

ROLE OF ETHNIC AND LINGUISTIC PLURALITY FOR SUSTAINING DEMOCRACY: HISTORY WITH PAINS AND PRIDE IN NEPAL

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INTRODUCTION:

Nepal has distinct and brave history and has always been an independent and sovereign country with glorious culture and tradition that date back to many centuries. Nepal covers approximately 147,000 sq. km. stretching 800 km from east to west and 90 to 230 km from north to south. Nepal is land locked between two Asian giants- China and India. Nepal has three geographic regions: the Mountain regions (including 8 out of 10 highest peaks in the world) the Hill region and the Plains (Terai region). Nepal contains greatest altitude variation on earth, from the low land Terai, at almost sea level to Mount Everest at 8848 meters. Nepal is divided into five development regions and seventy five districts. An estimate of 29.5 million (July 2008 est.) people is living in diverse geographic regions and different climatic zones.

DIVERSITY, PRIDE AND PROBLEM

Tony Hagen, a Swiss geologist, was the first foreigner to travel extensively in Nepal in the early 1950 when it was still an unknown country for the world. His book, 'The Ethnic Turntable of Asia', was the first book to expose the ethnic diversity of Nepal (Hagen, 1961). Only very few countries in the world are so diverse in terms of the landscape and ethnic diversity of the population as Nepal. As described by Tony Hagen, the composite fabric of Nepali culture has been woven with strands and shades of varying texture and colors (Hagen, 1961). It would not be an exaggeration to say that Nepal has, since the time immemorial, been characterized as a meeting place for many groups, religions, races and cultures which ultimately form a 'Cultural Mosaic'. This cultural mosaic has been a 'core value of the Nepalese nation', but in the meantime it has been a challenge to the growth of an 'inclusive democratic system and its functionality'. The challenge has been occurred mainly due to the 'failures of the past political or governmental regimes to build Nepal an inclusive nation state'. The exclusion of the large number of nationalities from the system of governance has created many facets of inequality ultimately resulting in gross marginalization of many ethnic communities. Thus, Nepal suffers from an acute problem of a divided society politically, socially and economically. The emergence and sustainability of a democratic system is seriously hindered by this fact. The same factor can be attributed to the decade long bloody insurgency, which ended in 2006.

SCENARIO OF ETHNIC AND LINGUISTIC DIVERSITY AND ITS IMPACTS ON DEMOCRACY

According to Nepal's Census report 2001, the country accommodates 103 distinct castes and ethnic groups. The major caste/ethnic groups identified by the report are Khas Kshetri (15.8%), Khas Bahun (12.7%), Magar (7.1%), Tharu (6.8%), Tamang (5.6%), Newar (5.5%), Muslim (4.3%), Yadav (3.9%), Kami (3.9%), Rai (2.7%), Gurung (2.5%), and Damai (2.4%). Each of other remaining 92 caste/ethnic groups, including world famous Sherpa, constitutes less than 2% of the total population (CBS 2002). According to the report, 92 different living languages are spoken in Nepal. The linguistic heritage has evolved from three major language groups, namely, Indo-Aryan, Tibeto-Burman and Indigenous. The major languages (spoken as mother tongue) are Nepali (49%), Maithili (12%), Bhojpuri (8%), Tharu (6%), Tamang (5%), Newari (4%), Magar (3%), Awadhi (2%), Bantawa Rai (2%), Limbu (1%) and Bijika (1%). Nepali language written in Devnagari script is the official language and serves as *lingua-franca* among Nepali of different ethno-linguistic groups.

The report identified 80.6% of the total population as Hindu, and 11% Buddhist. About 4.2 % population is Muslim and 3.6 % population follows Indigenous *Kirant* religion (a kind of animism). Christianity is practiced officially by less than 0.5% of the total population. Economically, Nepal is characterized not only by sheer poverty and low Human Development Index, but also by extreme disparity in income and wealth. For example the bottom 20% households receive only 3.7% of the national income whereas the top 10% receives nearly 50% of national income (NESAC 1998). The diversity marked by disparity in distribution of socio-economic positions and exclusion in political participation constitutes a major hurdle for sustainability of democratic governance. Hence, Nepal, as an emerging nation State, has been seriously affected by political instability in the last five decades. The *Ranarchy* (a family oligarchy) ruled Nepal 104 years with ruthless absolutism. The 1950 revolution eliminated the oligarchy and established a British-modeled liberal parliamentary democracy with constitutional monarchy. However, the system could not last long due to betrayal of the monarchy, thus an authoritarian monarchy was established which banned the political parties. A popular movement of the people in 1990 reinstated the multiparty system. It, however, could address the problem of exclusion of the vast majority of the population; it confined to 'a political elitism', thus giving legitimacy to a violent conflict, the Maoist insurgency. From 2002, Nepal virtually entered into a 'civil war'. The king usurped the power by setting aside the Constitution. The CPN (Maoist) launched a war against the State for 'one party communist rule'. The democracy restored in 1990 thus came into a trap of two authoritarian regimes. The king, taking advantage of the Maoist insurgency, made a plan to crush political parties first, and win a war against Maoists subsequently. The people of Nepal, however, foiled this game of the king. The 2006 massive movement of the people succeeded to remove absolute monarchy and also to bring the Maoist in democratic political mainstream.

