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SPECIAL FEATURE

Nepal's Downtrodden

A nation struggles to find the way to relieve 4.5 million Dalits from the stigma of "untouchability "

Dr. Hari Bansh Jha, Kathmandu

The kingdom of Nepal's 24 million citizens comprise 103 distinct groups speaking 92 languages. The caste-based Hindus, 86% of the population, follow a hierarchy of status codified by King Jayasthiti Malla in the 14th century and revised by King Surendra Bikram in 1854. This 1854 "Old Legal Code of Nepal " lists four hierarchical caste groupings: those wearing the sacred thread, those consuming liquor, those from whom water may not be accepted by higher castes and those whose water is not acceptable and whose touch requires purification. The latter two groupings are the Dalits, or Untouchables. In our feature article this issue, Hinduism Today correspondent and economist Dr. Hari Bansh Jha explores the complex religious, social and economic factors which have not only sustained discrimination against the Dalits but sometimes increased exploitation, despite legal reform outlawing the practice of untouchability.

The dalits or "untouchables " of Nepal are the poorest people of our already poor nation. They have a per capita yearly income of just us$39 against the national average of $250. In life expectancy, literacy and all other standards of living they fall far below the norm. The Dalits suffer various forms of discrimination in society, from being barred entry to temples and access to public water resources to

servitude bordering on slavery and being the occasional victims of outright atrocity. Modern manufacturing methods are eliminating the market for many of their traditional occupations, such as blacksmith, cobbler and tailor, forcing them to depend on agricultural and manufacturing jobs, such as brick making.

Dalit is a coined word meaning "oppressed people." It has replaced the term Untouchable, as well as Mahatma Gandhi's term, Harijan, "Children of God, " both of which the Dalits consider condescending.

No one knows how the caste system, as it is commonly called, came to be in its present form. The ancient Hindu scriptures describe four non-hereditary castes: brahmin, kshatriya, vaishya and shudra. The brahmins are engaged in spiritual practices, worship and teaching. The kshatriyas are warrior-class people holding power for the protection of the state. The vaishyas are businessmen. The sudras are the workers. What exists today is a complex system of subcastes or jatis within the larger caste, which are hereditary and occupation-based. The scriptures do not describe a large fifth class of hereditary "untouchables." One theory is that they are the result of forbidden marriages between castes. Whatever the origin, it is clear that certain occupations are judged as unclean or impure, and whoever follows those occupations faces restrained contact with the other castes and significant disadvantages.

In July of 2005, I contacted two of Nepal's national Dalit leaders, Mrs. Durga Sob, president of the Feminist Dalit Organization and former secretary of the National Dalit Commission, and Mr. Moti Nepali, president of the Dalit Welfare Association. Asked what she wanted to say to the Hindu world through Hinduism Today, Mrs. Sob replied, "We Dalits want to live a life of justice, equality and social dignity as first class citizens. Any obstacles on the way to that goal should be tackled jointly by Dalits and non-Dalits." Mr. Nepali added, "We Dalits want freedom from hunger, freedom from social atrocities and freedom from the degrading and disgraceful system of untouchability."

Even these educated and relatively well-off national leaders suffer discrimination. Nepali reports he's been denied entrance to temples, shops and some public places. He can't rent a house in Kathmandu from a non-Dalit. Mrs. Sob reports the same treatment, with rent deposits being returned to her family upon the landlord's learning their caste. Their reports are similar to the kind of discrimination faced by Black Americans up until the 1950s when government and public action finally

brought a change. Yet still today in America, half a century later, Blacks face discrimination in housing and employment and unequal justice before the law. For example, a Black man will typically receive a harsher sentence for the same crime than a white man.

While Sob and Nepali lay the responsibility for untouchability upon Hindu codes and traditions, especially Manu Dharma Shastra, they remain staunch Hindus. Sob says, "The Hindu religion is the main base of the Nepali caste system. There are scriptures which say people should discriminate against certain occupational castes, even though they are from the same Hindu community. So this is the challenge. The Hindu institutions have to renounce the religious tradition of discrimination and uplift us, the victims of Hinduism for thousands of years. A concrete first step would be to conduct a national campaign against discrimination and to open the temples to the Dalits."

Nepali offered, "We embrace the Hindu philosophy, but not the orthodox feudal outlook of Manu. The four Vedas are our property, as are the Ramayana and Mahabharata. We urge the Hindu world to put forward the right Hindu philosophy and treat Dalit and non-Dalit alike as of the same blood."

