

**RELIGIOUS MINORITIES IN NEPAL : A STUDY OF THE
BUDDHISTS AND MUSLIMS**

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MOLLIKA DASTIDER

SOUTH ASIAN STUDIES DIVISION
CENTRE FOR SOUTH, CENTRAL, SOUTH-EAST ASIAN
AND SOUTH-WEST PACIFIC STUDIES
SCHOOL OF INTERNATIONAL STUDIES
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जवाहरलाल नेहरु विश्वविद्यालय
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI - 110067

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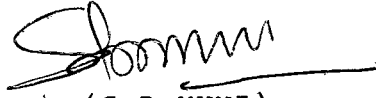
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C E R T I F I C A T E

This is to certify that the dissertation entitled "RELIGIOUS MINORITIES IN NEPAL: A STUDY OF THE BUDDHISTS AND MUSLIMS" submitted by Ms. MOLLIKA DASTIDER in fulfilment of Six credits out of twenty four credits for the award of the Degree of Master of Philosophy (M.Phil.) of the University, is her original work according to the best of our knowledge. For the content and quality of the dissertation, however, the candidate herself is responsible. This work may be placed before the Examiners for evaluation. This dissertation has not been submitted for the award of any other degree of this University or of any other University.


(KALIM BAHADUR)

Chairperson


(S.D. MUNI)

Supervisor

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-- MOLLICA DASTIDER

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Chapter-I

INTRODUCTION

The rise in the assertions of ethnic and primordial identities in most of the multi-religious, multi-ethnic societies, has become a growing feature of the contemporary world politics. And South Asia is not any exception to it. Most of the countries of South Asia, inhabited by diverse ethnic and religious groups, have pluralistic societies. And in one way or the other, almost all the states of the region have already been afflicted by the majority/minority syndrome, that has become a regular feature of contemporary South Asia.

Religion in particular, continues to be an extremely emotive issue, and a critical challenge, confronting plural societies. The South Asian region presents a fascinating religious mosaic, for not only has the region been the birth place of Hinduism, Buddhism and Sikhism, but it also has many adherents of Islam and Christianity. In addition, religion occupies a pre-eminent position in the day-to-day life of South Asian masses as also in the Machiavellian calculus of the ruling elites.¹ For South Asian nations, the

1 Rajan, Mahan., 'Minority Dilemmas in South Asia', Indian Journal of Asian Affairs, Summer-Winter 1991, pp.67-81.

complex relationship between religion and politics, indeed, remains a perennial dilemma for both, the democratic secular states as well as the non-secular ones.

While discussing the Majority-Minority conflict, one should be clear about the concept of 'Minority'. The Permanent Court of International Justice defines the term 'Minority' as "of inhabitants who differ from the rest of the population in race, religion or language"² Thus, a Minority signifies a group in defensive position. The problem of minority stems out of the existence of disparate groups of people in a polity. When power is exercised by virtue of mandate of the people in a democracy, the minority problem becomes the problem of the State. Contrarily when power is exercised by an individual as in a Monarchy or by a dominant group in a feudal dynasty, it is the will of the king or the ruling group that matters which is characterized by a closely guarded strategy of power and material

2 . Mirza Anser, Baig., 'Minorities and Secularism Yesterday, Today and Tomorrow', paper presented at National Conference on Minorities and Secularism (22-23 April 1989), Institute of Management in Government, Trivandrum.

resources to the masses.³ Minorities often think of themselves, and are thought of by others, as being separate and distinct from other members of the Society. Separation often implies that the members of such a minority are excluded from taking full share in the life of the society, as they differ in certain ways from the dominant group. This is a situation that tends to develop an attitude of discrimination and prejudice against the minority.⁴

Thus, it becomes imperative not only to study the challenges faced by the minorities in the multi-religious and multi-ethnic societies of the world, but also to study the situation which gives rise to Majority-Minority conflicts in such plural societies. The religious minority forms a distinct ethnic group, especially, in a state where the religion of the majority community is the the religion of the state. The purpose of the present work is to study conditions of the religious minorities in one such state in South Asia i.e., the Kingdom of Nepal, which has Hinduism as its official religion. Due to centuries of Hindu rule, there has been a tendency of assimilating the followers of non-

3 Ibid.

4 Ibid.

Hindu faith into Hinduism for achieving religious homogeneity. And understanding this process of homogenization will be the emphasis of this study.

While discussing the various situations that give rise to ethnic conflicts, Rodolfo Stavenhagen says "Numerous ethnic conflicts occur because the homogenizing, integrating model of the nation state, expressed in official ideologies, government policies of various sorts, dominant social attitudes and political behaviour enter into contradiction with the ethnic and social identity of subordinate groups."⁵ According to Rajni Kothari, 'Ethnicity', which has gained increased currency in the contemporary international politics, has been variously expressed as assertions of cultures, communal upheaves, revival of religious voices and movements of marginalized people, regions, and nationalities. It represents the affirmation of diversity and indigenous identity of various peoples.⁶

5 Rodolfo, Steven-Hagen, 'Ethnic Conflicts and Their Impact on International Society', International Social Science Journal (Oxford), February 1991, pp.117-31.

6 Rajni Kothari, Rethinking Development (Delhi: 1988), p.191.

In the case of Nepal, with its immense cultural and linguistic diversity and potential for conflict and crisis ever present, one finds the situation very much similar to the ones, discussed in the above mentioned observations and hence there is an imperative need for the Nepali State to give due recognition to the polyethnic character of its society, and to the socio-cultural aspirations of its minorities and thereby prevent the prevailing ethnic discontent from taking the shape of any major conflict.

Nepal is a declared Hindu State, the only Hindu country in the world. Of the total population, 89.5 per cent follows Hinduism, Buddhist comprises of 5.3 per cent and Islam 2.7 per cent, according to the census Report 1981.⁷ There is a myth prevalent among many people that Nepal is a land of ethnic harmony where Hindus, Buddhists and other religions all get along. However, when looked at from the perspective of land-rights, one finds serious conflicts between upper caste Hindus and other non-Hindu minority groups.⁸ Further,

7 Statistical Pocket Book, 1981 Census, Central Bureau of Statistics (Kathmandu: 1972), p.4.

8 For details see Thomas Cox, 'Land Rights and Ethnic Conflict in Nepal', Economic and Political Weekly, 16 June 1990, pp.1318-1320.

during the National Referendum (1980) and at the time of third amendment of the 1962 Constitution and also during drafting the 1990 Constitution, when suggestion from various sections of people were invited on the Constitution, groups describing themselves as the 'under-privileged' and an 'exploited class' as exploited by Hindu majority of the country, made a demand not to make Nepal a Hindu state.⁸

The Muslims in the caste ridden society of Nepal come in between the pure and impure categories in the enumeration of castes. In the caste hierarchy based on Hindu 'Varnavyavastha' (discussed in the chapter), one finds the Muslims and the 'mlechhas' listed among impure but non-untouchable castes.¹⁰ These instances show that the condition of the ethnic and religious minorities in Nepal is not as rosy as it is generally presented.

It is against this background, the present study is confined to the conditions of Buddhist and Muslim religious

8 P.R. Sharma, 'Nation Building in South Asia: The Case of Nepal', South Asia Journal, 1989, pp.25-69.

10 Marc Gaboricau, 'Muslims in the Hindu Kingdom of Nepal' in Madan, T.N. (ed.), Muslim Communities of South Asia (New Delhi, 1976), p.95.

minorities in the Hindu Kingdom of Nepal, about whom very little have been written so far.

People of Nepal

The unique geographical location of Nepal largely explains the multi-ethnic, multi-religious, complex and diverse character of Nepal's population. Nepal is bordered by India in the West, South and to the East and by Tibet region of Peoples Republic of China in the North. It's area is 147,181 sq.km., and has a population of 18,462,081 according to the latest Census of 1991.¹¹ Nepal, for its racial complexity is often referred to as 'the melting pot of diverse races and tribes.'

The sparse population of this small state of Nepal comprises of as many as 35 different castes and racial groups confined to specific areas which have been differentiated on the basis of ethnic character, locale, dress, religion and linguistic affinities. While it may not be difficult to identify many zones of racial and cultural admixture there are still a few tribes that have retained

11 Statistical Pocket Book, n.9, p.4.

much of their culture and racial purity due to factors of geographic isolation.¹²

The people of Nepal divide their country into three horizontal belts, *Bhot*, *Pahar* and *Madhes*. The alpine zone in the North called *Jadon* or *Bhot* (the name for Tibet) is sparsely populated by tribes akin to the Tibetan in customs, habit, speech and belief; to the South of this lie the hills, or *Pahar*, the very matrix of Nepal's history. The people living here were culturally identified as Nepalis and also the Gorkhas; further South, there extends the *Madhes* derived from *Madhyadesh*, the name for the Gangetic plains, or the *terai* belt where people have affinities with those of North Indian plains.¹³

The dominant topographic features of Nepal are the complex river drainage system which cuts through the country in a generally North South direction and the three mountain ranges -- *Himalaya*, *Mahabharata*, and *Sivalik* which lie along an East West axis. This river system, with its deep gorges

12 D.D. Dani, 'Population and Society in Nepal: An Overview' in Joshi, S.C., ed., Nepal Himalaya Geo-economical Perspectives (Naini Tal, n.d.), p.171.

13 Kumar Pradhan, The Gorkha Conquest (Calcutta, 1980), p.8.

and rugged ridges, vastly complicates East West communications in Nepal, and the natural lines of combat run North South -- a factor that has greatly hampered political and administrative unification in the hill area. Western and Eastern Nepal, for instance, are more easily accessible through India than from Kathmandu with obvious political and economic consequences.

In broad terms, the ethnic groups in Nepal fall into the following two main classes -- (1) Indo-Aryan -- representing the Caucasoid race and speaking Sanskrit derived languages, mainly inhabit the Southern part of the country which also reveal a strong Hindu cultural influence. These mainly include the caste Hindus like Brahmins and Chetris (or *Kshatriyas*). (2) Tibeto Burman representing the Mongoloid stock, speak Tibeto Burman languages and are mainly confined to the Northern frontiers of the country and its adjoining areas. These mainly include the Sherpa, Tamang, Bhotia, Murim, Jhakali etc., which reveal strong ethnic cultural affinities with Tibet and observe religious beliefs considerably influenced by Buddhism.¹⁴

14 D.D. Dani, n.12, p.172. Also see, L.E. Rose, J.T. Scholz, Nepal: Profile of a Himalayan Kingdom (Colorado, 1980), pp.45-46.

There is however, a large group of population characterized by an admixture of the above two main stocks in various degrees -- the chief among these being the Newars, Rai, Limbu, Magar, Gurung, etc., -- occupying the main central part of the country. Likewise, there are still traces of a primitive culture prevailing among tribes like Tharu, Chepang, Kusumda etc., in which case obviously cultural affiliation appears to have been the least.¹⁵ Furthermore, a detailed study of the ethnic groups in Nepal, reveals that not only by their racial origin, people also identify themselves as separate ethnic groups on the basis of religion, language and region. Thus we find that the people of Terai unite themselves on a regional basis to protest the discrimination against them by the high caste Hindus of the hills who dominate the power structure of Nepal. The Hill people viz., Brahmins and Chetris have denied power, position or status to the plainemen of the Terai, who have greater affinity with Indian customs and culture, due to its geographical contiguity, in contradistinction to the mountainous region. These people of Indian origin in Terai are known as *Madhesis*, they constitute the majority of Terai inhabitants and speak

15 D.D. Dani, n.12, p.172.

languages spoken elsewhere on the Gangetic plain.¹⁶ It can be noted that there are also few Muslims of Indian origin who along with the Hindus migrated to the Terai region of Nepal. This concentration of Muslims in some terai districts bordering India, viz., Banke, Kapilbastu, Bara, Parsa, Rautahat and Shivaraj districts, represents 96.5 per cent of the kingdom's Muslim population,¹⁷ which constitute only 3 per cent of the total population of Nepal. Therefore, the Muslims in Nepal suffer double disadvantages -- not only as religious minority but also as the inhabitants of Terai region facing discrimination in the fields of language, culture, representation ratio and community development like all their terai brethren. Apart from the *Madhesis* or the people of Indian origin, tribal groups in the terai -- the Tharus, Rajbanshis, Tappurias, Gangias, and other tribes unlike the hill tribals, are relegated to the very bottom of the caste hierarchy (discussed later in the chapter) which forms the basis of Hindu dominated social structure of Nepal.

16 F.H. Gaige, Regionalism and National Unity in Nepal (New Delhi, 1975), p.18.

17 A.R. Pondyal, "Nepal: Muslims in the Hindu State", unpublished paper, p.7.

Religious differences which are of great social, economic and political significance in Nepal, introduce another element of complexity in the country's political geography and make national cohesiveness more difficult to achieve.¹⁸ The distribution of religious groups doesn't follow the lines of ethnic divisions; as an ethnic group may even consist of people belonging to different religions.

Hinduism and Buddhism are the two major religions of Nepal while the followers of Islam form the third largest religious group in the country, making them the second important religious minority community in Nepal after the Buddhists. It is also important to note that the centuries of Hindu rule has resulted into a gradual assimilation of non-Hindus, especially the Buddhist Mongolian tribes, into Hinduism. Projecting Buddhism as a sect of Hinduism, the Nepalese State could achieve a semblance of cultural homogeneity. This syncretic form of Hinduism, encompassing much that is Buddhist in derivation, therefore, is the dominant religion and cultural form prevalent in most parts of Nepal. The reason behind the dominance of Hinduism are

18 P. Karan, and W.M. Jenkins, The Himalayan Kingdoms: Bhutan, Sikkim and Nepal (New Jersey, 1963), p.100.

manifold, but probably of greatest importance is the fact that a Brahmanic form of Hinduism has been the religion of the most Nepali ruling elites for several centuries. Hindu social and ritual practices have always carried the highest prestige value. Thus, to enhance the position of their clans in the Hindu hierarchy recognized by the State, ambitious leaders of local tribes trace their ancestry to possible high class origin, as established Hindu credentials enabled the family to interact with other social notables and representatives of the Hindu state.

Historical Background of the Buddhists and Muslims in Nepal

The Tibeto-Burman groups are believed to have migrated at various times from Tibet. These groups account for 45 per cent of Nepal's population.¹⁹

The first wave of Mongoloid migration mostly consisted of the forefathers of Mongoloids now found in the eastern and central Nepal i.e., the Kiratis of eastern Nepal, the Rais and Limbu and certain strata of Newar society. A later wave of northern migration seems to comprise the Mongoloids

¹⁹ L.E. Rose, and J.T. Scholz, n.16, p.44.

which probably include the Gurung, and Magar of western Nepal. And much more recent wave of migration across the Himalayas is represented by the distinctly 'Tibeto-Himalayan' peoples like Sherpas, Lepchas, Dolpos etc., in all likelihood crossing the Himalayas only after Tibet's conversion to Buddhism in the mid-seventh century.²⁰ The Southward inflows of the early migrants from Tibet were later followed by the northward migratory waves of the Aryans into the hills of Nepal. The waves of immigration of high caste Hindus from the Indian border districts somewhat less than 1000 years ago was the direct fallout of the Muslim invasion in the northern India around the same time. The northward migration of these Hindus had major effects on Nepal's socio-economic and religious transformation, resulting in two distinct kind of Buddhism practiced in Nepal on the basis of rituals and beliefs. The northern region in general is the zone of Lamaistic Buddhism very similar to that practiced in Tibet. Whereas Buddhism in the South, in the lower Himalayan valleys, is strongly influenced by Hinduism. In some parts of the Southern region

20 S.J. Rana, and K.P. Malla, n.5, p.5. Also see, N.R. Shrestha, Landlessness and Migration in Nepal (Westview, 1990), p.70.

Buddhism and Hinduism have become more or less fused and no sharp line can be drawn between the two.

The Lichchavi period, around 1st century A.D. witnessed the best tradition of religious toleration, though Saivas in their personal faith, the Lichchavi kings gave equal respect to other Gods and Goddesses. It was at this time that Buddhism received significant patronage from the Lichchavi kings. Though Nepal has been connected with Buddhism ever since its birth there is however nothing to indicate that before the Lichchavis Buddhism was a flourishing faith in Nepal.²¹

The active royal support for Buddhism might have contributed much to the prosperity of the religion. A comparative study of the travel accounts of Fa-hsien and Hsuan-Tsang also supports the view that by the middle of the seventh century Buddhism had made considerable headway in Nepal. It is significant that Fa-hsien did not take any notice of Nepal, but when Hsuan Tsang came, there were about 2000 monks who studied both Hinayana and Mahayana in the *Sanghas* of Nepal. Nepal became a Buddhist centre important

21 Lallanji Gopal, and T.P. Verma, Studies in the History and Culture of Nepal (Varanasi: 1977), p.5.

enough to radiate the message of the faith to Tibet.²²

Coming to the Muslim population of the Kingdom, we find that the first arrivals of the Muslim in Nepal dates back to the late 15th and early 16th centuries when some *Kashmiri* traders of rugs, carpets, and woollens who used to travel back and forth from Kashmir to Lhasa, were invited to Kathmandu by an envoy of Ratna Malla in Lhasa. Later in the 17th and 18th centuries some more Muslims were brought from India to serve the Chaubisi kings of western Nepal. Most of the present population of Nepali Muslims are the descendants of yet another group who migrated into the Terai area as agricultural labourers during or after the Indian Mutiny of 1857.²³

Social Structure of Nepal

As already discussed Hinduism, being the religion of the ruling elites most of the time in the history of Nepal, gained a superior position in relation to other existing religions in Nepal. And as Hindu societies are based on

22 Ibid., p.9.

23 Dor Bahadur Bista, People of Nepal (Kathmandu: 1967), p.150.

caste hierarchies, religion and caste are seen as the two most important aspects of Nepal's complex societal structure. Hence, the upper caste Hindu families form the socially and politically dominant class of the society. These families mostly of Brahmins and Chetris status have settled throughout Nepal with the exception of the areas in the mountainous regions of northern Nepal. Their language Nepali, derived from Sanskrit, has become the national language and the common language for communication among most groups in the country.

