

Private Schools and Political Conflict in Nepal¹

Martha Caddell
The Open University

“The Maoists are trying to demolish all the ‘big buildings’, to make the education landscape flat and then they will start building again. What can we private schools do?” (Private School Principal, Kathmandu, June 2005).

“Please, brother, think that you are in a jungle. At any time you could be killed” (President, Nepal Teacher’s Association, April 2004).

INTRODUCTION

These two quotes are emblematic of concerns and fears faced by the teaching profession in contemporary Nepal. The first is the words of the owner and principal of a private school in Kathmandu who has received numerous threats and repeated visits from Maoist-affiliated student activists. His refusal to make payments to them or to close his school led to him being punished in front of his students, forced to do sit-ups with a garland of shoes placed around his neck. Traumatic as this appears, teachers in Kathmandu work in relative security to those in schools outside the Kathmandu Valley, in provincial towns and rural areas. Teachers in government and non-government schools face pressure from state and Maoist forces to comply with demands. School buildings may be commandeered as army barracks, students and teachers may be forced to attend Maoist-led programmes. As the NTA official quoted above noted, teaching has become incredibly dangerous, with threats on life and livelihoods coming from all quarters.

Private schools in most areas have been forcibly shut down, with those who continue to defy demands made by Maoist forces likely to see property bombed or face personal attacks. The demands of the rebels are multi-fold, focused on the government, private school entrepreneurs and, indeed, parents themselves. As the then leader of the Maoist-linked student group highlighted, “if government schools had good facilities and were providing a high quality education then there would be less demand for private schools, and less scope for profit-oriented businessmen to open schools.

Currently opening ‘boarding schools’ seems to be the dream business (*sapanako byaapaar*), with middle class people feeling compelled to send their children to private schools if they wish to give them a chance of a good education” (Parajuli 2000, my translation from the Nepali).

Behind these snapshots of the frontline experiences of teachers working in the context of Nepal’s *de facto* civil war, lie conceptual and practical challenges around the relationship between private and state education provision of relevance in more peaceful contexts. Most significant for this paper is how schooling – and private schooling in particular – has emerged as a focus of violent conflict. Understanding this, however, requires engagement with the educational as well as political context in contemporary Nepal. Popular and political debate around the content of schooling and the modalities for its delivery encompass concerns of learners, parents, teachers and school owners as well as the interests of political activists. Quality and effectiveness concerns are thus intertwined with issues that extend beyond the specific sphere of education, to wider issues of political positioning and posturing.

Such political conflicts and tensions that surround private schooling are relatively invisible in the international education policy arena. Rhetoric of ‘partnership’ between the state and private sector dominates discussion, limiting the extent to which the frequently conflict-fuelled nature of such relations can be explored. Certainly there is increasing recognition and examination of private / non-state actors as crucial players in the movement towards Education for All [EFA] (EFA 2000; Rose 2005a:153-4). Possibilities for initiating public-private partnerships to enhance learning opportunities for students from across the socio-economic spectrum are being explored and advocated by key agenda-setting agencies. Yet, it could be argued that the discourse around “new and revitalised partnerships” to aid the pursuit of Education for All (EFA 1990, 2000) contributes to the masking of underlying tensions and cultural, even ideological, differences in how private provision is perceived and engaged with. Private schooling is often highly contested in terms of the aspirations providers play on, as well as how it is promoted and engaged with vis-à-vis government provision of education.

In exploring these issues, this chapter draws on interview-based and ethnographic research conducted in Nepal since 1999. Particular emphasis is given to research conducted in 2003-2005 to explore the process and implications of the negotiations between private school associations, the Ministry of Education and Maoist-affiliated organisations. The focus of these later blocks of research was primarily on Kathmandu-based interviews and school visits, with brief fieldtrips to schools and education offices in districts in western Nepal. It is important to flag from the outset the limitations to the study which arose from the context of the conflict. Where it was possible to go and who I was able to meet and talk to was somewhat constrained. Most crucially, with the Communist party of Nepal (Maoist) and affiliated organisations declared ‘terrorists’ by the state, it was not possible to interview directly key leaders of the student union involved in negotiations. Consequently there is some reliance on documented demands and accounts of negotiations from other parties involved in the process. It should also be noted from the outset that this chapter captures a particular snapshot of the conflict and its impact on private schooling, particularly in the early years of the conflict and the process of negotiations in 2003-04. At the time of writing the situation remains dynamic and volatile.

Drawing on this material, the chapter explores the disjuncture between the relative silence on private provision evident in the education and development policy arena and the extensive and, at times, heated popular and political debate about private schooling that echoes around many Southern countries – including Nepal. Following this, it examines how private schools have emerged as a focus for campaigning by political parties and, in more recent years, a particular focus of attention for the Maoist forces in their efforts to wage and win a ‘People’s War’ against the monarchy and state forces. Exploring this violent conflict between state and Maoist forces in Nepal provides a sharpened focus for highlighting more widespread concerns, casting the political debates around private schooling into stark relief.²

