# THE ROLE OF EDUCATION IN PEACEBUILDING

## Case Study – Nepal

August 2011

**The Role of Education in Peacebuilding: Case Study – Nepal**

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# CONTENTS

## ACRONYMS

CAAFAG      Children Associated with Armed Forces and Armed Groups

CPA      Comprehensive Peace Agreement

DEO      district education officer

MDG      Millennium Development Goal

SFCG      Search for Common Ground

SLC      School Leaving Certificate

SMC      School Management Committee

SSRP      School Sector Reform Programme

SZOP      Schools as Zones of Peace

SWAp      sector-wide approach

UNDAF      UN Development Assistance Framework

UNMIN      UN Mission in Nepal

UPCN-M      United Communist Party of Nepal (Maoist)

VMLR      Verified Minors and Late Recruits

# EXECUTIVE SUMMARY

**Introduction**

The Nepal Case Study is part of a UNICEF Research project on Education and Peacebuilding in Post-Conflict Contexts. Other case studies have been undertaken in Lebanon and Sierra Leone. The process was preceded by a Literature Review focused on UNICEF's own reports and analysis. The following report should be read in conjunction with the Synthesis Report. The guiding research questions for the Case Study are:

1. What are the strengths, weaknesses and gaps of the education system's contribution to peacebuilding within a changing and volatile political context
2. How does the post-conflict political environment within a country affect the 'success' or 'failure' of education programmes for peacebuilding?
3. What is the practical and pragmatic recommendation for UNICEF's niche (within both the UN and broader context) in education programming that contributes to peacebuilding?

This report is based on the work of two researchers (one international, one Nepalese). A period of desk study was followed by nearly a month in Nepal during August 2011 that included interviews in four districts in the plains as well as extensive consultation in Kathmandu.

**Background to the conflict**

Nepal experienced nationwide conflict from 1996 to 2006 when a Maoist political party decided to break out of mainstream politics and launch a 'people's war'. Most of the fighting took place in rural areas. Although schools were not a primary target for the combatants and generally continued to operate, they were subjected to violent interventions, such as attacks on teachers suspected of links with the opposing side, recruitment of students by the Maoists and large-scale assaults by the government forces when they suspected that Maoist activity was taking place in a school. Neither side emerged as the clear winner in the war, but a Comprehensive Peace Agreement (CPA) in 2006 led to the abolition of the (unpopular) monarchy and the return of the Maoists to mainstream politics. A progressive interim constitution was established and a process was begun to draw up a permanent constitution by 2010. In elections for the Constituent Assembly, the Maoists emerged as the largest single party, but without enough support to rule outright. Government since that time has been characterized by political manoeuvring and disputes. Processes of formal governance have not progressed significantly and the development of a new constitution has been seriously delayed.

**Governance issues**

Patronage systems have long been a feature of governance in Nepal, but the political uncertainties of the past five years have allowed 'informal governance' to dominate over 'formal governance'. In a situation of intense political competition, the parties have focused on promoting their own interests and cadres rather than on state-building. Because the situation remains highly uncertain, they have focused on short-term advantage rather than long-term processes of change. Positions of power are ruthlessly exploited for personal and party gain, leading to inefficiency and injustice in

the state institutions. Patronage and personal relationships (often influenced by status and caste) play a dominant role in the allocation of contracts and the appointment of staff. In relation to employment, the question is not so much who is qualified for the job but who has political connections with people in power. These factors undermine business efficiency and cause many Nepalese people to go abroad for work. The economy is heavily dependent on remittances from migrant workers in the Gulf States and elsewhere.

**Impacts on the education sector**

The effects of 'informal governance' are particularly strong in relation to teaching. This is the largest single source of state employment and extends into the rural areas where the majority of electors live. Teachers are influential in rural areas and have played key roles in elections in the past. Through membership of a political union, teachers can secure protection not only against threats to their jobs, but also against any form of discipline from the school management and the Ministry of Education. During the war, these factors diminished and local communities (sometimes with support from the Maoists) were able to exert greater control, but after the end of the war, poor time-keeping and absenteeism have become rife. This has become systemic, leading to general demoralization among teachers and willingness to condone the faults of others (including head teachers) in return for their own privileges and advantages –all at the cost of children's education.

Fifty years ago, Nepal had practically no system of public education, but with donor support and a substantial allocation from the national budget, education has spread to practically every village. There is no overall shortage of teachers and they are generally well trained. The quality of school buildings is generally good, but the performance of the education sector in Nepal is severely undermined by politicization. Because of the unions, teachers cannot be redeployed to where they are needed, which means   that there are huge disparities in class sizes. Politicization also results in lack of teacher discipline and serious problems of financial management (*see below*).

It should be noted, however, that there is a huge variation in school performance and that some schools, especially in hilly areas, do very well, while the worst problems are generally found in the *terai* (plains), where they have been exacerbated by the spread of violence. Another positive point is that the school curriculum and textbooks have been revised to take account of changing social norms since the end of the monarchy in 2006. The notion of a 'Hindu Kingdom' (which had been imposed on a diverse population for the past two centuries) has been tempered by recognition of Nepal's large populations of non-Hindus and ethnic groups that are not at all related to the Hindu caste system. Radicalization during the period of Maoist insurgency, together with the work of some national NGOs, have raised expectations and brought about some reduction in social exclusion along ethnic and religious lines. The status and role of women remains problematic, but there has been a significant increase in girls' enrolment in schools, especially in the five years since the end of the conflict.

**School management**

Local management of government schools is entrusted to School Management Committees (SMCs) drawn from parents of students in the school. The chairperson of the SMC may control substantial resources, including a grant based on the number of

students (per capita fee), scholarships for girls, *dalits*[1] and other groups, and funds for capital projects such as buildings. Some schools possess extensive property as part of their endowment from the community. Access to these resources has increasingly attracted the attention of political parties. Using their ability to control or silence officials by using political connections, parties have allowed some SMC chairpersons to take advantage of their position, maintaining false records and even claiming costs for 'ghost schools'. In some areas, the parties collude with each other to 'divide up the spoils'.

The extent of the problem depends to some considerable extent on the ability of the head teacher to impose discipline on the teachers and moderate the activities of the SMC through his (it is very unlikely to be 'her') personal charisma. In other cases, the SMC chairperson may play a very positive role, helping the head teacher to exert influence over the teachers. The crucial point for school success appears to be positive cooperation between these two figures in order to limit the effects of politicization.

As stated above, some government schools in the hilly areas are very well run but the problems are much greater in the *terai*, where the war left behind a number of armed gangs. These have been further mobilized by the Madhesi Movement, which demands better recognition of the plains people and an end to domination by the high-caste Hindus of the Kathmandu Valley. A period of strikes and school closures in 2007/08propelled some of the Madhesi leaders into national politics, but since then the movement has fragmented and in some cases it now consists of little more than criminal gangs. In the *terai*, not only does competition for the post of SMC chair often turn violent, but also violent threats are applied to government officials, notably the district education officer (DEO) who may have little choice but to connive in corrupt practices. This often entails manipulation of school records to mark teachers and students as present when they are not. As a result, official data on education have become seriously distorted.

**Analysis of peacebuilding**

Peacebuilding is a major feature of planning in the UN and other development partners (DPs) and is conceptualized at three levels:

1. Direct efforts to limit violent conflict by implementing the CPA;
2. Ongoing efforts to address violence in society; and
3. Efforts to support state-building as a response to fundamental causes of conflict.

Responses may be divided into two different types: those that address **specific current problems** and those focused on **structural issues.** Clarity is lacking in the approach of DPs to structural issues because the importance of 'informal governance' is not recognized–at least in the documents. Instead, the DPs have focused on 'formal governance' such as strengthening the institutions of the state and, in the case of the UN, particularly by drawing these institutions into line with international agreements and standards – at least at the level of written commitments. For example, UNICEF

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[1] So-called 'untouchables' within the Hindu system but outside the recognized castes

has been active in promoting the government's agreement and adherence to standards such as the Rights of the Child, etc.

The first problem is that peacebuilding policy in the UN and UNICEF runs parallel with the normal processes of national strategy represented by the UN Development Assistance Framework (UNDAF). In practice, the UNDAF is the formal mechanism that converts into programme and project objectives, whereas the peacebuilding strategy has an uncertain advisory status.

The second problem, which may be to some extent specific to Nepal, is that assertions of international standards in the formal institutions of government are easily undermined by processes arising from 'informal governance'. DPs appear to have been reluctant to tackle 'informal governance' because this might be seen as an attack on government itself, whereas really it should be seen as an attack on negative and illegal factors operating under the guise of government. DPs appear to have been further inhibited by the Paris Declaration of 2005 and especially the principle of alignment with government. This has made them unwilling to challenge the government except in a few extreme cases of corruption and abuse.

In relation to education, this means that while DPs have a positive record in encouraging good practice, such as increasing enrolment of girls, they are less adept at challenging abuses such as poor performance of teachers and diversion of school funds. Because these problems do not show up clearly in the official data (for reasons explained above), DPs have been able to celebrate some exaggerated successes (in relation to girls' education, for example) and avoid confronting difficult problems such as politicization. In this way, DPs have lost an opportunity to support officials who might have tried to tackle the problems if they felt there was DP support behind them. This report argues that the two ways of addressing structural problems should be kept in more equal balance. Support for government in meeting international norms should be provided, but DPs should also maintain independent monitoring mechanisms in order to cross-check the official data. They should also support direct inputs to schools through civil society to challenge 'informal governance' at local level by, for example, increasing the capacity of local communities, SMCs and head teachers to function effectively and to identify and challenge corruption among officials.

**Assessment of UNICEF's role**

In this report we examine three key areas in which UNICEF has sought to contribute to peacebuilding:

1. The education sector in general: UNICEF has been an active member of the sector-wide approach (SWAp) to education, promoting the introduction of peace education into the curriculum;
2. Assistance for the reintegration of child soldiers; and
3. Promotion of Schools as Zones of Peace (SZOP).

Findings may be summarized as follows**:**

**The education sector**

UNICEF makes only a very modest financial contribution to the education SWAp (less than 1 per cent of total DP inputs), but currently chairs the DP group and carries

weight far above its financial contribution. This is not only because of UNICEF's global experience and leading role in emergencies, but also because the organization has retained direct and independent links with schools through a number of projects and NGO partners. These give UNICEF opportunities to be better informed than other DPs. In addition, UNICEF has used the flexibility of its own funding to commission timely and topical studies that have thrown light on problems such as teacher absenteeism and Madrassa schools. UNICEF has also played a direct role in the development of the curriculum, especially the inclusion of peace education. UNICEF staff have a deep understanding of the workings of 'informal governance' but may feel inhibited about expressing such views because of institutional cautions within the UN. This may have limited the development of a strategic approach to peacebuilding based on tackling sensitive issues of 'informal governance'.

**Rehabilitation of child soldiers**

Although assistance to Children Associated with Armed Forces and Armed Groups (CAFAAG) has been broadly successful in integrating into communities more than 4,000 young people (many were older than 20 years old by the time they were released from the camps), there are some important lessons from which UNICEF can draw, including:

- The most effective approach was to target the whole community rather than focus on the individual former child soldiers;
- Sports, social media and traditional singing were found to be more effective ways of encouraging social integration, in comparison with formal methods such as discussion;
- Ongoing links with their former military comrades proved much stronger and more important to the child soldiers than was expected; and
- Overall, psychosocial problems relating to social reintegration were more disruptive than those arising from war experiences.

Overall, it may be observed that UNICEF did not fully recognize or anticipate the political aspects of its activities, and this may raise a wider question as to whether UNICEF adequately recognizes that post-conflict environments are likely to be highly political because of the rapid processes of realignment and political competition that must take place in such circumstances.

**Schools as Zones of Peace (SZOP)**

There is much for UNICEF to draw on globally from its experience with this concept in Nepal. But specific aspects of Nepal must be taken into account when repeating the approach elsewhere. Neither side in the conflict wanted to target education as such and the call for schools to be treated as neutral was accepted in principle by all stakeholders. The parties in conflict formally agreed to avoid locating their activities in schools. No thorough research has been undertaken to assess the impact of SZOP and claims of success by those directly involved in the project must be treated with caution. Nevertheless, there is widespread acceptance that SZOP brought about a reduced level of violence and enabled schools to remain open, at least in some cases.

This has been attributed to factors such as:

- SZOP was promoted and supported by a broad coalition of agencies in which none took the credit. UNICEF maintained a low profile.
- The warring parties had a clear interest in international respect and recognition and were willing to commit themselves to support the programme.
- Human rights bodies worked actively to record and challenge abuses.
- SZOP was backed by DPs through a wider process of neutrality (the Basic Operating Guidelines) with commitments to withhold aid in case of serious violations.

SZOP worked in Nepal because the conditions were favourable and in particular because the parties in conflict were deeply concerned about international recognition. The limitations of the approach became evident at the end of the war, when instead of armed forces the schools faced disruption because of mass political agitations by the Madhesi Movement. This led to closure of schools for long periods. SZOP provided a useful basis for negotiation with political leaders so long as the movement remained cohesive. Even then, some leaders argued that students and teachers should be allowed to express their political views by participating in activities that would change their entire future.

The limitations of SZOP became evident when the movement fragmented into local groups that turned increasingly towards crime. SZOP became much less effective because there was no organization with which to negotiate and no interest in recognition. In some cases, violence was directed at a school in connection with issues of politicization and corruption, which, as described above, are fundamental structural problems of the education system. SZOP broadened its approach by focusing on 'Codes of Conduct', which indentified such issues, but this now makes it difficult to distinguish SZOP from various other initiatives (some supported by UNICEF) aimed at education quality. The SZOP Code of Conduct often takes its place alongside other Codes of Practice – many of them having little impact. The adoption by the Government of Nepal of the SZOP principle/programme at first sight seems a very positive step, but there is a danger that the neutrality on which it is based could be compromised or lost.

**Conclusions**

**The issue of peacebuilding**

1. In addressing the research questions, a fundamental problem is that the notion of peacebuilding is problematic. In the form used by the UN, it can be applied to a wide range of activity from fundamental state-building to post-war reintegration of child soldiers. In the view of some respondents, the problem arises mainly because of the increasing focus among DPs on security issues and the existence of designated funding streams for peacebuilding. This makes it necessary to apply a peacebuilding lens even though it may actually blur the vision of state-building.