With the rise of Gorkhas, unification of Nepal took place. Fifty four petty states were conquered and Nepal, as it is found today, emerged. The newly emerged Nepal had various communities which had to be accommodated and adjusted in the social structure. When Jang Bhadur Rana framed the first Code of Nepal in 1853 A.D., the people of the country were classified in the following way in which the spirit of '*Dharmashastra*' played a major role:

- (1) *Tagadharis* or the sacred thread bearers who were not supposed to drink alcohols, occupied higher social status. *Brahmins*, Chetris and upper caste Hindu *Newars* belonged to this category.

- (2) *Matwalis* were those who drank alcohol, were generally associated with Mongoloids, considered as low caste people. Most of the people of the Tibetan origin belonged to this group.
- (3) Non untouchables meaning the people whose touch did not defile the high caste people but at the same time were not entitled to serve water to the high caste people. In this group of people came the Muslim *Dhobis*, *Mlechhas* (Europeans) etc.
- (4) Finally the untouchables or the impure categories formed the lowest category of the Nepalese social structure.²⁴

Although Jang Bahadur's *Muluki Ain*, which gave the highest ritual status to Brahmins was officially abolished 110 years later in 1963 by King Mahendra putting emphasis on equality before law, it had already ensured the dominant social status of the Brahmins putting them at the top of the social pyramid. The *Ain* (Code) of 1963 also did not put an end to the caste system or '*Varna Vyavastha*' which is very much in existence in the social structure of Nepal.²⁵ Quite naturally, the 'untouchables' have still remained the exploited class in Nepal as they were in pre-1963 *Muluki Ain*.

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24 T.R. Vaidya, Nepal: A Study of Socio-Economic and Political Changes (New Delhi: 1992), p.118.

25 Ibid., p.119.

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Towards A Changing Scenario

For sometime past, the hill tribals and the Teraians are beginning to voice their demands for reducing the existing disparities in rights of language, culture, and share in the army and police and political institutions. L.R. Baral in his latest book has observed that,

"The Teraians are vociferous critics of the overall policies followed by what they call the 'Pahade (Hill) dominated power-structure' aimed at intensifying the process of 'Nepalization' i.e., dissemination of the *Brahmin-Chettri* political and social cultures of the hills."²⁶

As far as the discrimination of the hill tribals is concerned, the Buddhist Mongolian tribes who had already organized themselves under the Mongol conference in 1979, have now surfaced again with the elimination of fear of persecution by the royal regime. Several parties, representing the Tibeto-Burmese hill population and declaring them as Buddhists, have sprung up with the establishment of liberal political atmosphere. These parties are Nepal National People's Liberation Front, Jana Jati

26 L.R. Baral, Nepal: Problems of Governance (New Delhi, 1993), p.52.

Party and Mongol National Organization with the basic programme of fighting for equality for all racial and ethnic groups in the country. But the demands of these various organizations ranged from moderate to extreme, such as from declaring Nepal a secular state to that of establishing a separate Mongol state in Nepal.²⁷ However, none of these parties could gain entry in Parliament, and it must also be mentioned that except the Nepal National Peoples Liberation Front, other two ethnic parties were banned from contesting in June 1991 general elections for raising communal and separatist slogans.

Whereas the Terai party -- Nepal *Sadbhavana* Party -- won only six seats, one of which is occupied by a Muslim, contrary to the expectation of observers, that it would fare well on the much publicized issue of the exploitation of the Terai. The demands of *Sadbhavana* Party included the formation of a federal government at the Centre with five provincial governments; recognition of Hindi, spoken by the *Machhis*, as an official language in the same way as Nepali; and the delimitation of election constituencies on the basis

27 W. Raeper, and M. Hoftun, Spring Awakening (Viking, 1992), p.167. Also see, Nepal Press Digest, September 29, 1979.

of population in both Hills and Terai. Some observers feel that these are the legitimate demands of *Sadbhavana* Party, as half the country's population lives in Terai whereas only 83 out of the total of 205 seats of the House of Representatives have been allotted to this region.²⁸

The Constitutional position of the Nepali minorities slightly improved with the promulgation of the 1990 Constitution. The new Constitution acknowledged for the first time, the multi-ethnic and multi-lingual character of the State and guaranteed the right of every community to conserve and promote its language, script and culture. However, the retention of Hinduism as State religion, by declaring Nepal a 'Hindu Monarchical Kingdom' greatly disappointed all the ethnic and religious minorities who had pressed for a Secular State.²⁹ The new Constitution in this way not only ignored the religious minorities' genuine demand of separation of Religion from Politics, but also, in actual practice, preserved the age-old domination of the high caste Hindus over the ethnic and religious minorities.

28 Times of India, 6 February 1991. Also see, Indian Express, 15 July 1990.

29 For details, see Rishikesh, Shaha, Politics in Nepal: 1980-91 (New Delhi, 1992), pp.242-43. And Michael, Hutt, 'Drafting the Nepal Constitution 1990', Asian Survey, November 1991, pp.1020-1039.

In Fine: The new regional, ethnic and religious movements which gained momentum after the establishment of multi-party democracy in Nepal in 1990, have exposed the potential of major conflict on ethnic and religious lines thereby sending clear signal to Kathmandu's political elite about the urgency of recognizing Nepal's linguistic, ethnic and religious diversity by accommodating them in the new democratic system.

Chapter-II

THE PROCESS OF SANSKRITIZATION OF THE RELIGIOUS MINORITIES IN NEPAL

A significant social consequence of the Gorkha conquest of the valley was the socio-cultural metamorphosis undergone by the original inhabitants of the valley, under the caste domination from outside. "The Brahmin-Chetri" (Chetri is the Nepali term for Kshatriya) group played vital role in the conquests of Gorkha, and in the creation of the present kingdom of Nepal as well as in the other subsequent socio-political realms¹. This resulted in the process of absorption of the hill tribals in the Hindu Caste System. Due to the many centuries of rule by the Hindu kings the hill tribal people of Nepal over the past several hundred years have been undergoing cultural changes. This includes the introduction of Nepali, a Sanskrit based language, as well as of Hindu practices. Scholars have described the process as that of Sanskritization or Hinduization². Hence

1 Kumar Pradhan, The Gorkha Conquest (Calcutta, 1990), p.32.

2 F.H. Gaige, Regionalism and National Unity in Nepal (New Delhi, 1975), pp.22-23.

the process of Sanskritization was nothing but the subjugation of tribes under the ruling class of high caste Hindus in Nepal.

The concept of 'Sanskritization' is propounded by the renowned Indian Sociologist M.N. Srinivas alongwith similar concepts like Brahmanization & Westernization. In his study M.N. Srinivas found that the - lower castes in order to raise their positions in the caste hierarchy , adopted some customs of the Brahmins and gave up some of their own, considered to be impure or inferior by higher castes. For instance, they gave up meat eating, consumption of liquor and animal sacrifice to their deities. They imitated the Brahmins in matters of dress, food and ritual. By doing this, within a generation or so, they could claim higher position in the hierarchy of castes. To denote this process of upward social mobility, Srinivas first used the term "Brahmanisation" later on he replaced it by Sanskritization.³

To be precise, the term "Sanskritization" denotes mainly:

3 For details see G.M. Gurung, "The Process of Identification & Sanskritization: The Duras of West Nepal", Kailash, vol.XIV, 1988, pp.41-61.

(a) Adoption by lower castes of new values which are said to belong to members of the so called upper castes.

(b) Expression of these new values and ideals in theological and scholarly literature written in Sanskrit language.

(c) Adoption of the ways of life of the higher castes.

(d) A rise in status within the caste hierarchy.⁴

What Srinivas described as Sanskritization appears to have taken place in the caste ridden society of Nepal as well. It is well known that Nepal is the only Hindu kingdom in the world and that the caste system is the structural basis of Hindu society. In India, and in Nepal, before Gorkhali conquest, tribals were considered to be outside the conceptual framework of the caste system. Western scholars, studying Nepal, have always highlighted the Hindu-Non-Hindu dichotomy in its society, and the emphasis given to this distinction has sharply increased in the recent times.⁵ However since the period of the Rana rule, the tribals have been considered as belonging to the low sudra Hindu category. The old code of 1853 legitimized the four-fold caste divisions of Hindu society into which all castes, and

4 Ibid., p.43.

5 Ibid., p.44.

ethnic groups were accommodated. The Code also introduced provisions for awarding punishment for crimes committed by the subjects according to their castes.⁶

The code has tried to comprehend the pluralistic cultures of Nepal into a single scheme of the Hindu caste universe. The large number of non-Hindu social ethnic groups have been made its members and are given a ranking in it. The totality of this caste universe has been paraphrased in the code as *charvarna chattis jat* (four castes covering thirtysix sub-castes).⁷

All recognized castes can be grouped in four main categories which would be as follows when hierarchically arranged:

- | | | |
|----|-------------------------------------|---|
| 1. | Tagadhari | Twice born castes,
(literally thread wearing castes). |
| 2. | Matwali | Alcohol Drinking castes. |
| 3. | Pani na | |
| | Chalve choi
Chhito halnu napanne | Non-untouchable castes i.e.,
from whom water could not be
accepted but whose touch does
not require aspergation of
water. |

6 P.R. Sharma, "Caste, Social Mobility and Sanskritization: A Study of Nepal's Old Legal Code", Kailash, 5(4), 1977, pp.277-300.

7 Ibid., p.281.

Newars, the Rais and the Limbus. All of them represented the more advanced groups of agriculturists possessing distinct cultures and languages of their own. The enslaveable category of the Matwalis have been enumerated as follows: Bhotya, Chepang, Majhi, Damwar, Kuimal, Pahari and Meche.⁹

Ignoring the complexity of the Newar society, the Code placed all of them in the Matwali category. While the Newar community is stratified and contains numerous caste groups. All the Newar castes whether Buddhists or Saivas have been given this monolithic definition which shows a rejection of Newar social values by Nepali speaking Hindus.

As far as the question of ranking among the different Matwali groups in relation to each other is concerned, it seems that the makers of the Code did not regard any one of them to be superior to the other. The scheme of division in their case should, therefore, be horizontal rather than vertical. There are cultural and linguistic distinctions separating these various groups of people from each other and the Code seemed to have adopted a policy of minimal interference.¹⁰ "The castes belonging to the third category,

9 Cited in P.R. Sharma, n.6, pp.283-84.

10 Ibid.

mostly come from the Newari Society with the exception of Muslims and *Wlechhas* which probably refers to the Europeans and the 'Teli' a low caste of Terai. Regarding the lowest category of castes described in the Code, their ranking has been determined on the basis of a notion of relative impurity which prevails among these low castes in relation to each other.¹¹

THE HISTORY OF SANSKRITIZATION

Although the predominant groups of people living today in Nepal are Hindus, it is basically a multi-ethnic society consisting of large number of diverse ethnic groups of people living alongside Hindus. Preliminary language surveys of Nepal have revealed 'forty mutually unintelligible languages still being spoken'. It reveals the presence of diverse cultural and social groups represented by this linguistic plurality. While the Hindus are found everywhere at all the rice growing altitudes, the other ethnic groups are known to live mainly in their traditional habitats. The Himalayas and its foothills have been described as the abode of the many Mongoloid groups. The Aryans later extended

11 Ibid.

their domain from the plains to penetrate into these hills. The Sanskritization which ensued as a result of this penetration developed over time and influenced the Newari state and its distinctive civilization.

A new phase of Hindu penetration started in the far-western hills of Nepal around 12th Century A.D. This new wave of Hindus comprising Brahmans and probably Thakuri laid roots of an aggressive and forceful Hinduism, as a consequence Hinduism spread all over Nepal over a relatively short span of time. The Sanskritization process, which started in these hills, with the coming of these hill Hindus, had not only a cultural content but a far-reaching political significance as well. This Hindu rule was actually responsible for laying the roots of Nepal's political and administrative, economic and social structure.¹²

Who were Sanskritized

The first group of people who came under the force of the Hindu socialization were probably the Khasas these distinct people who eventually arrived to settle in the

12 Ibid., p.291.

hills of the Himalayas appear to have been only marginally Hinduized. The Hindus of the Karnali basin have called their Kingdom Khasadesa lending credence to the theory that this was a country populated by the Khasas. Gradually these Khasas were brought over to accept the Sanskritized way of life.¹³ All kinds of social interchange must have followed including inter-marriage. Some 16th century documents show granting of the sacred thread or snatching it away/^{at}will from their servants or dependents, bearing today's Chetri clan names, by the petty rulers of Western Nepal. The same clan names as present day's Chetris appear in the record of the Kingdom of the Karnali basin. The owners of these names appear to be the Khasas, which provides a good basis to infer that these Karnali Khasas had represented the ancestors of present day's Chetris of Nepal.

The process of Sanskritization was intensified by the Lichchavis and the caste system was the most significant introduction made by the Lichchavis. The Newars are described as the original inhabitants of the Kathmandu valley, although no definite knowledge about the earliest autochthons or the original inhabitants, and their

13 K. Pradhan, n.1, p.31.

relationship with the present-day Newars can be gathered. Newars have a rich literary heritage, they speak a Tibeto-Burman language, having emerged as a result of the comingling of different ethnic groups who entered the Kathmandu valley. Newars acquired certain common social traditions and a linguistic homogeneity, leading some scholars to call them a 'national tribe'. The process of acculturation, or cultural integration of the Newars had continued for centuries. Thus though divided as Hindus and Buddhists, the Newars as a whole developed common traits due to such cultural integration. They were probably the first group of Tibeto-Burman speakers in the Himalayan region to undergo a socio-cultural metamorphosis under the caste domination from outside.¹⁴ With the establishment of political domination of the high caste Hindus from the West, the Newars came to be regarded as a particular *jat* or caste in the emergent Nepalese society. The process started in the fifth century A.D., only to be intensified with the passage of time. *Shivamargis* (Hindus) among the Newars took precedence over the *Buddha margis* (Buddhists) under the state patronage. The caste system brought by the Hindu

14 Ibid.

arrival from the South has permeated Buddhism as well as Hinduism as one finds e.g., the caste hierarchy among Newar Buddhists including as many as 15 levels from the various priestly roles, down to the lowly sweepers.¹⁵

Sanskritization in Nepal which was a consequence of the arrival of these various groups of Hindus, achieved its growth in two distinct stages. The first stage is marked by a heavy importation of ideas from Sanskrit culture to all socio-cultural, economic and political aspects of the lives in the hills, and the second stage, by the absorption of these Sanskritic ideas into a regional and locally expressed forms. An acculturation of Hindu-Ethnic culture materialized in this second stage.¹⁶

The Hindu immigrants because of their superior war strategy and skill, could in the course of time (during medieval period) overcome the autochthons who were basically Mahayana Buddhist or tribals believing in Shamanistic (spirit worship) practices (followed Buddhism in form of

15 Dor Bahadur Bista, "The People" in S.J. Rana & K.P. Malla, ed., Nepal in Perspective (Kathmandu, 1973), p.39. Also, see Harka, B. Gurung, Nature & Culture (Kathmandu, 1989), p.143.

16 P.R. Sharma, n.6, p.292.

stupa-worship). Such new rulers made Hinduism as the state religion while at the same time paying due homage to Buddhism. These rulers, the Lichchavis, Mallas, Senas, Shahs and others adopted, with the help of their Brahmin priests, a policy of Sanskritization.¹⁷ The Hindu *Shakta* cults penetrated the Buddhist cosmos. And since 1768, with the establishment of Gorkha rule, Hindus have been in control of Nepal's state politics by virtue of being its rulers. Thus, though Buddhism was tolerated without apparent discrimination, Hinduism enjoyed a secure domination and ascendancy through royal patronage. And throughout these centuries, the strength and vitality of the Buddhist faith (in the Kathmandu valley) appears to have undergone a steady decline.¹⁸ The Newar monks of the Kathmandu valley surrendered to the dominant philosophy and practices of Hinduism, ceased to be celibate and became fully incorporated into the Newar caste system as a distinct and hereditary priestly caste.¹⁹ The monastic compounds or

17 T.R. Vaidya, n.8, p.105.

18 Colin Rosser, 'Social Mobility in the Newar Caste System' in C. Von Furer Haimendorf, ed., Caste and Kin in Nepal, India and Ceylon (1966), p.78.

19 Ibid.

Viharas survived and still continue as ritual centres and as the residences of groups of priestly households.

The Hindu domination of politics set the real tone for starting the Sanskritization process. The desire for integration and welding together of a pluralistic society into a single nation may itself be a Sanskritic activity in Nepal.

In spite of the fact that the old Legal Code of Nepal established the supremacy of Hindu values, still its adopted policy was one of non-interference with the traditional customs and usages of the ethnic groups if they did not directly contradict basic Hindu values. This allowed for the independence of the ethnic cultures and their languages which continue to be preserved despite a long Hindu rule.

Syncretism in Nepal

Even though the available records show that there was clear harmony between the Buddhist and the Hindu immigrants and development of syncretic tendency among the ruling Hindus and the autochthons in the state, the history of religion in Nepal has not always been a peaceful one, even

though it is frequently described that way.²⁰ The famous Nepali anthropologist, Dor Bahadur Bista is of the opinion that, "Ancient and early medieval history has been documented by high-caste Brahmanic scholars whose interests have not facilitated the most comprehensive and objective depiction of Nepali history. Their documentation is limited by a Gangetic world view." He further observes that, "References to conflict between Gangetic Hinduism and the other religious traditions observed within Nepal have been obscured. The instances of *Pashupat-Shaivite Kirat* being driven away by the Lichchavis, the suppression of the Buddhists by the *Shaivite* and *Vaishnavite* Hindus, the rebellious struggle of *Ghantakarna* against the stratified caste system, are some of the instances which have not been as well documented."²¹ As far as the synthesizing tendency among the immigrant Hindu religion and the existing Shamanistic faith which has been frequently highlighted by the Nepalese State, is concerned, D.B. Bista is of the view that this was possible as both the religions cooperated, as each was convinced that the other was being subsumed into its own prevalent faith. Neither hierarchic Hinduism nor

20 D.B. Bista, Fatalism and Development: Nepal's Struggle for Modernization (New Delhi, n.d.), p.30.

21 Ibid., pp.30-31.

Shamanistic religions had any problem with variations in the form of ritual practice Hindu Brahmans believed that once people developed faith in the divine origin of castes everything would fall into place automatically. Nor did the practice of spirit worship by Shamans and Lamaistic Buddhism contradict the popular form of Hindu religion. The practice of appeasing spiritual forces by blood sacrifice was ultimately compatible with both systems. During such religious process, the growing popularity of *Tantrism* in Nepal brought both the Hindus and the Buddhists close to each other.

