

In view of the royal coup in Nepal, which seems to aim at replacing even the sort of “democracy” established in 1990 and returning the country to the days when the royal family ran the country as feudal Hindu gods, we publish below extracts from a paper by Krishna B. Bhattachan that was presented in an international seminar on “The Agenda of Transformation: Inclusion in Nepali democracy” in Kathmandu, Nepal on 24-26 April, 2003. The paper is revealing on the social- political- cultural- reasons that led to the present situation and argues in detail for a model of Inclusive Democracy in Nepal (not presented here).

## **Nepal: From absolute monarchy to “democracy” and back — The need for Inclusive Democracy**

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**Abstract:** This paper gives a picture of the forest of inclusive democracy in Nepal, which is in the preliminary process of making. The paper begins with an overview of what went wrong in the past and the present in a multi-caste/ethnic, multi-lingual, multi-religious and multi-cultural country, Nepal, as perceived by excluded groups/communities. It identifies that the main socio-cultural-political fault line in the past and the present, irrespective of political systems, is the ideology, policy and practice of Bahunbad (Brahmanism). The main playing fields of Bahunbad discussed in the paper include caste/ethnicity, language, religion, culture, gender and region. This paper analyzes demands made by different excluded groups/communities, including indigenous nationalities, Dalit, Madhesi Hindus and Muslims, women, mother tongue speakers and non-Hindu religious groups, to create a just, equitable and democratic Nepalese society and also to bring positive peace in Nepal. The paper analyzes in detail mechanisms to include excluded groups/communities with focus on interconnection of federalism, proportional representation, autonomy based on caste/ethnicity, language and region and special measures or affirmative action or positive discrimination —remedial and preferential. Grassroots democracy as practiced by some indigenous nationalities is also discussed. It is attempted to clarify that these mechanisms neither result in nor encourage disintegration of the country and communal violence, as perceived by Bahunbadis. On the contrary, these are indeed desperately needed to avoid any such misfortune in the days to come by maintaining minimal unity in highly diversified society. Also, the means to this end is also discussed with suggestion to trash reformist agenda by advocating for rights-based movement blended with revolutionary or radical transformation through roundtable conference, right to self-determination, public propositions and referendum and constituent assembly to rewrite the constitution and to practice inclusive democracy. This paper concludes with a message that any other model of democracy, except inclusive, in

Nepal would continue to breed insurgency based on caste/ethnicity, language, religion and region and the best way to avoid them is inclusive democracy as suggested.

## INTRODUCTION

Claim of democracy by any type of political regime does not make it democratic. Similarly, claim of being democrat by anyone does not make him/her democrat. In Nepal both partyless Panchayat political system and multi-party political system have claimed themselves to be democratic. In practice, however, both were exclusionary political systems. If we use any principle of democracy as a litmus test in Nepal, it is not difficult to any one to see that Nepal has no democracy since 1769. Whatever "democracy we had during 1959-60 and from 1990-2002 was "exclusionary democracy." Since October 4, 2002 we have no democracy as we are governed by "direct rule" of the King. Currently democracy is at "ground zero" level. In the context of the proposed dialogue between His Majesty's Government of Nepal and Maoist insurgents, it is a right time to engage in a discourse on "expected model of democracy" by all concerned groups.

I will first clarify two key concepts: "democracy" and "inclusive democracy."

### ***Concept of "democracy"***

"Democracy" means different things to different countries, different scholars, different groups and different individuals. Beetham et al. (2002:11) write, These are the principles that democrats in all times and places have struggled for:

to make popular control over public decisions both more effective and more inclusive;

to remove an elite monopoly over decision-making and its benefits; and

to overcome obstacles, such as those of gender, ethnicity, religion, language, class, wealth, etc., to the equal exercise of citizenship rights.

Democracy is thus not an all-or-nothing affair, but a matter of degree – of the degree to which the people can exercise a controlling influence over public policy and policy-makers, enjoy equal treatment at their hands, and have their voices heard equally.

Drawing ideas from Arend Lijphart, Wolf Linder (1998:168) has cited nine clusters of democratic regimes: (1) majoritarian federalist structure and political process, (2) majoritarian federalist structure with intermediate political process, (3) majoritarian federalist structure with consensual political process, (4) intermediate federalist structure with majoritarian political process, (5) intermediate federalist structure with intermediate political process, (6) intermediate federalist structure with consensual political process, (7) consensual federalist structure with majoritarian political process, (8) consensual federalist structure with intermediate political process, and (9) consensual federalist structure with consensual political process. Lijphart dichotomize between the Majoritarian (Westminster) model and the Consensus model of democracy (Linder 1998:166-167).

Political sociologist David Held (1987) has identified nine models of democracy: (1) classical democracy, (2) protective democracy, (3) developmental democracy, (4) direct democracy, (5) competitive elitist democracy, (6) Pluralism, (7) legal democracy, (8) participatory democracy and (9) democratic autonomy.

