Chapter II

Society and Ethnic Diversity in Nepal

II. 1 Introduction

Nepal is a cultural mosaic comprising a variety of ethnic groups belonging to the Tibeto-Burman and Indo-Aryan linguistic families, a legacy of the waves of migrations that have occurred for over two thousand years from the north and south respectively. Although miscegenation has occurred, the various groups differ widely in the details of cultures and adaptations, combining elements of Animism, Buddhism, and Hinduism picked up through cultural contacts over the years. Resettlement of the hill and mountain people in the Tarai (the plain region in southern Nepal) since the 1960s has added a new dimension to the social landscape, resulting in a widely heterogeneous and complex Tarai population. Further, a porous border with the south into India has facilitated the populations to move freely between the two countries for centuries. As a result, while some pockets may have homogeneous populations belonging to one or another group, making a local majority but a national minority, in other areas the populations may be totally heterogeneous. Crosscutting this diversity there are issues related to gender equations and class differences which vary across caste and ethnic groups.

II. 2 Ethnic and Caste Diversity

Nepal boasts 103 castes and ethnic groups who are largely Hindus, Buddhists, Animists, some Muslims, or a combination of two or more of them. The census of 2001 recorded 106 languages and dialects, of which the Indo-Aryan language family constituted 79.1 per cent in terms of the number of speakers (see Table 2.1). Several languages or dialects are spoken by a small number of people. For instance, 58 languages are spoken by less than 10,000, and 28 by less than 1000. In terms of religious affiliation, the census of 2001 recorded 80.6 per cent of the population as Hindu, 10.7 per cent as Buddhist, 4.2 per cent as Muslim, 3.6 per cent as Kirati, and the rest as belonging to other religions (Christian, Jain, and Sikh). Over the years, there has been a dramatic increase in the number of people claiming to be Buddhists or Kiratis. For example, in 1991 the population claiming to be Kirati was 1.7 per cent;
this increased to 3.6 per cent in 2001. According to Harka Gurung, a noted development expert in Nepal, “Social demographic data of the last decade clearly evidence a strong tendency towards identity assertion based on ethnicity, language and religion.” The high percentage of Hindus indicates that members of some ethnic groups earlier professed Hinduism or were labelled as adherents of Hinduism instead of their traditional religion. For example, the Kiratis are traditionally adherents of Buddhism or Mundhum (Kirat), but the census returns show that the adherents of Buddhism and Mundhum among the Kirati are respectively 11.6 per cent and 26.1 per cent less than the Kirati population. Given such anomalies, the census figures become suspect (Gurung 2003: 5); nevertheless, the figures cited give a fair enough picture of the extent of ethnic diversity in Nepal.

The population in Nepal is generally classified under three major overlapping divisions: (i) the hierarchical caste-structured (Jats) vis-à-vis egalitarian ethnic groups (Janjatis); (ii) the high or ritually “pure” vis-à-vis the low, ritually “impure untouchable” castes (Dalits); and (iii) residence by region—Pahadis (hill people) vis-à-vis Madheshis (people of the Tarai). There are significant cultural differences between the caste and ethnic groups as there are between Pahadis and Madheshis. The caste groups (Jats) are Caucasoid Hindus speaking various Indo-European languages.

### Table 2.1
Percentage Distribution of Speakers by Language

<table>
<thead>
<tr>
<th>Group</th>
<th>Subgroup</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indo-Aryan</td>
<td>Nepali</td>
<td>48.6</td>
</tr>
<tr>
<td></td>
<td>Maithili</td>
<td>12.3</td>
</tr>
<tr>
<td></td>
<td>Bhojpuri</td>
<td>7.5</td>
</tr>
<tr>
<td></td>
<td>Tharu</td>
<td>5.9</td>
</tr>
<tr>
<td>Tibeto-Burman</td>
<td>Tamang</td>
<td>5.2</td>
</tr>
<tr>
<td></td>
<td>Newari</td>
<td>3.6</td>
</tr>
<tr>
<td></td>
<td>Magar</td>
<td>3.4</td>
</tr>
<tr>
<td></td>
<td>Rai-Kirati</td>
<td>2.2</td>
</tr>
<tr>
<td></td>
<td>Gurung</td>
<td>1.5</td>
</tr>
<tr>
<td></td>
<td>Limbu</td>
<td>1.4</td>
</tr>
</tbody>
</table>

such as Nepali, Maithili, and Bhojpuri. The ethnic groups (Janjatis) comprise mainly Mongoloid stock, speak various Tibeto-Burman languages such as Tamang, Gurung, Newari, and Magar, and profess religions such as Buddhism, Animism, Kirat, and Hinduism. While the castes are hierarchically structured in terms of ritual purity, the ethnic groups are more egalitarian in their social structure. The Newars, an ethnic group, who are internally structured by castes, are an exception. Among the caste-structured groups, there is a fundamental division between the ritually “pure” castes, such as Brahmin, Chhetri (Kshatriya), Kayastha, and the “untouchable” castes, such as Kami, Sarki, Chyame/Chamars, and Damai, commonly known as Dalits these days. Many ethnic groups influenced by the Hindu caste ideology also consider the Dalits as “untouchables”. In other words, the division between Dalits and all other groups (“upper” castes and ethnic) is as fundamental as the division between the caste-structured Hindus and the ethnic groups. The Pahadis comprise diverse groups such as the Nepali-speaking Parbatiya castes as well as ethnic groups such as Tamang, Magar, and Rai, each with its own language, culture, and religion. Similarly, the Madheshis are composed of various castes such as Brahmin and Dalit, linguistic groups such as Maithili and Bhojpuri, ethnic groups such as Tharu and Danuwar, and religious groups such as Hindu and Muslim. The Pahadis consider themselves culturally distinct from the Madheshis even though there are many similarities among the caste groups who are Hindus and speak Indo-European languages (Gurung 2001: 72). Finer distinctions could be made between hill ethnic groups who live in the mountains, such as Sherpa, Byanssi, and Thakali, and others who live in the hills, such as Limbu, Magar, and Tamang; as well as between ethnic groups who live in the inner Tarai, such as Bote, Danuwar, and Majhi, and others who live in the Tarai proper, such as Tharu, Dhimal, and Satar.

II.3 Historical Perspective on Ethnic Diversity

Migration of diverse groups has taken place in Nepal for over two thousand years. Ethnic groups such as Gurung, Limbu, and Sherpa, speaking Tibeto-Burman languages, migrated to Nepal at different times from regions across the Himalayas; the Newars, a Tibeto-Burman language-speaking ethnic group, with adherents of both Hinduism and Buddhism, have lived in Kathmandu Valley for over two millennia; and the Nepali-speaking Parbatiya migrated to Nepal from the west and south over
several centuries. Groups such as Tharu have lived in the Tarai for over two millennia, whereas others, such as the Maithili speakers of the Tarai, arrived later. These different groups, each with their own language, religion, and culture, settled in different parts of the country, establishing separate but fluid political units: mainly small chiefdoms and principalities, although there were also larger political units such as the Lichhavi, and later the Malla kingdoms, based in Kathmandu Valley, the Khas kingdom in the west, and the various confederations of ethnic groups such as Magars and Gurungs in central Nepal and Limbus in eastern Nepal.

In the second half of the eighteenth century, Prithvi Narayan Shah, ruler of the principality of Gorkha and his immediate descendants, supported by Brahmins, Chhetris, Magars and Gurungs, conquered and politically amalgamated the different political units into the Gorkha kingdom, which came to be called Nepal, with its capital at Kathmandu. The process of nation-building that was thus initiated had profound consequences for the diverse groups, including "Parbatization" of Nepal, changes in social relations, and access to and control over economic and political resources, especially land and administration. These changes can be located in three major periods of Nepalese history, each characterized by a different model of society as articulated in state laws and policies (Pradhan 2003: 52): (i) a hierarchical, plural society from the establishment of the Gorkha kingdom to the end of the Rana regime (1768–1950), (ii) a non-hierarchical, mono-cultural society during the Panchayat period (1960–1990), and (iii) a non-hierarchical, plural society in the post-1990 period (Joanna 1997: 419). All three periods are characterized by the political, economic and cultural dominance of the "upper"-caste Parbatiyas.

II. 4 Before Unification

Nepal's present international boundaries are of recent origin. They were fixed last after the Sugauli Treaty in 1816 signed between the Government of Nepal and the British East India Company. Earlier, Nepal's territory was unstable and unclear. There was a time when Nepal's territory was expanded up to the whole of the sub-Himalayan hill area from Bhutan in the east to Kangara in the west (Joshi and Rose 1966: 3). Before 1769, the year of unification by King Prithvi Narayan Shah, Kathmandu Valley, known as Nepal, had three Malla rulers. Outside the valley there were at least fifty-six princely states. Even after unification, the term Nepal referred
only to Kathmandu Valley, the remaining principalities being considered as various “countries”—all subject to the house of Gorkha. The Ranas are credited with having defined the existing territory from varied and complex names to a single name “Nepal” (Burghart 1984, cited in Gellner et al. 1997: 5) and for the first time began to define the country as a nation-state.

Kathmandu Valley used to be a lake known as Naghdaha (lake of snakes). Naga tribes lived around it. When the lake dried up, they along with Gopals (cowherds) and Mahispals (buffalo-herders) dwelt there. At that time the ruler of the valley was appointed through election (District Development Profile of Nepal). “A sage (muni) called Ne appears on the scene as the protector (pala) of the land and the founder of the first ruling dynasty. Thus the chronicles explain the origin of the name of the country Ne-pala, the land protected by Ne.” Ne was replaced by Gopalavamsi Guptas for 491 years (Shah 1992: 7). Gopalavamsis were replaced by Mahispal Vamsa (buffalo-herder dynasty) for eleven years and seven months. Later, the Kirats of Mongolian stock entered and ruled for 1581 years and one month (ibid.).

The Lichhavis succeeded the Kirats about the middle of the fifth century BC. The Lichhavis hailed from the Republic of Vaisali in Muzaffarpur, Champaran and Darbhanga districts of the present northern and central Bihar of India, and made Nepal their dominion after Vaisali was overrun around 464 BC by Ajatasatru, king of Magadh and the first ruthless empire builder. The Lichhavis were considered to be inferior Kshatriyas by the pure Kshatriyas in the plains. Many Hindu and Buddhist temples along with four Narayan temples in Kathmandu Valley were constructed during the Lichhavi period. The Lichhavi monarchy was based on a theory of divine right. Justice and morality were associated with religion. The judges of civil and criminal courts were called “religious authority” (Dharmadhikari). There was a state minister for religious affairs (Dharmarajikamaty). The Lichhavis are therefore considered the first Hindu rulers in Nepal. But in a society like that of Nepal which was non-Hindu and caste-less, the Lichhavis were not rigid about religious practices. Men and women enjoyed equal status in performing religious and social duties. Rajyavati, the mother of Mandeva, refused to perform sati (the practice of the widow immolating herself with the dead body of the husband) after her husband king Dharmadeva died, in order to support her younger son in his kingly duties. Later,
ambitious Lichhavi kings like Amsuvarma tried to impose the caste system on the people.

