of the ship that is sailing in the ocean of conflict. Politics and social work were none priority item for them in the first interest

identification game but in the end of the discussion Programme, they understood the real meaning of politics and social work and kept such items on priority items.

Out comes of the Programme were measured by result of pre-test and post-test. On the pre-test, most of the participants expressed poverty, mismanaged party politics and unemployment as cause of the present conflict of Nepal. But at the end of the programme on the post-test, all participants were of the view that the root cause of the present conflict of Nepal is structural violence and violation of human rights.

On the pre-test, more than 68 % of participants weren't with clear vision or were in confusion about discrimination between men and women, meaning of human rights, root cause of poverty and objective of gaining education. But at the end of the programme, about 98 % of the participants were found very conscious and sincere with clear vision about the mentioned topics.

Similarly, only a few participants used to think that politics is concern of every person including students but after the programme whole participants were convinced that in democracy every citizen are responsible and they have to take concern in state affair. Before the programme only a very few participants were aware about human rights, but after the programme, almost all participants were found aware about the human rights principles.

### **3.5 National Symposium on Constitutional Assembly and Inclusive Democracy for Conflict Transformation:**

A three day national symposium on 'Constituent Assembly and Inclusive Democracy for Conflict Transformation' was held in Kathmandu during 7 to 9 June 2006. The programme was organized by Kathmandu School of Law with the participation of 163 delegates representing political institutions, professionals, teachers, lawyers and students (List of the attendants of the programme is attached as *Annex 10*). In the programme, representatives of various institutions expressed their opinions through their remarks in the programme and provided diverse perspectives for the course of materializing election of Constitution Assembly and transforming conflicts in the country.

Five discussion papers in different themes were presented. Presentations were followed by comments and suggestions by the commentators and special speakers. Following the presentations and principal comments papers were discussed by participants in three groups for each paper. The groups presented their comments and concerns on the ideas presented by the paper presenters and paper presenters made necessary clarifications.

At the end of the programme, a common resolution was prepared synthesizing the core ideas of the presenters and the consensus build in the subject matter by the floor. The resolution was then adopted as Declaration of the symposium. The Declaration mainly highlighted the necessity of peace agreement between government and Nepal Communist Party Maoist; need of a interim constitution; interim government and fixation of the election of Constituent Assembly with proportional electoral system and consensual decision making approach for its functioning. Detail of the Declaration is attached as *Annex II*.

### **Impact and Achievement of the Programme:**

1. The symposium provided a national platform for political leaders, intellectuals and civil society members to discuss on prospect and challenges of conflict transformation through constituent assembly process. Declaring a resolution, it came out with a concrete agenda of inclusion of people in the process of constituent assembly. It put forward the fundamental principles and values that should be adopted by the forthcoming constitution.
2. The symposium delved on the prospective modality of the constitute assembly. Through its resolution, it answered the issue of legitimacy and constitutional process of legalizing the Constituent Assembly process, which is a precondition for Conflict Transformation.
3. The participants emphasized on the need of building a national consensus and affirmed their personal and organizational commitments as following:
  - a) To establish Constituent Assembly Civic Concern Centers in capital and district headquarters comprised of social workers, teachers, students, workers, representatives of community institutions and others, and promote civic awareness to facilitate the process of Constituent Assembly.
  - b) To generate step-wise public and civic awareness programmes in a community level, without expecting the support of the donors, for meaningful participation of the deprived class people on constituent assembly election.
  - c) To coordinate with, in order to ensure programme effectiveness, other local organizations in the district with similar programmes and activities.
  - d) To conduct all the awareness and sensitization programmes with full neutrality and without bias to any political party and ideology.

- e) To address all kinds of Citizenship problem prior to the Constituent Assembly election to ensure full public participation.
- f) To define the term 'inclusion' so as to ensure the meaningful representation of ethnic groups, language, religion, culture, region, gender and race in the Constituent Assembly and establish full ownership of the constitution to the people.

### 3.5 Publication of Reading Material

Four separate books were published focusing on the different themes of the project.