2. Preferably, the language of peace-building should be limited to specific local activity concerned with improving human relations. While state-building should remain the central focus, threats would be better described through the language of conflict (analysis, management, prevention, etc.).

3. A further problem with peacebuilding is that by putting the emphasis on positives, it can lead to neglect of negatives. In the case of Nepal, DPs have been reluctant to challenge 'informal governance'. This tendency has been further exacerbated by the Paris Declaration principle of alignment.

4. If the term 'peacebuilding' must be used, it may be better to divide it into 'structural' and 'specific' aspects. The structural aspects are likely to correspond closely to state-building.

5. It may be difficult for UNICEF to diverge from wider UN and DP practice, but it may be useful to examine and spell out the difficulties as practical guidance for country offices.

**Education and peacebuilding**

6. Political competition in a post-conflict environment is likely to focus on education as a source of political support and influence. These forces are likely to be strong enough to subvert the formal mechanisms of governance. In recognition of this, DPs should maintain parallel and independent sources of information and influence. Direct visits by DP staff, independent monitoring and independent gathering of data can all help to limit these dangers. These methods can be supplemented as necessary by specific research and evaluation.

7. The engagement of the local community, parents and NGOs are likely to prove useful counterweights to politicization processes in the post-conflict stage. In addition, DPs should be ready to challenge moderate violations as a preventive measure rather than focus only on the most extreme cases.

8. DPs should recognize that it is difficult for civil servants to address politicization and they may rely on a robust approach from DPs to provide a degree of protection.

9. The introduction of specific peace education material into the curriculum is less important that the total overhaul of the curriculum in relation to concepts of state-building, notably inclusiveness and non-discrimination.

**Practical actions for UNICEF**

10. In relation to the education sector as a whole, UNICEF is well-placed to play a key role within the UN system (and among DPs) because of its access to independent sources of information. By implication, UNICEF should be willing to take on a more challenging role than others. This may be feasible because UNICEF enjoys widespread respect as a champion of children's rights. In order to make full use of these advantages and opportunities, UNICEF staff need strong support and encouragement from international and national leaders.

11. In order to take on this more challenging role, UNICEF should seek to develop relationships with its donors based on open reporting and analysis of difficulties and problems, backed by impact research where possible.

12. UNICEF should back up this role by supporting independent monitoring of the education system and selected research.

13. Designated funding streams for peacebuilding strengthen the opportunity to pursue the course proposed above.

14. The process of rehabilitating child soldiers is likely to reflect ongoing political processes and the role of former child soldiers as political actors, especially where they were willing recruits. UNICEF should be careful not to de-politicize child soldiers.

15. UNICEF should consider SZOP as a response in all conflict situations, but it is likely to be effective only where the parties in conflict have a significant degree of control over their forces and seek a degree of recognition. While the key objective may be to reduce violence in schools, this should not mean that schools become completely detached from political realities and debates.

# 1. INTRODUCTION

The Nepal Case Study is part of a UNICEF research project on Education and Peacebuilding in Post-Conflict Contexts. Other case studies have been undertaken in Lebanon and Sierra Leone. The process was preceded by a Literature Review focused on UNICEF's own reports and analysis. The following report should be read in conjunction with the Synthesis Report. The objectives of this research are to:

- Locate peacebuilding initiatives supported through education programming within broader approaches being undertaken in the case study countries;
- Document country-specific education interventions where education has played an important role in contributing to peace or where it has missed the opportunity to do so;
- Provide guidance on education interventions contributing to peacebuilding based on models and approaches used by UNICEF and its partners to initiate, promote and implement education initiatives in support of peacebuilding; and
- Identify strengths, weaknesses and recommendations for UNICEF-supported education programming as it relates to peacebuilding.

Deriving from those broad objectives, the guiding research questions for the Case Study are:

1. What are the strengths, weaknesses and gaps of the education system's contribution to peacebuilding within a changing and volatile political context?
2. How does the post-conflict political environment within a country affect the 'success' or 'failure' of education programmes for peacebuilding?
3. What is the practical and pragmatic recommendation for UNICEF's niche (within both the UN and broader context) in education programming that contributes to peacebuilding?

The Nepal Study was conducted in July–August 2011 including field work in Nepal from 28 July to 20 August. The Lead Consultant, Tony Vaux, was assisted by Ms. Manorama Sunuwar, a Nepalese researcher. The visit was strongly supported by the UNICEF Education Office in Nepal and in particular by Sabina Joshi and Miyuki Tsujii. In addition to interviews and discussions in Kathmandu, a visit was made to the *terai* (plains) during 8–12 August. This was facilitated by Jyoti Rana Magar, of World Education, an international NGO partner of UNICEF.

The visit was preceded by a Desk Study conducted by a Nepalese scholar, Tejendra Pherali of John Moore University, Liverpool, United Kingdom. Further evidence was collected through a review of published literature, as well as unpublished reports and papers. This was followed by interviews with key stakeholders in Kathmandu (sometimes in groups). In the field work out of Kathmandu, most meetings were conducted in focus groups, allowing information to be cross-checked with a wider group. A workshop combining development partners (DPs), NGOs, international NGOs, academic analysts and independent researchers took place in Kathmandu on 16 August in order to cross-check and further augment the preliminary findings from the

research. The findings were also discussed in a round-table of UNICEF staff on 18 August.

A significant limitation, caused by the timetable of the overall research, was that the study took place before most schools had re-opened after the summer holidays and so, although it was still possible to meet with many of the stakeholders, including a few schoolchildren, it was not possible to observe schools in operation or meet with students in focus groups. Therefore, it was difficult to cross-check information given regarding numbers in classes, etc. However, some recent data and analysis on this issue are available.[2]

UNICEF's most extensive education activity relating to peacebuilding in Nepal has been through the Schools as Zones of Peace (SZOP) campaign, and the literature indicates that the experience of using the concept has been more extensive in Nepal than in almost any other country. Accordingly, this is taken as a key focus of this report.

## 2. POLITICAL ECONOMY OF NEPAL

### 2.1. Historical background

The 'Hindu Kingdom' of Nepal was imposed by force some 200 years ago on a diverse population comprising about 30 distinct ethnic groups with separate cultures and languages, as well as many small subgroups. Nepali was the language of the conquerors and Hinduism was its religion. Control was consolidated by a ruthless process of eliminating opposition, characterized by frequent purges and violence, even within the royal family. The country was administered through a system of *jagirs* (fiefs) given to loyal supporters, and frequently shifted if there was any suspicion of disloyalty. The intention was to secure loyalty to the crown rather than to local populations and issues. Power was concentrated in the hands of the so-called warrior caste (Chhettris) supported by a courtly intelligentsia (Bahuns).[3] The Indian caste system was extended through Nepal, leading to extreme forms of discrimination and reduction in women's status and power. People were forced to adopt Hinduism, although other religious practices continued to be observed discreetly. The royal family retained strong links with India but otherwise practiced a policy of isolating Nepal from external influences and modernization. Education was limited to a narrow elite class. This was only relaxed from the 1950s and 1960s.

The movement for democracy in Nepal, led by the Nepali Congress, drew ideas and support from India's Congress Party. There were many setbacks, as monarchs first made concessions and then retrenched. A key advance was the constitution of 1990, which provided scope for political parties and elections. But factional fighting among the political parties created a situation in which the Maoist party[4] chose to leave the political process and resort to an armed struggle or 'People's War' from 1996. This enabled the monarchy to use emergency powers to re-impose its direct rule over the country and deploy the army to suppress the revolt. Eventually a stalemate led to the

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[2] See, for example, Pherali, Smith, and Vaux, 2011.
[3] Corresponding to Kshatriyas and Brahmins in India, from where considerable numbers were drawn.
[4] United Communist Party of Nepal (UCPN-M), formerly the Communist Party of Nepal (Maoist) or CPN-M. For simplicity, this is referred to in this report as 'the Maoists' or 'the Maoist party'.

Comprehensive Peace Agreement of 2006 and a return to parliamentary democracy. An interim constitution was agreed upon and elections were held to appoint members of a Constituent Assembly tasked with putting forward a new constitution by May 2010. The Maoists surprised themselves and others by winning nearly 60 per cent of the seats in this election, making them the largest political party in the post-war period.

At the end of the war in 2006, the UN Mission in Nepal (UNMIN) was deployed as a peace-keeping force and took overall charge of UN operations. It was envisaged that disarmament, demobilization and reintegration would take place rapidly, but there were intense political complications relating mainly to the Maoist army, the PLA. The Maoist-dominated government obliged UNMIN to withdraw in 2010.

The monarchy might have survived this turbulent period had it not been for the 'Royal Massacre' of 2001, in which the crown prince murdered his father, the king, and many other members of the royal family. The dead king's brother, Gyanendra, an unpopular businessman, became king and made the monarchy ever more unpopular through his ploys to increase his power and wealth. In particular, Gyanendra lost the support of the political parties when he dissolved parliament and imposed direct rule, using emergency powers. He was deposed as part of the peace arrangements in 2006.

### 2.1.1. Security issues

The war from 1996 to 2006 was fought largely in the rural areas and took the form of attacks by Maoist groups on government staff and sympathizers, followed by counter-attacks by the police and (later) the army. More than 13,000 people were killed and at least 3,000 disappeared and remain unaccounted for (International Commission of Jurists: 2009). Maoist cadres received instruction about class warfare and communist philosophy, but were mainly driven by grievances based on poverty and social exclusion. Many were drawn from the 'outcaste' Hindu groups and from the indigenous ethnic groups (*janjatis*). There was remarkably strong representation of women among the Maoist cadres (perhaps 30 per cent), reflecting the oppressed status of women even within the wider oppressed groups. (Karki and Seddon eds., 2003: 165 onwards)

For much of the war, the cities and district towns remained in government control, while the rural areas were dominated by the Maoists. Large numbers of officials moved for security to district towns and also to Kathmandu, but most teachers and health-post staff were drawn from the locality and remained in the villages. The Maoists targeted such staff initially to ensure their support and later pressed them to provide a 'tax' to the Maoists. This practice of informal taxation spread during the war and was applied to businesses and NGO activity. All of the wealthier people were expected to pay 10 per cent of their income and were often called upon for additional payments. This led to the development of strong-arm groups among the Maoists, which specialized in such 'taxation' and also raided banks or robbed from wealthier people. At the end of the war, many of these groups aligned themselves with other political interests or degenerated into armed groups and gangs looting on their own account or available for hire.

The *terai* (plains) area adjacent to India[5]is densely populated and has always shown a higher degree of violence and lawlessness compared with the hilly areas in which community linkages are generally stronger. Improvements in the political situation in the Indian State of Bihar have sent gangs and weapons from India into Nepal. But the most important factor in the spread of violence was the Madhesi Movement that arose at the end of the war, reflecting grievances about the domination of the *terai* by people from the hill areas and particularly from Kathmandu (*Pahades*). Encouraged by promises of ethnic federalism from the Maoists, the movement drew together a wide range of ethnic groups against the *Bahun-Chhettri* elite.

From 2007, the Madhesi Movement organized mass demonstrations and frequent stoppages of all movement and activity (*bandhas*). Armed groups attached to the movement initially focused on political enemies but by 2009, the movement had split and the situation descended into extortion, looting and increased corruption as officials came under greater pressure to accede to demands for contracts, etc. The police and justice system have proved unable to tackle this problem and there is widespread suspicion that the police collude with the armed groups (International Crisis Group, 2011a).

Underlying this spread of anarchic violence in the *terai* is a wider problem of lack of any significant process of reconciliation. The Maoist leadership now holds sufficient power to deflect the systematic investigation of war crimes while, similarly, the Nepal Army claims that it has held internal investigations and disciplined some soldiers even though no detailed information or report is available to the public. Human rights organizations have doggedly pursued a few cases and the National Human Rights Commission is generally thought to have made a serious effort to address the war crimes issues, but the result is extremely limited. The fate of most of those who 'disappeared' remains unknown.

The injustices that drove poorer people to support the Maoist cause have not been addressed. Deeply entrenched systems of patronage and elite domination ensure that, although minor officials are sometimes held to account, this is extremely rare in the case of senior officials and wealthy persons. Corruption in the justice system has allowed powerful people to escape while innocent but weaker people may be convicted of crimes.

The major security issue outstanding since the end of the war is the demobilization of the Maoist 'People's Liberation Army' (PLA), comprising some 19,000 former Maoist soldiers who still remain in cantonments. The Maoist leadership has supported their claims to be integrated into the Nepal Army or given substantial payouts, but this has been resisted by the army and by other political parties. The Maoist soldiers have put forward increasing demands. They are thought to have played an important role in securing Maoist success in the last elections and remain a potential threat to peace and democracy (International Crisis Group, 2011c).

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[5] Nepal may be divided into three geographical strips: the mountains, the hilly areas and the *terai* (plains), with increasing density of population. The Kathmandu Valley constitutes a unique area of population density in the hills.

### *2.1.2. Political issues*

The system of highly centralized wealth and power, initiated by the monarchy, remains a fundamental cause of discontent and potential conflict in Nepal today. The key issue is not so much centralization of the state as centralization of the political parties. Party activists at local level have very little power to put forward and represent local views and opinions. Instead, the parties work in a top-down manner, with a strong focus on the ability to win elections. Leaders maintain their positions by manipulating patronage in disregard of the state and its rules. In effect they allow cadres the opportunity to loot the state in return for their support.

Access to the resources of the state is vital for maintaining these political structures. While in government, ministries politicians do their best to appoint party cadres into paid employment and reward supporters with contracts or other opportunities to make money. Government is further undermined because a change of ministers is often followed by a shuffle of senior officials to reflect the new politics and an attempt to increase the number of party cadres in post regardless of their competence. Since jobs are directly attached to political patronage, officials have little incentive to conduct their work in a responsible and even-handed manner. On the contrary, at all levels they are under pressure to follow lines of political patronage.

This process extends from the central institutions down to district level and the appointment of officials such as district education officers (DEOs). In relation to the present research, it is important to note that practically all teachers in government schools are members of unions linked to political parties. With the support of their party, the unions defend their members against disciplinary action and redeployment. Although the three major political parties ostensibly compete for power, there is often collusion between them at different levels. The key interests of the parties are to protect their own teacher supporters, to appoint new teachers from their own cadres, and to raise funds through misappropriation of school accounts and contracts. The level of ideological debate about education is low. Although the Maoists have some specific policies, none of the political parties has issued a comprehensive analysis and strategy on education.