Because this discrimination is occupation based, the solution is much more complex than declarations and actions by Hindu organizations, though no doubt that is a good first step. In the remainder of this article, we'll explore the complex legal, historical, social, religious and economic issues that define the Dalit life.

Caste in Nepal's legal codes

Nepal's existing caste system can be traced to the reign of King Jayasthiti Malla (1380-1394). He ruled Kathmandu Valley and classified the residents into 64 castes according to occupation. In 1854, the Old Legal Code of Nepal, set by King Surendra Bikram Shah, ratified this classification. It also formalized the hierarchy of castes and specified the norms and behavior for each group. This 1854 Code recognized four categories: 1) Tagadhari, the "twice born, " including the brahmins, Thakuris and Chetris; 2) Matwali, "liquor drinking; " 3) Pani nacalne choit chito halnu naparne, " castes from whom water is not acceptable and 4) "Pani nacalne choi chito halnu parne, " castes whose water is not acceptable and whose touch requires

purification by the sprinkling of holy water. It is the third and fourth groups who are the Dalits or Untouchables of Nepal.

There is debate about which groups are Dalit and which are not, consequently estimates of the number of Nepal Dalits ranges from twelve to twenty percent of the population. In 1963, the Naya Muluki Ain (New Civil Code) stated that every citizen is legally equal irrespective of caste, creed and sex. Finally, the 1991 constitution declared the act of untouchability as illegal and punishable by law. But, complains Nepali, the law has not been implemented. The idea of legal equality remains nothing but a campaign slogan of the ruling party.

The social structure of caste

The central theme of the caste system in Nepal is based on the concepts of purity and impurity reflecting the rank of a caste in local hierarchy and other walks of life. By tradition, the women are more particular about purity-impurity than the men and it is on this ground that they are called the "custodians of tradition." The kitchen serves as the heart of this system. Food, in fact, occupies a pivotal stand in the domestic ritual, which varies from caste to caste. It is solely within the domain of the women to decide who eats what, where and when, and consequently who is regarded as acceptable and unacceptable.

It is wrong to think that the question of "purity-impurity " is confined to just food and water. Sex is equally governed by this consideration. A man or woman is not expected to indulge in sexual activities with another caste. The village panchayat or council functioning as quasi-judicial institution punishes such offenders of social law. Usually the offences dealt with by the panchayats include issues such as eating, drinking and sexual activity with forbidden caste groups, refusing to accept the wife in an arranged marriage, refusal to meet the promises made during the marriage, etc.

One report on the condition of the Dalits cited a case where a young Bahun, of the brahmin caste, was in love with a Dalit girl from the Budhabare Village Development Committee area (a government division, like a county). When they married, many non-Dalit people, including the Development Committee chairperson, tried to break off their marriage. Tension mounted, and some Dalit

friends helped the couple leave the village for their own protection. They returned a few months later and faced even greater pressure. The brahmin community threatened the boy, telling him he must either leave the girl or leave the village permanently. Pressured by his relatives, the boy eventually left the girl for good.

The caste system is so strong, in fact, that even those who are converted to alien religions such as Islam and Christianity carry caste distinction with them. A convert from the brahmin caste thinks himself superior to the Dalit convert. Mrs. Sob observed, "Some Dalits have converted to another religion, but I cannot say that they have improved their social standing."

Main Dalit groups and their occupations

The 2002 study, National Dalit Strategy Report prepared for the government of Nepal, enumerates the traditional occupations of the Dalit communities. The Dalits themselves have a hierarchical structure, and the Report lists the castes more or less in order from top to bottom. The Kami caste makes new agricultural tools and household utensils such as sickles, knives, axes, hoes, spades, plough tips and nails. They also repair them as needed. Among Dalits, Kamis are considered the highest in social rank and never accept cooked food or water from the Dalit groups below them. They are the largest Dalit group, 960,000 people according to the 1991 census. They comprise 44 percent of all Dalits and 5.2 percent of the total population of Nepal.

A goldsmith, or Sunar, makes golden or silver ornaments upon request by clients. The Parkis are basket weavers who make a variety of storage baskets and floor mats from bamboo. The Chunara, a blacksmith group of far-western Nepal, makes utensils from wood. In the Damai group, both men and women are tailors who sew clothes. They are the second largest group, 17 percent of all Dalits.