NEPAL'S TRAJECTORY TO DEMOCRACY

Nepal became an integrated nation by military conquest of the Gurkha rulers in 1768. Its history after that can be divided into five eras: (a) the Royal autocracy under Shah kings, (1768-1846); (b) a family oligarchy of the Ranas (1846-1950), when Shah kings were made captive by the Ranas who has established their own hereditary line of prime minister; (c) the First Democratic Opening (1951-1960), during which some democratic institutional framework were introduced and experimented (but the Shah kings extended their privileges); (d) a Partyless Political System (1960-1990), which was introduced by the king through a coup d'état and was characterized by a royal absolutism; and (e) finally a Second Democratic Opening (1990 onward) which can be called the beginning of Institutional Democratic Governance (Thapa 2006).

The Partyless Panchayat System crumbled in the face of popular 'People's Movement' in 1990 led by Nepali Congress Party and United Left Front. The constitution of Nepal 1990, like the earlier ones, was promulgated through royal proclamation but it provided for people's sovereignty, multiparty parliamentary democracy, basic human rights and constitutional monarchy as basic features of the system democratic system. These elements were made non-negotiable and non-amendable features of the Constitution. The transformation from partyless politics to a multiparty system (Westminster model) was indeed a striking phenomenon and thus changed the Nepali political system fundamentally. However, the danger of the monarchy to act against democracy continued to exist. While the change brought about a new governance system, the king still had strong voice and source of powers. Nevertheless, his kin and kith and followers, who wielded absolute influence in the affairs of the state in the past, were pushed behind and compelled to leave space for representatives of the people. In this

sense, the 1990 political change can be said a radical beginning (Joshi and Rose 2004, Hoftun 1999 and Gupta 1993).

This era, however, witnessed a number of tragic events in Nepal. The 1990 Constitution failed in practice to give space to the majority of people in the politics and the system of governance. The political parties could not transform themselves into a vehicle of socio-economic transformation and an instrument of democratization of the society. Rather they, in a short period of time after 1990, tended to become 'power-centric clubs' marked by a culture of horse-trading in politics. The corruption, nepotism, the power game and conventionalism emerged as characters of the political parties. The distrust of the people over the political parties and the institutions of governance widened, thus giving an advantage and excuse for Maoist insurgency, which took life of 14000 people. The development affairs of the nation were seriously affected thus pushing the economy into a crisis. The mounting conflict posed unimaginable difficulties in the life of people.

RESTORATION OF MULTIPARTY DEMOCRACY (LIBERAL DEMOCRACY), PERPETUATION OF EXCLUSION

The management of cultural pluralism and diversity has become a focus of attention because of their universal existence in terms of race, religion, language, ethnicity and cultural difference. In Nepal, particularly after the restoration of multiparty democracy in 1990, there is a growing academic as well as public debate to redefine the role of the state and the nature of governance to accommodate its diverse social, cultural, ethnic, language, and racial groups on an equal footing.

The constitution of 1990, for the first time in history had recognized the 'plural character of Nepali society'. It was a significant departure from the past political system and rulers' reluctance to acknowledge the cultural diversity within the country. A number of provisions of the constitution sought to protect the rights of the individuals at the same time respecting the values of diversity as an instrument of national integration. The constitution (in article 2) defined Nepal as a nation "having common aspirations and united by a allegiance to national independence and integrity of Nepal and the Nepalese people irrespective of religion, race, caste or tribe collectively constitute the nation." This definition of nationhood acknowledges the pluralism recognizing Nepal as a multi-ethnic, multilingual, democratic, independent, indivisible sovereign Hindu and constitutional monarchical kingdom (article 4). This article clearly acknowledges the diversity with different ethnic and linguistic groups making up Nepali nation but denied the religious plurality existed in the country by declaring 'Nepal as Hindu Kingdom'.