I define "democracy" as a political process in which people are fully sovereign and diverse groups of people cooperate among themselves in a participatory way for their common good. Thus, democracy means elimination of hegemony or domination of caste, language, religion, culture, sex, region and class. Also, it is not a melting pot and over centralization of power and authority. On the contrary it is a respect towards pluralism or diversity and decentralization or devolution of power and authority through ethnic autonomy and right to self-determination.

### ***Concept of 'inclusive democracy'***

Debate on 'inclusive democracy is one of the recent phenomena. Takis Fotopoulos finds democracy is incompatible with concentration of power. He writes, "Inclusive democracy is a new conception of democracy, which, using as a starting point the classical definition of it, expresses democracy in terms of direct political democracy, economic democracy (beyond the confines of the market economy and state planning), as well as democracy in the social realm and ecological democracy" (Fotopoulos 2001). He further writes, "an inclusive democracy, which involves the equal distribution of power at all levels, is seen not as a utopia (in the negative sense of the word) but as perhaps the only way out of the present crisis."

According to the Human Development Report 2000, the concept of "inclusive democracy" allows distribution of political power to minorities and guarantees full participation by all citizens. Winston Churchill's widely quoted saying, "Government of the people, by the people, for the people" itself is a definition of inclusive democracy if we focus on the word by rather than of and for.

According to Fotopoulos (2001) inclusive democracy "involves the equal distribution of power at all levels, is seen not as a utopia (in the negative sense of the word) but as perhaps the only way out of the present crisis." In the context of Nepal, inclusive democracy means sharing of power and authority by all caste/ethnic, gender, linguistic, religious, cultural and regional groups through caste/ethnic, linguistic and regional autonomy and sub-autonomy, proportional representation and special measures under a federal structure of government by using the processes of round table conference, right to self-determination, referendum and constituent assembly.

## **CONTEXT OF A NEED FOR INCLUSIVE DEMOCRACY**

In this section, I will first give an overview of what went wrong in the past and the present in a multi-caste/ethnic, multi-lingual, multi-religious and multi-cultural country, Nepal, as perceived by excluded groups/communities. Then I will discuss the main playing fields of Bahunbad and list the demands made by different excluded groups/communities.

### ***Overview of what went wrong in the past and the present***

There has always been 'a tug of war' between 'unity' and 'diversity' at different levels — global to local or vice versa. At the global level, the process of colonization and modernization in the past and the current on-going process globalization are indeed part of the process of homogenization putting the West at the center. It continues to be well entrenched in the forts of social sciences and developmental practices. However, the wave of post-modernism and mounting assertion for respect of diversity has now challenged and is in the process of de-construction such old paradigm. Rajendra Pradhan has noted, "One global tendency has been for nation states to move towards homogeneity of cultures and the erasure of differences, either by assimilation into the dominant culture (the 'melting-pot' of the United States), or 'disappearing' the minority community through 'ethnic cleansing' (Nazi Germany, or the Hutu-Tutsi conflict of Rwanda), or partition based on differences, whether of religion (India-Pakistan) or ethnicity (the Balkans)" (Pradhan 2003:18).

In the case of Nepal, intensifying processes of westernization and marketization have marginalized indigenous and traditional institutions, culture and practices. The main socio-cultural-political fault line in the past and the present, irrespective of political systems, is the ideology, policy and practice of Bahunbad (Brahmanism). I define Bahunbad as an ideology, policy and practice of domination of one caste (Bahun-Chhetri), one religion (Hindu), one language (Khasa-Nepali), one culture (Hindu), one region (the Kathmandu Valley), and one sex (male) over others. Other noteworthy fault lines are as follows:

The stated policy of King Prithvinarayan Shaha to make Nepal a true "Hindustan" ("Hindu's country");

Restructuring of four fold caste hierarchy and inclusion of indigenous nationalities third in the hierarchy as Matawali ("liquor drinking caste") by the National Code of 1854;

Campaign of domination of one caste (Bahun-Chhetri), one religion (Hindu), one culture (Hindu), one language (Khasa-Nepali) and one dress (Daura-Suruwal and Sari) during 30 years of partyless Panchayat rule; and

Declaration of the Hindu State and Khasa-Nepali as the only official language of Nepal by the "democratic" constitution of the Kingdom of Nepal promulgated in 1990, and more recently Supreme Court's decision that mother tongues can not be used as an additional official language by the local bodies, namely District Development Committees (DDCs), municipalities and Village Development Committees (VDCs).

### ***The main playing fields of Bahunbad***

The main playing fields of Bahunbad include caste/ethnicity, language, religion, culture, gender and region.