Thus, it would be wrong to project only one side of the story (religious syncretism) as has been often done by the high caste Brahmanic scholars of Nepal, in presenting a peaceful history of religion with unchallenged supremacy of Hinduism in Nepal. This only served their narrow interest of smoothening the process of Hinduization or Sanskritization in Nepal.

Impact of Sanskritization

The process by which hill tribal people absorb the values and customs of the hill Brahmans and Chetri has been generally described as the process of Sanskritization or

Hinduization but according to F.H. Gaige, the appropriate term for this should be Nepalization, because it not only includes introduction of Hindu practices but also the imposition of Nepali, a Sanskrit based language, over a vast multi-lingual population. Furthermore, it extends beyond this linguistic and religious changes to include a whole complex of interrelated cultural changes, ranging from the adoption of different values to that of different clothing style and food preferences.²² The factors behind the gradual spread of Hinduism, or ethnic and religious minority communities adopting Hinduized way of life are manifold, but probably of greatest importance is the fact that a Brahminic form of Hinduism has been the religion of the most Nepali ruling elites for several centuries. Hindu social and ritual practices carry the highest prestige value often among communities of Mongoloid origin. The most significant instances of Hindu influence was the 1853 Legal Code of Nepal, which remained as the law of the land for more than a century, was based on the Hindu *Varnavyavastha* or caste system, thus making the maintenance of Hindu law a State policy. Under the system each caste was governed by its own laws and customs. The highest functionary in this system was the *Raj Guru*, who was appointed by the Government

22 F.H. Gaige, n.2, p.23.

to his position. The *Raj Guru* had the right to advise the Government on social and religious matters and it was his duty to prescribe the fitting penance and purificatory rites for violation of caste regulations. He presided over the ecclesiastical court known as the *Dharma Adhikari* which tried cases relating to caste. Even the Buddhists and Muslims in Nepal were subject to prosecution before this tribunal.²³ With both social and legal pressures being heavily in favour of Hindu concepts about what constitutes proper social behaviour, it is easy to understand why Buddhist social ideals have gradually been replaced, and why even the Mongolian tribal groups have slowly become more and more Sanskritized in their customs and practices.²⁴ Moreover, members of the ethnic groups were employed in limited numbers in the high civil service and army posts in the village and district level. High ranking bureaucrats were only from Kathmandu based Brahmin, Chetri and Newar families. Even today of all rural elites only the sons of Brahmin, Chetri and Newar notables have been at all

23 Pedro Carrasco & Milton D. Graham, A Survey of Nepal Society, HRAF Subcontractors Monograph (California, 1956), p.112.

24 Ibid., p.113.

successful in making inroads into the Kathmandu elites' monopoly on bureaucratic positions. The Brahmins, Chetri and Newars together occupy nearly 67 per cent of the senior positions in the army and administration.²⁵

Thus, to elevate their clan in the Hindu hierarchy recognized by the state, ambitious leaders of local clans traced ancestry to possible high class origins as established Hindu credentials enabled the family to interact with other local notables and the representatives of the Hindu state. The wealthier members of these groups have shown a greater tendency to imitate Hindu mannerism and life-styles of the urbane ruling class. This imitation has been observed to exist among many ethnic groups. Its influence is judged from the adoption of Nepali language, shedding of tribal dress, and inculcation of wider Hindu religious beliefs in public life. Requirement of the services of the Brahmins for performing birth rites, death rites or performing the marriage ceremonies of the non-Hindu ethnic groups like Gurungs, Rais, Limbus, is one of such instances of emulation of Hindu customs. Attempts were made to bring about social harmony and uniformity without making

25 L.E. Rose and J.T. Scholtz, Nepal Profile of a Himalayan Kingdom (Colorado, 1980), p.67.

any effort to antagonize their traditional values. But since the rulers were the Hindus, there was a gradual deliberate effort of making the non-Hindu subjects participate in the Hindu customs.

There has been little impact of Sanskritization on the Muslim community in Nepal. This is due to the fact that Muslims along with the Europeans are treated as 'Mlechchās'. The term 'Mlechcha' refers to the people who do not share in the Hindu culture and are strangers to Hinduism. Being considered Mlechchas the Muslims are ranked slightly above the 'untouchable' category in the Hindu caste hierarchy. However, one impact of Sanskritization on Muslims is discernible in that the Muslims also, like other Hindus, treated the untouchable Hindus as untouchables though there is no such practice in their own religion.²⁶

Role of Nepali Language

A powerful instrument of extending communications across the various cultural-and-linguistic barriers used by

26 Marc Gaborieau, "Muslims in the Hindu Kingdom of Nepal", Contribution to Indian Sociology, 1972, no. VI, pp. 84-105.

the Hindus was Nepali language. Adoption of it by smaller groups of people to achieve a kind of uniformity in the multi-lingual ethnic society of Nepal, has itself been a feature of Sanskritization process in Nepal.²⁷ It must be noted here that the population statistics of various ethnic groups are based on language identification rather than on the actual counting of heads belonging to different ethnic identities. In the collection of census data people are asked what their mother tongue is, and not which of the ethnic group they belong to. This procedure is bound to cause discrepancies specially in the figures for ethnic groups in the hills, as most of the hill people who speak Nepali might get listed in the Nepali speaking population, no matter what ethnic group they belong to.²⁸

Minorities' Reaction Towards Sanskritization

It would be wrong to conclude from the above discussion that non-Hindus have always passively accepted the imposition of Brahmanic Hindu values or the synthesizing

27 Ibid., n.6, p.293.

28 Rishikesh Saha, Politics in Nepal: 1980-91 (New Delhi, 1992), pp.109-10.

process has been painless. On the contrary, there is considerable evidence of resentment, even among those communities that have nominally adopted Hinduism, against the enforcement of such Brahmanic principles such as the ban on cow slaughter and on the consumption of alcoholic beverages and the rigid caste purification rites.²⁹ This has tended to obscure Nepal's regional and cultural identity in significant ways, for important subcultures derived from the Tibetan Buddhist civilization of Central Asia or highland tribal communities of Southeast Asia still exercise a powerful influence on some parts of the country.

The policy of Sanskritization also brought many social problems, with the establishment of *Varnavyavastha*. Question arose -- which *varna* (caste) the non-Hindu autochthonous groups or Buddhist and other religious sect were to be adjusted? In the course of time, it became clear that low social status was granted to the autochthonous groups and the Buddhists. It transformed the casteless Buddhist society into a society of hierarchically graded castes. Even the Muslims were put at a very low rank in the hierarchy of the

29 L.E. Rose, Strategy for Survival (California, 1971), p.8.

caste system. One finds the Muslims and the *mlechhas* listed among impure but non-untouchable castes. This status of the Muslims correspond to the rank given by village Hindus to them and the Muslims have no choice but to acknowledge their low position.³⁰

Despite the state sponsored process of Sanskritization or Hinduization, many ethnic groups or communities, in fact, retained their ethnic identity, Sanskritization thus became only an imitative act limited to changing their outward lifestyle. Imitation has led to some erosion of the language and culture of the ethnic groups but it has not led to the extinction of ethnicity or their original religious practices.³¹ Actually, a selection process seems to have always been at work in the emulation of Hindu customs or retention of traditional non-Hindu practices. Gurung, Rais, Limbus are known to call in the services of the Brahmins only for performing birth rites of their children or for performing the marriage ceremony among the Gurungs. But in regard to other life-cycles rituals they seem to adhere to their own traditional priests, oracles or mediums.

30 Marc Gaboricau, n.26, p.95.

31 Ibid., n.6, p.297.

Moreover, in some regions like the high Himalayas, the process of Sanskritization couldn't make much headway as the cold climate and ice-fed cold water is not congenial for Brahmanic rituals which involves frequent bathing in fresh water. This largely explains the lack of motivation among the high caste Hindus to seek conversions in the high mountain areas.³² Thus, one finds oldest form of Lamaism or Tibetan form of Buddhism still prevalent in the Northern Himalayan regions like Dolpo, Mustang etc. Similarly, some tribes in the Terai region such as Tharu, Meche, Dhimal, Danuwar have never followed the hierarchic Hindu religion until the migration of the caste Hindus from the southern plains into the area during the nineteenth century. Many of them therefore continue to practice primitive religions like spirit worship.

Even after undergoing the process of Sanskritization, major groups of people all over the kingdom are still defined ethnically rather than by caste such as Magar, Tharu, Gurung, Thakali, Sherpa, Tamang, Limbu, Rai, Sunwar, etc. Increasing agitation by Pundits in

32 D.B. Bista, n.20, pp.48-49.

support of the nationwide extension of the caste system has had a direct influence on consolidating the ethnic identity of these various groups within Nepali society.

Generally, the people tolerated the incoming new system as long as it did not try to contradict their own religious faith and practice. The local chief and upper classes had no problem in adopting the social forms of Hindu religion as it gave them a hierarchic structure wherein they could attain high positions of power and authority for themselves without having to give up any of the privileges which they already enjoyed.³³

Conclusion

Today, the caste based discrimination, while inflicting punishment, does not have any official recognition in Nepal after the enactment of Civil Code 1963. Nevertheless, in actual practice, the caste system or *varnavyavastha* along with the domination of the caste Hindu, is very much there in all spheres of social and political life of Nepal.

33 · Ibid., p.32.

Keeping in mind the importance of the age-old Hindu tradition, the present Constitution (1990) has declared Nepal as the Hindu Kingdom with constitutional monarchy, which means only a Hindu can become the King of Nepal. Even on the coronation ceremony of a king, the representatives of the four *varnas* are required. Thus the institutes of monarchy and *varna* system go side by side in Nepal.³⁴ Nepalese Hinduism represents both the sects and the social structure and tends to accommodate all the ethnic groups inhabiting within Nepal within its own hierarchic social structure.

Signs of pan-tribalism could be witnessed when voices against the exploitation of one community or caste by another were raised in a conference of 'Mongoloid origin people', convened in September 1979 claiming to represent Mongoloid ethnic groups like the Gurung, Tamang, Kiratis, and Sherpas. Speakers in the Conference questioned the validity of describing Nepal as a Hindu State; they pointed out, the Hindu caste system with its inequitable hierarchy, contradicted the Nepalese Constitution.³⁵

34 T.R. Vaidya, n.8, p.120.

35 Urmila Phadnis, Ethnicity and Nation Building in South Asia (New Delhi, 1989), p.123.

And, as expected, with the ushering-in of democracy and lifting of ban on party-politics in Nepal issues of language, religion and ethnic conflict came to the forefront for the first time in Nepal's history. Numerous ethnic or regional parties appeared on the scene claiming to fight the political and economic domination by the high caste Hindus. It seemed only natural that Nepal's linguistic, ethnic and religious diversity should be reflected in the new democratic systems. Nepalese intellectuals while supporting this trend came out with the opinion that democracy will not be democracy if it continues to satisfy the demands only of one segment of the population, even if that segment comprises the majority.³⁶ In the new democratic set up therefore, the State cannot patronize one religious system.

In a multi-lingual country like Nepal, ethnic and group identities are bound to emerge with the growth in education. Each group whether small or large feels that the preservation and promotion of its language and culture is a fundamental right.³⁷ Thus, for protecting and promoting the

36 William Raeper & Martin Hoftun, Spring Awakening (Viking, 1982), p.175.

37 C.M. Bandhu, "The Role of Nepali Language in Establishing the National Unity and Identity of Nepal", Kailash, vol.3-4, 1989, pp.121-34.

individual ethnic identities, without adopting the policy of ethnocentrism or encouraging the process of Sanskritization, a new basis of national integration will have to be found to give the country a new strength of unity.

Chapter-III

THE BUDDHISTS IN NEPAL

Nepal, the birth place of Lord Buddha had a sizable number of Buddhists in its population. But since the past three decades, the official census of this Hindu Kingdom had been showing a steady decline in the Buddhist population in the country. However, leaders of Buddhist organizations are highly critical of the methods adopted by the census enumerators in determining the religious character of the people,¹ thus raising a controversy over the exact number of Buddhist population in Nepal.

As mentioned earlier, the Himalayas and its foothills have been traditionally the abode of most of the Mongoloid groups in Nepal, these groups are believed to have migrated at various periods of time from Tibet. And apart from the Rais and Limbus, the religion of most of these Tibeto-Burman speaking people is either Buddhism or Shamanism which is considerably influenced by Buddhism.² Such groups form

1 For details see William Raepër and Martin Hoftun, Spring Awakening (Viking, 1992), p.160.

2 Kumar Pradhan, The Gorkha Conquest (Calcutta, 1990), p.40.

nearly 50 per cent of the country's population:³ The Aryans later extended their domain from the plains to penetrate into these hills. The Sanskritization of the Mongoloid groups by the Politically dominant Hindus of the plains ensued as a result of this penetration, and developed over time.

Early History of the Buddhists in Nepal

Though Nepal has been connected with Buddhism ever since its birth, and tradition records several events associating Nepal with the early history of the faith, it is not possible to present its authentic history in a chronological manner. Conflicting reports are there about the period of introduction of Buddhism in Nepal. Oldfield believed that Buddhism was introduced in Nepal as early as 6th Century B.C.,⁴ whereas in their book Studies in History and Culture of Nepal, Gopal and Verma concluded that there was nothing to indicate that before the Lichchavi, Buddhism was a flourishing faith in Nepal. According to them,

3 Gopal Gurung, Nepali Rajniti Ma Adakha Sachai -- Hidden Facts in Nepalese Politics -- (Kathmandu, 1985), p.15.

4 H.A. Oldfield, Sketches from Nepal, vol.II (New Delhi, 1974), p.69.

earliest purely Buddhist record in Nepal is the undated inscription from Lagan Tol (Kathmandu), according to which, Bhrukuti Devi, who was the grand daughter of King Amsuvarman of Nepal was a faithful follower of Buddhism.⁵ The active royal support might have contributed much to the prosperity of Buddhism during the Lichchavis. This is reflected in large number of *Viharas* whose names appear in the Lichchavi records.⁶ A comparison of the Fa-hien and Huen-Tsang also corroborates the view that by the middle of the Seventh century, Buddhism made considerable headway in Nepal. It is significant that Fa-hien who visited around 3rd century A.D., did not take any notice of Nepal, but when Huen Tsang came, according to his records there were about 2000 monks who studied both *Hinayana* and *Mahayana* Buddhism in the *Sangharanas* of Nepal. Nepal had become a Buddhist centre, important enough to radiate the message of this faith to Tibet.⁷ It is believed that the ancient migration of the nomadic Mongoloid people from Tibet began during unrecorded period of Nepal's history. The available ethnic and

5 L. Gopal & T.P. Verma, Studies in the History and Culture of Nepal (Varanasi, 1977), p.8.

6 Ibid., p.9.

7 Ibid.

linguistic data suggest that there were atleast three distinct waves of migration into the country from the North.⁸ [Discussed earlier in the Introduction chapter].

The Kathmandu valley has, for two thousand years, been a meeting place of different races and civilizations. However, the main population of the valley comprised of the Newars, a people of Tibeto-Burman language group, who constituted the bulk of the valley's Buddhist population. And Buddhism was considered to be the basic faith of these earliest inhabitants of the valley. However, with the establishment of Hindu rule and in the presence of politically dominant Hindu population, many of the Newars adopted Hinduism. Thus we find that while descending from ancient to modern times, Buddhism in Nepal had been synthesized or exposed to other influences discarding its earlier monastic institutions. Under the influence of Hinduism, the Buddhists also have adopted caste as the basis of their social stratification and, in the process of adopting other Hindu values and customs, Buddhism in Nepal,

8 N.R. Shrestha, Landlessness & Migration in Nepal (Westview, 1990), p.70.

over the time is fast losing its separate religious identity.

THE SOCIAL STATUS OF THE BUDDHISTS

Till 1000 A.D., Buddhism remained almost the predominant religion in Nepal. Hinduism, the religion of the migrant Indo-Aryan people, who penetrated into the hills from the plains of Northern India around that time, gradually changed Buddhist attitudes and ways of life.⁹ The Buddhists eventually accepted the caste system as an integral part of the Hindu-Buddhist society that developed in Nepal. In the course of time, with the establishment of Hindu political supremacy, Buddhist-Mongolian tribes accepted Hindu kings as it enhanced the social prestige of the tribe. And as Hinduism consolidated its authority through the exercise of a social and ritual primacy in Nepal, Buddhist-Mongolian tribes became increasingly 'Hinduized' in their social and religious customs and thinking.¹⁰

9 C. Von Furer Haimendorf, "Caste in Multi-Ethnic Society of Nepal", Contribution to Indian Sociology, April 1960, (12-32).

10 Pedro Carrasco & Milton D. Graham, A Survey of Nepal Society, HRAF Subcontractors Monograph (California, 1956) pp.106-7

The best example of such transformation is the Newar community of the Kathmandu valley. The Newar population was divided into 64 occupational castes at the request of the King Jaya Shiti Malla in the later half of the 14th century. The Newar hierarchy of caste is a replica of an Indian caste system and according to Haimendorf, Newars are the only Tibeto-Burman speaking people organized in this manner:¹¹ Historical record shows that from ancient period, Hinduism and Buddhism have existed side by side in the Kathmandu valley. But since the days of Malla rule and during the rule of Newar kings who were themselves Hindus, we find that though Buddhism was tolerated without apparent discrimination, Hinduism enjoyed a secure domination through royal patronage. And throughout the centuries till 1768, before the Gorkha conquest of valley, popularity of Buddhist faith in the Kathmandu valley underwent a steady decline.¹² The Newar monks in the Monasteries surrendered to the dominant philosophy and practices of Hinduism, ceased to be a celibate, and eventually got incorporated into Newar caste system as a distinct and hereditary priestly caste, more or

11 Ibid., n.9, p.14.

12 Collin Rosser, "Social Mobility in the Newar Caste System" in C. Von Furer Haimendorf (ed.), Caste & Kin in Nepal, India and Ceylon (1966), p.78.

less gaining the similar status that of the Newar Brahmin. This was the origin of the caste system, which the Buddhist Newars adopted like their Hindu counterparts, and which even today, determines the social position of the Buddhist Newars in their caste hierarchy. The endogamous castes and subcastes the Buddhist Newars divide them into are as follows:

- | | | |
|------|--------------------|---|
| I. | High Castes | Bajracharya (priestly caste, equivalent to Brahmins among the Hindus).