Plural societies such as Nepal face one basic dilemma. On the one hand, all members of the liberal democracy are- in principle if not in practice- entitled to the same rights and opportunities. On the other hand, they also have the right to be different and after 1990, the rights of minorities (especially of Janjati and Dalits) to maintain and promote their cultural distinctiveness and to be visible in the public sphere, including the mass media, school curricula, and so on were increasingly insisted on. A crucial challenge for plural societies therefore consists of allowing cultural differences to persist without violating common and socially defined rights. In other words, the challenges consist of finding a viable compromise, for the state as well citizens (representing power and agency respectively), between equal rights and right to be different. (Bhattarai 2004).

On paper at least, the constitution of 1990 allowed the Nepalese people the opportunities to abandon their 'subject status' and emerge as citizens. Pfaff-Czarnecka (1997) has called this type of ethnic and cultural accommodation a "patchwork of minorities' model". As a reaction to the former royal governments forced assimilation oriented cultural policy, a number of ethnic groups, using open space of democratic era, publicly demanded to protect and preserve their cultural traits and came out to stress the importance of rethinking Nepal's cultural identity. Moreover, following the global debate on minority rights, indigenous people and human rights and the international recognition of the protection of human rights and minority rights as indispensable part of governance, different ethnic and linguistic communities of Nepal started to assert their status as "minorities", 'nationalities', and indigenous people of the country. The constructed symbol of Nepali nationalism was thus questioned. The benevolent and encompassing nation state "garden of all caste and ethnic groups" was now criticized as hegemonic power domicile of certain groups(i.e., high caste Hindu groups), a 'predatory states' (Bhattachan 1998), 'communal' (Gurung et.al 2000), 'cultural imperialist' (Lawati 2001), 'internal colonizer' (Subba 2000), etc. by different scholars and activists. It is a irony that even after two decades long practice of democracy, cultural discrimination, economic marginalization, and social exclusion still persisted as common features of the Nepali society.

MAOIST INSURGENCY

The Maoist insurgency which was labeled by Maoist as 'People's War' was a conflict between the then His Majesty's Government and Maoist rebels which lasted from 1996 until 2006. This decade long violent conflict was started by the Communist Party of Nepal (Maoist) on 13th February 1996 with the aim of overthrowing the Nepalese monarchy and establishing the 'People's Republic of Nepal'. It ended with "Comprehensive Peace Accord" signed on 21st November, 2006.

More than 14000 people were killed and 100,000 to 150,000 people were internally displaced. This conflict disrupted the majority of rural development activities and posed a serious threat on liberal democratic system of Westminster model adopted by the country. Root causes of Maoist insurgency were many ranging from geo-political-legal to socio-economic-cultural exclusions. The Nepalese society had been undergoing a 'structural violence' for long time since the state failed to provide equal rights and opportunities to its varied regions and population, and socio-cultural violence through discrimination and marginalization of people on the basis of region, ethnic groups, caste, or gender persisted without mitigation. The authoritarian regime before forcefully suppressed the people voice. It, however, exploded after the democratic regime was restored in 1990. The democratic governments under 1990 Constitution could address the 'rampant structural violence' facing the Nepalese society. However, they overlooked the problem in romance for powers and privileges. The 'overt violence', i.e., armed violence was thus a fallout of the failures of the political parties to institutionalize democracy for the benefits of disenfranchised and marginalized communities. The Maoist has used the structural and social violence of the state to gain support for their own agenda. (Lindsay 2005).

The state has failed to integrate the people of the extraordinarily varied terrains and culture of Nepal into the polity. Instead a minority centered in Kathmandu has subsumed power and privileges to itself. This has marginalized a large section of the population who have moved into greater poverty and become alienated from the state. It has also given rise to almost endemic corruption. The decade long Maoist insurgency has acted as an agent in causing profound transformation in Nepal. It has compelled Nepali people to agree its demand for constituent assembly polls, which was granted by the king Tribhuvan as early as 1951 but never implemented. It has caused the collapse of the 1990 constitution

that established parliamentary democracy. It is also a fact that the Maoist insurgency has been a contributory factor in empowering Janajati (ethnic communities), women and Dalits (untouchable). Maoist correctly identified the weaknesses and fault lines of Nepalese society and used these to their advantage. (Mahat 2005)

