Politics of Resistance

Indigenous Peoples and the Nepali State

Editors
Gobinda Chhantyal
Tunga B. Rai

Partners:
Nepal Federation of Indigenous Nationalities (NEFIN)
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Dedication

Dedicated to the human rights activist and the star of the indigenous peoples’ movement, Padma Ratna Tuladhar, who was always a source of inspiration in the movement against all sorts of discrimination; to the same great antecedents and ancestors of indigenous peoples who kept protecting their civilization, history, and identity even in complex and difficult situations; and to the indigenous peoples who have been waging a difficult struggle in the hope of a bright future.
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Respect for identity, collective rights, proportional representation, multi-lingual policy, autonomy, and federalism with self-governance are the major agendas of the indigenous peoples’ movement in Nepal. It is a well-known fact that discrimination against indigenous peoples persists, and the constitution of Nepal enacted by the second Constituent Assembly has not been able to address the fundamental issues of indigenous peoples as well as of the oppressed, neglected, marginalized groups, including communities of different caste, gender, religion, region, and class. It is the assertion of indigenous peoples’ movement that without amending the discriminatory constitution, the issues related to the identity and rights of indigenous peoples cannot be addressed.

The Nepali state in different time periods in history and on different pretexts has discriminated, exploited, and oppressed the indigenous peoples that have been the most responsible towards unity with due respect to the country’s sovereignty, freedom, territorial integrity, national independence, and diversity.

Indigenous peoples became the biggest victim of the so-called ‘Nepal’s unification process’, which was nothing but an expansion of the Gorkha kingdom and the subsequent internal colonialism. Indigenous peoples became poorer day by day due to the planned
usurpation of their rights to historical territory and natural resources, attack on their cultural heritage and mother tongues, and economic exploitation by seizing their historical and ancestral property. In other words, indigenous peoples want, most of all, economic development and prosperity along with the protection of their languages, religion, and culture. However, overall economic development and prosperity is not possible without addressing the diversity of Nepali society. Destruction of land and heritage linked with the civilization, history, and identity of indigenous peoples in the name of development can in no way be right. Respect for the identity of indigenous peoples, guarantee of access to all the organs and mechanisms of the state, and realization of development and prosperity of Nepali society as envisioned in the acts, laws, policies, and programs are the demands of indigenous peoples’ movement. There can be long-lasting development and prosperity only when indigenous knowledge, skills, and arts are protected and promoted.

In light of Nepal’s political history, indigenous peoples have kept making contributions and sacrifices. However, their lack of partnership in government authority and the fact that their issues have not been addressed for such a long time is a sign of continued discrimination against them. The issues of indigenous peoples are related to Nepal’s politics. In other words, it is my conviction that this publication attempts to look into varied aspects of Nepali politics and indigenous peoples’ movement.

This book is the English version of the book published in Nepali, “Pratirodhko Rajniti: Adivasi Janajati ra Nepali Rajya,” which is a compilation of working papers presented during the seminar organized by Nepal Federation of Indigenous Nationalities (NEFIN) on December 24, 2017. Articles by well-versed personalities on the issues of indigenous peoples and those who have been a part of the indigenous peoples’ movement have been included in this book. The subject matter of various aspects of the indigenous peoples’
movement has been defined and analyzed in an objective and realistic manner. Positive aspects of indigenous peoples’ movement, along with suggestions for reforms on various aspects, have been presented in this book. I believe this book will be useful to all who are interested in the indigenous peoples’ movement and are concerned with and sympathetic towards the indigenous peoples’ movement and the leaders associated with it and those interested in study and research.

I express my sincere gratitude to the authors of this book: advisor to NEFIN, Dr. Mukta Singh Tamang; Chief of the Department of Anthropology, Tribhuvan University, Dr. Dambardhwoj Chemjong; journalist and columnist Rajendra Maharjan; and indigenous peoples’ campaigners and researchers Kailash Rai, Jhakendra Gharti Magar, Bhogiraj Chamling, and Tashi Chhiring Ghale-Dolpo. Likewise, heartfelt thanks go to NEFIN Vice-chairperson, Gobinda Chhantyal, and national coordinator of NEFIN Climate Change Partnership Program, Tunga B. Rai, who worked day and night editing this book. I express my thanks also to NEFIN’s portfolios, office bearers and staff who made valuable contributions for this publication. Special thanks go to Mahesh Raj Maharjan, who copyedited the book, and to Kushal Baram, who is associated with Smriti Printing Press, Kathmandu.

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sheer joy of participating in the issues and movement of indigenous peoples. The responsibility of sifting through the virtues and shortcomings of this book is completely in the hands of readers.

Hail Indigenous Peoples!

Asar 15, 2077
Kusunti, Lalitpur, Nepal

**Jagat Bahadur Baram**
Chairperson
Nepal Federation of Indigenous Nationalities (NEFIN)
Introduction

Gobinda Chhantyal and Tunga B. Rai

Nepal’s indigenous peoples’ movement was born out of discrimination and oppression by the state and the government, as a collective campaign against inequality.\(^1\) The campaign is against the vertical, class-based, hierarchical, chauvinistic mindset, thought and behavior which classify people into pure/impure, big/small, high/low based on the *Muluki Ain* (Legal Code), which stands on the foundation of Manusmriti. The campaign operates on the claim that Nepal’s diversity and plurality should be respected and addressed at the legal and policy levels as well as through programs. That is why this campaign stands on the ideological foundation of social justice, equality, equity, and multi-national multiculturalism and seeks an end to all sorts of discrimination.

In the process of expansion of the Gorkha kingdom, the then Nepal (the territory of Kathmandu valley) was seized in 1768. Two years later, in 1770, there was Das Limbuwan revolt, and in 1790 there was Tamang revolt.\(^2\) These revolts can be considered as the

\(^1\) Special thanks along with hearty gratitude go to Rajendra Maharjan and Kailash Rai, who offered academic comments and suggestions to polish and make corrections in this article.

starting point of indigenous peoples’ movement. In this sense, the history of indigenous peoples’ revolt against the state started with Nepal’s unification process. The foundations of the movement were laid with the formation of the modern Nepali state. The establishment of Praja Parishad in 1935 is considered to be the starting point of the political parties in Nepal. Along with the formation of Tharu Welfare Society in 1949, the foundation of representative associations of indigenous peoples also seems to have been laid simultaneously with the formation of political parties. However, the history of traditional customary organizations and associations of indigenous peoples date back to the development of their civilizations.

Two and a half centuries have gone so far since the unification, followed by the Rana era, Panchayat era, democratic era, and the present-day federal democratic republic. Nevertheless, the character, policy, and working style of the government is still unfavorable to indigenous peoples. Expected change does not seem to have happened. It is a serious issue that the political, social, cultural, economic, linguistic and religious questions of indigenous peoples, who comprise 35.3 percent\(^3\) of the country’s population, remain unaddressed, even in the federal democratic system. Identity on the basis of a federal system and autonomy with the right to self-determination are the major demands of indigenous peoples. Likewise, proportional representation in all organs and levels of the state on the basis of population, multi-lingual policy, implementation of secularism, right to land (including water and forest) and preferential right to natural resources, recognition and practice of customary laws, etc., are the issues of indigenous peoples’ movement. Development and prosperity which ensure free prior and informed consent are both the desire and the right of indigenous peoples. However, despite the long struggle, the fundamental questions raised by the movement have yet to be fully addressed, and this has

\(^3\) As per the 2011 census, the population of indigenous nationalities stood at 35.3 percent, compared to 37.8 percent in the 2001 census.
necessitated a serious analysis of the indigenous peoples’ movement. It is also equally important to understand the gimmicks employed by the state and the henchmen of the government authority to suppress the movement and issues of the indigenous peoples as well as the oppressed, marginalized and the ostracized.

In different periods of history, the movement of the indigenous peoples has been moving ahead along with varying intensity. Ever since the establishment of Nepal Federation of Indigenous Nationalities (NEFIN) in 1991, the process of making the questions raised by indigenous peoples heard through platforms at the national and international levels continues. However, there is enough room for reforms and for making various aspects of the indigenous peoples’ movement more powerful in the three decades of movement since the establishment of NEFIN. Indigenous peoples’ traditional customary organizations/associations, identity-based political parties centered on the issues of indigenous peoples, indigenous front/association/component of political parties, non-governmental association/organization centered on the areas and questions of indigenous peoples, and academics, intellectuals and professionals on indigenous issues and indigenous peoples themselves are the agencies/actors, fellow travelers, and powers of the indigenous peoples movement. The path of indigenous peoples’ movement and its future can be determined only through a serious analysis of these forces.

Fundamentally, rights movements have apparently lost stream after the enactment of the new constitution in 2015. Nevertheless, the problems that should have been addressed by the state and the government remain as they are. They have not been resolved. Nepal’s indigenous peoples’ movement, which is deemed important for identity and rights, also seems to have weakened. There are both internal and external aspects behind this state of affairs, and there are aspects that need reform. Nevertheless, the movement against all sorts of discrimination against indigenous peoples is moving ahead
at its own pace, with critical awareness and resistance. In the past few decades, various allegations have been leveled against Nepal’s indigenous peoples’ movement, like against other rights movements. It is being attacked fundamentally from two angles, as it has been raising questions of identity and rights. First, Nepal’s indigenous peoples’ movement is being operated through ‘donor’s assistance’ or ‘dollars’. Second, there is direct influence of political parties on indigenous peoples’ movement, and leaders and campaigners of indigenous peoples have been co-opted by political parties. It is the responsibility of the indigenous peoples’ movement to disprove these allegations and clarify it to the masses.

First, foreign investment in Nepal started following the political change of 1950. According to the Ministry of Finance, Nepal received financial assistance worth $1622.8 million in the fiscal 2017/18 (Ministry of Finance. 2018: xii). There are 49,700 non-governmental organizations registered at the Social Welfare Council⁴, while 247 international non-governmental organizations⁵ are in operation with the permission from the Council. Has the foreign aid received by Nepal in the form of financial and technical assistance been distributed among different social groups—indigenous peoples, Khas Arya, Madhesi, Dalit and Muslim communities—in proportion to their population? Which social group or class operates the NGOs? Which class and community has monopoly over the foreign assistance, both at the governmental and non-governmental levels? A correct analysis on the subject of foreign assistance is not possible without answering these questions.

Second, the questions of indigenous peoples are fundamentally political. Social, cultural, economic, linguistic and religious questions should, without doubt, be resolved politically. The influence of political parties seems to have been rising with their ‘divide and

rule’ ploy. Political parties also seem to have been increasing their interference in the organizational life of associations and organizations of indigenous peoples. There is also an allegation of co-optation of leaders and campaigners of indigenous peoples’ movement into political parties. It is one of the major responsibilities of the indigenous peoples’ movement to dismantle the conspiracy hatched to weaken the indigenous peoples’ movement and to serve the vested interests of political parties. It is necessary to create a situation in which political parties are compelled to carry the agendas of indigenous peoples instead of indigenous peoples carrying the agendas of political parties. For this, one the one hand, it is necessary to have a serious discourse on Nepali politics, the questions of indigenous peoples, and their movement. At the same time, discussion and analysis are necessary on the role and working style of agencies/actors associated with the indigenous peoples’ movement in the changing context. Is it possible for the questions of indigenous peoples to be resolved by the political parties in the current power structure? It is a serious question that needs consideration. There does not seem to be any need to be mired in confusion given the nature, policy, working style, and conduct of political parties following the political change of 1990. The tendency persists of the political parties using indigenous peoples as their vote bank and then neglecting, showing apathy, and avoiding addressing the fundamental questions of indigenous peoples by apparently giving something and sympathizing with them.

Nepal’s indigenous peoples’ movement is a rights-centered social movement. The current situation is one in which indigenous peoples have been raising the political questions of identity and rights on the ground of social movement. There is no alternative other than moving ahead by learning lessons from the achievements of Nepal’s indigenous peoples’ movement and the successful indigenous peoples’ movement across the world, and by holding extensive discussions among the forces associated with the indigenous peoples’
movement. Should Nepal’s indigenous peoples’ movement follow the footsteps of the indigenous peoples’ movement of Argentina or Columbia? Should it follow the path of Bolivia or not? The choice is ours, and our experience will depend on our choice (Bhattachan 2067: 1–11). And, would the questions of indigenous peoples, their movement, and future course become clear without freeing the movement from allegations of foreign funding and co-optation of its agencies/actors from time to time?

It does not seem that the right path could be determined without analyzing the allegations leveled against the movement from time to time. What can be the course ahead and alternative in this situation? This is a challenging common question. It is the responsibility of the indigenous peoples themselves to search for the answer and to determine its future course. Rights cannot be obtained without fighting; hence, something can be gained only through struggle. This is an established truth. There is no alternative for the indigenous peoples’ movement other than to wage a struggle on the theoretical/ideological ground of social justice, equity, equality, independence, and respect for multinational multiculturalism to end all sorts of discrimination. There is no history of the defeat of any movement for social justice, equity, equality, independence.

Nepal’s indigenous peoples’ movement in recent times has weakened and is mired by pessimism. The pace of the movement has slowed. The power of the movement has weakened. There is pessimism among the indigenous peoples. The focus has been diverted towards adopting various mediums and taking various forms. There seems to be a belief that street protests will not alone help indigenous peoples gain their rights. On the other hand, there is a strong belief that presence in the power structure of the state is a must for the questions of indigenous peoples to be heard. Despite various struggles, Nepali politics has not been able to address the questions of indigenous peoples. The reason being utter neglect of the questions of indigenous peoples by political parties in power.
structures. Likewise, the questions of indigenous peoples are understood differently in social and political spheres. Hence, on the one hand, an analysis of political and theoretical/ideological aspects of the indigenous peoples’ movement is necessary, while on the other hand, it is necessary to prioritize these questions in accordance with the political situation and context. Each movement has its ebbs and flows and does not have the same intensity. Nevertheless, questions should be continued to be raised and discussion is necessary on various aspects of the movement in the changing context. In this backdrop, this book has been prepared by keeping Nepali state and indigenous peoples’ politics at the center, arguing that the fundamental questions of indigenous peoples should be resolved politically. This book has been prepared as a useful material to prevent rise of pessimism in indigenous peoples’ movement, to reinvigorate it, and to promote discourse in the social and political sphere.

Since the establishment of NEFIN, Nepal’s indigenous peoples’ movement gave birth to some leaders and campaigners. Subsequently, indigenous peoples’ experts, writers, and investigators were born. And various aspects of indigenous peoples’ movement started to be written. In the three decades since the establishment of NEFIN, two generations of those who write about the subject matters of indigenous peoples in one way or the other seem to have emerged. The preceding generation is the one directly associated with NEFIN since its establishment, holding a stake in it, and writing about issues of indigenous peoples, while the second generation is the one which has been writing about issues of indigenous peoples without being directly associated with NEFIN. The second generation has been participating physically and ideologically in the movement for the past two decades. This generation is also associated with the movement purely ideologically through the medium of writing. This book contains opinions and analyses of the second generation. Along with the change in the form of the movement, these second
generation of writers have been selected with the objective of gathering their opinions and knowledge. It is our intention that the indigenous peoples’ movement should be given continuity also through the medium of writing and knowledge production.

The subject matter was selected through a joint meeting of authors and editors. The selected articles were presented as working papers during a seminar organized by NEFIN. Although attempts were made to polish the articles and make them more insightful, there may be shortcomings both in terms of subject matter and technicalities. Nevertheless, this book delves into the latest status and questions of the indigenous peoples’ movement and is expected to promote discourse on the issue. In the historical-political light of the formation of the Nepali state, an attempt has been made to select the subject matter with the objective that the indigenous peoples’ movement and their questions be analyzed through a political perspective.

Inside this book
This book contains nine articles, including this introduction. This book raises and discusses some of the fundamental issues and agendas of indigenous peoples related to the country’s politics. One, what, and how, questions are raised in Nepal’s politics and socio-political discourse by the indigenous peoples and by their movement? Two, has there been serious internal reviews by the agencies/actors associated with it, and how is the movement being seen, understood, defined and analyzed by external parties? Three, how should the political character and conduct be seen, understood, and analyzed from the perspective of indigenous peoples given the failure of Nepal’s politics to address the questions of indigenous

peoples? And finally, why is it necessary to understand the question of political liberation of indigenous peoples?

In the history of formation of the Nepali state, the agendas of indigenous peoples who waged resistance against anomalies and contradictions and collaborated during normal times, and who made sacrifices in the political, social, and economic changes, are political issues of Nepal. Hence, the questions of indigenous peoples should fit in Nepal’s politics. The state should address them politically in a procedural manner. This book is born out of that stance in an attempt to understand the movement of indigenous peoples from a political angle in Nepal’s socio-political discourse. Although issues of indigenous peoples have been raised from socio-cultural background, they are related to politics and state structure. Hence, it is necessary to promote discussion on the various aspects of the questions of indigenous peoples and the issues raised by the movement in Nepal’s socio-political discourse. Likewise, it is equally important to have knowledge about Nepal’s indigenous peoples’ movement, assessment of the agencies/actors associated with it, and analysis of external parties. It is also necessary to contemplate about the indigenous peoples’ perspective on the failure of the state to address their issues. The discussion in the articles in this book revolves around this theme.

In ‘Indigenous Peoples Rising from the Margin in Nepal’s Politics’ by Dr. Mukta Singh Tamang, the historicity of Nepali state and the indigenous peoples’ movement have been analyzed, and it has been opined that the ups and downs in the movement are a natural process. The article asserts that the issues raised by the indigenous peoples’ movement are yet to be raised in Nepal’s politics and shows that there are alternative paths. The article argues that Nepal’s indigenous peoples’ movement is also rising from the margins, as shown by examples from other countries. On the one hand, the article presents an analysis of actors/agencies associated with Nepal’s indigenous peoples’ movement from three different angles: first, the
social-cultural movement waged by civil society along with NEFIN for caste-based equality; second, the work of alternative political parties operating under the leadership of indigenous peoples; and third, the attempts made through involvement in mainstream political parties. On the other hand, the article describes how the colonizing state and the ruling class hatch ploys, such as co-optation of the leaders and campaigners of the indigenous peoples, adoption of the divide-and-rule principle, creation of ideological confusion, belittlement and intimidation of indigenous peoples’ rights activists, and use of state security force and courts to punish them in order to thwart and suppress their movement.

The ‘Issues of Liberation and Cultural Equality of Adivasis in Nepal’s Politics’ by Dr. Dambardhwoj Chemjong presents some issues of the indigenous peoples’ movement and current Nepali politics and its historical aspect that would help contemplate the question of political liberation of indigenous peoples. Dr. Chemjong, on the question of centuries of oppression and exploitation of indigenous peoples by Hindu Khas/Arya rulers, argues that one should be able to see and understand Nepal’s politics, history, and its different societies from an entirely different perspective to be able to sketch a framework for a new movement and new politics. Dr. Chemjong has made historical-political analysis of the colonial character of the Nepali state and presents a sharp criticism of the legal protection of Brahmins and alienation of indigenous peoples. He has also offered suggestions as well as posed challenging questions on the role NEFIN and other associations of indigenous peoples and also raises the question of equality of indigenous peoples in the context of NGO-centered social movement or political party-centered politics.

In ‘The Dialecticism of Single Identity’, Rajendra Maharjan opines that the policy, rule, and intention of the state of Nepal have revolved around single-identity politics. He discusses various aspects of identity politics from an ideological perspective. His main objective has been to closely scrutinize the dialecticism of single
identity. Along with the discussion of the history and legislation for the creation of single identity, Maharjan has come down heavily on the political parties, intelligentsia, and opinion makers who call themselves communists, democrats, or nationalists, and the activities aimed at protecting single identity and one’s own class. In the narrative that the politics of development and prosperity has flourished on the graves of identity politics, he does not see a possibility other than the development and prosperity of a single class, group, gender, religion, region, language and culture. Hence, the politics of expanding the hegemony of single identity by raising the slogan of the country’s and peoples’ development and prosperity has become further influential and dominating following the making and enactment of the new constitution. On the one hand, Maharjan argues that one cannot ignore the fact that there has been resistance against the expansion of single identity hegemony, while on the other hand, he sheds light on the fact that the politics of identity is itself surrounded by questions.

In ‘Ethnic Parties in Nepal: Formation, Rise and Electoral Performance’, Jhakendra Gharti Magar comprehensively analyzes the formation, development, and future of ethnic-based political parties. Seeking an answer as to why indigenous peoples’ parties emerged despite the presence of hundreds of non-indigenous peoples-based parties, he argues that indigenous peoples’ parties emerged as an alternative political force as the state structure and mainstream national political parties in multi-cultural Nepali society failed to address the questions of indigenous peoples. He, on the one hand, discusses the formation and development of indigenous peoples’ parties, while on the other hand, he concludes that the indigenous-ethnic parties seem weak in light of elections and their presence in the state structure, along with analyzing the future and challenges of indigenous peoples’ parties.

In ‘Political Participation and Indigenous Women of Nepal: It’s Not Just a Matter of numbers’, Kailash Rai argues that numeric
political participation of indigenous women in political/public sphere should not be seen as the overall achievement of indigenous women. On the one hand, Rai argues that when we talk only about numbers, we miss important aspects such as their actual questions involving identity, concerns and problems, and their social-political resolution, recognition, and mainstreaming. She admits that the political participation of indigenous women in notable numbers, which is an achievement gained after a long struggle, has played an important role in giving the Nepali society and state inclusive and democratic character. But, did indigenous women, while representing and carrying the responsibility both of their caste and gender, fulfill their dual responsibility? To what extent did they have access to the proper mechanism, necessary resources, encouragement and opportunity, friendly environment and conduct? Rai also contemplates whether the actual questions of indigenous and marginalized women got space in the national discourse while their numeric participation and its strong aspects are being considered as the basis for increasing the prosperity of the federal republic state?

In ‘Cultural Politics in Nepal’, Bhogiraj Chamling discusses questions such as, how cultural hegemony is created, when it started in Nepal, how it moved ahead, and what should be done now. Cultural politics is exercised by the ruling level and at the social level, and either of them creates foundation for the other. While conceptualizing that cultural politics by the rulers is expressed as domination or hegemony, he presents the fact that state-promoted Hindu culture was created in a long span of time in Nepal. It is a cultural politics in which one group tries to show oneself superior to others in terms of religion, culture, language, food habits, lifestyle, color, geography, profession, knowledge and various other things and creates hegemony. In addition, Chamling has made a micro analysis of the conceptual and ideological aspects of cultural politics.

In ‘Indigenous Peoples Movement and Minority Politics’, Tashi Chhiring Ghale-Dolpo presents the government’s and the indigenous
peoples’ movement’s understanding of the government’s proposal on minorities hastily prepared for the purpose of elections. In analyzing articles related to minorities, he discusses how and what kind of impact the policy and program presented by the government would have on the indigenous peoples’ movement, and whether the indigenous peoples enlisted as minorities would actually benefit. He concludes that the list of minorities and government’s policy are a continuation of the series of discrimination against indigenous peoples and Brahmin Hindu extremist discriminatory policy. On the other hand, he accuses the government of playing minority politics on various pretexts as part of its ‘divide and rule’ ploy and stresses on the steps to be taken by indigenous peoples in the days to come.

In ‘Discourse on Autonomous, Protected and Special Regions in Nepal’, Gobinda Chhantyal discusses the historical-political discourse on autonomous, protected, and special regions in Nepal. Chhantyal attempts to scrutinize various aspects of autonomous regions claimed by indigenous peoples with less population. Likewise, he seeks answers regarding the provisions for autonomous regions in Nepal’s constitution and international law and the international experience of self-governance. He, on that basis, also comprehensively discusses and analyzes the historical territory that could be made autonomous, protected, and special regions. He also levels allegations against the state government and political parties in the power structure of being apathetic towards the formation of autonomous, protected, and special regions on the basis of Nepal’s constitution and international law. He also argues that creation of autonomous regions is a must to ensure self-governance by indigenous peoples with less population and partnership in justice and the right to govern. On the other hand, he suggests that given the current situation, struggle should only be the future course for the achievement of autonomous, protected, and special regions.
References


Voices from the margin
The demands and voices raised by the indigenous peoples’ movement over the past three decades have added a new breadth in the Nepal’s political debate and ideas about its democratic goal. Indigenous peoples—one of the four social groups along with Hill Brahmin-Chhetris, Madhesis and Dalits—have engaged in political activism to establish themselves as a key political actor through various struggles in this period. They have advocated for some of the issues that are fundamental to democracy but were overlooked by the mainstream political parties. The right to culture, identity, protection of their land and territories, political autonomy, linguistic equality, and inclusion are some of the calls that they have advocated in these struggles.

There were high hopes that their demands would be politically addressed after the second Peoples’ Movement (Jana Andolan II) in 2006 and more specifically by the Constituent Assembly formed in 2008. However, through the second Constituent Assembly to the promulgation of the new constitution in 2015, and through the ensuing period of unification of Communist Party of Nepal (United Marxist Leninist) and Communist Party of Nepal (Maoist Center) and formation of a majority communist government in 2018, the
demands of indigenous peoples have been not only dismissed but also being silenced. With the rise of ultra-nationalism and populist rhetoric of prosperity, the question of identity is being depicted as a disruption to national unity and progress. Through this discourse, the demands of indigenous peoples have not only been portrayed as undesirable but also objectionable. Once again, the indigenous peoples’ voice is being vehemently relegated to the margin.

Marginalization of indigenous peoples is not a new phenomenon in the Nepali state, as the patrimonial state itself was constituted by Prithvi Narayan Shah by violently ending indigenous peoples’ autonomy. Moreover, over the last 250 years of its rein, the Nepali state—which figured itself as ‘the Hindu Kingdom’ and legalized the discriminatory caste system—suppressed the demands of the rights of indigenous peoples by criminalizing them. Given the history that the Nepali state was born out of war against, and to rule over, its indigenous peoples, their marginalization is not a surprise but a simple legacy. All historical peoples’ movements and revolutions were aimed at ending this legacy of feudal autocratic system and discrimination against the marginalized population. Now in the context that Nepal is secular, federal republic with a new constitution that has adopted liberal inclusive democracy that guarantees right to equality, continuation of denial of indigenous peoples’ right is a sure sign of democratic deficit and disgrace.

In this paper, I describe the ways that indigenous peoples have engaged themselves in the Nepali politics as part of the resistance movement, their challenges, and how the regime has responded their call. I suggest that indigenous peoples’ politics in Nepal plays an important role in deepening democracy in the country and hence is a positive measure of a vibrant democracy.

What do indigenous peoples want?
Before taking the main theme of politics, it would be relevant to discuss what indigenous peoples want, and do not want. They want
political right, in terms of autonomy and right to self-determination. In simple words, this means to be able to participate in the decision making through democratic process. In a democracy, it would be paradoxical for one caste, race, or ethnic group to rule over another in the name of majority. This violates the fundamental principle of independence and self-governance. Another pragmatic demand they have put forward to operationalize the democratic principle of self-determination and governance is proportional inclusion.

Economically, indigenous peoples, like other social groups, want freedom from poverty and an equal share of benefit from development and economic growth. They want an end to both feudal and neocapitalist exploitation. They want ownership of their ancestral land and its natural resources. They want that their land and resources not be taken away from them in the name of development or in any other pretext. They want social development and seek to determine the direction of change themselves. Equality is the fundamental right guaranteed by the constitution. Like everyone else, indigenous peoples demand the right to equality in human development.

In the sphere of cultural right, they want equal respect for their identity as indigenous peoples. They would like to end the discriminatory treatment based on caste, ethnicity, culture and identity. They want prejudiced-free relationship of mutual respect in which they get equal respect for respecting others. They believe that social harmony and national unity can be achieved only through recognition of multiple identities and cultural diversity. They want the right to be able to freely practice their religion, culture, customs and traditions. They also demand that their children be imparted education in their mother tongues and that they be allowed to speak their languages in government offices.

Indigenous peoples’ movement demands political, economic, cultural and social rights holistically and consider them to be indivisible. Indigenous peoples do not only advocate for individual liberty but also for collective rights. They want inclusive prosperity
with recognition of diverse identities. Protection and promotion of these rights is indispensable in a democracy. Liberation of ethnic groups in Nepal, therefore, is about attainment of these freedoms and rights.

Legacy of subaltern history

The indigenous peoples’ movement has emerged from their past and present experience of both suffering and revolt as subaltern and conquered population in Nepal. These experiences are different from what have been portrayed in Gorkhali history, which extols the victorious ruler. In the process of expanding the Gorkha state in the eighteenth century, indigenous peoples’ traditional governing systems and autonomy were scratched through military force and diplomatic astute. Indigenous leadership was systematically smashed. Agricultural land and forests traditionally owned by indigenous peoples were taken away for distribution to Gorkhali rulers, warriors, priests and kajis for granting land known as Birta. Not only that, high taxes were imposed on indigenous peoples. The majority of indigenous groups were not under any tax system until the Nepali state was formed. The new system was unusual for them as they had to pay taxes for using their own land. During the Rana–Shah regime, they endured extreme form of labor exploitation. Apart from working as slaves and bonded laborers in the palaces of Rana and Shah rulers and for feudal lords, they were also forced into labor as public construction workers. In the emerging Gorkhali state, indigenous peoples were considered as subjugated subjects or praja. Their participation in governance was barred.

The Muluki Ain (Civil Code) introduced by Jung Bahadur Rana in 1854 proved to be a grave milestone, as it gave social-cultural legitimacy to the feudal rule and introduced social stratification based on the Hindu caste system. Apart from the wearers of the holy thread (tagadharis) such as Brahmins, Thakuris, Chhetris and Hinduized Newars, all indigenous peoples were considered second-
grade alcohol drinkers (*matawalis*). This law established the system of lesser punishment for those from the so-called upper caste and stern punishment for those from the lower caste even for the same crime. Alcohol drinkers were also categorized into two types—enslaveable and non-enslaveable. In this hierarchy, most of the alcohol drinkers were salvable, which meant that they could be legally enslaved, sold and be stripped of everything they owned (Hofer 2004). When France was celebrating the 60th year of French revolution of 1792 for independence, equality and fraternity, ironically, in Nepal the state legalized ‘apartheid’-like caste practices to coerce people to discriminate against each other on grounds of birth and caste.

This law which was strictly enforced for more than a century framed a mindset among the ruling caste that hierarchy is natural and necessary for people of the higher castes to discriminate people designated to be lower castes. This mindset still persists. Muluki Ain received its inspiration from Manusmriti for caste framework and Hinduization. The law considered many of indigenous cultures and traditions, which were different from Hindu practices, punishable as a crime. In the Panchayat system, feudalism and Hindu caste-based system were blended with western notions of modernism and nationalism. For example, autocratic monarch Mahendra Shah introduced political system called Panchayat in which it was imagined that the king, as an incarnation of Lord Vishnu, would marshal modern development in the country (Burghart 1984). The state also adopted the policy of homogenization by actively fostering assimilation of indigenous culture to ethos of Hill Brahmin Chhetris. Nepal adopted Khas Nepali as national language by undermining the diverse cultures, languages and religions of Nepal. The indigenous groups had no other choice but to assimilate into the mainstream or remain away from the state. During the Panchayat era, the presence of indigenous peoples in the state apparatus was limited to a handful of people who served as servants, attendants and caretakers of Ranas, Shahs, courtiers, feudal lords and aristocrats.
The empire that Europe expanded to countries in the southern hemisphere was called colonialism for three reasons: first, because they ended the political freedom and autonomy of people of the colonized countries; second, they severely exploited resources and labor in the colonized people; and third, they destroyed indigenous cultures to impose their own, claiming their culture was the most civilized and superior. The rulers in Nepal did the same thing. Starting with the Gorkha conquest, the colonialist suppression of indigenous peoples reached its peak through Rana era and Panchayat system and continued till the establishment of multi-party democracy in 1990.

Indigenous peoples do not want continuation of the colonialist subjugation. They want a complete end to it. Indigenous peoples not only felt belittled when their autonomy was attacked and culture stigmatized, but also brewed sentiment of rebellion. Through 18th to mid-20th century they staged various revolts to reclaim land and dignity. Tamang revolt, Limbu revolt, Gurung revolt, Magar revolt are some examples (Gurung 2003). However, these revolts were staged by different indigenous communities spontaneously on their own. In terms of pan-indigenous mobilization and affiliation to political organizations, indigenous peoples’ entry into Nepali politics had been through participation in struggles against the Rana regime and the Panchayat polity, and more extensively after the political change in 1990.

Indigenous peoples played a significant role as armed soldiers in the revolt led by Nepali Congress against the Rana rule. Bishweshwor Prasad Koirala had organized retired Indian Army soldiers from the indigenous community for the armed struggle against the Rana regime. For example, more than half of the 11 commanders of the Liberation Army formed in June 1948 by Nepali Congress were people from indigenous communities (Tamang 2056 v.s.). Giriraj Acharya writes, “The armed revolution launched by the Nepali Congress succeeded only due to the strength of retired
soldiers. BP had been able to mobilize them successfully against the autocratic Rana rule. Gorkha Army was that battalion of the independent Indian Army, which comprised Rai, Magar, Gurung, Limbu and Tamang soldiers, who knew nothing about politics and had migrated to India for employment” (Acharya 2053 v.s.: 10). But unfortunately, the Nepali Congress run by the disgruntled Ranas, feudal lords and high-caste aristocrats completely forgot indigenous peoples after the political change of 2007 v.s. Nepal Communist Party formed under the leadership of Pushpalal Shrestha in Calcutta in 1949 had said that all castes were equal in terms of rights and responsibilities and they would launch a united struggle against imperialism and feudalism. The first assembly of the party in 1959 v.s. had passed a declaration stating that the party accepted the right to self-determination of indigenous peoples and only a democratic system would be able to ensure their economic and political freedoms, and linguistic and cultural rights. As the time passed by, the agenda of class struggle became the main slogan of communist parties and luckily the issues of indigenous peoples and the question of their representation in parties went to dark shadow.

As a result of the homogenizing policy of the Panchayat polity, which promoted one-language, one-dress policy, the domination of Brahmans and Chhetris in Nepali politics much pronounced. While the Nepali Congress and Communist parties were regarded as transformational force, they also embraced exclusionary path. In this situation, the pan-indigenous peoples’ movement started from a new outlook after 1990. I describe the indigenous peoples’ political struggle and pathway after 1990 as having three interrelated strands. First is the socio-cultural movement launched by the Nepal Federation of Indigenous Nationalities (NEFIN), along with civil

1 Despite the ethnocentric tone that considers Rai, Magar, Gurung, Limbu and Tamang soldiers as ignorant of politics, Acharya provides a detailed account of the contribution of these groups in the revolution against the Rana regime.
society, raising voices for caste/ethnic equality. Second is the work of alternative political parties under the leadership of indigenous peoples themselves for political change. Third is the effort of leaders from indigenous communities through involvement in mainstream political parties to address their agenda. All three strands have achieved some progress but are facing major setback during last few years.

Scattered socio-cultural movement
Nepal Federation of Indigenous Nationalities (NEFIN), by organizing various indigenous peoples together in a common umbrella, was created to voice their demands related to political, social, linguistic, cultural and religious freedoms. The establishment and operation of NEFIN and the role it has played in raising a collective voice in the democratic process can be considered as a good example in democratic development in Nepal. The federation was able to unite indigenous communities in one front as a collective, which itself is characterized by linguistic and cultural diversity. The collective movement has some achievements in the period. First achievement is to get 59 indigenous peoples recognized by the state for the first time in history through establishment of the National Foundation for Development of Indigenous Nationalities (NFDIN) in 2001. This has helped to some extent to regain the lost identity and dignity of indigenous peoples. It has also succeeded to some extent in drawing attention of the mainstream political parties that long-term development and peace is not possible without ensuring the rights of indigenous peoples. The 20-point agreement between the government and the agitating indigenous peoples on August 7, 2007, and the nine-point deal on May 22, 2012, are other examples of their achievements. The ratification of the International Labor Organization Convention No. 169 on Indigenous and Tribal Peoples, and adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) by the Nepali state are
further examples of how indigenous peoples’ movement worked together with international human rights standards and the state. It is noteworthy that three decades of advocacy by indigenous peoples for restructuring the state from centralized unitary state to federal structure for ensuring autonomy has been instituted, and guaranteeing proportional representation has now become a national political discourse.

The indigenous peoples’ movement bears characteristics of new social movement as it raises the issues that are overlooked by traditional political parties and the ways it combines the issues of social, cultural and economic rights through an alternative mechanism of organizing. One of the major issues raised by the movement is end of caste/ethnic-based discrimination and attainment of ethnic equality with respect to diverse culture and identity. The movement activists have been staunch critics of Brahmanism or Bahunbad and the Khas-Chhetri chauvinism. Bahunbad, as articulated by Dor Bahadur Bista (1991), is an ideology and associated attitude and behavior that consider people belonging to upper caste are pure and superior while others are impure and inferior by birth. For them, Dalit and women are untouchables, and indigenous peoples are uncivilized and primitive. Khas-Chhetri chauvinism is reflected in the mindset that Nepal is created through their bravery and that hill Brahman-Chhetri culture, language and religion should be the default standard for Nepaliness. These are outmoded outlooks that hinder the democratic values of equality and diversity. The indigenous peoples’ movement has demanded that the Nepali state and society should drastically change existing norms, values, symbols and institutions that justify intolerance and homogenization by recognizing Nepal as a diverse country.

Like other social movements, indigenous peoples’ movement in Nepal can raise the voice in the public, but their ability to transform the demand in practice has serious limitations. The socio-cultural movement lacks the mechanism and power to put adequate pressure
on the state when the latter failed to keep its promises. Practically, they need political parties to table the agenda in the state legislation and other decision-making entities to translate the demand into government policy and program.

The social movement appears to be also susceptible to maneuvering by political parties in their favor. For example, NEFIN as an umbrella organization was successful in organizing the movement by bringing together different ethnic organizations. It also succeeded to some extent in influencing political parties until the first Constituent Assembly to introduce the program and policies to address the indigenous peoples’ right. The federation, however, later became a playing ground for political parties. Nepali Congress, CPN (UML) and CPN-Maoist Center started nominating leaders of indigenous peoples involved in the federation as members of Parliament from their parties. As the indigenous leaders associated themselves with different political parties, the collective nature of the pan-indigenous movement led by NEFIN become fragmented. This dramatically decreased the capacity of the federation to mobilize pan-indigenous movement. As a result, the movement gradually started to become scattered.

**Indigenous peoples’ parties in crisis**

The second strand of indigenous peoples’ engagement in politics is taken up by the leaders who opted for forming their own political parties. As the socio-cultural movement could not establish their rights and as mainstream political parties developed an unfavorable outlook towards the rights of indigenous communities, indigenous political leaders formed alternative political parties to navigate in the politics. The main feature of these parties is their emphasis on the indigenous peoples’ issues and on their own leadership. The formation of such parties had started early from the Panchayat era. Limbuwan Mukti Morcha 1986, Khumbuwan Mukti Morcha 1989 and Mongol National Organization 1989 are some of the examples.
By the time of 2017 election of federal and provincial assemblies, the number of indigenous people let parties reached 32 in number. Nevertheless, some of these merged with one another while others dissolved. In the election for the House of Representatives in 2017, only seven such parties—Rastriya Janamukti Party, Nepa: Rastriya Party, Sanghiya Loktantrik Rastriya Manch Tharuhat, Mongol National Organization, Sanghiya Rastriya Loktantrik Manch, Tamsaling Loktantrik Party and Sanghiya Khumbuwan Loktantrik Party—had participated. Interestingly, none of these parties could secure seats in the Parliament and got only 0.9 percent of the total vote cast.