EXPLORING THE DEBATES: PRIVATE SCHOOLS AND THE PURSUIT OF EFA

Consideration of private sector involvement in schooling remains only partially explored in relation to the Education for All agenda. Calls for greater focus on partnerships with non-state actors resonate through much of the EFA literature, as the search for mechanisms for expanding provision of schooling opportunities continues (EFA 1990, 2000, Rose 2005a: 153-4). However, the extent of practical and conceptual engagement with such calls remains limited. In part debate is constrained by the widespread acceptance that education at primary level should be free, a position enshrined in the Universal Declaration of Human Rights. Despite brief flirtations in the early 1990s by agencies such as the World Bank with the possibility of promoting a market approach to primary education and charging fees (Daniel 2004), this has returned as a largely incontestable position. Discussion and engagement with the concerns of the private sector is consequently of limited concern to international agencies working in the field of primary schooling.³

Conceptual challenges associated with defining and engaging with the diversity of the private sector are the focus of some debate. The range of schools from elite establishments to 'budget' private schools (Tooley & Dixon 2005b) including those catering for poor, rural populations makes it difficult to speak in any meaningful way of the private sector as a monolithic category. Similarly, divisions between state and private schooling are not clear-cut. Private schools may run outreach programmes for poor children (Day-Ashley 2005); government schools may offer two tiers of tuition within the same school, charging children who choose to take 'private' / English medium classes.⁴ Schools, including many in Nepal, may run with some government support, yet have a number of teachers funded from community sources or through the payment of tuition fees.

Understanding regulatory frameworks and the shifting relations between state, market and the somewhat amorphous concept of 'community participation' in schooling forms a related area of debate. Concern at level of international educational planning and at country-level programme development has, in recent years, focused on promoting decentralisation and the need to extend greater decision making powers to sub-national bodies and to communities. Consideration of the

private sector has, in many respects, become subsumed under this conceptual umbrella, with liberalisation of the education market enmeshed with the emphasis on the political and developmental advantages of greater and broader participation. Yet, states that are unable to provide quality schooling to their citizens are also those that are likely to have difficulty in enforcing quality controls and other regulations on non-state providers (Rose 2005b:2). Engaging with critical questions about the role of the state as both the initiator of engagement with the private sector and as enforcer of any regulations developed requires consideration. Again, however, there is a need to look beyond the rhetoric to the actual practices of regulation of private schools and the relationship between the multiple layers of the state and different private institutions (see, for example, Tooley & Dixon 2005b, Caddell 2005a).

Difficulties associated with how issues around schooling choice and the role of the private sector can be meaningfully compared in a cross-country context have also constrained exploration of the private sector. Debates have tended to focus on quality comparisons focusing on the effectiveness and efficiency of private / government schools on the basis of completion rates and exam results. While it may be possible to consider questions of relative 'quality' of private / government schooling provision provided in terms of exam results, more amorphous, contextually specific considerations associated with student and parental aspirations, assumptions about private education and citizenship and so on prove difficult to engage with in the context of educational policy and programme development at an international level. Questions around *perceptions* of relative educational quality and the opportunities proffered by private schooling are integral to understanding the dynamics of the sector (see, for example, Harlech-Jones et al 2005, de Regt & Weenik 2005), yet prove difficult to translate directly into action-oriented policy or statements of international comparability. But, as the Nepal case will further explore, wider concerns around the content of private schooling, the aspirations it feeds on and promotes and the ability to meet those aspirations are key to a deeper and more politically engaged conceptualisation of the sector.

A further area of debate focuses on the charitable or social motives of private school owners – and the tensions that exist between such interests and the market-oriented, fee-based mode of operation (Rose 2005a, Tooley & Dixon 2005a, see also Srivastava, this volume). In part such debate highlights the difficulties associated with talking of an undifferentiated ‘private sector’. Yet it also opens up a more explicitly normative, value-based set of debates which tend to be masked by the depoliticised rhetoric of partnership and the promotion of EFA.

This diverse array of debate around private schooling highlights the need for further investigation and the development of the field conceptually and in terms of detailed case study material. While decisions around private schooling provision have considerable significance for learners and their families and are a source of considerable debate in specific locales, this needs to be reflected further in policy and academic arenas. This chapter offers a contribution towards this. Through the Nepal case material it highlights the need for a broader and more politicised view of private schooling to be explored, one that encompasses but looks beyond efficiency and effectiveness debates and how the private sector can contribute to the pursuit of Education For All. Questions around the role of schooling as an individual or social good (Colclough 1996, Psacharopoulos & Patrinos 2002), about whether formal education should be a government responsibility or opened to market forces, and what the content of that education should be are not ‘dead issues’. Rather, they are the subject of on-going political debate, and, in the case of Nepal, are fuelling one front of attack in the Maoist’s ‘People’s War’.

PRIVATE SCHOOLS AND EDUCATIONAL ASPIRATION IN NEPAL

The history of schooling provision in Nepal since the 1950s is one of ongoing tensions and continual reinterpretation of the relative significance of state and non-state actors as education providers. It is also a story of educational aspirations and the shifting nature of the divide between those able to pursue their schooling dreams and those who are thwarted in their efforts.