Numerous Lichhavi inscriptions with non-Sanskrit names of some places show that the earliest settlers of Kathmandu were non-Aryans who used languages other than Sanskrit. Rishikesh Shah notes that the names of the three cities of Kathmandu Valley were in Newari—Ye for Kathmandu, Yala for Patan and Khopva for Bhaktapur (Shah 1992: 29). But later Lichhavis made Sanskrit the official and literary language of Nepal and applied it in the field of architecture and sculpture. Such Sanskritization later became a hallmark of Hinduization and Nepalization for the Nepali rulers. For this reason the Lichhavi period has been described by mainstream historians as the golden era of Nepali history and by subaltern historians as “a setback to indigenous rights of people”.

In terms of religion, Shaivism was dominant, being popular with non-Aryans. The oldest religion of Kathmandu Valley seems to be related to a non-Aryan who practised a religion closely related to Pasupata, lord of animals, who later became identified as Shiva. Religious harmony prevailed. There were families where the members worshipped deities of their personal choice. The rulers subsidized the temples and monasteries of Shaiva, Vaishnava and Buddhist sects (Shah 1992: 29–31).

Although the ancestry of the Malla rulers, who replaced the Lichhavis is unclear, early Buddhist texts mention that the Mallas’ territory was adjoined to that of the Lichhavis. Kusinagar and Pava in India were known as Mallapuri, the city of Mallas. Ari Malla (AD 1200–16), son of Jayasi Malla, was the first Malla king of Kathmandu Valley but how he acquired the throne—whether by conquest, by election or dynastic links—is not known. The early Mallas (1255–1383) were involved in internecine fights. An example is the feud between the house of Bhonta (the feudal lord of Banepa, an eastern city of Kathmandu) and the house of Tripura (Shah 1992: 46–47). Weakened by the infighting, they faced external invasions by Doya, the Khasa Malla kings, and the Muslim ruler of Bengal. Order and stability was finally restored, after a century of anarchy, by King Jayasthiti Malla, who brought many Karnat preceptors and priests from Mithila and introduced several social reforms (District Development Profile of Nepal, Kathmandu: ISRSC, 2004: 4). Jayasthiti
Malla took a long-term view of the consolidation of Nepali society with the help of five Bramins from North and South India. The code of religious and social conduct did not lay stress on the traditional four classes or Varna but by analysing the existing conditions of Nepal, it classified people into sixty-four sub-castes and introduced detailed rules for social activities, which gave due regard and concessions to local conditions. As a result, those rules were willingly obeyed by the Kathmandu-based non-Hindu Newar community (Shah 1992: 57). Although his reformist activities aimed at consolidating Nepali society within the orthodox Hindu religious framework, because of his belief in polytheism, especially his devotion to Shiva and Vishnu, Jayasthiti Malla was considered "liberal" in the matter of religion (ibid.). Although there is a popular legend about the massacre of 770 Brahmins by Buddhists in the Malla period when Sankaracharya's movement for brahminic revival was conducted, the Hindus themselves resisted Sankaracharya's efforts. Buddhism and Hinduism had developed harmoniously, probably because Hinduism itself has accepted Buddha as one of the ten incarnations of its main deity.

Because of the limited information available and recognition of only Kathmandu Valley as Nepal, writing a comprehensive history of all the parts of present-day Nepal until the medieval period has become impossible. The Dullu Pillar and other inscriptions, which were found in 1955 by Professor G. Tucci and Yogi Narahari Nath, have given information that there were two Khasa Malla kingdoms along the Karnali River, in western Kathmandu Valley, stretching in territory from western Tibet to modern Jumla and Surkhet. There were Baise (twenty-two) states in the Karnali region in far western Nepal, Chaubise (twenty-four) states in the area directly to the west and south of Kathmandu Valley, and numerous Kirati principalities in the eastern hills forming a loose confederation. Eastern Nepal was ruled by Makawanpur, Chaudandi and Vijaypur which belonged to the Sen rulers of Palpa, a powerful Chaubise state, with the title of Hindupati (overlord of the Hindus). The Palpa dynasty, as a demonstration of its religious/ethnic sensitivity, accepted the autonomous Kirati units in the hills by appointing a hill-based Kirati minister (ibid.: 68).

In the Kirati areas, there was a further subdivision—Majh (middle) Kirat of the west of Arun River and Pallo (further) Kirat between Arun River and the Sikkim
border. The Kiratis did have a historical, cultural and ethnic base, which is effective even in contemporary Nepali politics. The Baise states formed parts of the Malla kingdom of the eleventh to fourteenth centuries, and the Chaubise states, possibly, initially represented a loose affiliation of Hindu rulers in a region that was still predominantly non-Hindu (Joshi and Rose 1966: 4–5). The principalities were independent and fought each other for supremacy. From this chaotic state of affairs rose the Gorkha house, which ultimately led consolidated the present Nepal.

In summary, the present territory of Nepal is an agglomeration of many erstwhile principalities—forty-six (sum of Baise and Chaubise) in the west, Makwanpur, Vijaypur and Chaudani as tributaries of the Sen dynasty of Palpa in south and south-east, Kathmandu, Patan and Bhadgaun and sometimes even Nuwakot and Banepa in the middle and surrounding the Kathmandu Valley. Rishikesh Shah (1992), referring to Francis Bachanam Hamilton, is of the view that Gorkha was a Chaubise state; Joshi and Rose (1966) disagree.

At least three major racial strains are dominant among the population of Nepal—(a) Indo-Aryans who migrated to Nepal from the plains or hill areas of India several hundred years ago in the wake of Muslim invasions of northern India, (b) people of Mongolian origin, including Kirati tribal communities—Rais and Limbus—who inhabited the higher hill areas in the east and the west, and (c) a number of tribal communities who may be remnants of indigenous communities whose habitation of Nepal predates the advent of Indo-Aryan and Mongolian elements. This third segment of the population were gradually driven back into the more isolated sections of Tarai jungles and the hot, malarial river valleys in the hill areas in the course of the Indo-Aryan and Mongolian incursions (Joshi and Rose 1966: 10).

Mahayana Buddhism came to Nepal from Tibet and had a tremendous influence on Nepalese society up to the seventh century of the Common Era. Hinduism was introduced among the various tribes of Nepal by the Lichhavi rulers but made little impact on local traditions and customs. Before Hinduism gained ascendancy in India, the old forms of Hinduism and Buddhism continued to survive, but later on, a majority of the Nepalis reverted to Hinduism (Chauhan 1989: 1). Rose and Scholz assume that during the Lichhavi period a number of ethnic communities such as Rais and Limbus in eastern Nepal, various Tibetan groups (Sherpa, Tamang,
etc.) in the north, Magars and Gurungs in the central-western hills and the Khas in the
far west established themselves in various areas of what is now Nepal. Those
communities, except Khas, had tribal culture, and culturally and economically they
were more dependent or related to the Buddhist north rather than to India or
Kathmandu Valley (Rose and Scholz 1980: 12). The writers’ emphasis is that
Buddhism was dominant not only among the Newars of Kathmandu Valley but also
among other Mongolians and tribal and indigenous communities. Rishikesh Shah,
however, is of a different view. He points out that the Kirats were described in the
Hindu epic Mahabharata and in the Puranas as a hill-tribe dextrous in archery and
warfare (Shah 1992: 8). When Manadev was the ruler, Buddhism possibly coexisted
with Vaishnavism and Shaivism. The Buddhist monastery named Mana Vihar at
Swayambhu is thought to have been built on Manadev’s order and hence named after
him (Shah 1992: 14). Jayasthiti Malla of Kathmandu (1382-95) and Ram Shah of
Gorkha (1606-33) were orthodox Hindus. Jayasthiti Malla, in codifying the structure
of Nepali society, imposed a social code on the Newars of Kathmandu Valley with the
guidance or advice of Indian Brahmins; Ram Shah did the same thing to the non-
Hindu tribal community of Gorkha. Jayasthiti Malla divided the Newars of
Kathmandu Valley into sixty-four sub-groups analogous to Jatis in the Hindu caste
system. This modification strengthened the ongoing “Nepalization” process, with the
Buddhist Newars attaining a position equivalent to Hindus of a similar status (Joshi
and Rose 1966: 11–12).

II. 5 The Shah Regime, 1769–1846

Replacing a non-Rajput dynasty, Dravya Shah, a younger brother of the king of
Lamjung, which is about 30 miles north-west of Gorkha, conquered Gorkha, the
homeland of Magars, a hardy and adventurous tribe of the hills of Nepal, in the
middle of 1559 (Satish Kumar 1967: 7) by demonstrating his physical prowess in a
marathon competition. He then sought to conquer neighbouring states but conquered
only Siranchowk and Ajirgarh (Gyawali 1992 (B.S.): 3, 31). Nara Bhupal Shah later
on failed to conquer Nuwakot in 1737, a task accomplished by his son Prithvi
Narayan Shah in the fall of 1744 (ibid.: 3, 83). Although there were some autonomous
indigenous tribal areas under the Rajput-ruled principalities, high-caste Hindu elite
dominated central Nepal. These rulers resorted to matrimonial relations with the
ruling families in neighbouring states, which later helped in the “integration into a
unified nation-state system”. It was said about Ram Shah’s legal code that “if someone doesn’t find justice, he must go to Gorkha”.

Although King Prithvi Narayan Shah did a great deal to unify the “central Himalayas” into a single state, these processes facilitated the unification process. Subsequently, several other principalities agreed to Prithvi Narayan’s proposal to merge their states into the Gorkha state in return for a broad degree of autonomous control over their subjects in regard to international affairs. Where his proposal was rejected, Prithvi Narayan Shah also resorted to the sword. When he captured Kathmandu Valley in his third attempt from the powerful Malla rulers, he ordered the ears and noses of the people of Kirtipur (the gateway to Kathmandu Valley) slashed. The noses and ears thus slashed weighed 18 Dharnies (equivalent to 42 kg) (Bhattachan 2000: 140; Gurung 2003 cited in Pyakurel 2006). When some people of Jumla in mid-western Nepal objected to Gorkha rule in 1794, the regime ordered its local authority to “kill all rebels above the age of 12 years” and warned the Jumli people that “if anyone engages in rebellion or intrigue we shall degrade you to a lower caste, if he is a Brahmin, or else, enslave or behead him according to his caste” (Chauhan 1989: 111). Likewise, in eastern Nepal, the Gorkhas killed all the Khumbu-Kirati men and boys who did not surrender. Pregnant women were forced to abort, and male infants were killed by Okhal (rice-husking mortar). Because of such brutality, many fled to Indian territory (Dhungel 2006). The people hoped that with the unification of the country, they would have freedom of movement and trade, but the government ruled that the people should stick to their traditional professions and places. The royal order of 1846 banning Jumlis from visiting outside for trade (Chauhan 1989: 112–13) is an example of such an imposition.

Before unification, in Gorkha the Shah dynasty applied the system Chha-Thar Ghar (six-family lineage) to support the king in policymaking (Whellpton 1997: 43). “When the king had to choose a minister, he obtained a consensus of his court and subjects” (Yogi and Acharya, Rastrapita, 5.9). The Chha-Thar Ghar belonged to different castes and ethnic groups (Joshi and Rose, 1966: 26). Prithvi Narayan Shah stated that “Nepal is a garden of four Varnas and thirty-six Jatis”. However, this seems to have been only his slogan to induce the ethnic groups for active participation in the unification process. His slogan later on, Yo Asali Hindustan Ho (This is the
pure land of Hindus) (Gurung 1997: 501) makes this agenda clear. Gellner asserts that Prithvi Narayan Shah was not "really a nationalist" and he was "very far from being a multiculturist celebrating cultural diversity for its own sake (Gellner 1997: 25).