The Sarkis are leatherworkers who make shoes and other products from the skin of dead animals such as cattle and water buffaloes. They are the third largest Dalit group, at 12 percent. The Badis are singers and dancers, with a significant number of women co-opted into prostitution. One Badi elder explained that their entire troupe might receive 500 rupees for an evening's performance. When someone offers them 1,000 rupees for one of the girls, he indicated they had little choice.

And even their opportunities for performances are diminishing.

The Gaines caste entertain by singing songs, accompanied by the sarangi, a difficult stringed instrument played with a bow, akin to the sitar and vina. The Gaines are wonderful musicians. Tulasi Prasad Acharya wrote of one, "His spontaneous songs spill over on the themes of betrayed lovers, tragedy of the common man and the story of Ramayana and Mahabharata. I listen to each of them in awe and curiosity and can't control the tears rolling down my cheeks." But, the Acharya noted, the singer was collecting only a few rupees for his efforts, his art also overrun by modernization. "I think the bandbaza (played on modern instruments) and remix songs have supplanted the folk music."

The Tarai (region adjacent to India) Dalits such as the Chamar are leather workers. They make and polish shoes as well as dispose of dead animals for clients. The Tatmas are weavers. The Doms are basket makers. The Halkhor, the lowest Hindu group in the Tarai region, are sweepers who clean the streets and bath rooms for the government as well as individual households. No other Dalits will accept food or water from the Halkhor.

Dhobis are washermen by profession who work mostly for cash, rather than the traditional barter for food grains that many Dalits must settle for. They make a relatively good living compared to other Dalits and, at 21 percent, have one of the highest literacy rates. The Dalits of Kathmandu Valley, particularly the Chyame, Pode and Halahulu have a monopoly on cleaning public and private bathrooms, hotels and government offices. In addition, they clean the public streets for the municipality. The Kasai, or Khadgis, are traditionally butchers.

In the rural areas where most Dalits live, they are paid in kind, in the form of grain, and sometimes in cash. In addition, each craftsman gets his traditional share of food, vegetables, cloth, etc., when there is a festive occasion, marriage or other rituals at his client's house. They also have specific functions to perform during these events. The relationship between the Dalit and the client can be permanent, but normally it is renewed each year.

Looking through the list of occupations, and understanding the Dalit's relationship to their clients, it is easy to see the impact of the modern economy and distribution

systems for goods, even though many of these occupations require a high degree of skill. The National Dalit Strategy Report says, "The caste-based occupation was the major means of livelihood for the Dalit populations up to a couple of years ago. It has been gradually disappearing over the years primarily due to three reasons: 1) They themselves think that their occupation has lower social prestige and is demeaning socially; 2)ÃMany young educated Dalit boys and girls do not like to follow their fathers' footsteps, and 3) They are finding difficulty in competing with the open market which is supplying various types of similar goods depending upon the needs of the customer." As a result, many Dalits have turned to agriculture and manual labor to supplement or replace their traditional occupation.

Religious life among the Dalits

The religious life of the Dalits enjoys the full complement of Hindu practices and traditions, including festivals, Deities and provision for all religious observances. Dalits are, in fact, strong Hindus. The important festivals are shared with other Hindus and include Jurshital (New Year), Chaurchan, Durga Puja, Chaittha, Lakshmi Puja, Holi, Tihar and Ramnavami. As well, each caste has their chosen God, many of them local Deities. For example, the Musahar worship Dina Bhadri, a wrestler who was deified. The Dusadh worship the deified King Salhesh, the Khatwe worship Soshiya Maharaj, the Tatma worship Mahikari and the Charmar worship Ravidas. In the Terai region along the border with India, the Dom and Halkhors have Bhagavati or Kali as their main Goddess. The Dalits worship Rama, Krishna, Hanuman and Siva with great devotion. Each caste follows its own traditions in its worship. These same Gods are also worshiped by certain non-Dalit castes.

There is a pandaram priesthood among the Dalit, that is, non-brahmin priests serving their own community. These pandaram priests maintain the same tradition as the brahmin priests, including using Sanskrit for the rituals, although they have no formal training. They perform worship ceremonies, marriage and death rituals. They are not generally as well trained as the priests of the brahmin caste, but are highly respected within their community and called "pundit."