Although alternative political parties are crucial to ensure participation of indigenous groups in the making of laws and in influencing decision making, they did not seem to have enough resources and organizational strength to win in the election. Election in Nepal now has become a costly enterprise. One should be able to make generous donations to become a candidate from an influential party and spend tens of millions of rupees in election campaigning. Given this scenario, it is almost impossible for such small parties based on ideals to win the elections practically. The recent elections in which candidates spent huge amount of money have been a derision of democracy.

The political parties formed by indigenous peoples were the first to raise some of the transformational demands such as federalism, proportional representation, secularism, abolition of monarchy and establishment of a republic. Their mobilization strategy does not embrace armed revolt but peaceful means. Due to this approach, they are also being critiqued as engaged in polite plea than in political struggle.

There were multiple parties led by aspirant indigenous leaders. Their larger political goals were similar, but for some reason they did not seem to even have working alliance for working collectively. The splits of political parties due to differences in one or the
other reason became a barrier to their collective success. Some incidents—such as the one in which a senior indigenous leader Gore Bahadur Khapangi, a staunch advocate of indigenous peoples’ rights, accepted a ministerial post during the reign of Gyanendra Shah—significantly eroded the credibility of alternative political parties. Critics assert that leaders of the indigenous political parties failed in assessment of their own strengths and weaknesses as well as understanding external circumstances. As these parties failed to secure even a single seat in the parliament, there is a sense of crisis as they attempt to reorganize for future.

Exclusionary inclusion in mainstream parties
Another strand of indigenous peoples’ political mobilization is through participation in mainstream political parties for addressable indigenous demands. Although all political parties attracted indigenous cadres and pledged for positively addressing the issue of indigenous peoples, it was Nepal Communist Party (Maoist) that engaged in armed insurgency from 1996 to 2005 which became the forerunner. Maoists started with idea of class liberation, but by 2001 it realized that without addressing the issues of caste and ethnic discrimination, the armed struggle would not be successful. They incorporated ethnic liberation as equally important agenda along class liberation. Maoists even attempted to create autonomous provinces and advocated for right to self-determination for indigenous nationalities. This was partly due to contribution of the indigenous leaders in the party as well as influence coming from indigenous peoples’ movement. Many indigenous peoples got involved in the Maoist movement as soldiers and leaders of the Maoist armed force. The Maoists formed ethnic liberation fronts to manage questions of indigenous nationalities.

Due to strong support for the issues of indigenous peoples by the Maoist party and considerable pressure from the socio-cultural movement of indigenous peoples, even Nepali Congress and
Communist Party of Nepal (UML) were compelled to form ethnic-based sister wings and make promises to address the question of rights of indigenous peoples in their political documents. Indigenous leaders within the respective parties were instrumental in such changes.

All the three major political parties acknowledged the role played by the movement of indigenous peoples for democracy in the local, provincial and parliamentary elections held in 2017. For example, the common election manifesto of the CPN(UML) and CPN-Maoist Center states:

We pay a hearty tribute to the great martyrs who sacrificed their lives in the peaceful and armed struggles, Jhapa revolt and Maoists’ peoples’ war, along with the struggles launched by Madhesis, indigenous peoples and oppressed communities, which brought about these historic changes. (CPN-UML and CPN-Maoist Center 2074: 20)

The Nepali Congress, going a step further during the 2017 local level election, had written in the election manifesto:

Due to the unprecedented awareness democracy brought in Nepali politics, different movements have been launched for natural rights. The negative and intolerant attitude of CPN-UML towards Madhes movement, the struggle of indigenous peoples for identity and the movement of Tharu, Muslim that demands broad representation is making Nepali politics unhealthy and complex. Nepali Congress is committed to establishing Indigenous Peoples Commission and making it operational to fulfill the responsibilities created by international conventions and to preserve the languages, cultures and ancestral land and traditions of indigenous peoples. (Nepali Congress 2074 v.s.)
All the three major political parties also expressed commitment in the manifestos on the question of proportional representation of indigenous peoples and marginalized communities in state mechanisms. For example, page 5 of the common manifesto of the UML and CPN-Maoist Center for the 2017 elections reads: “With a commitment to end ethnic, class, regional, gender, linguistic and cultural discrimination, the principle of federal system along with proportional inclusion and the principle of social justice will be established. Proportional inclusion of women, Dalits, indigenous peoples, Madhesis residing in the Tarai, Tharus, Muslims, backward regions, and oppressed peoples in state power will be adopted.”

Influenced by the assurances of political parties, and hopeful in the positive change, many indigenous peoples got involved in these parties and participated in the elections. Its impact was seen to some extent in the result of local level election. Although indigenous peoples were not represented in proportion to their population, their representation stood at 29 percent as shown in the table below.

Table 1: Representation in 2017 local level elections by caste/ethnic groups

<table>
<thead>
<tr>
<th>Position</th>
<th>Brahman/Chhetri</th>
<th>Indigenous peoples</th>
<th>Madhesi</th>
<th>Dalit</th>
<th>Muslim</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor</td>
<td>149</td>
<td>68</td>
<td>66</td>
<td>6</td>
<td>5</td>
<td>294</td>
</tr>
<tr>
<td>Male</td>
<td>144</td>
<td>67</td>
<td>65</td>
<td>6</td>
<td>5</td>
<td>287</td>
</tr>
<tr>
<td>Female</td>
<td>5</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Deputy Mayor</td>
<td>149</td>
<td>76</td>
<td>48</td>
<td>11</td>
<td>9</td>
<td>293</td>
</tr>
<tr>
<td>Male</td>
<td>9</td>
<td>6</td>
<td>1</td>
<td>1</td>
<td></td>
<td>17</td>
</tr>
<tr>
<td>Female</td>
<td>140</td>
<td>70</td>
<td>47</td>
<td>10</td>
<td>9</td>
<td>276</td>
</tr>
<tr>
<td>Chairperson</td>
<td>209</td>
<td>173</td>
<td>67</td>
<td>10</td>
<td>9</td>
<td>276</td>
</tr>
<tr>
<td>Male</td>
<td>203</td>
<td>168</td>
<td>67</td>
<td>2</td>
<td>9</td>
<td>449</td>
</tr>
<tr>
<td>Female</td>
<td>6</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td>11</td>
</tr>
</tbody>
</table>
It would be a normal phenomenon to get indigenous persons to get elected from the area where indigenous population are predominant. It is interesting to note, however, that despite the increase in overall representation, their positions in decision-making levels such as mayors of metropolitan cities, sub-metropolitan cities and municipalities, and chairs and ward chairs of rural municipalities are very low. Representation of women from indigenous nationalities has increased to 5,313, but their place in the leadership role is negligible. Almost all of them are limited to the position of ward members.

Political parties have also not been able to ensure inclusive representation in the House of Representatives as promised. Although the overall representation of indigenous peoples, including Tharus, stands at 27 percent, distribution among indigenous peoples is uneven. The representation of Tamang, Magar and indigenous
communities with bigger population size is very low in proportion to their population.

**Table 2: Representation in 2017 Parliament by caste/ethnic groups**

<table>
<thead>
<tr>
<th>Indigenous groups</th>
<th>House of Representatives</th>
<th>National Assembly</th>
<th>Total lawmakers</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M</td>
<td>F</td>
<td>Total</td>
<td>M</td>
</tr>
<tr>
<td>Brahman/Chhetri</td>
<td>91</td>
<td>31</td>
<td>122</td>
<td>21</td>
</tr>
<tr>
<td>FPTP</td>
<td>82</td>
<td>5</td>
<td>87</td>
<td>87</td>
</tr>
<tr>
<td>PR</td>
<td>9</td>
<td>26</td>
<td>35</td>
<td>35</td>
</tr>
<tr>
<td>Indigenous group</td>
<td>41</td>
<td>22</td>
<td>63</td>
<td>5</td>
</tr>
<tr>
<td>FPTP</td>
<td>33</td>
<td>1</td>
<td>34</td>
<td>34</td>
</tr>
<tr>
<td>PR</td>
<td>8</td>
<td>21</td>
<td>29</td>
<td>29</td>
</tr>
<tr>
<td>Madhesi</td>
<td>33</td>
<td>13</td>
<td>46</td>
<td>3</td>
</tr>
<tr>
<td>FPTP</td>
<td>31</td>
<td></td>
<td>31</td>
<td></td>
</tr>
<tr>
<td>PR</td>
<td>2</td>
<td>13</td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Muslim</td>
<td>4</td>
<td>4</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>FPTP</td>
<td>3</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>PR</td>
<td>1</td>
<td>4</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Tharu</td>
<td>11</td>
<td>7</td>
<td>18</td>
<td>1</td>
</tr>
<tr>
<td>FPTP</td>
<td>8</td>
<td></td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>PR</td>
<td>3</td>
<td>7</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>185</td>
<td>90</td>
<td>275</td>
<td>37</td>
</tr>
</tbody>
</table>

Source: National Election Commission 2017

Although the representation of indigenous peoples seems to have increased and although parties have made a commitment to guarantee the rights of indigenous communities, in practice, at the implementation level, parties avoid these issues. The representatives of indigenous peoples involved in political parties are not in the decision-making position and do not have the capacity to enforce
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them. The orders and policies of their parties restrict them from addressing the demands of indigenous communities for equality. The party whip prevents them from speaking according to their own will in the Parliament. There is overwhelming fear that party leadership will punish them if they speak for indigenous demands. Control structure of the party command and distribution of position within party has created a situation in which some leaders from indigenous peoples have even gone against the rights of indigenous peoples. All this indicates that the political parties, despite the effort of some of the indigenous leaders, are unlikely to address the demands of indigenous peoples easily.

In the past five years, the commitments made by political parties and speeches by their leaders have been limited to papers. The translation of the promises made in the papers are far from reality. Paradoxically, inclusion of indigenous peoples in mainstream political parties have been used as a scheme to sideline the voices of indigenous peoples rather than to establish their rights.

During the last five years, the vibrant indigenous peoples’ movement has been weakened by the intervention of political parties. Participation of indigenous persons in the main political parties surfaced as a striking example of exclusionary inclusion. Alternative political parties led by indigenous leaders are yet to take form ground (Maharjan 2016). Social movement coordinated by NEFIN is now in a scattered state. Backlash in the indigenous peoples’ movement is caused by multiple factors. The organizational ineffectiveness of the indigenous leadership body and their shallow understanding of the situation is certainly one factor. But it is very important that we look at the role of regime and authority in debilitating and silencing the resistance movement and how the indigenous human rights activists become victims of tis tactics.

Tactics to silence resistance movement
Any undemocratic political regimes, like colonial powers, deploy four kinds of tactics to silence and suppress the resistance movement of the oppressed. First, they ‘co-opt’ the movement and their leaders. The power uses false promises to assure that they themselves would address the problems of subalterns and control their leadership by assimilating them into their own parties. In recent years, the movement of indigenous peoples has been badly co-opted. Many of the indigenous peoples’ leaders seem to have been involved in mainstream parties with the belief that issues of indigenous peoples can be addressed through no other means than major parties in power. The political parties assume the image of real liberators in the eyes of these cadres. Many indigenous leaders get involved in powerful parties honestly, and continue their struggle within their parties. Some of them even do not hesitate to quit their political organization when they finally get disillusioned by the fact that their party refuses to listen. Many of them also get involved in these parties for political career and share of power. They raise the issues of the rights of indigenous peoples instrumentally. They can be seen as example of successful cooptation. The coopted individuals, despite the fact that they are being treated with prejudice, fail to recognize this. The coopted leadership may comprise of both with honest, intent and opportunistic determinations.

The second powerful tactic used for suppressing the voices of the oppressed in an undemocratic system is misinformation. The forces who favor status quo—such as old establishment, supporters of monarchy, and conservative section of major political parties—have put significant efforts to dismiss the indigenous peoples’ movement by misinterpreting their demands. Media was also used extensively to misguide progressive groups, common people and intelligentsia in the country who support the indigenous cause. Propaganda to dismiss the indigenous peoples’ voice comes in different forms. One way is to simply declare it as irrelevant. This view argues that the indigenous peoples’ movement is not in the interest of the nation.
For them, the demand raised by the movement is irrelevant as there exists no discrimination or they have already been addressed by the state. They claim that principles of equality and social justice are already enshrined in the constitution, and the government has adopted the policy of reservation, hence there is no point in raising the issues of marginalization. For them, indigenous peoples’ movement is instigated by foreign interest and financial support; the demands raised by marginalized communities are simply not Nepal’s agenda. They claim that indigenous peoples of Nepal have been misguided by foreigners. These claims are absurd and formulaic to discredit and resistance movement.

Yet another rhetorical strategy to dismiss the movement is diverting the issue. Majority of the communist leaders, and even liberal modernists, would argue that our primary problem is class and poverty rather than identity. They would argue that it is not only the indigenous peoples who are poor; there are poor Brahman and Chhetris. They also divert the issue by suggesting that protection of traditional culture, language and identity is unattainable as they are bound to vanish in the age of globalization. Protection of culture and language, they argue, is even detrimental for progress of indigenous peoples themselves.

Another way to deny the indigenous demand is accusation. For those who deny, indigenous peoples’ movement would lead to disintegration of the state. Further, they claim that the movement that demands caste and ethnic equality would lead to ethnic conflict in a country which was otherwise in harmony and peace. As per this saying, indigenous peoples’ movement is a campaign launched by certain leaders with vested interests. They also blame that indigenous peoples’ demands are ‘anti-development’ and an obstruction to prosperity. Along with accusation comes the argument that attempts to justify the status quo. It claims that if indigenous communities are falling behind it is their cultural habits and lack of hard work. It asserts that those ahead in politics, education and economic status
are so because of their merit. Others can also be successful if they have the same capacity and work hard. This argument resonates well with the approach that blames the victim for their suffering.

These are subtler techniques for perpetuating domination by misinforming the public opinion. The logic that refutes the demands of the marginalized groups rests on prejudiced and even racist ideology. They deny the existence of structural inequality and historical discrimination and any need for change. Indigenous peoples’ movement is a movement for rights demanding an end to discrimination and the equal right to live in the country with dignity. They demand for end of poverty for all and end of caste- and ethnic-based discrimination as a prerequisite to this goal.

The third type of tactic is the same old ‘divide and rule’ strategy. After 1990, it was an achievement in the history of democratic movement for indigenous peoples with diverse cultures, languages and traditions to come together under the umbrella of the federation and raise their demands for rights collectively. The state had for the first time also recognized their indigenous identity. Although there was a general understanding among the indigenous peoples that they share common experience and history of discrimination and only pan-indigenous solidarity could help them reclaim their rights, signs of divisions are seen in recent years. A kind of cleavages were created between indigenous peoples: between smaller and larger size populations; among those of the Tarai, Hills and Mountain regions; between recognized and yet to be recognized groups; and among Rai and Limbu, Tamang and Newar, Magar and Gurung, etc.

A strong solidarity among indigenous peoples required to support each other’s struggle has also suffered in this process. For example, when the Tharu community staged historic mobilization in 2016 demanding autonomous Tharuhat, they were brutally suppressed. In the absence of active support from hill and mountain indigenous peoples, the Tharu community felt that they were left on their own. Although the movement was badly repressed, the Tharu
were able to influence the content of the new constitution in terms of protecting their rights. This has led to an idea that each indigenous group should rise on their own without the larger pan-indigenous front. This led to go unnoticed the idea, for example, that if the Limbu alone are there for autonomy for Limbuwan and Tamangs alone for Tamsaling, this would not only be difficult but also would be deviation in forming unity in diversity. It is very important that indigenous communities such as Chepang, Thami, Hyolmo, Danuwar, Majhi, Pahari, Surel, Jirel, Hayu and others residing in the Tamsaling would benefit from establishment of autonomous Tamsaling and achieve solidarity.

In addition to the differences among indigenous groups and weakening solidarity, two interventions by the state had a direct negative impact on indigenous collective identity and solidarity. The first is that despite the recognition of indigenous peoples as “Adivasi Janajati” in the state document, at times it appeared to treat “Adivasi” and “Janajati” as separate groups. This has created enough misunderstanding, regardless of whether if it was deliberate or not. The second is government’s decision to declare the certain indigenous groups with smaller size of population as “minority.” The category of “minority” and “indigenous peoples” in international human rights standards have different provisions. The breaking the indigenous peoples by labeling some as minority impacted negatively in their collective identity. Division by using different categories and its internal effect among the indigenous groups show that they have become pray to ‘divide and rule’ strategy to a great extent.

The fourth tactic is to demean and intimidate indigenous rights activists and punish them using brute force and courts. Leaders of mainstream political parties have often made humiliating remarks against indigenous peoples for raising their voice. Their loyalty to the nation-state is questioned as a way for harassing them. A burning case of such injustice is Resham Chaudhary, a Tharu leader. He won the election as member of House of Representatives in 2017
election but is still kept in jail for alleged crime in Tikapur incident\(^2\). Arresting indigenous leaders for alleged cybercrime are examples of other excesses of the state.

The current situation is one in which indigenous peoples have been forced to keep play dumb or surrender as a docile population through the use of all the above-mentioned tactics. In this situation, they have no alternative other than to be silent, get assimilated in the mainstream or migrate to foreign countries. Another alternative is to prepare for a fresh revolt. But the current public discourse is stirred and misguided by mono-ethnic nationalism and hollow slogan of prosperity. Utmost efforts are being made to distract peoples’ attention by negating plural identities and drawing their attention to seemingly magical mantra of prosperity. Indigenous peoples have also been attracted to this slogan, and this has further pushed their movement to the margin. This is just the tip of the iceberg. However, this is not a situation wherein hegemony has been firmly in place for mono-ethnic state (Sharma 2016). The same thing was done in the name of nationalism and development during the Panchayat era, but history does not repeat itself. As Marx says, if the history repeats, it will be repeated only as farce.

**Conclusion**

The issue of indigenous peoples’ rights was generally called “Ethnic Problem” or “Nationality Question” in Nepali political discourse. In fact, this is neither a problem nor a question. Instead, indigenous

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\(^2\) Kailali District Court passed a verdict on Falgun 23, 2075 v.s. regarding the Tikapur event (7–8, 2072 v.s.) which occurred during the course of the Tharuhat/Tharuwan movement launched with the demand for Tharuhat autonomous province. Of the 26 Tharu leaders and campaigners, the government arrested 11 persons on charges of murder, attempted murder, and dacoity, including constituent assembly member Resham Chaudhary, who was sentenced to life in prison; 12 were awarded three-year jail terms; and three others, including Laxman Tharu, were acquitted.
peoples’ movement has provided an answer and new alternative for the course Nepal should take. The movement has indicated that instead of viewing this as a problem, it should be taken as a solution to institutionalize inclusive democracy. Unfortunately, political analysts are in confusion as to how the issue of ethnic rights can be addressed. It is natural to be cautious of ethnicization of politics as it can break the common binding thread of social diversity. But one should also be mindful that casteist and ethno-nationalist approach can even do more harm to the common thread that bind them together. Recognition of diversity for mutual respect and coexistence appears to be the only solution to democracy. Despite this fact, both modern liberal and leftist ideologies portrayed diversity as an obstacle to modernization and announced ultimate homogenization of all cultures. However, the results have been unpleasant everywhere. Dominant social groups continue to impose their will to the weaker section of the society and minority cultural and linguistic groups were forced into extinction. Racism prevails in this kind of situation (Rice 2012).

Political discourse in Nepal has yet to distinguish between the concept of ethno-nationalism and the ethnic equality. While ethno-nationalism is based on the belief that one’s own group is superior to others and hence they are entitled to rule over others. The concept of ethnic equality, on the other hand, is based on the value that all castes and ethnic groups, despite their cultural differences, are equal and can live with mutual respect. The indigenous peoples’ movement in Nepal demands ethnic equality and fight against ethno-nationalism. It believes that only the principle of ethnic equality can prevent the monstrous effect of ethnic chauvinism and aggressive nationalism (Tamang 2008). This is a new way of thinking about nationalism which is based on diversity and equality. Diversity-based nationalism as opposed to one nation-state is referred to as plurinationalism. Plurinational states believe that plural identities are the reality of today’s world and this is also an ideal of human
civilization. And if plural cultural, linguistic and ethnic identities are destroyed, the source of human civilization’s creativity would be destroyed (Honneth 1995).

The indigenous peoples’ movement currently, once again, has been pushed to the margin. It is natural for movements to see ups and downs. The movement of indigenous peoples has highlighted the issues that are crucial to democracy but not yet actualized. This also has indicated alternative pathways to inclusive society. The movement is based on the principle of social justice and equality and therefore will prevail by terminating the status quo. As shown by examples of countries around the world (O’Sullivan 2018), Nepal’s indigenous peoples’ movement, thus, is also a politics of possibilities rising from the margins.

References


Issues of Liberation and Cultural Equality of Adivasis in Nepal’s Politics

Dr. Dambardhwoj Chemjong

This article would mainly present a few points for discussion that would help understand indigenous peoples’ movement in terms of current and historical aspects of Nepali politics and, on that basis, understand the question of political liberation of indigenous-ethnic groups. On the question of centuries long persecution and exploitation of indigenous peoples at the hands of Khas-Arya rulers and liberation from such exploitation, it would be asserted that the framework for a new movement and politics can be sketched only if Nepali politics, history and its diverse societies are understood from an entirely different perspective.

Colonial nature of Nepali state
The way in which Nepali state was formed in the 18th century was of the Hindu-Arya colonial nature. The Nepali state came into its current existence as a result of the avaricious diplomatic imagination of a king of Hindu-Arya lineage of Gorkha who wanted to expand his territory and amass additional wealth. That same king had said, “Nepal would be the real Hindustan.”¹ As that king kept expanding

the territories into his rule using deceptive ploys, befriending different principalities and even expropriating and usurping his in-laws’ property and state, the territories, land, human community, and social, cultural and economic relations of production also transformed in a way that suited and nurtured Hindu Gorkhali society, culture, religion and politics.

A state of colonialism means: “When a group with a different cultural, religious, economic relations of production by politically subjugating a group with a different social, cultural, religious and economic relations of production, creates the basis for its own progress and prosperity by levying different taxes on the original settlers and exploiting their labor and culture, then that special economic-political relations of production and system is called colonialism” (Cesaire 2000; English 1982; Osterhammel 2005). Hindu Gorkhali rulers exploited non-Hindu indigenous peoples and Madhes territory and people living there in the same way the British and other colonialist European countries exploited peoples of many countries in Asia, Africa and South America during the colonial era.

Moreover, in Nepal, this process was interpreted as the history of formation of modern Nepal and our thoughts developed accordingly. As a result, an illusion was cast that Nepal was never colonized and common Nepalis could never see through their wisdom eyes the bitter truth of the formation of a colonialist state. The above context is clarified by the fact that Madhesi leaders have been raising the issue that the Hill Hindu imperialist state imposed a colonial rule and exploited Madhesi people. There is a common understanding among the activists of indigenous peoples’ movement that the Hindu state thrived and flourished through social, cultural, religious and economic exploitation of indigenous people. The political movement of indigenous peoples in this context was centered on the formation of a secular state with a relevant constitution. Indigenous peoples have been continuously asserting that the state should honestly
legal protection of Brahmins and ‘otherization’ of indigenous peoples

The process of legally legitimizing and institutionalizing the Nepali state started from Manabnyayashastra (which can be loosely be translated as human justice scripture) of Jayasthiti Malla during the 14th century. Manavnyayashastra prescribed lesser punishment for Brahmins compared to Chhetris, Vaishyas and Sudras for the same crime. Likewise, the laws made by King Ram Shah during the 17th century clearly stated that Brahmins and cows should be protected: “The king would be a sinner if the Brahmins and cows stayed hungry. So distribute enough land for the Brahmins and manage enough pastures for cows.” The first civil code (Muluki Ain) of Nepal, a compilation of orders and laws passed from time to time, introduced during the time of Jung Bahadur Rana under King Surendra Bikram Shah, has spent most of its sections proving Brahmins to be pure, high, noble, enlightened and the ruling caste. For the same crime, Dalits’ and alcohol drinkers’ heads would be chopped off, while the heads of Brahmins would only be shaved off. In this way, the first civil code was a special protector of Brahmins. The current constitution of Nepal has also made Brahmins a constitutionally protected caste. The constitution does not define any other groups such as women, Madhesis, Dalits, indigenous peoples, Muslims and other minorities as economically destitute, but it has given protection to Brahmins, saying destitute Brahmins will be included in different sectors. Brahmins, who were given the responsibility of making laws since the time of Jayasthiti Malla, have taken advantage of the opportunity to protect their status. Still Nepali politics does not seem to have questioned it or taken it otherwise.

From a caste perspective, the political-historical aspect of Nepali state authority seems thus: For the past six-seven hundred years,
Chhetris ruled this country. In other words, in the two streams of governance, Chhetris were entitled to power and Brahmins entitled to knowledge. Governance was created from the power of Chhetris and the discretion of Brahmins. Prithvi Narayan Shah desired, and his Brahmin astrologer pundits’ advice made him victorious. It is written in Dibyopadesh, that while Prithvi Narayan Shah was heading for his in-law’s house in Makawanpur, he was enchanted with the view of undulating rice plants in paddy fields and the three cities illuminated by magnificent palaces seen from Chandragiri hills. Seeing the enchantment in Prithvi Narayan’s eyes, Bhanu Nanda Jaishi and Kulananda Jaishi, who were accompanying him, pleaded, “Your majesty’s desire will be fulfilled.” “How?” Prithvi Narayan Shah asked. The Jaishis answered, “Your majesty respects Brahmins and protects cows. Goddess Saraswati resides in our mouth and your majesty has power in his hands. Your majesty will definitely become the king of three cities of Nepal” (Stiller 1968). The Chhetri king’s imagination or aspiration of attacking Nepal and the wise advice of Brahmins started thus. As prehistory, the king expressed his wish and the Rajgurus (Brahmins) gave him wisdom. Even more important is the fact that they were the Brahmins who concluded the consecration of Chhetri as the king. In this sense, Brahmins not only gave knowledge for the functioning of the kingdom, but also gave legitimacy to Chhetris as the king and the ruling authority. All these processes respectively sidelined indigenous peoples in different aspects of life.

Nepal’s constitution of 2072 and restoration of absolute Hindu identity
Indigenous peoples who had been fighting for a secular state got a constitution on Ashwin 3, 2072 v.s., clearly denoting three main symbols of Hindu identity: Sanatan Dharma (a name used by Hindus for Hinduism), Aryan lineage, and the national animal cow. In other words, the constitution of 2072 v.s. from anthropological
and primordial points of view, seems like a Hindu constitution. The cow was retained from the previous Hindu monarchical constitution. Hindu was replaced with Sanatan Dharma. The most ancient term ‘Arya’ was chosen. As a result, Arya became the constitutional caste. Although indigenous peoples had a notable representation in the Constituent Assembly, sporadic struggles of the caucus of such leaders who organized for ensuring the collective and absolute identities of indigenous peoples, even as the leaders of mainstream parties were drafting a constitution with absolute Hindu identity, failed to yield any result. Eventually, the Constitution of Nepal 2072 v.s., understood from the anthropological point of view, reflects complete Hindu absolute identity. The failure to carve the marks of their identities and their special history in the constitution despite notable representation of indigenous peoples in the Constituent Assembly is the result of the continuing influence of archaic unitary Hindu politics.

The objectives of mentioning the background of the beginning of the formation of Nepali state, its colonialist character and promulgation of a constitution with absolute Hindu identity even in the current republican set-up have been mentioned below.

(1) If someone believes that ‘Prithvi Narayan Shah unified Nepal, and that had it not been for him we would not have had the Nepal we today have’ is just an illusion. He formed a Hindu Nepali state and, in this process, dismantled the indigenous and Madhesi states or started this process.

(2) Prithvi Narayan’s wish to establish Nepal as a ‘real Hindustan’ as mentioned in ‘Dibyopadesh’ was retained in the 2072 v.s. constitution even after the abolishment of Hindu kingdom.

(3) The formation of Nepali state should be seen from the perspective of expansion of a colonialist state. Only if we are

\[\text{2 ‘State’ and ‘nation’ mean different things but in many contexts are also used interchangeably.}\]
able to make such an analysis can we understand and assimilate Nepal’s indigenous peoples’ politics, its utility, liberation struggle of indigenous peoples, and the politics of cultural equality in Nepal in their entirety.

The issue of political liberation of indigenous peoples

In Nepal’s economic-political sphere, the movement for ending Rana regime in 2007 v.s. is considered the first political revolution for liberation and fight for independence. However, a question is rarely asked: Did the indigenous peoples, who also participated in the movement, understood the question of liberation of Nepal and Nepalis as the castes in power did? Was the definition of liberation the same for the castes in power and indigenous peoples? Indigenous political analysts’ understanding of the 2007 v.s. revolution and the liberation and independence that it brought about is entirely different from the understanding by the ruling political parties. For example, Bijay Lungfungwa of Dharan writes,

During the beginning of the 2007 revolution, there was big confusion among the Limbu community as to whether or not to participate in the revolution. Limbus were anxious as to what they should do with regard to their issue of Kipat (a traditional form of land tenure). As the Ranas had violated Limbu Kipatiyas, it was natural for the angered Limbus to get involved in the revolution. Then struggling forces had also pledged to give Limbuwan province to give continuity to their land tenure rights. That is why Limbus got involved in the 2007 revolution. With the end of the Rana regime, Limbus, who had been given assurances of Limbuwan province, had liberated Limbuwan from the siege of Rana regime’s offices. The revolutionary Limbus then formed a 16-member Limbuwan Council of Ministers under
the prime ministership of Lalit Bahadur Tumbahamphe in Dhankuta. Prem Bahadur Mabohang was the home minister and Kaman Singh Limbu was the defense minister in the cabinet. However, the central government refused to give recognition to the cabinet and that government was dissolved under pressure and temptations.3

Similarly, Bishnu Chitrakar wrote in Esamata (www.esamata.com) on February 13, 2017:

The autocratic Rana regime was toppled after the revolution of 2007. In its place, Khas feudal monarchy and liberalist bureaucracy was established. After sometime, the Khas feudal monarchy by accumulating power and with the help of an illiberal Khas middle-class force took under control the liberal Khas middle-class. In this way in Nepal Samvat 1080 (2017 v.s.), Khas feudal monarchy and illiberal pandering bureaucratic power developed. This was also called autocratic Panchayati monarchy. This power first demarcated seventy-five districts and established an administrative system that destroyed the ancestral land and historical continuity of settlement of indigenous peoples and other communities and formed Khas-dominated administration to maintain Khas control over the administration. Khas language was made the national language under the slogan of “one caste, one country; one religion, one attire” with the aim of slowly erasing the identity of indigenous communities, allowing only Khas language in administration, judiciary, information and education sectors and to gradually destroy all languages.

3 Published in www.esasamanta.com, which is unavailable now.
The above examples show that indigenous communities and other caste groups had been involved in the 2007 v.s. revolution with different aims and objectives. ‘People’s hero of the 2007 revolution Ram Prasad Rai’, penned and published by Bhogiraj Chamling, also shows that indigenous peoples’ understanding and aspiration regarding liberation was different from those of the ruling caste. On top of that, it can be seen that the struggle waged by Limbus in the surroundings of Limbuwan, Rais in Khumbuwan and Tamangs in Dhading of Tamsaling against the moneylenders of the ruling caste was portrayed as robbery by the ruling elite. But the communist revolutions of similar nature were portrayed as peasant uprising.

The question of liberation cannot be understood unilaterally. Liberation has multiple dimensions. Society and individuals do not get liberation from all kinds of exploitation and inequality just by creating an economically equitable society. Apart from economic exploitation, social, cultural, linguistic discrimination and other forms of exploitation are also prevalent in today’s society. Indigenous peoples need to understand the collective definition of liberation to get liberation from such social, cultural and religious exploitation. Social cultural differences should be understood in synchronic rather than diachronic sense.

In traditional social sciences, there is a practice of understanding different cultures and societies in a diachronic sense. In other words, in Nepal there is a practice of understanding Brahmin and Chhetris as a forward-moving group, while indigenous peoples are considered to be groups following from behind, and Rautes are considered the most backward groups. Accordingly, the forward moving society is classified as more developed and civilized and those following from behind as undeveloped and uncivilized. Although this perspective accepts pluralism, it views different societies in terms of hierarchical divisions. Viewed from this angle, Brahmans can be considered to have climbed the highest step of the ladder and Limbus only half way up. This is a common understanding not only in Nepal
but across the world. But the movement and understanding of indigenous peoples says something else. The cultural perspective of indigenous peoples’ view and understand different societies on the basis of diachronic pluralism rather than synchronic pluralism (Turner 2004). This concept helps understand that although the societies are different, they represent the same time period and are different only in their geographical location. It does not classify them as civilized and uncivilized, forward-moving and backward. All castes, be it Brahmins, Limbus, Chhetris, Yadavs, Dalits, should be understood as the same in terms of time period.

Economic equality or equality of cultural identity?
What is the basis of political organization?
While attempting to understand the question of political liberation of indigenous peoples, it is important to take note of the fact that the ruling political parties seem to have made formation of an economically equitable society their major political base, while the aspiration and desire of the indigenous peoples’ movement is the equality of cultural identities and that there should be constitutional equality in the status of different cultural identities. In other words, ruling political parties envision socialism in which all individuals enjoy the same economic status, while the politics of the indigenous ethnic groups’ movement seeks to gain equal constitutional recognition of absolute identities of different cultures. For example, the documents of the Limbuwan Reform Association formed under the leadership of Iman Singh Chemjong in 2008 v.s. demand formation of Limbuwan province on the basis of political-historical autonomy of their territory and cultural distinction. Instead of addressing these demands, the Limbuwan Reform Association’s application for participation in the 2015 v.s. election was rejected on the pretext that the name of the party was “communal” (Chemjong 2004).
Thus, cultural and linguistic differences do not signify ‘forwardness’ or ‘backwardness’, but each of them are of equal status and that should be mentioned in the constitution. Here, whether the creation of an economically equitable society is possible could also be a subject of discussion. The decade-long Maoist war brought together the indigenous peoples, gave them leadership and made them organized and powerful politically, but the collective identities of indigenous peoples and their historical distinctions could not be established in the constitution made through the Constituent Assembly. In contrast, a political force based on Madhesi identity has taken a fresh leap. Madhesi political force seemed powerful in the local provincial and parliamentary elections. But the political status of indigenous peoples seems to be further degrading. Madhesi force based on identity has formed majority in its territory by raising the demand for amendment to the constitution, saying it is complete. This has further proven that not only the slogan of an equitable society in terms of development and economy, but also the slogan of cultural identity and an end to exploitation on that basis can be the basis for formation of political parties.

We have already started the discussion above on whether the basis for social equality is economic or cultural. The main slogan of the political parties formed after 1950 has been the aim to establish an economically equitable society. If that is so, will economic exploitation end once and for all? Or will an economically equitable society be formed eventually? However, from the current form of parties such as Federal Socialist Forum and Rastriya Janata Party established recently, it seems that their main agenda is to ensure constitutional guarantee of equal status and dignity for different cultural identities. This is also the political organizational basis of identity.
NGO-centric social movement or political parties-centric politics?

How would Nepal’s indigenous peoples’ identity-centric politics achieve its goal? Would it attain success though a social movement, or by forming political parties? Or would the ruling parties themselves solve the problems of indigenous peoples? Indigenous peoples’ movement seems to have been divided along these lines.

It has already been seen in different contexts that the problems of indigenous peoples would not get resolved just with political parties making them their political agenda. For example, when the Communist Party Nepal (United Marxist Leninist) gradually backed off from its pledge to accept the identities of ethnic groups, a large section of its leaders quit the party and ultimately in the autumn of 2013 Federal Socialist Forum–Nepal was formed. The tumultuous relationship between CPN–Maoist Center and Gopal Kiranti, under whose leadership Khumbuwan Mukti Morcha and later Kirant Mukti Morcha was formed, got involved in the Maoists’ people’s war in the Kirant territories and finally ended with the formation of Nepal Communist Party (NCP). Like in the past 25 years, although this problem is not clearly manifested in Nepali Congress, how it takes the question of identities of indigenous communities while it is outside power will also be a matter of speculation.

On the other hand, there are many who believe that the political ideal of indigenous peoples will be fulfilled through a social movement. Mainly, Nepal Federation of Indigenous Nationalities (NEFIN) itself and some other non-government organizations believe in the social movement, although it is true that collective identities of indigenous peoples could not be enshrined in the constitution through social movement.

It is being seen that the confidence is getting stronger that indigenous peoples, who have been doing politics of identity, can alone fulfill their political ideals by forming political parties under their own leadership. The belief the politics of identity can be moved
forward only through their own parties has grown stronger with the establishment of Federal Socialist Forum–Nepal, Rastriya Janata Party–Nepal and small parties representing Limbus, Khumbus and Tharus. In fact, the Madhesi Janadhikar Forum, which forwarded the issues of Madhesi people as a non-government organization and later transformed it into a political party before unifying with Federal Socialist Party–Nepal to form Federal Socialist Forum–Nepal, has taken a giant political leap. In my view, indigenous peoples would attain political success if they form a political party rather than fight for their rights through social movement. By forming a political party, it is possible for them to establish their collective identities swiftly and quickly.

**Indigenous polity and cooptation of ruling political parties**

The saddest part of the indigenous communities and the indigenous peoples’ movement is the cooptation of the movement by ruling political parties. The formation of an independent political organization of indigenous peoples was extremely delayed also because each of the erstwhile ruling parties—Nepali Congress, CPN-UML and CPN-Maoist Center—have ethnic-based sister organizations. It is because of this that the ruling parties, on the one hand, have been able to neutralize the indigenous peoples’ movement, while on the other hand they have themselves gotten entangled in the imperialist trap of such parties. As a result, many indigenous peoples have institutionally or at the level of political values, norms and ideology turned into expectation-oriented creatures who keep hoping and begging for their share. As long as this situation continues, it is unlikely for the indigenous peoples to get their rights, collective identities and historical distinction enshrined in the constitution.
The role of NEFIN
So far, a conceptual framework that could shift indigenous peoples’ question of national liberation has not been formed. NEFIN itself should have played a leadership role in that regard. However, NEFIN could not transform itself politically to be able to make a conceptual analysis of that level. NEFIN itself does not seem to have been able to make it clear whether it is a non-government organization or an organization fighting for the rights of indigenous peoples.

NEFIN, which began the politics of indigenous identity and nationalism by getting registered at the Social Welfare Council as a non-government organization during a difficult political environment, should have developed into an organization fighting for the rights of indigenous peoples by taking advantage of the favorable political environment after the establishment of republic. But it seems that NEFIN did not even think along that line. NEFIN should have understood that it would not be able to launch a political movement by getting registered at the Social Welfare Council and acquiring a PAN number like a private company paying tax to the government. Instead, NEFIN fell victim to the ire of political parties in the republican setup. NEFIN lost its political status after its leaders sought refuge in political parties and remained divided on programs along the lines of their respective political parties. In the last seven to eight years, NEFIN itself seems to have been trapped in its own internal conflict and internal rift. An internal rift has been created between those with a ‘large population’ and those with a ‘small population’. This is an extremely apolitical, self-centered aspect that is very harmful for the organization. On the one hand, it has fallen prey to the ire of ruling political parties, while on the other hand it is plagued by an internally destructive problem. NEFIN should liberate itself from these two problems.

NEFIN can decide whether it wants to remain as a non-government organization or a political organization centered on the rights of indigenous people, only if it becomes clear politically
and conceptually. What are politics, liberation, equality, autonomy and self-determination? What are indigenous groups and indigenousness? NEFIN should also be able to prove itself well versed in these concepts. When any organization is conceptually poor, it cannot draw a roadmap for any movement and pave a political path. Only when the mind is healthy and perky can the legs can move properly.