After conquering Kathmandu Valley Prithvi Narayan Shah reduced the Chha-Thar Ghar into Char-Thar Ghar (four-family lineage, comprising Shah, Pande, Thapa and Basnyat), by excluding Magar and Gurung. He launched a state policy of Hinduization with the concept of Asali Hindusthan and Gorkhaization, seeking Gorkhali people’s hegemony over all the ethnicities defeated by the Gorkha. The state donated new Guthis (land) to Brahmin priests. Guthi donation was accelerated "particularly to those areas where Hinduism was nominal, i.e., towards the eastern region". For example, twenty-eight Brahmin families were settled in July 1811 in the Hattigisa of Morong, in eastern Nepal (Chauhan 1989: 89).

Upon Nepal’s emergence as a nation-state in 1768, Brahmins and Kshatriyas became the ruling elite (Joshi and Rose 1966: 23). To enhance respect for Brahmins, royal orders repeatedly urged the people “to respect Brahmins and not to take the flesh of dead cattle”. The government further ordered that “only the Brahmin could perform religious ceremonies in the houses of individuals and none else”, and “Brahmin would not be put to death throughout the kingdom howsoever heinous his crime might be”—though “he could be degraded from his caste and imprisoned” (Chauhan 1989: 93). The government employed 65 postmen in 1825-26, allotting them rice land on Adhiya tenure. The high-caste postmen were allotted 95 to 105 Murris each, and the low-caste postmen, only 35 to 45 Murris (ibid.: 97).

Later on the Shah dynasty started recruiting the military and civil stalwarts from only the Gorkha as “trusted” people from among Brahmins and Kshatriyas. Chauhan defined Gorkha as “those progeny of Brahmins and Kshatriyas who had migrated from southern plains and had come into contact with the Khas and Magars of this region, and who had accepted the Hindu religion, including diet and deity” (ibid.: 79). Indigenous groups like Newars in Kathmandu Valley and Tamangs in surrounding area of Kathmandu were excluded from the elite group.

As regards the Shah dynasty’s policy towards other religions such as Christianity and Islam, “as soon as Gorkha conquered the Kathmandu Valley in 1768-
69 Catholic missionaries and their local converts were expelled”. Islam was termed Ulto Dharma (opposite religion) (Goborieau 1972: 84–89). Prithvi Narayan Shah granted rights to the Limbus of eastern Nepal to practise their traditional customs, gave them control over their communal land (Kipat), and allowed internal rule by their traditional chiefs. Over time, however, as the kingdom became more centralized both politically and administratively, the ruling elites not only gained more control over economic resources, especially land, but also imposed a more homogeneous (Parbatiya) cultural matrix on the diverse social, cultural, and religious groups. This policy was articulated in the Civil Code (Muluki Ain) promulgated in 1854 by the Rana Prime Minister Janga Bahadur Kunwar.

II. 6 The Rana Hereditary Premier System, 1846–1951

Whether by consensus or by the sword, the Shah dynasty unified more than fifty-six principalities in a single garland but failed to achieve its objective of projecting a unified and prosperous Nepal on the world map. Soon after the demise of Prithvi Narayan Shah, the fortunes of the dynasty declined. While the Brahmins and Kshatriyas continued to be the ruling elite, the erstwhile elite—the Char-Thar Ghar—continued their contention for power. “None of the Mukhtiyars or regents between 1769 to 1846 died a natural death; their lives were ended abruptly either by the assassin’s bullet or sword or by their own hand” (Joshi and Rose 1966: 23–25). The Shah dynasty had virtually become pawns in the hands of a few rival groups which had monopolized the army, bureaucracy, and the local control (Chauhan 1989: 118).

In 1846 Janga Bahadur Kunwar came to power as a result of “intrigues, counter-intrigues and conspiracies”. Backed by the junior queen Lakshmi Devi, he organized a massacre (Kot Parva) and “established virtually dictatorial control over the government” (Joshi and Rose 1966: 29). Thirty persons were killed, twenty-six fled the country, and twenty-six others were banished from the four prominent Kshatriya families. A month and a half later, on 13 October 1846, at least 23 Basnyats of the Kshatriya nobility were killed, with Janga Bahadur accusing them of being the organizers of the Bhandarkhal Parva or “Basnyat conspiracy” (Acharya 2005: 107, 115). Janga Bahadur made himself the chief of the army, prime minister, and “Maharaja” of Kaski and Lamjung principalities.
About the nature of Rana rule, Joshi and Rose comment:

The Rana political system was an undisguised military despotism of the ruling faction within the Rana family over the king and the people of the country. The government functioned as an instrument of carrying out the personal wishes and interests of the ruling Rana prime minister; its main domestic preoccupation was the exploitation of the country’s resources in order to enhance the personal wealth of Rana ruler and his family. No distinction was made between the personal treasury of the Rana ruler and the treasury of the government; any government revenue in excess of administrative expenses was pocketed by the Rana ruler as private income. No budget of the government’s expenditures and revenues was ever made public. As a system accountable neither to the king nor to the people, the Rana regime functioned as an autochthonous system, divorced from the needs of the people and even from the historical traditions of the country, and served only the interests of a handful of Ranas and their ubiquitous non-Rana adherents. (Joshi and Rose 1966: 38–39)

A backward-looking regime, it discouraged the opening of educational institutions, imposed orthodox and discretionary social rules to get education, banned travel abroad for education, and fostered communal disputes and rivalries. The royal priests, in the name of religion or Dharmashastra code, sternly punished any attempt by the people to modify social, ethnic, and caste inequalities. People’s mode of apparel and wearing ornaments, house construction, etc. were strictly controlled. In the army, officers were appointed from Rana male offspring soon after their birth, and sometimes even before their birth (ibid.: 40).

The first Mulki Ain (Civil code) introduced by the Rana regime in 1854 had been practised as a “legal code” in Jayasthiti Malla’s reign in the late fourteenth century (1382–95) in Kathmandu Valley, and during Ram Shah’s reign in Gorkha in the first half of the seventeenth century (1603–36). The Rana regime gave this tradition a legal garb, compelling all the subjects of the regime to obey it. Promoting a quasi-religious code of conduct which had gained some legitimacy as a tradition was a tactic of the Rana regime to prolong their tenure. The code revised the caste categories divergent from the four Varnas of the classical Vedic model, and had varied penal provisions for the higher and lower caste people. The code also tried to accommodate the ethnic identities into Hindu Varna system, which “translated diversity into inequality”.

38
The code dealt with intercaste and intercommunity relations relating to commensality, sexual relations, and social contact. It classified and structured all social groups into five broad-ranked categories within an overarching caste hierarchy, each with differential rights, privileges, and duties, disregarding the fact that many ethnic groups were Buddhists and Animists and not part of the caste system (Hofer 1997: 52). The first category, Tagadhari (wearers of the holy thread), comprised the ruling elite, mainly upper-caste Parbatiya Brahmins and Chhetris. They were deemed the purest. The bulk of the ethnic groups, Janjatis, were classified as Matwalis (liquor drinkers). These were subdivided into non-enslavable groups such as Gurung, Magar, and some Newar castes, and enslavable groups such as Tamang with close cultural affiliation to Tibetans (Bhote). Below them were Newars, the service castes such as butchers and tanners, foreigners, and Muslims, from whom water could not be accepted. Ranked lowest in the hierarchy were the “impure and untouchable” service castes, belonging to the Parbatiya, Newar, and Madheshi groups. The “lower” castes, women, ethnic communities, and non-Nepali-speaking communities were excluded from state administration and land rights. Most of the fertile land and other economic resources were controlled by upper-castes Parbatiyas, with some notable exceptions such as Kipat controlled by the Limbus in eastern Nepal, and trans-Himalayan trade by the Thakalis (Regmi 1997: 233).

Caste names denoted the avocation of a person. For instance, Damai are tailors and play musical instruments; the Sark are cobblers and remove carcasses. In the traditional intercaste relations these groups owed a certain amount of labour to an upper-caste household. In return, they were provided with a fixed amount of food after each harvest, clothing, etc. Orthodox Hindus accepted the Mulki Ain code and even claimed it as a vital step for promoting Hinduism as a national religion.

The Ranas promoted a very orthodox mode of Hinduism. Since travelling abroad was seen as a violation of religious and social tradition, Janga Bahadur, after he returned from a year-long visit to Europe during 1950-51, visited important Hindu pilgrimage centres in India to purify himself and to retain his caste status. When some Nepalese started a movement to reform Hinduism in the name of Arya Samaj, they were socially disgraced, paraded through the streets, beaten and sentenced to jail. Fearful of the modernizing impact of education, the Ranas kept under surveillance
Gorkha soldiers returning from duty abroad and those having attained Western education, in order to forestall their spreading modern ideas. The Ranas asked the British authorities not to promote Gorkha recruits beyond the rank of sergeant. When the soldiers returned to Nepal, the rules of caste purification were strictly enforced on them (Joshi and Rose 1966: 52). Hindus were forbidden from conversion to other religions although other religions were tolerated (Gaborieau 1972: 87).

When Chandra Shamsher was prime minister, Khas Kura or Gorkhali Bhasa was declared as the official language. The regime extended the name Nepal for the whole kingdom in order to show its "nationalist objectives" (Whelpton 1997: 45). In the 1920s, Dharmaditya Dharmacharya, a Buddhist scholar, was expelled from Kathmandu Valley for publishing and circulating Buddhist and other books in Nepal Bhasa (Newari language). In 1925 four monks, and in 1944 eight monks, were expelled from Kathmandu (cited in Unisco 73–74). Buddhist monks Mahaprajna and Amritananda were imprisoned, and Tsering Narbu Lama was expelled in 1937. The state sponsored migration of Nepali-speaking and Hindu people from the western hills to the eastern hills in order to establish Hindu cultural hegemony especially in the eastern hills where Rais and Limbus were settled. Earlier, the indigenous people had been wooed with distribution of Kipat land to garner their support for the unification process but after some time the system was withdrawn. Many indigenous groups, including Bhoti, Chepang, Danuwar, Gurung, Tamang, Pahari, Majhi, Rai, Thakali, etc. were deprived of their customary occupation of land; the Limbus were alienated from their land in 1964 (Regmi 1999: 88). Such policy measures caused several revolts such as the Gurung revolt in 1857 (Joshi and Rose 1966: 43).