Bare, and Udas (Metal workers) |
| II. | Peasant Castes | Jayapoo |
| III. | Unclean Castes | (1) Manandhar, (2) Gathu (Gardener), (3) Nau (Barber), (4) Kheosa (vegetable grower) etc. |
| IV. | Untouchable castes | Bha (who accepts death-gifts)
Kasa (Butcher)
Kuste (Priest to low castes & receiver of death gifts. ¹³) |

Among the Hindus of the Newar community, high castes include Deo Brahmin, Chatharia Shresthas and Jayapoo,

13 G.S. Nepali, 'The Interactive Pattern of Hinduism and Buddhism in Nepal' in T.B. Subba (ed.), Religion and Society in the Himalayas, p.96. Also see, D.N. Gellner, "Language, Caste, Region & Territory: Newar Identity" European Journal of Sociology 27(1) 1986, pp.102-48.

however a number of households among the *Chatharia Shresthas* of Kathmandu still calls themselves Buddhists. All the *Ektharia* castes are Buddhists and employ a *Bajracharya* as family-priest. Among the low castes such as *Bha*, *Kasai*, *Kasle*, Buddhism is the officially accepted religion, though members of their castes work as caretakers of the Hindu Temple of Sri Ganesh and Bhairavi.¹⁴

Many attribute the coexistence of Hinduism and Buddhism in the Kathmandu valley, to such social organization of the Newars based on caste hierarchy. And it is this 'caste system' which has reduced the distinguishing character of the Buddhists among the Newars. Thus the degree of religious syncretism is so high that distinction between Hindu & Buddhist Newars, on grounds of belief and ritual practices has become blurred.¹⁵

However, it would be wrong to assume that this religious distinction has no social relevance. As observed by Collin Rosser, in terms of family, prestige and social standing it matters a great deal, largely because of the

14 Ibid., p.97. For a detailed study of Newar Caste System, also see G.S. Nepali, The Newars: An Ethno Sociological Study of an Himalayan Community (Bombay, 1965).

15 Ibid., n.12, p.79.

association of Hinduism with political power and dominance within the political system. Hinduism had the effect of notably raising the prestige of the Hindu Newars in particular and of depressing the status of Newar Buddhism, particularly the Buddhist priestly castes. Bajracharyas or Buddhist family priests found themselves increasingly deserted by their 'jajmans' (religious clients) for their more favoured and influential Brahmin competitors, this competition had a sharp economic effect on this Buddhist Newar community.¹⁶ Thus while discussing the social situation of the Newar Buddhists, it must be mentioned that the two cultural tradition of Hinduism and Buddhism co-exist in the Kathmandu valley and it is because of this that the caste divisions do not have much difference with each other. In the words of Collin Rosser, "the Buddhism of the Newars has long been dormant and decadent".¹⁷ Though there have been occasions when educated Newar Buddhists have raised their voice for a casteless society on the Tibetan model but due to its century old subjugation to dominant Hindu religion during the Malla and the Rana rules, Newar-Buddhism

16 Ibid., n.12, p.82.

17 Ibid.

in practice have become so integrated with Hindu concepts of pollution and of caste hierarchy that it has almost merged itself with Brahmanical Hinduism. And perhaps it is the most Hinduized social group among the other Buddhist communities in Nepal. However, according to David N. Gellner, still a large number of Newars, atleast 20-30 per cent of them have strong Buddhist identification.¹⁸ Nevertheless, the Hinduized character of the Newar population explains its slightly higher social status in comparison with Sherpas, Tamangs, Bhotas, Thakalis, the other Mongoloid groups following Buddhism. Thus we can see that these above mentioned Buddhist Mongolian tribes of *Sherpas*, *Bhotas* etc., are yet to find a definite status in the Nepalese caste system, besides being grouped under the all comprehensive *Matwali* caste. The reason for this is that these Mongolian tribes with their limited contact with the Hindu elements are yet to adopt the Hindu ways of life and therefore the orthodox Hindus find it difficult to accept them as an integral part of the caste system.

Among the prominent Buddhist tribes, Sherpas of North-Eastern Himalayan are among the few who even today, strictly

18 Ibid.

follow Buddhism. Because of the remoteness of the high mountains where the Sherpas reside, Hindu practices and social values couldn't make much of an impact on the lifestyle of these highlanders. The structural organization of Sherpa society is no different from that of the system, characteristic of most of the Buddhist Bhotia population of Nepal. In fact they are merely one of the many Bhotia communities occupying the greater part of Nepal's northern border zones. Referred to by the generic term Bhotia -- derived from Bhot, the local name for Tibet -- they are Tibetan in speech, culture and religion.¹⁹ Because of their adherence to Mahayana Buddhism, the Sherpa society differs from the stratified Hindu caste ridden society of Nepal. Ideally Sherpa society is unstratified, and a fair amount of egalitarianism can also be witnessed in their society in comparison with caste based Hindu societies.²⁰ But the Sherpa egalitarianism is marked with great deal of competitiveness. Despite the theoretical equality of all men, the fact that in reality some do better than others

19 Christoph Von Furer Haimendorf, (ed.), Asian Highland Societies (New Delhi, 1984), p.xi.extreme to moderate.

20 Christoph Von Furer Haimendorf, The Sherpas Transformed (New Delhi, 1984), p.32.

gives rise to bitter resentments. Modern Sherpas *per se* very consciously recognize this competitiveness in their own culture. Sherry B. Ortner in her studies of the Sherpa society has observed that,

"People do not talk much about equality and about egalitarian ideals. But they talk a great deal about competitive feelings and competitive relations about -- not being able to stand seeing others get ahead".²¹

All Sherpas share the same tradition of their ancestors' immigration into the Solokhumbu region of Nepal from Tibet, but the time and circumstances of this migration cannot be established. However, in the case of the recent immigrants from Tibet, known as *Khamba*, contradictions between egalitarian and inegalitarian discourses can be witnessed in the Sherpa society, status differences developed after the settlement of *Khambas* who migrated to Khumbu from Tibet after the Sherpas and closely resemble the Sherpas in language and customs and though they form part of the Sherpa society, yet the Sherpas look down upon themselves as people of inferior class.²² The people of this inferior class are referred to as *Khamendeu* whose status are

21 Sherry B. Ortner, High Religion (Delhi, 1989), p.35.

22 Ibid., n.20, p.33.

comparable to the untouchables of Hindu society though the only restrictions imposed on them is that, those people of *Khamendeu* status may not drink from a cup which in usual Sherpa fashion is passed from mouth to mouth.²³ However, considering that all Sherpas descended from earlier immigrants from Tibet, the prejudice against Khambas is illogical but this attitude persists even in the present period of social and economic changes.

The Sherpas were involved in trade from their earliest days. The folk-tales even described the Sherpas as the regional middlemen, moving grain up from the Nepal lowlands to Tibet, and salt down from Tibet to southern and eastern Nepal. These folktales also explained the reason why the Sherpas were so willing to learn Nepali and even accept a polluted status within the larger Hindu Nepali caste system, in order to claim a position as traders within the system.²⁴ However, getting deprived of their profitable trade with Tibet in 1959, when border between Nepal and Tibet was closed in the aftermath of Chinese occupation of Tibet, the

23 Ibid.

24 Ibid., n.27. p.37.

Sherpas, in their great show of resilience developed themselves as professional mountaineers and tourist guides and thus entered a new field of enterprise. Being exclusively Buddhist, the Sherpas in Nepal have developed a strong sense of ethnic identity. Though in recent years the ethnic structure of the Khumbu population has undergone a change, with the stationing of many Nepali men in the police, military units and civil services in these areas. Nonetheless, there is an emphasis on consolidation of traditional Sherpa culture, and this is largely due to the tourists (who are a permanent feature) offering both moral and material support and encouragement for the preservation of traditional Sherpa culture, a culture the tourists found entertaining. Solu, on the other hand, with relatively less tourists' influence but having more governmental influence, is experiencing rapid social and cultural changes.²⁵

Another noteworthy Buddhist tribe is that of Thakalis of Western Nepal, who, like other highlanders of Nepal Himalayas, are people of Mongoloid race and speak Tibeto-

25 John Draper, 'The Sherpas Transformed: Towards a Power Centred View of Change in Khumbu', Contribution to Nepalese Studies, July 1988, pp.139-54.

Burman language. The high valley of Kali Gandaki between the Annapurna range and eastern slopes of Dhaulagiri is the traditional home of the Thakalis. The growing Hinduization of this people of Tibetan origin, language and customs, indicate the low status of such Buddhist tribes in the Hindu caste hierarchy. Therefore in their attempt to attain a favourable position among the higher castes of Nepalese Hindu society, the Buddhist Thakalis, originally a segmentary tribal society, try to see themselves as a caste and are attempting to develop symbols of high caste status.²⁶

Until about two generations ago, the Thakalis were firmly rooted in Buddhist tradition and practice.²⁷ As the high valley of Thak Khola inhabited by the Thakalis, has been one of the most ancient and important trade routes that link India, Nepal and Tibet, its population has, for a long time, been engaged in trans-Himalayan trade. Thus the Thakalis due to their trade links were more familiar with Tibetan lifestyle than with the Hindu culture prevalent in the middle-ranges and plains of Nepal. However, in the

26 C. Von Furer Haimendorf, (ed.), Caste & Kin in Nepal, India, Ceylon (1966), p.2.

27 Ibid., p.142.

beginning of the 20th century, the Thakali traders obtained contracts for the collection of customs duties and also certain administrative powers. This brought them in close contact with officials and other members of higher Hindu castes. As Ranas had the supreme political power during that period, orthodox Hindu ideas about the ranking and inter-relations of castes received full patronage of an autocratic government, and Thakali traders and contractors must have experienced difficulties in interacting with a society so greatly differing in structure from their own. Moreover, their Buddhist faith as well as their lifestyles and their beef eating habits were held in contempt by the high caste Hindus. They had such hatred for 'unclean' Tibetans and other Bhotias, that the Thakalis, however wealthy, could not establish satisfactory social relations with the dominant classes of the Nepalese society.²⁸ Determined to improve their low social ranking in the multi-ethnic caste society of Nepal, the Thakalis started to adopt many Hindu practices and discarded many of their habits -- such as eating of yak meat which counts in Hindu eyes as beef and degraded their status in the estimation of the high caste

28 C. Von Furer Haimendorf, Himalayan Traders (London, 1975), p.300.

Hindus. With the expansion of their trade into towns dominated by high-caste Hindus the drive for Hinduization among the Thakalis intensified, the advocates of reform even started attacking the Buddhist religion and rituals and tried to prove that the Thakalis had originally been Thakuris connected with Hindu dynasty --in an obvious attempt at improving the image of the Thakalis in the eyes of the high-caste Hindus.²⁹

However, it would be wrong to think that such social ambitions have resulted in the wholesale rejection of Buddhist traditions or a complete conversion to a Hindu way of life, although in their attitude to other inhabitants of the region, the Thakalis have certainly moved away from the principle of tolerance of ethnic differences, one of the main characteristics of Buddhist ideology. Thus, the casteless, egalitarian Buddhist societies of Nepal assumed caste like features in order to become acceptable in the dominant Hindu social order.

There are many other Bhotia populations, with Tibetan language and culture occupying the greater part of Nepal's

29 Ibid., p.301.

northern border zones such as in Walongchung in the eastern Himalayas, and Dolpo and Humla in Western Himalayas, who unlike the Thakalis have not abandoned their Buddhist traditions. And because of little or no Hindu influence, these communities are free from any rigid social stratifications and also remain undisturbed by the common Hindu prejudice against all 'Bhotias'.³⁰

However, the people of Mongoloid racial stock in middle Hills region of Nepal could not maintain their separate religious and cultural identity as has been retained by their brethren of same Mongoloid racial stock in the remote high Himalayas. Because of the Hindu political and cultural dominance in the region, social groups such as Magars, Gurungs & Tamangs who conformed least to the Hindu norms had to undergo the process of acculturation and Sanskritization and have little choice but to deal with the State, as the State defined them, in the guise of castes.³¹

Among the social groups with non-Hindu background in the Hills, Tamangs are one of the principal Tibeto-Burman

30 Ibid., n.28, p.107. Also see Hari Bansh Jha, Tibetans in Nepal (Kathmandu), p.14.

31 Nancy Levine, "Caste, State & Ethnic Boundaries in Nepal", Journal of Asian Studies, February 1987, pp.71-88.

speaking people of Nepal and are still considered as 'Lamas' by their Newari and Gorkhali neighbours irrespective of the fact that whether they are familiar with Buddhist rituals or not.³² Settled in the area enclosed by the Sunkosi river and Liku Khola, the Tamangs profess same type of Lamaistic Buddhism like the Sherpas. In every Tamang village there is a secular headman (*Nu/ni*) who represents the community to the outside world. There is also a priest in every 'Tamang' village, whose duty, beside other things, is to worship deities and spirits with offerings and animal sacrifices. Such strange mixture of Buddhist faith and the cult of God has never bothered the ordinary Tamangs, who are not conscious of this contradiction. In the areas of compact Tamang population, the number of men trained as Lamas is comparatively large. But where Tamangs are a minority and cultivate lands owned by landlords of different ethnic stocks such as in the hills surrounding the Kathmandu valley, they lack the economic basis of support of the cultural activities of the Lamas. Commensurable with their low economic status is their social status in the caste hierarchy, dominated by Gorkhali speaking Brahmins and

32 C. Von Furer Haimendorf, 'Ethnographic Notes on the Tamangs of Nepal', Eastern Anthropologist, 9 (3-4), 1956, pp.166-77.

low economic status is their social status in the caste hierarchy, dominated by Gorkhali speaking Brahmins and Chetris. Like Sherpas, Gurungs, and Magars, the Tamangs stand on the fringe of the inter-ethnic society of the valley.³³

Thus, in the areas of mixed population, Tamangs assume the character of a caste of low economic and ritual status. Thus, it is evident that with both social and legal pressures being heavily in favour of Hindu concepts of desirable social behaviour, it is easy to understand why Buddhist social ideals have gradually been replaced, and why even the Mongolian tribal groups have slowly become more and more Hinduized in their customs and practices.

POLITICAL AND ECONOMIC STATUS

Commensurable with the low social status of the Buddhists in Nepal, is their position in the national polity. Control of land and high caste status being the two basic criteria for participation in Nepalese national politics, only high caste Hindus, like hill Brahmins and

33 Ibid., p.177.

Chetris could dominate the Nepalese political scene ever since the establishment of Hindu rule under Prithvi Narayan politics, only high caste Hindus, like hill Brahmins and Chetris could dominate the Nepalese political scene ever since the establishment of Hindu rule under Prithvi Narayan Shah. As in the words of F.H. Gaige, they, "possess all four of the pre-requisites for successful participation in Nepalese national politics: Control of economic resources, high-caste status, identification with the hill culture, and a high level of educational attainment."³⁴ The Buddhist Mongoloid tribes lacked almost all these pre-requisites, except the Newars, who, being a dominant group in the valley -- having played a major role in Nepal's external trade, and also by adopting the Hindu culture, had all the other three pre-requisites except that of the high caste status. However, the Newars have evolved their own unique social system with a complex dual caste system for Hindu Newars and Buddhist Newars. And the Newars who have a high rank in their caste hierarchy are no more neglected by the orthodox Hindus in the post-Rana period, in fact they, after the Brahmins and Chetris, are the most dominant social group in

34 F.H. Gaige, Regionalism and National Unity in Nepal (New Delhi, 1975), p.159.

the Nepalese political structure. [Please see Tables 1, 2 & 3 below]

Table-1: Ethnic Representation in the Legislature (Percentage)

<u>Ethnic/Caste</u>	<u>1959</u>	<u>1978</u>	<u>1981</u>	<u>1991</u> Both Houses
Brahmin	27.5	21.3	12.5	37.4
Chetri	31.2	36.2	36.6	17.7
Newars	03.7	07.9	08.0	08.3

Source: Harka Gurung, Himal, May-June 1992, p.20.

Table-2: Distribution of Ethnic Groups in Government Positions above the Under-Secretary Level, 1969

<u>Group</u>	<u>Number of Identified officials</u>	<u>Percentage</u>
Brahmin	97	33.45
Chetri	102	35.17
Newar	72	24.83

Source: Dharam Vir, Education and Polity in Nepal: An Asian Experiment, Northern Book Centre, New Delhi, 1988, p.66.

Table-3: Caste wise Breakdown of Senior Army Officers, 1967

<u>Group</u>	<u>Number</u>	<u>Percentage</u>
Chetri	137	74.0
Hill Brahmin	12	6.5
Newar	12	6.5

Source: Ramakant & B.C. Upreti, 'Regionalism in Nepal' in Phadnis, Muni, Bahadur ed. Domestic Conflicts in South Asia, Vol.II (New Delhi, 1986) p.174.

The above figures show that Newars, who constitute only around 3 per cent of the total population, have high representation in the politico-administrative structure. They, along with the Brahmins and Chetris, indeed occupy the top rung of the power structure. This is indicative of the relatively influential position of the Newars in contrast to other Mongoloid origin people of Nepal.

