



Concern Nepal

A Newsletter of the Canada Forum for Nepal (CFFN)

Content

Editorial

Past Activities

- Press releases
- Relief funds for victims in Nepal
- Delegation

Up-Coming Events

- Himalayan Heartbeat:
Nepal Cultural Evening

Feature Articles

- Ethnic injustice in Nepal:
need of a total democracy
 - Caste discrimination: A core
problem in the development of
Nepal
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Contact us at:

**Canada Forum for Nepal
(CFFN),**

**8-Thornbury Cres. Ottawa, On
Canada, K2G 6C6.**

Phone: 613-224-6766

Email: info@cffn.ca

**Please visit our website
(www.cffn.ca) for news
events and updates.**

Editorial

Unprecedented people's movement followed by sequence of historic proclamations of the house of representative (HoR) in Nepal curtailed the kings' power temporarily. Additional declarations such as secular state and free of untouchability are the praiseworthy steps taken by the HoR. The changes made by declarations are essential for establishing a democratic and prosperous Nepal, but they alone are by no means sufficient to achieve these goals. Political decisions in the background of strong people's support, as is the case in Nepal today, are relatively easy undertakings. What is challenging and imperative is to institutionalize these changes, and replace the old power structure which has grappled Nepal for centuries and pushed its economy on the downward spiral by new accountable democratic institutions. The first step towards this goal is to set up a framework and environment that people could write their own constitution to establish a "New Nepal".

Statistics show that more than half of the Nepal's population lives under \$1 a day, two-third of the population is still illiterate and life expectancy in the rural area is almost 40% lower than that in the capital city. It's not secret that the old political power of hundreds of years has kept most of the economic activities under its control creating mind bugging social and economic disparities in the country, which is both growth impeding and inequality perpetuating. Unless we address these burning inter-temporal and regional issues with appropriate policies, the desire to build a peaceful and strong Nepal will remain an illusion. To be able to tackle these issues it would require a complete structural transformation in our thinking, policies, power structure and economic endowment.

The immediate priorities of the government should be the establishment of permanent peace in the country, sharing power among revolutionary political forces and go for an election of a Constituent Assembly. This is the mandate of the present government from the popular movement. All other issues could be addressed by an elected government based on the new constitution adopted by the peoples' representatives from constitutional assembly. These are the realities, hard but must be achieved. Peoples' historic and courageous struggle has provided us this golden opportunity to make a New Nepal; if missed, history will never excuse us.

Past Activities of CFFN

Press Releases

During the last three months, CFFN has released three statements by denouncing the king's autocratic rule, supporting the historic peoples' uprising, and highlighting the achievements of the popular movement in Nepal.

Relief Funds for Victims in Nepal

Canada Forum for Nepal collected a fund of \$2,833 (Nepalese Rs. 179,131) from the Nepalese community in Ottawa and other well-wishers, and handed it to *Janandolan Primary Health Treatment Fund* (a fund for the treatments of the injured during the peoples' movement in Nepal) on April 19, 2006. The images of the Bank Draft presented by CFFN, the receipt issued by the *Fund* and the exchange rates for the date of transaction are posted in our website (www.cffn.ca). CFFN extends its appreciation to all of you who contributed to the relief fund.

Delegation

A team of CFFN committee members visited the Member of Parliament Alexa McDonough office on 7th June 2006 and discussed about recent political developments in Nepal. At the same time, they also emphasized the need of Canada's proactive role in the transition of political way-out in Nepal.

Up-coming events and programs

Himalayan Heartbeat: Nepal Cultural Evening

CFFN is organizing a fund-raising cultural event (Himalayan Heartbeat) on 7th July 2006 at the Auditorium of Library and Archives Canada in Ottawa. The program will involve a short introductory talk by our special guest Mr. **Andrew Brash**, a renowned Canadian mountaineer who gained world media attention for abandoning his own ascent, just 200m below the summit of Mount Everest, to help save the life of an Australian climber left for dead by an

earlier expedition, will share his experience with us. Other attractions of the program include Nepali dances and an educational Nepali movie (*Ujili*). Please visit our website (www.cffn.ca) for more information. You are invited to come and join us in the fun-filled evening and also help us raise funds.

Featured Articles

In this issue, we have invited two articles on ethnicity, social discrimination and need for changes in the changed context of new Nepal. The views expressed here are solely of the authors.

Ethnic Injustice in Nepal: Need of a Total Democracy

"As race is the great problem in western democracy including super power America, gender is the barrier in Islamic world, while feudalism is the greatest hurdles in third world democracies." Anonymous.