II. 7 Pseudo-Democratic Period, 1951–60

The 104-year-old Rana oligarchy was overthrown in 1951. The period 1951–60 thereafter combined democracy and autocracy. During this period Nepal became free from "isolation" of the world and constitutional and social changes occurred as a result of the people's movement. An interim people's government was constituted to bring about a democratic system through a constituent assembly. This interim government lasted nine months. The king, who had been freed from the stranglehold of the Ranas with the support of the people, had promised to let the democratic system prevail in the country. However, the first eight years of this period were consumed by
“the king’s experiment” and the struggle between pro-democratic and autocratic forces. The king, who in 1951 had declared that the monarch would be accommodated as a “constitutional monarch” under the constitution, two years later refused to be under the constitution and declared that “supreme rights are vested in the king”. In 1955 a committee constituted by the government nominated by the king, called Nepal National Education Planning Commission, recommended the exclusive use of Nepali language so that “other languages will gradually disappear and greater national strength and unity will result” (Whelpton 1997: 49). This was later accommodated in the Panchayat slogan—Ek Bhasa, Ek Bhesh, Ek Desh (one language, one dress, one country). An elected government had its tenure only for nineteen months (27 May 1959 to 15 December 1960).

The first elected prime minister, B.P. Koirala, was reported to have “antagonized orthodox Hindus and the conservatives” (Joshi and Rose 1966: 308). The main slogan of his party, the Nepali Congress (NC), in the election was “to end the very roots of the traditional social and economic inequalities.” The party’s manifesto included abolition of the proprietor system, abolition of Rajyas (principalities which enjoyed semi-autonomy), a ceiling on landholding and redistribution of the excess land, nationalization of forests, and promotion of cooperative farming. The manifesto promised a guarantee of the right of every citizen to practise the religion of his choice and to encourage the development of regional and local languages. The Koirala government, after being successfully elected, declared a twenty-five-year plan to achieve socialism in Nepal. The government aimed to fulfil the basic needs of the people with a cow and some land per household. However, the experiment came to an end when the king dismissed the government and imprisoned all the political actors on 15 December 1960.

Prior to this denouement, the government faced disturbances in Nuwakot and Gorkha districts which had been the home base of the Shah kings before the conquest of Kathmandu Valley. The political identification of the populace in those districts was “loyalty to the Shah dynasty” as “militant Gorkha nationalists”. It was assumed that the Gorkha Parisad, a political party that represented the “feudal exploiters, cruel moneylenders, and profiteers”, backed the disturbances (Joshi and Rose 1966: 357). A
disturbance was also caused by the semi-autonomous Bajhang principality, which was unhappy with the proposed abolition of Rajya courts.

Although this period has a chequered history in promoting democratic values, some positive aspects may be noted. The state for the first time recognized the people as “citizens” with sensitized civil and political rights rather than as “subjects”. The interim government also declared that it was the duty of the state to promote “the welfare of the people by securing ... a social order in which social, economic, and political justice will infuse all the institutions of national life” (article 4 of the Directive Principles of the State Policy). The interim government also guaranteed the freedom of the citizen to speech and expression, assembly, association and movement throughout the country, and right to property and practice of any profession or business as well. The interim cabinet abolished many feudal practices “on the initiative of the Nepali Congress” such as monetary exactions in the form of mandatory gifts and presents, and forced labour to maintain public works, which had been an integral part of the Rana political system. Birta (rent-free land), which was the traditional base of the Rana economic power, was abolished. The Ranas’ monopoly of offices in the army was ended and the military career was made accessible to other castes and ethnic communities. Government schools were ordered to admit children belonging to the untouchable castes (Hufton et al. 1999: 4). For the first time in 1959 the news was broadcast in languages other than Nepali—Hindi and Newari (Gellner 1997: 29). Hindi was also accepted for use in parliamentary debate.

Political activism was also given a new thrust during the period. Several Pichadieka Barga Sangathans (backward class organizations) were established, including Gurung Kalyan Sangh, Tharu Kalyankari Sabha, Kirat League and Dalit Sangh. The Tarai Congress was established to bring together the hill ethnic and Tarai communities as a political force. Their composition in the first elected government and in Parliament was 26.3 and 15.5 per cent, and 15.6 and 22.0 per cent respectively (DREFDON 1992: 7 cited in Hachhethu 2003: 233). In the revolution for abolishing the Rana regime, the Congress had mobilized “mostly ex-servicemen from ethnic minorities” as the Muktisena insurgents.

At the start of the Panchayat regime (1961–1990) the state abolished legally sanctioned hierarchy and discrimination based on caste, ethnicity, and religion (and gender in some areas). Caste was no longer the relevant legal category in the Constitution of 1962 and the new Civil Code of 1963. All Nepalese citizens, irrespective of their social identity, were given the right to claim equality before the law. However, legally sanctioned discrimination continued in terms of ethnicity and caste, and gender discrimination too continued to be sanctioned by the new Civil Code. Further, caste and ethnicity as well as regional identity (Pahadi or Madheshi) remained socially valid categories and were the basis of everyday interaction and access to political and economic resources. Some Dalit castes, even as they aspired to be treated on an equal footing by other castes and ethnic groups, themselves practised caste-based discrimination.

During this period, the ruling elite and many development experts, foreign as well as Nepalese, viewed cultural and linguistic diversity as an impediment not only to nation-building but also to modernization and development of the country (Arturo 1995: 32). The best approach to diversity in their view was assimilation around a national standard. Consequently, there was a concerted effort at homogenization of cultural diversity into a single national Parbatiya culture and language (Joanna 1997: 419). This model put groups who were not well versed in the Nepali language at a considerable disadvantage; for example, civil service examinations conducted by the Public Service Commission are held only in the Nepali language. This disadvantage was compounded by developmental efforts of the government and donor agencies that targeted, as beneficiaries, the poor, ignoring other disparities based on caste, ethnicity, region of origin, or gender. If, as one World Bank (1979) report stated, almost everyone in Nepal is poor, then the local elites in the rural areas, who quite often were Brahmins and Chhetris, too could claim to be poor and become beneficiaries of developmental projects in their localities. They had the political, economic, and cultural resources to ensure that they benefited the most. Moreover, most of the developmental activities were concentrated in urban, peri-urban, and easily accessible areas, which enabled groups living in the towns and along the national highways to benefit from developmental activities such as education, health, construction, and trade. Therefore, nation-building, modernization, and developmental interventions
may have, in fact, exacerbated existing disparities between the various ethnic groups and castes, and between men and women (NESAC 1998).

II. 9 Non-Hierarchical Plural Societies: Post-1990

Only a democratic system can accommodate all the identity issues in it by making the state mechanism inclusive. On the other hand, "all types of non-democratic regimes—whatever their names and forms—are by nature exclusionary as they generally prohibit and discourage people's participation" (Hachhethu 2003: 228). Keeping this in mind, all opposition groups united with the single aim of abolishing the Panchayat system and establishing democracy in the country. The dominant issue before 1990 was to restore "multiparty democracy" rather then the caste, ethnic, religious, linguistic and gender questions. Nepal re-entered the democratic system after the success of the people’s movement of 1990 overthrowing the thirty-year-old autocratic Panchayat system imposed in 1960. Thereafter, multi-ethnic, multilingual and multicultural issues have once again emerged as an issue of debate.

After the end of Panchayat, different groups started raising their own slogans and demands. When the new constitution-making process started "the six-month period between the end of the revolution in May 1990 and the promulgation of the new constitution on 9 November 1990, brought the issues of language, religion and ethnic conflict to the public attention rather than the power game" (Pyakurel 2006: 6). In the debate of Secularism vs. Hinduism, not only the minority religious groups—Buddhists, Muslims and Christians—but also the Hindu fundamentalists became visible in public life, and started raising their ideologies. Although all the indigenous groups, including the civil society, were in favour of a secular state, the constitution came out with the status quo provision of its earlier version of 1962 as "Hindu kingdom". Although there were several slogans, rallies and even "the largest demonstration with 150,000 protestors which was ever held in Kathmandu" (Gellner 1997: 178) demanding a secular state, their demand was sidelined because of the neutral position of the two main political parties—NC and UML—and "the influential intervention" of the king-backed in-service and ex-service army officers, Hindu fundamentalist groups of Nepal, and even of India (Pyakurel 2005: 9).
Although the phrase "Hindu kingdom" remained unchanged in the constitution, the Nepal in 1990 accepted its "multi-ethnic, multilingual" character. It considered orphans, women, the aged, the disabled and incapacitated persons, and socially and economically backward groups and communities as marginalized groups deserving of special treatment from the state in education, health, employment, and social security. The constitution says in its Directive Principles and Policies of the State:

The social objective of the state shall be to establish and develop, on the foundation of justice and morality, a healthy social life, by eliminating all types of economic and social inequalities and by establishing harmony amongst the various castes, tribes, religions, languages, races and communities.

The state shall, while maintaining the cultural diversity of the country, pursue a policy of strengthening the national unity by promoting healthy and cordial social relations amongst the various religions, castes, tribes, communities and linguistic groups, and by helping in the promotion of their languages, literatures, scripts, arts and cultures.

Freedom of the press, organization and expression are also guaranteed. The government addressed fifty-nine caste and ethnic groups and declared some affirmative programmes for them. Although Nepali was declared as the official language, all languages spoken as mother-tongue were also declared as "national languages". The constitution declared that each community shall have the right to operate schools up to the primary level in its mother-tongue (article 18). After it received a report of the Rastriya Sanskritik Samiti, 1992, the government also committed itself to provide education in the mother-tongue until the primary level after 1993. Radio Nepal commenced broadcasting news in eight minority languages: Rai, Gurung, Magar, Limbu, Bhojpuri, Awadhi, Tharu, and Tamang. Hindi, Newari and Maithali were already being broadcast.

Together with these forward-looking steps, however, regressive trends also emerged between 1990 and 2002. Continuation of the status of Hindu state rather than creation of a secular one is one example. An analogous measure was the decision to make the study of Sanskrit at the lower secondary and secondary level compulsory. A decision was also taken to broadcast news in Sanskrit on Radio Nepal. Both decisions were criticized as a calculated move "to create government jobs for unemployed Brahman boys" (Gellner 1997: 178). Compounding this trend was the Supreme
Court's verdict of 1 June 1999 against the use of local language as official language. The judgement invalidated the declaration of Nepal Bhasa in Kathmandu Metropolis and Maithili in Dhanusa District Development Committee and Rajbiraj Municipality as additional languages. Table 2.2 presents the discriminatory policies in the constitution for different population groups. The state also failed to ensure equitable resources for the development of all the regions and to prevent caste-based discrimination in society.

Although the diverse groups are considered equal by state law, in practice and as sanctioned to some extent by customary laws, the structural hierarchy of groups and genders persists. For example, Dalits, especially in rural areas, are still considered ritually polluting, and face numerous discriminations even from the Janjatis. These range from ban on entry into temples and houses, having to wash their dishes in restaurants, refusal by the “upper” castes to eat or drink with them, and exclusionary practices faced while using common property resources such as springs and water taps, attending schools, selling milk to other castes, or even in several instances, being included in user groups or cooperatives (Bhattachan 2003: 44). Ulrik H. Johnsen (2002) writes that 46.6 per cent of his respondents reported that they had been prevented from selling milk due to their untouchable status. Nearly two-thirds of the respondents in the Far Western and Central Development Regions as compared to only one-fifth of the respondents in the Eastern Development Region reported discrimination while trying to sell milk. A majority of the respondents (60.7 per cent) said that they faced obstacles in selling milk to hotels/tea shops while 46.1 per cent faced obstacles in villages (DANIDA, HUGO 2002).