Private Schooling in Historical Context

The opening – and closing – of space for non-state, community and private provision of schooling has historically been highly politicised, highlighting the promotion of a particular vision of Nepali citizenship, development, and the ‘educated person’ (Pigg 1992, Skinner & Holland 1996, see also Caddell forthcoming). Each shift in political regime has been followed by the revision of the education system, as the incoming regime attempted to reinforce its vision of the idea of the Nepali nation-state through re-articulating the relationship between the state, schools, and ‘the people’. At times education policy has been used to maintain divisions, as under the Rana oligarchy (1846-1950), when formal schooling was explicitly denied to all but the ruling elite. In contrast, the mushrooming of schools in the decade following the overthrow of the oligarchy was presented as emblematic of the new government’s openness and more inclusive vision of citizenship (e.g. NEPC 1955). At other points it has served to promote national unity, as with the introduction of the National Education System Plan (1971) and the nationalization of all schools under the Panchayat system (1962-1990).

The role of non-state schooling within this broader education arena has oscillated. In the post 1950 period the expansion of schooling was largely community-led, with schools established through local support for teachers. In addition a number of large, elite-oriented private schools were established in Kathmandu, run predominantly by missionaries. As the state infrastructure was strengthened and expanded its reach throughout the 1960s and 70s, attempts to regulate and control the sector were introduced, culminating in the dramatic, yet relatively short-lived, nationalisation of schooling under the NESP.⁵ With increased political and economic liberalisation, apparent from the mid 1980s and culminating in the restoration of multi-party democracy in 1990, space for the expansion of the education market again emerged.

Democratic Education? Private Schooling Post-1990

In the post 1990 period, private schooling expanded at a dramatic pace, both in terms of numbers and in relation to the student base it was directed at. The dream of educational opportunity, and the

employment and development opportunities associated with this, was bought into by an increasingly broad spectrum of the population. In part, this arose from a sense of optimism that multi-party democracy would lead to greater equity and opportunity for previously marginalised groups. Secondly, and more significantly, with educational opportunities opened to all through the expanded government school system, the search for ways of differentiating achievement and ensuring best-advantage for young people intensified. Being educated would not in and of itself ensure status and employment. Rather the prestige of the school attended became increasingly significant as a marker of social standing and differentiation based on economic class (Liechty 2003: pp212-216).

For example, English-medium instruction emerged as an important source of differentiation and is emblematic of the aspirations that the private sector plays on. The use of the English language in private schools – even of a very poor level – connects students to a wider international project and proffers a greater potential for mobility than is offered by the government schools (Harlech-Jones *et al* 2005 highlight similar concerns in relation to private schooling in northern Pakistan). It also differentiates between private schools. Broadly, the better the level of English instruction, the higher the school fees will be (Liechty 2003: 213). This is a skill that the population of Kathmandu – and beyond – are willing to pay for. As Liechty notes, “English proficiency is simultaneously the key to a better future, an index of social capital, and part of the purchase price for a ticket out of Nepal” (Liechty 2003: 213).

Here we see the various strands of the private school dream intertwine. With rapid socio-political and economic change in the country throughout the 1990s, education has emerged as a focus for parents anxious and uncertain about how best to provide for their children in an environment dramatically different to that in which they grew up. Providing the best schooling that they can afford is a key concern for parents across the country, be it the Kathmandu middle class or rural farmers who see their children’s future dependant on engagement with a wage economy. The close connection in popular discourse of ideas of education, development, and mobility reinforce such concerns (Pigg 1992, Caddell 2005b). Private schooling – whether at elite institutions or ‘budget’

schools in bazaar towns – is seen by parents as a way to mediate the risks of an “unknowable ‘modern’ future” (Liechty 2003: 216, see also Lal 2002).

The owners and principals of private schools frequently play on these concerns. Even for ‘budget’ schools in rural areas, the selling of a particular dream of a modern, developed future and enhanced employment opportunities was a key focus for student recruitment. Rural private schools examined as part of this study focused their marketing strategy on door-to-door advertising, with Principals emphasizing that attending their institutions would offer the opportunity for students to become ‘doctors or engineers’, allow children to move away from the village and converse with foreigners (f/n: 22/2/00). Some attempted to promote a unique selling point that further enhanced these ideas. Particularly highly prized was the presence of teachers from ‘outside’ – from Darjeeling or Kalimpong (who consequently warranted higher salaries than their Nepali counterparts) or, for one particularly sought after school in the district, the presence of volunteers from the United Kingdom.

But to what extent are these aspirations and dreams met? In parallel with the rise in pressure and interest in private schooling emerges a concern about what opportunities actually exist for those who complete their studies. The expansion of education opportunities has proved something of a contradictory resource. On the one hand it is setting up apparent opportunities and encouraging hopes and aspirations. Yet, on the other, it establishes further barriers to success and sustains and reinforces inequalities. The existence of a *de facto* multi-tiered education system (NESAC 1998) means it is not sufficient to be educated – students have to be educated in the right place. Parents across the country may be spending as much as they can (or more) to send children to private, English-medium schools to give them as much chance as possible of getting a job or going for further study. Yet, despite this investment, students’ aspirations are, in the main, not met. Budget private schools, with poor facilities, unqualified and underpaid teachers, are unlikely to provide education which will open the livelihood choices that the marketing efforts of their Principals suggest. The dream of being a doctor or engineer can only be realized by a select few.