- 3.5.1 **Activated Citizens for Peace-building and Conflict Transformation:** The book entitled "*Shantisthapana Ra Dwandarupantaranka Lagi Naagarik Sashaktataa: Sabaile Jannuparne-Mannuparne Pramukh Sawaal*" (*Activated Citizens for Peace-building and Conflict Transformation: Issues to be Understood and Accepted by All*) was produced as a reading material for use of students and youths. The book has been published in Nepali and is provided to the participants of the programmes. The book has covered many issues including the role of education and scientific knowledge for consolidation of democracy, importance of democracy and politics, upholding human rights as condition for conflict transformation, causes of conflicts and its transformation process, importance of leadership and its succession and role of youths and students on conflict transformation and sustainable peace.
- 3.5.2 **Peace Building through Promoting Value-based Discussion on Democracy, Constitutionalism and Peace:** This book consists of the details of activities under 'Debate on Constitutionalism' and 'Orientation to Journalist' programme. It focuses on the proceedings and subject matter of the programme. It comprises collection of discourse materials used during the programme. The material includes presentation on Conflict Dynamics and Transformation, Conflict Resolution, Issues of Inclusiveness in Democracy, Successful Resloution of Conflict in various Countries, Role of Political Parties and Media Workers in Peace Building, Fundamental Principles of Peace Journalism, Social Responsive Journalism, Media's role in promotion of democracy and human rights, International Principles on Professional Ethics of Journalism, International Conventions and Limitation of Press Freedom etc.

- 3.5.3 **Youths for Peace and Democracy:** This book consists of the details of activities under ‘Motivation and Activation of Youth Leaders’ and ‘Mobilization of School and University Students’ programme. It focuses on the proceedings and subject matter of the programme. It comprises collection of discourse materials used during the programme. The material includes presentation on Leadership, Leadership Theories and Function of Democratic Leader, Leadership and Democratic Values, Leadership and Conflict Transformation, Succession Planning, Open-mindedness and Critical Mindedness, Qualities of Scientific Mind, Importance of Scientific Mindedness for Leadership etc.
- 3.5.4 **Constituent Assembly and Inclusive Democracy for Conflict Transformation:** This book is a compendium of the proceedings and papers of the National Symposium on Constituent Assembly and Inclusive Democracy for Conflict Transformation. It comprises activities under the symposium, resolution adopted by the symposium and details of papers presented in the symposium. It consists of five papers entitled Meaning, Implications and Scope of Constituent Assembly; Restructuring of the State: An agenda for Discussion; Reconciliation at Post Conflict Situation in Nepal; Constituent Assembly: Consensus and Process; Proportional Election System for the Election of Constituent Assembly; and a research report on Factors Behind Insurgency.

#### **4. OVERALL ACHIEVEMENT OF THE PROJECT**

One of the key impacts that the project activities created among general people is that it brought some of the major agendas to be discussed and clarified for addressing the armed conflict that has been intensified in Nepali contextual social setting. The issue of recognition socio-economic rights as to be fundamental and judiciously remediable, modality of inclusive democracy, inevitability rule of law and human rights for transforming conflicts were the major issues that came to a broader public discourse as result of implementation of the project.

KSL as a neutral and academic institution took initiative to launch such discussion in social sphere, therefore, there was no direct attack against the programmes and activities were successfully concluded. It showed that there is need of involvement of

non-partisan institutional efforts to bring issues in the light and forward to social discourse for bringing positive changes.

Under the project activities, a critical analysis of the performance of the democracy over the last 15 years was carried out, and intensely discussed. The conflict was seen in the light of the performance of the democracy, and attempt was made to relate the need of 'transformation of the conflict' for sustainability of democracy and vice versa. In all sessions of discourse, the following issues gained major focus from participants:

1. Failure of the political party leadership in providing social and economic justice to the people was widely acknowledged by the participants. The issue that only a smaller portion of the population (elite class) has been benefiting from the national income was raised by participants as one of the vital cause for emergence of the conflict. Obviously, the transformation of the conflict was impossible without prompt action to equitable distribution of the economy.
2. Failure of the political parties to give space to meritorious and youth leadership in decision making process was another issue raised by them during discussion. This issue was related with the failure of the intra-party democracy.
3. Failure of the political parties to develop consensus on priorities of prompt intervention was another prominent issues of discussion. Political parties' failure to address the issue about gender equality, social and economical isolation of the *dalit* and minority population was in the forefront of the discussion.
4. Lacking of devolution of power to the local bodies and corruption was another issue that was taken as responsible for intensification of the conflict.