The Dalits in western Nepal face more discrimination than in the east, which has a large ethnic population. The Madheshis, whose nationality and nationalism are questioned by the Pahadis, face difficulties in getting their citizenship certificates, without which they are unable to buy land, get loans from banks, apply for civil service jobs, study in universities, or vote during elections. While the Janjatis, in general, do not face such discriminations, they, like the Dalits and Madheshis, experience political and cultural exclusion, which often translates into economic exclusion.
Consequently, the period after 1990 saw a rise in new forms of political claims by ethnic groups and disadvantaged castes, demanding changes in state policies and laws in two areas: state protection and development of their cultures and languages, and affirmative action to ensure a more equitable share of economic and political resources. Language became the focal issue for ethnic mobilization. The ethnic groups objected to the use of Nepali language for entry into government service, arguing that it naturally favoured the "upper"-caste Parbatiyas, most notably the Brahmins, and demanded that the constitution declare Nepal to be a secular state. Some activists have also demanded separate states based along the traditional homelands of the major ethnic groups. While the majority of the ethnic leadership does not support such action, fears have been expressed that such demands for autonomy may lead to ethnic tensions and weaken development efforts. Table 2.3 presents the manifestos of different political parties to address diversities among the population groups in the country.
<table>
<thead>
<tr>
<th>Issue</th>
<th>Constitutional Provision</th>
</tr>
</thead>
</table>
| Nation/state | 1. Nation, constituted by people irrespective of religion, race, caste or tribe  
2. Strengthen national unity and harmony amongst various religions, castes, tribes, languages, race and communities  
3. Multiethnic, multilingual, democratic, independent, indivisible, sovereign Hindu and Constitutional Monarchical Kingdom |
| All marginalized groups (ethnicity/gender/caste/class) | 1. All citizens are equal before the law.  
2. No discrimination on grounds of religion, race, sex, caste, tribe or ideological conviction or any of these.  
3. Elimination of all types of economic and social inequalities.  
4. Maintain cultural diversity preserving and promoting languages, scripts and culture of the different communities.  
5. Pursue a policy which will help promote the interests of the economically and socially backward groups and communities by making special provisions with regard to their education, health and employment. |
| Religion | 1. Officially Hindu kingdom.  
2. Freedom to profess and practise own religion as handed down to him from ancient times having due regard to traditional practices.  
3. Prohibition on conversion from one religion to another.  
4. Right to maintain independent existence of every religious group, and for this purpose to manage and protect its religious places and trusts. |
| Language | 1. Nepali language in the Devnagari script is the language of the nation of Nepal.  
2. The Nepali language shall be the official language.  
3. All the languages spoken as mother-tongue in the various parts of Nepal are the national languages of Nepal.  
4. Right to operate schools up to the primary level in its own mother-tongue for imparting education to the children of different linguistic communities. |
| Civil Society | 1. Freedom to form unions and associations.  
2. Freedom to assemble peacefully and without arms.  
3. Freedom of opinion and expression.  
4. Freedom to move throughout the kingdom and reside in any part thereof.  
5. Freedom to practise any profession, or to carry on any occupation, industry or trade. |
### Table 2.3
Political Parties Manifesto to Address Ethnic and Regional Diversities

<table>
<thead>
<tr>
<th>Party</th>
<th>Issues</th>
<th>Provisions</th>
</tr>
</thead>
</table>
| NC     | Ethnicity/language      | Preservation and promotion of different languages, culture and traditions existing in the country; elimination of regional and community disparities in development.  
Add in 1994: Use of mother-tongue in education and communication; establishment of institutes relating to culture of different communities.  
Add in 1999: Set up cultural centres to promote songs, dance and cultures of different communities; set up an independent council of Janjatis; protect and promote knowledge, skill, art and culture of indigenous groups; empowerment of indigenous groups in education and health programme. |
|        | Region                  | Equal opportunity for job in police, army and civil service without discrimination; distribution of citizenship certificate.                                                                                 |
|        | Caste/Dalit             | Add in 1994: Special provisions in education and law to marginalized groups; scholarship for Dalit students.                                                                                                 |
|        |                         | Add in 1999: Representation of Dalits and backward communities in party, parliament and other areas; setting up an independent council for Dalits; utilization of Dalits’ skills and knowledge. |
| UML    | Ethnicity/language      | Secular state; abolition of constitutional/legal provisions of discrimination regarding caste/ethnicity, language, religion, and culture; making constitutional provision for the representation of backward Janjatis to National Assembly; autonomy to local elected body for the promotion of caste/ethnic, language, religion and culture; primary education in mother-tongue.  
Add in 1999: Set up academy for ethnic, language, religion and cultural development. |
|        | Region                  | Ending region-based discrimination in recruitment in army.                                                                                                                                                 |
|        | Caste/Dalit             | Add in 1994: Abolition of untouchability; reservation for backward communities and areas in education, health and civil service.                                                                         |
| RPP    | Ethnicity/language      | Protection and promotion of language, culture, tradition and religion of Janjatis; promoting the interest of Janjatis in social, economic and political spheres; representation of Janjatis in governance.  
Add in 1994: Introducing language course of different mother-tongues up to secondary school; special provision for including in education and job; representation in leadership in social, economic and political spheres; restructuring National Assembly as a representative body of Janjatis, Dalits and Madhesis.  
Add in 1999: Following UN provisions related to indigenous concerns, including them in the National Planning Commission; equal respect to languages of all nationalities; respect to right of education in mother-tongue; public holiday for festivals of all communities. |
|        | Region                  | Respect for causes/demands of Tarai people; equal opportunity to Tarai people in military, police and civil services; end of citizenship problem.  
Add in 1999: Representation in Public Service Commission; respect for Madheshi sentiments in local leadership in both parties and in elected bodies. |
<table>
<thead>
<tr>
<th>Party</th>
<th>Caste/Dalit</th>
<th>UPF</th>
<th>NWPP</th>
<th>NSP</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Priority to overall development of Dalit and backward communities.</td>
<td>Secular state; equal status to all languages; right to use mother-tongue in education, court and legislature; reservation for Dalit and ethnic groups in National Assembly.</td>
<td>Freedom of religion and protection of tradition of religious tolerance.</td>
<td>Freedom of religion; primary education in mother-tongue.</td>
</tr>
<tr>
<td>Caste/Dalit</td>
<td>End of untouchability; reservation for Dalit and backward communities in education, health, and employment.</td>
<td>End of domination of one particular caste, linguistic, religious group; making National Assembly as Ethnic House.</td>
<td>Region</td>
<td>Region</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Resolve citizenship problem.</td>
<td>Reservation of 50 per cent seats to Tarai people in government and semi-government jobs; setting up a separate battalion in army for Tarai people; making voter list of 1980 referendum as cut-off year for distribution of citizenship; recognizing Hindi as second national language; federal government.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Free education and scholarship to Dalits.</td>
<td></td>
</tr>
</tbody>
</table>

After 4 October 2002, Nepal’s democratic system went again in coma when King Gyanendra dismissed the elected government. Now there is a question raised in various sectors whether or not there is a constitution in Nepal. The country is not ruled by the previous constitution nor has another constitution been announced as yet. On the pretext of the constitutional “power to remove difficulties” as granted by Article 127 of the 1990 Constitution the king had enjoyed power of direct rule for four years whereas that provision itself was criticized “as misinterpretation of the spirit of the constitution”.

This was the third intervention by the king in the political functioning of Nepal. The first intervention was by King Tribhuwan in 1952, the second by King Mahendra in 1960. After the third intervention by the king, diverse groups united for restoring democracy. Alongside, civil society and academics started to advocate the model of inclusive democracy for actual implementation of the democratic system in the country which, according to them, can solve all the identity issues, by removing the existing disparities in the society. This call reached also the main parliamentary political parties, and they started discussions for exercising such inclusive democratic policies and programmes. In April 2005, the seven Parliamentary Parties’ Alliance arrived at an agreement called Common Agreements and Commitments, where they agreed for “progressive and democratic restructuring of the state structure to lay a solid foundation for social, political, economic inclusion.”

II. 10 The Ethnic/Indigenous Communities of Nepal

Since ancient times Nepal has been a meeting place for many groups, religions, races and cultures, which is reflected in the multi-hued Nepali culture. The census of 2001 has recorded 103 caste and ethnic groups who are largely Hindus, Buddhists, Animists, some Muslims; and 106 languages and dialects (Table 2.5).
<table>
<thead>
<tr>
<th>Mountain</th>
<th>Culture</th>
<th>Language</th>
<th>Hill</th>
<th>Culture</th>
<th>Language</th>
<th>Inner Tarai</th>
<th>Culture</th>
<th>Language</th>
<th>Tarai</th>
<th>Culture</th>
<th>Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bhojpur</td>
<td>Buddhist</td>
<td>Tibetan</td>
<td>Baramu</td>
<td>Animist</td>
<td>Tibeto-Burman</td>
<td>Danuwar</td>
<td>Animist</td>
<td>Danuwar</td>
<td>Kushbadia</td>
<td>Anlut</td>
<td>Awadhi</td>
</tr>
<tr>
<td>Dolpo</td>
<td>Bon-po and Buddhist</td>
<td>Tibetan</td>
<td>Chepang</td>
<td>Animist</td>
<td>Tibeto-Burman</td>
<td>Kulal</td>
<td>Animist</td>
<td>Tibeto-Burman</td>
<td>Dhimal</td>
<td>Anlut</td>
<td>Tibeto-Burman</td>
</tr>
<tr>
<td>Marphali Thakali</td>
<td>Buddhist</td>
<td>Tamang</td>
<td>Dura</td>
<td>Animist</td>
<td>Dura</td>
<td>Raji</td>
<td>Shamanist</td>
<td>Tibeto-Burman</td>
<td>Jhangad</td>
<td>Anlut</td>
<td>Kurukh Mundari</td>
</tr>
<tr>
<td>Sherpa</td>
<td>Buddhist</td>
<td>Tibetan</td>
<td>Gurung</td>
<td>Buddhist</td>
<td>Gurung</td>
<td>Bote</td>
<td>Animist</td>
<td>Tibeto-Burman</td>
<td>Meche</td>
<td>Anlut</td>
<td>Tibeto-Burman</td>
</tr>
<tr>
<td>Tangbe</td>
<td>Buddhist</td>
<td>Tibetan</td>
<td>Jirel</td>
<td>Buddhism and shamanist</td>
<td>Tibeto-Burman</td>
<td>Darai</td>
<td>Animist</td>
<td>Mixed Indo-European and Tibeto-Burman</td>
<td>Rajbansi</td>
<td>Shamanist</td>
<td>Rajbansi</td>
</tr>
<tr>
<td>Tin Gaule Thakali</td>
<td>Buddhist/Shamanist</td>
<td>Tibetan</td>
<td>Kusunda</td>
<td>Animist</td>
<td>Tibeto-Burman</td>
<td>Majhi</td>
<td>Animist</td>
<td>Majhi</td>
<td>Tajuria</td>
<td>Anlut</td>
<td>Tajuria</td>
</tr>
<tr>
<td>Walung</td>
<td>Buddhist</td>
<td>Tibetan</td>
<td>Lepcha</td>
<td>Animist</td>
<td>Tibeto-Burman</td>
<td>Rute</td>
<td>Animist and Shamanist</td>
<td>Khamchhi</td>
<td>Gangai</td>
<td>Anlut</td>
<td>Maithili/Rajbansi</td>
</tr>
<tr>
<td>Bahra Gaunle</td>
<td>Bon-po and Buddhist</td>
<td>Tibetan</td>
<td>Magar</td>
<td>Buddhist</td>
<td>Tibeto-Burman</td>
<td>Kisan</td>
<td>Anlut</td>
<td>Dravidian</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Byas</td>
<td>Animist</td>
<td>Souka</td>
<td>Pahari</td>
<td>Buddhist</td>
<td>Pahari</td>
<td>Sutar</td>
<td>Anlut</td>
<td>Santhal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shingsapa</td>
<td>Bon-po and Buddhist</td>
<td>Shingsapak-Key</td>
<td>Sunuwar</td>
<td>Kiranti</td>
<td>Tibeto-Burman</td>
<td>Tharu</td>
<td>Anlut</td>
<td>Awadhi, Bhojpuri and Maithili</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mugali</td>
<td>Bon-po and Buddhist</td>
<td>Tibetan</td>
<td>Tamang</td>
<td>Buddhist</td>
<td>Tamang</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Silyar</td>
<td>Buddhist</td>
<td>Tibetan</td>
<td>Yakkha</td>
<td>Kiranti</td>
<td>Yakkha</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thakali</td>
<td>Bon-po and Buddhist</td>
<td>Tibetan</td>
<td>Bhujel</td>
<td>Animist</td>
<td>Bhujel</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tokpegola</td>
<td>Buddhist</td>
<td>Tibeto-Burman</td>
<td>Chhantyal</td>
<td>Animist and Tibeto-Burman</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burman</td>
<td>shamanist</td>
<td>Tibeto-Burman</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>----------------------------------</td>
<td>---------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phree</td>
<td>Animist and shamanist</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hayu</td>
<td>Animist</td>
<td>Hayu</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Larke</td>
<td>Buddhist</td>
<td>Bhoté</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Limbu</td>
<td>Kirati</td>
<td>Limbu</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newar</td>
<td>Buddhist and Hindu</td>
<td>Newari</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rai</td>
<td>Kirati</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surei</td>
<td>Animist and shamanist</td>
<td>Tibeto-Burman</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thami</td>
<td>Buddhist</td>
<td>Tibeto-Burman</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yolmo</td>
<td>Buddhist</td>
<td>Tibeto-Burman</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: The ethnic/indigenous minorities of hills and mountains whose language or dialect names are not specified but belong to Tibeto-Burman family have been denoted as Tibeto-Burman.