References
The Dialecticism of Single Identity

Rajendra Maharjan

“Without a sense of identity, there can be no real struggle.”
— Paulo Freire

Nepali politics entered a new phase after the promulgation of the new constitution by the second Constituent Assembly in 2072 v.s. After the politics of transforming violent conflict prevalent in Nepali society entered the Constituent Assembly, the concentration of leaders of Nepali politics focused on drafting the new constitution. After a ten-year long exercise, Nepali politics tuned sides. With this change, the ideology of Nepali state, parties operating it and their organic intellectuals also transformed. As the Nepali state turned into a socialist-oriented democratic republic, its politics also resonated with the slogan of development and prosperity to be achieved on the conceptual and economic basis of capitalism. As the situation now stands, the question of whose development and prosperity is being sought would spill the beans on the ideology of the state, political parties and intellectuals and expose the contradictions between their socialist slogan and their capitalist policy, programs and nature.

In the final decade of the 20th century, the concept of the end of history and the triumph of capitalism has swept the world. Be it socialism or capitalism, it is now well acknowledged that the end
of history is impossible, no matter which ‘ism’ becomes influential. In the second decade of the 21st century, the propaganda that identity-based politics has come to an end has drawn the political market, intelligentsia and media. Ironically, it is an open secret they themselves are involved in doing politics of one or the other identity. Amid the political environment resonating with the slogan of development and prosperity, the concept of the end of identity politics has gained ground (Ghale 2017).

There is consensus among political parties, intelligentsia and opinion makers, who called themselves leftists, democrats and nationalists in the backdrop, that the politics of development and prosperity is thriving and flourishing in the graves of identity-based politics. In their observation, nothing else is possible other than the increased influence and prosperity of one class, one caste, one gender, one region, one language and one culture. The politics of expanding the influence of a single identity on the pretext of the beautiful slogan of development of the people and country and prosperity is likely to be more influential and unassailable with the implementation of the constitution. In this article, an attempt will be made to assert and present the fact that the policies, rules and intents of the Nepali state revolve around single identity politics and to discuss and analyze the different dimensions of multiple identity politics.

Supposed and created identity
Any individual or community has identity and dignity. Through this identity, the individual or community states who they are. All individuals and communities do not have a single identity. However, there is a practice of introducing oneself on the basis of single identity (Sen 2006).

Talking about myself, I belong to a middle-class family in terms of class, Jyapu/Maharjan in terms of caste, Newar in terms of community, writer/editor in terms of profession, male in terms of
gender, hill-based in terms of residence, that too valley-based, and even more a resident of Kirtipur, and Nepali in terms of citizenship. All these identities have been associated with me, like anybody else.

Not only an individual’s dignity, even a community’s identity is not linear. There is conflict between one form and another. Those identities shrink and expand depending on time and context. In Kirtipur, I would have my identity as a resident of the locality in which I live, while in the context of other caste I would be known as a Jyapu. Seen from Kathmandu, I could be a Newar from Kirtipur, and seen in a broad context I would be known as a writer/editor living in Kathmandu. In the context that farming is no longer my occupation, conflict could be seen between my Jyapu identity and my profession as a writer/editor. In terms of language, although Newari language is my mother tongue, a contradiction could be seen in terms of my education in Nepali language and my profession as a Nepali language writer/editor. The dimension of unity between one another and the internal conflict between multiple identities cannot be ignored.

According to Pitambar Sharma, identity is not only related to caste, the social dimension of identity is vast. He says:

Your social status, your place in society, your viewpoint, the way you are treated and the doors of kind of opportunities open to you or likely to be opened for you are the different social aspects of identity. Identity also has an economic aspect. What kind of opportunities do you get, what kind of opportunities are you likely to get, and are there opportunities for skill development? Then there is a symbolic aspect too. The status your language enjoys. (Sharma 2074 v.s.).

However, even as an individual has multiple identities, there is a practice of giving one’s social introduction in terms of single identity. There is a practice of defining oneself in terms of one’s lineage, race,
caste, ethnicity, community, gender, region, language or religion. On
the one hand, while defining oneself in such a way gives a sense of
ownership and attachment to the common legacy of such identities,
on the other hand defining oneself in terms of single identity
builds a wall and draws a border (Pathak 2013: 96). This creates
‘mine’ versus ‘theirs’ border. When this border created by ‘mine’ is
expanded, it becomes ‘ours’ versus ‘theirs’. Thus, a border is created
between ‘our caste, language, religion’ versus ‘their caste, language,
religion’. Defining oneself and others thus results in ‘ours’ on the
one side and ‘theirs’ on the other. This is the politics of identity
and its dialectics. This is the main dimension of the ‘othersification’
or ‘estrangement’ by an individual, community or state. Another
dimension of ‘othersification’ is ‘ours-isation’. ‘Ours-isation’ is taken
by some positively, but its negative aspect is ‘othersification’. In my
view, in the politics of identity, ‘ours-isation’ and ‘othersification’ are
parts of the same coin, and both are negative dimensions of identity.

Many people think that a person is born with various identities.
No questions and doubts are raised about these identities one
inherits by birth. But in fact, identities are created socially through
cultural activities and socialization. Identities cannot be created by
birth, apart from being male or a female on the basis of biological
bodily organs. For example, one can take gender identity. This is still
taken to be inherent, or associated with apparent physical structure.
Physically an individual’s sexual organs make him/her a male or
female, but sexual organs do not make gender identity. The sexuality
of a person born as a male or a female is formed socially. Family
and society socialize biological things such as male and female and
educates them through schools, colleges, traditions and religious/
cultural norms and values. In this way, a biological human being
becomes sexual human being with a male or female identity. In this
way, human beings are associated with other identities, which are
conferred on them or they are alleged to possess (Pathak 2013: 97–
98). On the basis of that identity, a person is ready to do anything for self-identity.

Be it Arya or Hindu; Khas Arya Brahmin Chhetri or Vaishya, Sudra/Untouchable (Thapar 1995: 31–51); or Madhesi or indigenous groups, almost all identities are imagined or created along with time. Some of these identities have been created to impose influence and hegemony, while others have been created to resist influence and hegemony. It is an open secret that other identities are created to resist the arrogant single identity which only considers its own identity as high, civilized, cultured, uncontaminated, pure and national. It is common for those in the power and their intellectuals to distort the facts when they sense that the discourse in the course of creation of such identities and resistance is posing a threat to their interests and welfare. They do not hesitate to tamper with principles, definitions and interpretations that do not serve their interests.

It is said, “If strangers are to be controlled, then (re)define their stories, articles and others to suit your interests and give them identification to your advantage.” Efforts to define and give identification to others to keep them under control continue. The ruling authority’s cultural policy and intention are behind these self-centered efforts. For example, the elite male intellectuals of Khas Arya community define the word “ethnic” as:

(A) A backward class, which makes a living by cutting forests, digging and scratching soil such as Naga, Koche, Kusunda, and lags behind in education and civilization and is left untouched by circumstances in the vicinity; and

(B) A human community inhabiting a place. (Nepali Brihat Shabdakosh 2040 v.s.: 469).
In contrast, Arya has been defined as:

(A) Excellent, supreme; (B) Respectable; (C) Progressive, having best culture; (D) A man of excellent and prudent character; (E) A term used by small to address elders; (F) An ancient caste considered civilized (Nepali Brihat Shabdakosh 2040 v.s.: 118).

At a time when such practice has hegemony, it is not unnatural to question if Khas Arya would have been defined in a similarly humiliating manner if a dictionary were written by, or from the perspective of, non-Arya and indigenous groups. Likewise, it is a big question for linguists of the ruling elite how they would have been defined by, or from the perspective of, Dalit, Madhesi, women and gender minorities. The unilateral definition of Khas-Arya in the constitution exposes the policy and intention of neglecting such questions, and taking ahead and expanding the politics of definition as per their interests. It is necessary to address the lack of such discourse that dissects such policy and intention. And there is a need for linguists who write stories of their experiences themselves and define themselves and others in a democratic and humane manner.

There is a shrewd practice among those advocating for single identity to stake their claim whenever any identity got political, administrative, economic and cultural recognition. It is a special trait of those advocating for single identity to usurp the share of outcast and marginalized, saying they also belong to the same identity, and to dilute their right to compensation for historical persecution. With the growing movement of indigenous peoples, expansion of their ideological discourse, and their increased political influence, and with the indigenous peoples getting political, administrative, economic and cultural recognition, the same powerful class that defined indigenous groups as a backward class making a living by cutting forests or digging/scratching soil are now hellbent on proving
themselves as indigenous. There is a need for indigenous peoples to produce organic intellectuals and ideological interference, instead of venting frustration and hurling insults against any write-up, discussion or intellectual effort. Every individual as a conscious social animal should be able to live as an educated, healthy, competent and independent human being. However, from birth to death, social arrangement determines an indigene’s bringing-up, attire, food habits, education, livelihood, employment and even personality development. The indigenes are unable to liberate themselves from the social/cultural structure which considers and forces them to consider themselves as touchable/untouchable, Sudra/Brahmin, male/female, Hindu/non-Hindu, Pahadi/Madhesi and Nepali/non-Nepali. Their individual problems are also not merely individual but social due to socialization that views an individual in terms of his/her race, caste, gender, religion and region. If a problem which seems as individual has social roots, then its solution should also be sought socially rather than individually. However, although minor problems may be resolved individually, their deep-rooted solutions can be achieved only collectively. Questioning thoughts and conducts that restrict one from moving on the path towards broad social transformation and divide them in numerous small identities could be one point of solution.

Defining oneself and others, one’s community and others’ community in terms of single identity is detrimental to the formation of a humane society. We have the practice of also defining others in uniform, linear and absolute terms, which is definitely without conflict. The practice of defining and identifying others in a wholesale manner is filled with contradictions. If the internal conflict among different identities, change and development can be seen in their entirety, we can minimize the contradictions not only in our perception but also in our understanding and conduct.

Whether single or multiple, identity and its politics is also a playing ground for power/authority, a platform for playing
ideological game to continue one’s influence and hegemony. Many traditional regimes have been maintaining their hegemony with the help of structures that oppress, exploit, discriminate and boycott, and a mindset that promotes such excesses. It is a well-known fact that for these reasons the regime creates class, race and gender identities and imposes them on people. Race, class and sexuality are not birthmarks that come with the birth of a person, but are things that are created. They are the weapons the state uses to conceive and give birth to hegemony.

Hence, such identities which are given birth and nurtured for vested interests and protection of special welfare are not immortal, permanent or stable. In other words, although the identity imposed on a person is a reality, that reality is not immutable. Conscious, organized and perseverant efforts by oppressed people can change the identity imposed on them, the circumstances under which such identities were imposed and the mindset such circumstances create (Mani 2014: 41).

Class and other identities: Deceptive ideologies
The history of the past 3,000 years shows that society and thought cannot be changed on the basis of single identity, and that this would also be improper. Such single identity can be of class, caste or any other thing. The problem of keeping class identity outside and keeping only other aspects of identity within the line is widespread. This only adds more credence to the thought that identity is either an archaic racist concept or an extra-fashionable thought. While identifying an individual living in a society, the individual can be poor in terms of class, untouchable in terms of caste, woman in terms of gender, Madhesi in terms of region, artisan in terms of profession, Maithil or others in terms of language, all at once and at the same time. Hence, although even a single individual may have multiple identities, the claim that all social problems can be solved
only on the basis of class has lost steam in Nepal over the last seven decades (Maharjan 2073 v.s.: 7).

For hundreds of years, those advocating for single identity have been creating various codes, acts, laws, legislations and scriptures claiming themselves to be supreme, high and pure in terms of class, caste, sexuality and all other human identities. No one is oblivious of this fact, as they all have fallen victims. In a situation when the demand for justice, equality and self-respect is not so widespread, the very same people creating such scriptures and benefitting from them for hundreds of years are now at the forefront of labeling as casteists and regionalists the people who are raising the issues of discrimination, persecution and exploitation in the name of class, caste, language, religion, community, region, and gender. Whenever various identity struggles for justice and equality brought about economic, political and cultural changes, humanity, independence, equality, fraternity along with the system and ideology of capitalism and socialism, liberalist and democratic thoughts have emerged and then they suddenly become humanists and modernists (Nigam 2004). To talk about identity other than humanist identity, to voice against social structure with hierarchy, and to deliberate on caste, regional and gender discrimination and oppression are considered as archaic, regressive, criminal, antinational, and secessionist misdemeanor.

Everyone has seen clearly that following various identity struggles for equality and justice by indigenous and marginalized, whenever issues of identity other than that of class emerge, the detractors of class struggle and even those negating the existence of class come out in counterattack and stand as staunch supporters of class identity. Their outer transformation and their conversion into humanists and modernists, even if they are pretentious, are not condemnable. However, it is important to constantly doubt and question whether their ideological transformation and changed conduct are not deceptive and whether they are not hatching
conspiracy to cover up and suppress genuine struggles for ending hierarchical structures, and problems of caste, regional and gender discrimination, inequality and oppression. Have they joined the struggle for structural and cultural transformation as a serpent or as a donkey who would struggle to achieve that till the end, or have they joined the struggle for structural and cultural transformation only to seize its leadership?

The concept that problems related to identity can only be solved after class revolution or political reform/change is faulty. Then, the belief that people of all identities would not have to suffer discrimination, injustice and persecution once the country became developed and prosperous and its people become rich and reached higher posts is equally faulty. Resolution of problems on the basis of class would not even resolve the problem of class, because class in itself is a form of identity. And class identity is such an identity, especially in the context of Nepal and India, which is intertwined with other identities based on caste, gender, language, religion, culture and region. Because here a vicious cycle continues in which people are poor because they are untouchables, indigenous groups, Madhesis and women, they become victims of persecution and insult and are denied power, authority and property because they are poor and alienated.

On the other hand, Brahmin, Hindu, Pahadi (of hill origin), male and Nepali-speaking people have reserved rights to power, authority and property, with the exception of Khas Chhetri and a few Brahmins of Karnali. Even in Karnali, their influence and arrogance in relation to Dalits, women and ethnic groups is no less than a ruler. This means that in the context of Nepal, class and other identities are interrelated and interdependent. They are influenced and determined by one another, and rejection and reservation woven with them are indivisible. Thus, it is necessary to address the dialectics of caste and other identities by keeping the issue of their collective rejection or collection reservation at the center.
For liberation from a dreadful situation in which an individual has to suffer exploitation, persecution and poverty just for having ‘other’ identities, it is necessary to address all aspects related to identity. We cannot even begin addressing the issue by negating problems of identity; hierarchical structure; caste, regional and gender discrimination; inequality and persecution; deliberation on the problems; and the struggle, whether political or ideological, for finding solutions. On the one hand, class identity and deliberation on other issues of identity has stirred the minds of many thinkers, and it has also caused headache to the thinkers, ideologists and opinion makers who are advocating for single identity. On the other hand, extensive efforts are being made to co-opt or dilute such deliberations and spread all kinds of logical and illogical arguments. And there are examples of modernism and Marxism used as an effective tool against them in Nepal and the entire world (Nigam 2004).

Modernism is an ‘ism’ which developed with the spread of capitalism along with Renaissance. This ‘ism’ keeps an individual’s ‘self’ at the center and treats autonomous existence of an individual as an indisputable fact through which the individual’s identity flows. This concept challenges the authority of birth, lineage, ancestry and caste. It is on the basis of this concept that those advocating for single identity are neglecting and negating the demands for multiple identity.

Likewise, another revolutionary ideology based on economic-ideological grounds of capitalism that spread with the development of modernism in the later stages is Marxism. The mainstream of Marxism does not recognize the autonomy of an individual’s identity, but keeps it under the control of social process. It considers all other identities other than class and identity as ‘deceptive consciousness’. Its various streams, however, accept the existence of class identity, along with other identities, by either relating them with class or in other forms. Amid this dilemma, there is an
ideological conflict between those who accept and those who do not accept other identities. Over the last seventy years, there is a history of dispute among leftists over whether the struggle for identity is their own struggle (Wallerstein 2013). The aristocratic leadership in leftist and communist parties was not ready to accept struggle for identity as their own. However, there is a strong tendency among the communist parties of Nepal and India to consider the issues of caste, gender, religion, language, and region in front of the male aristocratic leadership as a question of class and a second-grade question. In South Asia, including Nepal, the attitude of opposing struggle for identity is strong. This is why ‘Brahmanism’ has a strong presence in parties, leadership and struggles. It should be noted that ‘Brahman’ is an identity created on the basis of one caste system and ‘Brahmanism’ identity-based principle conceptualized on the basis of norms and values of that caste.

Brahmanist Marxists like those favoring single identity have picked certain words from the political, economic and cultural context of European nation states and attempted to eclipse the struggle for identity using Marxist jargons. They have also borrowed the arguments of modernism to lambaste identity. Recently, there has been a strong tendency among those calling themselves democratic and leftists, who are influenced by the nationalist ideology of forming a state on the basis of one caste, one language, one region, one religion and one culture, to label the identity struggle of indigenous groups, Dalits, Madhesis, women and Tharus as against national unity, territorial integrity and social harmony.

Even if a principle, thought and politics more improved than Marxism emerged by chance, there would still remain the danger of misusing it to stand against multiple identities in order to give continuity to their regime, influence and domination.

The politics of identity is lost in dialectics of gaining something and losing something when one gets associated with a particular identity. Whether in the context of an individual or community, or in
the context of the country, this dialectic has not only infested history but also prevented the present from moving towards the right conclusion. The policy, rule and intention of defining and operating a country, like an individual, on the basis of single identity have been counterproductive. Only if we are able to shift the dialectics of identity in Nepali society and state will we be able to resolve the current struggles related to identity and make the journey towards future convenient.

The legislation and history of single identity

The constitution of Nepal 2072 v.s. has recognized various identities and the politics of identity. Hence, representation of communities with caste and regional identities in various state mechanisms has been ensured through proportional representation system. Although some caste clusters are recognized, it has given supreme priority to a single identity. The definition of Khas Arya community has been given in the constitution itself, while some ground has been given to some community clusters such as Dalits, indigenous groups, and Madhesis in the name of inclusion. And in the name of proportional inclusion, Khas Arya community, which always enjoyed hegemony in the state and administration, has been ensured additional reservation. Khas Arya community’s domination even in reservation clearly reflects the strategy within the politics of single identity, and policies, rules and intentions associated with it.

Formation of the Constituent Assembly and promulgation of the new constitution took place in the backdrop of mass movement and the Maoist war. And in the background of mass movement and Maoist war were the ostracization, marginalization, history of persecution and struggles. As the state, which was non-inclusive and based on single identity, was the contributor to this state of affairs, inclusion and state restructuring on the basis of identity and federalism were the demands made during the struggles. It was to address these demands that constitution writing, state restructuring and the
exercise of federalism began. But the constitution has neglected the ownership and affection of other castes and communities by defining only the community of a single caste.

In this way, the constitution has again sanctioned single caste-based identity and contributed to additional ostracization and marginalization of other castes and communities. Instead of restructuring the state in a way to make various castes and regions take ownership of the constitution, administrative decentralization is being made on the basis of the norms and values of the erstwhile five development regions. Such restructuring and federal setup neither has the fragrance of Nepali civilization nor makes the communities carrying that civilization empowered and influential.

It is a historical fact that it is not the first time that caste identity has been created and established by the Nepali state and its constitution. There has been a long practice of creation, establishment and practice of single identity through reforms, acts, legislations and constitutions influenced by Manusmriti, which is obsessed with the Brahmanist identity, and other Hindu scriptures. Be it the reforms carried out by Jayasthiti Malla (1382–95) or his enactment of ‘Nyayavikasini’ (human justice scripture), or Ram Shah’s (1606–36) ‘Thiti’, or Prithvi Narayan Shah’s (1723–75) ‘Divya Upadesh’, or Janga Bahadur Rana’s (1817–77) ‘Muluki Ain’ or King Mahendra’s (1920–72) Panchayati constitution, almost all acts, laws and constitutions established a single identity. It is obvious that the hegemony and influence of single caste/religion has been given continuity through ‘religion, justice, norms and values’ implemented by keepers of the religion and thinkers, the Brahman religion, scriptures and memoirs made to support that religion and the state which operated on the basis of those scriptures.

Jayasthiti Malla had not introduced castes and untouchability but only regulated the caste system and caste hierarchy that had been in practice long before his reign. History shows that single identity such as Brahman religion, caste system and Arya culture
was imposed some 700 years ago on the basis of Manusmriti and other religious scriptures. In the kingdom of Jayasthiti Malla, along with the distinction of four varnas and thirty-six castes, different ritualism was fixed and the identities of varna, caste, religion, culture and tradition were determined (Regmi 2036 v.s.).

In Dr. Harka Gurung’s language, with the increase of Brahmin fundamentalist supremacy along with the slogan of ‘Asali Hindustan’ as the main mantra of the state, Hinduization was expanded to other communities. Four varnas and sixty-four castes introduced by Malla, four castes and thirty-six varnas introduced by Shah, and three main classes in order of precedence established by Rana are the best examples of single identity created by the state. Somewhat different from the Vedic caste system, the Muluki Ain of Rana divided society into three main classes, with the wearers of the holy thread on top of the caste hierarchy, alcohol drinkers (matawali) in the middle and untouchables at the bottom. These were further given an order of precedence and the identities thus created an existence in society in one form or the other. The five classes so created are: (1) wearers of the holy thread; (2) non-enslaveable alcohol drinkers; (3) enslaveable alcohol drinkers; (4) water-unacceptable but touchables; and (5) water-unacceptable and untouchables (Hofer 2004; Gurung 2003). The state policy of considering someone pure and someone impure on the basis of caste and awarding different punishments to people of different castes for the same crime has been used to reign over the minds of people, with their own consent.

To put it in a nutshell, the influence of the single identity law imposed on Nepali society, which had multiple identities, in the name of Jayasthiti Malla’s reform still remains. Be it Ram Shah’s ‘Thiti’ or Prithvi Narayan’s ‘Asali Hindustan’, the shadow of Jayasthiti Malla’s ‘reform’ can be seen in the acts, laws and constitution enacted later. As a campaign was launched in South Asia, also called Bharatvarsha, to form states on the basis of Arya culture and Brahman religion, which was also called Hindu religion, Prithvi Narayan Shah had also
Rajendra Maharjan

dreamt of creating ‘Asali Hindustan’. That same dream was given legal and constitutional basis by Jung Bahadur Rana by enacting Muluki Ain in 1910 after Rana Bahadur Shah and Rajendra Shah. The Panchayati constitution, which is the best example of a document promoting single identity, promulgated by king Mahendra Shah in 2019, was the transformed form of those laws and constitutional framework. That constitution gave the country the identity of a Hindu kingdom, while Khas Nepali language was established as the national language, Hindu religion and culture as the religion and culture of various religious and cultural groups, Pahadi (hill-based) nationality as the nationality, Pahadi-based symbols as symbols of country’s nationalism, and monarchy as the symbol of national unification and unity.

Hence, in the past, attempts have been made to give a single identity to the entire country, in which people and communities and states from all angles lived amid plurality and multiple identities. And there is a social history of accepting and implementing them in life. Seen from the eyes of those that suffered due to imposition of single identity, the history of it all seems as long and agonizing. The caste, religious and regional diversity, and cultural multi-identities, ideological plurality of Nepali society are not hidden from anyone. It is also not hidden from anyone that those who took this country under control imposed single identity. The caste system implemented in South Asia for the last three thousand years is in itself a system of political-cultural influence in which various aspects of one’s and others’ castes have been identified.

Resistance against single identity

It is natural for any action to have a reaction. Along with the expansion of single identity domination, resistance also occurred, whether in religion, caste or culture. More than 25 years ago, Buddha had launched a social revolution in Nepal and India against social division, the havoc created by Brahmanism and the hardships
created by the caste system. His humanist campaign launched for the majority of people eventually lost steam in the face of attacks by Brahmanist scriptures and weapons, but it still has not stopped spreading its light. In Nepal, Buddha's teachings exist in the form of various religions and thoughts along with the castes and the practice of untouchability based on Brahmanist opinion. The critical tradition of Josmani saints against Brahmanist hypocrisy in continuation of Buddha's revolt is exemplary. Then there is a history of revolt led by Yogmaya Neupane (Aziz 2001). Likewise, various caste and regional revolts and their suppression also expose the resistance against hegemony of single identity in the past.

This means the resistance against activities aimed at defining individual, community and state in terms of single identity continues. We have also seen and experienced the history in which old and new operators of the state in one way or the other accepted multiple identities when the resistance became organized and vocal. It was not in the very distant past that the organized resistance became pervasive, when the constitution of 2047 v.s. accepted multiple identities on issues of language, religion and culture in a bit roundabout way. It was because of the social-community struggle of the people from different classes, castes, religion, gender and region, along with the Maoist war and the mass movement, that the inclusive democratic interim constitution was formulated in 2063 v.s. that constitution showed the courage to abandon single identity and adopt multiple identities. As the force of the movement subsided, through the second Constituent Assembly, political parties, which are all dominated by Hindu hill-based aristocratic males, promulgated a constitution recognizing single identity and limited ‘single identitist’ non-inclusive state restructuring to decentralized administrative federalism.

In this situation, there seems to be a need for introspection among the advocates of inclusive democratic humanist struggle, associated institutions, community and its intelligentsia. It is not
strange for the external influence of ostracized, marginalized and oppressed multi-identities to become weak when the trumpet of development and prosperity is being blared claiming that the politics of identity has perished. It would be appropriate to rightly analyze the conflict which resulted out of single identity imposed during the crisis and contemplate about the inclusive state, democratic society, and human and social personality to be formed by multi-identities and draw a new roadmap.

**Politics of identity in question**

Generally, ruling minority or majority identitists label or define the struggle for the rights of other minority or majority identities as identity politics. In reality, the political activities carried out by ruling or non-ruling people of either minority or majority identities all fall under the boundaries of identity politics. Almost all ruling minority and majority identitists call such activities casteist, communal and anti-national, while they themselves carry out such cultural activities to cover up casteist, communal and anti-national policy and intention and to create a mindset in their favor, to forge consensus and to expand their influence. Sadly, all multiple identitists and advocates of minorities consider only themselves as identitists, sometimes place their demands like single identitists and sometimes even seek to support the narratives of the ruling single identitists.

There is a necessity to refute such narrative and create, expand and nationalize a new narrative of multiple identities and forge a broad consensus among the majority. We all have seen and experienced how dangerous formation of a nation state on the basis of single caste, linguistic, religious and regional identity in a country filled with diversities in imitation of the European pattern can be. Formation of such states has destroyed many, and it is difficult for us to imagine what kind of widespread violent or nonviolent conflict it would further invite. If an environment is not created for caste, gender, religion and gender struggles to continue simultaneously
with class struggles seen in history, there is no alternative to making individual, society and state inclusive, humanist, democratic and humanitarian.

Alienation is the most dangerous aspect of single identity, which considers all others as of lower caste, uncivilized, impure, foreign and alien. This ‘othersification’ to some extent aids ‘oursification’, but it erects such a Chinese wall that keeps many of the people outside. The agenda of such struggle against structures that alienate peoples, rules and attitudes can also not be single identity, but multiple identities. The aim of the struggle against single identity cannot be establishment and expansion of single identity. In terms of philosophy, principles, politics and demeanor, it is necessary for an inclusive state, democratic society, and human and social personality to be created on the basis of multiple identities.

This means success of struggle against single identity is not certain through the initiative and activeness on the basis of single identity. Fortification and extensive dialogue on the basis of multiple identities are necessary. In this way, along with the resistance against single identity, the extensive process of unity, cooperation and inclusion begins. However, this is not to say that not every identitist has not engaged in the archaic and self-destructive practice of carrying the weapons of their own single identity to attack the identities of others. It is not that even multi-identitists are free of the hallucination of single identity, whether it be on the issue of raising their demands or not being influenced by the single identity, or cooperation and formation of joint front or the question of taking the struggle to a logical conclusion.

There are very few examples of when the struggles for different identities such as Dalit, women, indigenous groups, Madhesis have been able to include others’ questions as well. That Dalit associations have prioritized hill-based Dalits and neglected the issues of Madhesi Dalit and women Dalit cannot be considered untrue. Likewise, that indigenous, women and Madhesi associations have not raised one
another's issues and neglected issues of their own women cannot be overlooked. On the question of demarcating and naming provinces and distributing powers, the demand for single identity had been raised strongly, and eventually there was a policy and intention of adopting multiple identities and addressing the demands for multi-identities in a practical way. By giving various examples of naming the provinces on the basis of single identity amid various civilizations, the failure to assure that provinces named on the basis of single identity amid various civilizations would judicially translate the rights of all minority languages, caste, culture, religion and gender inside the province, and the failure to forge consensus on this issue, have led to formation of provinces that are unnamed and provinces that have geographical names. This has not only established the domination of single identity at the center but also the provinces. This means it is necessary for those who want to see inclusiveness and multi-identities in the face of the country should at least include the issues and demands for identities of others. It is equally important to give a sense that they have been included, so that there does not seem to be any contradiction between thought and conduct of identitists.

Forming an association on the basis of identity is not strange, but it is rare for the association’s demands to be addressed on the basis of single identity. Neither is there a strong possibility of those demands being addressed on the strength of a handful of such associations. In reality, the issue of identity is neither formed nor is in existence alone. Their solutions too cannot be varied. Hence, the weakness in the strategy of uniting one’s demands with others, holding dialogue, extending cooperation, forming a joint front and taking the struggle to a successful end can be self-destructive.

The division between non-ruling advocates of multiple identities can be inauspicious, especially when the politics of identity is considered to promote disintegration. Hence, their politics and strategy should be to at least hold internal dialogue among oppressed
identities, cooperate, and keep the joint front at the center. Moreover, they should also be able to go along with their campaign to the lower strata of communities having dominant identity, seek their consent on demands and, if that is not possible, not to antagonize them. In this context, the body language, sense, and signs directed at other identities also have special significance and that should not be neglected or undermined on any pretext.

Unity on the basis of single identity?
Whether they call themselves leftists or Marxists, the perspective, definition and mindset of active dominant political parties and their intellectuals on nationality, unity, integrity and harmony remain single identitist. In their manual, efforts to promote Khas Nepali language, Hindu religion, regional Pahadi (hill-based) domination, aspects related to Khas Arya community following Pahadi Hindu religion in national symbols and signs have continued in one or the other pretext. The question as to how a single identity can reflect and represent the entire country filled with diversity seems to have been neglected.

The single identity of Hindu kingdom has been dignifying and representing the Khas Arya community, but will it dignify and represent the so-called Sudra/untouchable/Katinya and enslaveable castes, or will it institutionalize and give continuation to discrimination, insult and oppression continuing since history? How can this ‘kingdom’ belong to the Dalits if the hierarchical structure and culture in the garden of this Hindu ‘kingdom’ continues to oppress, enslave and consider as untouchables?

Likewise, if Nepal is to be taken ahead with the identity of a Hindu kingdom, then what will be the situation of representation and dignity of non-Hindus? How will those who take pride in calling it the country of Buddha’s birth be able to embrace Buddhists, Muslims, Christians, atheists and communities following non-Hindu religious/non-religious traditions to also make it their
nation? How will the nation where a Dalit, who is considered a Hindu, and non-Hindu indigenous/ethnic groups do not fit in become a garden of different ethnicities and castes? These questions expose the single identity conceptualized by the country/kingdom which has been harming the unity among multiple identities and giving birth to discrimination, fragmentation and revolt. With casteists, Brahmanists, male chauvinists, Hinduists and regionalists in existence in a single identity state, others can also demonstrate ownership, attachment and love for that nation. It is necessary to find the right answer and solution to it, at the level of ideology, at the level of constitution and in the waves of institutional and mental transformation.

The doctrine that comes along with the slogan of ‘unity in diversity’ considers single identity as the basis of unity, and that diversity and plurality create contradictions, fragmentations and conflicts in society. It gives especial emphasis on unity and looks at diversity with hostility (Mani 2014). Hence, this doctrine, in a roundabout way, again gives supremacy to and establishes the domination of the narrative of nation, nationality, national unity, and national unification based on single identity. Such narrative does not have any answer or solution as to how nation, nationality, national unity that can accommodate multiple identities can be created, and the place of multiple identities, their dignity, rights, status, influence and representation. A responsibility has fallen on our shoulders to question Prithvi Narayan Shah’s manual of single identity within the narrative of ‘unity in diversity’ in the same way the advocates of multiple identities are treated as if they posed a question on his metaphorical concept of ‘collective garden’. Likewise, the responsibility of conceptualizing a multi-identity nation with unity and harmony has also yet to be fulfilled. If we study, investigate and analyze the understandings and dilemma of South Asian and European countries on caste/nation, it would also help create nationality filled with diversity.
We find that strategic contemplation, discussion and movements have taken place demanding for state restructuring for increased ownership and affection of the ostracized and marginalized in the last one and a half decades. However, in a situation when state restructuring is being halted or moved along the wrong track, there is a necessity for study, investigation, contemplation and discussion on the fundamental conceptual, philosophical and political aspect of state restructuring from the angle of multiple identities. That means, if we are able to study, investigate, contemplate and discuss the state’s identity, unilateral understanding of such identity and the casteist mindset, then it would be easier for us to restructure the state and mindset.

References


Ethnic Parties in Nepal: Formation, Rise and Electoral Performance

Jhakendra Gharti Magar

Introduction
This article explores the formation, rise, and electoral performance of ethnic parties (EPs) in Nepal. The study shows that ethnic parties in Nepal have been growing in number with democratic practices after 1990 generally and after the political transformation of 2006 particularly. The article deals with three questions: What is an ethnic party in the Nepali context? How have ethnic parties formed and re-formed in Nepal? What has been the status of ethnic parties’ electoral performance in national elections after the 1990s? For this, the article covers three historical periods of state building of Nepal: the pre-1990 period of party-less Panchayat system, the 1990–2006 period of multiparty democracy including the royal coup (2002–2006), and post-2006 federal republic Nepal.

The article shows that the number of ethnic parties has grown in the later period, but their electoral performance has not been satisfactory. On the one hand, the electoral results in six national elections after 1990 show that ethnic parties’ performance seems relatively better after the 2006 political transition compared to before, and on the other hand, key issues like proportional representation, federalism, and secularism raised by ethnic parties are accepted in mainstream politics today but the ethnic parties are still at the
margin. The article concludes that social-structural changes of democratic transition facilitate to form and re-form ethnic parties in the multicultural society of Nepal, but the presence of ethnic parties as national dominant political force is still questionable. The analysis is mainly based on a long observation of ethnic politics after 1990, review of relevant documents related to ethnic parties such as manifestos and party’s constitutions, as well as the election results of post-1990s national elections.

This article begins with the discussion of the concept and definition of ethnicity and ethnic parties for contextualizing in Nepal. It is followed by a detailed account of the formation and rise of the ethnic parties in three historical periods. This description is important here to inform us by whom and how ethnic parties were formed and reformed historically in Nepal. Then, the article analyzes the comparative electoral performances of ethnic parties in the national elections after 1990. It sensitizes us about the growing number and votes of ethnic parties in later elections, particularly after 2006, and poor presentation of ethnic parties in comparison with other national parties. Finally, the article concludes that there are still lots of challenges for ethnic parties in Nepal to become a dominant national political force.

Ethnicity and Ethnic Parties: Concepts and Definitions

Like the term ‘ethnicity’, there is no universally accepted definition of an ethnic party. Before defining ethnic parties, first we need to understand about ‘ethnicity’. The term ‘ethnicity’ was coined to make sense of specific forms of social-cultural differences and acquired different sets of meanings at different times, contexts and spaces. In the Anglo-American tradition, ‘ethnicity’ is mostly used for minority groups within a larger society of the nation-state, while in the European tradition ‘ethnicity’ is used as a synonym for nationhood defined historically by descent or territory. In North
American discourse, the new definition of ethnicity as an immigrant minority added in old definitions of ethnicity by descent or territory. After the breakup of the Soviet-style federations, the term ‘ethnic’ degenerated into a synonym for tribal, primitive, barbaric and backward groups. Likewise, another important trend of migration made defining ethnicity more complex. The ever-increasing influx of asylum seekers, refugees and economic migrants to Western Europe, North America and Australia, who do not necessarily express visible or significant physical, cultural or religious differences to their hosts, together with their uncertain legal status (i.e., waiting for a decision on asylum), relegated the term ‘ethnic’ to a quasi-legislative domain (Malesevic 2004: 2). These trends show that the term ‘ethnicity’ contains a multiplicity of meanings.

In Nepali context also, defining ‘ethnicity’ is complicated, like in Europe and American tradition. The ethnic groups are used as a synonym for indigenous peoples in Nepal. The term ‘indigenous’ or ‘aboriginal’ is related to time or duration, which means earlier inhabitants, while the term ‘ethnic group’ denotes groups outside the social structure of the caste system. Therefore, the ethnic group refers to people with a distinct homeland, language, religious tradition, and cultural practices, whereas caste groups denote people with Indo-Aryan language and Hindu religion who are classified into a vertical social hierarchy (Gurung et. al 2004: 1). Most ethnic groups are Mongoloids, while the caste people are Caucasoid of Khasa stock. These two groups are mostly termed jatjati, a joint form of jat and jati. Both have different meanings, the former as ‘caste’ groups and the latter as ‘ethnic’ group. Jat (caste) groups are vertically stratified according to ritual status, while jati (ethnic) groups are differentiated by culture and space (Gurung 2006; Tamang 2004).

The Nepali version of ethnic groups is Adivasi/Janajati or indigenous/nationalities. These groups received official recognition through National Foundation for Upliftment of Indigenous Nationalities (NFDIN) Act 2002. According to Article 2(a) of the
Act, Adivasi/Janajati means a tribe or community as mentioned in the schedule having its own mother language and traditional rites and customs, distinct cultural identity, distinct social structure and written or unwritten history. The Act listed 59 ethnic groups as Adivasi/Janajati. This definitional criterion helps to identify and define ethnic parties in Nepal, although it is unable to capture all perspectives on ethnicity.\(^1\)

Based on the concepts and definitions of ethnicity discussed above, an ethnic party can be defined as one whose policies and programs are concerned with the interests of an ethnic group or a set of ethnic groups. Such parties come into existence because across the globe indigenous peoples generally find themselves in political systems that are not their own but rather are created and defined by non-indigenous political leaders (Wessendorf 2001). There are different terms to denote ethnic parties: ethnic party, ethnopolitical party, ethnically based party, indigenous rights party and the ethno-populist party.

Kanchan Chandra (2004, 2011) categorizes three types of parties on the basis of ethnicity: ethnic parties, multi-ethnic parties, and non-ethnic parties. She defines ‘an ethnic party’ as a party that is the champion of the particular interests of one ethnic category or set of categories. In the same way, a ‘multi-ethnic’ party by this definition

\(^1\) There are ongoing debates on ethnicity in Nepal, especially on who ethnic people are and who are not. Lately, caste groups are also claiming themselves as ethnic groups. For example, due to the pressure from Chhetris, Nepal government formed a taskforce to recommend listing of Chhetri as indigenous in August 2011. The task force submitted the report in February 2012. However, Nepal’s constitution 2015 recognized those groups as Khas Arya, which includes Chhetri, Brahman, Thakuri, and Sanyasi (Dashnami) community. Similarly, due to disputes among 59 listed ethnic groups, the government formed a task force in March 2009 to revise the list of Adivasi/Janajati. The task force submitted its report in February 2010, which recommended that a total of 81 ethnic groups be recognized as such. The government has not implemented both reports yet.
is one that champions the interests of all significant ethnic categories in a society without excluding any, and a ‘non-ethnic’ party is simply a residual category of party that does not champion the interests of any ethnic category’ (Chandra 2011: 154–155). She further argues that if we take the position that an ethnic party speaks for one and a multi-ethnic party speaks for several ethnic categories, then all ethnic parties would simultaneously be multi-ethnic parties, and all multi-ethnic parties would simultaneously be ethnic parties.

