

# Social Inclusion/Exclusion: Policy Discourse in Nepal



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**Abstract** The concept of social inclusion/exclusion originated initially in the North Europe and gradually spread to the South and from there has become a pressing national issue in Nepal for the last two decades. This issue has been vibrantly raised by the indigenous peoples (*adibashi janajati*), Tarai peoples (*madhesi*) and occupational caste groups (*dalits*) who are historically excluded from the mainstream social and political life and deprived off the social services. It is a fact that the poverty induced by the social exclusion became the key factor of Maoist insurgency for the last 10 years in Nepal. In response to the ongoing social movement of the excluded groups, the Nepal government has made promises and plans to make Nepali society and state inclusive. Their promises and plans have been articulated in the constitution, with various national laws, policies, national plans and development programs. Social inclusion and exclusion are also prominent in political debates, academic discourse and media coverage, and day to day rhetoric of general public. Yet, social inclusion/exclusion still remains an unresolved issue in Nepal. In this paper, I argue that social inclusion/exclusion is deeply rooted in the structural history of Nepal that encompasses multi-dimensional factors. Therefore, a critical analysis and deeper understanding of Nepal's structural history, respect and recognition of social diversity as well as group identities and meaningful representation of the excluded groups in the state politics are key ways to make Nepal an inclusive society and a state.

## Introduction

The notion of social exclusion developed first by Rene Lenoir (1974) in France to address a wide range of social and economic problems of mentally and physically handicapped, suicidal people, aged invalids, abused children, substance abusers, delinquents, single partners, multi-problem households, marginal, asocial persons and other social misfits has now been widely used in other parts of Europe, North America and Asia to examine its multiple effects on social, political and economic

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life of historically marginalized and socially disadvantaged groups (Silver 2007). In South Asian societies, the discourse on social exclusion/inclusion has quite a distinct form and meaning (Toffin 2014), as it results from the structural basis of caste, ethnicity and gender. The social and cultural system that still prevails in South Asian societies for centuries excludes historically marginalized and socially disadvantaged communities and restricts them from their access to political rights, public information, social opportunities and public resources, resulting in poverty and powerlessness and eroding their collective identity and self-respects. It also reduces their capabilities to achieve their individual or collective goals (Sen 2007; Pfaff-Czarnecka et al. 2009). In short, social exclusion has multiple effects on various aspects of socio-cultural life of marginalized and disadvantaged communities with political and economic ramifications (Gurung 2007).

In Nepal, social exclusion is an alien concept. Although *adibashi janajati* (indigenous peoples), *madhesi* (Tarai peoples), *dalits* (occupational caste groups), Muslims and other marginalized communities have been experiencing the effects of social exclusion for centuries, the concept itself was not in use in Nepal until the beginning of the twenty-first century. It was only in 2001 that the concept of social exclusion was first introduced publicly by the international aid agencies, such as the World Bank, DFID, UNDP, European Union and ILO in their donor group meeting held in London (Bhattachan 2009). Later this concept was introduced by the Government of Nepal in their development plans, policies and programs. The tenth plan, also called Poverty Reduction Strategy Paper (PRSP), adopted social inclusion as one of the four pillars of socio-economic development in 2003. After its adoption in the tenth plan, the concept of social exclusion and inclusion has gained much attention in the development organizations as well as in public debate and academic discourse. It is particularly after *janaandolan* II of 2062/062 (April uprising of 2006) that social exclusion has become a pressing national issue in the political arena of Nepal. Since then, this issue has been vibrantly raised by the *adibashi janajati*, *madhesi*, *dalits*, women and other minorities who are historically excluded from the mainstream social and political life and deprived off the social benefits.

Social exclusion is an impediment of human development and one of the root causes of Maoist insurgency for the last 10 years in Nepal. In order to retrieve the marginalized and disadvantaged groups from exclusion and deprivation, Nepal government has made promises and plans to make Nepal as an inclusive society and a state. Their promises and plans have been articulated in the constitutions, with various national laws, policies, national plans and development programs of Nepal government, as well as other NGOs/INGOs. Social inclusion and exclusion are also prominent in poetical debates, academic research, media coverage and public discourse. Yet, social exclusion still remains an unresolved issue in Nepal. In this paper, I argue that despite these promises and plans made by the government and other development organizations and various measures taken by them, social exclusion is a persisting issue in Nepal, for this issue is deeply rooted in the social structure of Nepal. So it is my assertion that while a critical analysis and deeper understanding of the social structure of Nepal is essential to understand the issue of social exclusion, the respect and recognition of social diversity, group identities and meaningful

representation of the excluded groups in the state politics are the key ways to make Nepal an inclusive society and a state.