II. Geographic Distribution

There is a discernible pattern in the geographic spread of the various castes and ethnic groups. The hill areas are occupied by Pahadis, whereas the plains are populated by Madheshis (70 per cent) and also the recently migrated Pahadis (30 per cent). In general, the western hills are populated mainly by Parbatiyas (Brahmins, Chhetris, and Dalits); Janjatis inhabit the central and eastern parts of the country. The Janjatis populate the far eastern and western districts of the Tarai; caste groups are settled in the rest of the plains. Many Parbatiyas (Brahmins, Chhetris, and Dalits) have migrated to the traditional homelands of the Janjatis, 52 per cent of whom live outside their native areas. In the seventy-five districts of the country, Chhetris form the largest single group in twenty-two districts, hill Brahmins in nine, Tamangs in seven, Tharus, Magars, and Rais each in six, Gurungs in four, and Limbus and Newars in three each. Chhetris are concentrated in the far and mid-western districts as well as several central and eastern districts; Brahmins in several western and eastern districts. Gurungs and Magars are dominant in the western districts; Tamangs and Newars in the central districts, and Rais and Limbus in the eastern districts. In the plains, Tharus are the major group in several western districts (Gurung 2001: 21).

Dalits, scattered all over Nepal, are usually found in the periphery of settlements populated by caste groups. Most districts, therefore, have a mixed population, though either a single caste or an ethnic group may solely populate some pockets. These pockets are easy to identify because, in general, caste and ethnic groups tend to congregate in separate settlements or hamlets. The number and variety of Dalit groups vary from area to area, with fewer numbers and types found in the high mountains than in the Tarai.

The following categories of people more or less represent the population composition of the diverse groups of the country:

I. Parbatiyas—groups considered caste Hindus (“twice-born” castes as well as so called “untouchables”) speaking Nepali as their mother-tongue comprise about 39 per cent.

II. Janjatis—hill and mountain ethnic groups of Tibeto-Burman language speakers comprise about 22 per cent.
III. Newars—followers of both Hindu and Buddhist religious traditions comprise about 5 per cent.

IV. Madheshis, people of the plains, comprise about 32 per cent, including about 18 per cent caste Hindus, about 10 per cent plains ethnic groups and about 4 per cent Muslims.

V. Marwari, Bengali, Sikhs, Christians and "unidentified" castes and ethnic groups consist of about 2 per cent.

Nepal’s population data of 2001 make it clear that two distinct groups are almost evenly matched. Parbatiyas (39 per cent) and Madheshis (34 per cent) have their own areas of dominance. Madheshis outnumber Parbatiyas in the Tarai plains whereas few of them are found in Parbatiya homeland in the hills and mountains. Such a concentration of population is considered problematic for the Parbatiya ruling elite while it gives a fillip to the feeling of alienation and subjugation among Madheshis. Newars and Janjatis have their own complaints against mono-cultural Nepaliness, but it is Madheshi versus Parbatiya conflict of selfhood that emerges as the biggest challenge in the formation of inclusive Nepalese identity.

II. 12 Disparities between Population Groups

Since the unification of Nepal, the rulers—Shahs, Ranas and Panchas—have tried to develop Nepal as a homogeneous, monolithic and unitary state providing protection to one language (Nepali), one caste group (hill Bahun-Chhetri), and one religion (Hindu), ignoring the reality of the diversified and pluralistic character of Nepali society. The state-designed "Nepalization" process—through Hinduization, spread of Parbatiya culture, institutionalization of the caste system by converting the separate identities of ethnic groups into caste structures, and centralization of politics and administration—led to increased disparity among different social groups. The hill-based high-caste Brahmin-Chhetris and Newars have long been in a privileged position. The other groups, i.e. Janjatis, Madheshis and Dalits, are generally marginalized. The legacy of history is well reflected in the unequal distribution of socio-economic resources of the country and in the representation of the political power structure of the country (Hachhethu 2003: 9; see Tables 2.6–2.9).
<table>
<thead>
<tr>
<th></th>
<th>Himal</th>
<th>Hill</th>
<th>Tarai</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Janjati</td>
<td>Caste</td>
<td>Janjati</td>
<td>Dalit</td>
</tr>
<tr>
<td>Percentage of population above average literacy rate of 59.6</td>
<td>7.9</td>
<td>100.0</td>
<td>73.6</td>
<td>0.0</td>
</tr>
<tr>
<td>Percentage of population between literacy rate of 50 to 59.6</td>
<td>91.5</td>
<td>0.0</td>
<td>24.8</td>
<td>24.5</td>
</tr>
<tr>
<td>Percentage of population between literacy rate of 40 to 50</td>
<td>0.0</td>
<td>0.0</td>
<td>0.7</td>
<td>75.5</td>
</tr>
<tr>
<td>Percentage of population below literacy rate of 40</td>
<td>0.6</td>
<td>0.0</td>
<td>0.9</td>
<td>0.0</td>
</tr>
<tr>
<td></td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Percentage of population above literacy rate of 50%</td>
<td>99.4</td>
<td>100.0</td>
<td>98.4</td>
<td>24.5</td>
</tr>
<tr>
<td>Percentage of population below literacy rate of 50%</td>
<td>0.6</td>
<td>0.0</td>
<td>1.6</td>
<td>75.5</td>
</tr>
</tbody>
</table>

Table 2.6
Representation of Population Groups in Civil Service in 1971 and 1991

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Brahmns</td>
<td>12.9</td>
<td>32.0</td>
<td>41.3</td>
</tr>
<tr>
<td>Chhetri and Thakuri</td>
<td>17.6</td>
<td>21.0</td>
<td>14.7</td>
</tr>
<tr>
<td>Newar</td>
<td>5.6</td>
<td>36.0</td>
<td>33.2</td>
</tr>
<tr>
<td>Brahm/Chhet/Newsar</td>
<td>36.1</td>
<td>89.0</td>
<td>89.2</td>
</tr>
<tr>
<td>Tarai</td>
<td>32.0</td>
<td>7.0</td>
<td>8.4</td>
</tr>
<tr>
<td>Hill Social Group</td>
<td>22.4</td>
<td>4.0</td>
<td>2.4</td>
</tr>
<tr>
<td>Others</td>
<td>8.3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: *Proportional difference index = per cent share in civil service employment in 1991/ per cent share of population in 1991.


Table 2.7
Caste/Ethnicity Index of Participation in Governance, 1999

<table>
<thead>
<tr>
<th>High Level Officials in</th>
<th>Bahun/Chhetri</th>
<th>Newar</th>
<th>Bahun/Chhetri/Newar</th>
<th>Hill Janjatis</th>
<th>Hill Dalits</th>
<th>Hill Janjatis and Dalits</th>
<th>Madhesi</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judiciary</td>
<td>190</td>
<td>33</td>
<td>223</td>
<td>3</td>
<td>0</td>
<td>3</td>
<td>9</td>
<td>235</td>
</tr>
<tr>
<td>Constitutional bodies and commissions</td>
<td>181</td>
<td>32</td>
<td>223</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td>18</td>
<td>235</td>
</tr>
<tr>
<td>Council of ministries</td>
<td>14</td>
<td>6</td>
<td>20</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>25</td>
</tr>
<tr>
<td>Public administration</td>
<td>20</td>
<td>3</td>
<td>23</td>
<td>4</td>
<td>0</td>
<td>4</td>
<td>5</td>
<td>32</td>
</tr>
<tr>
<td>Legislature</td>
<td>159</td>
<td>20</td>
<td>179</td>
<td>36</td>
<td>4</td>
<td>40</td>
<td>46</td>
<td>265</td>
</tr>
<tr>
<td>Political party leaders</td>
<td>97</td>
<td>18</td>
<td>115</td>
<td>25</td>
<td>0</td>
<td>25</td>
<td>26</td>
<td>166</td>
</tr>
<tr>
<td>Local government</td>
<td>106</td>
<td>30</td>
<td>136</td>
<td>23</td>
<td>0</td>
<td>23</td>
<td>31</td>
<td>190</td>
</tr>
<tr>
<td>Industry/trade</td>
<td>7</td>
<td>20</td>
<td>27</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>15</td>
<td>42</td>
</tr>
<tr>
<td>Education sector</td>
<td>75</td>
<td>11</td>
<td>86</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>7</td>
<td>97</td>
</tr>
<tr>
<td>Cultural organizations</td>
<td>85</td>
<td>22</td>
<td>107</td>
<td>6</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>113</td>
</tr>
<tr>
<td>Science and technology</td>
<td>36</td>
<td>18</td>
<td>54</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>6</td>
<td>62</td>
</tr>
<tr>
<td>Civil society</td>
<td>41</td>
<td>18</td>
<td>59</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>4</td>
<td>64</td>
</tr>
<tr>
<td>Total</td>
<td>1011</td>
<td>231</td>
<td>1242</td>
<td>108</td>
<td>5</td>
<td>113</td>
<td>170</td>
<td>1526</td>
</tr>
</tbody>
</table>
Table 2.8
Representation of Population Groups in the National Legislature
(In percentage)