According to Ishiyama and Breuning (1998), ‘an ethnopolitical party is defined as an organization that purports to represent a particular ethnic group and seeks political power to impinge on the relative power or position of ethnic groups.’ Similarly, Van Cott (2005) defines an ‘ethnic’ party as an organization authorized to compete in elections the majority of whose leaders and members identify themselves as belonging to a non-dominant ethnic group, and whose electoral platform includes among its central demands programs of an ethnic or cultural nature’ (Van Cott 2005: 3).

It is difficult to define ethnic political parties because it is not always clear what an ethnic group is and how to tell whether a party is representing the interests of its respective ethnic group. However, from the above discussion, ethnic parties carry some key features: (a) ethnic name of the party, (b) their policies and programs concerned with the interests of an ethnic group or set of ethnic groups, (c) majority of the party leaders and members belonging to non-dominant ethnic group, (d) seeking political power or position for ethnic liberation, (e) ethnic groups voting for them in elections, and (f) use of ethnic symbols, cultures, and aspirations for party mobilization.

Ethnic parties in Nepal carry most of the above-mentioned features. For instance, in the EPs like Rastriya Janamukti Party, Nepal Rastriya Jana Party and Nepal Samata Party that formed before 2006 and contested in the national elections during this period, the names of the parties were not in ethnic labels due to
the constitutional restriction. In addition, EPs like Limbuwan Mukti Morcha, Khambuwan Rastriya Mukti Morcha and Mongol National Organization were formed before 2006 with ethnic names and they did not participate in the elections. However, after 2006, when the Interim Constitution 2007 opened the door to ethnic party registration, most of the EPs were formed with ethnic names like Tharuhat Tarai Party, Nepa Rastriya Party, Sanghiya Limbuwan Party, Tamsaling Loktantrik Party, Adivasi Janajati Party etc. Similarly, other EPs like Sanghiya Samajbadi Party, Samajik Loktantrik Party, Dalit Janajati Party, Sanghiya Loktantrik Rastriya Manch were formed with semi-ethnic or non-ethnic names, but majority of their party leaders and members belonged to indigenous groups of Nepal. Besides this, the common feature of all EPs was to seek political power for ethnic liberation, particularly language right, proportional representation, inclusive democracy and self-rule for indigenous peoples. All EPs are mostly dependent on ethnic groups voting, and they use symbols and aspiration for party mobilization in elections.

Therefore, in Nepali context, ‘ethnic party’ includes mostly all the indigenous (Adivasi/Janajati) peoples-based parties who claim that they are formed for the liberation of an ethnic group or a set of ethnic groups of Nepal by their ethnic name, symbols and objectives. However, leaders of EPs claim that the EPs are also national party like other non-ethnic parties because the issues raised by EPs are also national issues. The issues like secularism, inclusive democracy, federalism and proportional representation were raised by EPs after the 1990s and become national issues today. So, leaders of EPs like to call their parties as ethnicity-based national parties.² Notably, all EPs have emphasized more on ethnic issues than other issues in their political manifestoes, and they equally mention that the ethno-cultural problem is the key problem of Nepali society.

in their election manifestoes. In this regard, some scholars have included regional parties, particularly Madhesh-based parties, as ethnic parties because ethnicity and region often overlap and have a similar history of oppression by the state. Lawoti (2005) considers Madheshi parties also as ethnic parties, and Khanal (2013) considers Madheshi parties and ethnic parties as ethnic-regional parties. However, there are some fundamental differences between ethnic and Madhesi parties. For instance, Tharuhat Samyukta Sangharsha Samiti rejected the Madhesh identity of the first amendment to the Interim Constitution 2007 and called a protest against of ‘one Madhes province’ proposed by the Madhesh based parties.³

The formation and rise of ethnic parties in Nepal

The emergence of ethnic parties in Nepal is a relatively new phenomenon, with the formation of the first ethnic party, Limbuwan Mukti Morcha (LMM), in 1986. Formation of EPs can be analyzed in terms of three historical and structural phases: a pre-1990 period of party-less Panchayat system, 1990–2006 period of multiparty democracy ending with the People’s Movement II, and the current period after the political transition of 2006. The main rationale behind this classification is that Nepal saw three historical and political changes which facilitated the formation of ethnic parties and democratization of Nepali polity. First, the people’s referendum of 1980 made it possible to reform the Panchayat system; second, people’s movement of 1990 established multi-party democracy with constitutional monarchy; and third, people’s movement of 2006 established the federal republic Nepal. The trend of formation of ethnic parties shows that ethnic parties started to form before the 1990s and intensified generally after 1990 and particularly after the democratic transition of 2006 (see Table 1).

³ See the concept paper of Tharuhat Samyukta Sangharsha Samiti 2008.
Table 1: Chronology of EPs formation in Nepal

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Source: Gharti Magar 2015

Ethnic parties in autocratic period (Pre-1990)

Despite the restriction against non-Panchayat political activities, three ethnic political organizations were formed before 1990, during the late Panchayat regime: the Limbuwan Mukti Morcha (LMM) in 1986, Khambuwan Mukti Morcha (KMM), Nepal in 1988, and Mongol National Organization (MNO) in 1989. The party-less Panchayat system had banned political activities related to other political parties except for the king-led Panchayat activities. At
that time, most of the political activities against Panchayat system were associated into two different political parties: Communist and Congress. In this background, these three EPs started as a third alternative politics in Nepal.

Interestingly, all three ethnic parties emerged in the eastern hills of Nepal. LMM, the first ethnic party of Nepal, was led by Bir Nembang and was particularly demanding ‘Limbuwan’ (Limbu autonomy state) for Limbu people, and KMM was led by Gopal Khumbu with the political demand of ‘Khambuwan’ (Khambu or Rai autonomy state) for Rai people. Similarly, Gopal Gurung-led MNO was active in Ilam district working for Mongol (indigenous) peoples. MNO’s objective was broader than LMM and KMM. MNO’s major political agendas were: (a) to struggle for emancipation of 80 percent non-Hindu Mongol people from Hindu slavery, (b) to establish administrative federal government but name of province will be based on name of river, hill, and mountain, not based on community like Khambuwan, Tamuwan, Magarat, and (c) to ensure 50 percent reservation in education and other political appointments for indigenous peoples.

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4 Bir Nembang is still active in Limbuwan politics, associating with Sanghiya Limbuwan Party Nepal; Gopal Khambu (now Gopal Kiranti) was a Politburo member of Prachanda-led CPN (Maoist Center) and currently he separated from the party for a new party formation; and Gopal Gurung, who was the president of the MNO since its establishment, died in June 2016. See also Onta et al., eds. 2001. Chhapama Janajati, pp. 511–529, for the manifesto of LMM and KMM.

5 It is widely understood in Nepal that indigenous peoples mean Adivasi Janajati groups, but Gopal Gurung disagreed with this term and used “Mulbasi Mangol peoples.” According to him, Janajati means gypsy people (for details see Gurung 2001: 15).

6 For the manifesto of Mongol National Organization 1989, see Gurung (2001: 53–56), and for detailed ethnographic information about MNO, see Hangen (2010).

After re-establishment of democracy in 1990, indigenous peoples’ struggle for their rights took momentum on the backdrop of the democratic constitution of 1990. The constitution accepted Nepal as a multilingual, multiethnic and multicultural country but declared Nepal a Hindu state with Khas Nepali language as the only official language of the country. Due to the constitutional provision for democratic activities, indigenous peoples of Nepal became organized at the local, and national level. In April 1990, eight ethnic organizations 7, formed before 1990, came together and jointly formed Nepal Janajati Mahasangh. 8 After 1990, NEFIN and other ethnic organization raised public awareness about language rights, secularism, and cultural revitalization. During this period, indigenous peoples defined themselves and also succeeded in being recognized by the state (Onta 2006).

The constitution of 1990 provided playgrounds for indigenous social organizations but banned forming political parties based on caste, ethnicity, language, and religion. Article 112(3) of the 1990 constitution barred the Election Commission from recognizing or registering any political party explicitly formed ‘on the basis of religion, community, caste, tribe or religion’. This provision denied registering four ethnic parties, LMM, KMM, MNO and Nepal Rastriya Janajati Party (NRJP), in the Election Commission. NRJP

7 These eight organizations were Nepal Langhali Sangh, Nepal Tamang Ghedung, Nepal Bhasa Manka Khala.; Tamu Baudhda Sewa Samiti, Kirant Yakthung Chumlung, Kirant Rai Sanskritik Sangh, Sunuwar Sewa Samaj and Sagarmatha Sewa Kendra representing Magar, Tamang, Newar, Gurung, Limbu, Rai, Sunuwar and Sherpa respectively (see NEFEN 2000).

8 Its current name is Nepal Adivasi Janajati Mahasangh (Nepal Federation of Indigenous Nationalities, NEFIN)—changed in 2003 from NEFEN—and has 54 affiliated ethnic organizations.
was formed in 1991 led by Khagendra Jang Gurung and had proposed federal restructure with 12 ethnic-based provinces.\footnote{These provinces were Khasan, Jadan, Magarat, Tamuwan, Tamba Saling, Khambuwan, Limbuwan, Kochila, Maithili, Bhojpuri, and Awadhi (see also Bhattachan 2013).}

However, there were three ethnic-based political parties contesting in the general election of 1991, the first multiparty election following the uprising against monarchic autocracy in 1990. These three EPs were Rastriya Janamukti Morcha (1990), Rastriya Janata Party (1991), and Nepal Rastriya Jana Party (1991). The Rastriya Janamukti Morcha was formed by M.S. Thapa Magar, Gore Bahadur Khapangi Magar, Bayansingh Rai and Ram Bahadur Tumbahamphe.\footnote{M.S. Thapa Magar and Gore Bahadur Khapangi Magar both were founder leaders of the Nepal Langhali Pariwar Sangh, now Nepal Magar Sangh (NMA), a nationwide ethnic organization of Magars. Thapa left the party chairmanship on June 12, 2016, after 27 years of its establishment, and Khapangi served as a chairperson of NMA from 1992–2004. He died on 27 August 2016 after a three-year long unconsciousness after being hit by a motorbike in Kathmandu in April 2013.} The party was popularly active in Magar-dominated districts of western Nepal. Rastriya Janata Party was led by Dr. Harsha Bahadur Buda Magar\footnote{He served in British Army and received Ph.D. in political science from Patna University, India, in 1990 after retirement. He was also a founder of Nepal Langhali Pariwar Sangh in 1979 and wrote more than a dozen books, including Kirant Vansha ra Magarharu (1992). He died in 2005.} and this party disappeared after the mid-term election of 1994. Similarly, Nepal Rastriya Jana Party was led by Kajiman Kandangwa. After the election, the Rastriya Janamukti Morcha transformed into the Rastriya Janamukti Party (RJP) after merging with Nepal Rastriya Jana Party on January 20, 1992. RJP is the only ethnic party to secure registration from the Election Commission in the 1990s and has contested in every election since 1990 till the date. The formation of RJP was an important event in Nepali politics not only for its continued presence in every election but also for alternative political issues, particularly
proportional representation on the basis of ethnic population in state structure and federal government system (RJP’s constitution 1992).

RJP faced party split many times within 25 years of its life due to leadership conflicts. The first split was in 1998, which gave rise to a new party named Janamukti Party Nepal. Likewise, RJP faced another crisis in 2002 when its General Secretary Gore Bahadur Khapangi Magar was nominated as a minister after the royal coup by King Gyanendra. Khapangi formed Rastriya Janamukti Party (Prajantrantri) in 2002. This event not only led to the crisis within the party but also changed the party’s public image from pro-ethnic party to pro-royalist party. On the other hand, from its establishment, main leadership (i.e., president, general secretary and the majority of leaders) were from Magar community. Therefore, leadership from the eastern hill, particular leaders from Limbu community, split from the party and formed Limbuwan-based parties. Two parties, Sanghiya Limbuwan Rajya Parishad, affiliated to Sanghiya Loktantrik Rastriya Manch, and Sanghiya Limbuwan Rajya Parishad (Palungwa) were the byproduct of the RJP split. The former was established in 2005 under the leadership of Kumar Lingden and the latter was established in 2006 by Sanjuhang Palungwa. Besides these EPs in the eastern hills, other ethnic fronts like Kirant Workers Party (KWP), were also in existence, but KWP never participated in the national elections.

In 2002, another ethnic party, Nepal Samata Party, was formed under the leadership of Narayan Singh Pun. Before its formation, he intensively discussed with indigenous social leaders, activists, intellectuals, and ex-servicemen and set the party’s objectives broadly than by other ethnic parties like RJP and MNO. The party emphasized on the proper representation of indigenous peoples.

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12 Pun was an ex-colonel of the Royal Nepali Army. After retirement from military service, he joined the Nepali Congress Party and became an MP in 1999. He quit NC and formed the Nepal Samata Party in 2002. He was nominated as a minister in King Gyanendra’s government after 2002.
Dalit and other backward classes in the state structure.\textsuperscript{13} Nepal Samata Party participated in CA election 2008, but lately it is not in existence.

Similarly, in December 2005, leaders separated from Maoist and RJP formed Sanghiya Loktantrik Rastriya Manch (SLRM) as a common political forum of four ethnic political fronts of Limbuwan, Tharuhat, Khambuwan and Tamangsaling Swayatta Parishad. Laxman Tharu, a former leader of CPN-Maoist, led Tharuhat Swayatta Parishad; Kumar Lingden and Sanjhuang Palungwa were from Limbuwan Swayatta Parishad, and Rabindra Thing and D.K. Buddhist (Tamang) from Tamangsaling Swayatta Parishad.

**Ethnic parties in federal republic Nepal after 2006**

Nepal experienced a decade-long (1996–2006) civil war between the Communist Party of Nepal (Maoist) and the government, ending with the 2006 Comprehensive Peace Accord (CPA) as the mandate of 19-day long People’s Movement in April 2006. During the movement, indigenous peoples participated in many rallies and marches through NEFIN, as a major part of civil society, for restoration of democracy in defiance of the curfew. It shows that the central concern of indigenous movement changed from social-cultural to political issues in later years. By 2006, they were demanding an entirely new state structure—a federal republic based on ethnicity and proportional representation. Following people’s movement of 2006, indigenous peoples are not only raising political issues but also forming new ethnic political parties, and many of the activists and leaders of the indigenous movement are increasingly involving themselves in political activities than before.

As per the provision of CPA and Interim Constitution 2007, Nepal for the first time experienced Constitution Assembly (CA) election in April 2008 for making a new constitution of Federal

\textsuperscript{13} See Manifesto of Nepal Samata Party (2002: 1–2).
Democratic Republican Nepal. The election was held under a mixed parallel system for a total of 601 seats, in which 240 seats were elected under a first-past-the-post (FPTP) system in single-member constituencies and 335 seats were filled by a list system of proportional representation (PR) system and 26 were appointed by the government.

The Interim Constitution of 2007 opened the door for ethnic parties. Therefore, eight EPs contested among the 54 political parties in the CA election 2008 (see Table 2). Among them, RJP, MNO, Janamukti Party Nepal, Nepal Samata Party and SLRM were parties already established before the 2006 movement. MNO participated for the first time in a national election after its establishment of 17 years.

Three new EPs—Dalit Janajati Party, Nepa Rastriya Party, and Tamsaling Nepal Rastriya Dal—were formed after 2006, especially prior to CA election 2008. Dalit Janajati Party (DJP), formed in 2007 and led by Bishendra Paswan, particularly focused on Madhesi, Janajati and Dalit issues. Nepa Rastriya Party (NRP) and Tamsaling Nepal Rastriya Dal (TNRD) both are single ethnicity-based parties. NRP led by Keshav Man Shakya, focuses on political rights of Newar people of Kathmandu valley, especially demanding for Newa state under federal structure from its establishment in 2007.14 In the same way, TNRD led by Parshuram Tamang15 was formed in 2007 mainly concerned with Tamang people’s political

14 See the manifesto of Nepa Rastriya Party 2013. Keshavman Shakya was the founder secretary of NEFIN and also founder general secretary of Newa Daya Dabu, a rights-based organization of Newars. Now he is associated with Naya Shakti Party, Nepal led by Dr. Baburam Bhattarai.

15 Parshuram Tamang was former general secretary of NEFIN, who also served in UN permanent forum for indigenous issues as a vice-president. Interestingly, he formed and was associated with five parties during the 2007–2017 period as founder president of TNRD (2007), president of Sanghiya Ganatantrik Samajwadi Party (2013), co-president of Sanghiya Ganatantrik Janamukti Party (2015), central executive member of Naya
right. ‘Tamasaling’, Tamang’s ancestral territory, includes nine districts surrounding the Kathmandu Valley out of Nepal’s 75 current administrative districts.

Unexpectedly, on 28 May 2012, CA I was dissolved without promulgating a new constitution during its four-year term (2008–2012). There was a huge debate on the number, name, and territory of the federal structure in the process of constitution writing. Initially, CA State Restructuring Committee prepared a report with 14 provinces; among them, 10 provinces had ethnic names. The CA failed to make consensus on the report, and finally, the government formed a High-Level State Restructuring Commission. The Commission submitted the report with 10 provinces; among them, 8 provinces were ethnic based. But the CA did not accept the commission’s recommendations. Therefore, it is widely assumed that the main factor behind CA failure to formulate a constitution is the ethnic identity-based issues raised by the EPs and indigenous CA members from other national parties, especially from UCPN (Maoist) (Adhikari and Gellner 2016). However, after the failure of CA I, political parties again agreed for second CA election, which was held on 19 November 2013. On the other hand, identity-based politics became increasingly politicized and more EPs were formed.

Consequently, there were 17 EPs that contested in CA election 2013 out of 120 parties in FPTP and 122 parties in PR system. There were more than half a dozen new EPs formed after the demise of CA I. Three different trends of new EPs formation manifested during CA election 2013. The first type of EPs was formed by indigenous leaders and cadres who revolted from existing national parties,

Shakti Party, Nepal (2016) and now he entered the Prachanda-led Communist Party of Nepal (Maoist Centre) on August 22, 2017.

The Commission was formed on December 6, 2011, under the chairmanship of Dr. Madan Pariyar including Dr. Krishna Hachhethu, Dr. Bhogendra Jha, Dr. Ramesh Dhungel, Dr. Sarbaraj Khadka, Malla K Sundra, Stela Tamang, Sabitri Gurung, and Surendra Kumar Mahato.
particularly Nepali Congress (NC) and Nepal Communist Party (UML), due to dissatisfaction with the role of party leaders on identity-based issues. At the time of the demise of CA I in 2012, a large number of indigenous leaders and cadres of NC and UML were dissatisfied with their party’s leadership. Key leadership of both parties was accused of supporting anti-identity-based federalism. Finally, dissatisfied leaders and cadres of UML formed Sanghiya Samajwadi Party (SSP) in November 2012 under the leadership of Ashok Kumar Rai with more than half a dozen of central leaders.17 Likewise, in December 2012, just after one month of SSP formation, Samajik Loktantrik Party (SLP) was formed by a group of indigenous leaders. In this group, some leaders were from NC and UML and some from indigenous movement background.18

The second type of EPs was formed by split or merger of existing EPs themselves. For example, Sanghiya Loktantrik Rastriya Manch (Tharuhat) and Tamangsaling Rastriya Janaekata Party (TRJP)

17 Ashok Kumar Rai was senior vice-president of UML central committee before SSP formation. Other central leaders like Rajendra Shrestha, Bijaya Subba, Rakam Chemjong, Bir Bahadur Lama, Hemraj Rai, Ajambar Kangbang, Gopal Thakur, Rijwan Ansari, Dr. Mangal Siddi Manandhar, Ranadhwaj Kandangwa supported him in the SSP formation. The SSP merged with Madhesi Janaadhikar Forum and Khas Samabeshi Rastriya Party (KSRP) and formed Sanghiya Samajwadi Forum, Nepal on June 5, 2015. Before merging, Madhesi Janaadhikar Forum was a Madhesh-based party established after popular Madhesh movement 2007, while SSP and KSRP were ethnic-based parties.

were formed by a split from the SLRM. There were four ethnic fronts (Limbuwan, Khambuwan, Tamangsaling, and Tharuhat) associated with SLRM, but due to the internal conflict, they separated. Rukmini Chaudhary, a CA member in 2008–2012 from SLRM, formed the Sanghiya Loktantrik Rastriya Manch (Tharuhat) in 2011. In a similar way, two new parties were formed after 2013 CA election: Dalit Janajati Party (DJP), Nepal and Rastriya Janamukti Party (Loktantrik). DJP, led by Bishendra Paswan, secured two seats under PR system in CA 2013. For two seats, Bishendra Paswan and Yashoda Lama were nominated in CA, but due to the internal conflict between them, DJP split and Yashoda Lama formed DJP Nepal in 2014. In the same way, RJP’s two CA members Shivalal Thapa Magar and Seema Biswakarma formed Rastriya Janamukti Party (Loktantrik) on March 4, 2015. Interestingly, both DJP Nepal and RJP Nepal merged with Bijay Kumar Gachhadar-led Madhesi Janadhikar Forum (Loktantrik) on the same day on April 5, 2017, and formed a new party named Nepal Loktantrik Forum.

Also, there are some EPs formed by merging different parties. Sanghiya Ganatantrik Samajbadi Party Nepal was formed just three months before CA election 2013 by merging more than half-dozen very small parties, including Tamsaling–Nepal Rastriya Dal, which had already participated in CA election 2008. Similarly, Sanghiya Limbuwan Party (SLP) Nepal was formed by unification of five different Limbuwan-based parties—Manchasambadda (SLRM) Sanghiya Limbuwan Rajya Parishad led by Kumar Lingden, Sanghiya Limbuwan Rajya Parishad led by Sanjuhang Palunga, Limbuwan Mukti Morcha led by Bir Nembang, Limbuwan Mukti Morcha Nepal

led by Rambhakta Kurumbang and Sanghiya Ganatantrik Party led by Kamal Chharahang. The party was declared on August 5, 2014, under the leadership of Kumar Lingden, and aimed to establish autonomous Limbuwan state with the right to self-determination to nine districts of eastern from Arun River.20

The third type of EPs was formed by indigenous leaders and activists who had actively engaged in indigenous activism and NGO politics in Nepal, such as Tharuhat Tarai Party Nepal, Khambuwan Rastriya Morcha Nepal, Pichadavarga Nishad Dalit Janajati Party, Nepal Nagarik Party, Liberal Democratic Party and Adivasi Janajati Party. Tharuhat Tarai Party Nepal (2011) was the result of popular Tharuhat movement for Tharuhat autonomy and against ‘Madhes’.21

The movement was launched by Tharuhat Samyukta Sangharsha Samiti, a common forum of Tharu social-political organizations for Tharuhat, which is assumed as an ancestral land of Tharu peoples in Tarai region. After the movement, Tharu activists Bhanuram


21 On January 15, 2007, when Interim Constitution was promulgated, Madhes movement sprung out under Madhesi Janaadhikar Forum Nepal by accusing that some provision of the constitution is against Madhesi. Finally, a three-week long (Jan16 – Feb 7) movement ended when the government committed to addressing the key demands, rearranged electoral region on the basis of proportion of population, and restructured the state in a federal system by amendment of the constitution. Again, Tharuhat movement was launched when the government endorsed the ‘Madhes’ word through the first amendment of Interim Constitution on March 9, 2007. Tharu peoples of Tarai region rejected the Madhesi identity in favor of Tharu indigenous peoples of Tarai (see details in Gautam 2008).
Chaudhary, Gopal Dahit, and Dilli Chaudhary\textsuperscript{22} formed the party and also were able to secure two seats in CA 2013. The Tharuhat Tarai Party Nepal also merged with Bijay Kumar Gachhadar-led Nepal Loktantrik Forum on April 20, 2017.

R.K. Khambu–led Khambuwan Rastriya Morcha (KRM) is one of the oldest ethnic parties of Nepal, and it participated in the election first time in CA election 2013. KRM gained only 0.32 percent votes and secured one seat in CA 2013. Like other EPs, KRM also split and Mohan Khambu led Khambuwan Rastriya Morcha merged with Indrahang Khambu led Khambuwan Swayatta Rajya Parishad and announced Sanghiya Khambuwan Loktantrik Party (SKLP) under the leadership of Kiran Dumi Rai. This party participated in the House of Representative and Provincial Council Election 2017 held on November 26 and December 6. Likewise, Pichadavarga Nishad Dalit Janajati Party (PNDJP) led by Bharat Mahato and Adivasi Janajati Party led by Buddaraj Syangtan were formed just before the CA election 2013. PNDJP is active among Madhesi backward groups. Likewise, Nepal Nagarik Party was formed in 2011 by Raj Kumar Lekhi, a former president of NEFIN and participated in CA election 2013, but Samajik Loktantrik Party, Sanghiya Limbuwan Rastriya Manch, Sanghiya Limbuwan Rajya Parishad, and Adivasi Janajati Party boycotted the CA election 2013. Interestingly, only seven EPs participated in the House of Representative and Provincial Council (HRPC) Election 2017. Among them, RJP, Nepal Rastriya Party, SLRM (Tharuhat), MNO and SLRM were already established parties, while SKLP and Lakpa Dorje Lama–led

\textsuperscript{22} Bhanuram Chaudhary was the president of Tharu Kalyankari Sabha, a common social organization of Tharus; Gopal Dahit was associated with Tharu Intellectual and National Research Center, also nominated as a minister in King Gyanendra’s Royal Coup (2002-2006); and Dilli Chaudhary was associated with BASE, an NGO working on Tharu Kamaiya and Kamlari based in Dang.
Tamsaling Loktantrik Party both are newly formed parties before the election of 2017.

**Electoral performance: PR system favors ethnic parties**

In a democracy, the performance of political parties is reflected in elections. In this sense, the election results in six national elections after 1990 show that the electoral performance of ethnic parties is not effective compared to non-ethnic national parties. But it seems that EPs relatively had a better performance after 2006 political transition than before. The comparative analysis of the electoral performance of EPs leads to three key trends.

The first is that the first-past-the-post (FPTP) election system is the main obstacle to growth and development of EPs. There were only three EPs with 63 candidates that participated in the general election (GE) 1991, but only two EPs participated in the mid-term election (ME) 1994 and general election 1999 with 89 and 156 candidates respectively. However, due to the FPTP system, the EPs become unable to secure a single seat in parliament in these three national elections but their voting percentage gradually increased from 0.61 percent in 1991 to 1.06 and 1.17 percent in 1994 and 1999 respectively (see table 2). This trend remains also in the elections after 2006 under FPTP system.

The second is that proportional representation (PR) system is more favorable to effective electoral performance of EPs. For instance, RJP was the only party that contested in all national elections after 1990 but failed to secure a single seat in parliament in different elections before 2006, though RJP’s votes were increasing. However, RJP secured two seats in both CA elections 2008 and 2013 through PR system. Similarly, for the first time in history, EPs secured 6 and 14 seats with 2.27 percent and 4.72 percent votes in CA 2008 and 2013 respectively under PR electoral system, while EPs was unable to win a single seat through FPTP electoral system in both CA elections.
<table>
<thead>
<tr>
<th>EPs</th>
<th>Cand.</th>
<th>Votes</th>
<th>%</th>
<th>Seat</th>
<th>Cand.</th>
<th>Votes</th>
<th>%</th>
<th>Seat</th>
<th>Cand.</th>
<th>Votes</th>
<th>%</th>
<th>Seat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rastriya Janamukti Morcha/Party 1991</td>
<td>130</td>
<td>94,860</td>
<td>1.07</td>
<td>0</td>
<td>82</td>
<td>79,996</td>
<td>1.05</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Janamukti Party Nepal</td>
<td>26</td>
<td>9,616</td>
<td>0.1</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Nepal Rastriya Jana Party</td>
<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>Total</td>
<td>156</td>
<td>104,476</td>
<td>1.17</td>
<td>0</td>
<td>89</td>
<td>81521</td>
<td>1.06</td>
<td>0</td>
<td>63</td>
<td>44,647</td>
<td>0.62</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: Election Commission
(for details see Table 3). It shows that performance of ethnic parties is gradually becoming better through PR system, but EPs were unsuccessful to win electoral seats through FPTP system. In contrast, there seems to be a poor electoral performance of EPs in the HRPC Election 2017 held on November 26 and December 6. There were 7 EPs that contested in the election and received only 0.94 percent votes under PR system and did not secure a seat. The main reason is that the most of EPs that contested in the CA election 2013 were split and merged with other non-ethnic parties. Sanghiya Samajbadi Party, the largest ethnic party of CA election 2013, merged in Sanghiya Samajbadi Forum in June 2015. Similarly, Tharuhat Tarai Party Nepal, Rastriya Janamukti Party (Loktantrik) and Dalit Janajati Party merged with Bijay Kumar Gacchhadar led Nepal Loktantrik Forum in April 2017. Finally, this Forum merged with the Nepali Congress on October 16, 2017, just a month before the 2017 election. Besides this, EPs failed to form an alliance to contest the 2017 election.

**Table 3: Status of ethnic parties and their votes under PR system in the elections after 2006**

<table>
<thead>
<tr>
<th>Ethnic Party Name</th>
<th>HRPC 2017</th>
<th>CA 2013</th>
<th>CA 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FPTP</td>
<td>PR</td>
<td>FPTP</td>
</tr>
<tr>
<td>Tamsaling Loktantrik Party</td>
<td>0</td>
<td>1456</td>
<td>-</td>
</tr>
<tr>
<td>Sanghiya Khambuwan Loktantrik Party</td>
<td>5</td>
<td>721</td>
<td>-</td>
</tr>
<tr>
<td>Sanghiya Samajbadi Party, Nepal</td>
<td>-</td>
<td>-</td>
<td>185</td>
</tr>
<tr>
<td>Rastriya Janamukti Party</td>
<td>65</td>
<td>33091</td>
<td>144</td>
</tr>
<tr>
<td>Tharuhat Tarai Party Nepal</td>
<td>-</td>
<td>-</td>
<td>43</td>
</tr>
<tr>
<td>Dalit Janajati Party</td>
<td>-</td>
<td>-</td>
<td>80</td>
</tr>
<tr>
<td>Khambuwan Rastriya Morcha, Nepal</td>
<td>-</td>
<td>-</td>
<td>26</td>
</tr>
<tr>
<td>Nepa Rastriya Party</td>
<td>2</td>
<td>3460</td>
<td>14</td>
</tr>
<tr>
<td>Ethnic Party Name</td>
<td>HRPC 2017</td>
<td>CA 2013</td>
<td>CA 2008</td>
</tr>
<tr>
<td>---------------------------------------------------------</td>
<td>-----------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td></td>
<td>FPTP</td>
<td>PR</td>
<td>FPTP</td>
</tr>
<tr>
<td>Sanghiya Ganatantrik Samajbadi Party, Nepal</td>
<td>63</td>
<td>18631</td>
<td>4</td>
</tr>
<tr>
<td>Pichadavarga Nishad Dalit Janajati Party</td>
<td>-</td>
<td>-</td>
<td>15</td>
</tr>
<tr>
<td>Mangol National Organization</td>
<td>63</td>
<td>15124</td>
<td>36</td>
</tr>
<tr>
<td>Sanghiya Limbuwan Rajya Parishad</td>
<td>-</td>
<td>-</td>
<td>11</td>
</tr>
<tr>
<td>Nepal Nagarik Party</td>
<td>-</td>
<td>11</td>
<td>4861</td>
</tr>
<tr>
<td>Limbuwan Mukti Morcha</td>
<td>-</td>
<td>4</td>
<td>3748</td>
</tr>
<tr>
<td>Limbuwan Mukti Morcha Nepal</td>
<td>-</td>
<td>21</td>
<td>2844</td>
</tr>
<tr>
<td>Tamangsaling Rastriya Janaekata Party</td>
<td>-</td>
<td>2</td>
<td>2308</td>
</tr>
<tr>
<td>Sanghiya Loktantrik Rastriya Manch</td>
<td>27</td>
<td>21610</td>
<td>-</td>
</tr>
<tr>
<td>Tambasaling Nepal Rastriya Dal</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Nepal Samata Party</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Janamukti Party Nepal</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Rastriya Janata Party</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Nepal Rastriya Jana Party</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total EPs Seats/votes</td>
<td>163</td>
<td>89948</td>
<td>659</td>
</tr>
<tr>
<td>Total Seats/Votes in Elections</td>
<td>1944</td>
<td>9544779</td>
<td>5458</td>
</tr>
<tr>
<td>Percentage of EPs votes</td>
<td>-</td>
<td>0.94</td>
<td>-</td>
</tr>
<tr>
<td>Number of EPs</td>
<td>-</td>
<td>7</td>
<td>-</td>
</tr>
<tr>
<td>EPs Total Seats</td>
<td>0</td>
<td>-</td>
<td>0</td>
</tr>
</tbody>
</table>


The third issue is that significant population of respective ethnic groups is the main foundation of ethnic parties, as EPs leaders
Jhakendra Gharti Magar

strongly claim. For instance, RJP leaders tried to attract ethnic votes by getting candidates from respective communities stand in elections. Hence, Gore Bahadur Khapangi was general secretary of RJP and also president of Nepal Magar Association. He was famous for his very influential, artistic and extremist way of speech delivers in public, especially for indigenous peoples. They thought that Khapangi was popular among Magars, so if they made him a candidate from Magar dominant region there would be a high chance to win the election. RJP decided to make him the candidate of Palpa–2 in general election 1999, where more than 70 percent of the populations were Magar. Also, Palpa is the only district with more than 50 percent of Magar population, and RJP’s popularity was also better in Palpa than in other areas of the western region. Although he lost the election with the third position in his region, RJP received about one hundred thousand votes from all over the country, which was around three times more than the votes it received in general election 1991. If it were PR system, RJP would have secured some seats in parliament before 2006 election.

Similarly, five single ethnicity-based parties and their electoral performance in CA election 2013 show that dominant areas of the respective ethnic community are the main base of EPs (see Table 4). Nepa Rastriya Party, Tharuhat Tarai Party, and Sanghiya Limbuwan Rajya Parishad received more than 70 percent votes of total votes from the population dominant areas. But the case of Khambuwan Rastriya Morcha (KRM) Nepal and Tamangsaling Rastriya Janaekata Party (TRJP) seems different. KRM gained only 30 percent votes from Rai dominant districts, and TRJP gained only 43 percent votes from Tamang dominated districts out of total votes. It means that one cannot be sure that EPs will receive votes from areas where their respective communities are dominant by population.
Table 4: Five ethnic parties’ performance in CA election 2013 from dominant areas

<table>
<thead>
<tr>
<th>Parties</th>
<th>Total Vote</th>
<th>Vote from Dominant Area</th>
<th>%</th>
<th>Population Dominant Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tharuhat Tarai Party Nepal</td>
<td>62,526</td>
<td>60,420</td>
<td>96.6</td>
<td>Banke, Bardiya, Dang, Kailali, Kanchanpur, Bara, Parsa, Chitwan, Kapilvastu, Rupandehi, Nawalparasi, Morang, Sunsari, Saptari</td>
</tr>
<tr>
<td>Khambuwan Rastriya Morcha, Nepal</td>
<td>30,686</td>
<td>9,284</td>
<td>30</td>
<td>Pachthar, Ilam, Jhapa, Sankhuwasabha, Terhathum, Bhojpur, Dhankuta, Morang, Sunsari, Solukhumbu, Khotang, Okhaldhunga, Udayapur</td>
</tr>
<tr>
<td>Nepa Rastriya Party</td>
<td>28,011</td>
<td>21,316</td>
<td>76</td>
<td>Kathmandu, Lalitpur, Bhaktapur</td>
</tr>
<tr>
<td>Sanghiya Limbuwan Rajya Parishad</td>
<td>7,063</td>
<td>5,706</td>
<td>80.8</td>
<td>Taplejung, Pachthar, Ilam, Jhapa, Sankhuwasabha, Terhathum, Bhojpur, Dhankuta, Morang, Sunsari,</td>
</tr>
<tr>
<td>Tamangsaling Rastriya Janaekata Party</td>
<td>2,308</td>
<td>1,007</td>
<td>43.5</td>
<td>Dhading, Rasuwa, Nuwakot, Kavre, Makawanpur, Chitwan, Sindhupalchok, Ramechhap, Sindhuli</td>
</tr>
</tbody>
</table>

Source: Election Commission 2014

Future and challenges

There is a strong belief among indigenous peoples around the world that they generally find themselves in such a political system that is not their own but has been created and defined by non-indigenous political leaders (Wessendorf 2001). In that sense, it can be said that formation and rise of ethnic parties in Nepal is an alternative political practice for their own political system. Particularly in Nepali context, it has been experienced that the rise of EPs is the result of the existing national political parties that ignored the issues of identity politics raised by indigenous peoples. However, organizational status of EPs and their electoral performance show that the future of ethnic parties does not seem very encouraging. There are mainly two reasons: first, the strongest background of the EPs is their
population but EPs have not been able to politically mobilize a large part of their population. The huge part of the indigenous population is supporting non-ethnic parties in the hope that they would bring about reforms on ethnic issues. Unless there is a situation in which the indigenous communities support the EPs, they are unlikely to be developed in a way where they would be able to interfere in national politics. It seems that the entire political scenario of the country would transform if EPs could mobilize even 10 to 20 percent of the population of indigenous peoples. Second, EPs have not been able to align their activities with the social movements of indigenous groups. That is why EPs are still on the margins, although political demands raised by indigenous communities’ social movements such as federalism, secularism and proportional and inclusive representation have become national agendas.

The future of EPs is also determined by historical political changes. Hence, the main challenge before the ethnic leadership is to take ownership and institutionalize the changes for which they fought. For example, in the unitary system before 1990, all kinds of political parties were prohibited, but even after the establishment of multi-party democracy, EPs were prohibited till 2006, which is why EPs could not emerge. But after 2006, by utilizing the opportunity for EPs to participate in the election, the number of EPs also increased. Similarly, as proportional representation electoral system was also adopted under the mixed electoral system, EPs were able to secure seats, although few, while in almost three decades of democratic practice ethnic-based parties did not show any possibility of winning seats under the FPTP electoral system. The provision of 3 percent threshold in the recently held provincial and parliamentary elections has posed further challenges to the development of EPs. Due to the threshold provision, while non-ethnic parties focused on party unity and formation of electoral alliances to strengthen their existence, EPs failed to unite and form alliances. Had they formed electoral alliances, there was a possibility of their significant presence in the
assemblies of Provinces 1, 3, 4 and 5. This shows that ethnic political leaders lack political conscience and culture, due to which it appears that ethnic parties and their leadership still need to spend a lot of time and effort to emerge as an alternative force in national politics.

Conclusion

The ethnic parties, like other kind of political parties, are the product of a multi-cultural society of Nepal. By nature, all ethnic parties that are forming and re-forming during the last three decades, claims to be working for the political liberation of a single ethnic group or a set of ethnic groups of Nepal. However, their presence in the national political arena seems very poor in terms of electoral performance. Besides this, the democratic environment with structural changes such as the constitutional provision for ethnic party registration and adaptation of PR electoral system are facilitating the formation and rise of EPs in Nepal. For instance, the democratic transition of 1990 provided an opportunity for ethnic organizations as non-political agents to raise indigenous issues and rights, but EPs were banned from registering in the Election Commission. Likewise, the FPTP system proved to be a barrier to the growth of EPs in the context of Nepal. After the political transition of 2006, political issues like secularism, federalism, proportional representation, and inclusive democracy raised by EPs were accepted in mainstream politics, but the EPs are still at the margin. These conditions made it possible the formation and rise of ethnic parties and their better performance in CA elections 2008 and 2013. However, the electoral performance of EPs is not satisfactory in comparison with other national parties. The democratic election with PR system is more favorable to formation and rise of the EPs. Thus, further research should concentrate on what socio-historical factors are responsible to the rise and formation of the ethnic parties.
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Gurung, Gopal. 2001. *In Quest of Mongol Entity and Doctorate (PhD.) on MNO*. Kathmandu: Gopal Gurung.