In the past decade(following pressure from DPs),more funds have been devolved from the centre to the districts and beyond to the villages. But there have been no local government elections (at district or village level) since 2001 and these funds are managed by civil servants who come under intense pressure from the political parties, including threats of complaint or being transferred. In the *terai,* there may also be direct physical threats. Local elected governments that existed until 2001 were often dominated by local elite groups, but the current situation has excluded local people from a role in governance. Since the only local election may be for the chair of the School Management Committee (SMC), this has become a focus of political activity. In the *terai*, such elections often lead to violence, while in the hills the parties may divide up the posts between them.

The Maoists have adopted the same norms of patronage and central control as the other political parties. Since 2006, they have held a dominant political position because of their success in the elections for the Constituent Assembly, but they have lost

support from many of their more radical cadres. Their involvement in multi-party politics seems to be a tactical position, whereas their strategic focus is on imposing a single-party state.

Some observers suggest that they want to create a political crisis in which they can take power and this is sometimes cited as a reason why the process of taking forward the 2006 Peace Agreement has stalled. The drafting of the new constitution has passed the initial deadline of May 2010 and a constitutional crisis is approaching. One of the many complex and sensitive issues is that the Maoists have promised to introduce a federal system (in return for support from some groups during the war) and the other main political parties have also been forced to commit to this, which has opened the way for politics focused around ethnicity and identity.

The relationship between India and Nepal remains a crucial factor in the development of governance. India controls the main southern border and has huge security interests in Nepal in relation both to China and Pakistan. Indian foreign policy is thought to focus on maintaining a reasonably stable Nepal, but not to the extent that Nepal could challenge Indian hegemony. Accordingly, India sometimes switches support between different groups, causing instability (ICG, 2009).This factor is likely to perpetuate weak and divided government.

Today, there is extensive fracturing of the political landscape and growing assertiveness of interest groups willing to use threats, demonstrations and violence to achieve their ends. With elections expected once the new constitution has been agreed upon, parties are unwilling to let go of teachers as party cadres. Attempts to free schools from political influence are unlikely to succeed.

## 2.1.3. Economic issues

Although Nepal has a respectable economic growth rate of about 6 per cent, the figure is deceptive. The internal business environment remains weak, largely because of bureaucracy and petty corruption. Availability of imports from China and India undermines the development of Nepalese businesses (Shakya, 2009). The economy's key driver is remittances from migrant labour. Very large numbers of Nepalese people go abroad to work, mainly to India and the Gulf states, and send back as much as they can to their families.[6] This has produced a rapid rise in living standards in some of the poorest areas of the country. The National Living Standard Survey for 2011 indicates that the incidence of poverty has fallen from 41 per cent to 13 per cent in the past eight years and this is attributed largely to remittances from migrant labour. Remittances have also fuelled conspicuous consumption and, in particular, the spread of private schools into remote rural areas.

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[6] Probably about half of rural households have one or more family members abroad and, if past migrants are included, as many as two thirds of households have benefited from remittances ('Trickledown Effect',*Kathmandu Post*, 14 August 2011).

## *2.1.4. Social issues*

**Gender**

Historically, the status of women in Nepal has been low because of the imposition of Brahminical culture, including notions of 'uncleanness', isolation of women during menstruation and the practice of women leaving their parental home when they get married. Such practices have made women vulnerable to criticism by men and unwilling to assert themselves in public gatherings. The strong representation of women in the Maoist army may be a reaction against these prevalent abuses (Thapa (ed), 2003).

The rapid increase in numbers of girls enrolling into schools since the end of the war is often seen as a sign of advancing status for women, but studies indicate that increased enrolment takes place despite continuing low status of women, and although girls perform as well as boys in school, their educational outcomes and aspirations are lower. Nepal is now close to parity of boys and girls at the enrolment stage, but the drop-out rate for girls is higher and they are more likely than boys to be taken out of school for household and agricultural work. There is a significant gap in success rates at the School Leaving Certificate (SLC) exams at Grade 10. Even for those girls who go on to further education, aspirations remain relatively low: many choose to train as teachers if they go on to Higher Secondary level (Grades 11 and 12).

Because girls generally leave the parental home when they get married, the care of parents falls on boys and so parents generally choose to 'invest' much more in boys than in girls. Moreover, bridegrooms tend to prefer a wife who is less educated than themselves and a higher dowry may be expected from the parents of an educated girl. These factors may explain why there is a preponderance of boys over girls in private schools and in more expensive forms of further study such as engineering. A strong cultural resistance among men against taking orders from women often prevents women from rising to positions of authority[7] and is reflected more widely in the general deference of women in public discussion. While the number of women teachers has increased, they are mainly concentrated in pre-primary and lower primary classes. Women head teachers are extremely rare.

**Caste**

The Maoist insurrection attracted large numbers of recruits from the oppressed outcastes, *dalits*, and this has made *dalits* and other excluded groups more assertive and more willing to work together to challenge discrimination (Sharma and Donini, 2010). A further factor is extensive work by national and international NGOs, which have given this issue increasing attention. Overt practices of 'untouchability' have considerably reduced. In schools, *dalit* children are no longer expected to sit separately, but more subtle forms of discrimination persist.

**Ethnicity**

The notion of a 'Hindu Kingdom' has cast a long shadow over ethnic relations. In recent times, non-Hindu indigenous groups, which had been forced to adopt Hinduism

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[7] As an example, women occupied powerful positions in the early days of the Maoist insurrection but were marginalized by men. See Thapa (ed), 2003: 95.

and the Nepali language, have reacted by making efforts to revive their former religious and cultural practices. The promise of federalism contained in the interim constitution has opened the way for politicians to mobilize ethnic identities. Although it is not yet certain whether a federal structure will reflect geographical or ethnic distinctions, politicians are putting forward notions of ethnic states with their own culture and language –and implying that minorities within those states may be forced to leave or to assimilate.

This has also brought into question Nepali as the national language and the language of instruction in government schools. Activists from the ethnic groups point out that because they are forced to study in a language which is not their 'mother tongue', their attainment may be less (as indicated by international studies) and this constitutes discrimination against them. This, together with political pressures, has encouraged the development of education in the 'mother tongue' with Nepali as a second language. The right to basic education in the 'mother tongue' is supported by the Interim Constitution and in the School Sector Reform Programme (SSRP).

### 2.1.5. The role of aid

The main DPs involved in peacebuilding (listed as signatories of the joint publication 'Nepal Peace and Development Strategy', Australian Government et. al., 2011) are Australia, Canada, Denmark, United Kingdom, European Union, Finland, Germany, Japan, Norway, Sweden, Switzerland and the United States Agency for International Development (USAID). The UN is represented by the FAO, ILO, IOM, OCHA, OCHCR, UNAIDS, UNDP, UNESCO, UNFPA, UN-HABITAT, UNHCR, UNICEF, UNIFEM, UNMIN, WFP and WHO. In addition, the Asian Development Bank and World Bank are major actors.

A recent study of the role of aid in relation to conflict in Nepal (Bonino and Donini, 2009) concluded that:
- Aid contributed very little to the reduction of distributional inequalities; (p. 25)
- Failed development was a strong contributing factor to the chain of events that triggered the Maoist insurgency; (p. 26)
- Aid agencies have tended to reproduce social stratification (the caste system) in the staffing of their organizations, with very few staff from groups other than the elites; (p. 27)
- A case can be made that awareness-raising by NGOs has contributed to pressure for change, but other factors, including the Maoist movement and migration, may be more important. (p. 29)

Aid can also be critiqued in a more fundamental way. In a state in which 'informal' processes undermine the 'formal' structures, institutions and activities of the state, there is a danger that aid directed towards the latter will be diverted towards the former. The more donors channel funds through the government accounts (Red Book), the greater the temptation to divert funds towards political and personal gain. The Paris Declaration of 2005, committing donors to alignment with the national government, has tended to increase the proportion of funding through the Red Book and discourage any form of independent review or monitoring. The default position is to trust the government. Because of its status as an international treaty signed by governments,

the Paris Declaration may be more influential with donors than the Organisation for Economic Co-operation and Development's Development Assistance Committee (OECD-DAC) Guidance on working in fragile states,[8] which generally advocates a more cautious approach with greater use of non-government channels while still keeping state-building as the goal.

These pressures have tended to divert donor attention away from the risks of the 'informal' style of governance. At the same time, Nepal's dependence on aid has made officials adept at providing 'good news' and setting aside serious debates and difficulties. Although factors arising from informal governance may cause official statistics to be distorted, donors are increasingly unwilling to challenge such figures or gather information independently (*see the section on education below*). To that extent, there is a general tendency for aid to strengthen informal systems, which, in turn, may be regarded as a potential cause of future conflict.

The UN's focus on strengthening the formal institutions of governance is a positive factor, but its close ties with national government make the UN cautious about challenging 'informal' governance.

### *2.1.6. Conflict mapping*

The factors described above interact with each other to create sources of tension and possible causes of future conflict as set out in the Table below.[9]

**TABLE 1: CURRENT FACTORS UNDERMINING PEACE IN NEPAL**

|  | Security | Political | Economic | Social |
|---|---|---|---|---|
| International | Indo-China tension | India prefers weak state | Aid through Red Book supports informal governance | Global influences raise demands for rights, equality, etc., which cannot be met |
| National | Impunity for crimes | **Dominance of informal over formal governance** political collusion between parties | Dependence on aid makes officials distort results; DPs unwilling to challenge informal governance | Social exclusion, especially gender; mobilization around ethnicity; |
| District/local | Violence extends informal governance | Political-criminal links | Private services undermine state services | Elite interests neglect rural areas, government institutions, etc. |

The negative factors presented above are complemented to an extent by positive factors that might help to build peace. These may be presented in a second Table using the same method:

**TABLE 2: CURRENT FACTORS CONTRIBUTING TO PEACE IN NEPAL**

|  | Security | Political | Economic | Social |
|---|---|---|---|---|
| International | Indo-China tension | India wants some stability | Officials and government are responsive to influence from aid | Rights-based demands could contribute to eventual stability |

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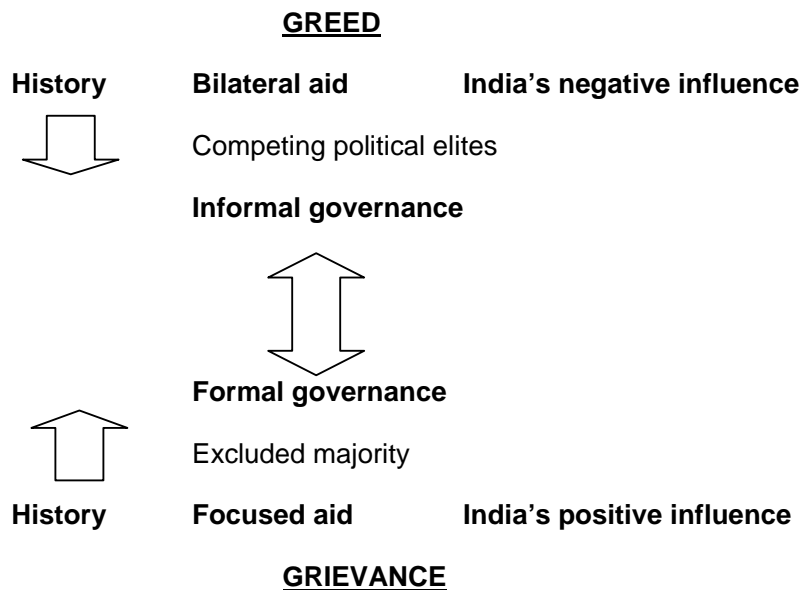[8] OECD-DAC (website), 'Principles for Good International Engagement in Fragile States'.
[9] Based on the Strategic Conflict Assessment method (DFID, 2001).

| | | | | |
|---|---|---|---|---|
| | | | actors | |
| National | Human rights groups and media challenge impunity; | **Formal governance limits informal governance;** collusion among parties can reduce overt tensions | Aid supports formal governance; UN links civil society and government | Social exclusion reduced by NGO efforts; gender issues being addressed in some aid; DPs recognize ethnic aspirations |
| District/local | DPs and NGOs work for local peace, e.g., SZOP | Local accountability through public audit, etc. | Remittances provide an escape route from confrontation | Minorities sometimes assert the interests of excluded majority |

The special feature of Nepal today is that 'informal governance' is considerably more powerful than 'formal governance', and the factors in the Table 1 above easily outweigh those in Table 2. This is not only because of the ruthlessness of political forces but also because the 'excluded majority' has remained disengaged and silent. Powerful interest groups are exerting strong pressure on politicians through demonstrations, strikes and closures (*bandhas*), etc., and in many cases the ill-effects of these are felt by the excluded majority rather than by the government. It remains to be seen whether the 'excluded majority' will be mobilized in support of its demands, which might include the dominance of formal state mechanisms. Aid agencies commonly seek to mobilize local people to demand downward accountability, but their ability to tackle the entrenched power of informal governance has proved to be extremely limited.

Using a typology of greed (predatory self-interest) and grievance (reactions to greed)[10] as a way of modelling opposing interests that could develop into conflict, the current turbulence in Nepal may be presented as follows:

**DIAGRAM: CURRENT TURBULENCE IN NEPAL**

**GREED**

**History**        **Bilateral aid**        **India's negative influence**

Competing political elites

**Informal governance**

**Formal governance**

Excluded majority

**History**        **Focused aid**        **India's positive influence**

**GRIEVANCE**

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[10] See Berdal and Malone (eds), 2000. Note that whereas there is much debate about which of these factors is more important, they are used here to represent an interaction rather than to suggest that one or other is dominant.

The dichotomy of 'formal' and 'informal' governance is mirrored by a contrast between the prevalence of a radical ideology focused on abolishing poverty and the desperate short-term efforts of political parties to retain power. The long-term dominance of each party is used as a justification for short-term 'greed'. It is not that parties lack ideology, but that ideology becomes subsumed by other interests. This causes difficulty for aid agencies because they may be presented with high aspirations and well-sounding documents (by the parties and government), but the performance in reality is often very different. Indeed, it could be said that formal governance has a discourse separate from reality.