But the other Mongoloid people following Buddhism such as Sherpas, Thakalis, Tamangs, Bhotias, because of their very low status in the Hindu caste hierarchy, along with the low caste Hindus, mostly remain uninvolved in the national politics, for not possessing the "pre-requisites". Although a few Sherpas and Thakalis have accumulated considerable

wealth through trading and are in slightly better position, as compared with the low-caste hill people, in sending their representatives to Kathmandu's political circles, their percentage in influential political positions has however been far less than their percentage of the total population.³⁵

Ever since the period of Gorkha conquest of Solokhumbu region inhabited by the Buddhist Sherpas, the Gorkhas took fairly active interest in the region not only because of the tax revenues, but also because of their concern to maintain control of the Tibet-Nepal trade route. In the beginning of the 20th century, Thakali traders obtained contracts for the collection of customs duties and with them, they not only had a monopoly on the important salt-trade, but also enjoyed some administrative powers. Their business brought them in contact with officials and other members of the highly placed Hindus.³⁶ It was during this time that the Buddhist Thakalis realized that their Buddhist faith as well as the manner of living had earned them the status of unclean, low caste people in the eyes of the high caste Hindus. The

35 Ibid., p.162.

36 Ibid., n.26, p.144.

Thakalis resented their low ranking in the multi-ethnic caste society of Nepal. Moreover, the decline of the trans-Himalayan trade, resulting from Chinese occupation of Tibet, had severely affected the highland traders like Sherpas and Thakalis, which led to an exodus of majority Thakalis of Western Himalayas. They had moved to Pokhara in the middle ranges and established themselves there as shopkeepers and merchants. Whereas the Sherpas in an extreme show of resilience developed themselves as professional mountaineers and tourist guides after the virtual collapse of their trade with Tibet. Thus, the ruling high caste elites basically ignored the Buddhist northern highlanders who were professional traders and had close links with Tibet. Lack of elites in these communities and the discriminating attitude of the ruling circles towards the profession and social values of such groups, gave a serious jolt to trade and commerce.³⁷ Similarly, the Buddhist Tamangs who already had a low ranking in the Hindu caste hierarchy also lost their economic strength as they gradually assumed the character of tenant farmers, daily labourers and carriers, in the areas where they are a minority and cultivate lands owned by

37 R.S. Chauhan, Society and State Building in Nepal (New Delhi, 1989), p.80.

landlords of different ethnic stock.

However, Nepal's sudden transformation from a feudal Monarchy to a democratic state has opened up the Pandora's box of issues regarding minority question and national integration. Despite recognizing the cultural plurality of Nepal, the cultural rights of different communities were not recognized by the old state. The New Nepali Constitution of November 1990, however, represents a final break from the historical model of national integration, and acknowledges the cultural pluralism of Nepal and guarantees the right of every community to conserve and promote its language, script and culture as evident from the following articles of the Constitution.

Article 4(1) states that "Nepal is a multi-ethnic, multi-lingual, democratic, independent, indivisible, sovereign, Hindu constitutional monarchical kingdom." The terms "multi-ethnic" and "multi-lingual" have been used for the first time, probably, in response to the pressing demands of the minorities. Article 6(2) declares, "All languages spoken as mother-tongue in the various parts of Nepal are national languages (*Rashtriya bhasha*) of Nepal". Article 18(2) goes further in stating that "Every community shall be able to

run schools so that education may be provided to children upto the primary levels in their mother tongues."³⁸

Therefore, in order to translate the aforesaid provisions of the Constitution, the State of Nepal need to formulate policies relating to the various minorities, their languages and cultures, to secure them their new rights in this respect and lay down a democratic and equitable basis for political power sharing by them.³⁹

General Grievances of the Buddhist Population in Nepal

The establishment of multi-party democracy in Nepal made the country realize, with new emphasis, the immensely diverse character of its population. The ethnically and culturally diverse people for the first time came out in open to demand a better share and redefinition of its role in the decision making process of the country. In the process, the Buddhist community for the first time in its

38 Michael Hutt, "Drafting the Nepal Constitution, 1990", Asian Survey, no.11, November 1991, pp.1020-1039. Also see, Rishikesh Shaha, Politics in Nepal 1980-91 (New Delhi, 1992), pp.241-43.

39 P.R. Sharma, 'How to Tend This Garden?' *Himal*, May-June 1992, pp.7-9.

centuries old history in Nepal, made themselves felt as a political force. This almost came as a shock to the ruling elites of Nepal, as, hitherto, Buddhists in Nepal had always been reckoned as a kind of sect within Hinduism and conscious efforts were made to show the synthesizing tendency among Hinduism and Buddhism in Nepal, pointing out that the interests of the Buddhists were no different from those of the Hindu.

Buddhist protest against projecting them as a part of an all encompassing Hinduism could be first witnessed when an historic demonstration organized by the Nepal Buddhist Association, took place in Kathmandu in June 1990 urging for a secular state and maintaining that Buddhism was not just a branch of Hinduism.⁴⁰ And according to Bhikshu Amritananda, any attempt to take it as a part of Hinduism is tantamount to refusing Buddhist identity and insulting them.⁴¹ The speakers pointed out the differences between Hinduism and Buddhism and emphasized how Buddhism in Nepal had been suppressed.

40 Ibid., n.1, p.158.

41 Nepal Press Report, 132/90, July 15-16, 1990. Also, Nepal Press Report, 127/90, July 8-9 1990.

Another major grievance of the Buddhists, is that the official census give 'misleading' information about the Buddhist population in the country. In the 1981 Census, the Buddhists accounted for 5.3 per cent of the total populations and this, according to the leaders of the Nepal Buddhist Association, is wrong representation of the Buddhists. According to Dr. Asha Ram Sakya, a leader of the Nepal Buddhist Association and a Buddhist scholar, "in reality the Buddhists of Nepal are a majority. We are more than 70 per cent of the population." He went on to say that most of the ethnic groups in Nepal were never Hindus such as the Tamangs, Gurungs, Magars, Rais, Limbus and Chepangs of Eastern Nepal. Dr. Sakya further explains, "The problem was that most of the Buddhists of Nepal are not educated. When the census officers arrive they would not ask about their religion -- they would ask "Do you worship Ganesh?" they would answer 'Yes' and because Ganesh is a Hindu deity they would be written down as Hindus.⁴² It is well known that as a result of the long cultural intermingling and interaction between Hindus and Buddhists, Hindus worship Buddha, and Buddhists worship Ganesh, but that obviously doesn't mean that who worship Ganesh are Hindus, as has been rightly

42 Ibid., n.1, p.160.

pointed out by the Buddhist scholars.

The above mentioned technique of identifying the religion of a particular group, largely explains the sharp artificial decline in the proportion of the Buddhists recorded in the successive official census report since 1961 (when it started providing statistics of religion-wise distribution of population). While the 1961 census showed Buddhist population as 9.3 per cent of the total population, in 1971 it came down to 7.5 per cent, and maintaining the downward trend, the 1981 census showed 5.3 per cent as Buddhists of the total population.⁴³ The 1991 census is yet to be published with the religion-wise distribution of population.

Today, general discontent among the Nepalese Buddhists against the State policies, has taken the form of newly formed ethnic parties signaling that the Tibeto-Burman people have at last organized themselves to protest against the centuries-long rule of the Brahmins and the Chetris.

Though they tried to organize themselves even before the establishment of multiparty democracy, the ethnic

43 Ibid., n.13, p.95.

politics of the Buddhists couldn't become effective due to the repressive policies of the royal regime. However, the Mongoloid origin people did raise their voice against the domination of Brahmins and chetris and tried to assert their separate ethnic identity from time to time. Signs of pan-tribalism could be witnessed for the first time in September 1979, when a conference of Mongoloid origin people was convened by Khagendra Bahadur Gurung.⁴⁴ Claiming to represent Mongoloid and martial ethnic groups like the Gurungs, Magars, Tamangs, Kiratis, and Sherpas, Khagendra Bahadur Gurung questioned the validity of describing Nepal as a Hindu state. The conference also maintained that only a meagre portion of the economic opportunities went to the Mongoloid groups, who had been earning substantial foreign exchange for the country. The conference demanded that in view of the yawning gap between the people of Mongoloid origin and others, there should be proportionate representation for them in political-bureaucratic structures, education and the public sector.⁴⁵ As the 'partyless' character of Panchayat system did not allow the

44 Urmila Phadnis, Ethnicity and Nation Building in South Asia (New Delhi, 1989), p.123.

45 Ibid., and Nepal Press Report, 183/79. September 15-17, 1979.

creation of political groups or parties, efforts by the Buddhist Mongolian tribes couldn't succeed much in mobilizing pan-tribal movement under the banner of any political party to achieve their long standing demands.

The movements and organizations of the Tibeto-Burmese hill people that have come up with the establishment of Democracy in Nepal, not only focus their attention on the question of religion and language but are also concerned with the economic and political aspirations of the Tibeto-Burmese people. The first such party to be established by representatives of Mongoloid people was the Nepal National People's Liberation Front. Its programme is to fight for equality for all the racial and ethnic groups in the country.⁴⁶ *Jana Jati* Party led by Khagendra Gurung was established on 19 August 1990. Among several other organizations that came into being, putting forward demands on behalf of the Tibeto-Burmese people, the Nepal Tamang Bhada Ghendung party, was a prominent one. This group demanded a special constitutional recognition of the Tamang community who lived in the hills around the Kathmandu

⁴⁶ Ibid., n.1. p.166. Also see, L.R. Baral Problem of Governance (New Delhi, 1993), p.53.

valley. Among all these organizations, the Mongol National Organization has often been described as communal organization because of its extreme views. Its leader Gopal Gurung, who went to jail several times during Panchayat regime for his rabid anti-Hindu and anti-Aryan stance, declared establishment of Mongol state in Nepal as his party's goal. The party also declared that it neither accept the Hindu King nor do they accept the 1990-Constitution.⁴⁷

The demands of these various organizations ranged from extreme to moderate. Yet they all shared certain basic common concerns. They were of the opinion that the Tibeto-Burmese people were different from Hindus on the basis of race, religion and language, and that these groups made up a large section of Nepal's population -- possibly even the majority.⁴⁸ In fact Gopal Gurung had earlier in his controversial book, Nepali Rainiti Ma Adekha Sachai -- (Hidden Facts in Nepalese Politics) -- in 1985, claimed that around 50 per cent of Nepal's population were Buddhist while only 20 per cent of the country's population were Hindus and the Hindu King of Nepal represents only that meagre 20 per

47 Nepal Press Report, 205/90, November 13, 1990.

48 Ibid., n.1, p.167.

cent of the population.⁴⁹

While most of the demands of these ethnic groups are legitimate, there have been some instances of instigating racial conflict by making distinction between 'indigenous' people (i.e., Mongoloids) of Nepal and Hindus, who are dubbed 'outsiders'. Ambitious leaders like Gopal Gurung are trying to give a racial character to their politics.⁵⁰ However, it won't be wise to ignore such political forces rather they should be tackled in a true democratic spirit, i.e., by recognizing their cultural and democratic rights ensuring adequate representation in decision making bodies of the State machinery, and power sharing by ethnic minorities on an equitable basis. Only a tolerant, restrained and democratic approach on both sides can save Nepal from any major conflict involving the majority and minorities.

49 Gopal Gurung, *Nepali Rajniti Ma Adekha Sachai* -- Hidden Facts in Nepalese Politics (Kathmandu, 1985), p.15.

50 Ibid., n.39, p.9.

Chapter-IV

MUSLIMS IN NEPAL

Muslims in this Hindu kingdom form a small but distinct minority group. They constitute not more than 3 per cent of the total population. Muslims hold the status of 'Mlechcha' in the Hindu caste society of Nepal. 'Mlechcha' is a Sanskrit term applied to all people, who do not share in the Hindu culture, and thus are strangers to Hinduism.

Historical Background of the Muslims in Nepal

There are different opinions about the period indicating the beginning of Muslim arrival in Nepal. According to one view, the entry of Muslims in Nepal might have begun from Seventh century onwards. The same view holds that even during the Lichchavi period there were some Muslim traders in the Kathmandu valley,¹ and they were involved in trade with China and Tibet. As Kathmandu was the traditional commercial centre between India and Central Asia, the Muslim traders carried other business expeditions across the

1 Ananta Raj Poudyal, Nepal: Muslims in the Hindu State, unpublished paper, p.3.

Himalayas via Kathmandu. However, in other regions of Nepal, they came on different occasions.

Some historians and anthropologists believe that the Muslim presence became evident in Kathmandu towards the end of the twelfth century when Muslim rule was established in North India. But the most prevalent view is that of Dor Bahadur Bista and Tahir Ali Ansari who believe that the Muslims first came in during the reign of King Ratna Malla in the late 15th century and early 16th century.² Bista states that the first Muslims were Kashmiri Traders who travelled between Kashmir and Lhasa, and some of them came to Nepal after they were invited to Kathmandu by the envoy of Ratna Malla in Lhasa³

Soon after that some more Muslims seem to have entered in the Western hills for the purpose of earning their livelihood, they are locally known as *Churaute*, the bangle sellers. During the 17th or 18th century, other Muslims were

2 For details, see Dor Bahadur Bista, People of Nepal (Kathmandu, 1976), p.150. Also see Tahir Ali Ansari, "The Muslim Minority in Nepal: A Socio-Historical Perspective", Journal of Institute of Muslim Minority Affairs, vol.9, January 1988, pp.159-66.

3 Dor Bahadur Bista, *ibid.*, p.150.

brought from India by the Chaubisi Kings of Nepal's western hills to train soldiers in the use of firearms as their skilled knowledge was much appreciated by the then small hill principalities.⁴

However, the numbers of the Muslims in the valley increased due to the influx of Muslims that took place in Kathmandu and other parts of Nepal, after the Indian Mutiny of 1857. A large number of Muslims belonging to the ruling Mughal families of Delhi and Lucknow, entered Kathmandu for political asylum and shelter.⁵ The Muslims gradually reached other parts of Nepal for various reasons. In the Terai they arrived as agricultural labourers to till the lands from the border states of India. Muslim population in the Terai region also increased substantially after the Indian Mutiny when Nepal received some new territories (such as Nepalgunj) in the Western Terai from British India.⁶ The Muslims from the border areas were brought as regular tillers to cultivate the land (their easy movement across the border was possible because of the open boundaries). As a result of

4 Ibid.

5 A.R. Poudyal, n.1, p.5.

6 Ibid.

this process many Muslim families got settled in the Terai permanently and some moved further north into the interior of the hills and valleys.

Distribution of Population

Around 3 per cent Muslims (2.7 per cent i.e., a total number of 39,9197 as per 1981 Census), in the total population of Nepal, constitute the third largest religious group. They are next only to the Buddhist population of the Kingdom which comprises 5.3 per cent of the total population and are the second largest group after the Hindus.⁷

Today, the Muslims can be found in the 67 of the 75 districts of Nepal, and close observations reveal that they still live in a certain well defined geographic regions of the country except the Kathmandu valley. For instance, the Muslims have their own distinct enclaves in Banke, Bhaiwara, Bara, Parsa, Danusha, Raj Biraj and Morang districts of the Terai region.⁸ Though the rigidity in the pattern of

7 Statistical Pocket Book, 1991, Central Bureau of Statistics, (Kathmandu, 1991), p.22.

8 A.R. Poudyal, n.1, p.7. Also see Pradyumna P. Karau & William Jenkins, Nepal: A Cultural & Physical Geography (Lexington, 1960), p.65.

settlement is getting gradually eroded because of various socio-economic factors, still the concentration of Muslims' settlement is clearly distinguishable in these areas.

Among the three geographical regions viz., High Mountains, Hills and the Terai of Nepal, the lowest Muslim concentration is in the high Mountain regions where it is recorded as 0.1 %, followed by 3.4% in the hills and 96.5% in the Terai or the plains of Nepal. In these geographical regions, further sub-divided, the numerical distribution of Muslims are as follows -- in Eastern Hills 0.2%, Kathmandu valley 1.0%, Eastern Terai 73.4%, Central Terai 2.1%, West, Mid-West and Far Western Terai 21.4% respectively.⁹ Thus it may be seen that the major concentration of Muslims is in Eastern and Western Terai.

Social Structure of the Muslims in Nepal

The majority of Nepali Muslims belong to the *Sunni* sect, a small population of *Shi'as* live in the mid western Terai -- the part bordering Uttar Pradesh of India. Under the *Sunni* sect, the Muslims are divided into four groups

9 Ibid.

according to their origin and social attributes --(a) *Kashmiris* claim to be the oldest settlers; (b) the Tibetan Muslims comprise the second rank; (c) Native Muslims, whose forefathers had migrated into Nepal on different occasions make the third group and the fourth (d) consists of the Muslims who settled in the Terai region after the Indian Mutiny of 1857.¹⁰

Urdu is the Mother Tongue of majority of the Muslims in Nepal. However, almost all of them are bilingual and speak the local languages fluently. And except in the Western Terai, where Muslims mainly speak Urdu, in other parts of Nepal, they are greatly influenced by the local languages. Unfortunately, there are no Census data available on the number of Urdu speakers in Nepal. In the Census data Urdu is listed under 'other languages' spoken i.e., 5.1 per cent of all the languages spoken in Nepal.¹¹

Agriculture is the main occupation of Terai Muslims. However, some of them are also engaged in other occupations, as weavers, vegetable vendors, tailors, bangle sellers, and

10 A.R. Poudyal, n.1, p.6.

11 Statistical Pocket Book, 1991, C.B.S., Kathmandu, p.23.

cobblers. There are also some landless wage earning labourers and a few number of landowners and businessmen. Those who live in the Western hills have little land but support themselves by selling bangles throughout the hills. Kathmandu Muslims are mostly traders and shopkeepers, and a few of them have achieved affluence and higher education and have found positions in government, as university teachers and in other professional jobs.

The Muslim society in the Terai is usually organized into units from districts through sub-districts to the village level. A headman of hereditary status is found at each level and he enjoys a great deal of respect and authority over those within his jurisdiction. These headmen are officially recognized by the government.¹² They settle disputes, punish offenders, and preside over important transactions and some social activities. Their income is realized from Commissions in sale and purchase of properties and from fines for particular offences. But with the growing political consciousness, the social base of such hereditary institutions is getting eroded: the people prefer to have a say in the choice of their leaders and are turning to

12 D.B. Bista, n.2, p.151.

popular elections rather than accepting hereditary leadership. In the hills however, the Muslims have no such hereditary headman in their society as they are more integrated with the local people of Nepal in terms of language, culture and participation in social and political affairs, than their brethren in the Terai who have maintained their religious identity and lived as a distinct religious community.