The question of political participation and representation of various groups, communities, genders and regions of Nepal is part of the broad process of building inclusive and democratic society and development. The history of exercise of such process is not very long in Nepal. Nevertheless, the situation of negligible presence of women’s participation in Nepal’s parliament and government is gradually changing. The changing scenario from the 1959 general election to the recently concluded local government elections in 2016 shows women’s increasing participation in politics. Mainly, women’s participation in Nepal’s mainstream politics significantly increased after the signing of the Comprehensive Peace Accord (Yadav 2016). After the achievement of republic, a policy of 33 percent women representation was adopted. Because of this, a significant number of Nepali women, including those from the indigenous communities, could reach the vicinity of Nepal’s national politics.

A mandatory condition of inclusive and proportional representation is numeric presence. However, numeric presence is only a part in the process. Inclusiveness and proportional representation can have a real meaning when representatives have equal politically independent, meaningful and active participation, ideological/conceptual clarity, independent stand and effective and
decisive role. Only such participation, in a real sense, gives inclusive and democratic character to the state-society-political sphere to some extent.

Political participation is an indispensable part of self-determination of indigenous groups, autonomy, and the right to determine their political status, and to independently utilize and exercise their economic, social and cultural rights. Meaningful participation of indigenous groups and ethnic women in all levels/regions/mechanisms of the state is a must for them to be able to easily and independently utilize those rights. The fight of indigenous women is related to the struggle against established structures. Such structures have proven to become inappropriate and harsh for them. Hence, it is necessary for them to have strong political participation at all places. On the one hand, there is patriarchal state structure and broad social environment operated by mainstream process in which the decisive powers are vested in a certain group-caste-gender; on the other hand, mainstream women’s movement or associations/organizations have been struggling to ensure gender equality in state mechanisms and women’s participation and rights but are exactly following the mainstream exercise and failing to raise of issue of diversity and inequality among women by exactly translating the mainstream exercise. Apart from these indigenous communities, movement and representative organizations have also failed to play an effective role in strengthening women’s participation and their questions.

In this background, participation of indigenous women in public sphere from the local to the regional and national levels makes it clear that their presence in power structures and mechanisms is negligible. Their presence in matters pertaining to issues is even more dismal. All this indicates that indigenous women’s political participation with decisive status is very important. The numerical strength of their political presence and its computation-understanding-analysis is one aspect. Along with that, appropriate redressal of the issues
of their real identity and real questions, concerns, problems, social-political acceptance and mainstreaming are another aspect. In the context of political participation of indigenous women, there is a practice of holding discussion and making analyses only from the former perspective. The notable numerical presence of indigenous women in Nepali politics is an achievement gained after a long time. This has definitely played a significant role in giving the Nepali society and state an inclusive and democratic character. But as the indigenous women are representing both caste and gender identities and carrying out their responsibilities accordingly, have they been able to access appropriate mechanism, and did get necessary resources-encouragement-opportunity, friendly environment and conduct? It is equally important to contemplate whether their real questions could be incorporated when the mapping of their arithmetical participation and its positive aspects are being taken as the basis of prosperity of a new federal democratic country or not. This article is an attempt to study the impact of the number of indigenous women participating in politics on the issues associated with them.

Voicing inclusive political participation
The fourth World Women Conference held in Beijing, China, in 1995 had internationally stressed on participation of women at the decision-making level of agencies and organs. A strong voice was raised for participation and political rights of indigenous women at the same conference. Voices were raised for meaningful participation and other various aspects, and were brought to notice all concerns and problems related to various social/cultural identities of indigenous women in various structures/agencies from the local, caste-based and ethnic-based associations/organizations to various structural
and agencies at the national/international levels. After forwarding their demand for their broad political participation at the conference, invisible indigenous women became visible (United Nations 2013). This helped to create international pressure for participation of indigenous women in the public and political sphere. Seen in the context of Nepal, at the beginning, being involved in work related to the achievement of a certain determined goal for the welfare of common Nepalis was an important aspect of political participation. Involvement of gender, caste, class and region was important and played an important role in work performance, as it was time-relevant and natural for achievement of certain political objectives. Women who got involved in the movement against the autocratic Rana regime and those who got state recognition as indigenous peoples after the indigenous peoples’ movement, along with those who played an active role in Nepal’s political history as rebels, left a mark as competent women. Their erstwhile role and risky activeness laid the foundation of women’s participation in Nepal’s political landscape. As a result, that specific achievement laid down the foundation for indigenous women’s political participation. The names Mangaladevi Singh, Sahana Pradhan, Sadhana Pradhan, along with other women from Newar community, come at the top.

With the continuation of political participation, the number of indigenous women who contributed and made sacrifices in the political movements and incidents also increased. As a result, the door for participation of indigenous women in both parliament and government opened. Although there was participation of some women, meaningful participation of indigenous women was negligible in state operation and decision-making levels. As those in the social and political sectors started being incorporated and involved in the political sphere following the signing of the

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1 See Report of the Fourth World Conference on Women, Beijing, 1996, United Nations, for details.
Comprehensive Peace Agreement, the statistics of women's presence shot up sharply.

In the late 1990s, indigenous women by establishing a separate organization formally formed a mechanism to make their presence felt in the public and political sphere. The non-political organizations of indigenous women were active in social activities but they also formed a good group of women who raised political agendas. A huge chunk of human resources born out of the social movement have been assimilated in the political structures of democratic/republic political system. Currently, the participation of indigenous women in the political sphere is made up of a combination of two factions. First, those who were active under the ideology and structure of certain political parties since the beginning of party politics. Second, those who were active in social organizations and movements (those who have made professional identity and are interested in politics).

State, political parties, Nepali society and community have played an equally significant role in increasing the political participation of indigenous women, and ostracized and marginalized communities. Mainly, the fact that Nepali society, culture and civilization are formed on the basis of caste, religion, and patriarchal structures seems to have been neglected. Hegemony still exists in governing mechanisms and structures of Nepal, which has adopted a democratic system while maintaining the domination of one caste and one gender in political parties working under a definite political ideology. This inspired to strengthen the voice for political participation amid a situation in which Nepali politics was based on caste/casteism, language, religion, ancestry, class and gender. The signing of Comprehensive Peace Agreement between the then Communist Party of Nepal (Maoist) and the government after Janaandolan II (people's movement II), a political environment, which to some extent grasped the realities of Nepali society, was created. This created a compulsion for political parties to create political competition by adopting an inclusive character. As a result,
presence of women from different groups significantly increased in the Constituent Assembly 2008. The seemingly sharp increase in numeric participation of women in Nepal’s political sector is also a result of the positive mark left by the armed Maoist war waged between 1996 and 2006.

Political movements that took place at different times, people’s movements, women’s movement which is believed to have been started since 1950s, indigenous peoples’ movement, a decade long armed struggle waged by the then Maoists, and Madhes movement have established the values of inclusive political participation. The fact that discrimination has been made on grounds of gender, caste, religion, region and language in the statutes of political parties in the last one decade and the Constitution of Nepal 2015 has been accepted. However, it has been accepted by political parties that indigenous women have been discriminated against and constitutional provisions will alone do no good, unless measures are taken to address their grievances. The assessment of the redressal of their grievances, however, can be made only when it reaches implementation phase. Women will not be able to enjoy political participation unless the state adopts a policy of compulsorily addressing the issue of diversity and inequality among women in all its agencies and organs.

**Exercising numeric participation**

In terms of gender representation, although women’s participation is increasing, the chasm of inequality in the world remains unchanged. Women had 11.3 percent representation in parliaments across the world in 1996. In 2005, this grew to 16.8 percent. After a decade, in 2015, women’s representation climbed up to 23.3 percent (Interparliamentary Union 2017: 1). Although sluggish, the world statistics indicate progress in women’s participation. It also becomes clear that there has been a failure to create segmented statistics in accordance with the diversity of women from the local to the world level.
In Nepal’s national politics, Dwarikadevi Thakurani, who participated in the 1959 general election, opened the doors for competitive presence of women in politics. In the partyless Panchayat system, women’s numeric participation could be counted in fingers. At the same time, there was representation of two women (Saraswati Rai and Bhadra Kumari Ghale) from the indigenous community in the cabinet. From then on, there has been sporadic representation of indigenous women in the government.

Although representation of indigenous peoples in the parliaments across the world has been satisfactory, representation of indigenous women in specific has always remained negligible. According to the Inter-parliamentary Union, among 923 representatives of indigenous peoples in parliaments across the world, only 20% of them were women. Vietnam is the only country in the world in which the parliament has equal representation of men and women from the indigenous peoples (36 men and 36 women) (Inter-parliamentary Union 2014: 7).

Studies have shown that representation of indigenous women in countries which have seen social movements for caste, gender, religious and color equality is better. For the first time, to have women as the chiefs of all three constitutional organs at once—head of the state, chief justice and speaker of the parliament—in itself has a different historicity, symbolic meaning and importance. This has helped inspire and provide positive energy to Nepali women. That representative fact has been taken as a reflection of the inclusive exercise and character of Nepali politics and society and understood as a measure (encouraging or exaggerated?) for Nepali politics and society to have achieved gender and caste inclusion (with the speaker being a woman from the indigenous community). That this was not the correct understanding also became the subject of discussion and criticism. Numeric presence, participation and representation of women are only the first condition of managed adherence to the process of democratic exercise. This can only be taken as the
beginning of the process of creating inclusive and just society. In our social/political environment, although diverse numeric representation of women is an achievement, it is a challenging and difficult task to appropriately take it ahead by laying institutional and structural foundation. Hence, along with numeric participation, it is necessary to seriously consider many other things. Voices are being raised from various quarters that inclusive representation as per the concept of proportional representation on the basis of population has not been satisfactory. Nepal Federation of Indigenous Peoples (NEFIN), National Indigenous Women’s Federation, along with other indigenous peoples’ associations/organizations institutionally or though social and political networks and in coordination and collaboration with various organizations/associations, have been forwarding and registering their concerns with concerned agencies. Studies have also shown that although the presence of women has historically increased in the Constituent Assembly elections held over the past decade, the presence of indigenous people in higher positions in Nepal’s national politics remains negligible in proportion to their population (Gaha Magar 2073: 139–144).

In Nepal’s context, there has been unequal selection of male and female representatives under positive discrimination, or quota, for indigenous peoples, and the aspect of varied backgrounds and inequality has been neglected in the selection of women representatives under the gender quota. In light of these facts, lesser representation of indigenous women can only be considered natural.

The domination of single caste/gender leadership in many democratic countries shows that a democratic system is alone not adequate to address issues of women and inclusive participation. For this, measures such as definite inclusive and equitable political strategy and project and positive discrimination/reservation have proven to be beneficial in increasing numeric presence. Inclusive participation has increased in Nepali national politics lately as a result of reservation system.
Only after the 2047 v.s. constitution made it mandatory for political parties to have at least 5 percent women candidates was a formal but narrow structural arrangement made for participation of women in politics. In the parliamentary election of 1991, 1994 and 1999, women had 2.15, 3.45 and 5.85 representation respectively (NDI 2010: 4). Of them, only five were elected—Sahana Pradhan (Kathmandu) and Tham Maya Thapa Magar (Myagdi) in the first general election in 1991; Sahana Pradhan (re-elected) and Lila Subba (Sunsari) in the 1994 mid-term election; and Asta Laxmi Shakya (Bohora) in the 1999 general election (Gaga Magar 2073: 140–141). In both Constituent Assembly elections held on 2008 and 2012, of the total candidates under both the first-past-the-post and proportional representation system (1202), there were a total of 359 women, 197 and 162 respectively. Of them, 124, 72 and 52 respectively, were women members from the indigenous peoples.

Constitution of Nepal 2015, article 38 (4) provisioned proportional representation of women in all organs of state, and the Election Commission made it mandatory for political parties to have at least 40.4 percent women candidates. Local Level Election Act 2016 (1–4) stipulates that either mayor or deputy mayor of metropolitan cities/municipalities, chair or vice-chair of rural municipalities, should be female. It also provisioned that of the five members, including chairman, of ward committees, two should be women and one of them should be from Dalit community. From that election, women have secured 40.9 percent representation in the local government mechanisms. Of them, 19.9 percent are women from the indigenous peoples. Of the 11 women who won the election for ward chair, five are from the indigenous communities and eight from the Khas Arya community. The remaining 47.4 percent are from the Dalit community, 23.5 percent from the Khas Arya community, 8 percent from the Madhesi community and 1.3 percent from Muslim community (Paswan 2017).
It is a positive thing to have the presence of a great number of women from various backgrounds in the grassroots governance mechanisms. However, despite 50 percent quota in positions of mayor/deputy mayor of metropolitan cities/municipalities and chair/vice-chair of rural municipalities, and overall 40 percent quota for women, there is a huge gap in the male/female participation, especially at the leadership level. The chasm of representation among women from different backgrounds also persists. In terms of number, Dalit women have occupied a huge chunk of women's presence due to the mandatory provision requiring presence of one Dalit woman in each ward committee. However, as political parties did not file candidacies of women for positions not reserved for them, they had put a full stop on the possibility of women's presence in the leadership role.

Quota system has been adopted to ensure equitable presence of women and ostracized groups for the creation of inclusive state structure and progressive country. However, in practice, this is being taken as a means to fill the quota rather than to empower women and ostracized groups. The main crux that the quota system has been adopted to ensure their meaningful participation and leadership role seems to have been neglected.

There is a consensus that all women have equal rights in the projects, programs, policies, and reservation quota determined by the state for women. However, giving them ‘equal rights’ has given leeway to be lax in their just distribution and utilization with respect to the ground realities of the society. In the local level elections, women were sidelined from the time of nominating candidates, saying majority of women were ‘competent’ only for positions of deputy chiefs. Even while being sidelined, Khas Arya women are at the forefront when it comes to making maximum gains. In the local level elections of 2016, of the 263 positions of mayor, 6 of the 7 elected women were from the Khas Arya community and one from the Madhesi community, while despite the exercise of compulsory provision to have at least one Dalit woman as a ward committee
member, overall Khas Arya women stood in the second place. This proves that the horizon of their political participation is wider compared to women from other communities.

The exercise and result of the local level elections showed that, to bring about numeric balance in diversity among women, unequal representation and participation, it would be beneficial if the reservation quota for women and different clusters was implemented as a ‘quota within a quota’ system. However, this is not only the issue of achievement in numeric participation. Participating as a representative of a particular community, they should be able to confidently raise the questions and issues of that community and seek solution to their problems. If this process is viewed narrowly or as an obstacle, the result it would lead to would not be in anybody’s interest.

In principle, inclusive political participation is not an issue. It is a perspective or a concept. It is a natural process that should be reflected spontaneously in the exercise of democratic system. This is a concept of ‘political intersectionality’. ‘Political intersectionality’ is a form of structural ‘intersectionality’ which addresses multi-layered inequalities in policy formulation process and casteism, genderism and class oppression inherent in policies. This indicates how inequalities and their intersections are related to political strategies (Crenshaw 1994; Verloo 2006). ‘How and where are caste minorities, disabled and women marginalized? Where and how to measure caste and gender equality?’ are questions that are raised through analysis of ‘political intersectionality’ (Verloo 2006: 213). However, this is being seen only as a ‘subject of discussion’ or ‘issue’. It is clearly understood that in the Nepali political sphere, it is still difficult for this to come as a natural process in accordance with the social ground realities.
Challenges to transforming issues

Although the indigenous peoples’ movement rose socially, their questions are political (Bhattachan 2074 v.s.). The questions raised by indigenous women through various social organizations are also political. Although activities and campaigns carried out through social organizations is viewed from the cultural/social perspective, the questions and concerns raised through the movement were and are not of purely social-cultural nature. Their questions and problems have been raised from the historical base point of negation, encroachment of social-cultural norms/values/philosophy and interference. This is why their roots and basic character are political.

The demands and questions of indigenous women are centered on establishing their special identity (though, with questions) in the state, enjoying services and rights accordingly, establishing participation and access to the leadership level in state mechanisms and public institutions, equal gender representation in indigenous peoples’ organizations/associations and political freedom, participation and organizational, political, and legal remedy addressing and resolving these problems (Rai 2074 v.s.). These political questions raised through the social movements still remain unaddressed. After the Comprehensive Peace Accord (CPA), social inclusion and adoption of proportional representation system as per the framework for the creation of ‘new Nepal’, and the equation of movement of indigenous women and indigenous peoples’ movement helped bring the questions of indigenous women to the surface. These questions have not been incorporated in the mainstream political structure.

The main demand of indigenous women that their distinct identity should be given recognition in the formal documents of the state still remains neglected. Their social movement alone is not sufficient to address the demands woven on the thread of identity, neither are the lone voices and activities of indigenous women adequate. Indigenous women who are aware of this
fact have been making unsuccessful attempts to seek a political outlet to their questions. However, those attempts have not been forceful enough to make the concerned sides hear their voices and address them. Indigenous women's movement has not been able to transform their questions into political ones or to actually politicize them. This is because the indigenous peoples’ movement has not been able to move along with the social and political movement of indigenous women. Besides, the selfish and narrow politics of political parties with a decisive role in state and state functioning, in relation to Nepali women, indigenous communities, identity of indigenous women and their representation, is equally responsible. Here, it needs to be clearly understood that political transformation of questions means their cheap politicization to serve the interests (such as collecting the votes of a community or establishing a hold on a place or community) of any party or any party leader rather than making an agenda of questions. It is to find a political and legal solution to the questions raised by the indigenous movement and to institutionalize them structurally. This has to run in a cyclical pattern in the mainstream structures of the state and politics—for example, to establish questions as political agendas through the pressure created by the movement of indigenous women and their political participation, and make legislation, laws, policy and rules and implement them. These policies and rules will again help encourage public participation of indigenous women, ease the practice of social-cultural traditions, aid them in enjoying the rights granted by the state, and minutely raise their questions and issues. Only when this cyclical process continues without obstruction can there be actual change in the status of indigenous women. If their questions are taken as a temporary populist political agenda, then it would do more harm than good to the community and common women of the community.

It was due to the political transformation of questions that after 1990 indigenous women started raising their voices before the state.
In addition, there had also been frequent unsuccessful attempts to forge working and issue-wise coordination and partnership with political parties. However, there were difficulties in synchronizing the thoughts and goals of political parties and their leadership, which operate under definite ideology and point of view, and the indigenous peoples’ movement and the background, thought and goals of the indigenous women’s movement. That is why unity on the basis of questions was impossible. There also lacked a strong basis for partnership. Learning lessons from such efforts, leaders of the movement decided to make a different approach and made frequent efforts to form political parties that would raise issues of indigenous peoples (Bhattachan 2074 v.s.: 8–9). Indigenous women had participated in and supported all such efforts. However, this move to join the social movement with political movement also did not succeed.²

It is not that there are no political parties formed under the leadership of indigenous peoples competing in the national and regional level raising questions that are partially similar to those raised by indigenous peoples’ movement and indigenous women’s movement. The caste-based social movement led by Laxman Tharu transformed into Sanghiya Loktantrik Rastriya Manch, a political party. But the politics and party that staunchly raised the questions of indigenous peoples did not succeed. These parties played a role in ensuring participation and representation of indigenous peoples in the political structure and in drawing the federal structure of the state. However, these political parties were not effective in raising the issues raised by the indigenous women’s movement and getting them addressed.

During the first Constituent Assembly election, for a short time the indigenous women’s movement was taken ahead from both sides—socially and politically. In coordination with the indigenous

² For details, see Jhakendra Gharti Magar’s article included in this book.
movement and indigenous lawmakers’ caucus, the movement was carried out from both within the parliament and public places to ensure the rights of indigenous men/women in the constitution. Indigenous women caucus in the Constituent Assembly in a similar manner worked cautiously to point out the issues that should be written in the constitution (Rai 2073 v.s.: 119–127; Bhattachan (Gauchan) (2073 v.s.: 111, 118). Unfortunately, with the dissolution of the Constituent Assembly, that exercise became limited to merely a document related to the previous Constituent Assembly. Then Nepal Communist Party (Maoist) drew mass participation and trust in their insurgency raising the agendas of the identities of Nepal’s social groups and their rights. Following the comprehensive peace process, there was widespread demand for inclusion. As these agendas started getting political form, those who were ostracized became optimistic that Nepal’s politics was finally orienting itself towards the social ground realities. The questions of the indigenous women’s movement also came to the surface at that time. As other political parties, apart from Maoists, also started adopting the principle of inclusion, they were optimistic that they would be able to able to secure a place for their questions in the political structures and mechanisms. The Maoist party and the Madhes-based parties, which were considered the advocates of identity, were relegated to third and fourth positions respectively in the second Constituent Assembly election. In the Constituent Assembly, the door for the formal formation of caucus was closed (Rai 2073: 119–127) by violating lawmakers’ political rights (Yami 2016: 6). This closed the possible door for the agendas of indigenous women’s movement to enter the Constituent Assembly. The agendas of self-determination, self-governance, identity, and gender/caste equality gradually started being either pushed to the bottom of priority list or entirely removed from the list.

It is again the political parties themselves that can take the questions of indigenous women to Nepal’s political sphere. As the
political parties in the process of expanding their unions and sister organizations also formed caste-based organizations, this increased the party membership of indigenous communities. Political parties also accepted the participation of males and females of indigenous groups with the intention of gaining and expanding inclusive identity, and maintaining a hold on and increasing influence in a special place/community. However, instead of collecting the questions of indigenous communities and indigenous women, it only aided to politically polarize their movement and weaken their questions (Bhattachan 2074 v.s.).

Political parties are not liberal and sensitive on agendas of indigenous communities and women. Leftist political parties maintain ideologically and conceptually that the agendas of caste and gender should not adversely affect the agenda of class. For example, Nepal Communist Party (UML), to strengthen its class-related agendas, proposed to put restrictions on its caste-based organizations, assessing that it was a wrong policy to open caste-based organizations (Dhungel 2071 v.s.: 1). Caste-based and gender-based agendas also do not fall under the interest and priority of Nepali Congress, which carries the status of a democratic party. Then Nepal Communist Party (Maoist), which emerged as a pro-identity party, had strongly raised the issue of identity and advocated for proportional inclusion during the constitution writing process, later abandoned these agendas. Lately, it has also been analyzed with the initiation of the process of merging with the Nepal Communist Party (UML) that the agendas which were considered to bring hassles for the party have become extinct (Prasain 2074 v.s.). I myself got an opportunity to listen to the experiences of various males and females, in off-the-record conversations, with lawmakers of different parties on how they were compelled to follow the orders of their respective parties and leadership to continue their political career and raise agendas prioritized by their parties instead of their own and actual questions. Although this issue did not come out openly, and despite
the international provision that the parties are not allowed to issue whip to their lawmakers in the Constituent Assembly, lawmakers from the indigenous community were not politically free to raise the issues related to their community. There is a general understanding that in this situation it is natural for parties and their leadership to be all-in-all before and after the Constituent Assembly. This is an indication that there is no other choice than to depend on the interest, discretion and thought of political parties and their leadership on whether a political party should or should not raise the issues of indigenous communities/women, and in what manner if such issues are raised. This shows that the leaders of indigenous communities are compelled to pass through a defensive situation amid ‘self-representation’ and ‘participation and representation in parties’. And eventually they are compelled to reach a conclusion from the defensive angle that it would be wise to opt for ‘participation and representation in parties’.

That is why they have no alternative other than carrying out responsibilities as per their identity so as to be seen as a representative of their community, give the party an inclusive character, and carry the burden of representation in each and every place which undergoes the test of inclusiveness (for example women, even more women from indigenous peoples, and in several cases those with disabilities, minority and women from backward regions). In democracy, the practice of multi-identities and representation is good for everyone. But if one is to remain confined in the narrowly stipulated responsibility of identity and representation, it would only cause more damage to the concerned community and its movement. It is a necessity of the indigenous nationality and indigenous women’s movement to move ahead by avoiding such damage. There is not enough basis to remain assured and satisfied that the numeric computation is climbing towards positive height.

So, where did the indigenous movement and representatives of the indigenous peoples go astray? This is a serious and complicated
question, which does not have a simple and single answer. While seeking an answer, it is important to find those who are equally or more responsible than indigenous peoples and their representatives. It is alleged that Nepal’s movement for identity is operated as per the ‘grand design’ of foreign countries (Khanal 2073 v.s.: 285–338). In fact, the indigenous people’s movement is moving ahead on the strength of limited resources and least informed manpower. It is true that it could not be adequately powerful and failed to create pressure on the state due to various challenges. But the old state structure, and policies adopted by the state and major political parties are more responsible for this. On the one hand, there is a tendency to deprive the indigenous representatives, both male and female, of the freedom of raising their actual questions in the political mechanism, and neglect the issues raised through decades of movement, while on the other hand, indigenous women lack access to political mechanisms and have not been able to reach decisive positions and at the policy making level to be able to transform those questions politically.

Lately, in terms of representation, it can be considered that the presence of indigenous women has given positive energy to the indigenous community. According to a prominent leader, Pampha Bhusal, “When women enter the mainstream of politics, it encourages other women. When women see their own friends in the top-level politics, it gives them hope and develops “we can do it” mindset. That makes them feel “if she can do it, why can’t I?”” (Yadav 2016: 76). In this perspective, indigenous women involved in mainstream politics are inspiring representatives for their entire community. But in a situation in which women politicians are compelled to concentrate their efforts to bring about a balance in the unbalanced male-female representation and gender inclusion, there does not seem to be a favorable situation or mechanism for them to raise questions of diversity among women. Although women leaders reach partially decisive levels, their negligible number and differences of opinion
on top of that prevent them from raising the majority of women’s issues. Even if the questions are raised somehow, they are voted out or simply neglected.

Even influential female leaders who raised questions during social movements becoming their own leaders are relegated to the status of cadres in the political structures of parties. Lately, if the conventions of the two umbrella organizations of indigenous peoples—Nepal Federation of Indigenous Nationalities (NEFEN) and National Indigenous Women’s Federation (NIWF)—are closely observed, extremely interventionist influence is seen prominently in the organizations that led the social movements of indigenous peoples. Due to all these reasons and aspects, there has been a failure to synchronize the major agendas of political parties and the questions of indigenous peoples/women. They have been unable to explore possibilities for gathering the questions at one place. Social transformation and political transformation are supplementary to each other (Yadav 2016). That is why unless the questions of indigenous peoples/women are translated socially and politically, they cannot be addressed. In the context of political participation of indigenous women, apart from numeric presence, meaningful participation along with questions, and political transformation of questions for addressing them, the discrimination and hurdles they face while being involved in political sector or structures and mechanisms of political parties are also important. It is my assumption that because equal and appropriate political conduct, opportunity and space after one enters as a political person determines his/her political performance and career, it is necessary to contemplate on that issue as well.

Political discrimination and violence
‘She is not political,’ this sentence means a woman without political awareness. ‘She is highly political’, ‘So smart with dealing in a very political way”. These sentences mean women with high political
awareness, anyone who can talk appropriately as per the context and subject matter.

In the process of informal conversations, I have heard these remarks, which under normal circumstances sound similar, time and again in the course of the past one decade. I sifted through the remarks made by different audiences after Nepali women from different communities expressed their views on different subject matters at different times and places. The result was this: the remark of the first category was directed at leaders of the indigenous women, and those of the second category were for the women leaders from the ‘high’ caste Khas/Arya community. Nevertheless, these remarks were not directed at women leaders of a particular community or made with the intention of judging their competence. The above remarks in Nepal’s public and political sphere can be taken as an example that women from different social and caste groups do not have the same level of participation and are not equally accustomed to the political process.

We have the practice of evaluating women from different backgrounds using the same yardstick. Such evaluation of women from different social-political backgrounds is in itself discriminatory. So apart from a few women, other women may be facing discrimination at several layers. Such things have also strengthened the base for political discrimination and violence against indigenous women. A practical way for indigenous women leaders to establish their identity and raise their questions is to raise voice against discrimination and violence incurred on them just for belonging to indigenous communities. This is also the voice against violence against women. This also makes one aware of the different forms of violence against women. This would help prevent discrimination and violence against indigenous women in the political sector. That is why, when talking about political participation of indigenous women, it is also important to discuss the forms of political discrimination and violence against them. Such violence and discrimination directly
affect their political performance and hence eventually might even obstruct their political career.

There are some discussions on trends of political discrimination and violence against women politicians. First, in a situation of lack of participation and representation, the issue of political discrimination based on gender is raised strongly. For example, the question of women’s participation becomes an after-formation of each and every cabinet. Second, discussions are held from the gender perspective on selection of candidates, contestants and winners in the context of elections. Apart from that, neither materials are produced nor are discussions held in the public sphere on political violence faced by women. Moreover, the issues of political discrimination and violence against ethnic/indigenous women are under the shadow of many other questions. Compared to western countries, women in South Asian countries face more political violence (SAP-International ND: 23). But women facing political violence keep mum due to lack of appropriate mechanism/platform, conducive environment and opportunity; confusion regarding what would happen if voice is raised against violence; and the fear of losing prestige, position and political career. That is why such things have not come out in the open.

During a study conducted by SAP-International during the Constituent Assembly election 2008, 72 percent of the women candidates said they ‘did not know’ if there had been political violence, 26 percent said there had been violence and only 2 percent women had emphatically said that there had been no violence (SAP-International 2008: 23). The study also showed that the majority of women who faced political violence remained mum. From the gender perspective, women are more vulnerable to political violence than men. Lack of party support, limited contact with the leadership, social-political network, limited access to media, additional financial burden, etc., make it risky for the majority of women to contest elections. Society’s discriminatory attitude
towards women and limited acceptance of women as leaders also create additional psychosocial burden and tension. It is more difficult, riskier and mentally-psychologically trying for women from ostracized and marginalized communities to contest elections.

Now let us discuss the experiences of indigenous women and the remarks made against the leadership of indigenous peoples of which I myself have been a witness. These incidents of political discrimination and violence in the political sector are rarely mentioned in any record.

Mainly, indigenous women face violence and discrimination on the basis of their ethnic and gender identity. For example, many women leaders from indigenous community faced discrimination and political violence on the grounds of language. The practice that one has to have a good command over Nepali language has been faithfully adopted by the political-social-public sphere. Hence, anyone who participates in these sectors should compulsorily have a good command over the nuances and pronunciation of the Nepali language spoken by Khas/Arya community. Otherwise, one might be deemed ineligible, not worthy of being trusted no matter how serious the issues raised by the person are, and be subject to public humiliation. Indigenous women, who came into contact and interaction with the outside community much later than indigenous men, could be proven as incompetent just for not having a command over Nepali language. There are two representative examples of discrimination and violence faced by indigenous women due to language barrier.

Hisila Yami, an established face in the Nepali political sector, who belongs to Newar community and has the habit of speaking in an ‘independent, fearless and confident manner,’ has the experience of being taken lightly in the rural areas ‘due to her poor expressive power in Nepali language’ (Asmita, 2072 v.s.: 31). Likewise, leader Sarita Maharjan (formerly from Sanyukta Janamorcha Nepal and later CPN-UML) was discriminated against, humiliated and
prevented from speaking in public functions as a party leader for not having a good command over Nepali language (SAP International 2011: 76–77). During the constitution writing process, as a member of a study conducted by Martin Chautari on constitution related issues, I also got the opportunity to listen to the experiences of women representing the marginalized people at the grassroots, in which they faced one or the other form of discrimination, misbehavior and violence from their own colleagues and party leaders. In their understanding, they had to face such discrimination and inconvenience as they had a different identity, language, marginalized background, low financial-social-political-educational condition, lack of opportunities for participation in the public-political sphere, compared to the established ‘Nepali women’ identity. They had faced misbehavior and insults during the parliament session, on the premises of the parliament or other public programs from the same persons whom they respected and considered civilized and educated, more informed, and from the upper leaders and women leaders. In fact, without appropriately understanding or willingly not taking any interest to understand the distinct and special identity of indigenous women, questions are raised on their competence and working efficiency on the basis of that same identity. The then leader of the opposition party, KP Sharma Oli, in an insulting manner had not only raised a question regarding Speaker Onsari Ghari Magar’s discretion and her capacity to take decisions, but even humiliated her saying she did not speak herself but spoke her husband Barsha Man Pun’s mind (Yami 2016: 6). However, even when a high status male leader committed political violence against a woman holding the responsibility of a respected position of the state, voices were not raised from any quarters. Before stating that women politicians have not been able to break their silence against the violence they face, it should be taken note that even when such actions take place publicly, voices are not raised against such incidents.
In the second regional South Asian conference in 2008, another woman leader Laxmi Rai (Nepali Congress) had shared her experience of discrimination, marginalization and deprivation of opportunities despite being politically active for three-and-a-half decades. (SAP-International 2008: 74). That discrimination becomes even deeper when they raise their questions. Maoist woman leader Jayapuri Gharti has the experience of having to face biased behavior by politicians when she raised the caste- and gender-related questions of marginalized communities (Asmita 2072 v.s.: 132).

These are only a few cases of political discrimination and violence documented by women politicians from indigenous communities. But this does not seem to have drawn the attention of any side, let alone understand the depth of such things. On the one hand, indigenous women accommodate themselves in the illiberal and insensitive political mechanisms and structures, and on the other, incidents of discrimination, misbehavior and violence work to weaken their confidence. This also increases the possibility of tarnishing their public image and drawing them to controversy. Women politicians have been struggling in the debilitating environment due to lack of necessary psychosocial, political, legal remedy. Still there is a conservative concept that women—let alone indigenous women—are not political creatures. The biased and conservative social-political myth that they are the top apolitical creatures must be done away with.

Finally, in the past decade, numeric participation is being taken as a basis to measure and analyze inclusiveness and proportional representation and whether the participation and representation of different social groups, genders, region, caste have been ensured or not. In Nepal's national political scenario, when listed women are counted, they are identified in terms of their various backgrounds (mainly, caste, class and regional identities), and gender presence of various social groups-communities is measured on that basis. This helps calculate their numeric presence. However, there has been no
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work to determine whether their questions have been incorporated or addressed.

Anyone who by descent belongs to indigenous communities has the right to take ownership and represent the indigenous identity established by the state. However, instead of indigenous peoples, political parties have seemingly become more capable of utilizing or over-utilizing, and even misusing, that right from all angles. However, whether each representative should represent their respective community is bound by no code of conduct other than the moral responsibility they feel towards the community. On top of that, representatives are required to carry the agendas as directed by the party's ideology and strategy, and follow the party’s code of conduct and discipline. In this situation, the issue that representatives of indigenous peoples/women should raise of their community becomes trivial. This situation in the political mechanisms has weakened the collectiveness of indigenous peoples/women and encouraged representatives to indulge in the acquisition and enjoyment of their individual rights.

‘Collective rights’ or ‘collectiveness’ rather than individual rights are central to indigenous peoples across the world. The power of indigenous peoples formed through the coming together of individuals depends on their collectiveness, their collective rights and their enjoyment. There has been gradual curtailment of collectiveness and collective rights of indigenous women in the name of politicizing their questions. Indigenous women do not only want political participation in great numbers, but also want decisions to be taken in their favor. This more want is a necessity. But the attempt to politically re-raise the questions raised through the social movement has so far failed to bear fruit. The relationship established between indigenous women and political parties is only a cosmetic relationship for indigenous women.

Political parties that are unanimous in the belief that liberalism, political freedom and pluralism are the main features of democracy
are also unanimous in mixing the diversity of women to produce a commonality and preserve it. They are of the belief that caste-based politics would invite communal rift and promote communal disharmony, which might also take the form of communal violence and weaken democracy. It is the responsibility of the state to bring political parties under the purview of law to ensure political inclusion and proportional representation. It is also the responsibility of the state to tend to provide each and every citizen equal political freedom, equal political opportunities and appropriate political culture. Unless the state honestly fulfills these responsibilities for diverse women, this question would remain equally serious and unanswered for women from all communities.

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Cultural Politics in Nepal

Bhogiraj Chamling

Culture and politics are inseparable from one another. Nepal’s history and present clearly show that one keeps affecting the other. On the one hand, this is being expressed as cultural politics and, on the other, as political culture. Cultural politics is exercised from the governance level to the cultural level, and one lays the foundation for the other. In Nepal, cultural politics from the governance level has been expressed in domination or hegemony. As part of this process, it took a long time to create state-promoted Hindu culture and state-controlled (raithane) elitist culture. This is the reward of cultural politics practiced at the level of rulers. This is one of the major aspects of contradictions in Nepal. This is also responsible for the unpleasant relationship between the state and a huge chunk of society. As a single cultural domination was established, a concept has developed that the “country is ours, but not the state.” An attempt to change this has been made along with some recent political struggles.

Building on these premises, in this article I have attempted to sketch a picture to answer the questions: How is cultural domination

1 This has been revised according to the comments and suggestions offered on the working paper presented during the national seminar
created? When did it start in Nepal? How did it move ahead and what should we do now? Cultural domination was not created in the period following Prithvi Narayan Shah’s reign, as is being understood and defined now. This process had started long before him. He only gave it an official form within a single geographical and political unit, and cultural domination gained momentum after that. In this context, during the time of Rana Prime Minister Jung Bahadur Rana, the entire Nepali community was brought under the umbrella of Hindu caste system. Jung Bahadur Rana’s move was the pinnacle of cultural politics practiced by the rulers since the Licchavi era. King Mahendra worked for socialization of this practice during the Panchayat era. In the seven decades starting since 2004 v.s. to the 2072 v.s. constitution, both the process of making it constitutional and rectifying it has been continuing. In this period, the journey of making Nepal multi-cultural from mono-cultural started.

Cultural politics also has another dimension that is practiced at the social level. Cultural politics which shows cultural superiority over other castes and communities on the basis of one’s religion, culture, language, food habits, living standards, color, geography, occupation, knowledge and many other things cannot be seen with eyes but is felt like an earthquake. This can also be called cultural competition or exercise of creating domination. In Nepali society, this is being practiced interestingly. This has also been nurturing cultural politics at the level of rulers and has been working to create tools of cultural domination. I also briefly discuss it in this article.

Culture, politics and cultural politics
Culture is considered the second nature created by humans (Gorky 1982: 31). Culture is an invention made out of social and human

necessities. As said by Edward Burnett Tylor, this includes our knowledge, faith, art, morality, rules, way of living and habits (Kamrava 2001: 12). Cultures are made of one’s own social specialties and created by human momentum, thoughts and expressions. Students of cultural studies consider culture as a way of life. In the same way, they define culture as an area for establishing competition and domination. According to them, cultural symbols (such as trident and conch) and meanings (cow as pure, pig as impure) are used to earn power and establish a sense of competition among others. That is why it is said that cultural representation in actuality is political, because the representative affiliated to some power and knowledge and identity it represents is different from others’ and denies the existence of others (Baker 2004: 41, 44). This is the reason that voices have been raised that the beginning of social transformation is not possible without reconsidering and redefining social system. Culture and politics are indivisible from one another. According to scholars, this is especially the case in third world countries. Culture and politics are intertwined with each other. According to Kamrava, in the third world countries, culture and politics are not strong enough to be autonomous and are not weak enough to be subjugated by one another. That is why cultural politics has flourished in these countries (Kamrava 2001: 149). Nepal is one such example. Culture and politics are defined as two sides of the same coin. Modern politics influences cultural environment and cultural environments influences politics. These two work in a symbiotic framework (Schechter 2007: 98). The decisions taken by Nepal’s major parties on cultural and political rights during the constitution-making process can be taken as its strong proof. Constitution of Nepal 2072 v.s., which was created by taking regressive decisions and back stepping from many issues in the interim constitution, is a result of politics and culture influencing one another. Some of its examples are: cow was made the national animal, the triangular flag that represents monarchy and Hindu religion was made the national
flag, and secularism became associated with sanatan dharma. In spite of this, political transformation was defined as socialism-oriented in the constitution. This shows that the important element that influences national, regional and international politics is culture, but it does not mean that it influences overall politics.