## Social Structure and Social Exclusion

Nepal is a multi-nation state. It is diverse in terms of caste/ethnicity, language and religion. It consists of more than 125 caste and ethnic communities, 123 language groups and 5 major religious communities (CBS 2011). These ethnic groups are broadly divided into six major social groups (*adibashi janajati*, Bahun/Chhetri, *madhesis*, *dalits*, Muslim and others) and they are further divided into 11 subgroups (Hill *janajati*, Tarai *janajati* and Newars, Hill Bahun/Chhetri, Tarai Bahun/Chhetris, and Tarai other caste groups, Hill *dalits* and Tarai *dalits*). But these social groups are organized on the basis of caste hierarchy with Bahun at the apex and *dalits* at the bottom of social structure. According to the caste hierarchy, even non-Hindu indigenous peoples are put at the middle of the caste strata. The hierarchical stratification has polarized social groups into pure and impure as well as superior and inferior. According to this polarization, Hindu Bahun and Chhetris have an ascribed status of pure and superior whereas the indigenous peoples, Hindu *dalits* and Muslims, are considered to be impure and inferior. The social polarization has also given birth to the concept of core Bahuns and Chhetris and periphery *dalits* and indigenous peoples. Thus, the social stratification based on caste hierarchy has become the characteristic feature of Nepali society ever since the formation of Nepal as a modern political nation state at the middle of the eighteenth century through the military conquest of Prithivi Narayan Shah. Since then, Nepal has remained a mono-nation state with Hinduization as the *raison d'être* of the Nepali state with its national identity deeply rooted in the image of *parbate* Hindu Bahun and Chhetris and their Hindu religion and *Khasa Nepali* language (Gurung 2005). *Muluki Ain* (National Legal Code) of 1854 A. D. provided legal recognition to the social division based on caste hierarchy that prohibited indigenous peoples, *dalits*, Muslims and women not only from their participation in their ritual life but also from social and political life. Although the caste system was abolished by the *Muluki Ain* of 1960 and the present constitution confers equal rights to all citizens irrespective of their caste/ethnicity, sex, class and religion, caste system as an ideology and a practice still prevails in the Nepali society.

Caste system in Nepal has distinctive features of exclusion, discrimination and domination. Indigenous peoples of Nepal experienced social exclusion, cultural discrimination and political domination during all successive periods of Hindu regime. It was particularly during the *panchayat* regime (1960–1990) that indigenous peoples experienced new forms of exclusion, discrimination and domination. During the *panchayat* regime headed directly by the absolute monarchy, the state adopted a monolithic policy of one nation, one language, one religion, one culture and one national identity to attain a new project of national integration. Rather than recognizing and respecting cultural pluralism, the state policy of Hinduization and ethnic homogenization provided Hindu Bahuns, Chhetris and a few urban Newar

elites with an opportunity to dominate the national polity and excluded indigenous peoples and other marginalized groups from the national politics. This threatened the identity of indigenous peoples and severely constrained them to practice and promote their community language, cultural tradition and religion (Gurung 2012). Indigenous peoples have been struggling against the state-induced exclusion, discrimination and domination for a long time. Limbu revolt of Pallo Kirant against language suppression (1777 and 1780), Tamang revolt of Nuwakot (1793), Khambu revolt of Bhojpur (1808), Gurung revolt of Lmjung (1858 and 1877), Magar revolt of Gorkha (1876), Dasai boycott of Rais and Limbus in Dhankutta (1867), language revolt of Newar (1926), the Newar revolt against the exile of Lama and monks from Patan and Kathmandu (1925 and 1927), Kirant insurgency of eastern hills (1950), Tamang revolt of Dhading and Nuwakot (1951), Kirant revolt against the abolition of *kipat*<sup>1</sup> land in eastern hills (1964), Chepang revolt of Chitwan (1971), and Newar *Vintuna* movement of Kathmandu (1980) are among notable unrests against social exclusion, cultural discrimination and political domination of the Hindu rulers. But all these revolts did not develop in a very expressive manner due to state suppression through coercive measures. These revolts thus failed to make any impressive impacts among excluded communities and went unrecorded in the social and political history of Nepal. However, these revolts provide useful references that inspire the social and political movement of indigenous peoples of Nepal.

The establishment of multi-party democracy in 1990 provided indigenous peoples and other excluded groups with an opportunity to articulate their pains of historical injustice and long-standing grievances. For the first time, the new constitution of Nepal in 1991 recognizes Nepal as a multi-cultural society. Compared to the constitution of *panchayat* regime, the Constitution of 1991 looked relatively progressive. For the first time, Nepali people enjoyed political rights even in its limited form. As a result, indigenous peoples and other disadvantaged communities became assertive in an organized form for their political and cultural rights and collective identity. Indigenous peoples took advantage of parliamentary democracy to raise their organized voice through their umbrella organization, Nepal Federation of Indigenous Nationalities (NEFIN), for their primordial identity through the protection and promotion of their culture, language and religion. Indigenous peoples also began to openly challenge the cultural discrimination, social exclusion and political domination of Hindu rulers. They also protested against Nepal's official designation of Hindu kingdom and *Khasa Nepali* as official *lingua franca* and demanded for a secular state and multi-language policy. The UN Declaration of the World Indigenous Year in 1992 and International Decade of the World Indigenous People (1995–2004) in 1994 reinforced the indigenous movement of Nepal for their identity assertion and cultural rights (Gurung 2013).