# 3. THE NATIONAL EDUCATION SYSTEM

## 3.1. History

Until the 1950s, education was available only to the narrowest elite associated with the monarchy, but since that time many communities established their own schools, often endowed by local benefactors and run by local management committees. In 1971, the government nationalized the schools and consolidated central control based on a single national curriculum that promoted the notion of *rajbhakti* (service to monarchy), enforced Nepali as the sole language to be used in schools and explicitly barred the use of any indigenous language. "The education system was developed as a tool for nationalising the diverse Nepali society, favourably disposed to the monarchy and the ruling elite (mainly representing high castes from hill areas) who were in control of the state apparatus" (Pherali, 2011, based on Lawoti, 2007).The education system deepened the social and learning gap between elite groups and poorer people. By 2001, the literacy rate was 70 per cent among *Bahuns* (Brahmins), compared with 10 per cent among the so-called lower and excluded castes.

Demand for education is high and numbers in schools have steadily increased. Today, there are nearly 5 million students enrolled in primary schools and more than 1 million in secondary schools. The enrolment rate for girls has now equalled that for boys. The literacy rate has risen sharply and reaches more than 80 per cent of the youth population. The key problem facing students is the lack of job opportunities in Nepal. This causes almost one third of young Nepalese men to take up work abroad. For this largely unskilled work, qualifications are not necessary and so they have little incentive to study.

Following on from the Education for All programme, which constituted the education policy until 2008, the Ministry of Education has introduced a new policy, the SSRP. The key feature of the SSRP is a commitment to extend compulsory 'basic education' from Grade 5 to Grade 8. The category of Lower Secondary (Grades 6–8) is to be abolished and Secondary School is to cover Grades 9 and 10, at which point students take their crucial School Leaving Certificate (SLC) examination followed by two further grades in which specialized training, notably in education, science and English is to be provided. The SSRP has substantial cost implications, particularly by extending free compulsory education by three years. It also implies a need for further classrooms and for expansion of facilities at Grades 11 and 12.

The fundamental problem of this extensive change is that it has never been enacted into law. In the districts it is regarded as an aspiration of officials in Kathmandu lacking

the resources to put it into practice. Nevertheless, there is a widespread demand for higher levels of education and this has fuelled a process of school expansion. This has happened mainly through finance provided by local development committees rather than from the SSRP.

A further major problem is that official data are unreliable. This has made it difficult to track two critical issues raised in this report: actual school attendance versus enrolment and teacher absenteeism. A recent study conducted for UNICEF by the Teachers' Union of Nepal concludes that," Unfortunately, research and observation for this study found that school records, which should reflect daily attendance accurately for each student and teacher, are generally unreliable" (Teachers' Union of Nepal, 2010, p. 41).

**BOX: OFFICIAL EDUCATION STATISTICS**

1. The average gross enrolment rate in early childhood development/PPCs is 70 per cent, with 69.2 per cent for girls and 70.9 per cent for boys. (SSR target: 72 per cent)

2. The proportion of students in Grade 1 with early childhood development/PPC experience is 52.1 per cent, with 52.4 per cent girls and 51.9 per cent boys. (SSR target: 45 per cent)

3. Out of the total 33,160 schools, 32,684 are primary, 11,939 are lower secondary, 32,685 basic, 7,266 are secondary, 2,564 higher secondary and 7,559 secondary (Grades 9–12) level.

4. On average, the school student ratios are 1:152 at primary, 1:142 at lower secondary, 1:202 at basic (Grades 1–8), 1:112 at secondary, 1:124 at higher secondary and 1:150 at secondary (Grade 9–12) levels.

5. The total number of students at primary level is 4,951,956; at lower secondary, the total is 1,699,927; this makes a combined total of 6,651,883 in 'basic' education (Grades 1–8); institutional/private schools serve about 12 per cent of children in basic education.

6. Of the total enrolment at school, girls' enrolment constitutes 50 per cent at all levels;

7. In comparison to their share in the total population at about 12 per cent, the share of *dalit* enrolment is 21.5 per cent at primary level, 14.2 per cent at lower secondary, 10.0 per cent at secondary and 6.3 per cent at higher secondary level.

8. In comparison to their share in the total population at about 40 per cent, the share of Janajati enrolment is 38.2 per cent at primary level, 41.8 per cent at lower secondary, 40.8 per cent at secondary and 31.0 per cent at higher secondary level.

9. The promotion and repetition rates in Grade 1 are 69.1 per cent and 22.6 per cent, respectively. The promotion rates in the upper grades are better as compared with Grade 1. The repetition rate in Grade 8 is 6.6 per cent. (SSR target: 7 per cent)

10. The overall survival rate to Grade 8 is 66.0 per cent, with 65.2 per cent for boys and 67.2 per cent for girls. (SSR target: 49 per cent)

11. The proportion of female teachers by level in all types of schools is: 42.2 per cent at primary level, 25.9 per cent at lower secondary level and 17.3 per cent at secondary level.

12. The proportion of *dalit* teachers at primary, lower secondary and secondary levels are: 4.4 per cent, 2.6 per cent and 2.7 per cent, respectively.

13. The proportion of *Janajati* teachers at primary, lower secondary and secondary levels are: 29.8 per cent, 17.2 per cent and 12.7 per cent, respectively.

14. The percentage of fully trained teachers in all types of schools is 80.7 per cent at primary level, 63.6 per cent at lower secondary level and 85.1 per cent at secondary level, respectively.

15. The student-teacher ratios (based on the approved positions of the teachers) in community schools are 43:1 at primary, 57:1 at lower secondary and 35:1 at secondary level, respectively.

16. The number of students using a local language in the teaching and learning process as a transitional language at primary level is 17,273.

*Source: Education Statistics of Nepal 2010, quoted in Pherali, Smith, and Vaux, 2011.*

### 3.1.1. School management

In the early days of the national education system, community schools[11] appointed their own teachers, but when the Government of Nepal took over this process, teaching became unionized along political party lines. Successive recruitments of teachers were influenced by political factors. The main problem this caused was that the political protection of teachers made them impervious to any pressure to do their work properly. With unions competing in the schools, the issue was not the performance of the teacher but their support of the party. Head teachers lost control and government schools became increasingly undisciplined, with teachers reporting late, leaving early and absent for long periods.[12] This remains a crippling disadvantage of the government system, encouraging all those who can afford it to send their children to private schools.[13]

It also leads to huge disparities in the number of children in classes. In some schools, especially in hilly areas, there are too many teachers,[14] while in others the class sizes are enormous. In schools visited in the *terai* during this mission, class sizes of more than 100 appeared to be quite common, especially in Grade 1. Although some teachers said that they had been taught methods of multi-group teaching, the quality of education in such circumstances is inevitably poor, contributing to high drop-out and repetition rates (23 per cent).

The oversight and professional support of schools was entrusted to the district education offices, in which resource persons were responsible for teaching quality and supervisors for wider compliance with the regulations. These officials have also found it impossible to challenge the political entrenchment of teachers and are widely demoralized.

Under elected local government, there was a degree of oversight through Village Development Councils and District Development Committees, but since 2001, there have been no elections and their work is done by government-appointed secretaries from the Village Development Council and district-level officers without the power to challenge the political unions.

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[11] The term 'community schools' is now used to distinguish government schools from private schools.
[12] Teachers' Union of Nepal, 2010, p. 38. Official attendance records are not at all accurate. Head teachers often sign a teacher as present when s/he is absent.
[13] Foundation for Human Development, 2004.
[14] The official norm in the *terai* is 40 children per teacher, but only 25 in hilly areas.

In theory, every school should have an SMC, which is set up by consensus of the stakeholders, notably parents, or elected in case of any dispute. They are expected to develop School Improvement Plans, which may be used to attract grants from the DEOs. There has been a steady increase in such decentalized funding and schools also receive regular financial inputs based on the number of children attending (Per Child Fund, or PCF) as well as 'scholarships' for *dalit* (outcaste) students and girls. Because of increasing numbers of children, and a moratorium on recruitment of permanent staff, SMCs also have powers to recruit additional teachers locally provided that they can finance the posts. The appointment of such teachers is an opportunity for political parties to place their cadres in paid positions and hence the control of appointments has become a hotly contentious issue. The combination of patronage, funds available and lack of local representative government has turned school management into an arena for political combat as the parties seek to 'capture' control of a school and the assets and opportunities that go with it. Competition can be particularly fierce where sums are available for construction of buildings, with the political parties vying to secure the contract for their own supporters.

The role of SMC chairman has become hotly contested. In many schools, the SMC chair makes decisions unilaterally and there is no real SMC other than the chair. The regulations provide that this appointment can be made by the DEO on the basis of evidence of agreement among the stakeholders or, where necessary, through election. In the hilly areas, the political parties may reach a compromise or accede to local demand, but in the *terai* the issue is likely to result in a hotly contested election in which armed groups and gangs may play a role. SMC chairpersons and head teachers have been killed or relatives held hostage. It is not uncommon for schools to be closed for long periods because of such disputes.

In return for protection from their union, teachers will be expected to take sides in these disputes, further dividing the school and breaking down teacher relations. If and when local elections take place, teachers will be expected to play a major role on behalf of their respective party. Political parties, working in collusion with SMC chairpersons commonly pressurise officials at district level to make decisions in their favour, such as protecting teachers from transfer or releasing Per Capita Funds in disregard of the number of students present in the school. With the added threat of violence in the *terai*, officials often have no choice but to comply.

A troubling feature of the government education system is the lack of engagement of parents. The SMC chair acts alone because parents are not willing to serve on the SMC and PTA, or, if they do, they adopt a passive role. Despite the regulations, the SMC and head teacher do not commonly make the school finances available to the public, but instead keep them closely secret. This is only challenged when an NGO engages with a school to bring about transparency and 'social audit'.[15] Where this happens, it is often effective and leads to further engagement of parents, but it appears that the legacy of the past has made many parents (perhaps brought up under the deferential educational style of the monarchical period) think that school finances are the government's gift and it is not their right to question them. This

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[15] This term is often used in Nepal (rather than 'public audit') to describe a process of presenting the school finances at least annually to an open assembly of stakeholders including parents, and answering questions from the stakeholders.

suggests that regulations alone are not enough: they must be supported by external efforts.

Nevertheless, the picture is not all bad. Where a head teacher or SMC chair makes a superhuman effort and the political factors align favourably, schools can be effectively managed and a high-quality education delivered. This is more likely to be the case in hilly areas than in the *terai*, where the political forces and threat of violence generally overwhelm personal efforts. Educational performance is extremely patchy depending on the extent to which local forces (e.g., NGOs) and individuals reinforce formal governance. The problem, for Nepal as a whole, is not that the formal system is bad but that in most cases it is severely distorted by informal governance.

Political parties, especially the Maoists, state that the solution lies in stronger action by DEOs and other officials. Instead of supporting increased accountability to communities, as generally espoused by NGOs, they favour stronger top-down control (presumably on the assumption that their own party will be in power). In a more democratic view, the key obstacle in the education sector lies in the absence of elected councils at village and district levels. This would transfer at least some of the political focus away from schools. But with the parties committed to a more authoritarian approach, this may be unlikely to come about.

### 3.1.2. Quality education

The school textbooks have been extensively rewritten and improved since the days of subservience to the king, and they are complemented by a syllabus that seeks to stimulate creativity and experiment by teachers. But in practice the education system is almost entirely based on rote learning and the syllabus is often disregarded. In some schools, the syllabus has long been locked away in a cabinet and only the textbooks are used. Similarly, teacher training in official institutions may focus on creative methods, but these are very rarely applied in the classroom. The primary reason for this is an exclusive focus on examinations and the focus within the examination system on repeating what was written in the textbook. This compounds the problem, referred to above, of lack of supervision and influence over schools by district-level officials.

Such an approach is clearly susceptible to cheating and this has now become a major feature of the education system. It has gone beyond cheating by individual children and teachers, but is now organized on a mass scale. Teachers sometimes writing up answers on a board during the exam and allow textbooks and 'cribs' to be taken into exams (Mathema and Bista, 2006, pp.209–211). In the *terai*, the threat of violence can be added to other pressures on teachers to allow cheating.

Concern among donors about low SLC pass rates in government schools (Vaux, Smith, and Subba, 2006) may have encouraged the systemic spread of cheating. In 2004, only about one third of government students passed the SLC, and there was an increasing disparity with private schools in which nearly two thirds of students passed the exam.[16] There was discussion about making payments to schools on the basis of

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[16] There are wide variations between schools and between regions; see Mathma and Bista,2006, p. 60.

their results and although this did not happen, a practice of rewarding schools with higher than 50 per cent pass rates was introduced. Teachers and education officials saw an advantage in achieving higher exam results. This led to greater condoning of cheating and also a liberal approach towards areas of discretion, particularly in the case of students re-taking the SLC exam in specific subjects.

Public outcry against some of the most extreme cases of cheating, published in the media, together with greater awareness among donors, may have combined to lead to a fall in the pass rate (and, by implication, of cheating) in 2011. Public attention has now turned towards the disparity between SLC pass rates for private schools (greater than 90 per cent) and those for government schools (47 per cent). Despite the huge and increasing expenditure on public education, the results are much worse than in private schools that generally lack such resources. The infrastructure of most private schools is worse than that of government schools and teachers are less well trained. They lack security of tenure and benefits such as provident funds and pensions. The remarkable difference in performance has drawn attention to lack of discipline among teachers as the primary problem in government schools.

The increasing divide between private and public education is deepened by a language divide. Private schools use English as the medium of instruction, whereas government schools use Nepali. Students from private schools have hitherto found employment abroad or in non-government activity in which English is a key requirement. Government service (in which Nepali is the official language) was relatively poorly paid. But the situation is beginning to change, with government posts now regarded as more desirable because of their permanence and pensions in comparison with the private sector. There is serious discussion about making English an equal official language, potentially giving students from private schools a further advantage.

Whatever the outcome of this debate, the private/public division in education is strengthening a class division on a much wider scale. The problem is that a clever student from a poor background will be disadvantaged because of teacher indiscipline, and cannot be distinguished from others in public education because of exam cheating. In the job market, the student from a government school, however bright, will be disadvantaged against those who have studied in English mediums. In all these ways, social mobility is severely limited.