Indigenous Nationalities are against Bahunism (Brahmanism), Hinduization or Nepalization or melting pot or homogenization, domination of Hindu religion, imposition of Nepali as the only official language and lingua franca, displacement from traditional homeland, under-representation in decision-making positions in government—executive, legislature and judiciary, marginalization in the public sphere, and doctored census data.

Dalits are against Brahmanism, untouchability or restriction in public places or denial or

prohibition of certain acts and practices, access to common property resources, services, entry, participation in socio-cultural sphere; discrimination in occupations, educational institutions, political rights, government policies and programs, donor's supported development programs; forced labor; domination; atrocities; overburden of Dalit women on the bases of caste and gender; and doctored census data.

Mother tongue speakers are against unequal constitutional provisions, discrimination between nation's language (Khasa/Nepali) and national languages (mother tongues), restrictive clause concerning the use of mother tongues in education beyond grade five, compulsory Sanskrit curriculum at the schools, transmission of news in Sanskrit language, Sanskrit university, Supreme Court's ruling prohibiting the use of mother tongues at the local bodies, and doctored census data.

Non-Hindus are against Hinduism as the state religion, Hindu's view that Buddhism is a part of Hinduism and Buddha is the ninth incarnation of Lord Vishnu, Buddhism belongs of Omkar family, recognition of the Siva Sena ("Lord Siva's Army") as a registered political party, direct or indirect harassment against non-Hindus, and doctored census data.

Madhesis are against Hill people's domination, Khasa-Brahmanism, hegemony of Nepali language, discrimination from army, mandatory national uniform, and the state's treatment as second-class citizen.

Women are against All forms of gender-based discrimination, patriarchy, male chauvinism, violence against girl/women and media's portrayal of women as a commodity.

### ***Demands made by different excluded groups/communities***

The demands made by different excluded groups/communities, including indigenous nationalities, Dalit, Madhesi Hindus and Muslims, women, mother tongue speakers and non-Hindu religious groups, are primarily aimed to create a just, equitable and democratic Nepalese society and also to bring positive peace in Nepal (for detail about the nature and forms of racial discrimination see Malla and Biswakarma 2002).

The main demands of different groups are as follows:

Indigenous nationalities have demanded for creation of society as a “salad bowl” or “rainbow culture,” secular state, equal language status, right to self-determination or ethnic autonomy or proportional representation or federal government based on ethnicity, language and region, right to land, forest, water and pasture, affirmative action or positive discrimination (both remedial and preferential), transformation of the Upper House (the National Assembly) as the House of the Nationalities, native title to land resources, depoliticization of the Foundation for Development of Indigenous Nationalities, protection and promotion of intangible cultural heritage, customary rights, mainstreaming indigenous nationalities and other minorities, and collection of accurate census data.

Dalits have demanded for elimination of practices of all forms of caste-based untouchability, severe punishment to those who practice caste-based untouchability, secular state, free access to public space, affirmative action or positive discrimination (both remedial and preferential) in political positions, education, employment; present Dalit Bill in the Parliament; modernization of traditional occupations; and collection of accurate

census data.

Mother tongue speakers have demanded for 3 language policy (mother tongue, any other mother tongue and any international language), constitutional and legal equality, unrestricted use in government offices, courts, educational institutions, media and local bodies, implementation of the recommendations made by the National Language Policy Recommendation Commission headed by Poet Bairagi Kainla, endorsement of the National Declaration of Mother Tongue Speakers, 2001, and collection of accurate true census data.

Non-Hindus have demanded for separate identity of religions, religious harmony, secularism, constitutional and legal equality, affirmative action or positive discrimination (both remedial and preferential), and collection of accurate census data.

Madhesis have demanded for distribution of citizenship certificates to those Madhesis who have been deprived from it, secular state, regional federalism, employment opportunity in Nepal army, equality of languages, and affirmative action or positive discrimination (both remedial and preferential).

Women have demanded for gender equity and equality, sincere implementation of CEDAW, equal rights on parental property, right to one's own body, affirmative action or positive discrimination (both remedial and preferential), access to and control over, and benefits from, resources, stop violence against women, representation in decision-making positions, and collection of gender disaggregated data.

All these demands are real demands made by organized movements of respective groups. Therefore, a million dollar question is how to fulfill these aspirations in a peaceful and amicable way.

John McGarry and Brendan O'Leary (1993) have suggested 'hegemonic control' and partition and/or secession (self-determination) as two ways to eliminate or manage ethnic differences. It is for sure that neither 'hegemonic control' of one caste, language, religion, culture, region and sex group can no longer work nor self-determination with partition and/or secession would work in Nepal.

Sammy Smootha and Theodor Hanf (1992) have suggested four strategies of conflict-regulations, namely, (1) partition, (2) ethnic democracy, (3) consociational democracy, and (4) liberal democracy. Out of these four strategies, ethnic democracy and consociational democracy could be considered closer to inclusive democracy. Consensus model of democracy suggested by Arend Lijphart is even closer to inclusive democracy.