Attempts at Regulation: State: Private Sector Relations

Such diversity within the sector is in part a reflection of the limited regulation of the market and the lack of controls on both the number of schools established and the quality of the facilities and tuition they provide. Attempts to integrate private school registration into wider educational planning processes have not been widely implemented. Whilst there is discussion of the importance of school mapping as a basis for determining government school construction and private school registration this is only selectively applied. Similarly quality control concerns find little space for practical implementation in the work schedules of district education officers. In part, this is due to difficulties faced by staff in conducting their work more generally due to difficulties associated with travel in the districts (compounded by the current conflict) and general pressures on government staff time (Caddell 2005a). In Kathmandu for example, there are estimated to be around 1,000 private schools – some registered, others not. For the district education office staff to engage in any meaningful way with these institutions whilst also tackling the pressing needs of the government schools seems an impossible task.

In addition, guidelines on the need for specific facilities, staff qualifications and so on, are selectively applied by local officials, with the smoothing over of applications through ‘bribery’ commonplace. Private school proprietors realise they must maintain a cordial relationship with the district authorities to make the daily life of the school easier and prevent unnecessary intrusion into their activities. Doing so can make official registration and the designation of the school as an exam centre for district exams easier, all things which may encourage people to send their children to the school. As one Principal noted, “If we make them happy, then they [district officials] will be happy and not harass us” (f/n: 3/3/00). He explained that during the registration process he had to take district officials to the local inn for meals and drinks and employ one of the district officer’s relatives as a teacher (see Tooley & Dixon 2005b and Srivastava’s chapter in this book for similar evidence from Indian schools).

Over the last decade, however, the issue of relations between the state and private schools has emerged as a key area of political concern at national level. As a result of the actions of the Communist Party of Nepal (Maoist), popular and political pressure for tighter controls on the sector has increased. Private school associations have emerged as significant political players, engaging in discussion with the government, the public and directly with the Maoists. Private schools have had to reconsider how they operate, what they teach and the fees they charge. The remainder of this paper explores how private schooling has become a focus of such violent political conflict and the implications this has for how we engage with the concept of partnership between the state and the private sector. In beginning to respond to this, however, it is important to situate the Maoists engagement with schools within the wider context of the populist and party political posturing and action of the mainstream parties in the post-1990 period.

POLITICAL PARTIES, POPULAR DEBATE AND PRIVATE SCHOOLS

Given the historical importance attached to the position of the school in the community, activities in schools provide a useful ‘jumping off’ point for populist political campaigns to promote particular interests, with interest groups able to tap into the widespread concern of parents to provide educational opportunities to children. In the 1990s, schools became increasingly drawn into the sphere of party political struggles, with teachers, education officials, and students aligning themselves with particular parties. Initially, political parties were particularly interested in using schools as a national network through which to spread their message and to build up a local support base. Student unions and teacher unions were directly linked to political parties, and in effect, worked as campaign groups for the party as opposed to defending the interests of the groups they purported to represent.

A particularly overt linkage between political structures and the school is seen in how the school is used as a recruiting ground for party members, with teachers and students actively sought out by activists. Recruitment focuses in particular on the secondary level, although involvement in primary classes is not unheard of. During the early 1990s in particular, when formal party structures were yet to be developed at the VDC (Village Development Committee) level, the network of schools across the country became a key site through which to spread the message of particular parties. This led to a period of what one former teacher referred to, as “over-freedom”, with students in particular believing that democracy meant that no one could tell them what to do. Accounts of this period tell

of students refusing to be taught by teachers of particular political parties and of teachers being subjected to physical attack because of their political affiliation.

In addition, private schools, of both primary and secondary levels, frequently came to be associated locally with one or other political group, determined largely by the owner or Principal's affiliation. One private school Principal, for example, explained that there are "no Communists in this school. Only Democrats send their children here", and referred a nearby rival school as a "communist school" (f/n: 18/4/00).⁶ Such distinctions appeared to impact on how some parents decided which school to send their children to. Supporters of Leftist parties tended to send their children to the so-called "communist school" and Congress supporters avoided it. Such choice, however, was only open to those living in more urbanised areas where a range of schools was on offer. Even in these areas, the ability to choose is only open to those who have the financial capital required for private education.⁷

Despite political posturing around the inequities of schooling provision by all the major political parties throughout the 1990s, the dual calls for greater regulation of the private sector and the improved quality of state provision meant little in terms of action for change in classrooms or district education offices. So why, then, did the period from the late 1990s and the early years of the 21st century see a flurry of activity around private schools?

BATTLEFIELD SCHOOLS: MAOIST ACTION AGAINST PRIVATE SCHOOLS

Since 1990, the CPN (Maoist) has been demanding that the country be declared a republic, a position more vociferously and violently pursued since February 1996, when the party began waging an underground, guerrilla-style war. The scale of attacks and reprisals escalated dramatically following the declaration of a state of emergency by the government in November 2001 (see Maharjan 2000, Thapa 2002, Hutt 2004, Gellner 2003 for discussion of the movement and government response). The Maoists appear to view schools both as a site for gaining support for their activities and -- as a particularly salient symbol of the state and of the abuse of state power -- as a legitimate target of insurgency activities. Schools are also considered an important recruiting ground for the movement, a site where disaffected young educated people can be targeted and persuaded of the importance of the Maoists' activities and disciplined into the order and practices of the movement. Indeed, in his pronouncements on education, Comrade Prachanda, one of the key strategists of the movement, recognized students 'as the "reserve force" in a future "mass uprising"' (Binod Bhattarai, 2001).