### 3.1.3. Poverty and gender issues

Although a wider range of students than ever before is now enrolling into schools, and outright discrimination has reduced, the involvement of children from poorer backgrounds is likely to be overestimated. Although poorer children may enrol in order to get scholarship money, their rate of attendance is lower than that of better-off groups. A study for UNICEF concluded that absenteeism was a serious problem and "*students identified as most likely to be absent were children from poor families, followed by Dalit children, children from households engaged in agriculture or livestock-raising, girls and children living far from school"*(Teachers Union of Nepal, 2010, p. 41). Because the official data are unreliable, the survey was based on the perceptions of more than 200 respondents. The study found that while more than 70 per cent considered that children from poorer families and *dalit* children had a low

attendance record, only 10 per cent or less thought that children from high caste and business families had a low attendance record. By implication, even within the government schools, there is a tendency for wealthier social groups to take better advantage of the system than those from poorer groups. Caste remains a strong determining factor, although not perhaps because of direct discrimination in the schools. Class division seems to be a more accurate way of analysing what is happening.

Whereas there are now more girls than boys in government schools, the reverse is the case in private schools, reflecting parents' preference for investing in boys rather than girls. A recent 'Study on Gender Responsive Budgeting' initiated by UNICEF and published in association with the Ministry of Education and UNESCO, succinctly describes many of the key gender characteristics of the education system (Ministry of Education, UNESCO and UNICEF, 2010). These include:

- Near equality of enrolment of girls and boys in Grade 1 primary school, but much higher drop-out rates for girls;
- A significant gender gap at secondary level (girls to boys ratio of 0.93);
- Overall proportion of women teachers only 27.8 per cent, with a high concentration in primary (34.5 per cent) and very low rates in secondary (17.3 per cent) and higher secondary (10.5 per cent);
- Very low ratio of women's literacy (women to men ratio in 15–24-year-old age group of 0.83);
- Negligible participation of women in PTAs and SMCs (except for the mandated appointment of one woman);
- Extremely low representation of women in district education offices and their involvement in planning and budgeting was minimal;
- Promises of scholarships for all girls have not been matched by funding which, along with abuses in allocation, reduces the effectiveness of this mechanism as an incentive for study.

The textbooks are now generally gender sensitive and there are widespread policies, regulations and systems relating to gender inclusion, but these make little difference to social norms. Girls receive some schooling, but only to a level consistent with traditional gender roles, i.e., marriage to a man who is responsible for household income. Role models in school and outside tend to reinforce this stereotype. The level of debate about gender issues is low: *"At the DEO and in schools gender is understood only as scholarship to girls and girl's toilets"* (Ministry of Education, UNECSO and UNICEF, 2010,p. 34).

This reflects the same underlying problem of formal governance being outweighed by informal governance, although in this case the problem is not political patronage and corruption but social norms that remain fixed in an earlier era and which result in a high level of coercion and violence against women. In this process, the voice of women as peacebuilders is lost. Women are not simply focused on domestic issues but marginalized from political discourse. Their concern for their children going through the education system may not be heard and this may be one of the reasons why parental involvement is so low. The marginalization of women has become a vicious cycle that persists.

### 3.1.4. The curriculum

Throughout recent years and especially since the demise of the monarchy, the education system has moved away from promotion of the 'Hindu Kingdom' towards greater respect for Nepal's diversity of ethnicity and religion. History and geography have been brought together under the single heading of Social Studies and, within this, peace, human rights and civic education forms a separate section. History textbooks have begun to be a little more open about the deficiencies of the Hindu Kingdom and its imposition over other cultures. But the notion still persists in more diluted forms. The current Grade 7 textbook, for example, lists three Hindu festivals and only one non-Hindu one. There are pictures of Hindu gods but none of non-Hindu deities. Similarly, posters utilized to teach the alphabet showed three explicitly Hindu entities, including the god Ram, and none drawn from other religions or ethnic groups. There is no serious analysis of the ethnic make-up of the country or of the impacts of the 'Hindu Kingdom' notion on current issues. Nonetheless, it is a huge advance on the syllabus and textbooks that existed before. Further processes of revision are expected to bring about further improvements. Donors have encouraged this process and should take some credit, although the main changes arise from political changes and pressures within Nepal.

In addition to this general modernizing of the curriculum, a specific input of peace, human rights and civic education has been developed by UNICEF, UNESCO and Save the Children together with the government's Curriculum Development Centre and has been inserted into the curriculum under the heading of Social Studies.

The most controversial issue in recent years has been the question of education in the 'mother tongue'. Many Nepalese citizens (perhaps a majority) do not grow up using Nepali as their first language, but learn it when they start school. The ban on languages other than Nepali was lifted in 1990 and the constitution of that year asserted a right to education in the 'mother tongue'. This was re-asserted in the interim constitution of 2007, but in practice the issue has been addressed, if at all, by the actions of individual teachers and schools. Teachers in early child education development centres (preschools) are almost entirely local (the salaries are too low to attract outsiders), and therefore are likely to understand the local languages. They commonly help children struggling with Nepali to become more fluent. In many cases, teachers in primary schools also come from the same locality and therefore are able to help children convert from their own language to Nepali. For many children and parents, this informal approach makes a good arrangement. Their preference is not for full education in the 'mother tongue', but for facilitation in the transfer to Nepali. A problem is that teachers in early childhood development and lower primary classes, who are mainly women, get little help in performing this difficult but important task and, in the case of early childhood development teachers, are very poorly paid.

There is widespread appreciation that Nepali as the *lingua franca*(even though it was originally imposed by force) is useful because it allows people to communicate across the entire country. But there is also concern, particularly among activists from the minorities, that local languages and cultures have been deeply eroded by the imposition of the 'Hindu Kingdom' and special corrective measures may be necessary, especially as some of these languages are in danger of dying out. It is also argued (with support from international studies) that the dominance of Nepali constitutes a

permanent disadvantage to those brought up in another language. Critics say that exam questions often reflect and demand a particularly literary style of Nepali that is not habitual outside the intelligentsia of the Kathmandu Valley.

Hitherto, the demand for education in the 'mother tongue' had been confined to a small group of ultra-nationalists and anthropologists, but the promise of a federal state under the new constitution has tempted politicians from specific ethnic groups to pledge their support for education in the 'mother tongue' and also demand allocation of government jobs, etc., on an ethnic basis. There is a possibility that the new federal states may be based on language groups, allowing the dominant language to become official and hence the key to jobs.

In response to these concerns, since 2007 the Ministry of Education (Inclusive Education Section) has been developing a pilot Multilingual Education Program. The initial phase covered seven schools and nine different languages. In some schools, teachers had to teach in two different 'mother tongues'. In these schools, Nepali becomes a subject rather than the medium of education. At the same time, the Ministry of Education is also translating the standard textbooks into many of the most common 'mother tongues'. This process has not yet reached the SLC exam level (Grade 10), but the intention eventually is to translate the exams into languages other than Nepali. The issue of ethnic and religious diversity is now one of the flashpoints for conflict in Nepal. Instead of a rational process leading to tolerance and cosmopolitanism, there is a real risk that the federalism debate could lead towards a kind of ethnic cleansing, as groups claim separate mono-cultural identities and drive out others. There is a fundamental problem about the teaching of minorities in schools adopting the 'mother tongue' approach.

### 3.1.5. Educational outcomes and peacebuilding

Although it is difficult to be precise, the spread of education may have given impetus to pressures for change including the Maoist insurgency. Studies have shown "a positive correlation between the spatial patterns of the insurgency and the implementation of foreign aid-funded education programs (in particular adult literacy programs)" (Bonino and Donini, p. 10). But it is difficult to separate out the different causes of these impacts. The education system may play only a relatively minor role.

Such positive impacts are counterbalanced by negative impacts arising because the education system (inevitably, perhaps) reflects wider problems of society. The education system has never shown signs of a transformative agenda, but instead has tended to reinforce elite domination. In relation to our analysis of the key structural causes of conflict in Nepal (Section One), the following points emerge in relation to the education system:

- The education system reflects a general problem that informal governance tends to drive out formal governance. The fundamental problem is excessive political protection of teachers in the government sector.
- The interests of actors within the education system lead to further distortions, notably cheating and manipulation of educational outcomes, which all militate against the motivation of students.

- Emphasis on rote learning perpetuates deference to authority and lack of a questioning and assertive outlook.
- The abuse of school finance by those in authority provides a negative image of society and perpetuates the dominance of informal over formal governance.
- Students will notice that all of the above takes place within a culture of impunity and they will observe that there is a very large discrepancy between the values espoused in the formal education system and the reality in the schoolroom.
- Students in government schools may observe that despite their best efforts and similar levels of academic achievement, they will not get jobs as easily as students from private schools.

In conclusion, while there are a number of specific educational issues that relate to peacebuilding, the most important factor is that the education system reflects the underlying problem that informal governance drives out formal governance. The formal aspects of the education system (buildings, number of teachers, enrolment, etc.) are satisfactory, but the informal aspects, arising largely from politicization, such as teacher indiscipline, drop-out rates, cheating in exams, etc., are highly unsatisfactory. The government system does not contribute much to the life chances of students, whereas students in private schools acquire language skills and qualifications that allow them to succeed within the terms of Nepali society. This means that the education system contributes to class division. It adjusts and shapes each successive generation to maintain and perpetuate the same system. The result is lack of social mobility (except for those who transfer to the private system) and a highly unequal and limited form of development.

The Maoists have shown that a political movement can mobilize the extensive grievances of Nepal's poorer people into an armed struggle, ostensibly against greed. Nepal's stalled political process at the centre, together with centrifugal forces around federalism, could create the conditions in which turbulence degenerates into violence yet again. Accordingly, peacebuilding in the Nepali context cannot only focus on patching up specific incidents but must take a more fundamental approach to systemic change. The education system is a critical point for intervention.


## 4. INTERNATIONAL AID, PEACEBUILDING AND EDUCATION

### 4.1. The UN and Peacebuilding

As noted in Section One, five years after the end of the war the Maoist army (PLA) remains in the cantonments and the peacebuilding process set out in the CPA has scarcely begun. The UN peacebuilding strategy (UN Nepal, 2011) acknowledges a primary role for the international community in facilitating this process, especially as the slow rate of progress so far is becoming a flashpoint and has opened the way for groups to press forward their demands without waiting any longer for the country's fundamental state architecture to be established.

UN strategy, including the UNDAF (UN Nepal, 2008), also acknowledges that the war was caused by structural problems relating to development, and therefore that peacebuilding must be considered in development planning. It has focused particularly

on issues of social exclusion (building on the provisions of the CPA and interim constitution), but there is no explicit peacebuilding strategy relating to education. Peacebuilding remains a separate category, opening up the possibility that education might be addressed without a peacebuilding focus. Although social exclusion remains a focus within the education sector, the wider role of education, negative or positive, in relation to peacebuilding has not been examined. Hence, the role of 'informal governance' in undermining education and creating barriers to social mobility is not addressed.

Political uncertainty and opportunism have stalled the impetus of the CPA. Government has not developed a comprehensive policy ad simply focused on reconstruction without any concerted attempt to address the underlying causes of conflict. The political parties have been engaged in internal and external rivalries and have not developed policies on development or peacebuilding issues. Frustrated with these delays, the DPs, including the UN, found it necessary at a minimum to coordinate and focus their own activities around a common set of assumptions. The Nepal Peace and Development Strategy 2010–2015(Australian Government et. al., 2011) provides the broad architecture within which UN peacebuilding activity now takes place. Consistent with this, the UN peacebuilding strategy (UN Nepal, 2011, p. 2) recognizes the need to address both CPA implementation and structural problems. Specifically, the priority areas of the UN are to:

- Support Nepal to achieve critical benchmarks in the peace process;
- Catalyse progress on the long-term structural transformation agenda embedded in the CPA;
- Strengthen the linkages between peacebuilding in Nepal and global UN mechanisms and standards; and
- Provide leadership and the means of coordinating strategic and coherent international peacebuilding support to Nepal.

Policy documents relating to UNICEF's role focus on social inclusion, but other issues are referred to. Priority Area B of the UN peacebuilding strategy specifies not only on 'social inclusion' but also 'equality and inclusive growth', which specifically includes 'equitable access to... education'. Within the UNDAF, UNICEF activity is focused on the outcome that, *"Socially excluded and economically marginalized groups including adolescents increasingly utilize and participate in the management of basic services including education..."* (UNICEF Nepal, undated). Note that this refers to participation in management by marginalized groups rather than simply access to education. The policy documents acknowledge the need for a 'long-term structural transformation agenda', but in practice this has become narrowed to the more specific issue of inclusiveness in schools.

UNDP has made efforts to promote conflict sensitivity across its programme and to support other UN agencies in doing so. It has developed an approach based on the Do No Harm method (Anderson, 1991) and this has been applied to UNICEF programmes related to education, including SZOP and Children Associated with Armed Forces and Armed Groups(CAAFAG). This involves lengthy processes of analysing the likely impact of programme activities on different stakeholders. The initiative has only been

running for a year and no estimate has yet been made of the effect or impact. Potentially, it could draw attention back towards a wider transformative agenda.

### 4.1.1. UNICEF's role in the education SWAp

UNICEF takes the lead on education within the UN and currently holds the chair of the SWAp group of DPs. UNICEF makes only a very modest contribution to the SWAp ($300,000 in the last year, compared with about $60million from the World Bank), but enjoys an influential position in the SWAp because of its direct grassroots experience and research capacity.

UNICEF has supported work on social inclusion in the SWAp and by specific projects, notably the Welcome to School campaign, intended to increase the numbers of girls enrolling at the start of the school year. UNICEF is well aware of the problem of drop-out rates and the structural deficiencies that de-motivate children in government schools, such as lack of teacher discipline, but, along with other members of the SWAp, has not found a way of tackling these problems. Another issue is that girls do not achieve as well as boys through the government education system. By the time of the SLC exam, after 10 years of schooling, there is a gender gap in performance[17] of about 15 per cent in government schools (Mathema and Bista, 2006, p. 60). UNICEF has played a useful role in providing analysis of factors behind this problem (Ministry of Education, UNESCO, and UNICEF, 2010). Concerted work within the SWAp will be needed if the institutional problems leading to gender imbalance are to be addressed.