The Nepali Muslims are classified into two broad groups in the social ranking. The first group consists of four divisions: the *Saiyad*, *Sheikh*, *Pathan* & *Moghul* who consider themselves descendants of original followers of Mohammed, the founder of Islam, and therefore superior class. While the second category consists of occupational groups, who are later converts to the Islamic religion, besides the Muslims of Indian origin. They are mostly found in the Terai and western hills. They are: *Ansari* (weavers), *Sabji Farosh* (vegetable vendors), *dhobi* (washerman), *Naddaf* (cotton teasers), *Daffali* (tassel and bangle sellers) and *Mochi* (cobblers). In western hills, however, only two categories are prevalent, *Miya* and *Fakir*. The latter has lower social positions.¹³

13 Ibid., p.152. See also A.R. Poudyal, n.1, p.3.

Status of Muslims in Hindu Caste Society

The old Legal Code of 1853 known as *Muluki Ain* in the later years, for the first time codified the laws of the land, and provided legal acceptance of the existing four-fold classification of the society based on Hindu caste hierarchy. As a result, all the social groups were assimilated within that four-fold classification by giving them a certain caste name and a definite rank in the hierarchy. The four main caste categories are the *Tagadharī* (caste wearing sacred thread or the twice born caste) which enjoy the highest place in the hierarchy. The *Motwali* (alcohol drinking class) was put in the second rank. Next came the "water unacceptable" caste i.e., the people who were not entitled to serve water to high caste people but whose touch did not defile the high caste people. And last came the 'untouchables' i.e., whose touch would contaminate high caste people.¹⁴

Now, what is the rank assigned to Muslims in this hierarchy? The Muslims, being the followers of a foreign

14 T.R. Vaidya, Nepal: A Study of the Socio-Economic and Political Changes (New Delhi, 1992), p.117.

religion, along with the Europeans, are described as *wlechchas* in the Nepali society, (Sanskrit word *wlechcha* is a blanket term applying to all people who did not share in the Hindu culture). And they were put in both the ranks of 'water unacceptable' and 'untouchables'. The first type of Muslims (Kashmiris) were treated as only "water unacceptable". The other Muslims such as *Dhobis*, *Sabji Faroshis*, *Mochis* etc., were treated as "untouchables".¹⁵ This could be one of the reasons for the Kathmandu Muslims developing a sense of superiority to the other Muslims in Nepal. And according to Marc Gaboricau, "Christians and Muslims come, in the enumeration of castes and groups of caste, in-between the pure and impure categories. Since the enumeration is a hierarchical one, they are not placed there by chance; if we look at the chapter devoted to impure castes we will see all Muslims and *wlechcha* listed among impure but not untouchable castes (Code 1853: 680-1; Code 1952: 106)." Gaboricau further observes, "an article of 1853 code which has been hitherto little noticed: in the chapter on exchange of food and drink, Christians and Muslims are listed with untouchable castes from whose hands only raw and

15 A.R. Poudyal, n.1, p.9.

dry eatables can be accepted (Code 1853: no.2, 369).¹⁶

The new Civil Code of 1963 legally replaced the old code denouncing casteism, giving full freedom to all religious practices. Accordingly, Muslims are also allowed to perform all private and public ceremonies. However, as mentioned earlier, the new code could not abolish the existing caste system and it is still very much in existence in the social structure of Nepal. And even after the enactment of the new Civil Code (1963) Hindus of all castes consider Muslims as impure as they used to do before 1963. In the words of Marc Gaboricau, there has always been an "irreducible opposition between Hindus and Muslims. What is most sacred duty for one is considered as just the reverse by the others". He also observes that, "For Hindus all Muslims are impure and the latter have to agree to be treated as such. Finally, in the background, each community is convinced that the other is the enemy. In normal circumstances, this feeling remains hidden and is expressed only indirectly through legends but in the period of crisis, it can come to the foreground."¹⁷

16 Marc Gaboricau, "Muslims in the Hindu Kingdom of Nepal". Contribution to Indian Sociology, 1972, New Series No.VI, pp.84-105.

17 Ibid., p.93.

While analyzing the position of the Muslims in caste ridden society of Nepal, we find that the Muslims not only have accepted their low status in the Caste hierarchy but also started to follow, in their dealings with Hindu castes, the rules of purity prevalent in the Hindu society as evident in their relation with the untouchable castes who are listed below the Muslims in the hierarchical order. Muslims on their part refuse to accept not only food but also water from the untouchable castes such as *Kami* (black smith, goldsmith), *gaine* (begging minstrels) *pode* (Newar fisherman), *Chyamakhalak* (Newar sweepers).¹⁸ Such practice is against the egalitarian teachings of their own religion i.e., Islam.

Analyzing the response of the 'untouchables', towards Muslims, it may be seen that they serve Muslims while carrying out their occupation, e.g., the *Dhobi* washing the clothes of Muslims who cannot therefore be considered inferior to them. Similarly, *Damai* who play auspicious music only for ceremonies of the castes they consider superior to themselves, do play music for the marriages of the Muslims

18 Ibid., p.101.

and thereby acknowledge that they stand lower than the latter in the social hierarchy. But on the other hand, they try to nullify their subordinate status by claiming higher status of ritual purity than Muslims and refuse to accept food or water from their hand.¹⁹

Thus, while trying to ascertain the rank of Muslims in the caste hierarchy, it is difficult to come to any definite conclusion. Their position vary according to the criteria used. When the following criteria, such as acceptance of food and water, pollution by touch, exchange of services etc., are taken into consideration, the Muslims appear more or less like a low caste Hindu. But a complication arises due to 1853 Code (No.7, 677) which states that Hindus cannot be integrated into the Muslim community. While they can be degraded from higher to the lower Hindu castes.²⁰

The above law lead to two different interpretations i.e., either the Muslims stand lowest in a linear hierarchy or they totally stand apart from the Hindus. The first one is not applicable because low caste Hindus do not provide their services to the castes they consider inferior to

19 Ibid., p.102.

20 Ibid., p.100.

themselves, which is not the case with Muslims. Therefore one has no option but to choose the second interpretation, while dealing with the problem of the rank of Muslims in a caste society, that the Muslims stand totally apart from the Hindus in the linear hierarchy where the impure but not untouchable Hindus stand on one side, while the Muslims stand apart on the other side.²¹ Thus the position of the Muslims in the Hindu society of Nepal is very peculiar. They are compelled to observe the rules and restrictions applicable to the *mlechchas* and at the same time occupy an ambiguous position, *vis-a-vis* the low caste/untouchable Hindus.

STATE AND THE MUSLIM MINORITY

The 1962 Constitution of Nepal and new Civil Code of 1963 replacing the old code, were seen as attempts made by the Nepali state for the first time to recognize the fundamental rights of the people, without discriminating on the grounds of race, sex, caste, creed and colour. The Constitution stated "every person is entitled to profess his

21 Ibid.

religion" (Article 14).

The New Civil Code provided the basis for resuming prayers in the monasteries, for *Quran* and *Namaz* being recited in mosque and prayer in churches in a Hindu state.²² It also abolished the practice of inflicting punishment on the basis of caste of a person as per the Old Code of 1853, which adversely affected the Muslims who had a low rank in the caste hierarchy. Thus in the post Rana period, the rights given to the non-Hindus especially the freedom of practice of any religion, helped the Muslims to maintain religious identity. Mosques and *madrasas* are found in almost all parts of the country, and Islamic practices within the community is not interfered with.

But, Hinduism remained the state religion maintaining Nepal's status of a Hindu State and remains so even under 1990 Constitution. Though the 1963 legal code gave religious freedom, yet nobody is allowed to preach Islam and Christianity to destroy the *dharma* practiced by the Hindu people. If anybody attempts to convert people, he should be

22 A.R. Poudyal, n.1, p.10. Also see, Michael Hutt, 'Drafting the Nepal Constitution, 1990', Asian Survey, No.11, November 1991, pp.1020-1040.

imprisoned for three years. Only people who were already Muslims (or Christians) when they entered Nepal, or were born there from Muslim parents, enjoy the freedom of practicing those religion.²³ This rule has been constantly followed till the present day. It sought to protect the tradition from exotic influence. This explains the reasons of banning cow slaughter and proselytism in the Nepalese state.

The Muslim children in Nepal were not allowed to attend Nepali Schools as they were considered unclean low caste by orthodox Hindus. The Rana government eventually opened a Muslim primary school and by 1940s, Muslims were allowed to attend secondary schools and soon after, even college.²⁴ But till this day, Muslims in Nepal do not have a proper place for learning Urdu, their mother tongue. The *Madrasas* where the Urdu is taught are financially poor, without any adequate teaching facilities. Moreover, the *madrasas* are not recognized as educational institutions by the government. Though Urdu is the mother tongue of a large section of Muslims, the majority of Muslims in Nepal are bilingual and

23 Marc Gaboricau, n.16, p.88.

24 Dor Bahadur Bista, n.2, p.152.

speak local languages fluently. The lack of provision for learning their mother tongue has led the Muslims in the Kingdom to demand for the inclusion of Urdu as a vernacular language in Schools and as a regular language in colleges of Nepal.²⁵

It may also be mentioned here that despite a sizable population of Muslims in the State, the government of Nepal do not observe holidays to celebrate popular Muslim festivals like *Idul Fitre* and *Iduz Zuha*. Muslims have expressed their grievances against this and they demand that government should declare holidays on such major Islamic festivals.²⁶

As far as the Muslim representation in the politico-administrative structure is concerned, it can be said that in terms of its size in total population, the representation of the Muslim community and opportunities received by them so far, have not been adequate. During the *Panchayat* rule only two groups, the hill Brahman and Chetris possessed all four of the prerequisites for successful participation in Nepalese national politics: Thus beyond the Brahman-Chetri-Newar 'establishment' other groups in

25 A.R. Poudyal, n.1, p.15.

26 Ibid.

Nepal's population remained uninvolved in national politics or at best involved in only token ways.²⁷ Muslims in Nepal lacked the prerequisites, therefore they found themselves almost excluded from national politics. There was only one representative of the Muslims at the Lower House of parliament under the first ever held general elections of 1959.²⁸ They along with the Hindus of the plains, experienced a 2 per cent decline in representation in the 1967 National *Panchayat* (legislative assembly).²⁹ The Terai representation, which included the Muslims, was lowest under the *Panchayat* election system. In 1978 the Muslims represented only 0.8 per cent of the total representation in the National *Panchayat*. While their position slightly improved in the post referendum elections in 1981, when two muslims got elected and their representation moved upto 1.8 per cent.³⁰ However, no Muslim was elected to the Rashtriya

27 F.H. Gaige, Regionalism and National Unity in Nepal (New Delhi, 1975), pp.159-62.

28 A.R. Poudyal, n.1, p.13.

29 F.H. Gaige, n.27, p.164. Also see, Ramakant & B.C. Upreti, "Regionalism in Nepal" in Phadnis, Muni & Bahadur, ed., Domestic Conflicts in South Asia, vol.II (New Delhi, 1986), p.173.

30 Harka Gurung, "Representing an Ethnic Mosaic", Himal, May-June 1992, p.20.

Panchayat (National legislature) in 1886, but Mohammed Mohsin, a highly educated and well known member in the Muslim community, was nominated by the king as a member of the national legislature. This showed the king's desire to give Muslim minority a representation, howsoever inadequate.

Thus, throughout the *Panchayat* rule, Muslim representation in the Rashtriya *Panchayat* has been a meagre 1.4 per cent.³¹ In the recently concluded multiparty parliamentary elections in 1991, Muslim representation in the lower and upper houses of the Parliament is 2.4 and 1.7 per cent respectively, i.e., 2.3 per cent in both the houses of Parliament. The figure indicates a slightly better representation of the Muslims in a multiparty system in comparison with the earlier system of *Panchayat* elections.³²

Even in the National Administration, and other decision making bodies, a survey of Muslim positions shows that there has been very little representation of this community. At the Section Officer and Assistant Secretary level of Government administration, the Muslims have a meagre 0.29

31 A.R. Poudyal, n.1, p.13.

32 Harka Gurung, n.30, p.20.

per cent of representation [according to the list published by His Majesty's Government, Ministry of General Administration, 1989]. It also shows that there are only .3 Muslims as first class officers, and that 0.87 per cent of the teachers in the Tribhuvan University of Nepal are Muslims, while they represent only 0.47 per cent of the total Graduate student community.³³

Therefore when seen in terms of its size in total population, it can be said that the representation of the Muslim community has not been fair specially when compared with the status of the Newar community, which has almost the same size in population but holds a far more respectable and influential position than the Muslims, in the Social hierarchy by virtue of its traditionally preserved dominant socio-economic and political status.

Similarly, the economic condition of the Muslims, as one can imagine, is no good. In Terai, the majority of Muslims are engaged in agriculture. There are also workers, farmers, and wage earners, besides a few businessmen (around 11 of them were located in Kapilavastu and Rupandehi

33 A.R. Poudyal, n.l, p.13.

districts of Terai),³⁴ and landowners are also found among them. In Kathmandu because of the traditional Kashmiri traders' population which also includes businessmen and shopkeeper, Muslims in the valley have comparatively better standard of living than that of the Terai Muslims. Whereas Muslims settled in the Western hills are mostly low level workers, and sellers of glass bangles. Therefore, the Muslims in the Kingdom, in general, have a low economic status. In the Terai and the Western hills, the areas of major Muslim concentration, their occupation varies from being farmers and wage earners to that of 'Charaute' and vegetable sellers.

Communal conflicts between Hindus and Muslims, which has become a major feature in the politics of its Southern neighbouring country, India, is yet to become a serious threat to the social fabric of Nepal. However, minor conflicts between the two communities have taken place indicative of the cleavages that exist in their social relationship. For instance in 1973, tensions flared up between the two communities in Routahat district of Nepal on

34 P. Blaikie, J. Cameron, D. Sheddon, ed., Nepal in Crisis (Delhi, 1980), p.154.

the issue of cow killing or "Gai Kanda (as it is called in Nepal). As the Hindu religion prohibits cow's meat, the law of Nepal forbid the cow slaughter. However, fortunately, before it could take a shape of a major conflict, the problem subsided within a week. In another incident the Hindus opposed the opening of a *madrasa* at Janakpur nearby a famous Hindu temple. And similarly, a mosque at Palpa Tansen was not allowed to be constructed at the heart of the township.³⁵

But the recent incident of Tulsipur in the Dang district in October 1982, cannot be taken lightly and is a matter of concern, which deserves serious attention of the government, before such conflicts become a permanent feature in the otherwise cohesive society of Nepal. Conflict took place between the two communities on the issue of playing of *Bhailo* songs in front of a mosque by the Hindus on the occasion of *Deepavali* in Tulsipur town of Dang district.³⁶ Some looting and arson also took place and the area remained tense for a few days. However, the seriousness of the matter lies in the fact that the conflict didn't remain confined to

35 Ibid., n.1, p.16.

36 See, Nepal Press Report (Weekly), October 28 & November 3, 1982 (Regmi Pvt. Publishers, Kathmandu).

Tulsipur only, it also spread to the neighbouring district of Banke and the town of Nepalgunj, (where a sizable number of Muslims reside), which also witnessed tensions between the two communities on the same issue. According to some observers, this happened because the Muslim community got emotionally charged, and in an act of solidarity, they submitted a memorandum to the Banke District administration protesting against the incident at Tulsipur.³⁷ However due to timely action by the Democratic Government of Nepal, a major communal conflict could be averted and situation soon came under control.

This incident is indicative of the fact that growing polarization is taking place between the two communities and there is a rise in consciousness in group identities among the Muslims in Nepal.

In the wake of the Ayodhya crisis in India and Hindu-Muslim riots in India, intellectuals and responsible citizens of Nepal expressed their concern and appealed to the citizens to remain vigilant against the divisive forces, and thus prevented any untoward incidents from taking place

37 Ibid., November 3, 1982.

in Nepal which has a more or less peaceful history of communal harmony. However, following the demolition, two incidents greatly hurt the feelings of the Muslims in Nepal. On December 6, some Hindus distributed sweets celebrating the mosque's demolition, and on December 10 a group of Hindus distributed leaflets against Muslims in Kathmandu. These two incidents agitated the Muslims; however, restrained reaction of their leaders could pacify them and thus avoid any communal riots. Maulana Abdul Jabber, General Secretary of Nepal Muslim *Jamait*, said the action had greatly hurt the feelings of the Muslims and denied the rumour that they had plans to express protest.³⁸

So far, the Muslims have remained a "non-assertive" minority, and the community always tried to maintain its identity without challenging the authority. But with the advent of democracy in Nepal, all kind of group identities are coming to the forefront, asserting their rights and aspirations in the multiethnic society in Nepal. A number of Muslim social organizations like *Islami Yuva Sangh*, *Millate Islamia*, Muslim Service Committee, *Ittehadul*

38 Nepal Press Report (Weekly), December 15, 1992.

Muslimeen are already working in Nepal to help nourish the Islamic tradition. And thereby challenging the age-old Brahman-Chetri domination and the ethnocentric character of the Nepali State. Thus, there is no reason to believe that Muslim minority in Nepal would lag behind in protecting and promoting their interests, a trend which we have already witnessed in 1981, in the post-referendum period, when Muslims like the other groups, also came out in the open to suggest to the CRCC (Constitution Reforms Recommendation Committee) for protecting the interest of the minority communities in accordance with their faith. The Nepal Muslim service Committee also demanded their representation in proportion to their population in constitutional organs and services.³⁹ And soon after the establishment of multi-party democracy in 1990, a delegation of Muslims led by Imam of Kathmandu's *Jama Masjid* met the interim government's Prime Minister, Mr. K.P. Bhattarai and submitted a 14-point Charter of demands to him. The Charter among other things sought the freedom to hold congregations and other religious functions.⁴⁰

39 Lok Raj Baral, Nepal's Politics of Referendum: Study of Groups, Personalities & Trends (New Delhi, 1983), p.127.

40 Times of India, July 4, 1990.

Thus, only a tolerant and democratic approach by the government acknowledging the cultural and ethnic pluralism of Nepal, and recognizing the minority rights and values of equality and social justice would enable Nepal to maintain the atmosphere of relative ethnic and communal harmony that she had been enjoying so far. But permanent peace may not be guaranteed, as any further deterioration in communal situation in India will not leave Nepal's Muslims unaffected.

Chapter-V

RELIGIOUS MINORITIES AND THE NEPALESE STATE

In the preceding chapters, the role of the Nepalese state relating to its ethnic and religious minorities has often been mentioned. In line with that discussion, the purpose of this chapter is to study this role *vis-a-vis* the religious minorities, in detail, for an all round understanding of the problems faced by these minorities.