While the education sector as a whole is open to the attention of the Maoists, both militarily and politically, it is the position of private schooling (and its juxtaposition with government provision) that has been a key focus of action. Calls to “set fire to the educational supermarket” (Nepali Times, 01/04/05) have been accompanied by specific calls for changes to the management and content of private schooling. Demands include the reduction of school fees; the removal of reference to the monarchy in school activities, including the singing of the national anthem; the end to Sanskrit teaching; the prevention of ‘western influence’ in teaching; and, ultimately the nationalisation of schooling. Significantly, however, the focus of demands also extends beyond schooling specific concerns to encompass broader concerns of the movement. For example, in a statement in 2000, the leader of the Maoist-affiliated student union, the All Nepal National Independent Students’ Union (Revolutionary) (ANNISU(R)), linked school closures to demands for the return of land occupied by India, the involvement of the IMF and World Bank in development efforts, and the pervasiveness of Hindi films as well as to schooling specific concerns (Parajuli 2000). Strike action in January 2003 drew attention to demands for the terrorist label to be lifted, in order to allow the ANNISU(R) to take part in student union elections.

Opposition is frequently couched in terms of the pervasive inequality in the education system. As Parajuli, of the ANNISU(R) notes, “In the current context one can see ‘unequal education’ being provided, yet ‘equal competition’ in the form of the SLC [School Leaving Certificate] exams”⁸ (Parajuli 2000). He goes on:

If government schools had good facilities and were providing a high quality education then there would be less demand for private schools, and less scope for profit-oriented businessmen to open schools. Currently opening ‘boarding schools’ seems to be the dream business (*sapanako byaapaar*), with middle class people feeling compelled to send their children to private schools if they wish to give them a chance of a good education (Parajuli 2000, my translation from the Nepali).

Challenges made by the insurgents thus highlight specific areas of school content considered antithetical to the Maoist position. In doing so, they draw attention to perceived inadequacies of the state – both as education provider and as source of security – and to highlight the disjuncture between aspirations and the realities of schooling and livelihood opportunities.

In a similar vein to the discussion of political parties there has, of course, been a similarly strong populist dimension to the Maoists' choice of schools as a site for promoting their position and challenging the state, particularly in the early years. Specifically, this has served to highlight the movement's ability to pick up on interests of the local community that are not being effectively addressed by other organisations, including the mainstream political parties. Demands to return school fees, a central feature of Maoist actions in schools, are thus designed to gain popular support and to situate the movement firmly on the side of 'the people' in opposition to the elitist 'state'. Other blatantly populist measures which dominated early action of the Maoists included the call for students to get 50% discount on transport costs, entry to cinemas and hospital bills, and access to cheaper kerosene for cooking. Such moves are clearly designed to increase students' support for the movement (Parajuli 2000).

Further issues such as corruption in public office and the high cost of schooling have been the subject of much debate by the mainstream parties, but little change in practice is evident. Thus, to be seen to be actively addressing these issues sets the Maoists apart from other groups.⁹ Teachers and school owners have been subject to extortion¹⁰ and to pressure to change the content of the school curriculum, including any mention of King Gyanendra or the monarchy and the singing of the national anthem. Demands have also been made to allow Maoist students to speak to pupils and to distribute recruitment literature in the school. Those who do not comply, have been faced with humiliation in front of their students, such as having shoes tied round their necks and being made to do sit ups in front of the students (f/n: 24/6/05). Other responses have been more violent in nature,

involving the dousing of school principals in kerosene, physical abuse, and the forced abduction of teachers (e.g. Binod Bhattarai, 2001).

In many areas the complete closure of private schools has been enforced. Those who have not complied with shut downs and other demands risk being subjected to bombing of the premises.¹¹ In part, shutdowns are a means of highlighting concerns specifically related to schooling and the failure of the government to address the inadequate state of education in the country. Yet strikes also highlight wider inadequacies of the state, in particular its inability to provide security to its citizens. The government has urged schools to open, promising to ensure the safety of students and teachers. However, this claim did not lessen the widespread fear of violence and schools remained closed. Indeed, in many cases, parents have been directly threatened and warned not to send their children to school on strike days. This threat was later extended to a more generalised call to stop sending children to private school, particularly in areas outside the Kathmandu Valley.

Some school staff in Kathmandu reported that they had been able to engage in a degree of discussion with the Maoists over the payment of ‘donations’ (in essence a form of protection money), with a reduction in the amount handed-over being negotiated after the social principles of the school were explained and financial records presented. In the main, however, there appears to be little differentiation in terms of how non-state schooling is treated by the Maoists. Schools with explicitly social service mandates, including long established missionary schools and NGO-run institutions, have been targeted and closed. Reports from eastern Nepal suggest that so-called ‘community schools’ – handed over to local management committees by the government – have also been subject to action, with demands being made for management committees to close schools unless they deliver a document saying that the contract with the government has been annulled (report in *Samaya* 18/08/05, translated in *Nepali Times* 19/08/05).