SUSTAINABILITY OF DEMOCRACY

The question of whether, and how, democracy can survive in divided societies has long been a source of controversy in political science. Some great political thinkers (like John Stuart Mill) have argued that stable democracy is possible only in relatively homogeneous societies. They believed that democracy is incompatible with the structure of a 'multi-ethnic society' as 'free institutions are next to impossible in a country made up of different nationalities. But with the passage of time, there was a gradual shift on emphasis, argument and concept and with beginning of 'Third Wave of Democratization', diversities; especially concern for identity has been the focal point for the sustainability of democracy during 90s. Today, democracy is *sine qua non* to address the issues of divided societies. In this way, diversities and cultural pluralism have become the essence of democracy. If democracy is to be sustainable it must enjoy the support of the entire population irrespective of cast, creed, religion, gender, ethnicity and economic classes and not only of the political elites. Especially in societies like Nepal in which more 75% population are farmers; it is critical to mobilize people in rural areas, giving them the opportunities to participate in affairs of governance by enabling them to decide on what constitutes good for them. This opinion constitutes a 'crux' of the present constitution making process in Nepal. This has been expressed in a 'theme' as 'devolution of powers' through federalism and autonomy of the local government.

In a democracy, in an ethnically and linguistically plural society like Nepal, the horizontal distribution of powers is inadequate to ensure equal protection and participation of all people, especially the ones who have been excluded for centuries. Hence, it is widely believed that the scheme for 'vertical distribution of powers' is an indispensable element for sustainability of the democracy. The ethnically and linguistically divided society can be integrated and united by 'autonomy of governance' secured through federal structure. This thesis has been a driving force for the current political change in Nepal.

Ethnicity has thus emerged as a major issue in the contemporary demographic, developmental and political discourse in Nepal and it is a question that can no longer be ignored. In Nepal, the present concern with ethnicity has three inter-related bases. The first is the historic grievances of ethnic/caste groups that have been systematically discriminated against and marginalized by a partisan state. The second, deriving from the first going much further, is the assertion of identity and the rise of identity politics which seeks to re-establish all that was 'lost' in the past, irrespective of contemporary needs and relevance. The third is the restructuring of the state in terms of transforming the anarchist historic legacy into an inclusive, forward-looking, religion-neutral, progressive, democratic state (Sharma 2008).

Another key element for the sustainability of democracy in divided society is 'Political Culture'. But changing political system and political culture are two different things. You can change political system in a day but you cannot change political culture required by democracy overnight. It is a long evolutionary process. Democratic institutions actually bring forth democracy but to make them stable society needs a strong political culture. Political culture denotes the entire knowledge actually available in society, instinctive attitude, moral and ethical values in relation to politics. In this aspect, the danger

of failure in democracy in Nepal looms large. The present process of constitution making is seriously hindered by lacking of democratic culture in Nepal.

PROBLEMS FACING THE EMERGENCE OF DEMOCRATIC CULTURE

Nepal is now struggling hard to address the extended period of transition. The Comprehensive Peace Accord, 2008, has declared a consensus that 'Nepal would practice a competitive multiparty polity' and the state would be restructured into a federal framework. The Constitution is being made by the popularly elected Constituent Assembly, which has been mandated to restructure the State both horizontally and vertically. The people have, through a social contract concluded by 2006 popular movement, allowed the political parties to go ahead with this scheme. However, the lacking of political culture among the political parties is posing a serious hurdle. The CPN (Maoist), a party to the Comprehensive Peace Accord and the greatest political party in the Constituent Assembly, still holds a huge contingent of combatants. The integration of this contingent with the national army is a serious challenge. The Maoist and other political parties are tending to maintain their high positions in politics with strength of 'military' forces, and thus are not ready to give up their vested interests. The issue of integration of the militaries is tantamount to overlooking the 'issues of ethnic and linguistic diversity', and the danger of militarizing the ethnic groups as rebels is mounting. This has been a serious problem of 'democratizing the politics and state of Nepal'. The management of the divided society is, however, not possible without help of democracy. In this sense, Nepal is in a cross-road of extended conflict and ways to sustainable democracy. The indispensability of 'co-existence' for national integration cannot be ignored, but the same cannot be achieved without recognizing the 'independent identity' of each group as an essential component of the nation.

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