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<sup>1</sup>A *kipat* is a communal form of land tenure system prevalent among the Rais, Limbus and many other indigenous communities of east and west Nepal. Under this system land resources are held collectively by the communities and distributed to the family concerned according to their requirements.

The strength of indigenous peoples' identity movement collectively exerted great pressure to the government to form a task force led by Prof. Shant Bahahdur Gurung to prepare a report on the establishment of National Foundation for the Development of Indigenous Nationalities (NEFDIN) in 1996. While drafting the report of NEFDIN, the task force prepared a list of 61 indigenous peoples and submitted to the government for official recognition. The then government officially recognized 59 of the 61 indigenous peoples with distinct identity on the basis of their shared history (written or oral), shared culture, shared language, common ancestors (real or mythical), common lands and territories, subsistence economy, egalitarian types of social structure, adoption of non-Hindu norms and values, and their exclusion and/or non-participation and non-representation in the national polity and state mechanism.

Ironically, the multi-party democratic system neither met the expectations and aspirations of indigenous peoples nor did they address the grievances of marginalized and other excluded groups. The declaration of Nepal as a Hindu kingdom legally prohibited indigenous peoples and other religious minorities from practicing their religions. Similarly, the designation of *Khasa Nepali* language as the language of nation and a language of official business certainly discouraged the protection and promotion of various languages of indigenous peoples and other language speaking groups. The political situation did not improve after the multi-party democracy in 1991. Peoples were left with bitter experiences from the flow of corruption, administrative carelessness, impunity and criminal activities. The government failed to agree with the needs of people, establish law and order and provide public security. Poorer became poorer. As a result, frustration was rampant. Maoist exploited the deteriorating political situation and started their armed struggle on the one hand, and King Gyanendra took undue advantage of it on the other. The king dismissed elected government of Sher Bahadur Deuba in October 2002 charging him as an incompetent Prime Minister and he dissolved the parliament on May 2003. On February 1, 2005, he took all political and administrative power at his hands and ruled the country directly by himself. He declared the state of emergency, suspended all political and human rights, arrested all political leaders and put them under his political surveillance. The king's direct rule was a great setback to the multi-party parliamentary democracy.

Realizing the political chaos in the country, seven political parties agreed to form an alliance to restore democracy by reinstating the dissolved parliament as the first entry point and holding the election of constituent assembly as an exit point for resolving the ongoing conflict and establishing peace (Up्रेत्य 2006: 344). This necessitated the Seven Party Alliance (SPA) to sign a 12-point understanding with CPN (Maoist) in December 2006. The major thrust of this understanding was to establish peace through overthrowing the absolute monarchy and reestablishing democracy. Through the 12-point understanding, the political parties called upon civil society, professional organizations, various wings of political parties, media, human right activists, intellectuals and people from all sectors of the society to actively participate in the peaceful democratic movement. Indigenous peoples took active participation in democratic movement popularly known as *dorso janaandolan* (Peoples' Movement II), as this provided them with an opportunity to push their political agendas of identity-based

inclusive federal states, rights to self-determination, autonomy, proportional representation, reservation and cultural rights to the SPA for their recognition.

The *janaandolan* II which lasted for 19 days forced the king to relinquish his power on April 24, 2006. The dissolved parliament was reinstated, and the first meeting of the reinstated parliament unanimously adopted the resolution declaring Nepal as a secular state. This ended at least in principle, the hegemony of Hindu religion and paved the way for multi-culturalism. The ruling coalition formed interim government, which in turn drafted an interim constitution ensuring the restructuring of the state to eliminate all forms of discrimination and historical injustice. The interim constitution also fixed the date of the election of constituent assembly. The government and the Maoist signed a 21-point comprehensive peace accord on November 21, 2006. The Maoist joined the reinstated parliament in January 2007 and the interim government in April of the same year. The Maoist combatants were put in cantonments and their weapons were deposited in the containers under the supervision of United Nations Mission in Nepal (UNMIN). Thus, the *janaandolan* II ended not only age-old autocracy, it also ended the decade-long Maoist-armed conflict.