So what is the alternative being promoted? Baburam Bhattarai, one of the leaders of the CPN (Maoist) has stated: “the old reactionary system must be demolished [in order to build] anything new

and progressive” (cited in Binod Bhattarai, 2001). Schooling, from the Maoists’ perspective, should be in the hands of the state, but in the process of revolution the form that the state itself takes must also be transformed. Thus, considerable broader changes have to be accomplished before a new model for schooling can be introduced. As the private school principal whose quote appeared at the start of the chapter noted, the Maoists appear to want to flatten the education system and squash the private schools (f/n: 24/6/05).

Recently, glimpses of what an alternative Maoist approved school may look like have begun to emerge. According to NGO personnel working in western areas of the country, the Maoists claim to be moving from an “era of destruction to an era of construction” (f/n 04/04). For the education sector this appears to constitute the closure of all private schools, the application of pressure on teachers to attend and teach regularly in class, and the reorienting of the school calendar, curriculum and extra-mural activities. Indeed, there are reports that the Maoists are running ‘model’ schools and implementing a new curriculum in the districts of Rukum, Rolpa, and Salyan (Shahi 2005).

In many respects, the structure of the provision seems similar to the state-sanctioned schooling, with the replacement of royalist or ‘old’ nationalist material with activities that promote Maoist visions of the Nepali state. Instead of the King’s birthday being celebrated, Mao’s birthday provides a focus for a school holiday. Commemoration of the martyrs of the democracy movement is replaced by veneration of those comrades killed in the People’s War. In the formal curriculum the alternative vision appears in more ‘everyday’ ways such as the alliteration used for alphabet learning (e.g. ‘*chha* for *chhapamaa*’r [guerrilla]) and display of weapon capture figures in discussions of pie charts (Shahi 2005). The extent of the institutionalisation of these changes is, as yet, difficult to gauge.

NEGOTIATIONS BETWEEN PRIVATE SCHOOLS, STATE AND MAOISTS

The Maoists’ focus on education has served to highlight and exacerbate the tensions between the government and the private schooling providers, as well as casting into starker relief the differences and divisions within the private sector. This final section of the paper examines the impact the

conflict is having on such relations through a focus on the process and outcomes of negotiations between private school organisations, the Ministry of Education, and Maoist-affiliated groups.

Space for Negotiation

The pervasive use of school strikes, including the threat of permanent closure of private schools, has played a significant role in bringing the conflict into the homes of the Kathmandu middle classes. While the frontline battles and violence remain in rural areas, remote from the urban population's everyday frame of reference, the closure of schools taps directly into concerns about their children's future opportunities. This concern meant that the government had to at least be seen to be doing something about the problem, with representatives of a parents' group, the Nepal Parents Organisation, as well as the private school groups themselves calling for action.¹²

By late 2002, against this campaign of continued violence and an expanded focus on private schools, pressure was building for talks to take place. In December 2002, an indefinite school closure was called by the ANNISU(R), with the strike to be enforced until their 13-point list of demands were met by the government. Again, demands from the Maoist side encompassed issues beyond an education sector focus, including broader political demands as well as specific calls for the end of the teaching of Sanskrit as a compulsory component of the secondary curriculum, and assurances that education would be totally free to students and that private schools would be nationalised.

At this stage the possibility of talks had become more complex, as the Maoists had (in October 2001) been classed as a 'terrorist organisation' by the Nepali state. Nonetheless, with their livelihoods at risk, the private school organisations sought to initiate dialogue through the involvement of human rights organisations and other indirect routes to contact the Maoists. There followed a somewhat convoluted set of meetings, brokered by human rights organisations. Negotiators from the government and the largest private schools organisation, the Private and Boarding Schools Organisation of Nepal (PABSON) were unable to publicly declare that they had met with the Maoists face-to-face, however a series of meetings between the three sides took place in the Nepali

month of Mangsir [Nov-Dec 2002]. The result of negotiations remained largely inconclusive. The private school organisations claimed that they were under attack from both the government's attempts to introduce new tax and regulatory processes, and the Maoists threats of closure and violence. The Ministry of Education was relatively powerless to act, given the broader government position on treating the Maoists as terrorists. While ANNISU(R) negotiators agreed to postpone the closure if demands to reduce fees and to introduce a Code of Conduct for private schools were met, it was recognised by all sides that this could only be a temporary solution. And, as it has transpired, strikes, calls for the closure of private schools, and violence against property and people have continued.

Implementing Changes: Ministry Responses and the PABSON Code of Conduct

After the indefinite strike of 2002 was called off, attempts were made to find practical ways of implementing the new government regulatory framework introduced in the 7th Amendment of the Education Act (HMG 2002) and the PABSON Code of Conduct (PABSON 2002). From the PABSON side, a fee structure for private schools has been developed, with schools differentiated in terms of the facilities they provide and graded A-D accordingly. As well as providing an indicator of what fees should be levied, this formulation also complied with the Maoist's demand to reduce the level of those charges, cutting fees by between 10 and 25%.