Another area in which the SWAp has been weak is in gathering reliable information and data on education issues. This is emphasized as a role in the UN peacebuilding strategy and there is potential to do much more here. The unreliability of government data (Flash Reports) stems from the interests of those that compile the report. Head teachers have an incentive to increase numbers because this dictates the level of the Per Child Fee paid to each school. Other officials have incentives to adjust figures of exam success, etc. As was observed in Nepal's MDG Progress Report (citing evidence from other reports),"*A major issue is the coverage and quality of data reported by the MOE (Ministry of Education)... It has been claimed that there is an over-reporting of student numbers by schools because of the tying of school grants to the number of enrolled students through per-child funding. Schools are more likely to over-report the number of girls and Dalit students because additional grants are associated with the number of such children in each school. The situation has been further aggravated by lack of monitoring mechanisms to check the actual numbers of students in school*"(UNESCO, 2011, p. 31)*.*

In 2005 and 2006,the SWAp group initiated a process of sample monitoring and this revealed significant differences compared with government data. The Ministry of Education argued that such sample surveys were unnecessary and in 2007 it happened that the discrepancies were greatly reduced. The DPs in the SWAp group were persuaded to drop the sample surveys. Today, DPs have to rely on much less reliable sampling, such as their own visits and press reports, in order to test the validity of government data, while evidence from the current mission would suggest that the incentives for distorting data remain as strong as ever and may be greater in the *terai*.

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[17] Based on the percentage pass rates of girls/boys taking the exam.

Without independent corroboration, there is a possibility that the data may be manipulated around DP expectations. A review in 2006 drew DP attention to the very low pass rate of students from government schools in the SLC exams (Vaux, Smith, and Subba, 2006). This was followed by a sudden increase in pass rates, which may have been largely attributable to increased cheating rather than a sudden improvement in the system itself. A report for DPs in 2011 focused on the spread of cheating and was followed by a drop in pass rates in 2011, following a strong intervention by the Controller of Examinations. These events may be purely coincidence, but on the basis that informal governance tends to drive out formal governance, the possibility of deliberate manipulation should be taken seriously. Without independent monitoring, the DPs are unable to argue the case either way.

### 4.1.2. Peace education

With support from UNICEF, UNESCO and Save the Children, peace education is now part of the syllabus as an element, along with human rights, of Social Studies. Perhaps the most crucial change has been the adjustment of the geography and history curriculum to reflect the demise of the Hindu Kingdom and greater sensitivity towards ethnic groups and minority religions. Under the heading of peace education, the textbooks also include direct lessons in conflict mediation and tolerant behaviour. These are concentrated in Grades 4, 5 and 6, but also included in 3, 9 and 10 and may be extended to all Grades as revisions proceed.

It appears that this subject is given little prominence in schools and receives little attention from education officials. This compounds the problem that although teachers may attempt to show students how to manage conflict situations through textbook methods, they need to radically alter their normal teaching methods to make this an effective lesson in the classroom. It is a subject that it is not susceptible to the prevalent 'rote learning' approach.[18] As with many of the more challenging subjects, teachers may become enthusiastic while being trained, but revert to passivity after returning to their classrooms because of the destructive combination of low teacher morale, indiscipline, etc., compounded by lack of supervision and support from the district office. Although the potential for a transformative approach exists, this does not normally happen.

Recognizing this, UNICEF and NGOs have launched a number of peace Education initiatives in support of the curriculum and in supplementary activities, especially through child clubs. In the absence of a wider transformative agenda arising from the country's leadership, results are inevitably meagre and depend on external interventions. Nevertheless, some general lessons can be drawn. A comprehensive report based on Nepal and other South Asian countries (Save the Children Sweden, 2010) summarizes the following key lessons:

- To establish a successful peace education programme at country level, cooperation among agencies and with government is key.
- It is necessary to provide conceptual clarity on what peace education is and to develop a common understanding among key actors.

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[18] One respondent reported that his ten-year old child returned home from school (private school in Kathmandu) and immediately set about resolving a family dispute –quite successfully.

- Curriculum and support for teachers are needed.
- Peace education requires a multifaceted approach.
- The development of the curriculum needs to be inclusive of diversity and also needs a participatory process, especially in the context of conflicts.
- Criteria should be established to review the content of the education materials, methodology and pedagogy tools, and practice through a 'peace education' lens.

### 4.1.3. Children associated with armed forces and armed groups

At the end of the war, the immediate tasks of implementing the CPA fell to the UN Mission in Nepal, which, after much difficulty, identified a list of underage soldiers (Verified Minors) and young people who had come into the cantonments but had not been part of the Maoist Army (PLA) during the war (Late Recruits). In total, there were 4,008 such 'disqualified' persons, many of them of school age or having missed education during the war.[19]

The PLA included child soldiers and, consequently, the Maoists have been listed by the UN as violators of international conventions relating to this issue.[20]It was expected that the Maoists would be keen to collaborate in dispersing the child soldiers, but it turned out that PLA commanders were reluctant to give up their recruits. The process of releasing child soldiers from the cantonments was unduly protracted. A list of Verified Minors was agreed after much debate by around 2008, but it was not released until February 2010.

In a coalition of 17 member organizations, the UN put together a plan to provide social and psychosocial reintegration, links to education(UNICEF) and livelihoods support (ILO).Before the Verified Minors and Late Recruiters (VMLRs) were released, aid agencies were given no access to the cantonments and so had no information about the group now entrusted to their care. It turned out that the degree of psychosocial needs was higher than expected, but this was not so much because of war experiences but because of fears relating to social reintegration. The loss of security in the cantonments and sense of rejection by commanders and comrades was deeply felt. In addition, there were severe social complications such as inter-caste marriages and unmarried mothers that caused stress after return to conservative communities. Children were commonly rejected by their families. Many VMLRs retained links with the cantonments and continued to receive gifts and payments from them after release. In addition, as UNICEF notes (UNICEF Nepal, undated, p. 3) the VMLRs "are extremely prone to re-recruitment by emerging groups that are prepared to use force to achieve their aims." Added to this, the Government was slow to develop policies relating to conflict-affected children. It was only in December 2010, nearly five years after the end of the conflict, that the Government announced a National Plan of Action for Children Affected by Armed Conflict.

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[19] The term 'disqualified' was applied by UNMIN and became highly controversial (see below), as those concerned felt that it meant they were disqualified from any further benefits or connections with the PLA.

[20] This listing is still in place because of continued connections between PLA commanders and minors, and the return of some former child soldiers to the cantonments.

Within this difficult context, the aid response was well organized. UNICEF was able to enlist support from a wide range of national organizations to develop an extensive programme, including a network of more than 300 psycho-support persons and organizations. These services were not fully used, not only because the VMLRs tended to regard counselling as an implication of madness, but also because the cause of many problems lay in processes of social reintegration rather than in psychosocial disturbance. One of the most successful methods was to support child clubs and youth clubs in the areas in which VMLRs had settled. The objective was not to focus on VMLRs directly but to work with the communities to develop conflict mediation skills and reduce tensions through a variety of activities. This meant that these activities also helped address issues relating to the large number of children other than VMLRs who had been affected by the conflict. One UNICEF partner (Search for Common Ground) took the opportunity to conduct a widespread training programme using the international Reflecting on Peace Practice (RPP) method of problem-solving. The experience suggests that this was broadly suitable, although requiring extensive training programmes and follow-up.

The key obstacle was that the period of planned support for the VMLRs was just one year. This proved to be too short, merely exposing the extent of demand but not addressing it. At the end of the project, youth groups throughout the region were reported to be 'clamouring 'for support and training but the funding stream had dried up[21](Search for Common Ground Nepal, 2011).

A key lesson from this experience was to build on what already existed in society rather than bring in new practices. Search for Common Ground made considerable use of sports events in order to break down barriers and develop a suitable atmosphere for introducing discussion of specific problems. In some areas, a tradition of love duets could be used to explore the relationship between VMLRs and the community. UNICEF was able to make very effective use of its ongoing support for local radio programmes, including a popular soap opera, to introduce issues relating to VMLR integration. These methods developed into popular entertainments that have been credited with considerable impact.

The problem of a short-time period was compounded because the agencies had no access to the VMLRs before programmes began. This may also have led agencies to underestimate the likelihood that VMLRs would retain links with the cantonments and maintain their claims to be treated as full PLA soldiers. When it became apparent that those who 'qualified' would obtain employment in the Nepal Army or receive substantial rehabilitation funds, the 'disqualified' VMLRs turned against the UN and other agencies, blaming them for taking away their rights. The UN compound in Biratnagar was attacked by VMLRs and protests have been organized in Kathmandu. In fact, the limit on assistance to VMLRs had been set by the Government rather than by the UN, but it was the UN that bore the brunt of complaints.

There are a number of potential lessons from this experience, including:

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[21] In fact, this derived from input from the Government of the Netherlands; UNICEF stopped the programmes because it was anticipated that funding would cease at the end of 2011.

1. A peace agreement does not solve all the problems, but opens the way for intense bargaining for post-conflict positions. Child soldiers will also try to secure their interests and preferences.

2. Although psychosocial needs cannot be ignored, it may be better to focus on ongoing social processes of reintegration.

3. Informal methods of reintegration based on what is already familiar to people (e.g., radio, sports, etc.) may be more effective than formal methods such as conflict mediation, etc.

4. Support should be directed to the school as a whole rather than to the individual child.

### 4.1.4. Mine-risk education

Mine clearance at the end of the war was a key priority for UNMIN and the Nepal Army. Fortunately, most minefields had been mapped and their location around government infrastructure was well known. The Maoists did not lay minefields. Clearance is now technically complete, with the last mine being exploded in mid-2011, although there is still a threat from improvised explosive devices from the conflict time that have remained unreported. A further problem arises from the use of improvised explosive devices as part of the ongoing pattern of violence centred in the *terai*. Some 69 people were killed or injured by improvised explosive devices in 2010. UNICEF, as the founder of a network of concerned organizations (Mine Action Joint Working Group), has supported an effective programme of mine-risk education focused on making children and teachers aware of these threats and training them to respond safely. This programme includes development of materials for teachers and children in schools. A key part of the strategy is training of the Government's resource persons with the expectation that they will train teachers. So far, UNICEF has prioritized 2,000 schools in 30 districts in the most at-risk areas. This still leaves a caseload of more than 30,000 schools, indicating the scale of the task.

UNICEF has also developed a database relating to armed violence. This has helped not only to identify locations prone to violence but also the weapons used, leading to the unexpected finding that knives and sticks are the most common weapons rather than guns, as is often supposed. Information supplied to the database also showed that violence is more prevalent in the hilly areas than was generally thought. More work is needed to analyse the different types of violence in these regions.

Among potential lessons from UNICEF's experience are:

- In some countries, there is competition for a 'lead role' on the issue of mine-risk education, notably between the International Committee of the Red Cross and UNICEF. Cooperation in Nepal was facilitated because neither of the key players (the International Committee of the Red Cross or UNICEF) put their logo on the materials.

- Although schools and teachers should be the obvious mechanism for dissemination of mine-risk education, in Nepal they are not well geared to activity outside the syllabus and resource persons may not take up the activity with the necessary enthusiasm. However, UNICEF's experience is that the topic is of such interest that these difficulties are largely overcome. Coverage can be further increased by the involvement of NGOs and the security forces.

### 4.1.5. Schools as Zones of Peace (SZOP)

This 'flagship' programme of UNICEF Nepal will be described in detail because it provides one of the key areas of learning for UNICEF globally.[22] The history of the programme is presented here in three phases – the war period, the post-war period and the present time.

1. *The War Period to 2006*

According to UNICEF sources (Smith, 2009, p. 2), the background of UNICEF's involvement is as follows:

> "*The concept of children as zones of peace, as conflict-free zones, first emerged in the 1980s in a proposal to UNICEF by Nils Thedin, a member of UNICEF's Executive Board who asserted that children should be protected from harm and provided with the essential services to ensure their survival and well-being. This concept was first applied in negotiations between warring parties of 'days of tranquillity' and 'corridors of peace' in the delivery of life-saving medical aid and food to children in El Salvador, Sudan, Sri Lanka and Uganda. During the insurgency in the northeast of Sri Lanka, for example, UNICEF negotiated with the Tamil Tigers to stop using schools as centres for recruitment of child combatants. At the same time, UNICEF requested government forces to move out of schools occupied as military camps, and to move military guard-posts to at least 500 meters distance from school compounds.*"

The Children as Zones of Peace campaign was initiated in Nepal in 2001 and fully launched in 2003 by a coalition of more than30 NGOs. This covered a wide range of institutions, including hospitals, immunization centres, etc. UNICEF, with its partner organization World Education, took the lead in developing a programme focused on schools, designated specifically as SZOP. From the outset, the difficulty for UNICEF was that it was not neutral but attached to government as a member of the UN. The initial programme was based on a Quality Education Resource Package being developed in association with the Government. Key elements included:

- Development of a Code of Conduct by each school (typical issues were weapons, political rallies, abduction, disruption of school schedule, no military presence, etc.);
- Mobilization of civil society to keep the conflict out of schools;
- Psychosocial and other support to children affected by conflict;
- Support and coping skills for teachers; and
- Landmine awareness (Smith, 2009, p. 6).

Initially, the assumption was that the Maoists were disrupting schools and government forces were striving to maintain law and order. UNICEF sought to engage local government officials in the process, but this approach proved dangerous for all concerned, including the children. Government forces attacked schools if they suspected that Maoist activity was taking place and often used schools as bases for

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[22] For a description of SZOP Nepal, see UNICEF Division of Policy and Planning, 2010, pp. 12–16.

their local operations, making them targets for Maoist attack. For the programme to be effective, UNICEF and its partners had to keep the link with government to a minimum.

Even with this 'neutral' approach, great caution was needed, including:
- Negotiations had to be done by the 'back door' (informally);
- Fear and danger had to be taken into account;
- The community had to take direct charge of the most delicate negotiations;
- The Government could not be brought into the process without danger; and
- Local codes of conduct need to be backed up by district-level ones.