The post-democratic period also did not prove very productive to indigenous peoples and other excluded communities. The major task of the interim government was to hold the election of constituent assembly, restructure the state and establish peace in the country. But the ruling political parties did not work seriously and honestly to complete their task. Though looked progressive in many respect, the interim constitution also did not address many of the political demands of indigenous and *Mahesh* peoples. The constitution did not fully meet the expectations and aspirations of indigenous peoples. So, the indigenous peoples started their street agitation. At the same time, *madhesi* peoples also did not accept the various provisions of interim constitution. As a result, they started uninterrupted agitation in many districts of Tarai Madhesh demanding federal system in Nepal. The street agitation of indigenous peoples in Kathmandu and *madhesi* peoples in Tarai districts exerted great pressure to the interim government and as a result, the then Prime Minister Girija Prasad Koirala declared the federal political system in Nepal on January 2007 to pacify the unrest of indigenous and *madhesi* peoples. In order to address the demands of indigenous peoples, the government signed a 20-point agreement on August 7, 2007. The first three points of the agreement are directly related to the electoral system and the fourth point is related to the state restructuring by which the government agreed to restructure the state on the basis of ethnicity, language and geographical regions. This is the first agreement of indigenous peoples with the government dominated by the so-called Hindu high caste groups on an equal footing. It was the major achievement of indigenous movement in the political history of Nepal.

## State Society Relations

Indigenous peoples, *madhesi*, *dalits* and other marginalized groups, constitute the major part of Nepali society. Combined together, they constitute more than 70% of

the total population of Nepal. They pay various kinds of taxes and provide goods and services to the state government. But they are still not behaved as a sovereign people of Nepal. Despite the constitutional provision of an equal citizen, they are not treated as equal citizens. Their participation in the national polity and their representation in policy-making bodies as well as state mechanism from 1990 to 1999 show their under-representation. This clearly indicates that their social relation with the state is not only asymmetrical but also unequal. If we look at the government record of representation from indigenous peoples in parliament, judiciary, governance and civil services from 1990 to 1999, political and administration seats are not equally distributed among various social groups. For example, Hill Bahuns and Chhetris who constitute only 30.5% of the total population had 55.16% seats in 1991, 62.9% in 1994 and 59.5% seats in 1999 in the parliament, whereas indigenous peoples who constituted 37.2% of the total population has 25.2% seats in 1991, 18.8% in 1994 and 18.4% in 1999 in the parliament (Neupane 2000). Similar is the case with the *madhesi* and *dalits*. In civil and military services, gazetted civil service posts seem virtually the fiefdom of Bahuns, Chhetris and Thakuris. In civil service, *adibashi janajati* occupy only 2.3% of the total positions. Indigenous peoples and other marginalized communities are not represented even in local government and civil society organizations. Based on National Census (2001), Nepal Living Standard Survey (NLSS 2003/04), Demographic and Health Survey (DHS 2006), Lynn Bennett and Dilip Parajuli (2011) measured the multi-dimensional social exclusion index of 80 caste/ethnic groups examining the economic dimension (poverty in terms of food consumption), social dimension (health and education, such as child malnutrition, clean drinking water and sanitation, average height, literacy rate) and political and/or influence/agency dimension (access to influencing people, such as legislator, administrators or professionals) and they found that only 9 of the 80 caste/ethnic communities (Marwadi, Newars, Kayastha, Thakali, Hill and Tarai Brahmans, Bangali, Rajput and Dhimal) are highly included groups whereas Chepang, Tamang, Raute, Kususnda, Pahari, Kumal, Sunuwar, Thami and Majhi from among *hill janajati*, Kushwadia, Danuwar, Raji, Kisan and Meche from among *Tarai janajati*, Kami, Damai, Sarki, Badi and Gaine from among *hill dalit*, Mushahar, Chamar, Pasawan, Khatwe, Dhobi, Dom/Halkhor, Tatma, Banter and Chidimar from among *Tarai dalit*, Lodha, Bin/Binda, Kahar, Lohar, Nuniya and Mallah from among *madhesi* other caste groups (OBC) and Churaute from among hill Muslims are highly excluded communities. The situation for women is highly variable as we move across different cultural groups (Holmberg and Gurung 2014).

## Multi-dimensional Exclusion Index

Highly included	Highly excluded
Rajput	Chepang-Raji-Raute-Kusunda Khatwe
Dhimal	Danuwar
Bangali-Punjabi-Jain	Kahar
Tarai Brahmin	Tamang
Hill Brahmin	Dhobi
Newar	Thami
Kayastha	Lohar
Thakali	Dom-Halkhor
Marwadi	Badi-Gaine
	Sunuwar
	Muslim-Churaute
	Chidimar
	Nuniya
	Bantar
	Khatwe
	Danuwar
	Bin/Binda
	Musahar
	Chamar-Harijan
	Dusadh-Pasawan
	Pahari
	Kami
	Lodha
	Damai-Dholi
	Sarki
	Mallah

*Note* Multi-dimensional social exclusion index adopted from Bennett and Parajuli (2013)

Further to their studies, Central Department of Sociology/Anthropology (CDSA) of Tribhuvan University conducted a Social Inclusion Survey Study of 97 social groups with an objective to generate knowledge about the state of affairs to examine the nature, extent and causes of social exclusion of different social groups and individuals and to identify ways for promoting social inclusion. For that they measured six major dimensions; social dimension (health and education), political dimension (participation in the public life and decision-making processes, representation in policy-making bodies, full enjoyment of human rights, increased voice and agency, political awareness, political empowerment), gender dimension (access to public services, primary educational health opportunities, economic autonomy, participation and decision-making in public life and sexuality or control over body and gender-based violence), cultural dimension (respecting the dignity of others, respecting the differences of language, culture and religion, customary politics, education in mother language, recognizing the collective identity and group solidarity), discrimination dimension (caste-based discrimination, denial to public places, denial of entry to religious places, exploitation of goods and services, respect and recognition