From the government side, efforts have increased to ensure private schools comply with the regulatory structure (introduced in May 2002) aimed at meeting Maoist and broader popular demands to control the growth and quality of the sector. This requires schools to identify themselves as either trust schools (public or private) or institutional schools. In the case of public trust schools, the land and building are owned by the government, with other facilities and salary costs met by the community. For private trusts, all the physical facilities, building and land are provided by an individual or group of private investors. While they operate as trustees of the school, they cannot make a profit from it. Further, if they decide to stop operating as a school, then the land and buildings must be handed over to the government. For those who opt for the third option –

institutional schools – schools remain the property of the investor, however this comes with a requirement to register the school as a private company and comply with the tax requirements levied by the Ministry of Finance. In addition, registration with the Ministry of Education is also required and a tax of 1.5% of school income is levied to contribute to a fund to improve rural government schools.

While the offer to develop and implement these frameworks was key to the withdrawal of the ANNISU(R) strike threats, the limited support for them from schools and the sense they were imposed under duress has meant they remain, in late 2005, largely unimplemented. As one school principal explained, the whole agreement is “hogwash”, a result of the government saying yes to all parties, but not having any means to enforce the implementation of change (f/n: 23/6/05). The school fee structures are regarded by principles of the more expensive schools as unworkable. The proposed cuts in charges would, they feel, result in them not being able to operate the institution. For schools towards the budget end of the spectrum, the fee structure is largely irrelevant as they have to undercut competitors to attract students. Consequently, the agreement remains only on paper and the lack of implementation serves to fuel the anti-private school action of the ANNISU(R) and mainstream leftist student groups. Similarly, there has been little movement on the registration of schools as companies, with principals and owners refusing to pay tax and reluctant to enter into any agreement that could see their property commandeered by the state.¹³ Many school owners expressed sentiments similar to those of a school principal who described such moves as the “extortion of more money from private schools” (f/n: 24/6/05).

What Basis for State-Private Sector Partnership?

While drawn into discussions as a result of the pressure brought to bear by the Maoists, the tensions between the government and private school organisations remain, and indeed, have been exacerbated. The nature of the interaction highlights the lack of trust between them and the limited space there is for any ‘partnership’ to develop around the conflict or wider educational concerns. Engagement with the state as a source of security (by allowing army or police to ‘protect’ schools),

risks incurring further attacks from the Maoists. For the government to engage with the extent of the demands made on private schools, it must divert attention and resources from its work in the state education sector. Furthermore, in recent years, trust has been further eroded by the uncertainties created by the King's take-over of direct executive powers. The question of who 'the government' is and the level of negotiation that is possible in the current political climate further erodes any possibility of productive partnership.

The process of negotiation and the agreements and codes of conduct that emerged from it demonstrate a selective engagement with the other party. PABSON, for example, wish to generalise the problems they face, shifting focus away from private schools specifically and involve other parties in the negotiations (interviews with PABSON officials 21/1/03, 23/6/05). Thus, the PABSON Code of Conduct makes efforts to stress links with the government curriculum and textbooks and the need to take guidance from the Education Act and Regulations on such issues as salary for staff and fees to be collected. Yet, there remains a strong feeling among private school activists that they have been left in the lurch by the government and are paying the price for government failures to address educational disparities and the broader problems arising from the Maoist conflict. This led to the somewhat farcical situation in July 2003 of private schools affiliated to the two main organisations - PABSON and NPABSON¹⁴ - calling an indefinite strike themselves to draw attention to the limited government engagement with their plight.

With this perceived lack of support, private school organisations such as PABSON and NPABSON are seeking assistance from other sources, including the international community. In such efforts to gain support and widen engagement with the difficulties they face, they are drawing on the internationally sanctioned rhetoric of EFA, the right to education, and the need to promote schools as "zones of peace" (e.g. UNICEF 2005). A further example of the selective use of the idea of educational partnerships is evident here, with the private school associations incorporating elements of the global social agenda into their position statements, while striving to maintain their market position on the other.

A Distraction from the Real Issues?

There is a strong sense in which the current debates and action around the private sector in Nepal are something of a sideshow to the wider tensions in the education sector. Focusing on regulation and fees, for example, does little to address the issues of the divergence in student exam performance or the unmet aspirations of the vast majority of children and their parents. Engaging in talks and producing amendments to the Education Act and codes of conduct, creates a façade of change and action but changes little at the level of the school. Parents have not seen a reduction in the fees they pay, disruption to schooling has not ceased, and crucially, there has been no evident improvement in educational quality for students at either government or private schools. The broader issues around schooling content and purpose raised by the Maoists (and indeed in much popular and political debate) remain unaddressed.

A key area which remains unresolved, and which undermines any possibility of meaningful partnership between the government and private sector, is the difficulty of engaging with the tensions between profit and service-oriented motivations for operating private schools. In part, these debates are masked by the vested interests of the private school organisations which, in the main, represent the wealthier educational enterprises as opposed to the more explicitly social service-oriented NGO and charity institutions. Protecting their own business and profits remains key, with the discourse and rhetoric of educational quality and the provision of a social good used, as both a marketing tool, and to counter the government's demands for tax payments and so on. Schools appeal to the private interests of parents and students to attract their custom, but in doing so, also engage with the philanthropic rhetoric of providing a social service in the context of a dysfunctional state alternative. Disaggregation of the private sector has tended to focus on the facilities offered, fees charged, and the exam results obtained as opposed to any wider concern with the content or quality of education in any broader sense. In turn this contributes to (and is reinforced by) the delimiting of popular debate on education. There is much to be gained by the private sector in maintaining a sense of antagonism and competition between the government and private schools – perceptions of government failure

fuel private enrolment. The building of any meaningful partnership, thus, remains difficult and poses conceptual and practical challenges that remain unresolved.