The initial SZOP campaign was piloted in only three districts but later taken up by Save the Children and other agencies over a wider area. In schools, teachers and children were persuaded to avoid any links or activity relating to the warring parties. Outside the schools, campaigns were organized to persuade all concerned to respect the neutrality of schools. Although it is impossible to accurately assess the impact of the programme, it was generally considered successful in reducing violence related to schools. In 2004, UNICEF took a bold lead in launching a major campaign during the height of the conflict to increase the enrolment of girls and marginalized groups in schools. In this Welcome to School campaign, more than 63,000 teachers were mobilized. It was supported both by the Government and by the Maoists, and it was estimated that more than 500,000 additional children were enrolled.

The focus on teachers as well as children may be a specific aspect of how the concept developed in Nepal. During the 1996–2006, conflict the Maoists initially targeted teachers because they were government employees and members of the Kathmandu political parties, but later focused on teachers as potential cadres and supporters. In this ideological struggle (as opposed to one based purely on ethnicity, as in Sri Lanka),teachers were important opinion-formers in the community. Because they were paid by the Government they could also be taxed by the Maoists. This became a significant source of revenue but exposed teachers to risk from the security forces. Inevitably, the government forces became more wary of teachers and often targeted them for interrogation (and worse) during their forays into the rural areas. While the schools might be 'Zones of Peace', control of teachers was politically contested. The education system itself was not, however, a significant subject of conflict. Although the Maoists developed their own curriculum this was not imposed except on a tiny number of schools in the Maoist 'base' areas. In most cases, the only Maoist demand was that teachers should work to time. In fact, the functioning of schools improved because of Maoist surveillance. Although an estimated 145 teachers were killed during the war, this may be regarded as a low number given the suspicion from both sides that surrounded them (Smith, 2009, p. 4).

The SZOP campaign took place in parallel with the development by donors of a set of principles intended to demonstrate the neutrality of aid activity and call upon the warring parties to allow aid into contested areas. The Basic Operating Guidelines were backed up by vigorous action by the donors collectively and complaints taken up against both sides. The threat of withdrawing aid was sometimes put into practice, especially where an aid worker was attacked, in the hope of directing community pressure against the perpetrators.

The SZOP sought to develop a special focus on the concept of neutrality in relation to schools on the basis that children should be regarded as innocent victims. This was not entirely valid, because the Maoists often recruited children from the schools and, in effect, taxed the teachers. In reality, the desire for international respect[23] may have been a key factor in the success of both SZOP and the Basic Operating Guidelines. The recent endorsement of SZOP by the UN Security Council will give further impetus to the notion, but only where the parties are subject to international pressure.

*2.  The immediate post-war period 2006–2009*

At the end of the war, the SZOP campaign could have stopped, but a different form of violence quickly developed, particularly in the *terai*, where the Madhesi Movement pitched the people of the plains (Madhesis) against the Bahun-Chhetri Hindu caste elite from the hills (Pahades).[24] Encouraged by promises of support, first from the Maoists and then from other parties, the Madhesis staged large demonstrations and used threats and violence to drive out many of the Pahades living in the *terai*. In the course of this disruption there were many *bandhas* that involved the stoppage not only of all transport on the roads, but of all institutions including schools. The SZOP campaign re-focused on the issue of school closure.

In 2007, about 30 per cent of schools in the *terai* were closed for long periods because of security threats and strikes, and some schools were subjected to a constant series of disruptions, causing them to close for up to 10 days a month (Smith, 2009, p. 9).On average, schools were functioning for only about 150 days a year, compared with 220 days according to the regulations. The SZOP programme adjusted its general Code of Conduct to the new situation and focused efforts on achieving recognition from the political parties, both directly and through mass media. The campaign was led by Child Workers in Nepal, an NGO, with UNICEF support. Methods included popular radio programmes, television debates and a direct plea from schoolchildren to the President. Influential leaders pledged their support to the campaign and by the end of 2008,recognition from many party leaders had been achieved and most schools were open for longer periods.

Although the SZOP activity undoubtedly helped, the main factor in restoring normality was probably that the Madhesi Movement achieved some of its objectives and began to split into factional groups. It could no longer organize massive *bandhas* as in 2007,but the continued work on SZOP had helped to spread the notion that whatever the disruption, schools and children should be exempt as far as possible. With a stalled political process in Kathmandu, *bandhas* continue to be a common way of making political demands and SZOP appears to be necessary for the foreseeable future.

*3.  Fracture and criminalization*

In the *terai*, criminal elements took advantage of a further breakdown of law and order as government officials fled to Kathmandu or became afraid of being branded as

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[23] The Maoists were keen to get off the international terrorist list and the Government was concerned to continue donor support.
[24] The issue was complicated because the indigenous groups living in the *terai* sometimes opposed the Madhesis.

Pahades. Some of these groups had their origins in Maoist cells focused on 'taxation' and now running protection and extortion rackets. Such gangs were not susceptible to any form of control or moral pressure. Instead of widespread school closures, the *terai* was now characterized by specific attacks against teachers and violent conflicts over teacher disputes and access to school resources. Extortion was applied not only at school level but increasingly against officials at the district level, forcing them to sanction corrupt practices whether they wished to or not.

By 2009, SZOP had entered a third stage in its development – an attempt to curtail violence and violent threats within the schools. It was felt that disputes and irregular practices within the schools attracted the attention of the armed gangs. The SZOP campaign was drawn towards fundamental failures of the education system, notably corruption in school management. In particular, SZOP focused on the abuse of school assets, including the common practice of letting out the school premises for wedding parties and other events, including political rallies. Because the situation was different in each school, the Code of Conduct was now developed on a case-by-case basis, providing an opportunity to draw in a wider range of participants.

The SZOP programme was able to join with other activities such as child clubs, young champions and paralegal committees in some districts of the *terai*. SZOP activity now became concerned with general issues of school management and education quality. Codes of Conduct have become popular among aid agencies and schools now exhibit many different codes painted on the walls, each sponsored by a different organization. This causes a degree of confusion in schools, but the key problem is that the elements causing trouble are not susceptible to influence from a Code of Conduct. Those who abuse school funds are no less likely to do so because of a Code of Conduct on the wall. Armed gangs are undeterred and the tensions within the community may burst into uncontrolled violence (*see Box below*). The effectiveness of SZOP lies in addressing disputes internally so that outside threats are reduced. The Code of Conduct is less relevant.

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**Box: Negotiating a dispute under SZOP**

Field observation during this mission in the *terai* confirms that disputes within the schools (e.g., over the appointment of cadres from a particular party as teachers) quickly spread to the community and, having been deepened by political actors, result in profound divisions and animosities. One school visited had been closed for two years because of a dispute between two teachers contending to be head teacher. The courts had made a decision that appeared to resolve this issue but the community raised many other issues, including allegations of corruption and misappropriation. The school was opened but the classrooms had already been wrecked by members of the community. This was an extremely good school building and the equipment was brand new, but such was the degree of hatred generated by the dispute that they seemed to wish to destroy it. For the moment, the numbers of children attending the school are reported to be rising rapidly and efforts are being made to repair the damage.

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*4.   SZOP and gender*

In the social context of Nepal and especially the *terai*, women have the primary responsibility for the care and safety of children. This should make women key actors in SZOP programmes, but in practice their involvement is minimal. UNICEF's implementing partners show little commitment to this issue and the local NGOs

observed during this mission were staffed almost entirely by men. Women staff were few in number and relegated to minor roles. There was a massive preponderance of men in meetings concerning schools, especially in the senior and speaking roles. One meeting with teachers and parents consisted of about35 men and 1 woman (who, being pressed to speak, made the most useful observations). This was not questioned by UNICEF's partners.

UNICEF should identify any obstacles to women's participation that can be addressed through programme design. In the case of NGOs, there may be a lack of appropriate transport or it may be necessary for women travelling in certain areas to go in pairs. This may give further reason to focus recruitment on women. In the case of schools, it is likely that separate women's support groups will be necessary in order to prepare women to tackle the prevailing negative attitudes towards women in structures such as SMCs and PTAs.

There may be potential for linkages with the paralegal committees already existing in schools (supported by UNICEF, DFID, etc.). These are made up of women, with men in advisory positions only. It appears that these committees could be more actively engaged to address the deficiencies of SZOP programmes with regard to gender, or the approach could be replicated where they do not already exist.

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**Box: Paralegal committees**

Members of a paralegal committee interviewed in Bara District reported that their objective is to reduce disputes within communities and schools. The committee contributes to monitoring the SZOP Code of Conduct, tries to focus on the assertion of rights (rather than suggest recourse to law), and much of its effort is directed towards issues of domestic violence that disrupt families and de-motivate children. It also develops group support through savings/credit and health activity.

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*5.   SZOP adopted by the Government*

Activists had long campaigned for the Government to adopt SZOP as its own programme, and this came about in 2011. The Government decided to mainstream SZOP through the education system. In terms of formal governance, this is a satisfactory outcome, but because informal governance dominates in reality, there is little reason to believe that the Government will be able to control abuses of the system any better by adopting the language of SZOP. Indeed, it is SZOP's character as a neutral or independent watchdog that has made it successful thus far.

The members of the SZOP campaign are now reconsidering their role in relation to government. It seems likely that the emphasis will turn towards monitoring rather than direct implementation, but it may also be necessary to continue with capacity-building work in the schools (especially with SMCs and PTAs) in order to make SZOP more than an aspiration.

**Overall assessment of SZOP**

The basis of SZOP is negotiation with organizations that have aspirations to legitimacy. Where this is possible, SZOP can be very effective, as during the war in Nepal, in

which both sides were very anxious to secure international recognition (or at least avoid condemnation). Neutrality and independence are important elements and this may make the role of the UN difficult in such cases.

It has generally been found necessary to 'escalate' engagement with parties because local cadres may be much less concerned about legitimacy. Negotiations at district level can help to secure respect for individual schools as zones of peace, but in the case of Nepal the highly centralized and autocratic structures of political parties mean that it is necessary to focus on the central leaders. With these it has been found possible to advance from one commitment to another. The signing by senior party leaders in March 2008 of a Commitment to Child Rights has opened the way for further negotiations and pressures at different levels. But although central commitments are necessary, they do not ensure local action. Central leaders (including the Government itself) often prove willing to sign documents and then do nothing to put them into effect. Parallel processes of monitoring and support, mainly through NGOs, continue to be necessary.

SZOP has been less effective in challenging gang violence and in tackling the disputes within schools that often draw in the gangs. The fundamental problem lies in the politicization of the teaching profession and the consequent likelihood that local disputes will escalate into political competition. This leaves the local community without a significant role. The disengagement of local people, including parents, may be largely a reaction to this wall of politicization, although it may also reflect a general failure to engage with and mobilize women.

SZOP is now seeking to tackle the fundamental malaise of the education system. This may weaken the notion of SZOP. It may be better to focus SZOP more sharply around the issue of school closure (still a serious threat) and generate other programmes to tackle the deeper issue of education quality.

A further issue concerns the sustainability of SZOP. UNICEF activity is currently scheduled to end by 2012 and the Government's commitment to SZOP may give further impetus to the planned closure, but, as argued above, the Government's adoption of SZOP will not make much difference without continued efforts by NGOs. The Government is unlikely to tackle the gender issue and there is a continued likelihood of *bandhas* and school closures. For all these reasons, a longer-term timescale of support from UNICEF will be needed.

## 5. CONCLUSIONS IN RELATION TO NEPAL

### 5.1. The education system

UNICEF's financial input through the SWAp is negligible its direct knowledge of education activity on the ground provides a 'reality check' for other DPs, and UNICEF could develop this into a specific role focused on gathering independent data. UNICEF's close collaboration with the Government on specific issues gives UNICEF a good standing with the Government that should make this possible. UNICEF has cleverly steered its way towards producing joint reports with the Ministry of Education,

notably the gender budgeting report (Ministry of Education, UNESCO, and UNICEF, 2011), which might suggest ways of conducting independent monitoring in a way that allowed for government participation without undermining its purpose. On the basis that informal governance tends to gather strength unless challenged, UNICEF and other DPs should be rigorous in challenging abuses in the education system. In addition to independent sample monitoring, regular critical reviews such as the recent Political Economy Analysis of the Education Sector will also be necessary. The key point is that the role of DPs in the SWAp should be critical and questioning. While recognizing that individual civil servants often have no choice but to compromise with informal governance, nothing will change unless this is rigorously questioned.

The new curriculum is a huge advance on the divisive materials of the past. UNICEF's experience in Nepal demonstrates that this can be an important role. UNESCO developed many of the early ideas, but UNICEF was able to take this forward both because of its wider field experience, access to the Government and DPs through the SWAp, and because of greater availability of funds. UNICEF should continue to work with the Government to eliminate further deficiencies as the textbooks are revised. UNICEF has initiated work on the issue of Madrassa schools. Muslim parents in the *terai* appear to be keen to send their children to government schools with only minimal Islamic inputs. UNICEF has produced an important report, which will help the Government to take this issue forward. There may be a need to study other religious schools (notably Hindu *Gurukuls*[25] and Buddhist *Gumbas*), but a much bigger and more neglected issue relates to secular private schools. The education system reflects a class divide marked by different languages of instruction. It appears that use of English is a major factor in processes of 'informal governance' by favouring elite English-speaking groups, especially in Kathmandu. The issue has been largely neglected by the Government and observers have expressed concern that because civil servants, including teachers, generally send their own children to private schools, they have no genuine stake in public education. There is a need for wider debate and study in relation to this issue –and it may be an area in which UNICEF could take a lead.

On the issue of education in the 'mother tongue', UNICEF should certainly remain involved in debates because the issue of diverse ethnicity is now one of the major factors of social change. With the spread of communication and increasing migration, local cultures are under threat. Ethnic groups that have been long-suppressed deserve every opportunity to recover and to preserve their language before it disappears. But the issue is now being highly politicized around the question of federalism and there is a major risk that ethnic and linguistic identities will be mobilized around short-term political causes. UNICEF could perhaps play a role in presenting the debate in a rational and scientific manner, studying the impact of 'mother tongue' education where it is being introduced and examining its feasibility in highly contested areas of the *terai*, where the issue could easily lead to future conflict.

UNICEF's work on gender, influenced by donor preferences, has been excessively focused on the MDG relating to girls' enrolment in schools. There is a need, within the SWAp, to establish and focus on a wider set of indicators in relation to gender, including retention rates, absenteeism of girls, role and status of women teachers.

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[25] There is an anomaly that the Government continues to subsidize exclusively Hindu education, including a Sanskrit University, while schools from other religions receive no such support.