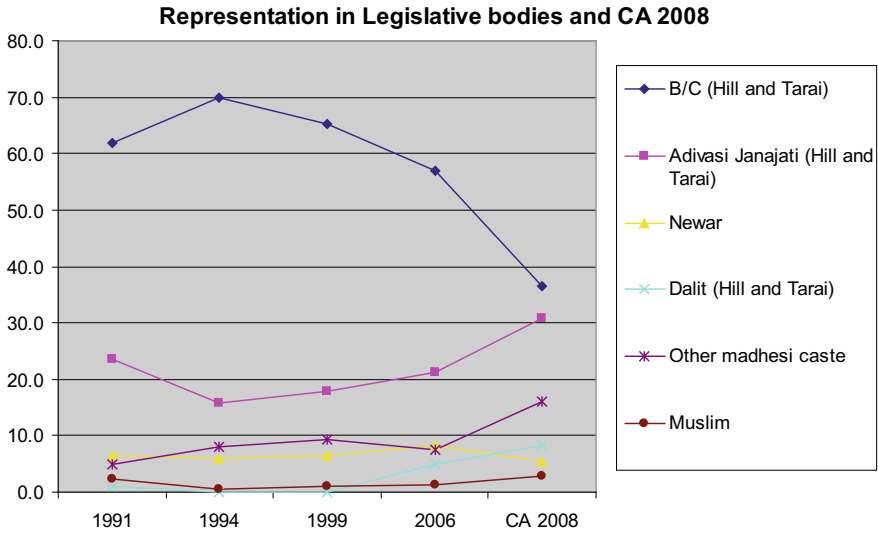
to identity) and social solidarity dimension (human dignity and respect, absence of discrimination, etc.). Contrary to the previous research, the Nepal Multidimensional Social Inclusion Index (2014) finds slight changes in the status of exclusion of the marginalized communities. This means, in some dimensions previously, most excluded communities like *dalits* are now most included. For example, *dalits* such as Damai, Badi, Sarki, Gaine, Sonar are now highly included communities in cultural and gender dimensions. Despite the fact that the composite index of the 97 communities shows the linear trend of exclusion of *adibashi janajati*, *madhesis*, *dalits* and Muslims. For example, Kayastha, Hill Bahuns, Thakuris, Rajputs, Tarai Bahuns, Chhetris, Sanyasis and Marwadis are the most included social groups. With the exception of Thakalis and Newars, the Mushhar, Dom, Khatwe, Kushwadiya, Tatma, Dushad/Pasawan, Halkhor, Chamar/Harijan, Bin/Binda and Kami are the most excluded groups (Das et al. 2014). Tables 1 and 2 show the status of social inclusion/exclusion of the studied communities in each dimension.

**Table 1** Status of social inclusion/exclusion: top ten and bottom ten social groups

Dimension index	Top ten social group	Bottom ten social group
Social dimension	Thakali, Newars, Marwadi, Hill Bahuns, Kayastha, Gurung, Chhantel, Dura, Rajput	Dom, Mushahar, Bin/Binda, Chidimar, Nuniya, Dhunia, Chamar/Harijan, Khatwe, Mallah, Lodha
Economic dimension	Thakali, Marwadi, Kayastha, Tarai Bahuns, Rajput, Newars, Hill Bahuns, Baniya, Punjabi/Sikh, Yadav	Mushahar, Dushdh/Pasawan, Kushwadiya, Raji, Bin/Binda, Khatwe, Chidimar, Nuniya, Kisan
Political dimension	Kayastha, Rajput, Tarai Bahuns, Sudhi, Thakuri, Newars, Yadav, Marwadi	Raute, Kushwadiya, Chepang, Bantar, Nurang, Lodha, Munda, Thami, Santhal, Lapcha
Cultural dimension	Thakuri, Damai, Sanyasi, Chhetri, Badi, Sarki, Hill Brahmans, Gaine, Sonar, Teli	Chepang, Jirel, Lapcha, Raute, Dura, Dhangar, Bhote, Yakkha, Pahari
Gender dimension	Walung, Badi, Lapcha, Yakkha, Punjabi, Thakali, Byansi, Gurung and Rai	Tatma, Kamar, Kewat, Bin/Binda, Chamar, Kurmi, Rajbhar, Bhadae and Dhanuk
Social solidarity	Hyalmo, Kayastha, Chepang, Hill Bahuns, Hayu, Dhimal, Punjabi, Meche, Thakuri	Sarki, Dom, Mushhar, Kami, Halkhor, Tatma, Gaine, Damai, Dushadh/Pasawan, Khatwe