By Shakespeare Vaidya

The unfortunate truth about Nepal is that the poverty has robbed many Nepalese of their basic dignity for a long time. After 236 years of absolute monarchy and 15 years of "democracy", only 5 percent Nepalese enjoys 85 percent of the development results, 55 percent enjoys 10 percent, and the rest 40 percent enjoys merely 5 percent according to government statistics. The rulers turned the nation's think tank institution, National Planning Commission into a National Commission Planning!

The blunt fact is that if South Asia is the poorest region in the world, next only to Sub-Saharan Africa, Nepal is economically poorest in South Asia. The World Bank's Report on Global Poverty of 2000 presents Nepal's per capita gross national product as one-third that of Sri

Lanka and about 10 percent less than that of Bangladesh. In terms of quality-of-life indicators, from provision of drinking water and basic sanitation to infant and maternal mortality rates, Nepal does considerably worse than Bangladesh even though the latter has a per square kilometer population ratio six times more than that of Nepal.

The *frustration-aggression theory* and the *relative deprivation theory* suggest that individuals become aggressive when they are deprived of their success in life. The theory stresses that sometimes people or community or ethnic minority perceive themselves to be deprived relative to others leading to the inter-community hostility politically known as armed conflict. *The Maoist in Nepal has also consolidated the frustrations of all tribal and ethnic groups with its demands in order to bring social justice through constituent assembly.*

Poor governance and unequal distribution of economic resources to regions or ethnic communities have resulted in better opportunities for a small minority only. This has also cemented unjust power relations and persistence of poverty amongst for others - a threat to social stability. When people perceive the poverty as being inflicted on them, then the frustration-aggression thesis becomes relevant in understanding why people rebel. Maoist's based their 40-point demand to realistically capitalize on the theory of frustration-aggression. Looking at the statistics of the rebel originated region, there is no distinct development at all.

Democracy and Ethnic Justice

Without addressing regional and ethnic disparities, neither "total democracy", nor any other form of government will succeed in Nepal. Democracy is a desirable mode of political interaction, question arises, through which specific democratic practice is more suitable to adopt or develop. In ethnically and

geographically diverse Nepal – with 70 spoken languages as per UN - majority rule is not a solution; it is a problem, because it permits domination, apparently in perpetuity. Ethnic minority groups are legitimately ruled with the "tyranny of the majority" whereas majorities constantly resent a minority rule as seen in several countries including Iraq.

Unfortunately, the experience of the 1990 era of Nepal has not encouraged much confidence in the pluralist multi-party political system. Too much premium has been placed on multi-party elections and questions have not been raised about the character of the system with regards to the ethnic justice in the country. The electorate has practically little to choose from since the competing groups have no substantial policy alternatives on the offer. Thus, the holding of multi-party elections only gave voters voting without choosing. The rule of 'winner takes all' politics and the politics of exclusion only enhanced confrontation between competing forces.

The 'Royal' Nepalese Army (Nepal Army now), the point of friction between political forces at present, has never been able to integrate the country's ethnic communities. A single community continues to dominate the high-ranking positions till today. The ruling community relegates other ethnic groups to low level positions. It could be one of the reasons why the Maoists have advocated People's Army letting all ethnic groups to be its part. However, it has also yet to be tested.

There is no doubt that Nepal needs to discover the starting point of the journey to democratic consolidation with people's empowerment that cannot be dismantled time and again. In the absence of democratic empowerment and justices for all, voting without choosing will remain the only option. The consolidation of all ethnic minorities against the "once agreed constitution" by the Maoists has now forced

Nepal to think of a radical change not of a revision and updating.

Conclusion

A medieval polity cannot coexist with modern economy and social structure or vice versa. Today, Nepalese politics is witnessing entry barriers for a vast populace. Nepalese are demanding a better system of representation of the whole ethnic groups and communities. *Monarchy of Nepal is neither the part of modern constitutional authority nor a credible option against the chaos of a “democracy”*. Moreover, all citizens of Nepal must have the ‘right’ to decide about their faith on a monarchy, characterized by myths of grandeur, alcoholism, carnal depravity, bravado, extermination of kith and kin in drunken haze of poeticized passions.

A democracy in name alone is little to celebrate if it does not improve the quality of life of its citizens. In the past, Nepal failed to create a framework for managing Nepalese needs. In this context, a break through for total freedom to Nepalese citizens in near future is desired. Finally, there is not much option other than a republican nation based on federal principles to end the ‘rule of force’ for equity, justice, peace, sustainable development and prosperity.

(Shakespeare Vaidya is a socio-economist, he can be reached at svaidya_58@yahoo.ca).

Caste Discrimination: A Core Problem in Nepal’s Development

By D.P. Rasali, PhD.

Nepal, a South Asian state, strangely running with medieval-style state machinery even in the 21st century, has been long overdue for a total transformation for modernization. Many changes taking place swiftly in the past few weeks through some bold actions of the

reinstated Parliament with the backing from rebellious revolutionary Maoists are clearly the signs of the country moving on the right track for creating a new era for the people to be able to live without any fear, and progress with time.