There is also a need for further study of the role of women in DEOs, the Ministry of Education and educational institutions.

### 5.1.1. Programmes

The SZOP programme should undoubtedly be regarded as a primary UNICEF response in war situations, especially where the parties in conflict are reasonably well organized and have an interest in international recognition. The approach works best as a coalition and it is important for UNICEF and other actors not to seek to 'brand' the idea. Discretion is also needed because the key element is neutrality and UNICEF must to that extent separate itself from the Government.

Experience in Nepal indicates that the concept can also be used in a post-war situation where violence and political activity disrupt schools, but only where negotiation can take place with the groups responsible. The situation becomes complicated where internal problems in schools may exacerbate external threats. While it is tempting to seek to address these internal problems, there is then no limit to the scope of SZOP and the concept loses force and focus.

While the adoption of the SZOP programme/principle by the Government appears on the face of it to be a step forward, there is a risk that the notion of neutrality could be undermined. While in theory the Government is in a strong position to help prevent school closures through strikes, etc., the 'informal' linkages of unions with the Government could complicate matters.

### 5.1.2. Rehabilitation of child soldiers

Nepal offers a reminder that child soldiers may show greater attachment to their military past than might be expected. Having lost links with their family, child soldiers may regard their commanders as their closest friends. The process of reintegration into the community can be extremely successful and may be in itself a major cause of psychosocial problems.

The approach in Nepal was to take a holistic view of communities and try to strengthen general inclusive mechanisms rather than deal directly with the issue of returning child soldiers. Where it was necessary to address the issue more directly, the programme drew on existing social mechanisms, including sports and traditional singing. Demonstrations by the VMLRs against the UN provide a reminder that child soldiers may retain high ambitions that may not be addressed by standard aid packages, and they may be mobilized by political elements. In short, their political nature has been radically transformed by their combat experience.

## 6. ISSUES FOR THE BROADER STUDY

### 6.1. Nepal as a special case

The dominance of informal governance is by no means unique to Nepal, but reflects the reality of many states, especially in Africa, where political patronage may be further embedded in tribal affiliation. Nepal is not tribal and up to now patronage in Nepal has followed strictly political lines, but each political party now seeks to broaden its support,

especially among ethnic groups that had been suppressed in the past. Nevertheless, it seems likely that these groups will not take the lead but become elements in the competition between Bahun-Chhettri leaders. Essentially the socio-political structures remain unchanged by the war, although the Maoist insurrection, together with modernizing elements, has reduced the extremes of social stratification.

Further features of Nepal as a post-conflict country include:
- There was no clear victor but instead an uneasy assimilation of elements drawn from the conflicting parties;
- There has been no process of 'truth and reconciliation';
- The justice system is extremely weak;
- The Maoists may not be committed to multi-party democracy in the long-term but see it as a stage towards a single-party system in which they would dominate;
- The Maoists appear willing to exploit informal governance and patronage systems as much as the other parties; and
- There is no post-war ideological leadership or vision of society coming from political parties.

With the retention so far of the Maoist army, there is no real certainty that the situation is actually 'post-conflict'. The existence of this army is used to advance political positions in much the same way that military advances and retreats might be used during a war, but even if assimilated into the national army, there is still a possibility that Maoist cadres could be mobilized again in the future. In relation to security and governance issues, Nepal presents the features of a 'fragile state'.[26]

In comparison with countries such as Sierra Leone, education has not been a focus of contention. Even during the war, schools continued to operate and were open to all children. Schools were caught up in fighting but were not directly a target. They became a target only when they were used (or thought to be used) by the opposing party. The focus of the conflict was more strongly around poverty and social exclusion, issues which have been ameliorated by a number of factors, including out-migration and remittances. This has given rise to increasing demands for upward mobility and exposed the hidden 'glass ceiling' that reflects social class as much as caste or ethnicity. Elite groups have consolidated their hold on power and wealth by using private education, while public education has been fundamentally undermined by politicization.

The content of education is now unexceptionable and its range is expanding both in terms of numbers and the length of education. But students and parents investing in education are finding that the results are disappointing. Nepal enjoys many of the basic assets needed for a high-quality public education, including trained teachers and good infrastructure. The question is whether public concern is diverted as more students turn towards private education, or whether education becomes a central issue in political debates as a mark of the failure of the current political process.

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[26] Nepal has recently been promoted out of 'fragile state' status, but serious problems persist in relation to security and governance. The country scores better in relation to economic growth, poverty and social exclusion.

### 6.1.1. Defining peacebuilding

Based on the analysis (Section One) that the primary threat to peace arises from the ability of informal systems of governance to overcome formal ones, the **primary focus of peacebuilding** should be to strengthen formal governance and challenge informal governance. The UN organizations rein a particularly good position to strengthen formal governance by supporting and implementing international instruments and conventions. They are not so well placed to tackle informal governance because they are susceptible to pressure from Nepal as a member of the UN. In the latter case, they may have to rely on pressures from DPs. In general, a culture of impunity has been allowed to prevail. Perversely, this is sometimes regarded as a basis of stability (not rocking the boat), whereas in reality, the culture of impunity has allowed the dominance of informal governance to become systemic.

DPs and the UN have not often challenged abuses of power (informal governance overcoming formal governance),but where they have done so the results have been positive. In the education sector, for example, DPs challenged the flagrant politicization of temporary teacher appointments. The minister concerned was forced to resign and some officials were transferred. Such efforts are rare and the main focus of DPs and the UN has been on what may be regarded as **secondary or indirect aspects of peacebuilding**, notably promoting greater tolerance in society and reducing social exclusion.

DPs and the UN have also identified **short-term approaches to peacebuilding** focused on implementation of the CPA and, in particular, finding a solution to the issue of Maoist armed forces.

A factor that may have weakened DP efforts to tackle informal governance is the Paris Declaration of 2005, which commits DPs to alignment with government. Since the problem of informal governance is hidden under a shell of formal governance, DPs find it difficult to challenge without risking an accusation that they are not following the alignment principle. The Paris Declaration approach has encouraged DPs to channel a very high proportion of funds through government ('Red Book') accounts. Because government funds are likely to be captured by informal governance, DPs may be adding to the underlying problem rather than reducing it.

### 6.1.2. Theoretical issues raised by the study

Throughout this study, the notion of peacebuilding slips between three different meanings:

- Structural peacebuilding addressing fundamental causes of conflict;
- Secondary peacebuilding focused on peripheral aspects of conflict rather than its political driving forces;
- Short-term peacebuilding focused on immediate issues of war and conflict.

The UN peacebuilding strategy, for example, contains all of these elements. Activities can shift from one category to another: the SZOP programme, for example, initially focused on the neutrality of schools in war but has now moved towards more fundamental structural problems. This makes it possible to include a great deal of

activity under the label of peacebuilding, but this causes confusion about what peacebuilding is. Donor funds attached to peacebuilding (and often motivated by a securitization approach to aid[27]) may be a reason why the UN has not attempted to narrow the focus or make clear priorities between different forms of peacebuilding. Arguably, the term 'peacebuilding' is better avoided altogether because it is unclear and unnecessary. It may be better to keep to a focus on state-building instead of structural peacebuilding and to label secondary forms of peacebuilding individually, e.g., social exclusion, etc. Short-term peacebuilding may be better viewed as maintaining peace or implementation of a peace agreement.

If, following DFID, we can further define state-building in terms of 'inclusive political settlements' (DFID,2009) we would have a much clearer idea about the objectives of aid. In the case of Nepal, the obstacle would be identified as the political exclusion of the majority because of the dominance of informal governance favouring elite groups. Instead of a very vague 'peacebuilding' objective for education, we would be more sharply focused on challenging informal governance and strengthening formal governance. This would entail an agenda at all levels of identifying abuses through external monitoring and independent data. It would develop incentives around formal governance and avoid those that can be too easily manipulated by informal governance.

### 6.1.3. Gender as a peacebuilding issue

There is a strong argument that women, usually taking the primary responsibility for the care and safety of children, have a very strong stake in peacebuilding but are generally neglected and ignored. While it might be argued that this traditional role should be challenged in order for women to achieve greater equality, it may be better to exploit current realities provided that they are acceptable to the women concerned. Where the issue is recognized, the response is too often focused on the numbers of girls/women involved in activities rather than on their ability to influence outcomes. In Nepal, DP focus on the enrolment of girls into school, reflecting the driving force of the MDG, has diverted attention from serious deficiencies in the education system with regard to gender (*see Section 2.3. above*), notably lack of women teachers in senior positions and acting as role models to encourage the aspirations of girls. UNICEF has, to some extent, been drawn along by the DP fixation on the MDG (girls' enrolment), but has also made determined efforts to draw attention to wider gender issues. It has helped to bring about the establishment of a Gender Focal Point in the Department of Education and promoted national debate about issues relating to girls' education. The study of Gender Responsive Budgeting (Ministry of Education, UNESCO, and UNICEF, 2010) is a particularly important initiative. More work could now be done focused on:

- The spread and advance of women as teachers and in education offices; and
- Strengthening women's groups, such as paralegal committees, that stand up for girls'/women's rights in schools.

### 6.1.4. The role and potential of education in peacebuilding processes

Conclusions in relation to the four objectives specified in the Methodological Framework for this research project (*see Introduction*) are as follows:

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[27] Duffield, 2000.

*Education within the wider context of peacebuilding*

The key structural cause of conflict is identified as the dominance of informal governance over formal governance. Peacebuilding is the attempt to limit the influence of informal governance. Our research indicates that the education system currently reflects the general reality rather than playing any significant role in challenging it. In particular, teachers cannot be managed effectively because of their patronage links and this greatly undermines the government education system, leading to a widening gap between the majority of poorer people and elite groups that use private schools. Lacking a transformative agenda on governance, education tends to reinforce inequalities, which could lead to conflict.

An area in which education has played a more positive role (although relatively minor) is in helping to spread a culture of ethnic diversity. The Maoist insurgency and fall of the monarchy left open a space that curriculum reformers, supported by DPs including UNICEF, have been able to exploit successfully. But this is exploiting a gap that already exists rather than bringing about fundamental change. The overall conclusion from Nepal's experience is that education follows change in society rather than creates it. The education system is too deeply rooted in prevailing forms of governance. This confirms the view that education presents 'two faces' (Bush and Salterelli, 2001), and whether this is positive or negative depends on the society in which it is located. For many years education in Nepal served as a tool for domination by the monarchy and related elite groups. It is now adapting to a more positive process of social change. By implication, education can act as a tool to support peacebuilding when other processes have already gained momentum. It may be argued that the timing of support to education is more important than the content.

*Specific education interventions in peacebuilding*

UNICEF has achieved considerable success in strengthening formal governance. It has played a significant role in government's endorsement of the child-friendly school framework and helped to introduce peacebuilding into the national curriculum. Understandably perhaps, UNICEF has done rather less to challenge informal governance, which is the real obstacle to development. This is difficult because official data on critical issues such as teacher absenteeism are lacking or unreliable. As a first step, independent monitoring should be reintroduced and UNICEF should take a lead in challenging abuses. It can afford to be bold because the nature of its activities ensures that it is positively regarded and it can make good use of its experience on the ground.

UNICEF's general work on child-friendly schools and quality education has had limited results –not because of any deficiency on UNICEF's part (on the contrary, the UNICEF Education Office works extremely well) but because it has not tackled the underlying problems. Areas in which UNICEF has found room for successful influence have been relatively narrow, notably the SZOP programme, which has been successfully reoriented from a war-time project to a focus on keeping schools open through political turbulence. Similarly, UNICEF's work on the reintegration of former child soldiers has shown an ability to adapt and learn from experience, but has not been able to address the ongoing problem of continued links between the former child soldiers and their military associates.

The key points above show that the 'big picture' always dominates the 'small picture' and that, to achieve greater impact, UNICEF needs clearer strategic objectives that spell out problems and progress in relation to informal governance. This could lead to a more coherent, integrated programme in which UNICEF project activity is closely linked with advocacy work in the education SWAp and elsewhere at national level. Arguably, even such a strategic and coherent approach would bear only limited results, but it is surely worth a try.

*Specific guidance for UNICEF*

UNICEF would be better placed to play a wider role in relation to fundamental educational problems if the reporting on its project activities was more analytical and took a broader view of the context. There is a tension here because project reports are often seen as a key to further funding based on a simplistic donor notion of 'success'. 'Independent evaluations' may turn out to be not so independent if the consultants suspect that good news will be more welcome than bad news. Many such reports focus simply on an 'output-to-purpose' approach rather than questioning the original purpose and planning.

This arises largely because donors often have too little time to handle anything other than success stories and tend to view critical analysis as an indication of underlying failure. The result is that such reports tend to promote an understanding that problems can be addressed through a narrow range of project activities rather than through systemic change. Schools under the SZOP programme, for example, are said to have resolved intense disputes and rooted out corruption, implying that the solution is local action rather than systemic change. UNICEF should consider ways of adjusting the incentives to favour more open reporting of problems and issues as well as successes, and perhaps open up a debate on this issue with donors. For their part, donors should give credit to reports that are based on factual analysis and are more focused on learning lessons.

*Strengths and weaknesses of UNICEF programming*

UNICEF's focus on children and its active role in emergencies give it a unique standing and acceptability among UN agencies and among DPs in general. Arguably, UNICEF enjoys the highest regard of all. In addition, UNICEF's strength lies in practical experience through project activity, which gives it a stronger voice among DPs, which is strengthened by the ability to research specific issues. These strengths are based on UNICEF's relatively flexible financial position (which has been enhanced by the Dutch funding). UNICEF's Nepal office has been particularly successful in using these strengths. A further major strength is the experience, motivation and insight of its staff – local staff in particular. Although the diplomacy of the aid discourse often overlooks the realities of 'informal governance', local staff are very well aware of these issues and often find subtle ways of balancing the theory with the practice.
These fundamental strengths create considerable opportunities for taking a leading role in addressing difficult issues of 'informal governance'. If UNICEF has a weakness, it lies in not pursuing these opportunities to the full extent but remaining satisfied with considerable local achievement without tackling the really big issues. While acknowledging that the alternative may risk difficult relationships with DPs as well as

with the Government, UNICEF's ultimate purpose of improving children's lives will be best served by going as far as possible and taking a little more risk.

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August 2011