**Table 2** Composite social inclusion/exclusion index

Composite social inclusion index	Top ten	Bottom ten
	Kayastha, Hill Bahuns, Thakali, Thakuri, Newars, Rajputs, Tarai Bahuns, Chhetri, Sanyasi, Marwadi	Mushhar, Dom, Khatwe, Kushwadiya, Tatma, Dushad/Pasawan, Halkhor, Chamar/Harijan, Bin/Binda and Kami

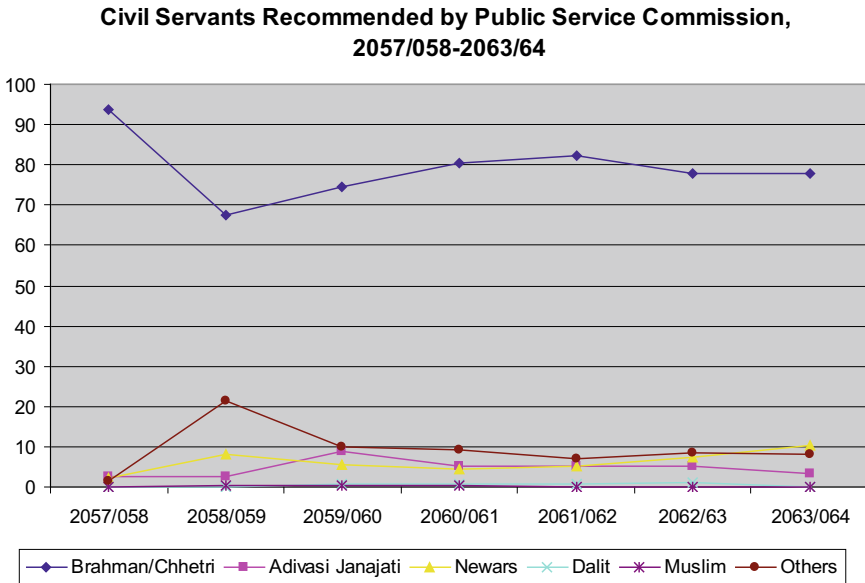


**Fig. 1** State of social inclusion/exclusion in legislative body

As stated above, the issue of social inclusion/exclusion became the prime agenda of indigenous peoples and other marginalized communities during the Peoples’ Movement II of 2006. Their continuous street agitation exerted great pressure to the government and major political parties of Nepal. As a result, the government was forced to adopt proportional electoral system for the first election of constituent assembly held in 2008. The proportional electoral system helped indigenous peoples to secure 218 seats in the constituent assembly. This number almost equaled the total percentage of (37) the indigenous population reported in the national census of 2001. Thus, it was only after the restoration of democracy in 2006, the representation of indigenous peoples in the legislative body improved to the satisfactory level (37%). Similarly, there is also a mild improvement in the representation of indigenous peoples in the civil services, education and other sectors of their social life (Figs. 1 and 2).

### Government’s Measures of Social Inclusion

Social inclusion as an official policy of the government made its inroad to the government policy and development plan when the Government of Nepal adopted inclusion as one of the four pillars of poverty reduction strategy papers (PRSP) in the tenth plan (Rawal 2008). The concept was also endorsed in 2006 in the Comprehensive Peace Agreement (CPA) between the seven political parties and the Nepal Communist Party (Maoist) to end the political conflict and to draft a new constitution through



**Fig. 2** State of social inclusion of *adibashi janajati* in civil services

elected representatives. The concept was also introduced in the interim constitution. The interim constitution states that:

“The state shall have the responsibility “to carry out an inclusive, democratic and progressive restructuring of the state by eliminating its existing form of centralized unitary structure in order to address the problems related to women, dalits, adibasi janajati, Madhesis, oppressed and minority communities and other disadvantaged groups, by eliminating class, caste, language, gender, cultural, religious and regional discrimination.”

The first constituent assembly which worked for four years from 2008 to 2012 of drafting a constitution placed significant emphasis on inclusion. In all draft reports submitted by 11 thematic committee of CA, social inclusion is the key term. The reports inserted the concept to envision the “inclusive state, inclusive democracy and inclusive rule” (Lama 2012, 2014). The concept of social inclusion has also been used in the form of inclusive policy in education, and civil services and other employment opportunities. There is a reservation seats for socially excluded groups in education, health and civil services and other employment opportunities. There is also a National Foundation for the Development of Indigenous Nationalities (NEFDIN) to support the overall development of *adibashi janajati*. The interim constitution also adopted proportional electoral system by which 58% seats were allocated for proportional election and 42% seats for *first past the post electoral* system). As a result, the members from dominant communities belonging to Bahun and Chhetri who controlled 62% seats in the parliament in 1991, 70% in 1994 and 65% in 1999 occupied only 56% seats in 2008 election. Conversely, *adibashi janajati* occupied 37% seats, women 33% and dalits 9% seats in CA election held in 2008.