Ever since King Prithvi Narayan Shah had united the country in 1768, Hinduism had been the State religion. The first Legal Code of Nepal framed by Jang Bahadur Rana in the middle of the nineteenth century legitimized the existing four-fold classification of society based on Hindu caste hierarchy. Since then the Hindu caste code had been the main means of governing the country.

State Policies and the Religious Minorities

Notwithstanding the polyethnic character of the regions conquered, the first Gorkha ruler Prithvi Narayan Shah, and his successors based the country's unification on four key

ideals and those were: unquestioning power and authority of the Hindu Gorkha king; the supremacy of the Hindu ethos in national life; social integration through the Hindu social system based on caste division; and recognition of Nepali as the language of government, administration, and in more recent times, education.¹ Centuries later, one still finds almost the same criteria maintained by ruling elites of Nepal in governing the country, with the sole exception of the unquestioning power of the Hindu monarch getting reduced with the ushering in of Democracy recently.

Ignoring the cultural plurality, the governments in Nepal tried to contain the country's remarkable ethnic diversity through a national caste system. This was designed to integrate the non-Hindu ethnic groups, like the culturally distinct Tibeto-Burmese speaking population, into the Hindu four-fold social division, by giving them a certain caste name and a definite rank in the social hierarchy. The National Caste System stipulated a place for each ethnic and religious group guided by the ruler's own

1 P.R. Sharma, "How to Tend this Garden", Himal, vol. , May-June 1992, pp.7-9.

notion about caste.² In his book, The Caste Hierarchy and the State in Nepal Andreas Hofer argues that the government needed to create a national caste system not only to unify the country internally, but also to give legitimacy to Nepal's separate political identity and to establish a cohesive legal system in the place of existing regional systems.³

The first Civil Code of Nepal, framed by Jang Bahadur Rana in 1853, conformed to the idea of national caste system. Despite their great cultural and social divergence from Sanskritic ideals, all the people of Nepal were brought within the Hindu four fold social division known as *varna* (see Chapter-II for details). The Hindu ruling class dealt with other ethnic groups not as "foreigners" or "aliens", but as part of the Hindu social and cultural order. Unlike the caste system in India, the Nepalese caste hierarchy placed the middle hills and mountain groups,

2 Nancy Levine, "Caste, State and Ethnic Boundaries in Nepal", Journal of Asian Studies, 46 (1), February 1987, pp.71-88.

3 Andras Hofer, The Caste Hierarchy and the State in Nepal: A Study of the *Muluki Ain* of 1854 (Innsbruck: 1979), p.40 & 195.

comprised mostly of Buddhist-Mongolian tribes, in a middle ranking position. Thus they were well above the low Hindu service castes. The Muslims were treated as "Mlechhas" and were grouped under the "water unacceptable" caste i.e., the people who were not entitled to serve water to high caste people but whose touch did not defile the high caste people.⁴

By assigning the Brahmins and Chetris the top rank of the social hierarchy and the non-Hindus the lower ranks, the code of 1853 reinforced the cultural dominance of Hindu groups and disadvantaged those that conformed least to Hindu norms. As a result, the non-Hindu groups, with the exception of remotely situated Tibetan speaking Buddhist tribes, came to deal with the state as the state defined them, in the guise of castes. The code of 1853 also made it clear that punishment for an offence would be determined by taking into account the caste of the offender and that of the victim. (Preamble, 1853 Code).⁵ The importance of the caste position was also highlighted in the fact that, the lower ranking non-Hindu groups could be enslaved for certain

4 T.R. Vaidya, Nepal: A Study of Socio-Economic and Political Changes (New Delhi, 1992), p.117.

5 Adrian Sever, Nepal Under the Ranas (New Delhi, 1993), p.79.

crimes, while the higher ranks could only be downgraded in caste.⁶ This was one of the main reasons for non-Hindu hill tribals like Tamangs and Gurungs' eagerness in improving their status in relation to law. As the penal code was based on Hindu *Shastras*, maintenance of the Hindu law became a state policy. The *Rajguru*, who was appointed by the government, presided over the ecclesiastical court known as *Dharma Adhikari*, which tried cases relating to caste. Even the Buddhists and Muslims in Nepal were subject to prosecution before this tribunal.⁷ The old Legal Code of 1853, modified from time to time, continued as the Legal Code of Nepal until 1962.

The present Legal Code, promulgated by King Mahendra in 1963 while made it illegal to discriminate on the basis of caste in the administration of justice, in education, and in employment, it however did not do away with the idea of caste. A clause in 1963-Legal Code also prohibited preaching of creeds like Islam and Christianity which destroy the *dharma* practiced by by the Hindu people (Code 1963; NO.1,

6 Ibid., n.2, p.73.

7 Pedro Carrasco & Milton D. Graham, A Survey of Nepal Society, Subcontractor's Monograph (California, 1956), p.113.

223).⁸ Therefore we still find the continuation of age-old domination of high caste Hindus, and supremacy of Hinduism over other religions in the modern day Nepal.

Education

Apart from high caste status, attainment of high level of education by privileged few in Nepali society, gave Brahmins and Chetris an upper hand in the national politics as well as in the socio-economic life. In the field of education, the discriminatory policies of the State deprived the ethnic and religious minorities of proper education and they were relegated to a lower rank in the Hindu caste hierarchy. In Nepal, traditionally, education has been confined to Brahmins and Buddhist monks, as both the Sanskrit schools and Buddhist monasteries were closely related with the two dominant religions of ancient Nepal. But with the growing prominence of Hinduism, as it took the position of state religion, attainment of education gradually became a privilege of the few upper caste Hindus

8 Marc Gaboricau, "Muslims in the Hindu Kingdom of Nepal", Contribution to Indian Sociology, 1972, no.VI, pp.84-105.

like Brahmans and Chetris.⁹ Since the conquest of the Kathmandu valley by Prithvi Narayan Shah, the 'tagadhari' castes (i.e., Brahmins, Thakuris and Chetris) together with the traditional Newar administrative caste, the Shrestha, have enjoyed a privileged position in the capital as regards access to the centres of power. Such elevated status of the Newars among the other Mongoloid origin people, helped them in achieving higher education.

During the Rana rule, education remained confined primarily in the hands of the affluent people. (i.e., the royal family members and the upper caste Hindus), because Rana autocracy were not in favour of spread of education among general population. With the fall of the Rana regime in 1951, and widening of the base of politics, the King Tribhuvan Narayan Shah committed himself to a people oriented polity. Thus, restriction imposed on spread of education were lifted and a number of educational institutions were opened.¹⁰ Muslims who remained deprived of education, also started to attend secondary schools and soon after, college.¹¹

9 Dharam Vir, Education and Polity in Nepal: An Asian Experience (New Delhi, 1988), p.64.

10 Ibid., p.65.

11 Dor Bahadur Bista, People of Nepal (Kathmandu, 1976), p.152.

Nevertheless, higher education in Nepal, basically remained confined to three castes of Brahmins, Chetris and Newars. As a result, we find that only the sons of Brahmin, Chetri and Newar notables have been successful at making inroads into the Kathmandu elites' monopoly on bureaucratic positions.

Table-4: Distribution of Castes and Ethnic Groups in Government Positions at and above the Under-Secretary level in Secretariat During 1968.

<u>Group</u>	<u>Number of identified officials</u>	<u>Percentage</u>
Brahmin	087	33.45
Chetri	102	35.17
Newar	072	24.83
Gurung	003	01.03
Magar	001	00.34
Rai	001	00.34
Limbu	001	00.34
Tamang	001	00.34
Tharu	001	00.34
Thakali	000	---
Muslim	001	00.34
Marwari	001	00.34
Terai people	006	02.07
Other fractions	003	01.03
Total	290	100.00

Source: Dharam Vir, Education and Polity in Nepal: An Asian Experiment, Northern Book Centre, New Delhi, 1988. p.66.

Table-4 provides data on caste and ethnic groups at the Under Secretary level. It shows that the bulk (83.45 per cent) of the governmental positions were in the hands of these upper castes.¹²

In his study, to examine the proportion of caste composition of students in selected towns of Western Nepal, Dharam Vir has observed that different castes and ethnic groups have responded differently towards higher education...the Newar group of castes has over-representation of students in colleges in comparison to their proportion in general population in Western Nepal. The Brahmin, Thakuri and Chetri castes have number of students more or less commensurate with the size of their population. Whereas, the Gurung, Magar and Thakali castes have low representation. Some castes of middle stratum like the Tamang, Bhote-Sherpa, Chepang, Tharu and Rai and Kiranti and those of lower stratum mainly consisting of artisan castes and untouchables have no enrollment in higher education.¹³

12 Ibid., n.9, p.66.

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13 Ibid., n.29, p.75.

He further observes that recruitment to college education from different social groups in relation to their proportion in general population, has some relationship with high economic status, or with efforts to maintain traditionally high status, and efforts on the part of semi-tribals to move towards definite caste position.¹⁴

Caste and Land Reforms in Nepal

Through diverse economic and political policies, besides stipulating relative rank in the caste hierarchy, the Nepalese State has strongly influenced the ethnic groups and their inter-group relations. While some policies led groups to draw their ethnic boundaries more narrowly, others led groups to seek allies in the culturally similar populations. The two best examples are the Limbus of eastern Nepal and Thakalis of Thaksatsae. The Thakalis, basically Buddhist people of Tibetan origin, are settled all over the Western districts of Himalayan borderland. Thaksatsae is located along one of the major and earliest travel routes to Tibet which is the only permanent link in the region's principal North-South trading system. This led the

14 Ibid.

government in favouring them in appointments to positions of local leadership and supervisor over local trade.¹⁵ This distinguished Thaksatsae from other Thakali villages and further government policies reinforced their separation. In response to their greater contact with government officials and population to the South, Thaksatsae villagers became concerned with bringing their behaviour into conformity with Nepali Hindu norms. This required distancing themselves from the more Tibetanized Thakalis to the North. Such considerations led Thaksatsae to emphasize its distinctness, its separation from other Thakali, and its unique ethnic identity.

The other example is that of the Limbus whose ethnic incorporation could be seen among them -- i.e., the massing of a large ethnic constituency to maintain traditional land rights. The system of land tenure that Limbus maintained was known as Kipat. Land labelled as Kipat is an inalienable and exclusive right of the Limbus. The government had persistently tried, over the years, to convert Kipat land to the system of state landlordship (Raikar) prevailing throughout the country. Limbuan resistance of this

15 Ibid., n.2, p.73.

usurpation of tribal land came in the form of organizing protests locally and dispatching representative to Kathmandu. This in turn reinforced the unity and ethnic identity among a large population of this indigenous tribe. In 1981 Census the number of people, describing themselves as Limbu speaking, increased.¹⁶ The Limbu experience has shown us how the state policies have influenced ethnicity in Nepal, motivating disaffiliation within some groups and unity among others and prompting attempts to improve status within the national caste system.

In an effort towards modernizing the peasant society in the hill region of Nepal, the government did away with the traditional land tenure system of the hill region, which was characterized by the control that the aristocracy and the bureaucracy exercised over land and peasant as well. Such control emerged from the rights of lordship that these elite groups acquired through the exercise of their political power. These rights were usually granted under the 'birta' and 'jagir' systems. The former referred to the tax

16 Ibid., n.2, p.74. For details see Lionel Caplan, Land & Social Change in East Nepal (Berkeley, 1970), pp.2-4. Also, 1981 Statistical Pocket Book, C.B.S. Kathmandu, p.23.

free grants of land made to individuals (like priest, military soldier and nobility) usually on an inheritable basis. 'Jagirs' on the other hand were grants given to government employees until their death or dismissal from service. Till 1951, the bulk of the cultivated area in the hill region had been granted under birta or jagir tenure. The peasant consequently, was forced to work as share cropper employed by his birta owner or jagirdar (landlord) which entitled the peasant to almost half of what he produced.¹⁷

Thus, under the traditional agrarian system followed in the hill region, the economic link between the peasant and the elite sections of the society was largely based on political domination rather than economic domination. The traditional agrarian system of the hill region was thus characterized by the multiplicity of groups who controlled land through political and economic means and collected an income from the peasant without working on the land. Such groups generally comprised of Brahmins or high caste Hindus like Thakuri or Chetri who received patronage from the

17 Mahesh C. Regmi, "Modernizing Peasant Society Recent Trends in the Hill Region of Nepal", in S.K. Chaube, ed., The Himalayas (New Delhi, n.d), p.129.

Nepali state. The actual tiller, mostly the low caste Hindus and non-Hindu hill tribals like Tamangs, Magars and Gurungs, occupied a position at the bottom of the hierarchy and usually lacked the security of the tenure.¹⁸

With the abolition of 'birta' and 'jagir' system of land tenure, the peasant was able to retain the part of the economic surplus that birta owners and jagirdars had previously extracted from him. However, it would be wrong to conclude that the abolition of birta and jagir removed all barriers towards modernizing Nepali peasant society in the hill region. This was not the case, a new landlord system based on economic rather than on political power, as noted earlier, persisted. It is against this background that the Government of Nepal introduced new land reform laws during the early 1960s. These measure were primarily directed at loosening the economic ties that bound the peasant to his land lord and money lender.

The new land reforms comprised three main elements: (1) Redistribution of agricultural lands; (2) Fixation of agricultural rents at half of the produce; and (3) Scaling

¹⁸ Ibid., p.131. Also see N.R. Shrestha, Landlessness and Migration in Nepal (Westview, 1980).

down of agricultural loans to the extent interest had been collected in excess of 10 per cent yearly, accompanied by the restoration of land transferred through possessor mortgage consequent to such scaling down.¹⁸

These measures of reform also failed to have any revolutionary effect on the agrarian structure in the hill region, for reasons such as, the ceiling had little practical effect as concentration of land ownership rights was not a major problem in the region. Secondly, the fixation of agricultural rents at half of the produce only gave the stamp of statutory approval on a practice that had long been customary. Thirdly, scaling down of agricultural loans did not prove effective in reducing the role of private money lenders. In addition, the reluctance of most landowners to concede new tenancy rights had led to the emergence of unrecorded tenancy and the consequent degradation in the status of the tillers.²⁰

The policy of 1864, however gave secure rights to many Indian tenants including a bulk of Muslim population in the

18 Ibid., p.132. Also see P. Blaike, J. Cameron, D. Seddon, ed., Nepal in Crisis (Delhi, 1980), pp.84-86.

20 Ibid., p.132.

Terai region of Nepal, and thus they became permanent occupants. These Indian migrants, entered Nepal at various points of time under various circumstances. One such reason was the encouragement given by the Nepal government itself, to the Indians to settle down in Terai. The Indians were invited to clear the malaria infested jungles of Terai (initially abandoned by the hill people), and make use of the largely available 'Birta' and 'Guthi' (lands used for temples and charity) lands, increase agricultural production through cultivation; start business and install markets; and construct townships. This policy of encouragement which was initiated in 1846, continued till 1963, When the government realized that unchecked migration to Terai would lead to overpopulation, thereby compelling administration to revise its policy. So, in 1964 Nepal Government realized that continued inflow of foreign nationals must be restricted.²¹

Sepoy mutiny of 1857 was also one of the important factors that encouraged Indian migration into Nepal Terai. During the mutiny, many Hindus and Muslims fled to Nepal and settled down in the Western Terai region.²²

21 S.R. Yadav, Rural & Agrarian Social Structure of Nepal (New Delhi, n.d.), pp.158-63.

22 Ibid., p.160.

Religious Minorities and the Process of Nation Building

The relatively peaceful inter-ethnic and communal relationships in Nepal, unlike the countries having similar multi-ethnic and pluralistic society, are largely due to the feudal and authoritarian rule that she experienced for the past two centuries.

Till the advent of democracy in 1990, Nepal more or less followed a homogenizing, integrating model of the nation state which successfully managed to keep all the ethnic and religious discontents swept under the carpet. Declaring Nepal a Hindu state and creating a national caste system on the basis of Hindu caste hierarchy, the ruling elites succeeded in blurring the separate identity of all non-Hindu social groups as they were made a part of the Hindu social and cultural order. This extreme ethnocentric model of achieving national integration automatically established the cultural dominance of the Hindu groups and degraded all who conformed least to Hindu norms. One effect of this was that the non-Hindu, with the exception of remotely situated Buddhist tribes of Tibetan origin, came to deal with the State as the State defined them, in the guise of castes. Another effect was acculturation and

Sanskritization particularly for the middle hills groups. Nancy Levine observes that, caste proved effective in integrating such diverse groups, 'because it is, at base, an incorporative model for ethnicity',²³

With the process of modernization initiated in Nepal, though at a tardy pace, a rise in the level of political consciousness among the ethnic and religious minorities, became inevitable. The spread of education, increased communication, better transport network, and above all, introduction of democracy greatly contributed to the rising aspirations of the minority communities and erstwhile subject groups. Therefore they are bound to demand a share of power and recognition of their cultural and linguistic rights.

The Hindu majority, on the other hand, is still to realize the imperative need for bringing any change in traditional attitude of the Hindus towards the diversity of people. Which by and large, has been not to view the ethnically diverse people as any different or alien elements, but as part of their complex social order. This historical

23 Ibid., n.2, p.72.

solution to the problem of cultural diversity has led all these groups to be recognized as equivalent to 'castes' i.e., within the Hindu social hierarchy. And this attitude continues to dominate the outlook of the Hindus of Nepal even today. This is evident in the administrative tardiness in recognizing the aspirations of Nepal's multi-ethnic and multi-religious groups.²⁴ The legacy of 1950s -- that of ignoring a person's ethnic or caste membership in census taking -- was continued even in the post-democracy 1991 census. The census sheet recognize merely the existence of linguistic minorities and even then there are many flaws in the counting.²⁵

Thus, the Nepalese state must review its policy on the ethnic and religious minorities before it is too late, because even now the ethnic awareness of such groups is largely of a cultural rather than political nature, but if ignored for long, the relative ethnic harmony that Nepal has so far enjoyed, might take a serious turn as there is an explosive potential of ethnic conflict among the widely diverse population of Nepal.