<table>
<thead>
<tr>
<th>Caste/Ethnic Groups</th>
<th>Representation in the National Legislature</th>
<th>Total Population in 1991</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brahmins</td>
<td>27.5</td>
<td>13.3</td>
</tr>
<tr>
<td>Chhetri/Thakuri</td>
<td>31.2</td>
<td>36.3</td>
</tr>
<tr>
<td>Newar</td>
<td>3.7</td>
<td>8.1</td>
</tr>
<tr>
<td>Brahmin/Chhetri/Newar</td>
<td>62.4</td>
<td>57.7</td>
</tr>
<tr>
<td>Tarai</td>
<td>22.0</td>
<td>18.5</td>
</tr>
<tr>
<td>Hill Social Groups</td>
<td>15.6</td>
<td>23.0</td>
</tr>
<tr>
<td>Others</td>
<td>–</td>
<td>0.7</td>
</tr>
</tbody>
</table>


II. 13 Emergence of Regional Movements Based on Ethnic Identity

Ethnic activism was first noticed with the dawn of democracy in 1951. The general elections of 1959 to Parliament brought out the hill ethnic groups and the Madheshi community from complete exclusion in the past under the Shah and the Rana regimes. In 1959, their representation was 26.3 and 15.5 per cent in the government and 15.6 and 22.0 per cent in Parliament respectively (DREFDEN 1992). Their comparable representation—14–21 per cent of hill ethnic groups and 11–18 per cent of Madheshi community—continued in the legislature throughout the Panchayat period despite the fact that the regime was highly tilted towards the hill high castes, Chhetris in particular. The ethnic activism was revived as Panchayat politics appeared flexible following the announcement of a referendum in 1979 (held in 1980) to make a choice between multiparty system and party-less Panchayat system. Particularly after the end of the Panchayat system and the restoration of multiparty democracy in 1990, the ethnic movements are gaining momentum (Hachhethu 2003: 12).

The ethnic upsurge is inevitable in Nepal as the historical process of national integration has been exclusionary. The restoration of democracy with the principles of popular sovereignty, equality, freedom and cultural rights has provided a platform for ethnic activism. The ethnic issue has gained a new weight and strength because of the impact of the Maoist armed insurgency. The Maoist party does have ethnic contents, i.e. secular state and ethnic autonomy, but it can be simply overridden by the communist principle of “democratic centralism”; the experiences of other communist countries show that autonomy is limited to the paper only. However, it is generally perceived—particularly by the Western media, academia and diplomats—that the Maoists succeeded in capitalizing the psyche of alienation and frustration of the excluded groups, Dalits and Janjatis in particular, in escalating their armed insurgency (ibid.).

The demands of the ethnic groups are broadly in three areas: quest for identity, sharing of national resources, and greater representation in the political structure. The Janjatis’ assertion of cultural identity is mainly based on the rights of indigenous nationalities; the Madheshi stress on regional identity; and the Dalits’ movement
against the practice of untouchability is equally significant from the viewpoint of ethnic assertion. The Dalit movement is closely tied up with its demand for sharing national resources and representation in the governmental structures. Madheshi activism is also directed to the same purpose but in a different context and shape. The ethnic demands of Janjatis have naturally geared up over time and the focus changed from the issues related to identity to sharing of resources and more representation in political structures (ibid.: 13).

The question of sharing of economic resources and political power has always been problematic. Bhattachan, a noted sociologist of Nepal, while referring to the core thoughts of Harbermas and Foucault, states, “Knowledge serves interest and yields power.” This explains why the minorities of Nepal are marginalized, because they are far behind the dominant Bahun-Chhetris and Newars in the knowledge industry (Bhattachan 2001: 35). This logic is very close to the agglutination theory of elite formation as it considers education, wealth, and social status as “political resources” (Baral, Hachhethu and Sharma 2001: 19). Bahun, Chhetri and Newar are better off than other groups in educational attainment (CBS Nepal 2001). Hill Bahuns are relatively more elegant and adaptable to the changing needs and situations of society. A study made in the mid-1990s found the minority groups politically less articulate (Hachhethu 2002: 91). One of the ways of accumulating ethnic capital is to overcome one’s shortcomings and to adopt selective qualities of other groups. Irrespective of their disadvantaged position vis-à-vis the sources of power, the logic of justice provides the minorities with strength to fight against the state. Reservation in education, employment and government is invariably included in the ethnic movements. To reduce the possibility of reproduction of the dominant class within the ethnic groups, reservation and other policies should be blended with the class factor—i.e. poverty, illiteracy and underdevelopment—within the groups. This will serve more the purpose of the masses than that of elites of the minority groups (ibid.: 13).

The concerted efforts of CPN (Maoist) to blend ethnic rights and class war are evident in the formation of ethnic and regional frontier organizations. Between 1998 and 2000, the Maoists formed seven ethnic and two regional front organizations, as follows:

I. Magarat National Liberation Front (MNLF)
II. Tamang National Liberation Front (TNLF)
III. Tamuwan National Liberation Front (TNLF)
IV. Limbuwan National Liberation Front (LNLF)
V. Nepal Dalit Liberation Front (NDLF)
VI. Tharuwan National Liberation Front (TNLF)
VII. Thami Liberation Front (TLF)
VIII. Majhi National Liberation Front (MNLF)
IX. Newa Khala (NK)
X. Madheshi National Liberation Front (MNLF)
XI. Karnali Regional Liberation Front (KRLF)

The Maoists could penetrate in and expand their armed activities in the eastern hills and Tarai region only after the party’s ethnic and regional front organizations began working. Furthermore, based on ethnicity and regionalism, the CPN (Maoist) adopted a federal structure with nine autonomous regional governments. These are:

I. Kirat Autonomous Region
II. Tamang Salling Autonomous Region
III. Tamuwan Autonomous Region
IV. Newar Autonomous Region (yet to be announced)
V. Magarat Autonomous Region
VI. Tharuwan Autonomous Region
VII. Madhesh Autonomous Region
VIII. Bheri-Karnali Autonomous Region
IX. Seti-Mahakali Autonomous Region

II. 14 State Responses to Ethnic and Regional Diversity

Responses to plurality and diversity are never easy to implement in emerging states that have a relatively short history of having lived under a shared boundary or a common ruler. False starts and ill-designed nation-building efforts falter and fail, with unsettling consequences (Ra’an an et al. 1991). The challenge of state formation in multi-ethnic societies is a continuous one. However, there are several theoretical ideas for designing an accommodative model for national identity formation. It is possible
to find fault with each of them, but then political constructs in real life are often a mixture of various forms rather than a pure theoretical model.

II. 15 The Non-Discrimination Model

The non-discrimination model is based on the premise that cultural identity should be supported, not penalized, by public policy. The expression and perpetuation of cultural identities should be left to the private sphere. Members of each ethnic and cultural group are protected against discrimination and prejudice and allowed to maintain their ethnic heritage and identity consistent with the rights of others. But their efforts are purely private and it is the space of public or government agencies to attach legal identities or disabilities to cultural memberships or ethnic identity (Kymlicka 1995: 9). According to Walzer, the Non-Discrimination model involves a sharp divorce of state and ethnicity. The state stands above the various ethnic and national groups in the country, refusing to endorse or support their ways of life or to take an active interest in their social reproduction. Furthermore, the state is neutral with reference to the language, history, literature, and calendar of these groups. Supporters of this model exemplify USA as an example (Walzer 1995: 82).

But is it possible to find a “neutral state” in this regard? Every country must make decisions about the language of conducting governmental tasks, school curricula, and naturalization policies. They must also make decisions about public holidays and national symbols. In reality, the neutral state is seen as a system of “group rights” that supports the majority’s language, history, culture, and calendar. In USA, for example, government policy systematically encourages everyone to learn English, which is the language of public schools, court proceedings, and of welfare agencies. Immigrants to the USA are required to learn English before acquiring citizenship. However, the model can be taken as “non-discriminatory”, in the sense that minorities are not discriminated against within the mainstream institutions of majority culture, but it is not “neutral” in its relationship to cultural identities (Kymlicka 1995: 10). Thus, the non-discrimination model is appropriate wherever the government aims at integrating disparate groups into a single national culture, based on a common language.
II. 16 The Group Rights Model

Contrary to the non-discrimination model, the Group Rights model involves public measures aimed at protecting and promoting the existing social and cultural diversity. These measures, according to Walzer, include language rights, regional autonomy, land claims, guaranteed representation, and so on. This model demands that the government identify specific groups and enforce special legal provisions or endorse certain privileges to them in order to promote and protect their cultural heritage and identities. He further argues that

the group right model is appropriate if a society operates on the assumption that it is a confederation of groups, that group membership is central and permanent, and that the divisions between groups are such that it is unrealistic or unjust to envisage these group identities weakening in time to be replaced by a common citizenship.

The choice between non-discrimination and group rights is really a choice between forming a common national culture, and accepting the permanent existence of two or more national cultures within a national culture (Walzer 1995: 78).

Most of the minorities in Nepal are territorially concentrated and are either settled in or attached emotionally to their historical homeland (Bista 1991: 14). These groups find themselves in a minority not because they have uprooted themselves from their homeland but because their homeland has been incorporated within the boundaries of a larger state. This incorporation is usually involuntary, resulting from unification/conquest, or ceding of territory from one imperial power to another. In these circumstances, minorities are rarely satisfied with non-discrimination and eventual integration. What they desire is “self determination”—that is, some form of local self-government, in order to ensure the continued development of their distinct culture and identities (Pfaff-Czarneck 1999: 55).

The suitability of this model in Nepal is contentious—the Janjati groups think that it is the most suitable format of a state-building model while dominant Parbatiya high-caste Hindus dismiss it as divisive. The Madhesis do not have a common stand for restructuring the state beyond a vague demand for recognition of distinct identity and inclusion in governance.
II. 17 The Inclusive Democracy Model

In Nepal, advocates of pluralism put the responsibility on the state to abandon assimilationist policies and adopt policies that recognize cultural differences. They argue that all cultural or ethnic groups of a plural society like Nepal want their cultural experiences and contributions to be recognized in the public sphere through sensitizing public institutions to their cultural and linguistic differences. However, their arguments in favour of pluralism or multiculturalism and recognition of differences aim to improve, not undermine, social cohesion by providing minority groups with the cultural security they require in order to maintain their distinct cultural identities and to integrate them successfully into the majority societies of which they are a part (Bhattarai 2000: 76).