Nevertheless, the caste-based discrimination is one of the most important problems that have been the root cause of the Nepalese society, is still under the shadow due to lack of sufficient thrust it deserves. It has been the main basis for retention of traditional feudalistic regimes. Shah dynasty thrived throughout the history of 237 years of reign in what came to be known as Nepal, mainly due to its societal position as the mythical warrior *Kshatriya* caste among four *Hindu Varnas*. Autocratic Ranas ruled for 104 years until 1950 by way of superseding the powers of *Shah Dynasty* and establishing themselves as ruling class rivals with Shahs. The systematic discrimination rampant between any other two Hindu castes and within any caste and/or any caste groups was the basis for both these dynasties to “divide and rule” the largely ignorant masses. The history of what came to be known as Nepal has been nothing more than the playing field for these two dynasties, by turn, suppressing the masses as slaves.

Of course, the original caste system is traditionally handed down from the Brahministic *Hindu Varna* system, in which the people were divided into four *Varnas* (i.e. classes), namely *Brahmins*, *Kshtriya*, *Baishya* and *Shudras* based on their divisions of work. Even if this system was in place for any good reasons of the past, later on, the whole system got much distorted and manipulated by the feudalistic ruling class for their advantage over the masses. But, the system of classifying the people based on their descent by birth is fundamentally wrong, and has no relevance at least to the present-day world, where every individual has to earn her/his societal position and maintain it by own good deeds. In that context, Nepalese society must abandon their

traditional belief of so called “high” and “low” castes, and discard the associated social evils like the practice of “untouchability”, which is still rampant in the society. The state machinery through the appropriate Charter of Human Rights put in place must even out social inequalities resulting from such traditional caste-based discrimination and associated ‘untouchable’ practices. This is, however, only a small part of the bigger issue of the manifold problems faced by the people, who have been victimized for centuries by such system.

The greater part of the problem is that through the reigns of *Shah* and *Ranas*. Nepal as a state had committed a grave crime against humanity by the promulgation of a civil code called *Muluki Ain* in 1854 making statutory provisions of caste-based discrimination and untouchability practices. This law was active until 1963, and even today, there is much ambiguity in the existing law of the land to go against the caste-based discrimination. In the *Muluki Ain* 1854, all castes knowledgeable to the then rulers were scheduled as “high” to “low” in their hierarchical order. The penalty for any civilian criminal was inversely proportional to their hierarchical order in the caste structure. If a Brahmin man (a priestly caste considered as the highest by law) raped a lower caste woman, he would be fined in cash, degraded to a “lower” caste or forgiven at the discretion of the judge, but if a so called “untouchable” man had consensual sex with a woman of so called “high” caste, he would be sentenced to a death penalty. This is only one example of discriminatory legal provisions that were in the first *Muluki Ain* (i.e. until 1963). The impact of cruel and unjustified structure of statutory provisions of this law had been devastating, pushing all people of oppressed castes to a status lower than animals in the society. As a

result, today, the people of oppressed castes, who make up about 20% of the country’s whole population, are still alienated from the mainstream society. Ironically, this significant chunk of population is oppressed in their socio-economic and political status but it is one of the most productive and hardworking masses in Nepal. Farm tool making, ornament making, garment making, shoes making, carpentry, music entertainment and folk singing, public utility, construction and sanitation work are some of the domains of the traditional occupations of these oppressed caste people. Yet, they do not earn enough for their food, clothing and shelter due to the exploitation in their capitals and earnings by so called upper caste. This practice has been continuing for centuries, and it is still a vivid reality in most rural areas of Nepal. It must be uprooted in this new era, and oppressed people should be made inclusive in the mainstream society.

Clearly, the promulgation of *Muluki Ain* 1854 was a case of state crime of the past with direct implications existing even today, for which Nepal’s Parliament, responsible government and the head of the state must bow their heads down in shame and apologize to the victimized oppressed masses of people. In order to make the current sweeping changes meaningful for the sizeable chunk of oppressed people, a proclamation of an explicit apology must be made by the state for the past crime committed by the state against them. Moreover, the state must provide adequate compensation for all the sufferings they have gone through in the black history of Nepal.

(Dr. Rasali is a Dalit Educator & Founder of *Nepaldalitinfo International Network*. He can be reached at nepaldalitinfo@yahoo.com).

This newsletter - *Concern Nepal* - is a periodic publication of the Canada Forum for Nepal that is circulated electronically and posted in its website. We invite you to be part of the Forum by getting involved and contribute to *Concern Nepal* by sending news, views, op-ed writings and research articles. You can reach us by sending email at info@cfn.ca.