## Pathways to Social Inclusion

Social inclusion is both an ideal and a practical need to a socially diverse country like Nepal. In such a country, social inclusion is essential for human development and social solidarity. It is also essential to ensure the social justice and to deepen the democracy through wider participation and inclusive and proportional representation. The preamble of the new constitution of Nepal 2015 has promised to make Nepal an egalitarian society by eliminating all forms of discrimination and oppression based on caste/communities, class, religion, language, gender and geographical region. It has also expressed its determination to create an egalitarian society on the basis of the principle of proportional inclusion and participation of all caste/communities and class in all organs of the state at all level. Further to it, the article 258 of the constitution has a provision of a National Social Inclusion Commission to study and monitor the situation of the violation of civil and political rights of excluded groups and their representations in the state mechanism. It also has the provision to recommend policy implementation of the government targeted at excluded groups. In addition, there are separate national commissions for *adibashi janajati*, *madhesi*, *dalits*, Muslims, Tharus and women, in order to protect and promote their political and cultural rights. But the situation of excluded groups has not significantly changed. The examination of human development indices clearly shows that indigenous peoples and other marginalized groups are still lagging behind the development processes.

Given aforesaid context, different measures should be adopted to promote social inclusion. In this regard, four major pathways can be adopted to make Nepal an inclusive society and a state. These pathways are social and economic development, proportional representation, recognition of social diversity and group identity and reservation in civil services for excluded and marginalized communities. The social and economic development which leads to the human development is directly related to health, education and living condition of Nepali people. Nepal is still far behind the health services and educational development. There is no access to health facilities in the rural villages. The government health services are poor in rural areas. Local health posts and hospitals are characterized by the poor infrastructure, lack of medicine and absence of health service providers. The health services in urban areas are unaffordable for the poor. Therefore rural and poor people still need to depend upon the traditional health care practices of local shamans for medical treatment. According to the Nepal Demographic Health Survey (2016), the child mortality rate is still high in Nepal (39%). The educational attainment of excluded group is also not satisfactory. The national literacy rate in Nepal is 66%. But it is highly variable among social groups. It is 72.3%, among Bahun and Chhetri and only 48.8% among *adibashi janajati*, 21.3% among women, 36% among *dalits*, 32% among *madhesi* and 27% among Muslims. Low rate of educational attainment among various excluded groups is subject to the poverty as well as government's educational policy. Because of the poor economic condition, more than 50% students from the excluded groups cannot go to schools. Because the medium of instruction in the schools is Nepali, students from non-Nepali language speaking communities do not

go to schools. Thus the economic poverty combined together with language barrier restricts the students from excluded communities from their access to education. As a result, students from excluded communities cannot complete their basic education (grade 1–8). This requires special education policies and programs for the students from excluded communities.

As said before, economic poverty is a product of social exclusion in Nepal. Although Nepal is proud to proclaim the drastic reduction of poverty rate from 47 to 30% within a decade, Nepali people are still poor. The poverty is concentrated among certain ethnic groups than others. According to the Nepal Living Standard Survey 2004, the per capita income among Hindu Bahuns and Chhetris is Rs. 18,400, Rs. 13,300 among *adibashi janajati*, Rs. 10,461 among *madhesis*, Rs. 9202 among *dalits* and Rs. 8483 among Muslims. The poverty rate is not equally distributed among all social groups. The poverty reduction rate is 46% among Bahun and Chhetri, 6% among Muslim and 10% among *adibashi janajati*. The disparity of poverty rate among hill Bahun is 10.2, 24% among hill chhetri, 44% among *adibashi janajati*, 41% among Muslims, 45.5% among *dalits* and 21.3% among *madhesi*. The excluded groups do not have significant representation in the government civil services. Thus these groups have only two major options to survive; either to make extensive cultivation or to migrate to pursue for better socio-economic opportunities. The first option is constrained by the lack of agricultural lands as well as the shortage of agricultural labor. On average, indigenous peoples and other excluded groups hold less than 0.5 ha of marginal agricultural land not enough to produce adequate foods for the family. This pushes them to migrate abroad in search of job. The data show that more than 7.5 million Nepali young people are migrant workers in India, Europe, East Asia and Middle East and 50% of the total migrant workers are from excluded communities. Women manage agricultural lands, but they do not hold lands in their name, as men control and own land and other physical properties in a patriarchic Nepali society. The available data show that only 8% women have landholding entitlement in their names. This requires the redistribution of resources on equitable manner to improve the economic status of excluded groups.