In every society, there is government and mainstream culture, and its norms and values, rules, traditions and concepts are widely accepted. The elite class as per their power structure operates it on the basis of written or unwritten rules. The rules of this game are determined by legal protocol, historical background of parliamentary rules and organizational methodology rather than by the rulers (Danny 2007: 98). This is the reason why Hindu religious norms and values continued to remain the official directive principles since the Licchavi era.

Nepali authority and cultural politics
State influences culture and cultures influences state. The policy adopted by the state creates common people’s concept of culture; in other words, the state frames the minds of its people. The state, taking a long time, gives shape to society’s norms and values and influences the ruled. Deliberately or unknowingly, it gives shape to a particular culture. It also plays an active role in protecting a particular culture and suppressing others. In the context of Nepal, the Kathmandu-centered state has been doing this cultural politics for the last 1,400 years.

The campaign for making multi-cultural society mono-cultural was started by the Kathmandu-centric Licchavi rulers. At eastern, western, southern regional levels, this campaign seems to have moved ahead at both official and social levels. This seems to have mainly influenced nature worshipper, ancestor worshiper and Masto worshipper indigenous peoples and Khas. In Nepal, it is found that in four different times, from four different directions, Hindu religious
culture and thoughts, along with the caste system, were imposed on these communities.

First, Hindu ideology entered Tarai after expansion of India in 1000 BC, and during the time of King Janak there was caste-based system in Janakpur. Due to this reason, during 500 BC to 500 BC, campaigner Sahalesh fought against the caste-based system. Second, with the end of classless Kirant rule, the rule of Hindu Licchavis began. Around 600, caste system began and society was divided into four varnas and eighteen castes. Jayasthiti Malla (1360–1395) provided official and legal basis for incorporating non-Hindus into the Hindu religion and caste system. He called diehard Brahmins Kritinath Upadhyay, Maithil Brahmins Raghuath Jha and Ramnath Jha and South India’s Shrinath Bhatta and Mahinath Bhatta and divided the society of Bagmati valley into four varnas and sixty-four castes. This caste system was also implemented among Buddhist Newars.

Third, during the 12th century, displaced Hindu Brahmins and Chhetris who entered Nepal through Kumaun and Paud-Gadhwal of India following the attack on Hindu devotees also Hinduized Khas community in Nepal. In a continuation of this trend, King Ram Shah (1605–1636) of Gorkha implemented the system of four varnas and thirty-six castes (Ahuti 2067 v.s.: 16–17).

Fourth, in eastern Nepal, some 350 to 400 years ago, Malla and Sen kings had begun Hinduization of Kirant community through Brahmins and Chhetris, who were awarded birta (land tenure rights) and sent as their local representatives. In the process of expanding their state from western Nepal to capturing eastern Nepal in the beginning of the 15th century, they began hinduizing Kirant rulers. Punglaing, son of Limbu king Sanglaing who ruled Morang of Tarai from 1421, had converted to Hindu religion. King of Bijaypur, Lohang Sen, had converted Limbu Chautariya Panuhang Khewang into Hindus and was given him the name Bidhya Chandra Raya (Chemjong 2059 v.s.: 13, 23). Hinduization led to fragmentation,
which was then tied in a unified thread by Prithvi Narayan Shah, who created Nepal as a single political and geographical unit. Jung Bahadur Shah gave it a legal form in 1990 v.s. by implementing the Muluki Ain. He hinduized the entire Nepali society and put it under the Hindu caste system. Hence, except those who entered the Mithila area of Nepal from India, political and official character of Hinduization seems more powerful than social character. Mahesh Chandra Regmi has termed this as “cultural imperialism” (Regmi 1999: XIV). The Nepali state has in this way been doing cultural politics over the last 1,400 years. The current cultural-political domination has been created on this foundation of 1,400 years.

In Nepal, Hinduization has three different meanings: to stratify the entire non-Hindu indigenous peoples into caste-based social class; to train them as practitioners of untouchability; and to turn them into fatalist philosophically. The unhindered rule of Hindu rulers was possible in Nepal due to these three things. Dalits have been oppressed in the name of untouchability so much so that it will take a long time for them to muster up the courage to stand up. The Maoist insurgency had, to some extent, raised their social/political willpower, but that struggle was forced to blend into the establishment. Talking about indigenous communities, as they were also placed in a social step a level above the Dalits and below Brahmins and Chhetris, as and they had been long accustomed to it, they gradually developed a psychology that they are to be ruled. However, they enjoy concession compared to Dalits in that they own land and have their original culture. It is possible for them to rise if they succeed in promoting and preserving it. Social transformation is possible only if there is a situation for Dalits, Madhesis and indigenous peoples to come together. We have to admit that there was only a little role played by the Maoist insurgency to draw the framework for change.

Culturally, it is not necessary that those who run the government are always in the minority. In some countries cultural minorities
dominate the majority, and in some countries cultural majority dominate the minority. However, in Nepal cultural minority has created cultural domination over other minorities. So far, Nepali rulers have done three things in terms of cultural politics. First, they have culturally put the entire Nepali society under the Hindu caste system. Second, they have created social hegemony by establishing cultural symbols. The leadership of a special social class has been established in Nepali politics on the basis of this hegemony. And third, the state leadership has been given continuity on these two bases.

Symbol and meaning: The tools of cultural politics

Chris Widen says history is a warehouse of symbols for the current cultural politics (Weedon 2004: 27) These symbols and their meanings are powerful means of creating hegemony. For example, we can take symbols such as cow, trident, Shiva, Mahadev, Krishna, Ram, Vishnu, and Parvati; and cultural definitions such as those who eat pork are impure, those who eat mutton are pure, and those who eat beef are sinners. Through these symbols and meanings, rulers are doing cultural politics without the knowledge of the common people. In Nepal, rulers have taken a long time to create public trust and respect for these symbols and meanings. That is why Nepal’s oppressed class, castes, regions and genders think that those who follow these symbols are superior and they as inferior, the community that has authority over these symbols and their campaigners as rulers and they as the ruled. For this, the rulers have used authority and power to create ideological-cultural leadership and have taken consent for ruling from the people through cultural politics. In thinker Antonio Gramsci’s language, the collective form of state power and people’s consent is hegemony (Forgacs 2000: 423).

Rulers have spent 1,400 years to take consent of the people to rule and to create this hegemony. Social and state leadership have
been established on the basis of this hegemony. Cultural politics is behind the fact that a special class of a particular community enjoys hegemony in political parties and state power. The above-mentioned cultural symbols and meanings have also played a significant role in establishing such cultural politics. Cultural politics or hegemony created through cultural symbols and meanings is qualitatively different from taking consent through elections. Because the consent taken from the people through elections is temporary while consent taken through cultural politics is long-lasting, which also takes time to create and an equally long time to break. Mahesh Chandra Regmi has accurately analyzed the hegemony thus created by Nepali rulers. Likening the state expansion campaign of Prithvi Narayan Shah to the Mughal and British empires, Regmi has clarified about Prithvi Narayan Shah’s cultural politics and ruling methodology. He said so in the context of cultural and religious policies adopted by Prithvi Narayan Shah to gain legitimacy for the “Gorkha empire” after the victory over Kumaun. He says, “(Gorkhali) rulers created the basis for the legitimacy of their rule with the help of religious and cultural policies. It was their objective to acquaint and assimilate Kumaun residents with orthodox Hindu norms and values and symbols and establish the prestige and purity of Gorkhali rule. That is why this may be called cultural imperialism” (Regmi 1999: XIV). And rulers have been adopting this policy throughout Nepal. Thousands of examples can be given as to how Hindu rulers have been establishing their ruling hegemony in Nepali society through these symbols. Based on what I saw\(^2\) during my recent visit to Sotang Rural Municipality of Solukhumbu, I would like to draw a picture of how socialization of cultural politics is being carried out at the level of state and rulers.

\(^2\) I had studied the culture in Sotang Rural Municipality Solukhumbu, from Baisakh 17 to 22, 2075 v.s. Along with me was Kailash Rai. Bhadragol Kiranti had coordinated the study.
There is an old settlement in Sotang Rural Municipality: Fustel. A market has developed over the last 40 years. A temple has been constructed in the bazaar area by bringing a long and round stone from Hongu Khola a few years ago. Deeming the stone to be a symbol of Lord Shiva, the temple has been named Shiva Mandir. After the establishment of the temple, the old name of Fustel bazaar has been changed to Shivatar. The name Fustel was taken from the language of Nachhiring Rai community, the old residents of the place. In the Nachhiring language, “Fus” means grass and “tel” means settlement. Earlier, the place was a grassy land, hence the name Fustel. To change Fustel’s name as Shivatar is not only to rename the place in Khas language. In fact, this would have a long-term impact on thoughts and culture and eventually create a social and political leadership, because “Shiva” is not only a stone, but a symbol of a certain religious faith and philosophical thought. Due to this reason, the more the name Shivatar gets established, Shiva philosophy and values will also get established in the same proportion. And the more the Shiva philosophy gets established, the leadership and role of the followers of that philosophy will also get established in society, which will turn into political leadership. In this way, as the time goes on, the sleek black stone from Hongu Khola will become a symbol and cultural tool for creating hegemony.

Let us also discuss cultural meaning (definition). Cow and pig are best examples. As per Hindu values, pig is impure and cow is pure. This assumption occupies a large volume in Nepali society. This assumption does not make any difference in the lives of pigs and cows, but makes a big difference in Nepali society. Due to this assumption, those who eat pork are considered inferior and those who hate pork eaters are considered pure and superior.
This assumption has also occupied a place in politics. Especially, left wing politicians often say, “I am ready to live in the pigsty to change society.” Why don’t they say that they are ready to live in the cowshed? As the communist movement is also led by those who come from a community which believes that the pig is impure, those who have been saying that they would change the old norms and values of society have also unknowingly become a part of cultural politics that holds pig as impure.

In this way, through cultural definition, once a community is relegated to a lower position socially, their place in society, politics and leadership also gets affected, while the community that gets elevated to a higher position has a greater claim to society, politics and leadership. Defining things in such a way has created a huge imbalance in society and politics. Culturally defining things in such a way has also played a great role in bringing this state of affairs. In this way, hundreds of other symbols like pigs and cows and their definitions have been effective media of creating social, cultural and ruling hegemony. Nepali society, in an unknowing way, has socialized the cultural politics of rulers through these symbols and definitions. On the other hand, the rulers are knowingly socializing such symbols and definitions to establish their hegemony. This is one of the dimensions of cultural politics continuing in Nepal.

Language: A tool of cultural politics
Another tool of cultural politics is language. Cultural politics begins with the name of the language itself which is currently called “Nepali.” This language was not called Nepali until much later. Locally this language was called with different other names such as Gorkhali, Parvate, and Khas. Its official name was “Gorkha bhasa,” for example, Gorkha Bhasa Prakashini Committee. The official newspaper published in 1958 was called “Gorkhapatra.” Khas language has been called “Nepali language” from two aspects. First, when Nepalis faced an identity crisis in Darjeeling, they named
Khas language as Nepali language to protect their identity. That is why in 1981 they had formed an organization called Nepali Sahitya Sammelan (Nepali Literature Convention). Second, for foreigners, the Khas language spoken in Nepal was Nepali language. This is why Turnbull in 1944 in his book “Nepali Grammar and English-Nepali, Nepali-English Vocabulary” had named Khas language as Nepali (Shrestha and Sharma 2056 v.s.: 193) However, it is neither right to call Khas language as “Gorkha language” nor is it right to call it Nepali language.

There is an official reason for Khas language to be called Gorkha language. Khas language was called Gorkha language to give social-cultural legitimacy to the victory of Prithvi Narayan Shah. As said by Mahesh Chandra Regmi, this was done with the intention of making the state leadership of Gorkhali rulers prestigious. As the name “Gorkha language” could not alone carry that weight, it was named Nepali language. Eventually, rulers used the “Nepali” name given by foreigners to their advantage. It might not be strange for foreigners to see Khas language as Nepali language, but for those inside Nepal, Khas language to become Nepali language is an exercise of cultural hegemony. This is the linguistic expression of cultural politics, because this concept proves and shows all other languages other than Khas language as non-Nepali. As all mother tongues spoken in Nepal are Nepali, all languages spoken in Nepal should be defined as Nepali.

It is not necessary to protest against the currency Khas language has gained as a contact language, but if all other mother tongues are not treated equally and respectfully, the expansion of Khas language would be hegemonic. This hegemony, whether created in the Rana era or the Panchayat system, would continue to be hegemony even in the socialism-oriented system.

Along with the expansion of Khas language, there has also been socialization of the concept of hierarchy in Nepali society. In most languages of the Tibeto-Burman family, there are not enough words
that convey a sense of social hierarchy. For example, in Chamling Rai language, there is only one word that is used to indicate respect—“Khana”—which is equivalent to the English “you.” But when Khas language was “Nepalicized,” many words which indicate different layers of respect are used—tan, tapain, hajur, mausuf. This way of addressing has also brought about a change in the way people think. For example, Dalit and Madhesis are considered to belong to the level of tan, indigenous peoples tan or timi, Brahmin and Chhetris tapain and hajur, and courtiers mausuf. From the gender perspective, women are addressed as tan and men tapain, hajur and mausuf. From the class-based perspective, the poor are addressed to as tan and the well-off as tapain, hajur and mausuf. Seen from the regional perspective, people from Madhes and remote areas are considered to deserve tan and Kathmandu tapain, hajur and mausuf. The Khas language so “Nepalicized” has also established the concept of social hierarchy. It has provided legitimacy to social-political classes. This layered structure of language has played a significant role in establishing social, cultural and political hegemony. For example, those who are addressed to as tan still remain suppressed in the lower layers of society and politics. The presence of tapain is of the common level. The era of mausuf is over, but the presence of hajur still have a strong presence as we move towards socialism-oriented politics.

It is argued by many that Nepali language has bound Nepal as one country. This language which was developed as a contact language is defined by many as having played a role of social-cultural unification. However, the argument that there would be social, cultural and emotional unity only when all people speak the same language is in itself an incomplete understanding. If that is so, then India, a large country, should be called a fragmented state. Because there are many states in India where Hindi is not only not spoken, but also not understood. Only provincial languages are used in such states. It is not appropriate for Dor Bahadur Bista to say that
Khas language as the contact language has Nepalicized all languages and cultures by unifying them (Bista 2015: 90). Instead, hegemony is being exercised through ‘Nepalicization’. Not only did Gorkhali rulers establish prestige through language, but also used it to create hegemony in other sectors. For example, those speaking Khas language got the opportunity to secure special positions in society and all organs of the state because only Khas language was given official recognition and special protection, while those speaking other mother tongues were ostracized. This has also played a role in the current influential presence of a particular community in society and politics. If Magars are allowed to compete in Magar language, Gurungs in Gurung language, Tharus in Tharu language, Limbus in Limbu language and Rais in Rai language, and if their languages are used as official languages in the local and provincial levels as provisioned in the constitution, they would also definitely emerge as top class in the competitions, both in social and political sectors.

We do not need a Nepali society that only knows Nepali language, but need a society in which people know each other’s language. The schools and high schools and offices now should be established in this spirit and that would unify society. Otherwise, the current “Nepalicization” would be something that had been stuck together with Super Glue. The Nepalicization that we want is the one in which it is achieved by holding each other’s hands.

Nepali society and cultural politics
Society is in its own way does cultural politics as much as society socializes cultural politics. The state seeks consent from society, and the hegemony established socially seeks state leadership. That is how culture and politics are interrelated, the cultural politics done by the state and the cultural politics done by society. Undemocratic rulers use cultural hegemony as a weapon to prolong their rule. This is the reason for the mono-cultural exercise in Nepal. The more the exercise of democratic system increases, the more single hegemony
gets weakened. Hence, move towards plural society should be made from monolithic society to strengthen democracy.

Let us discuss some of the interesting aspects of cultural politics in Nepali society. For example, in terms of physical appearance, to call people of one caste or another as blunt-nosed and sharp-nosed; in terms of occupation, to call someone Tapare (indicating Brahmin priests who use containers made of leaves) and non-Tapare; in terms of demeanor and knowledge, to call someone as coward, warrior, sluggish, stupid; in terms of food, to hate and call someone who eats pork and mutton as impure; in terms of geography or color, to call someone Madhise and Pahade, or and black and non-black; in terms of residence, to call someone living in a village lout, city slicker and sub-urban—these all are different dimensions of cultural politics at the social level. These forms of cultural politics at the social level without our knowledge become a part of cultural politics of an undemocratic state.

When people from one caste address people of other castes with this sense of disparagement, it creates lack of trust. When someone presents himself or herself as a superior caste, the objective of achieving cultural and ideological superiority becomes clear. And the state nurtures this, because undemocratic rulers climb the ladder of authority using that superiority. To jail anyone found eating beef is to make non-Hindu devotees surrender before Hindu cultural values and norms. Imperialist superiority is created after subjugating others physiologically and culturally. Political hegemony is created using the ladder of that same culture hegemony, which works to strengthen the existing political and state hegemony. This is the reason why the undemocratic Hindu rulers were hellbent on creating cultural hegemony in Nepal’s political history for the last 1,400 years. This cultural politics has created the foundation for one particular caste to have a grip in Nepal’s political parties.

Parties and leadership committed to democratic system should be heading toward multi-culturalism by weakening cultural
hegemony. The constitutional provision of secularism can be taken as an example. But in several situations, these so-called democratic parties also seem to be covertly trying to give continuation to cultural hegemony under different guises. It appears that attempts are being made to limit secularism as a protector of sanatan dharma. Even if benefit of doubt is to be given, given the fascination towards cultural hegemony, it could be said that attempts are being made to gradually bring into consensus and take people’s opinion into confidence. But one thing is clear: given the situation of cultural politics being practiced in society, it would only try to restrain political change.

Constitution and cultural politics: From monoculturalism to multi-culturalism

We can also see the constitutional and legal aspects of cultural politics. Constitution and laws are documents of existing balance of power. There was a time when precedents set by kings worked as the constitution. There was even a time when Muluki Ain (civil code) itself was the constitution. In Nepal, the history of having the constitution as the supreme law of the land is not very old. An attempt was made in the final year of the Rana regime. But since the beginning, attempts had been made to define Nepali society as a mono-cultural society. This was not so unnatural as efforts begun by the Licchavi kings had gained official recognition till the time of Prithvi Narayan Shah that Nepal was the “original Hindustan” (place of Hindus). From the constitutional law of the Government of Nepal in 2004 v.s. to the Constitution of Nepal 2072 v.s., initiatives for making Nepal mono-cultural and multi-cultural can be pointed out. Here, I make an effort to briefly mention and scrutinize the cultural policy adopted by the constitutions promulgated in the last seven decades.

Nepal government’s constitutional law of 2004 v.s. had been promulgated as a last-ditch attempt to save the Rana regime. In this constitution, freedom of religion had been listed as one of the
fundamental rights. Although there is no mention of the Hindu kingdom, the same intention has been expressed in a roundabout way through the wordings, “this holy land protected by Lord Pashupatinath.” Article 15 of the interim governance legislation of Nepal 2007 v.s. brought after the end of Rana rule stated that the government would not discriminate against anyone on grounds of religion, caste, ethnicity, gender or place of birth. The heat of the democratic struggle is reflected in this article. But in eight years till the promulgation of the constitution of Nepal in 2015 v.s., the constitution was turned back. This constitution, for the first time, gave constitutional recognition to Hindu religion by stating “the royal descendants of Prithvi Narayan Shah, followers of Arya culture and Hindu region.” The constitution of the kingdom of Nepal 2019 v.s., for the first time, established Nepal as the only Hindu kingdom. In a more surprising way, after the restoration of multi-party democracy, the constitution of the kingdom of Nepal 2047 v.s. more clearly defined Nepal as a Hindu kingdom. It stated, “Nepal is a multi-cultural, multi-lingual, democratic, independent, indivisible, sovereign, Hindu, constitutional monarchical kingdom.” Culturally, the constitution of multi-party democracy was more regressive than the constitution of the Panchayat era. Likewise, in terms of language, the constitution stated, “The Nepali language in the Devanagari script shall be the language of the national, and it shall be the official language of Nepal. All other languages spoken as mother tongues in different parts of the country shall be national languages.” Even in terms of symbols, by stating that rhododendron shall be the national flower, crimson the national color, cow the national animal and lophophorus the national bird, it has for the first time given constitutional recognition to particular culture and region through special cultural symbols. The traditional flag used in Hindu temples has been called the national flag. Why did the country embrace Hindu norms and values and sideline others as it moved towards a more democratic system? Why did such an anomaly take place? This
was because the palace (king) still remained as the political force and the political parties struggling for democracy were still in the grip of those representing the same culture. Although they seemed democratic from the political viewpoint, they were deliberately sympathetic towards the culture embraced by their community.

The Interim Constitution of Nepal 2063 v.s. was free from these weaknesses, which accepts Nepal as an independent, indivisible, sovereign, secular, inclusive, federal democratic republic. It stated that all mother tongues spoken in Nepal are national languages and Nepali language in the Devanagari script shall be the language of official business of the country. It further stated that there shall be no restriction on the use of mother tongues in local levels and offices. It says that an archive of the languages used shall be made by translating them in the official language. In Nepal’s constitution history, this is the best constitution so far. Even the constitution of Nepal 2072 v.s. is a step back from the interim constitution. Although this constitution states “Nepal is an independent, indivisible, sovereign, secular, inclusive, democratic, socialism-oriented, federal democratic republic,” there is a rider, “secular means protection of religion and culture being practiced since ancient times and religious and cultural freedom.” By stating sanatan or ancient, it is clear that the constitution is indicating Hindu religion. Likewise, by stating that the “Nepali language in Devanagari script shall be the language of official business in Nepal, and in addition to Nepali language a province shall select one or more national language that is spoken by majority of people in that province as the language of official business, as provided for by the provincial law,” the constitution has accepted languages other than Khas language as the official language of the provinces. However, they have not been accepted as the official languages of the entire nation. The national language also remains the same. Continuity has been given to the national symbols recognized by the 2047 v.s. constitution: The rhododendron arboretum is the national flower, crimson is the national color, the
cow is the national animal and the lophophorus is the national bird of Nepal.

Some important achievements have been made in the seven decades of constitutional journey. Hence, by taking ownership of these achievements, it is important to keep rectifying the boundaries. The first constitutional achievement in terms of culture is declaration of secular, inclusive, democratic, socialism-oriented federal democratic republican Nepal. The second achievement is declaration of all mother tongues spoken in Nepal as national languages and the provision that allows provinces to select one or more national language that is spoken by majority of people in that province as the language of official business.

But there are also some boundaries that need to be rectified. For example, secularism has been defined as the shield of sanatan dharma or ancient religion. The next boundary is the raising of dispute over the language of the provinces and the center, and only to call Khas language as the Nepali language when all other languages spoken in Nepal are Nepali languages. The third boundary is to give continuity to the monarchical cultural symbols such as rhododendron, crimson, cow, lophophorus and flag. It appears that through these cultural symbols an attempt is being made to keep protecting the undemocratic Panchayat-era politics and culture, which is not an encouraging thing. Yet, the country is moving from mono- to multi-culturalism and from cultural hegemony domination to co-existence. The success in rectifying the cultural hegemony developed by the state taking 1,400 years should not be undervalued.

References


Indigenous Peoples Movement and the Politics of Minority

Tashi Chhiring Ghale-Dolpo

Background

The Nepal Federation of Indigenous Nationalities (NEFIN) condemns the mono-cultural state government’s tendency of respectively attacking Indigenous identity and self-respect by forming double-treble clusters in the name of mainstreaming Indigenous peoples and strongly demands rectification of the haphazard, unscientific and impractical decision without further delay. In addition, to ensure representation of Indigenous peoples in local level election and political-administrative units of local levels, it demands creation of an Indigenous cluster with established distinct identity. NEFIN, an organization of Indigenous communities, reminding that it has rejected the local level elections, through this press release also wants to inform that it would be compelled to take any kind of step if this move is not rectified in knowledge, consultation and consent with Indigenous peoples. (NEFIN 2074 v.s.)

On the orders of the acting secretary of Ministry of Home Affairs Yadav Prasad Koirala, 98 ethnic communities with a population of
less than 0.5 percent as per the census of 2068 v.s. had been listed as minorities in the gazette for the purpose of local level elections on Baisakh 11, 2074. A task force formed under NEFIN and National Foundation for Development of Indigenous Nationalities (NFDIN) strongly condemned the list. As mentioned above, according to NEFIN, the list was haphazard, unscientific and impractical. In addition, the list missed out many other ethnic groups and posed an obstacle to the indigenous peoples’ movement by adding new groups on the list.¹

In the present context, the state’s attitude appears negative towards indigenous peoples. As the state adopted various strategies, social, economic religious, political and geographical aspects of indigenous peoples are being more and more marginalized. Analysts have argued there has been genocide of indigenous in the US, Spain, France, Holland and Britain. Culture of conquest allowed these countries to colonize and dehumanize indigenous groups across the world (Zinn 1994; Dunbar-Ortiz 2014). In the context of Nepal, analysts are in consensus demonstrating how the Nepali state has prioritized internal colonization to exclude and endanger indigenous peoples in various aspects (Bhattachan 2008; Lawoti 2005; Gurung 2017). Such experience of oppression and marginalization makes it clear that the Nepali state rarely thought of the welfare of indigenous peoples. Instead, programs to further divide and manipulate various communities were implemented. In this context, dissemination of the minority list seems to be continuation of such politics. That is also why additional study and research on the politics of minority is instrumental. To examine such notion of politics, in this paper I will argue that it is important to historicize the politics of minority and then analyze the state’s rationale constitutive of embedded process,

¹ A taskforce related to minorities was formed by National Foundation for Development of Indigenous Nationalities. As a member of this taskforce, I also participated in various meetings, discussions and interactions.
module, and purpose in the minority list, generating a new form of
discrimination and ethnic inequality.

In this article, the policies and programs of the government have
been analyzed to explore the state’s legibility. First section shows how
internal colonization has taken a new form in the politics of minority.
The politics of minority follows a specific genealogy of state power
marginalizing indigenous peoples, and reflecting back to the Nepal’s
political history might emphasize why such process and formulation
of dehumanization is not entirely new. Second section shows how
the politics of minority comprising of a specific process, module,
and purpose is problematic from the perspective of indigenous
peoples. Published journal and newspaper articles informing issues
of indigenous peoples’ movement and minorities are incorporated to
widen the analysis. Finally, a summary is presented stressing on the
steps the indigenous peoples in the future may take.

Renewing internal colonization
Indigenous peoples have been dehumanized and objectified all over
the world by different power regimes, and indigenous peoples, in
turn, have confronted and challenged these power regimes and
hegemony. In Nepal, the tragedy confronting by different indigenous
communities and geographies is not entirely different. This section
deconstructs the notion that indigeneity is homogeneity and reveals
heterogeneity in the state and its colonized peoples, and confronts
the project of assimilation by challenging it from different positions.

Started in the 18th century, with the expansion of the Gorkhali
state started by Prithvi Narayan Shah, the Newars of Kathmandu
valley and people of eastern Kirant province were brought under its
control. Multiple successors of PN Shah continued and materialized

2This article has attempted to incorporate the suggestions offered during
the seminar ‘Nepal’s Politics: Issues of Indigenous Peoples, Movement and
Future Course’ organized by Nepal Federation of Indigenous Nationalities
on December 24, 2017.
similar regimes of colonization and territorialization in western and northern frontiers of Nepal. Scholars have aptly shown how these new colonized territories and their subjects were treated and their resistance were co-opted and divided, largely benefiting the project of internal colonization (Regmi 1972; Rose 1971; Caplan 1970; Whelpton 2005; Lawoti 2005). Likewise, by the 19th century, creating the basis and justification for ‘Hinduization of the state,’ the Rana regime imposed restrictions on the movement and entry of ‘white foreigners’. It is important to state that this rationale was based on purity, and with the increasing influence of the Hindu religion, the Nepali state also established asymmetrical relationship with different indigenous peoples: Magar, Gurung and eastern Kirants. At best, these new colonized peoples were deemed fit for the project of militarization due to their being ‘martial races’ (Des Chene 1991). Maintaining the Hindu hegemony through ‘Dibyopadesh’ during the Shah regime and through Muluki Ain during the Rana regime, social stratification became a legal order, with the wearers of the holy thread on the top, alcohol drinkers in the middle and untouchables at the bottom (Hofer 1979; Mikesell 1990). Specifically, from 1768 to 1846, Shah and Rana rulers gave continuity to the imperialist policy of strengthening the centralized organization of state power by making different castes as subjects of the state and different social norms and traditions under the Hindu caste system.

In addition, from 1960 to 1990, ‘sanskritization’ and forceful assimilation were finalized with attempts made to bring all castes under the influence of one language, one attire and Hindu, Khas, holy thread-wearing Parbate (hill) culture. The state identified matawalis as alcohol drinkers, imposed culturization on non-Hindu communities, and also brought a policy of punishing such castes (Sharma 2012). This rarely helped the cause of indigenous peoples largely seeking self-determination and autonomy. In other words, the state authority always finalized policies and programs aiming to subordinate and destroy the culture of indigenous/
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ethnic peoples (Gurung 2017). Even after the advent of multi-party democracy in 1990, contradictions within the constitution were evident. Although the constitution of the kingdom of Nepal 1990 accepted the multicultural and multilingual reality, it did not accept multi-religiousness and the king was placed above the country and the people. That constitution failed to provide any provision for the oppressed communities of the state. No attempts were made to include people from those castes in administration, army and police. Instead, clause 2 of article 111 of the constitution provisioned suppressing the voices of dissent of the persecuted communities. Problems related to language were also neglected by the constitution (Lal 2012).

The constitution, which came after a change, was indifferent to the rights of indigenous peoples. Also, the state authority was rarely interested in the issues of indigenous peoples. Nevertheless, the indigenous peoples’ movement continued advocating for their rights. With the indigenous movement gaining momentum, these authoritative issues were confronted (Onta 2006). Without understanding of the indigenous peoples’ movement, a deep study of the political incidents after 1990 often becomes impossible. Under pressure from the movement, from the Ninth Five-yearly Plan (1998–2002), for the first time indigenous peoples were mentioned as part of social inclusion program and policy. At the same time, all around the world a neoliberal multicultural policy of ‘liberal indigeneism’ was enacted to cease and pacify the movement (Gustafson 2009). Addressing and implementing the issues of indigenous peoples were, therefore, weak.

Although the state formulated National Foundation for Development of Indigenous Nationalities Act and established the foundation (NFDIN) recognizing 59 indigenous communities, the state was reluctant to proceed further. Such act of reluctance can be observed in the larger presence of male Brahmin/Chhetris in every government structures: Ministerial Cabinet, Parliament, Public
Service Commission, National Planning Commission, and district and village development committees, and in the use of Khas Nepali language at the expense of indigenous peoples and their multiple languages and dialects.

National and international non-government organizations’ policy of favoring Brahmins also added more nuances to this hegemonic reality. At the heights of environmentalism, the negative impact created by the national parks formed under the laws related to conservation of wild animals and plants on indigenous peoples (Tharu, Magar, Thakali, Panchgaunle, Barhagaunle, Sherpa, Rai, Limbu and Tamang) also shows that the state’s conservation policy was discriminatory and hence created a new form of class, caste and geography inequality (Bhattachan 2008; Guneratne 2002).

The formation of Federal Democratic Republic Nepal was possible on the foundation laid by the 2062/63 v.s. movement, decade-long armed Maoist insurgency, Madhes revolt and indigenous peoples’ movement. Indigenous peoples made contributions and sacrifices for the struggles and movements. Nonetheless, the interim constitution of 2007 and laws under it also were not able to ensure provisions of positive reservations. Successive governments continued to neglect important international policies: International Labor Organization Convention No. 169, which the government ratified in 2007; and the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), of which Nepal also became a first South Asian party. At the conjuncture of such development, debate of indigenous issues was transformed to a new frontier. Indigenous peoples and their movement were equipped with a new strategy of mobilization re-connecting their livelihood, language and territory issues with a transnational discourse of indigenous articulations aiming to end colonialism. Amidst such unfolding, indigenous peoples’ rights were not included in the new constitution and the indifference towards indigenous communities and other marginalized communities
continues, giving rise to confusion over what kind of system the Nepali state and policy makers wanted to adopt (Kisan 2012).

The present constitution completely omits provisions related to autonomy/self-governance, right to self-determination, and right to natural resources (land, water and forest). Moreover, the constitutional provisions through which several cultural, social, economic and political rights achieved through the indigenous peoples’ movement are also at the risk of being snatched away. The constitutional provisions inducing a new form of inequality in the indigenous peoples’ movement point towards such reality. The constitution has separated Tharus from indigenous peoples or Adivasi Janajati and formed a separate constitution cluster/category. Likewise, arrangement has been made for a separate Indigenous Peoples Commission and a Tharu Commission. This segregation can create a new dimension of conflict between Tharus and indigenous peoples. There are also additional reasons why the indigenous peoples could not take full ownership of the constitution. Khas Arya hegemony is also appearing to be promoted in multiple provisions. Largely dominated by Caste Hill Hindu Elite Men (CHHEM), Nepali army, constitutional agencies and appointment of envoys are governmental spheres where the system of proportional inclusion has not been made mandatory. Likewise, operationalization of the electoral system in the Constituent Assembly election has endangered the spirit of proportional inclusion. Increased 20 percent seats under the first-past-the-post (FPTP) at the expense of the PR system 20 percent seats has reversed the previous rule or ratio of 40:60 adopted for the election to the House of Representatives under the FPTP and PR electoral systems respectively.

Certain complications have arisen out of controversial definition of secularism in the constitution and what kind of impact it would have on Nepal’s indigenous peoples. The Education Ministry setting the target of starting mother tongue-based education in 7,500 schools across the country by 2015 has so far been able to impart
education in mother tongues only in 24 schools. Due to the failure to impart education in mother tongue, many indigenous peoples are being subjected to discrimination every day (The South Asia Collective 2016). For ensuring reservation on the basis of positive discrimination, Civil Service Act states that reservation should be granted to socially and economically backward women, indigenous groups, Madhesis and Dalits. It has also been stated that the list of women, indigenous groups, Madhesis and Dalits would be as provided for in the gazette published by the government. However, even 10 years after the government adopted the system of filling positions on the basis of inclusion, the indices of the socially and economically backward people of the targeted groups have not been determined and published in the gazette. As a result, representation of the targeted groups, which the vision of inclusive state had attempted to incorporate, has still not been ensured (Paswan 2017). This is also why the unclear minority policy introduced by the state remains discriminatory.

Like Dreze and Sen (2002) argued, Nepal’s indigenous peoples’ movement could be one substantial proof of how existing inequalities can create new inequality and affect freedom and participation. Based on historical injustices and systematic inequities, a new reality has been materialized where the oppressed and marginalized indigenous peoples are deprived of full participation in freedom and development. Although there was an increase, compared to prior years, in representation of indigenous peoples as per the principle of proportional inclusion, yet political parties and their CHHEM leaders issued whips to impose restrictions on the caucus of indigenous peoples and their decision-making mechanisms and processes negating effectiveness of such forms of institutional development (Ghale- Dolpo 2016). Accusing the indigenous peoples’ movement of seeking a separate ethnic-based state, the state and its authorities kept defaming and suppressing the movement. That is also why the constitution promulgated by the second Constituent Assembly and
its different apparatuses could not address the issues of indigenous peoples.

Incidents of violation of indigenous peoples’ rights also show that the situation of Nepal’s indigenous peoples is still dismal. Several neoliberal development projects and programs run and implemented by the government has left negative impacts on the rights of indigenous peoples to natural resources, religion and culture (LAHURNIP 2016). This neoliberal development also shows that the state’s policies related to land and natural territories are not friendly to indigenous peoples.

While discussing issues of indigenous peoples, the devastating 2015 April earthquake should not be forgotten, which brought the oppression at front from invisibility. The earthquake caused the greatest damage to indigenous peoples’ ancestral land of Tamsaling/Tamangsaling, Wallo Kirant, Kirant, Tamuwan and Newa. As per the statistics released on June 7 of the same year, among the 8,810 killed and 22,310 injured in the earthquake, more than 70 percent were from the indigenous communities: Tamang, Gurung, Newar, Ghale, Thami, Sherpa, Hyolmo, Majhi, and Sunuwar. Details of the damage to indigenous peoples’ economic, cultural, spiritual, physical and non-physical heritage and ancestral land were also collected when they were in a state of mental trauma, physical losses and geographical shifts (Declaration 2015). The earthquake itself and subsequent government-led restoration programs also exposed the discrimination made against them.

The politics of minority
On Baisakh 11, 2074, for the purpose of local level elections, the government listed as ‘alpasankhyak’ (minority) in the gazette the 98 caste groups with less than 0.5 percent population based on the 2068 v.s. census. Procedural weaknesses in such knowledge

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3 For detailed list, see Annex.
production activity can be exemplified in the exclusion of NEFIN and NFDIN in the process. While preparing and finalizing the list, neither organization was included, consulted or informed. Although it is a positive step that the government prepared the list of minorities in an effort to ensure representation of even the communities with low population in local governments, questions can be raised about the procedural weaknesses in the determination of the list and its effectiveness in ensuring representation of groups with low population. In this context, the government appears to have imposed itself on the decision-making process. A serious question can be raised as to how the indigenous peoples were kept in the dark even in a federal democratic republic, and if such process can ever benefit the rightful communities or minorities within the indigenous movement. Hence, the assessment of the list questioning its process, module, and purpose becomes important.

Schedule 59 of the NFDIN Act 2058 v.s. has identified the indigenous peoples. This was as an achievement of the indigenous peoples’ movement, and this was a historical step taken by the state to protect and promote the rights of indigenous communities and to ensure their social, economic and political upliftment and development. In a situation when the state had already assimilated indigenous identities by bringing and implementing various acts, laws, policy and rules, enlistment of some of the listed indigenous peoples as minorities shows the state’s double standards and immaturity. This is especially so as the state has already indexed the indigenous identity through the NFDIN Act. Defining a few as minorities by separating them not only creates contradiction between the state’s own definitions but their identities could also be interpreted differently. Of the 59 indigenous communities identified in NFDIN Act 2058 v.s., only 39 are included, while 12 with low population from even among those listed in the schedule—Barhagaunle, Bankariya, Chairota, Larke, Marsali Thakali, Mugali, Fri, Siyar, Surel, Tangbe, Thudam and Tingaunle—are not included.
Among those not included among the 59 indigenous peoples, 16 other groups that are sub-groups of different indigenous peoples are listed as minorities. Different modules of identifying indigenous peoples might seem to be in play. These 16 groups are Kulung, Ghale, Khawas, Nachhiring, Yamphu, Chamling, Aathpahariya, Bantawa, Thulung, Mewahang Wala, Wahing, Munda, Sampang, Koche, Khaling and Lohorung. Based on the 2068 v.s. census, these non-identified groups are included in the list of minorities. Those with the population of less than 0.5 percent were listed as minorities only on the basis of that census. Ignoring existing government policies and mechanisms, the minority list has made a mockery of the indigenous groups.

There does not seem to be a clear reason behind the cabinet’s decision to enlist groups with a population of less than 0.5 percent as minorities. It is not clear as per which concept or principle it was decided that groups with less than 0.5 percent population were enlisted as minorities. It becomes arbitrary and fanciful to make an abstract percentage of population, without any logical reasoning (NEFIN 2017). That list does not seem logical even if it was prepared comparing the majority communities with communities having low population. As no communities in Nepal have a majority in terms of population, it would be difficult to prove 0.5 percent as the appropriate basis for determination of minorities.