But there always remains a fear that the more the state becomes involved in the recognition and regulation of ethnic minorities, the more groups must craft their interests and even their identities in terms of categories to which the state is likely to respond (Eisenberg 2000: 43). In this sense, the state might not be neutral about the worth of different cultural values and therefore may prove to be an inadequate adjudicator and regulator of cultural power in the multicultural state (Kymlicka 1995: 87). Keeping this reality in mind, minority people have started demanding a constitutional guarantee for protecting minorities and their rights. Including all these reactions, Lawoti, following Arend Lijphart, has proposed another model which could be called the Inclusive Democracy model (Lawoti 2003: 4). An inclusive democracy model is basically derived from the following four assumptions (UNDP 2000):

I. An inclusive democracy is built on the principle that political power is dispersed and shared in a variety of ways to protect minorities and to ensure participation and free speech for all citizens.

II. It emphasizes the quality of representation by striving for consensus and inclusion, not the electoral force of the majority.

III. It also appreciates the need to promote civil society organizations, open media, right-oriented economic policy, and separation of power.

IV. It creates a mechanism for the accountability of the majority to the minorities.
The *Human Development Report 2000* states that the majoritarian model of democracy often fails to protect the rights of minorities whereas the consensual or inclusive model of democracy has effectively protected minority rights. In inclusive democracy, incorporating minority groups requires a more enlightened view of sharing economic and political resources than in the simple majoritarian democracy. A precondition for building an inclusive democracy is ensuring the right to elect representatives and the development of a legal framework that protects the right to participation and free expression.

The inclusive democracy model for managing pluralism in Nepal proposes electoral reforms, constitutional protection of minorities, federalism, Nationalities’ Upper House, self-determination, and other accommodative governance structures of inclusive institutions. These institutions can contribute towards equitable resource distribution as well, apart from ensuring the recognition of different cultural groups (Lawoti 2001: 56).

Supporters of this model argue that instead of adopting consensual institutions found successful in culturally plural democracies such as Switzerland, Belgium, Netherlands, India, Papua New Guinea, Germany, Austria, etc., a highly culturally diverse society like Nepal has adopted the Westminster or the majoritarian model of democracy, found successful only in homogeneous societies. They further emphasize that consensual political institutions like federalism, some form of proportional representation, balanced bicameralism, more or less equal division of power and constitutional guarantee of minority rights are needed to enhance power sharing, accommodation and inclusion. In other words, for culturally plural societies such as that in Nepal, equality can be achieved not by eliminating group differences but rather by ensuring equality among different groups (Bhattachan 2001: 75).

However, in reality, the issues of ethnicity, minority or marginalized castes cannot be seen separately from the broader societal problems facing Nepali society. Nepal is a plural state, with a vast majority of its population living under the same precarious living conditions. Policymakers seeking to enhance the situation of their citizens need to take into account the fact that despite ethnic differences or even cleavages, a solution aimed at improving the living condition of all underprivileged groups, whatever their cultural background, is urgently needed.
II. 18 The Effect of Ethnic Movements on the Nation-building Process

After the restoration of democracy in 1990, there is a growing academic as well as public debate in Nepal to redefine the role of the state and the nature of governance to accommodate its diverse social, cultural, ethnic, language, and racial groups on an equal footing. After 1990, the rights of minorities (Janjatis, Madheshis and Dalits) to maintain and promote their cultural distinctiveness and to be visible in the public sphere, including the mass media, school curricula and so on, are increasingly being asserted. Nepal being a plural society is faced with a basic dilemma. On one hand, all members of a liberal democracy are, in principle if not in practice, entitled to the same rights and opportunities; on the other hand, they also have the right to be different.

The development of ethnic consciousness and ethnic identity, according to the ethnic activists and leaders, are products of the domination of the ruling caste groups. Cultural identity has always been a basis of group identity, and thereby the identity of its members. Kinship, language, religious ethos, common history, territoriality, culture practices, etc., are significant anchors of one’s ethnic identity and play an important role in fostering the collective sense of one’s group as well as individual identity. These ethnic ascriptions cannot simply be subsumed as “primordial ties” (Geertz 1963: 53) or “instrumentalist”, i.e. emphasis of ethnic distinctiveness to gain some political goals (Gellner 1992: 43). Ethnic identity in Nepal is also the result of a real historical rivalry (Gaenszle 2000: 32). The designation of all ethnic groups of Nepal as nationalities and indigenous peoples since the 1990s to separate themselves from the Hindu groups, i.e. the ruling groups and ruling cultural ideology, also symbolizes the historical rivalry between the dominant and subordinate groups.

The issues of cultural discrimination, subjugation to Hindu domination, exclusion from the state decision-making processes and socio-economic deprivations of the ethnic groups are the major core “issues” being raised by the ethnic groups and their organizations to demand the protection of their culture and political rights (Bhattarai 2001). Lawoti asserts that ethnic groups in Nepal are facing multiple forms of discrimination (socio-cultural, constitutional, legal and other forms of discriminations). He identifies among these linguistic discrimination, religious discrimination, abrogation of land rights, cultural imperialism, illegal discrimination
(as many as twenty-five constitutional provisions and forty common and special laws are identified as being discriminatory to ethnic/indigenous groups), tampering with and manufacturing census data, discrimination in access to resources, exclusion in participation in politics and administration, economic vulnerability, misrepresentation by and ignorance of the media, discrimination in public policy, budgeting and implementation of programmes and ignorance of ethnic/indigenous issues by the human rights groups (Lawoti 2001: 142).

Kumar claims that the ethnic articulation has neither a content of secession nor an urge to replace the dominance of state power by a particular ethnic group; rather, it is more concerned with a demand for sharing the state power equitably with distributive justice in a multi-ethnic society. In other words, the ethnic politics in Nepal is against the excessive centralization of state power in the hands of a few that has continued to weaken the social fabric of the state. There prevails a perception of oppression of the “indigenous voices” for a long time through the state’s deliberate design of assimilation in the name of “national integration” (Kumar 2000: 41). There are many policy approaches to accommodate ethnic diversity: constitutional formula, different types of electoral system, decentralization and devolution of power, and bill of rights are some of them. Attempts at nation-building through making all groups homogeneous have already failed.

In the context of Nepal, development and cultural identity have two interrelated dimensions: the national, on the one hand, and regional-cultural, on the other. At both the macro and micro levels, the development process needs to be addressed and guided by the pluralistic and composite ethos of Nepali society (Bhattarai 2001: 44).

II. 19 State Responses to the Grievances of Ethnic and Regional Groups

After the promulgation of the 1990 constitution, different elected governments started addressing the grievances of ethnic, regional and marginalized groups. The government formed Women Commission, Dalit Commission and Janjati Commission, and started broadcasting news and programmes in different languages such as Maithili, Bhojpuri, Awadhi, Newari, Tamang and Hindi. In 2006 the government declared Nepal as a secular state to remove religious discrimination, amended laws
related to the Citizenship Act and distributed certificates of citizenship to 2,200,000 stateless people. The interim government of 2006 announced reservation for marginalized groups like Madheshi, women, Dalit, Janjati and economically backward classes. In 2008 the government declared Nepal as a federal democratic republican state and started discussions about restructuring of the state in accordance with the aspirations of the people. These attempts have, however, failed to satisfy the activists of ethnic and regional groups. At the same time, the traditionally dominant groups, who control and run institutions of the state—the bureaucracy, the judiciary, the defence forces and the legislature—have begun to resist claims for fundamental restructuring of the state.

II. 20 Conclusion

The issues of a plural or poly-ethnic nation as discussed above could be approached from a perspective focusing on shared meaning rather than group differences. This perspective assumes that the Nepali nation may be depicted as identical with the “mosaic of cultures” that it embodies, and locates nationhood to the interface between the constituent, ethnic or cultural groups and their mutual respect. Similarly, from this perspective, Nepal as a nation can be portrayed as a supra-ethnic or non-ethnic community, which encompasses or transcends ethnicity and regionalism rather than endorse them. This perspective perceives the country as a “wild garden where hundreds of flower blossom”. A fundamental issue, however, is how particular ethnic cultures can contribute to the process of forging the new notion of the Nepali nation under conditions of multiculturalism (Bhattachan 2001: 77).

Pluralism is an issue that needs to be addressed at the personal, social, cultural and political levels. At the personal level it is about who one is and how one defines oneself. At the societal level it is concerned with how people interact. Pluralism needs to be addressed at the cultural level because it inevitably involves one's beliefs, ideas and understandings. At the political level, the accommodation of pluralism involves the distribution of power and access to resources. For this reason, both the state and civil society need to be involved in dealing with the issues of pluralism. The most outstanding problem as regards Nepal that needs to be addressed is how to unite a nation that consists of more than a hundred castes and ethnic groups with diverse
social, economic and cultural backgrounds. This diversity demands a symbol or a frame of reference that is really able to play the function as a basis for the development of the national identity and is acceptable to the whole population (Bhattachan 2001: 78).

For plural societies, McKim Marriott has proposed a policy of cultural management. Each newly emerging nation-state should be “clothed in a cultural garb symbolic of its aims and ideal being” that could anchor different cultural groups into a single national frame with mutual respect and dignity. Choosing of an appropriate form of culture, dealing with cultural variety within the state, finding a suitable orientation of time, and relating to internal and external cultures are the major issues of cultural management (Marriott 1963: 233).

A plural society then must find ways of developing a strong sense of mutual commitment and common belonging without insisting upon a shared comprehensive national culture and the concomitant uniformity of values, ideals and ways of organizing significant social relations. It needs to derive its unity not from cultural uniformity but from cultural diversity and it should not resent and fear cultural differences; rather, it should turn them into sources of strength. Once this basic cultural paradigm is accepted, the concept of majority/minority culture would either wear out or gradually become meaningless. The religious, linguistic, racial and caste identities would no longer simply remain “ethnic identities” but submerge into a new national identity of the people (Dahal 1995: 39).

A plural nation like Nepal can make unity and diversity congruent only if it does not confuse unity with uniformity and seek comprehensive cultural uniformity among its diverse groups. It should evolve its unity out of its diversity by encouraging its cultural communities to evolve a “plural national culture” that both reflects and transcends them. Such a pluralistically constituted and constantly evolving common culture both unites them and gives them secure spaces for growth. Since different communities have helped create it, they are able to identify with it, and can be expected to feel both attached to and proud of it. The plural national culture should permeate all areas of life and shape its overall ethos (Dahal 1995: 42). In this way, the Nepali state could gradually develop a pan-Nepali identity in which every one can take pride while at the same time allowing local variation to flourish. In essence, it
means that a Newar is able to maintain his/her distinct local identity while at the same time he/she could feel proud to attach his identity with the Nepali state. This requires the government to reorient its policy towards a politics of social inclusion and, thus, mutual empowerment (Bhattarai 2001: 54).

In most societies, however, the ethnic and cultural compositions of the population are changing and there is often an awakening of ethnic identities within the demographic setting. There is no particular model that can be applied in all circumstances, and there is a need to adopt a flexible approach. In this matter, civil society organizations have the advantage of being flexible, creative and able to promote intergroup, intercultural dialogue through their network to address the challenges of cultural diversity and pluralism (ibid.).

The challenge today is to develop a framework that ensures that the current developments are integrative and that the best institutions are built on genuine commitment to being inclusive. This means securing the right of the diverse people to their resource base and its produce enforced by the state. It implies the adoption of an educational system that embodies mutual respect, including the right to use one’s own language at different levels of schooling. It also means giving all population groups full access to modern instruments of information, communication, technology and advice, and assuring their right to decide their own priorities in peaceful cooperation with each other (ibid.).