24 Ibid., n.1, p.7.

25 Ibid.

Besides, adopting a policy of ethnocentrism, which ensured domination of high caste Hindus like Brahmins and Chetris in almost every aspect of life, the rulers of Nepal also made it sure that politicization of minority ethnic groups didn't take place. There has been a low representation of all kind of ethnic groups in proportion to their total population in the country. The Chetri-Brahmin domination of Nepali politics in such a ethnically plural structure has been so glaring that some ethnic groups with little or no background of social and political mobilization, have tried to voice their grievances against continuous denial of pioneer position or status by such upper caste groups. Thus we find that even under the repressive royal regime, which didn't allow the ethnic groups to come up with their specific demands, the Organization of the hill tribals of the Mongoloid people was apparently working clandestinely, often provoking the regime to retaliate with severe punishment.²⁶ In 1979, in the wake of the national referendum the hill tribal groups surfaced with their demands.

26 Lok Raj Baral, Nepal: Problem of Governance (New Delhi, 1993), p.58.

The Chetri-Brahmin dominance has been so deep rooted in the Nepali psyche that it would take years to get rid of their overwhelming presence especially in the power-structure of Nepal. The much awaited establishment of multi-party democracy and the installation of a Democratic government in Nepal, however, couldn't bring much change in the social composition of the 'Pratinidhi Sabha' (House of Representatives). On the contrary, the sociology of political parties, especially the composition of leadership of the mainstream national parties, like Nepali Congress, United Marxist Leninist and *Samayukta Jana Morcha*, reveal their class and caste character.²⁷

Ironically, all these three parties, particularly the Communist parties (UML) are so vocal against such discrimination of the minority communities by the upper caste Hindus and often call for putting an end to such kind of socio-cultural domination by the Hindus.

The social composition of the House of Representatives in 1991 does not show any radical departure from the past. The Chetri-Brahmin dominated system prevailed even after the electoral base got widened with the introduction of multi-party democracy (See Table-5 below).

27 Ibid., p.104.

Table-5: Ethnic/Caste Representation in the Legislature.

Ethnic group	1959	1978	1981*	1981		
				Lower House	Upper House	Both
(Percentage)						
A. Hill Group						
	78.00	85.0	79.5	79.0	85.0	80.4
1. Bahun	27.5	21.3	12.5	36.6	40.0	37.4
2. Chetri	31.2	36.2	36.6	18.5	15.0	17.7
3. Newar	03.7	07.9	08.0	06.8	13.3	08.3
4. Tribal	15.6	18.9	22.3	16.6	13.3	15.8
5. Occupational Caste	---	00.8	---	00.5	03.3	01.1
B. Terai Group						
	22.0	15.0	20.5	21.0	15.0	19.6
6. Brahmins	03.7	02.3	---	02.4	01.6	02.3
7. LandedCaste	10.1	07.0	07.1	05.4	05.0	05.3
8. TraderCaste	02.8	01.6	01.8	02.0	03.3	02.3
9. Tribal	03.7	03.2	09.8	08.8	03.3	07.5
10. Muslim	01.8	00.8	01.8	02.4	01.7	02.3
All	100.0	100.0	100.0	100.0	100.0	100.0
Number of seats	109	127	112	205	60	265

*Excludes nominated members

Source: Gurung, Himal, May-June 1982, p.20.

The Brahmin population in the Lower House is 74, followed by Chetri 41. In a House of 205, the Newar

Community has 14 members whereas Rai, Limbu Gurung, Magar, Thakali and Tamang together have 35 representatives. The representation of Terai ethnic groups -- Rajabanshi, Tharu, Yadav, Rajput, Thakur, Mishra, Teli and Muslim have 41 members.²⁸ The Muslims have 2 representatives in all, one from Bara district and the other from Rautahat. It is interesting to note that Newars and Muslims both constitute around 3 per cent of the total population of Nepal, whereas Newars representation is 8.3 per cent, the Muslims represent only 2.3 per cent of the total elected members in both Houses of Parliament.²⁹ The figures in the above Table also indicate a better representation of Muslims in multi-party elections (i.e., 1959 and 1991) in comparison with Panchayat elections.

Of the 19 districts in the Central Region, the Tamang constitute the largest ethnic group with 15.4 per cent of the total regional population. However, the region has only three Tamangs elected members out of 64 constituencies in the 1990 elections. The second largest group in the region

28 Ibid., p.114.

29 Harka Gurung, "Representing An Ethnic Mosaic", Himal, May-June 1992, pp.20-21.

is Newar with 13.9 per cent of the total regional population. And they have nine representatives from the region.³⁰

This explains the insignificant position that the religious minorities such as the muslims and Buddhists, have in the Nepalese Society.

So far as the constitutional position of the Nepali minorities is concerned, it can be mentioned that while drafting the new democratic constitution in 1990, most political parties agreed on the basic features of the new constitution. The main points of controversy were religious freedom; the status of Nepali and other languages of Nepal; the rights and representation in administration of ethnic minorities, Terai people; and control of army.³¹

The debate on such issues quickly became a matter of argument between secular state and Hindu state proponents. Those demanding a secular state included Buddhists, Muslims, and Christian associations; ethnic organizations representing the pre-dominantly non-Hindu, Tibeto-Burman

30 Ibid., p.21.

31 Michael Hutt, "Drafting the Nepal Constitution 1990". Asian Survey, November 1991, pp.1020-1039.

tribes; and leftist, liberal, and republican elements. These demands were strongly opposed by traditionalist Hindu organization. The interim government's Minister for Housing, Achyut Raj Regmi caused an uproar when he threatened a hunger strike if the Constitution made Nepal a secular state.

Provisions in the New Constitution: Article 4(1) states that "Nepal is multi-ethnic and multi-lingual, democratic, independent, indivisible, sovereign, Hindu, constitutional monarchical kingdom."³² The terms multiethnic and multi-lingual were probably intended to mollify the minorities who had been pressing claims on behalf of their language and region for months.³³ But many have objected to the insertion of the word Hindu here. The 1990 Constitution also adopts a somewhat ambiguous position on the question of language. The 1990 document divides Article 6 into two clauses. Under Clause 6(1) "The Nepali language in Devanagari script is the state language while Cl.6(2) states "All languages spoken as mother tongues in the various parts of Nepal are national languages of Nepal." Article 18(2) goes further, stating

32 Ibid., p.1035.

33 Ibid.

"Every community shall be able to run schools so that education may be provided to children upto the primary level in their mother tongues",³⁴

It is quite clear that the above articles were drafted to appease linguistic and religious minorities. For example there has been a long standing demand by the Muslims, that Urdu be taught as a vernacular language in Schools and a regular language in Colleges in Nepal, Urdu being their mother tongue. But there was no place for learning Urdu in Nepal. The Madrasas, where Urdu was taught, were financially poor without any kind of adequate teaching facilities.³⁵ Thus, this provision of the Constitution will certainly prove helpful to the Muslims in promoting their language, Urdu.

The authoritarian rule in Nepal had by and large managed to suppress, rather than resolve, the regional and ethnic differences in a culturally pluralist society. Thus, it is clear that the resurgence of hill ethnic groups is taking place partly because of the wrong state policies of

34 Ibid., p.1036.

35 A.R. Paudyal, "Nepal: Muslims in the Hindu State" (n.d.), p.15.

nation building and partly because of the increasing awareness of the ethnic groups. The Hinduized constitution and the predominantly Hindu population of the country seems to have created a feeling of insecurity among the religious minority population of the country. Religious minorities (Buddhists, Muslims, Christians) who had vociferously demanded that the new Constitution should declare Nepal, a secular state, expressed their deep annoyance at the retention of the non secular provisions of the Constitution, by abstaining from the celebrations that followed after the promulgation of the Constitution in 1990.³⁶

On 17 November 1990, the so called *Jana Jati* groups, representing the interests of the Tibeto-Burman peoples, staged a mass meeting in the centre of Kathmandu city. This meeting condemned the new Constitution.³⁷ Declaration of a Hindu State made the religious minorities believe that the Constitution would be of little importance to them. And they

36 Ibid., n.26, p.206.

37 William Raeper and Martin Hoftun, Spring Awakening (Viking, 1992), p.177. Also see, Nepal Press Report, no.214/90, November 24-26, 1990.

fear that the higher castes will continue to have their hold on State power and State apparatus.

Given the nature of polity, and the pressures that can be exerted by the representatives of ethnic groups, it can be assumed that the elected government will respond to their grievances, as part of the process of creating a just society, and thereby initiating a new basis for national integration with due recognition to the social, economic and political aspirations of the ethnically and culturally diverse population.

Chapter-VI

CONCLUSION

The Majority-Minority syndrome, a common element of conflict in most of the societies of modern nation states, is fast developing in Nepal too, with the advent of democracy there.

The questions regarding unequal opportunity for minorities are bound to come up in an ethnically plural society like Nepal. Officially, following a state policy based on Hinduism, the state of Nepal had tried to integrate its otherwise extremely diverse population. In this process, it was to an extent successful in maintaining ethnic harmony while preserving the monolithic character of this Himalayan Kingdom by its feudal autocratic rule that continued in Nepal till as late as 1990 with the exception of two brief interludes during 1951-55 and 1959-60. But as mentioned in the introductory chapter, homogenizing and integrating process often lead to ethnic conflict. Nepal with its immense cultural and linguistic diversity avoided such situation, largely due to lack of ethnic group mobilization

because of the tardy pace of social change and non-competitive character of polity and economy under an all powerful Monarchy. However, establishment of democracy in 1990 has changed the social and political scenario drastically in Nepal. With the political and economic structure becoming more open and competitive, there has been an evergrowing consciousness in ethnic and religious group identities, fraught with the tremendous potential of ethnic conflict that could well engulf Nepal in future if adequate attention is not given in this area.

Discussing 'Minority' as a term signifying the various attributes of ethnicity, Urmila Phadnis has talked about various kinds of 'minorities' such as 'religious, racial, linguistic, and regional minorities' which she thinks can be related to a majority-minority syndrome.¹ The pluralist society of Nepal has all the above mentioned minorities present in it. In the form of Buddhists and Muslims and other religions as religious minority, people of Mongoloid racial stock as racial minority, Tibeto-Burman and other non-Nepali language speaking people as linguistic minority and the people of Terai who largely differ from the hill

1 Urmila Phadnis, Ethnicity & Nation Building in South Asia (New Delhi, 1989).

people in terms of language and culture as the regional minority.

Due to centuries of Hindu rule, there has been a tendency of assimilating the followers of non-Hindu faith into Hinduism for achieving religious and cultural homogeneity. For this, a national caste system based on Hindu four-fold *varna* system was created, which stipulated a place for each of the ethnic groups in such caste divisions. And a Civil Code based on Hindu religious text was promulgated which specified the social status and functions, the violation of which was treated as an offence and was punished under the laws. And the punishment for an offence was determined by the caste rank of the offender and that of the victim. These policies resulted in what is known as Sanskritization (Hinduization) of all the non-Hindu groups, which accomplished the task of establishing a Hinduized social structure. However, the study reveals that there was considerable amount of resentment even among those communities that had nominally adopted Hinduism, against the enforcement of Brahmanic Hindu values. Thus, the synthesizing process of bringing the non-Hindus into the fold of Hindu ideals and practices, was never a painless one. And although the non-Hindu groups, came to deal with

the State, as the State defined them in the guise of castes, many ethnic groups or communities retained their ethnic identity. Sanskritization, as mentioned earlier, became only an imitative act limited to adulterating their outward lifestyle, but actually producing no real castewise social identity. There is no doubt that imitation has led to some adulteration by way of erosion of the language and culture of the ethnic groups but it has not led to the extinction of ethnicity or their original religious practices.²

In fact, despite imposition of caste identities on all the non-Hindu groups by the State, they are so strongly rooted to their original ethnic identity that all the major social groups from east to the far west are still defined ethnically rather than by caste and are referred to as Sherpa, Thakali, Tamang etc. etc. This also explains the strength and importance of diverse ethnic and religious character of the Nepalese society in contrast with the superficially imposed national caste system or the Hindu hierarchic social structure.

Signs of pan-tribalism raising its head against the

2 P.R. Sharma, "Caste, Social Mobility, and Sanskritization", Kailash 5(4), 1977, pp.277-300.

age-old Hindu socio-cultural dominance could be witnessed even in ^{this} authoritarian political system, under an all powerful monarchy. And with the establishment of multi-party democracy we can see the emergence of all kind of political forces under different banners like Nepal National People's Front, *Jana Jati* Party, and Mongol National Organization, which are challenging the age-old *Brahman-Chettri* domination and imposition of Brahmanic values on the non-Hindu groups. The basic demands of such organizations not only revolve around religion and language but are also concerned with economic and political rights. Thus one of the major tasks of the democratic government of Nepal will be to recognize the legitimate right of its ethnically diverse population to preservation and promotion of their language and culture. But if the state instead, tries to reimpose any variation of its old policies of 'Hinduization' under the pressure of the 'Pundits', supporting a nationwide extension of caste system to retain the so-called homogeneous character of the state, it would commit the blunder of inciting the explosive potential of ethnic conflict which might well engulf Nepal, if ignored for long, as pointed out earlier.

Coming to the specific problems of Buddhists and Muslims as religious minorities in Nepal, we have seen that

since 1000 A.D. Buddhism started declining as a predominant religion in Nepal as a result of the social status of the Buddhists getting eroded. This happened because the successive Hindu kings gave all patronage to the Hindu religion. With Hindus becoming socially and politically dominant with the state power behind them, the Buddhists had no option but to gradually accept the caste system and become an integral part of Hindu-Buddhist society that developed in Nepal. This was followed by a steady decline of the popularity of Buddhist faith discarding its earlier monastic institution. The Buddhists, under the influence of Hinduism adopted some kind of caste system which was earlier totally absent in their society. In an attempt to accommodate all the non-Hindu social groups inhabiting Nepal within the Hindu hierarchic social structure, the State clubbed all the Buddhist tribes under alcohol drinking 'Matwali' caste with a low social status. Due to their low social status, the Buddhists in Nepal got deprived of economic and political benefits. Besides a few successful traders in the high Himalayas, most Buddhist Mongolian tribes remained economically deprived. Since participation in the national polity was directly related to the high caste status and control of lands, we have seen that their

representation in the policy making bodies has been far less compared to the strength of their population.

In a repressive political system, Buddhists couldn't do much about the deliberate projection of themselves as a kind of sect within Hinduism. But as soon as certain liberal, democratic atmosphere was created, the Buddhists for the first time came out in the open in a massive demonstration, asserting their separate religious and cultural identity. They maintained that Buddhism was just not a branch of Hinduism and has an exclusive and distinct religious character. This effort in pointing out the differences between Hinduism and Buddhism and the emphasis on the fact that Buddhism in Nepal had throughout been suppressed, speaks volume about position of the religious minorities in Nepal. Till recently, these religious minorities were hesitant to speak about their separate religious identity different from that of the Hindus, and due to many socio-economic and political compulsions, they had to identify themselves with the majority community.

Similarly, the small proportion of Muslims in this Hindu kingdom had so far suppressed their aspirations of promoting their distinct religious and cultural identity. They had

quietly accepted their 'mlechcha' status which more or less made them 'untouchables' in the Hindu caste hierarchy. The Muslims even quietly accepted the discrimination showed by the orthodox Hindus who didn't allow the Muslim children to attend Nepali schools, considering them as the unclean people of the low caste. The Civil Code of 1963, abolished casteism and gave full freedom to all religious practices. However, this didn't change the low social status of the Muslims. All Hindus of all castes continued to consider Muslims as impure as they used to do before 1963. Another character of the Muslims in the Hindu Kingdom of Nepal was that they not only accepted their low social status but also adopted some of the Hindu rules of purity, while dealing with the 'untouchable' Hindus, by refusing to accept food and water from them. This is certainly a unique characteristic that the Muslims in the Hindu kingdom of Nepal have developed, unlike their brethren all over the world.

The advent of democracy also had a similar effect on the Muslim minority as in the case of Buddhists. So far remaining a non assertive minority, the Muslims have also now been induced by the open political environment of present day Nepal in making their presence felt. The

incident of Tulsipur in Dang district and its impact on the Muslims of neighbouring district of Banke, is indicative of the fact that there is a definite rise in the consciousness of group identity among the Muslims in Nepal. The concern of the religious minorities living in a Hindu-majority country where Hinduism is the state religion, became evident when the Muslims along with Buddhists and Christians came out in open to demand declaration of Nepal as a secular state. The Muslims also showed their intention of becoming an assertive minority group, when the Muslim service committee placed their demand of representation, in proportion to their population, in the constitutional organs and services.

As far as the state policies towards the ethnic and religious minorities are concerned, it can be said that the democratic government in Nepal in its attempt to breakaway from its historical legacy, in no uncertain terms acknowledges the cultural pluralism of Nepal and guarantees in its Constitution the right of every community "to preserve and promote its language, script and culture."³

3 P.R. Sharma, "How to Tend a Garden?", Himal, May-June 1992, pp.7-9.

While the new Constitution tries to improve upon the earlier basis of national integration, the government is yet to come out with definite policy and a new model for national integration. However, considering the administration's apathy in recognition of the aspirations of Nepal's multi-ethnic groups, the prospects of the minorities getting their long cherished cultural and political rights, do not look very bright. As the majority of Nepali Hindus, even today, is dominated by an outdated view of caste distinction, they would prefer as the basis of their national integration the earlier model of homogenization which shows little or no concern for the ethnic and cultural aspirations of the various minorities. The social composition of the democratically elected parliament of Nepal has also disappointed many as we find the continuation of the century-old *Brahmin-Chettri* domination, and inadequate representation of the Hill tribals in proportion to their respective populations. However, this being the first democratic Parliament, change may be expected gradually in the years to come.

Nevertheless, the advent of democracy and the victory of democratic ideas over a century-old powerful monarchy is in itself a great achievement for the politically conscious

minorities is a positive step towards establishing true democracy in Nepal. However, along with many ideas which have come from outside to influence Nepal, particularly the impact of Indian and European developments, we find that there is a stress on ethnic differences today rather than on similarities. The ideal way of dealing with this new trend would be to formulate policies, that would unite the nation based on the values of democracy, minority rights, equality and social justice. Any compromise on any of the above mentioned values might lead Nepal, a hitherto peaceful and tranquil kingdom, to the dangerous path of ethnic conflict which in the process, would only strengthen the hands of the forces of destabilization, so active in South Asia today.

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