Even from a perfunctory look at the list of 98 minorities, it appears that only population should not be taken as the basis. For example, among the caste groups of Madhes, Kayastha has also been enlisted as a minority. The population of Kayastha stands at 44,304 (0.175 percent). In terms of population, they are indeed a minority. However, in terms of economic and educational status and political representation, they are much ahead compared to other communities. The community of Madhes ‘Rajput’, whose population stands at 41,972 (0.165 percent), is another such example. Likewise, Marwadi community has also been enlisted as minority. Marwadis
have a population of 51,443 (0.195 percent). Given their economic and educational status, it appears unnecessary for them to be included on the list of minorities just for the sake of political representation.

Even among the indigenous communities, Thakali community has been classified as privileged/advanced community. The population of Thakali community stands at 13,215 (0.055 percent). Thakali community’s population is approximately equivalent to that of Pahari and Bhot community. But in terms of economic and educational status and political representation, the community is much ahead compared to other communities. Although Thakali community has also faced cultural and linguistic oppression and other kinds of discrimination, despite their low population their condition is different compared to other indigenous communities. It would be even more difficult to compare their situation with indigenous/ethnic communities with a very low population such as Kusunda, Raute, and Hayu. This shows that it is necessary to take in factors other than population while making a list of minorities.

In the Annex of this paper, minorities with less than 0.5 percent population as listed in the official gazette have been classified according to four social groups: Indigenous groups, Dalit, Madhesi castes and others. There are 51 subgroups in the indigenous group. Of them, 39 have been included in the published list and other 12 groups need be added to the list. Sixteen indigenous groups, which have been included in the minority list but not included in the list of 59 indigenous groups, have also not been kept in this. The total enlisted groups on the list of minorities with 98 caste groups and 58 indigenous groups, 9 Dalit and 31 Madhesi communities and three other communities not included on the list have also been included. In the official gazette, they have not been classified according to their social identity and they have been listed in the minority list of communities with less than 0.5 percent in ascending order in terms of their population, starting from Kalwar with the population of
Although it is said that the list was prepared for the purpose of next local level elections, given the provisions of the Local Government Election Act, it appears damaging for the representation of groups with low population (Tamang 2017). The process also became weak as no separate electoral system was adopted for the identified minorities. It becomes clear that the Local Government Election Act 2073 v.s. did not make a separate provision for reservation of the minorities. Sub-section 4 under the electoral system of section 6 of the Local Government Election Act 2073 v.s. has made a provision for election of two members in the rural municipality and three members in the municipality from Dalit or minority communities. This section states, “The concerned rural municipal assembly or municipal assembly shall elect two members, in case of rural municipal executive committee and three members, in case of municipal executive committee, from the minority communities.” But sub-section (C) of section 17 of the act states that for the purpose of this election, only members of the concerned rural municipal assembly or municipal assembly can nominate members from women, Dalit and minority groups for the rural municipal executive committee or municipal executive committee. In other words, this provision does not hold any significance for minority indigenous groups when they have been unable to get elected as office bearers of the rural municipal assembly or municipal assembly. Moreover, the provision states “women, Dalit and minority groups” make the possibility of election of members from the minority indigenous groups slimmer. Does this provision not trigger misunderstanding or conflict among women, Dalits and minority groups? Why do separate provisions were not made for women, Dalits and minority groups? As this unclear policy does not help even in the rural municipalities and urban municipalities, the state seems indifferent towards indigenous communities.
That triviality is also found in the Provincial and Parliamentary Election Act. Section 28 of the Act states that the closed list of candidates should be prepared as per the principle of inclusion, also keeping in mind the geographical balance of the concerned provinces and in a way to ensure to the maximum possible extent representation of Dalits, indigenous groups, Khas Arya, Madhesi, Tharu, Muslim, backward regions and minority communities on the basis of population. Although this provision incorporates minorities, as other communities have also been incorporated in this provision, ensuring representation of minority communities is full of complications. Consent of the executive committee (7) and approval of the party (8) further complicates the process. Sub-section 5 of section 28 of the House of Representatives Election Act states that closed list of candidates as per the principle of inclusion should be prepared, keeping in mind the geographical balance of the concerned provinces and in a way to ensure to the maximum possible extent representation of Dalits, indigenous groups, Khas Arya, Madhesi, Tharu, Muslim, backward regions and minority communities. This provision again complicates representation of minority groups. Sub-section (6) on backward regions and people with disabilities and the provision on party’s approval (9) also do not seem realistic.

Such categorization of minorities has also political implications linking international rights. Defining indigenous peoples as minorities deprives them of the rights they are granted nationally and internationally as indigenous peoples (Tamang 2017). The United Nations Declaration on the Rights of Indigenous Peoples and International Labor Organization Convention No. 169 have defined and listed multiple rights of indigenous peoples. As mentioned above, both transnational documents are embraced by the Nepal government. Nepal has also ratified the Declaration on the Rights of Ethnic, Religious and Linguistic Minorities 1992 (Bhattachan 2008). As per international norms, although population is one of the bases for identifying minorities, low population is not the only
basis for identification of minorities. Studies related to minorities 
have mentioned various bases to be considered, such as their access 
to state power, the status of their representation and the status 
of human development. In many conditions, although they are 
minorities in terms of population, they may be much ahead of other 
communities with higher population. There are also examples of 
communities with lower population holding the reins of state power 
(Tamang 2017).

Similarly, as per the international law, although indigenous rights 
and minority rights have provisions based on fundamental rights, 
different provisions for indigenous peoples and minorities as different 
communities exist. For example, both the conventions mention the 
right to identity, language, participation and representation of both 
indigenous peoples and minorities, and both these communities 
can utilize these rights without any obstruction. However, the 
situation of indigenous peoples and minorities can vary contextually. 
Specifically, international human rights laws have a direct concern 
with indigenous peoples because of the special nature of persecution 
and discrimination they are subjected to and indigenous peoples’ 
interdependent relationship with their land and natural resources. 
Especially collective rights, right to self-determination, right to 
autonomy, and right to ancestral land and natural resources, which 
can be utilized by indigenous peoples, do not fall within the rights of 
minorities. When indigenous peoples are categorized as minorities, 
they are deprived of the rights they can enjoy as indigenous peoples.

Separation of indigenous peoples as minorities can obstruct 
the realistic depiction of indigenous peoples’ collective experience 
of discrimination and common necessities, which may lead to 
lopsided attitude of looking at everyone’s problems separately. This 
also divides the path and struggle to the collective solutions. It may 
have long-term effects on the work of public welfare, if the state 
attempts to solve the problems of indigenous peoples, by further 
segregating them as Tharus, minorities and indigenous peoples.
Amidst heterogeneity within the larger group, indigenous groups have common problems and necessities, leaving larger spaces and responsibilities for cooperation.

The way forward
A review of the past agreements between the state and indigenous peoples will remain necessary, based on which the state may begin the process of distribution of dispossessed land and provide maximum compensation to the indigenous peoples. Indigenous peoples should be supported in education, and their equitable participation should be determined in all sectors to create an equitable and just future. In the context of Nepal’s social diversity, apart from federalism on the basis of inclusion, proportional distribution of resources and guarantee of the rights of persecuted community, institutions formed on the basis of consensus are also important. Indigenous peoples should be supported with rights of self-determination, autonomy, free prior informed consent in every development activity, and every power regime should remain aware of indigenous peoples’ complete rights over land, water, and forest. To ‘end’ inequalities in the Nepali society segregated by caste, class, region, gender, education and accessibility, participation of indigenous peoples is also necessary for development and prosperity. The institutions formed on the basis of consensus would also help in forming a stable government, conducting impartial elections, checking corruption and ensuring economic development and state reforms (Lawoti 2005).

Indigenous peoples should be aware of the state’s multiple attempts to fragment them, such as by presenting the indigenous Tharu community as distinct from indigenous peoples and enlisting certain communities with low population as minorities. Such fragmentation motivated by various objectives may also create a rift among them. This would weaken their voice for democracy, social justice and establishment of equitable society hinged on the indigenous peoples’ movement, and would also increase the
risk of them suffering from structural discrimination, inequality and violence. As we say so, the customary institutions and laws of indigenous peoples should also not be forgotten. The state should also considerably respect customary institutions and laws that play a very important social and political role among indigenous peoples. The state should be able to ensure just access to indigenous communities through these customary institutions. Nevertheless, the communities and indigenous peoples in the leadership should be able to play a leading and accommodative role (Bulan 2014).

Although there may be complications in using the indices mentioned above, such as political representation and human development, as the basis for identification of minorities, if the 98 communities listed as minorities are classified on the basis of social identity, their questions related to identity would be addressed. This would also synchronize with Nepali government’s other laws and policies. For example, the Federal Parliament Election Act has reserved seats under the proportional representation electoral system for communities, including indigenous peoples, Madhesis and Dalits, on the basis of their social groups. Implementation of this reformatory approach seems necessary to ensure representation of minorities from among these social groups. Although indigenous peoples are a minority, they do not want to be called a minority. They want representation in the state and its mechanisms as indigenous peoples. It seems that this problem can be resolved if indigenous peoples are called communities with low population instead of minorities and ensured representation on that same basis.

Amid the implementation of federalism, an analysis of the indigenous/peoples’ movement also seems necessary. Attempts were also made to establish and operate inter-party network under the leadership of the NEFIN in the past. So, contemplation should be made as to how indigenous peoples can be established in provincial political structures to link several regional issues. The newly emerged issues as to how NFDIN and institutions associated with it can be
made effective in the new state structures such as the federation, provinces and local levels can also be considered. Apart from bringing together leaders of the indigenous peoples and campaigners under the leadership of NEFIN, the responsibility of bringing the leaders of non-resident indigenous peoples into confidence has fallen on our shoulders, which would also help determine the future course of indigenous peoples’ movement. It is necessary to manage the indigenous peoples’ movement and make it effective at the federal, provincial and local levels. NEFIN and associated organizations of indigenous communities can play a leading role in managing the organizational network and agents at the levels of rural municipality, municipality, and provinces and develop trust and confidence of indigenous peoples in the indigenous peoples’ movement.

In the political sphere, divide-and-rule is not a new approach. With the imposition of neoliberal multicultural policy mainly after the 1990s, the Nepali state has time and again actively seized each moment of indigenous resistance to silence the movement. Different power regimes and their programs have rarely benefited the indigenous peoples. In this view, listing indigenous peoples with a low population as minority appears as adopting double standards. A new government module has been created negating the previous module of NEFIN. This increases the risk of erasing their indigenous identity. It is equally dangerous for unlisted indigenous peoples and those that are in the process of being enlisted.

Conclusion
Upon instructions from acting secretary at the Ministry of Home Affairs Yadav Prasad Koirala, 98 caste/ethnic groups with a population of less than 0.5 percent as per the 2068 v.s. census were enlisted as minorities in the gazette for the purpose of local level elections. However, NFDIN, which is also the only government mechanism working for indigenous peoples, has challenged the proposal on various grounds. Such mechanism not only serves to
continue internal colonization creating new form of inequality but also completely excludes indigenous peoples from enjoying their rights enshrined in the constitution. The government did not consult or inform the indigenous peoples and their central, regional and local organizations and leaders before preparing the list, and errors can be observed while separating several indigenous peoples for the minority list. Apart from creating a new list of minorities, a new framework has also been applied.

This kind of attitude by the exclusionary state, however, is not new. In the past also, the government implemented discriminatory policies and programs for indigenous peoples. The minority list is a continuation of such discriminatory policies. It appears that the indigenous peoples’ movement wisely needs to do a lot in the days ahead for the identity and rights of indigenous peoples. It is the need of the hour to strengthen the political, social, cultural, economic, linguistic and religious aspects of indigenous communities in political structures and also strengthen and empower the indigenous peoples’ movement by strengthening coordination from the village to the central level.

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## Annex: List of minority groups

(Published in the Nepal gazette on Baisakh 11, 2074)

<table>
<thead>
<tr>
<th>S.N.</th>
<th>Castes/groups</th>
<th>Population</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Kalwar</td>
<td>128,232</td>
<td>0.48</td>
</tr>
<tr>
<td>2.</td>
<td>Kanu</td>
<td>125,184</td>
<td>0.47</td>
</tr>
<tr>
<td>3.</td>
<td>Kumal</td>
<td>121,196</td>
<td>0.46</td>
</tr>
<tr>
<td>4.</td>
<td>Gharti Bhujel</td>
<td>118,650</td>
<td>0.45</td>
</tr>
<tr>
<td>5.</td>
<td>Hazam/Thakur</td>
<td>117,758</td>
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<tr>
<td>6.</td>
<td>Rajbanshi</td>
<td>115,242</td>
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</tr>
<tr>
<td>7.</td>
<td>Sherpa</td>
<td>112,946</td>
<td>0.43</td>
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<td>8.</td>
<td>Dhobi</td>
<td>109,079</td>
<td>0.41</td>
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<td>9.</td>
<td>Tatma Tatwa</td>
<td>104,865</td>
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<td>10.</td>
<td>Lohar</td>
<td>101,421</td>
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<td>Khatwe</td>
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<td>Sudhi</td>
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<td>13.</td>
<td>Danuwar</td>
<td>84,115</td>
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<td>14.</td>
<td>Haluwai</td>
<td>83,869</td>
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<td>Majhi</td>
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<td>16.</td>
<td>Barai</td>
<td>80,597</td>
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<td>Bin</td>
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<td>Nunia</td>
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<td>19.</td>
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<td>Sonar</td>
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<td>Sunuwar</td>
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<td>23.</td>
<td>Bantar/Sardar</td>
<td>55,104</td>
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<td>24.</td>
<td>Kahar</td>
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<td>25.</td>
<td>Satar/Santhal</td>
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<td>26.</td>
<td>Marwadi</td>
<td>51,443</td>
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Introduction

The first Constituent Assembly election was held in 2064 v.s. on the foundations laid by the 2062/63 people’s movement, decade-long Maoist insurgency, Madhes revolt, and indigenous peoples’ movement and identity-based movement. The major objective of the Constituent Assembly was to institutionalize fundamental issues by creating a proportionally inclusive state by changing the discriminatory structure and mechanism of the state by bringing an end to the unitary and centralized state structure and discrimination on grounds of class, caste, language, gender, culture, religion and region. Conduction of the Constituent Assembly election to write a constitution was a novel democratic process in Nepal’s constitutional history. The State Restructuring and Power Distribution Committee of the first Constituent Assembly for the first time forwarded the concept of autonomous, protected and special regions under special structure in 2066 v.s. The government-formed State Restructuring Commission as provisioned by the Interim Constitution of 2063 v.s. also proposed formation of autonomous, protected and special

1 Special thanks to Dr. Dambar Chemjong, Harichan Chhantyal and Tahal Thami, who offered academic advice and suggestions for this paper.
regions. However, intensive debate and discussions on the issue could not take place at the political and social sphere and at the intellectual circle. Also, debates and discussions on its strong and weak aspects by sifting through the international exercise and experience did not take place among the indigenous peoples as necessary and expected. Although a new constitution has been promulgated in 2015, there are disputes over the concepts of making Nepal an actual inclusive state. However, there is no alternative to creation of an inclusive state so that people from all castes, classes, cultures, regions and gender feel a sense of ownership towards the state. That would be an inclusive democracy in a real sense.

In the debate related to the names, numbers, boundaries and rights of the provinces in the process of state restructuring, mainly two contradictory concepts emerged: one in the form of ethnic-based states, and the other in the form of identity-based states. State mechanisms, so-called major parties, media and a large group of intellectuals deliberately distorted the debate on the creation of identity-based states and started spreading the illusion that creation of ethnic-based states was not possible. Instead, a fresh logic was forwarded, saying that Nepal being a multiethnic, multicultural, multilingual and multi-religious state should be based on multi-identities. However, the commotion over multi-identities was only a weapon to grab power and maintain hegemony. The debate over federalism could not be taken to its depth on the basis of international experience and Nepal’s objective reality of social-demographic situation. Mainstream media, which should have played a role of a go-between to make the debate on the issue meaningful, clearly played its role in favor of the ruling caste and class favoring the unitary state. Because of this, it became easy for detractors of identity and federalism to label identity-based federalism as ethnic-based states. Had the debate on autonomous, protected and special regions gone ahead simultaneously with that on identity-based states, there would have been some let-up in spreading the illusion and taking
the issue of indigenous peoples only in an ethnic-based manner. Nepal’s media also did not deem it appropriate to disseminate the issue of autonomous, protected and special regions among the public. The traditional intellectual group also did not hold any academic discussion on the issue. The constitution of Nepal 2015 could not address the issues related to identity and rights raised by indigenous peoples. However, discussions were held after the formation of the commission to determine the number and names of rural municipalities, municipalities, autonomous, protected and special regions as per the articles 56 (4) and (5) and 293(3) of the constitution. The media only superficially disseminated, broadcast and published on this issue compared to the past. Although there had not been adequate debate on the issue, it had been established that autonomous, protected and special regions would be the appropriate political unit for indigenous peoples who are few in number to exercise self-governance.

Meaning of autonomous, special and protected areas
As autonomous, special and protected regions are novel terms in the Nepali context, they have not been adequately defined or analyzed. Even in the international context, the terms autonomous region, protected area, autonomous council, special structure, special zone, self-government have been used depending on the concerned countries’ experience and exercise. Autonomous region is also called self-governed region. According to Nepali Brihat Shabdakosh (2067: 1163), ‘special’ means “distinct from others” and “to be implemented or used in a particular situation and time.” The same dictionary (p. 1321) defines ‘autonomous’ as “something under one’s control and under one’s rights” and ‘protected’ means “something well defended and kept preserved and secure.” Likewise, ‘protected state’ has been defined as “a small state under the control of a powerful state and a weak state dependent on a powerful state.” Similarly, ‘autonomous
‘Rule’ means “the work of making arrangements for one’s own rule, the rule by the people of the same local regions or independence.” ‘Autonomously governed’ means “ruled by self.” ‘Autonomization’ has been defined as “taking rights over any issue or thing into one’s own hands.”

According to the Report of the High-level State Restructuring Commission (2068 v.s.: 25), ‘autonomous region’ should be understood as “the area within a province densely populated by one caste or community and predominated by their language.” ‘Protected area’ means “an area to be formed within a province to protect and enrich minority, endangered and extremely marginalized ethnic groups or communities and cultural area.” ‘Special area’ means “an area not incorporated by autonomous regions and protected areas, left behind in the concerned province, backward in terms of social and economic situation or the geographical unit established for the purpose of development of thematic areas.” 2 Similarly, according to the Concept Paper of Indigenous Caucus on Indigenous Peoples’ Rights in Nepal’s constitution (2068 v.s.: 73), ‘special structures’ should be understood as “autonomous region, special region, and protected region established within a province.” ‘Autonomous region’ should be understood as “indigenous area predominated by one ethnic community or language, which is historically their ancestral territory and where they have a dense presence.” ‘Special protected region’ is “an area to be established within a province which is the historical ancestral territory of least populated, endangered and extremely marginalized indigenous communities.” On the basis of the aforementioned definitions, autonomous region means self-

2A nine-member state restructuring commission was formed on Mangsir 6, 2068, by the council of ministers in accordance with the provisions of the Interim Constitution 2063 v.s. The commission was led by Dr. Madan Prasad Paryar, with Prof Dr. Krishna Hachhetu, Dr. Bhogendra Jha, Malla K. Sundar, Dr. Ramesh Kumar Dhungel, Stella Tamang, Surendra Kumar Mahato, Dr. Sarbaraj Khadka and Sabitri Gurung as members.
governance and governance system in which an area predominated by one indigenous community and language makes arrangements for its self-governance in an independent manner within a certain territory.

International experience of self-governance by indigenous peoples
Out of the 196 countries in the world (only 193 countries are members of the United Nations), 31 countries have adopted the federal system of governance.\(^3\) Whether unitary or federal, several countries around the world have been practicing autonomous region, protected area, autonomous council, special structure, special zone and self-governance. China is a unitary state but it has been governing by establishing Tibet autonomous region.

Schedule 6 of the Indian constitution stipulates provisions for the establishment of autonomous regions, districts and Panchayats. It has guaranteed a special arrangement for enlisted ‘Scheduled Tribes’ by forming ‘autonomous council’ in densely populated historical indigenous territories, and also nine councils (Pyakurel 2013: 11–14). In Spain, 17 autonomous areas of indigenous peoples have been established.\(^4\) In Papua New Guinea, Autonomous Region of Bougainville has been established for indigenous communities.\(^5\) In Canada, an arrangement has been made for aboriginals’ self-government for indigenous communities. Self-governance of indigenous peoples of Canada Nunavut and Inuit has been ensured constitutionally.\(^6\) In the Bulukumba district in South Kulawesi province of Indonesia, Kajang indigenous community have been

\(^3\) http://www.worldatlas.com/nations.htm.
managing, protecting, promoting and utilizing forests along with the right to land and natural resources since 2015 after customary law based on ‘Pasang Ri’ was recognized by the district regulation. Kajang indigenous community has even been practicing self-governance by electing ‘Ammatoa’ through their traditional election process (Goal, Linda and Fisher 2016: 1–3). There are 26 Latin American countries with autonomous regions. In comparison to other countries around the world, Latin American countries have constitutionally ensured the identity and rights of indigenous communities. There is a greater guarantee of self-governance, along with identity, in Bolivia, Guatemala, Nicaragua, Ecuador and Mexico. In the United States of America, 566 Native American tribes have been given recognition as the tribal government and they can fully exercise their governing authority in their indigenous territory. Currently, in America, there are 50 states, five major territories, one federal district and 160 autonomous regions of indigenous peoples (Shrestha 2014: 61).

The debate on autonomous, protected and special regions in Nepal
The debate on autonomous, protected and special regions in Nepal should be studied historically. Prithvi Narayan Shah, the king of Gorkha, during his Nepal unification campaign brought the then Nepal or Kathmandu valley under his rule in 1768. After that, Nepal came to be called modern Nepal. Prithvi Narayan Shah and his descendants had created and expanded modern Nepal on the basis of imperialist model. Before that, small autonomous states with different names existed in the east, west, north and south of modern Nepal. The boundaries of those states kept expanding,

7 ‘Ammatoa’ is a term for a hereditary Adat leader. ‘Amma’ means father, ‘Toa’ means elder.
shrinking, disappearing and reemerging. Self-governance was being exercised especially in Wallo Kirant, Majha Kirant, Pallo Kirant, Limbuwan region in the east in the form of ‘Kipat’ or other models even long after the creation of modern Nepal. Chepang indigenous community had also been exercising land tenure rights under the ‘Kipat’ system. After the Land Reform Act came into force in 2021 v.s., the Kipat land being used by the Chepangs were taken away from them. The ‘Khas Empire’ had seized the governance system of Magar, Gurung and other indigenous communities in Magarat and Tamuwan geographical region 500 years ago. History written in the process of the strong oppressing the weak and the clever duping the meek can never be impartial. As the history of Nepal is also the story of the victorious wearers of the holy thread, it is a saga of the rulers’ eulogies and state expansion. We cannot find explanation of the plight of defeated ethnic groups. The past memories of ethnic groups’ revolt and cultural struggles against the Gorkhali state should be rummaged through. Das Limbuwan revolt in 1770, Tamang (Murmi) revolt in 1790, Khumbu revolt in 1808 in which two persons were executed and properties of 15 others were confiscated, Gurung revolt in 1858 in which Sukhdev Gurung was murdered after being jailed for 17 years, the murder of Ramlihang and Ridama in 1867 for boycotting Dashain, suppression of Limbu language and exile of Siridhewe in 1870, exile of Chhiring Norbu Lama and four other monks in 1925, launch of Nepal Bhasa Mandal (Newari language campaign) in 1926, exile of monks on the charge of proselytization in 1937, Kiranti movement in 1950, Tamang revolt (peasants movement) in 1951 are some important struggles launched in the process of ethnic struggles. Indigenous peoples in an organized or unorganized manner have been waging struggles against the injustice, atrocities, exploitation, oppression and persecution by the Nepali state since long. Such movements and

9 For detailed happenings of the ethnic-centered struggle, see Gurung (2004) and Gurung (2067 v.s.).
struggles were waged against the state before the political changes of 1990. Indigenous peoples’ movement and identity-based struggles were waged even in the following three decades. Various aspects of Nepali society that were forcefully suppressed emerged after the restoration of democracy in 1990. There was a sudden increase in the establishment of associations and organizations under social names based on ethnicity, language, region, gender and religion.  

During the indigenous peoples’ movement around the people’s movement of 2062/63 v.s., there was a sudden spurt in debates on Nepal’s own ethnic-based self-governance and self-governance within self-governance, autonomy and sub-autonomy within autonomy, on the basis of the exercise of indigenous peoples around the world. The debate on self-governance of indigenous peoples started in the 1990s touching upon the International Labor Organization Convention 169 related to rights of indigenous peoples. After the Legislature-Parliament ratified the ILO Convention 169 on September 14, 2007, the debate on autonomy and self-governance gained further impetus. Intensive deliberations started being held on questions of right to self-determination, self-governance, self-identity and right to land after Nepal became a party to the United Nations Declaration on the Rights of Indigenous Peoples 2007. The issues being discussed by indigenous peoples since the beginning were political. However, formation of an environment conducive to social organizations to raise those issues politically had not been possible. A favorable environment and opportunity was created during the people’s movement of 2062/63 v.s., and they were

10 In the Constitution of the Kingdom of Nepal 2047 v.s., there was restriction on the formation of parties on the basis of caste, community, language, region, gender and religion. A party named Mangol National Organization became a victim of this constitutional provision.

able to raise their issues more strongly. ILO 169 and the United Nations Declaration on the Rights of Indigenous Peoples proved to be a potent tool for indigenous peoples to raise their issues. The aforementioned movements and struggles helped to create the basis in favor of self-governance of Nepal’s indigenous peoples. It may be said that this has created the basis for formation of autonomous, protected and special regions to ensure the rights of indigenous peoples who despite having a low population have been living in their respective historical territories. The debate on autonomous, protected and special regions started a bit later than the debate on identity-based province or state. After the 2062/63 movement, debate started being held on self-governance within self-governance, and autonomy or sub-autonomy within autonomy as an alternative in favor of indigenous peoples who were low in number in terms of population. The debate on Sherpa province also started much after the debates on Tharu (Tharuhat/Tharuwan), Magar (Magarat), Tamang (Tamsaling/Tamangsaling), Newar (Newa:, Nepal Mandal), Rai (Kirant, Khumbuwan), Gurung (Tamuwan) and Limbu (Limbuwan). Although the debates related to self-governance were not as concrete and as tangible as those held after two decades, it seems to have erupted from time to time in one or the other form of demand or desire. Even after the 2062/63 v.s. movement, indigenous peoples low in number in terms of population were not certain or assured that their identities and rights would be established. While there was a demand for autonomous province or state in favor of indigenous peoples with a larger population, no demand for any concrete or credible structure could be made in favor of those with a small population. The first Constituent Assembly moved ahead the task of constitution writing by forming 11 thematic committees. Of them, the task of state restructuring was of priority concern and importance. As said by political analyst Prof. Dr. Krishna Hachhethu, in the backdrop of structural discrimination contrived successively to give continuity to the mono-ethnic character of the state at
different times in history, it is a natural concern of all as to how the new structures and local governments are being formed (Hachhethu 2073: 3). The State Restructuring and Power Distribution Committee under the first Constituent Assembly in 2066 v.s. had proposed a new structure of the state with creation of 14 provinces and 23 autonomous regions, along with a list of 20 rights of autonomous regions (State Restructuring and Power Distribution Committee 2066 v.s.: 904, 908). Likewise, in accordance with clause 138 (2) of Nepal’s interim constitution 2063, the cabinet formed a High-level State Restructuring Commission in 2068 v.s., which had also proposed creation of 22 autonomous regions, along with a list of 21 rights. Both proposals recommended creating Kochila, Jhangad/Urau, Dhimal, Meche, Santhal, Lepche, Yakkha, Chepang, Dura, Kumal, Danuwar, Pahari, Thami, Majhi, Daram, Thakali, Chhantyal, Sunuwar, Surel, Jirel, Helmu/Yolmo and Byasi autonomous regions. There were 23 autonomous regions as Danuwar was repeated in the State Restructuring and Power Distribution Committee; otherwise, there are only 22 autonomous regions. The caucus of indigenous peoples in the first Constituent Assembly also helped raise the issues of indigenous peoples in a more assertive manner. Of the total 601 lawmakers in the first Constituent Assembly, 218 lawmakers belonged to indigenous communities. After deliberations and discussions in 17 unofficial meetings of indigenous lawmakers, a meeting of 36 indigenous lawmakers in the assembly hall of Nepal Federation of Indigenous Peoples (NEFIN) on Kartik 17, 2065, formed the caucus of indigenous lawmakers and made public its strategy and objectives. On Shrawan 3, 2066, a meeting of the 137 indigenous lawmakers with participation of chairman of the Constituent Assembly and 308 lawmakers (non-indigenous lawmakers, leaders of indigenous peoples and cadres were also present) under the chairmanship of the then lawmaker Barsha Man Pun ‘Ananta’ formally announced

12 Schedules 2 and 7 of the report presented by the High-Level Commission on State Restructuring.
the formation of caucus (Concept Paper of the Indigenous Caucus on the Rights of Indigenous Nationalities in Nepal’s Constitution 2068: e). The caucus proposed that all indigenous peoples had the right either to autonomous or protected regions. While the caucus proposed protected areas for Thudam, Kusunda, Bankariya, Raute, Surel, Raji, Kisan, Kushwadiya, Chairotan and Fri indigenous groups, it proposed autonomous regions for others. However, Fri and Chairotan indigenous peoples have not been found yet. The caucus also proposed a list of 28 rights for the autonomous regions to be established under special structures.\textsuperscript{13} Dr. Yogendra Bahadur Gurung and Khagendra Jagebu (2069 v.s.: 7–11) had proposed 32 autonomous regions,\textsuperscript{14} 13 protected areas\textsuperscript{15} and 4 non-autonomous geographical regions,\textsuperscript{16} with details of the districts and village development committees in which different indigenous peoples reside. Tharu, Magar, Tamang, Newar, Rai, Gurung, Limbu and Sherpa staked a claim to identity-based provinces or states.

When autonomous regions, protected areas and special territories were envisioned for indigenous peoples with low population (whose historical territory was clear) under special structures, they were additionally encouraged and optimistic. As a result, people with banners, placards, and ribbons with demand for respective autonomous regions started to be seen during the indigenous peoples’ movement to pressure the Constituent Assembly

\textsuperscript{13} For detailed information, see Annex 2.

\textsuperscript{14} These are Walung, Topkegola, Yakkha, Lapcha, Rajbanshi, Santhal, Kishan, Dhimal, Uraun, Tajpuriya, Gangai, Bote, Danuwar, Singsa, Sunuwar, Hayu, Jirel, Thami, Yalmo, Chepang, Larke, Siyar, Baram, Pahari, Barhagaunle, Lhopa, Thakali, Chhantyal, Dolpo, Byansi, Bhote and Raji autonomous regions.

\textsuperscript{15} These are Bankariya, Kushwadiya, Meche, Raute, Surel, Thudam, Darai, Dura, Mugali, Thagbe, Tingaunle, Kusunda and Marfali Thakali protected areas.

\textsuperscript{16} These are Kumal, Majhi, Bhujel, Dhanuk, proposed as non-geographical autonomous regions.
to draft a constitution ensuring identity and rights for them. There was an increased discussion in one form or the other on autonomous regions, protected areas and special territories in street protests, interactions, meetings, assemblies, and seminars. The issue also started being discussed in political, social and academic platforms. Media also started disseminating, broadcasting and publishing news related to the issue now and again.

Seen in this way, the discussion on autonomous regions, protected areas and special territories with a clear concept had started mid-way through the Constituent Assembly’s term. Kumar Yatru Tamang (2016) writes:

The first Constituent Assembly had sown the seeds of the concept of autonomous regions, protected areas and special territories as political-administrative units. Such units were envisioned as dividing provinces on the basis of identity and potentially would not incorporate indigenous peoples with low population, and that such units would make it possible for even those ethnic communities historically residing in a small geographical area to exercise self-governance. This would create a situation in which the diversity of multicultural Nepal could be respected.

Likewise, according to political analyst Prof. Dr. Hachhethu (2073 v.s.: 13):

Rural municipalities and municipalities are political-administrative units, while special structures—autonomous provinces, protected areas and special territories—are ethno-political geography. Both these structures have their own specialties and importance. Densely populated historical territories should be taken as the main basis for creation of special structures—autonomous provinces, protected
areas and special territories—as there are more ethnic/indigenous minorities in Nepal. Special structures without political and administrative rights would have no meaning, hence constitution amendment is necessary. It would not be practical to keep the boundaries of districts unchanged while delineating the local levels as the continuity of geographical residence of different indigenous peoples have been separated by boundaries of districts. The continuity of ethnic residence should be combined for delineation of local levels.

Provisions of autonomous, protected and special regions in constitutional, legal and international instruments
As per clause 5 of Article 56 of the Constitution of Nepal, any special, protected or autonomous region can be set by the federal law for social, cultural protection or economic development. Likewise, Article 295 (3) states, “The Government of Nepal shall constitute a commission for the determination of the number and boundaries of village bodies, municipalities and special, protected or autonomous regions to be formed under clauses (4) and (5) of Article 56. The commission must determine the number and boundaries of the village bodies, municipalities and special, protected or autonomous regions in accordance with the criteria set by the Government of Nepal.” Similarly, Article 306(1)(a) of the constitution states, “Unless the subject or the context otherwise requires, in this constitution, ‘minorities’ means ethnic, linguistic and religious groups whose population is less than the percentage specified by the Federal law, and includes groups that have their distinct ethnic, religious or linguistic characteristics, aspirations to protect such features and subjected to discrimination and oppression, and clause (1)(m) of the same article states, ‘marginalized’ means communities that are made
politically, economically and socially backward, are unable to enjoy services and facilities because of discrimination and oppression and of geographical remoteness or deprived thereof and are in lower status than the human development standards mentioned in Federal law, and includes highly marginalized groups and groups on the verge of extinction." Paragraph 14 of the Local Level Operation Act 2074 v.s. has made arrangements for autonomous, protected and special regions in the ‘spirit of the constitution’. As per section 99 and 100 of the same act, it appears that although it has been stated that special, protected or autonomous region can be set up and they may run special programs, such special, protected or autonomous regions can only determine tasks related to social, cultural protection or economic development. Section 99(1) of the act states, "The Government of Nepal for cultural protection and economic development, by publishing a notice in the Nepal gazette in consultation with the concerned province, may set up a special, protected or autonomous region." As per the same provision, it appears that a provision has been made that any one or more districts, any one or more rural municipalities or municipalities, or any ward or more than one ward of a rural municipality or municipality dense population of any community with the same language or culture may be incorporated.17 But the indigenous peoples’ concern is a unit with political self-governance. This Act also does not seem to show any direction in this regard. As per the provisions on autonomous region in the constitution, it is a constitutional right of the indigenous communities to express their desire or stake a claim. On the other hand, Nepal’s parliament has already ratified the International Labor Organization Convention 169 on the rights of indigenous peoples in 2007 and Nepal is also a party to the convention. Likewise, Nepal is also bound morally as it is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples 2007. Article 4 of

17 For details, see Local Level Government Operation Act 2074 v.s.
the declaration states, “Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.” Similarly, Article 3 of the declaration states: “Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” As per the provisions in both these international documents, questions of indigenous peoples such as self-governance, right to self-determination, preferential rights over water, forests and land, preferential rights over natural resources, customary laws should be addressed. Only if autonomous, protected and special region are guaranteed that their right to self-determination, right over land and self-identity can be established.

Historical territory/geography of autonomous, protected and special region

The question of where and how the historical territory/geography of autonomous, protected and special regions that would ensure identity and rights of indigenous peoples with low population can be established is in itself an important question. Autonomous, protected and special regions are important political-administrative units that can help mainstream indigenous communities with low population. However, Nepal’s constitution has not provisioned autonomous, protected and special regions as political-administrative units. Autonomous is a word carrying political meaning. Autonomous region is being exercised as a political unit across the world. Like indigenous peoples across the world, Nepal’s indigenous peoples also want self-governance along with the right to self-determination as provisioned in the United Nations Declaration on the Rights of Indigenous Peoples. For the protection of their history, language, script, culture, religion, faith, traditions, way of living, literature, music and customary laws, they need a political-administrative
unit which ensures their identity and rights. For this, autonomous, protected and special regions should be ensured on the basis of historical land, geographical continuity of residence, and territorial identity of indigenous groups with low population.

Of the 59 indigenous peoples recognized by the government, autonomous and protected regions have been proposed for 49 indigenous communities with low population. Historical territories for 10 autonomous regions and 14 protected areas have been proposed for minority indigenous communities. The number of autonomous regions proposed were 7, 14, 2, 9, 10, 1, 1 and 3 in Province 1, 2, 3, 4, 5, 6 and 7 respectively. Likewise, the number of protected areas proposed were 2, 3, 5, 2, and 2 protected areas have been proposed in Province, 1, 3, 4, 5 and 6 respectively. Some of the historical territories of indigenous peoples with low population have been placed in more than one province. As historical continuity of settlements have been broken to be placed in different provinces, autonomous and protected regions of those indigenous peoples have been proposed in the respective provinces. For example, Dr. Yogendra Gurung and Khagendra Jagebu (2069 v.s.: 7–11) have proposed special areas for Kumal, Danuwar, Darai, Majhi and Sunuwar indigenous peoples as they do not have historical continuity of dense settlement. But the representative organizations of the respective indigenous groups, while presenting their concept to Nepal Federation of Indigenous Nationalities, had proposed protected areas instead of autonomous regions. Hence, the proposal has been made as per their desire.

Only the geography where the autonomous, protected and special regions of enlisted 59 indigenous/ethnic peoples can be formed been discussed here. But there also seems to be a basis for forming autonomous and protected regions for those indigenous peoples and linguistic groups within the Kirant Rai in territories where they have historical continuity of settlement community, which are not enlisted

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18 For details, see Annex 3.
by the government. Discussion regarding them has not been made here, though.

Future course for achievement of autonomous, protected and special region

It is clear that in the history of political changes in Nepal, the Interim Constitution of Nepal 2063 v.s. was enacted on the foundation of 19 days’ people’s movement in 2062/63 v.s., ten-year armed conflict, movement of indigenous peoples, Madhes revolt, identity-based movements and all kinds of struggles against discrimination, and fundamental issues including democratic republic, federalism, proportional inclusion and secularism were established. However, the aforementioned achievements have yet to be properly managed. Two Constituent Assembly elections have been held so far. The Constituent Assembly formed after the election in 2064 v.s. could not promulgate the constitution, and the Constituent Assembly formed after the 2070 v.s. election promulgated the constitution on Ashwin 3, 2072. fragmenting the historical territory of identity-less and several indigenous peoples, federalism with seven provinces maintaining the hegemony of Khas Arya, giving Hindu religion a high place, with secularism with clarifications, and with the system of proportion inclusion that cannot be implemented. The rights of indigenous communities, Madhesis, Dalits, women who have been ostracized, marginalized, neglected and persecuted for ages have not been established in the constitution. They have been mentioned in a roundabout way only to make it to appear that constitutional provisions have been made. There seems to be no guarantee that the articles related to marginalized ethnic groups would be implemented. By clearly defining Khas Arya, the constitution has established the ruling caste as the constitutional caste, while the groups and communities who were subjected to persecution and discrimination for ages and who had the aspirations of identity were made unconstitutional. For indigenous peoples who make up for more
than 37 percent of the country’s population, there are 11 articles in the constitution against them, along with 23 discriminatory articles, 49 articles that ostracize them and 5 articles that establish single ethnic supremacy (LAHURNIP 2016). In this sense, indigenous peoples and Madhesis with a huge population could not accept the constitution. Hence, they have continued their struggle with the demand for constitution amendment for the guarantee of their identities and rights.