Politics is the determining factor for the human development. There are various plans and policies of human development. But the achievement of development plans and policies are severely constrained by the lack of political commitment. *Adibashi janajati*, *madhesi*, *dalits*, Muslims and other excluded communities constitute more than 70% of the total population, but their representation in the policy-making bodies never went up more than 25% until 1999. Only after the 2006 April movement, the percentage of representation from *adibashi janajati*, *madhesi*, *dalits* and Muslims reached to 66% and the percentage of representation from women reached to 33% in constituent assembly. During the 4 year period of constituent assembly, these groups strongly demanded for an inclusive constitution ensuring identity-based federal structure and inclusive proportional representation of all ethnic groups in all government bodies at all levels. Instead of writing a constitution addressing their demands, the Maoist-led government dissolved the constituent assembly dramatically at the midnight of May 28, 2011. The dissolution of constituent assembly was a great setback

to the political aspiration of Nepali people. Therefore, *Adibashi janajati* and other excluded groups observed May 28 as the Black Day.

The constituent assembly formed by the second election held in 2013 has less percentage of representation from excluded groups. The newly elected and nominated members from excluded groups, particularly from *adibashi janajati* communities neither represent the interests of *adibashi janajati* nor do they carry their political agendas in the parliament. The major political parties, Nepali Congress, UML and NCP (Maoist Center), claim that the new constitution is super in the world and the most progressive in South Asia, but indigenous people and other excluded communities found the constitution as undemocratic and retrogressive, because it does not meet the legitimate demands of these groups. They disagree with both the contents of the constitution as well as the constitution-making methods and processes. The new constitution kills the spirit of multi-culturalism and the mandate of people's movement. It has eroded the concept of identity and identity-based federal structure. It has reduced the percentage of proportional representation from 60 to 40%. It declares Nepal as secular state and provides religious freedom to all on the one hand, but it provides special protection to Hindu religion on the other. It states that all languages spoken by various communities of Nepal are the language of the nation, but it provides legal recognition to *Khasa Nepali* language as the language of official business. The constitution-making methods and processes adopted by the constituent assembly are also unconstitutional and undemocratic. By taking an undue advantage of natural disaster (earthquake), in the name of fast track, they hastily prepared and promulgated the constitution without consultation and participation of Nepali people and without much discussion in the constituent assembly. It is thus natural that the constitution prepared in hurry without consultation and participation of Nepali people and without much discussion in the parliament is undemocratic and unconstitutional. It is not only defective, it is exclusionary and discriminatory. It perpetuates the social exclusion, cultural discrimination and political domination as it was before. These are the major reasons that the indigenous peoples and other excluded groups have not yet accepted the constitution and they have gone to the street agitation against the constitution. If the constitution is to make acceptable to all, all discriminatory provisions of the constitution should be replaced by fair provisions ensuring the rights and inclusive representation of excluded groups in all bodies of the government at all levels.

One of the distinctive features of Nepal is its social diversity. Diversity is not only Nepal's beauty but also Nepal's social capital. If taped this social capital for the development purpose, Nepal can be prosperous. But the Government of Nepal do not perceive the diversity as an asset. On the contrary, the government perceives diversity as a liabilities. The state has a policy to build a national unity. But national unity cannot progress without respecting and recognizing the social diversity. National unity is not possible by dissolving the diversity into the melting pot of what they call "nation-building project". The nation-building project considers diversity as a threat to nationalism. This nation-building project of one nation, one language, one religion and one culture that evolved during the time of Gorkha expansion has not yet changed even at a time of federal democratic republic Nepal. The practice of

cultural diversity is still considered as communal and anti-national and therefore discouraged its protection and promotion (Gurung 2009: 7). But if Nepal is to build an inclusive society and a state, one should give up the feudal notion of mononational state and one should accept multi-national state (Oommen 2012). The federal democratic republic established by the *janaandolan* II should be able to manage Nepal's social diversity and recognize group identity for Nepal to make an inclusive state and society.

Finally, special reservation for excluded groups in health, education, civil services and other employment opportunities is a supplementary measure to promote the concept of social inclusion in Nepal. This measure is to redistribute basic goods and services in a caste-based hierarchical society that is discriminatory (Chandoke 2012). It increases social and economic opportunities of excluded groups in education and civil services, promotes equality among them and resolves the problem of caste-based exclusion (Chatterjee 2012). We know reservation system is debatable, as it has also negative side (Teltumbe 2012), but reservation system for indigenous peoples and other excluded groups can provide better chances in the civil services and other social opportunities. The policy of reservation is one way to address multi-dimensional issues of social exclusion (Silver 2012). Although reservation policy cannot solve all types of problems of social exclusion, it can be taken as a remedy of discrimination that promotes social exclusion; and it helps reduce social injustice and inequality. It is a remedy of discrimination that promotes social exclusion (Deshpandey 2012). Given the social context, Nepal government's policy to adopt reservation as one of the effective policies to enhance the social inclusion is praiseworthy. But its implementation is poor, unfair and unscientific. The government lacks honesty and political commitment to implement it. The recent advertisement of Public Service Commission to fulfil the vacancies of 9161 local civil servants for local level government is an example of government's lack of honesty and political commitment. This advertisement has not only ignored the reservation policy of the government, it has also killed the spirit of the constitution and federalism. This has pushed indigenous peoples and many other excluded communities to the street for agitation against the government.

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