However, participants without almost exception realized that the country's future is secured only in democracy. They strongly believed that the transformation of the conflict was fully impossible without promotion of democracy and constitutionalism. As it was outlined during the discourse, the 1990 movement reinstated the liberal democracy and ensured the political rights, yet it failed to address the economic and social democracy. The democratic system set by the Constitution of the Kingdom of Nepal, 1990 was thus limited. It did not give space to socially and economically marginalized population, and thus could not become "Inclusive" in nature. The population at large could not 'own the democracy', as it was still discriminatory.

The discussion or discourse therefore highlighted on the need of the following interventions to reform the system so that it can be "inclusive" and as such can provide an effective way out for 'transformation of the prevailing conflict'.

1. Inclusion of components of consensus democracy, meritocracy, proportional electoral system and devolution of power in the framework of the existing liberal democracy. The discourse suggested restructuring the state by appropriate amendment of the constitution.



2. Inclusion of large massive disenfranchised population in the political process.
3. Promotion of intra-party democracy in order to give space in political decision making process for disenfranchised population.
4. Equitable distribution of national resource by eliminating the existing scenario where 14% of the population consumes 80% of the gross national income.

Obviously, the discourse emphasised the stronger advocacy for the inclusive democracy. Through the discourse, the program was successful in influencing the political parties, youth organizations, media workers as well as the civil society. The following developments prove the massive impact of the program:

- 1) CPN (ML), CPN (UML) and Nepali Congress discussed in their meetings about the need of adopting the agenda of "Inclusive Democracy" as goal for future. This influence was generated by their central committee members and youth leaders who participated in the discourse. Following some programs, there has been number of requests from these parties to 'organize more such programs for their cadres and leaders". The program thus takes privilege to claim that 'it had been able to spark discussion on "Inclusive Democracy" as a right way out to the transformation of the conflict. The contribution of the TV program to raise the issue couldn't be undermined.
- 2) A fashion of condemning the functionality of 'democracy' over the last some years was common. Many people in the wake of king's takeover of the government condemned democracy for the intensifying conflict and increased corruption. This program was largely effective to 'educate the young generation' about the importance of 'democracy' and separate the political failure from the significance of democracy. The program has initiated a discourse among youths and adolescents on need of fostering democracy and constitutionalism.
- 3) This programme was implemented at a time when country was plunged into 'emergency'. However, KSL, taking a great risk of suppression, implemented programme carefully, and kept the discussion on democracy alive even in the time of hardship. Obviously, the programme gave impetus to leaders and civil society to think about democracy, and its protection. This programme thus substantially contributed to 'intellectually boost up the capacity of the political parties and emerging civil society', which emerged as a force to defend the democracy against autocracy.
- 4) The project has immensely changed the 'outlook of youth population towards politics', which is so instrumental in present context. The project has developed a 'scientific approach' to analyze political issues. In this context,

the project was successful in considerable degree to penetrate new thinking and change in their attitudes.

- 5) The programme generated deepening awareness of media workers on the need of 'building peace through transformation of the conflict', and sensitized them to be socially responsive to the issues and present more peace friendly coverage, news and stories and contribute to promote peace and national interest. It also made them more conscious to defend democracy, humanitarian obligations and human rights. The visible impact of the programme is that those who participated are found to be conflict conscious in their reporting. Their reporting are found to be fact-based and directed towards peace building.
- 6) By the academic impetus of the programmes the inclusive democracy, joint effort necessitated for reinstallation of democracy, consideration of socio-economic perspectives of the society and need of the people were discussed and an integrated effort for arranging intermediately strategy to cope with the conflict transformation was realized by the pro-democratic actors of the society. As a result a joint movement for rule of people was promoted and came to a concrete shape.

## **5. MONITORING AND EVALUATION**

The activities were monitored by representative of Danida/HUGOU, external evaluators, Monitoring & Evaluation Committee formed under the project, the facilitators, local partners in the district and the participants themselves.

Advisor of Danida/HUGOU Krishna Pathak attended and observed the discussion programmes organized under this project. An external evaluation of the project activities was done by Dr. Narayan Sangroula and advocate Bhojraj Bhatta. The detail evaluation report is published in the form of a book.