The first Constituent Assembly failed to produce a constitution. The second Constituent Assembly promulgated a constitution but failed to guarantee the end to discrimination for indigenous peoples, Madhesis, Dalits, women, religious minorities who have been discriminated against, and people subjected to linguistic and regional persecution. But it instead drew an easy path for guaranteeing more discrimination. The voices of dissent grew stronger around the time the constitution was promulgated. After the constitution was promulgated amid dissenting voices, three fundamental issues came into public debate: first, that this constitution was the best; second, that the constitution should be entirely scrapped; and third, that the constitution should be rewritten or amended. In the present context, the indigenous peoples’ movement has made constitution amendment its main agenda. Campaign, debate and advocacy in that regard have been continuing.

Seen community-wise, indigenous peoples and Madhesis are the most dissatisfied lots who have not been able to accept the constitution. They had never said that they would accept a discriminatory constitution and they are firm on their stance. Hence, it has become the main agenda of the indigenous peoples’ movement to amend the constitution to rectify the discriminatory articles, and guarantee identity and rights on the basis of the interim constitution, agreements during the first Constituent Assembly understandings reached with the indigenous movement and identity-based movements. As the constitution is the supreme law, unless the
The constitution is made free of discriminatory provisions, creation of society based on fairness and equity cannot be established. It is one of the important tasks to strongly raise voice in favor of the question of autonomous, protected and special regions of indigenous peoples’ movement.

The State Restructuring and Power Distribution Committee and High-Level State Restructuring Commission under the first Constituent Assembly had respectively proposed 14 and 10+1 federal provinces. The reports presented by those panels had proposed 22 autonomous regions. Additional debates were held on formation of autonomous, protected and special regions for ostracized minorities, and endangered and marginalized indigenous community after the formation of second Constituent Assembly. Hence, there was a faint hope among indigenous peoples with low population and historical territory. It was not unnatural for indigenous peoples to be optimistic and excited when it was mentioned in the constitution that autonomous, protected and special regions could be formed on the basis of dense settlement of minority groups for their social, cultural protection and economic development. For the restructuring of the local levels, the government on Chaitra 1, 2073, formed a nine-member commission under the chairmanship of Balananda Poudel for determination of the number and boundaries of rural municipalities, municipalities and autonomous, protected and special regions. The population criterion set by the constitution and calculation of the population of the minority indigenous communities showed that autonomous and protected regions could not be created for those communities. Formation of the Local level Restructuring Commission, the mandate given to the commission by the government, and the conditions and the working procedures set by the commission for forming autonomous, protected and special regions was deliberately aimed to quash any possibility of forming such autonomous/protected regions. On the one hand, both the commission and the government neglected the constitutional
provision that envisioned formation of autonomous, protected and special regions for social, cultural and economic development of minority and marginalized communities, and on the other hand, as said by Dr. Hachhethu (2073 v.s.: 7), “Due to the provision that does not allow changing the boundaries of districts while determining the boundaries of rural municipalities and municipalities and autonomous, protected and special regions, there cannot be a meaningful restructuring of the state by retaining the boundaries of districts, be it in the context of forming provinces, or local levels.”

The commission presented its report to the government determining the boundaries of 519 local levels on the basis of population and geography by combining 3,157 rural municipalities, 217 municipalities, three sub-metropolitan cities and one metropolitan city, on Poush 22, 2073. And the government, by adding 225 local levels, published in the gazette a list of 744 local levels, including 4 metropolitan cities, 13 sub-metropolitan cities, 246 municipalities and 481 rural municipalities. The government again added 9 local levels in Madhes, bringing a total of 753 local level structures into implementation. Determination of the number and boundaries of local levels (rural municipalities, municipalities, sub-metropolitan cities, metropolitan cities) without determining autonomous, protected and special regions was a neglect of Article 56 of the constitution on the part of the commission. Implementation of the report without determination of autonomous, protected and special regions of minority indigenous groups is a violation of clause 4 and 5 of article 56, and clause 3 of article 295 of the constitution.19

19 As per clause 4 of article 56 of the constitution of Nepal, local levels shall comprise rural municipalities, municipalities and district assemblies. The number of wards in rural municipalities and municipalities shall be determined as per the federal law. And as per clause 5, special, protected and autonomous regions may be created for socio-cultural protection or economic development. Likewise, the government of Nepal shall form a commission for the purpose of determining the number and boundaries of the rural municipalities, municipalities and autonomous, special and
Hence, it is clear that the commission and the government had moved ahead undermining the constitution. The determination of names and boundaries of rural municipalities, municipalities and autonomous, protected and special regions seems to have been made on the basis of incomplete, unscientific, discriminatory and wrong criteria. Like the previous structures, the new structures have further fragmented the demographic cluster of indigenous peoples. Negating the possibility of naming rural municipalities and municipalities after the identities and languages of indigenous peoples, they have been named by adding words such as ‘swar’, ‘devi’, ‘mai’ before or after other words on the basis of Hindu religion, culture, norms and values. The identities of indigenous peoples have been neglected even while naming rural municipalities. Indigenous groups had hoped that the state restructuring would bring together the historical territories and clusters broken by the erstwhile development regions, zones, districts, areas and village development committees keeping in view the historical continuity of settlement, but it has created further fragmentation. Minority indigenous peoples should have been brought together in a single political-administrative unit to the largest extent possible, keeping in view the historical continuity of settlement, but they have been divided into different political-administrative units. This shows clearly the ‘divide and rule policy’ of the functionaries of the state government. The restructurers were not in favor of breaking districts, but this shows that they restructured the local levels with a casteist mindset. Unless indigenous peoples understand the ruling castes’ ploy to fragment their population on various pretexts, it would not be easy for them to acquire political protected regions to be formed as per clause 3 of article 295 and clause 4 and 5 of article 56. Such a commission may determine the number of boundaries of such rural municipalities, municipalities and autonomous, special and protected regions as per the criteria set by the government of Nepal.
power. This is because the political manipulation of population has a
great role to play in elections in a multi-party parliamentary system.

According to Prof. Dr. Hachhethu (2073 v.s.: 13), “the declared
objective of state structuring is to break the continuity of Khas-Arya
hegemony and create political structures that would reflect social
diversity and ensure proper distribution of state power among
different ethnic groups. While Khas-Arya have a majority in Province
6 and 7, there is a huge difference in population between Khas
Arya and the second largest ethnic group in Province 1, 3, 4 and 5.
Only in Province 2 is the population of Khas Arya less than others.”
Similarly, Rajendra Maharjan (2016) writes, “According to social
scientist Dambar Chemjong, Thum disappeared later, and if zones
existed for a long time, districts would be absolute and long-lasting.
Along with village and district Panchayats, the concept, mapping and
names of zones are the legacy of King Mahendra and the Panchayat.
According to geographer Pitambar Sharma, the current wards,
VDCs and districts are not formed on a scientific basis, but their
delineation was motivated by the interests of landlords and political
objectives. In the words of political analyst Prof Dr. Hachhethu, in
the beginning of the partyless Panchayat system, Nepal was divided
into 75 political-administrative units called districts, which helped to
institutionalize monoethnic state.”

The current delineation of seven provinces and 753 local levels
is not very different structurally than the past structures. Provinces
and local levels were determined as per the partisan interests of
certain political parties. Even in the so-called changed context,
the objective reality of Nepal’s social demography could not be
assimilated. According to Maharjan (2016), “This means that not
only our country but also our mind, thought patterns and culture are
also being structured by the Mahendra-era education and grooming,
which also need to be restructured.” After the establishment
of democracy in 2007 v.s., the village Panchayat of 2008 v.s.;
development regions, zones, districts, areas, municipal and village
Discourse on Autonomous, Protected and Special Areas in Nepal

Panchayats after 2017 v.s.; through the multiparty era after 2046 v.s.; the development regions, zones, districts were retained and only the term ‘Panchayat’ was removed to form areas, municipalities and village development committees. The framework of seven provinces and 753 local levels does not seem to have kept the promise of the last two decades that the state would be restructured in a progressive manner under the federal democratic governance system to end class, ethnic, linguistic, gender, cultural, religious and regional discrimination by dismantling the state’s centralized and unitary structures. There is no novelty in terms of structures. It seems as if only a new term ‘rural municipality’ has emerged. What’s more, most of the areas have been transformed into rural municipalities and municipalities by slightly changing their boundaries. It seems as if these structures will once again help casteist rulers obsessed with ‘Brahmanism’ and ‘fatalism’ create a monoethnic state.

It is being assessed, analyzed and commented that the questions established by Nepal’s indigenous peoples’ movement mainly after the election to the second Constituent Assembly through the promulgation of constitution in 2072 v.s. have weakened both inside and outside the indigenous peoples’ movement. There is truth in these comments. However, the main truth established by indigenous peoples’ movement across the world is that there is an ebb and flow of movement, and that it is a natural process. The questions of indigenous peoples are not only the agendas within the geography of a particular country. There are also some common agendas of over 370 million indigenous peoples across the world. Hence, the agendas of indigenous peoples are not something that will easily peter out. As per the current socio-political context, it is necessary to adopt a path that would help bring those having an illiberal approach towards the agendas of indigenous peoples into confidence and keep encourage those who have been raising those agendas.

The desire that a single political-administrative unit be formed without disturbing the dense demographic cluster of the majority of
indigenous peoples has also received a blow. It might not be possible practically to bring the scattered historical continuity of settlement of indigenous peoples into a single rural municipality or municipality, but at least those settlements that were joined geographically could have been kept in the same political-administrative unit. State restructuring had to be done for this purpose also. Indigenous peoples who had been demanding identity have been made identityless in their own historical settlements by the modern state structure. The claim to autonomous, protected and special regions to ensure the identity and representation is the main demand of indigenous communities with a low population. As political achievement is the main question, it is additionally important for the indigenous peoples to focus their attention on identity and rights and autonomous, protected and special regions. The identity and rights of minority indigenous groups, marginalized, oppressed and neglected communities should be established as fundamental rights by amending the constitution, while the desire for autonomy and self-governance of indigenous peoples with low population should also be addressed by making constitutional provisions for autonomous, protected and special regions while creating administrative-political units on the basis of federalism. As creation of autonomous, protected and special regions is the only best alternative to ensure the rights and identities of indigenous peoples with low population, the issue should be continuously raised. An observation of the history of the movement of indigenous peoples across the world for the achievement of self-governance shows that such fight is not easy. There is a history of massive peaceful movements, revolts, armed struggle, renunciation and sacrifices of indigenous peoples for the right to autonomy in their territories. We should move ahead patiently by placing our questions in a democratic country and society. Moving ahead by joining hands with those who want autonomy with identity and rights and non-indigenous people, and help from those supporting this cause, is practically and conceptually the best alternative.
We all know that the state has moved ahead with the implementation of federal structure after the local, provincial and parliamentary elections as per the constitution. Hence, it would be wise to determine the strategy and programs in the changed context. As Nepal has both ratified and is party to Convention on Indigenous and Tribal Peoples’ Rights (No. 169) and the United Nations Declaration on the Rights of Indigenous Peoples 2007, it should prepare a strategic plan to formulate acts, laws, policies and programs at province and local levels to address their questions related to language, education, development and displacement on the basis of self-governance, right to self-determination, preferential rights over land (water, forest and land), preferential rights over natural resources, customary laws, and free prior and informed consent.

On the one hand, the campaign for the achievement of autonomous, protected and special regions with political units should be continued, while on the other hand, as per the provisions of the constitution, policies and plans for guaranteeing of autonomous, protected and special regions should be taken ahead simultaneously through the acts and laws to be made by the provinces and local levels to be formed on the basis of constitution. Initiatives have to be taken for the federal, province and local levels to formulate acts, laws and policies on the basis of historical, social, cultural, spiritual, religions and customary laws and the practice of traditions which are associated with land, territory and natural resources (land, water and forest) woven with the indigenous peoples’ way of life. As the constitution has adopted a multi-lingual policy, in relation to the language of official business in the provinces and local levels, pressure should also be created to make the language of indigenous/peoples with a dense population in the concerned province and local levels the language of official business, and pressure should also be created to make education in mother tongue compulsory from the secondary level to higher education.
Conclusion

There is diversity even among indigenous peoples who comprise 37 percent of the total population of the country. Apart from political, social, cultural norms and values, and linguistic diversity, some are less and some are more in terms of population. But they have common questions related to deprivation, ostracization, marginalization, neglect, humiliation and discrimination by the state. Indigenous peoples have long been deprived of having a decisive role in Nepal’s governance system. Their ancient culture, language, religion and traditions are in a neglected state. Their social norms and values are in a humiliated state. There is a situation that indigenous peoples could be defined as the community ostracized from the political and administrative mainstream, poor in terms of economic and educational condition, socially and culturally discriminated and exploited, oppressed and persecuted by the state’s governance. As per the provisions of the constitution and Local Government Operation Act and international documents related to the rights of indigenous peoples—ILO Convention No. 169 and United Nations Declaration on the Rights of Indigenous Peoples—there are enough bases for the formation of autonomous, protected and special regions. It is clear that such regions should be created for indigenous peoples on the basis of historical continuity of settlement. The welfare, upliftment and development of indigenous peoples are associated with self-governance along with the respect for identity. The debate over such regions should not be taken in the light that all things would happen if their self-governance is established and their welfare, upliftment and development would halt if their self-governance is not established. In a modern state, the development of indigenous people would also happen in one or the other way. But the supreme exercise of self-governance, along with identity and rights, by indigenous peoples across the world has provided evidence that self-governance has hugely contributed to the protection, promotion and development of their philosophy of life,
way of living, language, religion, culture, history, literature, tradition, customs, conduct, songs, music, knowledge, art, skills, water, forest and land. Only that kind of development has proven to be sustainable. Self-governance with identity and rights or autonomous, protected and special region is inevitable for representation of minority indigenous peoples’ in politics and state operation; their economic, social, cultural, linguistic and religious development, protection and promotion; and educational advancement and progress. The best alternative for ensuring the identity and rights of indigenous peoples is self-governance or autonomy in their historical territory under one model or the other.

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Janajati Sabhasadsabha (CAUCUS) Abadharanapatra. 2068


Caucus of Lawmakers from the Indigenous Community in the Constituent Assembly.


Work Criteria and Work Procedures of Technical Committee on Restructuring of Local Levels. n.d. Commission to Determine the Number and Boundaries of Rural Municipalities, Municipalities and Special, Protected and Autonomous Regions.
### Annex 1: List of Rights of Autonomous Regions

<table>
<thead>
<tr>
<th>S No.</th>
<th>Particulars</th>
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<tbody>
<tr>
<td>1.</td>
<td>Community Police</td>
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<td>2.</td>
<td>Cooperative Organization</td>
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<tr>
<td>3.</td>
<td>Management and operation of FM radio</td>
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<tr>
<td>4.</td>
<td>Operation of pre-primary, primary, secondary and high school education, archive and museum</td>
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<td>5.</td>
<td>Healthcare service</td>
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<td>6.</td>
<td>Autonomous elected council</td>
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<tr>
<td>7.</td>
<td>Property tax, occupational tax, land registration tax, vehicle tax, entertainment tax, tourism service tax, land revenue, and labor and agriculture tax</td>
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<tr>
<td>8.</td>
<td>Royalty collected from natural resources</td>
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<td>9.</td>
<td>Roads</td>
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<td>10.</td>
<td>Electricity project, irrigation project and other development projects</td>
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<tr>
<td>11.</td>
<td>Citizenship/passport management</td>
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<tr>
<td>12.</td>
<td>Land archive/ Land ownership certificate</td>
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<tr>
<td>13.</td>
<td>Mines exploration and management (policy, rules or implementation)</td>
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<td>14.</td>
<td>Language, tradition, culture and script protection</td>
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<tr>
<td>15.</td>
<td>Natural resources and their utilization</td>
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<tr>
<td>16.</td>
<td>Agriculture, livestock development and trade and commerce</td>
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<td>17.</td>
<td>Management of local services</td>
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<td>18.</td>
<td>Collection of statistical archive</td>
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<td>19.</td>
<td>Customary rules</td>
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<td>20.</td>
<td>Other rights as determined by the federal and provincial government</td>
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<tr>
<td>21.</td>
<td>Representation in the federal and provincial legislature</td>
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</tbody>
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20 List of rights of autonomous regions as mentioned in the concept and preliminary proposal of the Commission on State Restructuring and Distribution of Powers 2066, and the report of the High-Level Commission on State Restructuring 2068.
Annex 2: List of Rights of Autonomous Region to be Established under Special Structure

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<thead>
<tr>
<th>S.N.</th>
<th>Particulars</th>
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<tbody>
<tr>
<td>1.</td>
<td>Community Police</td>
</tr>
<tr>
<td>2.</td>
<td>Cooperative Organization</td>
</tr>
<tr>
<td>3.</td>
<td>Management and operation of FM radio</td>
</tr>
<tr>
<td>4.</td>
<td>Operation of pre-primary, primary, secondary and high school education, archive and museum</td>
</tr>
<tr>
<td>5.</td>
<td>Healthcare service</td>
</tr>
<tr>
<td>6.</td>
<td>Autonomous elected council</td>
</tr>
<tr>
<td>7.</td>
<td>Property tax, occupational tax, land registration tax, vehicle tax, entertainment tax, tourism service tax, land revenue, and labor and agriculture tax, vehicle service fee, product advertisement tax and house rent tax</td>
</tr>
<tr>
<td>8.</td>
<td>Royalty collected from natural resources</td>
</tr>
<tr>
<td>9.</td>
<td>Roads, dirt roads and horse trails</td>
</tr>
<tr>
<td>10.</td>
<td>Electricity project, irrigation project and other development projects</td>
</tr>
<tr>
<td>11.</td>
<td>Citizenship/passport management</td>
</tr>
<tr>
<td>12.</td>
<td>Land archive/ Land ownership certificate, protection and development of ancestral land</td>
</tr>
<tr>
<td>13.</td>
<td>Mines exploration and management (policy, rules or implementation)</td>
</tr>
<tr>
<td>14.</td>
<td>Language, tradition, culture and script protection</td>
</tr>
<tr>
<td>15.</td>
<td>Natural resources and their utilization</td>
</tr>
<tr>
<td>16.</td>
<td>Agriculture, livestock development and trade and commerce</td>
</tr>
<tr>
<td>17.</td>
<td>Management of local services</td>
</tr>
<tr>
<td>18.</td>
<td>Collection of statistical archive</td>
</tr>
<tr>
<td>19.</td>
<td>Court, traditional judicial organization, customary laws</td>
</tr>
<tr>
<td>20.</td>
<td>Other rights as determined by the federal and provincial government</td>
</tr>
<tr>
<td>21.</td>
<td>Representation in the federal and provincial legislature</td>
</tr>
<tr>
<td>22.</td>
<td>Irrigation development and management</td>
</tr>
</tbody>
</table>

21 The list of rights of autonomous regions proposed in their concept paper by the Caucus of Indigenous Leaders Related to Rights of Indigenous Nationalities 2068.
<table>
<thead>
<tr>
<th>S.N.</th>
<th>Particulars</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.</td>
<td>Protection and promotion of environment and indigenous knowledge and kills</td>
</tr>
<tr>
<td>24.</td>
<td>Primary and secondary education as well as multi-lingual education</td>
</tr>
<tr>
<td>25.</td>
<td>Social security and services</td>
</tr>
<tr>
<td>26.</td>
<td>Distribution of identity cards</td>
</tr>
<tr>
<td>27.</td>
<td>Empowerment of indigenous women</td>
</tr>
<tr>
<td>28.</td>
<td>Implementation of the ILO Convention No 169 at the local level</td>
</tr>
<tr>
<td>29.</td>
<td>Implementation of the United Nations Declaration on the Rights of Indigenous Peoples</td>
</tr>
</tbody>
</table>
## Annex 3: Province-wise geography of autonomous, protected and special regions

<table>
<thead>
<tr>
<th>S.N.</th>
<th>Autonomous regions</th>
<th>Population (2011)</th>
<th>Districts</th>
<th>Historical geography</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Kisan Autonomous Region</td>
<td>1739</td>
<td>Jhapa</td>
<td>Shantinagar, Dhaijan, Bahundangi, Birtamode, Mechi Municipality</td>
</tr>
<tr>
<td>2.</td>
<td>Gangai Autonomous Region</td>
<td>36988</td>
<td>Morang</td>
<td>Budhnagar, Bhatigach, Kathari, Sishbani, Jahada, Sorabhag, Dadar Baiyia, Aamgachi, Rangeli, Daniya, Sijuwa, Bardanga, Jhurkiya, Amardaha, Majhare, Pokhariya, Nocha, Kadmaha, Amahi Bariyati</td>
</tr>
</tbody>
</table>

This list has been prepared on the basis of the reports presented by the representative organizations of indigenous nationalities with population less than one percent to Nepal Federation of Indigenous Nationalities in 2017 (all these reports were compiled by NEFIN and presented to the commission for determination of number and boundaries of rural municipalities, municipalities, and autonomous, protected and special regions); *Alpasankhyak Adivasi Janajatiharuko Swayatta Chhetra ra Bishesh Samrakshit Chhetrako Samrachanagat Avadharana* (2069 v.s.), by Dr. Yogendra Bahadur Gurung and Khagendra Jagebu; and article an entitled ‘Autonomous Regions: Ethno-demographic Analysis A Question of Accommodation of Diversity’, by Balkrishna Mabuhang.
<table>
<thead>
<tr>
<th>Region Name</th>
<th>District</th>
<th>Zip Code</th>
<th>Towns and Villages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jhangad (Urau) Autonomous Region</td>
<td>Sunsari</td>
<td>37424</td>
<td>Parba Kushaha, Saterjhora, Rajganj, Chitaha, Jalapapur, Mahendrajagar, Prakashpur, Madhuban, Paschim Kushaha, Laukahi, Bhokhaha, Narasingha, Singhiya, Dumraha, Babiya, Inaruwa, Chandbela, Aurawani, Simriya, Duhabi, Sonapur, Bhaluwa, Pachira, Tanmuna, Khanar, Ramganj, Belgachiya, kaptanganj, Ghuski, Basantapur, Harinagara, Gautampur</td>
</tr>
<tr>
<td></td>
<td>Morang</td>
<td></td>
<td>Haraicha, Belbari, Dulari, Urlabari, Darbesa, Babiya, Thalaha, Bhodaha, Jhorahat, Motipur, Dhangraha, Biratnagar, Tanki, Sinswani</td>
</tr>
<tr>
<td>Tajpuriya Autonomous Region</td>
<td>Jhapa</td>
<td>19213</td>
<td>Shivaganj, Panchgachi, Mahabara, Karobari, Gauriganj, Khajurgachi, Juropani, Kohawara, Gauradaha, Dharampur, Lakhanpuran and Damak Municipality</td>
</tr>
<tr>
<td></td>
<td>Morang</td>
<td></td>
<td>Mahadeva, Sijuwa, Itahara, Jhukiya, Govindapur, Bardanga, Darbesa, Rangeli</td>
</tr>
<tr>
<td>Topkegola Autonomous Region</td>
<td>Taplejung</td>
<td>1523</td>
<td>Papung, Sanba, Nalbu, Thukima, Lingtep, Fakumba, Thinglabu, Liwang and Topkegola (Dhokpya)</td>
</tr>
<tr>
<td>Dhimal Autonomous Region</td>
<td>Morang</td>
<td>26298</td>
<td>Urlabari, Rajghat, Pathari, Sanischare, Hasandaha, Itahara, Madhumalla, Koshi Haraiha, Bayarban, Bahuni, Dangihat, Belbari, Keraun, Babyabiruta</td>
</tr>
<tr>
<td></td>
<td>Sunsari</td>
<td></td>
<td>Khursanikhap and Bankajhoda in Itahari Municipality Ward No 1</td>
</tr>
<tr>
<td>Majhi Autonomous Region</td>
<td>Jhapa</td>
<td>83727</td>
<td>Lakhanpur, Dharmapur, Majhidanda, Simalchowk, Jharbari and Marangedandha</td>
</tr>
<tr>
<td></td>
<td>Morang</td>
<td></td>
<td>Madhumalla (Laxmijhar, Jharsadi)</td>
</tr>
<tr>
<td></td>
<td>Udayapur</td>
<td></td>
<td>Belka (Rampur Majhbas/tole)</td>
</tr>
<tr>
<td>Area</td>
<td>Population</td>
<td>Districts</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>------------</td>
<td>---------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Yakkha Autonomous Region</strong></td>
<td>28336</td>
<td>Syabrun, Jaljala, Wana, Chainpur, Baneshwor, Kharang, Ankhibhui, Tamafuk, Madi Mulkharka, Siddhapokhari, Siddhakali, Mabdin and Madi Rambeni</td>
<td></td>
</tr>
<tr>
<td><strong>Dhankuta</strong></td>
<td></td>
<td>Chunuwa and Dandagaun (Territories within the four boundaries from South Western parts of Pallo Kirant (Limbuwan), north bank of the Arun River, head of Sabhakhola to the north to Samlangur Himal to Jalaljale Milke Lek, Mencheyam Thumka, Gufapokhari, Mangalbare Bhanjyang Tinjure Danda through the northern part Dhankuta Mugakhola in the west)</td>
<td></td>
</tr>
<tr>
<td><strong>Rajbanshi Autonomous Region</strong></td>
<td>115242</td>
<td>Jyamiragadi, Chandragadhi, Anarmani, Haldibari, Bhadrapur Municipality, Maheshpur, Prithvinagar, Padamari, Kechna, Boniyani, Baluwari, Pathariya, Gherabari, Jalthal, Rajgadh, some parts of Sanamatira, Taghandubba, Kumarkhod, Mahabhara, Morubari, Baigundhura, Gauriganj, Arjundhara, Anarmani, Khajurgachi, half territory of Ghailaduba, Charpane, Juropani, Duwagadhi, Mechi Municipality, Sanischare, Maharani Jhoda, Saranamati and Shivganj</td>
<td></td>
</tr>
<tr>
<td><strong>Morang</strong></td>
<td></td>
<td>Amardaha, Katahari, Keraun, Govindapur, Takuwa, Tankisiniwari, Dainiyahat, Dagihat, Thalaha, Daiwesaha, Dadar Bairiya, Babiabirta, Budhnagar, Baijanapur, Bhodaha, Mathigach, Bardanga, Biratnagar Sub-metropolitan City, Sohrabhag</td>
<td></td>
</tr>
<tr>
<td>S. N.</td>
<td>Protected regions</td>
<td>Population (2011)</td>
<td>Districts</td>
</tr>
<tr>
<td>-------</td>
<td>-------------------</td>
<td>-------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>1.</td>
<td>Thudam Protected Area</td>
<td>--</td>
<td>Sankhuwasabha</td>
</tr>
<tr>
<td>2.</td>
<td>Meche Protected Area</td>
<td>4867</td>
<td>Jhapa</td>
</tr>
<tr>
<td>10.</td>
<td>Lapcha Autonomous Region</td>
<td>3445</td>
<td>Ilam</td>
</tr>
<tr>
<td>11.</td>
<td>Walung Autonomous Region</td>
<td>1249</td>
<td>Taplejung</td>
</tr>
<tr>
<td>12.</td>
<td>Lhomi (Singsa) Autonomous Region</td>
<td>1614</td>
<td>Sankhuwasabha</td>
</tr>
<tr>
<td>13.</td>
<td>Santhal Autonomous Region</td>
<td>51735</td>
<td>Jhapa</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>S. N.</th>
<th>Protected regions</th>
<th>Population (2011)</th>
<th>Districts</th>
<th>Historical geography</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Thudam Protected Area</td>
<td>--</td>
<td>Sankhuwasabha</td>
<td>Thudam village of Chepuwa</td>
</tr>
<tr>
<td>2.</td>
<td>Meche Protected Area</td>
<td>4867</td>
<td>Jhapa</td>
<td>Dhajian, Bahundangi, Jemirgadhi, Chakchaki, Rajgadh, Mechi Municipality, Saniarjun Municipality, Bhadrapur Municipality, Jhapa, Parajungi</td>
</tr>
<tr>
<td>S. N.</td>
<td>Autonomous regions</td>
<td>Population</td>
<td>Districts</td>
<td>Historical geography</td>
</tr>
<tr>
<td>------</td>
<td>------------------------------------------</td>
<td>------------</td>
<td>-----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Saptari</td>
<td>Sishwa Belhi, Tarahi, Bhutahi, Dulantpur, Falkahi, Hardia, Jandail</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Dhanusha</td>
<td>Chireshworthan Municipality, Dhanushadham Municipality, Janakpur Sub-metropolitan City, Sabaila Municipality, Bhuachakrapur</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Mahottari</td>
<td>Bharatpur Gaushala Municipality, Bijanpur, Jamunia Falkas, Meghnath Gorhanha,</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sarlahi</td>
<td>Chandranagar, Isworpur Municipality, Haripur Municipality, Farhaldawa, Janakinagar, Barhatwa Municipality, Hariban Municipality, Srinagar Sagarnath Municipality, Pipariya, Pidari, Rajghat Hazaria</td>
</tr>
<tr>
<td>S N.</td>
<td>Autonomous regions</td>
<td>Population (2011)</td>
<td>Districts</td>
<td>Historical geography</td>
</tr>
<tr>
<td>------</td>
<td>--------------------</td>
<td>-------------------</td>
<td>-----------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>1.</td>
<td>Chepang Autonomous Region</td>
<td>68399</td>
<td>Dhading</td>
<td>Jogimara, Dhanusha, Benighat, Gajuri, Pinda, Mahadevsthlan</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Makawanpur</td>
<td>Manahari, Kankada, Raaksirang, Sarikhet, Khairang, Dandakharka, Bharta, Kalikatar</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Chitwan</td>
<td>Kabilas, Chandibhanjang, Darechowk, Khani, Shaktikhor, Korak, Piple, Lothar, Siddhi</td>
</tr>
<tr>
<td>2.</td>
<td>Jirel Autonomous Region</td>
<td>5774</td>
<td>Dolakha</td>
<td>Jiri Rural Municipality, this is the historical territory of Jirel and they predominantly reside here, Jiri territory should be declared autonomous region, Jhyaku, Juju, Chetrapa, Jiri and Thulo Patal</td>
</tr>
<tr>
<td>No.</td>
<td>Region</td>
<td>District</td>
<td>villages</td>
<td></td>
</tr>
<tr>
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<td></td>
</tr>
<tr>
<td>3.</td>
<td>Thami Autonomous Region</td>
<td>Dolakha</td>
<td>Alampu, Babare, Bhimeshwor, Bhirkot, Bigu, Chhetrapa, Chilankha, Dandakharka, Haskhu, Lakuridanada, Lamidanda, Lapinglang, Marbu, Melung, Namdu, Orang, Pawati, Sunkhani, Sundrawati, Sushpachyamawati,</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sindhupalchok</td>
<td>Barhabise, Chokati, Dhunthang, Phurpingdanda, Phulpingkati, Ghorthali, Dhuskun, Karthali, Marming, Pagaretar, Piskar, Ramche, Sunkhani, Tatopani, Tauthali</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ramechhap</td>
<td>Dadua, Dorangba, Gumdel, Khandadevi, Priti</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Danuwar Autonomous Region</td>
<td>Sindhuli</td>
<td>Dudhori Municipality (Kamalakhauch Chhetra), Marinkhola, Mahendrajhari, Sirthauli, Tadhi, Nipane, Harsahi, Dudhauri, Katari and Bibeni</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Pahari Autonomous region</td>
<td>Lalitpur</td>
<td>Godavari, Badikhel Kodaku, Lele, Pahade, Sikharpa, Champi, Chapagaun, Gharuwarashi, Dalchauki</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kavre</td>
<td>Kolanti, Chaubas, Sinthali, Bekhassim, Saping, Khopasi</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Majhi Autonomous Region</td>
<td>Ramechhap</td>
<td>Manthali (Pakarbas, Bhatauli, Chisapani and Baluwajor)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sindhuli</td>
<td>Kapilakot, Kalpabrikshya and Mahadevsthan</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sindhupalchowk</td>
<td>Bhimtar</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Makawanpur</td>
<td>Chhatiban, Raigaun and Thaparbari</td>
<td></td>
</tr>
<tr>
<td>Region</td>
<td>Code</td>
<td>Districts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------</td>
<td>---------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sunuwar Autonomous Region</td>
<td>55712</td>
<td>Ramechhap: Kubukasthali (Klemt Kasthal), Priti (Pleti), Rasnalu (Rasnailu), Gupteshwor (Aitha Bujh), Bhuji (Brij), Daragaun (Saura), Saipu (Tholo), Betali, Namadi, Pharpa, Khimti, Hemgaga, Rapupur, Chuchure, Bhirpani, Ramechhap, Bijulikot, Gumdel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dolakha</td>
<td></td>
<td>Thulo Patala Hawa, Mali, Chyama</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sindhuli</td>
<td></td>
<td>Thulo Patala Hawa, Mali, Chyama</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mahadevdanda, Arunthakur, Kakurthakur, Ratnawati, Tandi, Ladabhir, Nepane, Solpa, Sithauli, Dudhauli, Bhiman, Durbhanjyang, Mahadevsthana, Dandi Guranse, Bhadrakali, Tamajor, Kusheshwor, Dumja, Marin, Pokhari</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sindhuli</td>
<td></td>
<td>Thulo Patala Hawa, Mali, Chyama</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Helambu, Baruwa, Matang, Golche, Tapatani, Gumba, Listikot, Dhuyang, Patang, Sinlang, Sipalkot, Kulchaur, Badagaun, Nawalpur, Sikharpur, Jyamire, Lagarche, Bhothe Namlang, Gunsakot, Thanalpalkot, Thanpalchhap, Basnharka, Duwachaur, Melamchi, Siddhikot, Taramrang, Halgung, Thakali, Mahakal, Palchowk, Kiul, Echowk</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sindhupalchowk</td>
<td>10752</td>
<td>Ramechhap: Bhudajor, Birta, Wodanda, Mudhekhola, Badi, Hodil, Mugan, Pali</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sindhuli</td>
<td></td>
<td>Thulo Patala Hawa, Mali, Chyama</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dadiguranse, Ratanchuri, Jhangajihi, Sindhulimadi, Bageshwar, Bhumeshwor, Kamalamai Napako Ratamata</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hayu Autonomous Region</td>
<td>2925</td>
<td>Ramechhap: Bhudajor, Birta, Wodanda, Mudhekhola, Badi, Hodil, Mugan, Pali</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sindhuli</td>
<td></td>
<td>Thulo Patala Hawa, Mali, Chyama</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dadiguranse, Ratanchuri, Jhangajihi, Sindhulimadi, Bageshwar, Bhumeshwor, Kamalamai Napako Ratamata</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Discourse on Autonomous, Protected and Special Areas in Nepal

#### S.N. | Protected areas | Population (2011) | District | Historical geography
---|---|---|---|---
1. | Surel Protected Area | -- | Dolakha | Surigaun
2. | Darai Protected Area | 16789 | Chitwan | Ward no 1,2,3,10, 16 of Khaireni Municipality and ward no. 8,9,15,16 of Bharatpur Municipality
 | Bankariya Protected Area | -- | Makawanpur |

#### Province 4

#### S. N. | Autonomous Regions | Population (2011) | Districts | Historical geography
---|---|---|---|---
1. | Kumal | 121196 | Gorkha | Chyangli (currently Palungtar) and adjacent ward no. 1 of Dhuwakot VDC, Gorkha Municipality and villages adjacent to ward no 11, all villages of Choprak, Mirkot, Khoplang
 | | | Tanahun | Bhanu Municipality and ward no. 1,2,3,4 of adjacent VDC, ward no. 3 and 6 of Dhorfid and adjacent ward no. 7 of Bhimad VDC
 | | | Nawalparasi | Bulingtar, Nayabeliyani, adjacent VDCs ward no. 5,6,7,8,9 of Prasauni VDC, ward no, 1 and 2 of Tamsari, and ward no. 8 of Mainaghat
<table>
<thead>
<tr>
<th>District</th>
<th>VDCs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baglung</td>
<td>Lamkhekhani, Narjakhani, Khunkhani, Bonkhani, Kateri of Tamankhola rural municipality; Ghosakhani, Ghaiyakhani, Handikhani, Lukurban of Dhorpatan Municipality; Kandakhani, Bahungaun, Chapkhani and Puehra-Balabang of Nishikhola Rural Municipality; Pandapakhani of Galkot Municipality; Deuralikhani, Kalapatal and Nepane of Jaimini Municipality; Jhule and Majhuwa of Wareng rural municipality; Lekhani, Okhale and Sayektera of Kathokhola rural municipality; Argel and Bhuskat of Tarakhola rural municipality; and Darlingkhani and Dagantundanda of Badigad rural municipality</td>
</tr>
<tr>
<td>Myagdi</td>
<td>Kuinekhami, Jhiekhami, Mangalekhani, Chaurkhani, Dhyansikharka, Dwandi Dhar and Tadhakhani of Raghuganga Rural Municipality; Malkbangkhani, Malamparkhani, Macchimkhani and Gurjakhami of Dhaulagiri rural municipality; Niskot and Chapkhani of Malika rural municipality; Baramja and Arman of Mangala Rural Municipality; and Bimili and Dandagaun of Beni municipality</td>
</tr>
<tr>
<td>Gulmi</td>
<td>Malarani and Badagaun of Musikot Municipality</td>
</tr>
<tr>
<td>Rukum</td>
<td>Birgumkhani and Falnaikhami</td>
</tr>
<tr>
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3. Thakali Autonomous Region 13215 Mustang Chimang Khola, Annapurna Nilgiri mountain range in north east; Guranse Danda, Khadikot, Thocham Danda, Kaliodar, Tyong Kyu in the north-west; Chimkholadhuri in the west; Bandarjung Turture Pani, Rakteodar, Surti Chadhaune Deurali in South west, geographical areas of Nai Thasang (Thak Saat Saya) – Marfa, Jomsom, Tukche, Kobang, Lete, Kunjo


5. Barhagaunle Autonomous Region -- Mustang Kagbeni, Mukthinath, Jhong and Chusang

6. Bote Autonomous Region 10397 Chitwan Patiyani, Gardo, Bankatta

7. Bhujel Autonomous Region 118650 Tanahun Bandipur, Abukhaireni, Keshavtar, Ghansikuwa, Baidi, Dharampani, Deurali, Chipchipe, Kota, Devghat, Chinkeshwori, Bhanu, Basantapur, Chokchisapani, Mirlung and Byas Municipality, Bhaghaun

8. Lhopa Autonomous Region 2624 Mustang Surkhang, Churang, Ghami, Lomanthang, Chonguk, Choser and Surwang
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### Province 6

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</tr>
</tbody>
</table>
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Indigenous Peoples of Nepal are searching for the state which recognizes and reflects their identities. Exclusion of indigenous peoples in the ruling apparatus and from resources of the “modern states,” and absence of their representation and belongingness to its structures and processes have been sources of conflicts. Indigenous peoples are engaged in resistance movements as the state has been active in destroying, instead of building, their political, economic and cultural institutions. The new constitution of 2015 failed to address the issues, hence the ongoing struggle for political, economic, and cultural rights and democratization of the country.

If the country belongs to all, if the people have democratic values, the indigenous peoples’ agenda would become a common agenda of all. If the state is democratic and inclusive, it would address the issue of justice to all. With these premises, this book presents the concerns of the indigenous peoples from a new angle, asks new questions on distance and disagreements between the state and the indigenous peoples, and opens up a debate for creation of a new state structure, relationship, and culture in the country.