Finally, there is much to be learned from the various elements of the interaction between the state and private sector and, crucially, from the interplay with parental and student aspirations and expectations. The expectations learners and parents have of schooling and the educational decision-making processes they engage in arise from particular dynamics of the relationship between state and private schooling. Discussion of schooling reform, whoever the provider may be, has to actively engage with and address these concerns. That should not mean simply playing on fears and the sense of education as the only mechanism to mediate an uncertain future. Rather it requires an active and honest dialogue about what diverse schooling opportunities can lead to in terms of individual and societal 'goods'.

CONCLUSION: PARTNERSHIPS IN CONFLICT

So where does this discussion take us in terms of an understanding the role of private schools and their relationship with the state and the possibility of 'revitalised partnerships' in the pursuit of EFA? The case of the Maoist conflict in Nepal and the impact it is having on education provision, and private schools in particular, is an extreme one. But it casts into sharp relief issues of relevance for broader policy-oriented and academic engagement with non-state education provision. It highlights the multiple layers of engagement that take place around schooling provision and the key points where breakdown of trust and partnership can occur - from thwarted student aspirations to empty political posturing around education reform.

Further, the Nepal case highlights the need to open space for discussion beyond debate about appropriate and effective regulatory mechanisms and the categorisation of schools. Fundamental questions around the role of schooling as an individual or social good, whether formal education should be a government responsibility or opened to market forces, and so on, remain pertinent. The actions of the Maoists demonstrate that there are groups who are prepared to use violence to advance

their belief that “education should be a government responsibility” (Bhattarai 2001). The content and management of schooling and indeed the outcomes and livelihood opportunities it can lead to are more contested than the EFA-focused approach that dominates international education policy suggests. Critically engaging with such concerns is crucial if conceptual space is to be created within which to understand private schooling-state relations and in deepening our understanding of the social and political context (and content) of schooling more broadly.

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¹ This chapter draws on material previously published as 'Private Schools as Battlefields: Contested Visions of Learning and Livelihood in Nepal' in *Compare* 36/4.

² The core ethnographic research this paper draws on was conducted from Sept 1999-December 2000. Additional blocks of interviewing and observation-based research were carried out in 2003, 2004 and 2005. The author gratefully acknowledges the support for this research work provided by the Economic and Social Research Council in the form of a Research Studentship and Postdoctoral Fellowship and by The Open University through a Faculty of Technology Research Grant.

³ Although discussions of the potential of public-private partnerships in other areas of education, notably higher education, are receiving increased attention.

⁴ Several cases emerged during fieldwork in Nepal of government-funded schools offering a private stream for those who could afford it. This usually consisted of students being taught in English and using English-medium textbooks, but being taught in the same building and by the same teachers as those in the 'non-private' stream.

⁵ Notably, the elite missionary schools such as St Xavier's and St Mary's in Kathmandu were able to continue to operate relatively autonomously.

⁶ Supporters of the Nepali Congress often used the terms 'Communist' and 'Democrat' in referring to the main conflicting political positions. This is a result of the attempts made by the party to capitalise on the party's connection to the *Jan Andolan*, the democracy movement of 1990, with slogans such as 'Congress means multi-party democracy' and 'multi-party democracy means Congress' being propagated (Hacchetu 2000: 14).

⁷ In the context of a tri-partite struggle between the King, the political parties and the Maoists in the period since 2001, the Palace has also emerged as a player in this arena. A revised curriculum, emphasising the role of the monarchy has been ordered and schools have been requested to send students and teachers to pro-royalist rallies. Similarly, state security forces have made use of schools in rural areas as army barracks and so on.

⁸ The School Leaving Certificate is the key school-based examination, held at the end of Year 10.

⁹ The radical actions of the Maoists appear to have forced others wishing to gain attention for their political demands to adopt more hardline positions. In 2002, for example, six communist affiliated student unions engaged in a forced lock-up of private schools in the Kathmandu Valley.

¹⁰ There appears at time to be a degree of flexibility in the approach taken by some of those making demands – a number of institutions that view themselves as operating more of a 'social service' than a private business reported that they offered to show the Maoist representatives the accounts and documentation concerning who was donating to the school and who was benefiting from it. Some then saw the demand for protection money dropped or the sum reduced.

¹¹ Indeed many of the largest (and most expensive) schools in Kathmandu have been subjected to attacks, including the bombing of a Little Angels affiliated school in Chitwan and the destruction of Galaxy school's fleet of buses and school office in central Kathmandu (f/n: 23/6/05, 18/1/03).

¹² At the time of the initial pressure for strikes a multi-party system was still in place and concern about voter support in planned elections was a factor in pushing this issue further up the political agenda.

¹³ NPABSON has recommended that its members go to the Company Act. PABSON has not made any general call, but is instead pushing for schools to be recognised as distinct from private companies through the development of an Act focused on 'service-oriented professions' (f/n: 21/1/03).

¹⁴ NPABSON was formed as the result of a split in the main PABSON grouping.