A Monitoring & Evaluation Committee was formed led by Assoc. Prof. Yubaraj Sangroula including advisor of Danida/HUGOU Krishna Pathak which was entitled to monitor the project activities. This committee constantly monitored the progress of the project activities. It highly valued the project's success in influencing the political parties as well as the civil society in favour of peace building and advocacy of democratic and constitutional values. It also recommended for expediting the project activities and their effective implementation according to the work plan. It discussed on the performance and progress of the programme activities and the overall impact

created by the programme and recommended for the further strategies and measures to take. The Project Implementation Committee took those recommendations positively and made appropriate provisions and formulated implementation measures to secure the desired result at its best.

In addition, the facilitators of the discourse and training programmes also took a short evaluation after each activity or event and submitted it to the project team. This also provided a separate overview of the programme. The local partner organization in the district also sent a programme report which also shows a very high level of satisfaction from the performed activities.

External feedback was received from participants in the project activities on the basis of an evaluation form and from subscribers of the E-Bulletin and organization's other publications. Most of the participants and the recipient organizations have expressed project activities to be excellent and of much value to them.

A summary of feedback received from the beneficiaries includes the following (on their own words):

- The programme is influencing and successful in considerable degree to penetrate new thinking and change in our attitude;
- The duration and issues of the program should be extended to at least three days;
- Political leaders at high level of parties' portfolio need similar kind of orientation to make necessary amendments in parties' statutes and policies;
- The programme is helpful in providing ways to mobilize local resources in the maximum benefit of the people. Hence, the programme should be conducted for peoples' representatives in village and ward level also;
- The discourse materials and training manuals are excellent and useful resources for the participants and their organizations;
- The concept of inclusive democracy is a unique concept which needs to be adopted and implemented to take the nation out of the present crisis;
- The programme has provided an insight into the democratic and constitutional values, intra-party democracy, leadership quality and the need of open and scientific mindedness in politics;
- The main achievement of the programme is that it has generated a feeling among the participants that their actions and performance is vital for the development of the country and the establishment of democratic culture. The programme is significant in the sense that it has contributed to develop a culture of sitting together to discuss on national issue and problem faced by

the country and the programme could be termed successful if we continue the trend in the days to come;

- The group discussion was an excellent way to transmit knowledge in a practical way;
- The training helped participants to assess the situation the nation is facing, areas of importance and priorities they should give, which way to intervene and how;
- The programme has inspired us to work in favour of democracy, peace, human rights, good governance and we use the knowledge and idea learnt in the programme to the best of our ability to advance the rights of the people;
- The programme has raised hopes that the country's future is secured only on democracy and it has made people optimistic on pro-democratic movement.
- The programme has showed way to us for conflict conscious reporting. But this should also be given to the media people in editorial and management level.

## **6. PROBLEM FACED AND LESSON LEARNED**

While conducting activities, the existing mindsets of the political workers and youths, and the traditionalism of the stakeholders was conservative to the ideas of the inclusiveness, intra-party democracy and role of the stakeholders in conflict transformation. In the initial phase, majority of the participants expressed great scepticism towards possibility of change. Time and again, the paper presenters had to confront with participant's fatalistic perceptions.

The programme activities were fairly influencing and the idea brought to discussions of each thematic programme were accepted by the majority of the participants. Therefore, the performed activities were successful in considerable degree to penetrate new thinking and change in attitude of some participants.

Most of the participants commented that the duration and issues of the program should be extended to at least three days in every programme and it was particularly raised by the participants in youth activation and motivation programs. The participants suggested that the political leaders at high level of parties' portfolio need similar kind of orientation to make necessary amendments in parties' statues and policies.

The unprecedented political events occurred during the period of implementation had heavy influence over the project activities. However, the acute deliberation of programs brought impact in national politics. As an impact of the programme, there is debate initiated in the institutions represented by the programme participants on the issues of internal democracy, inclusiveness, succession of leadership etc. This indicates that project activities have left great influence and impact in the current political debate and discourse.

As there was political change during final stage of the project implementation, successive follow up programmes become urgent. As there is lack of clarity among these similar stakeholders that how the negotiation process goes ahead and how fairly the people's voluntary participation with decisive authority would be possible in the near future is a great question as nation is heading toward an election of Constituent assembly. Therefore, it is learnt that there should be flexibility in the activities implementation in accordance with contextual situation.