Surprisingly, there are a number of temples in Nepal with Dalit priests. These temples are revered by all Hindus regardless of caste. In Kathmandu itself, the Sobha Bhagawati, Maitidevi, Bhadrakali, Guhyeshwori and Dakshin Kali temples all have priests from the Dalit caste. At the Maitidevi temple the Dalit priest performs his worship for the first hour in the morning, then brahmin priests take over for the

rest of the day. My own daughter-in-law, a brahmin, performed the Vata Savitri Vrata ceremony (see Hinduism Today, January, 2005) at this Maitidevi temple. This is a ceremony blessing the newly married girl and often performed at this particular temple--and example of the integration of Nepal's Dalit and non-Dalit communities.

Types of discrimination

The National Dalit Strategy Report cites a list of 205 existing practices of caste-based discrimination, which they lump into nine broad social categories: 1) Denial of entry into a house, hotel/restaurant, temple, etc; 2) Interference in religious service, where the wearing of the sacred thread is not permitted, worship conducted by Dalits is not acceptable and so on; 3) Access to common resources, such as using a water tap, pond, etc., is denied; 4) Denial to participate in public activities or entry into public places, such as a religious event, government function, etc.; 5) Forced labor or discriminatory practice of labor such as barter payment--often insufficient--with food grains instead of cash, forced labor, bonded labor or being required to dispose of dead animals; 6) Dominance of Dalits in behavior such as jadau system (practice of paying obeisance to a higher caste person); 7) Atrocities, such as higher incidence of rape; 8) Social boycott--if a high caste Hindu marries a Dalit, he or she is boycotted from society; and 9) Attitudinal untouchability, such as if one sees a Kami caste member in the early morning it is considered inauspicious, or if there is a Dalit teacher, children of high caste groups will not attend the school.

Our Dalit leaders, Mrs. Sob and Mr. Nepali, have encountered each of these forms of discrimination. They are particularly hurt by degrading treatment, such as being prevented from using drinking and eating utensils in public places, being insulted with derogatory names or having their children seated separately in school. Like the Black people in America, the issue of personal self-respect and dignity is as much or even more important than the economic issues.

The report cites the case of a Dalit teacher in Kailali who was reassigned away from his village school in Dhangadi because he ordered students of higher castes and the Untouchable caste to sit together in the luncheon provided under the Nutritious Food Programme. The school inspectors were satisfied with his teaching quality, but the headmaster, a brahmin, who did not accept this equalitarian principle, influenced the District Education Officer to relocate the teacher.

Recent social mobility

Caste discrimination is considerably diluted in the urban areas today, but very little has changed in the rural areas. Certain Dalits have emulated the customs and traditions of the upper caste people under the process known as "Sanskritization." They have started wearing the sacred thread as used by the upper caste brahmins and kshatriyas. As a result of occupational changes, increased education, their own efforts to emulate the upper castes and a mustering of political influence, urban Dalits in the Terai have moved up in status. The National Report says, "Over the last 15-20 years, three groups, namely Sudi, Kalwar and Teli have socially upgraded their status from the Untouchable to the water acceptable community within the Tarai origin Hindu caste groups."

Progress following the 1990 Constitution

The Dalits started from a position of complete political disadvantage, having no economic power and no place in the government administration or judiciary. It is only around the last half of the 20th century that the world in general started changing its course in favor of the weak, old, women, poor and downtrodden sections of the society. Following the restoration of multi-party democracy in Nepal, the Constitution of the Kingdom of Nepal (1990) not only guaranteed the fundamental rights of its people but it also, for the first time, declared the traditional practice of untouchability punishable by law.

Sweeping measures one after the other were introduced in the country to discourage discrimination. The Dalit Development Committee was formed in 1996-97. In 2002, the National Dalit Commission was formed. Numerous non-governmental organizations were formed in the country to address the problems of Dalits, some of which got massive support from international non-governmental organizations, bilateral and multilateral agencies.

The National Report explains, "The introduction of the New Legal Code was a bold attempt in the traditional Nepali society, but it could not function effectively because of the poor economic system of people as a whole. The Dalits could not go against this traditional Hindu model, as they were heavily dependent on the high caste Hindus for their survival. There might be other hidden problems, but the irony

is that they need to fight for their rights against those who are their means of livelihood. Therefore, the Dalit emancipation campaign relatively has been taking a long time in Nepal."

The Report explains that there are two schools of thoughts on the Dalits' development. One is that the development of the Dalit community should be through enhancement of their traditional skills, such as shoe making, blacksmithing, goldsmithing and tailoring, as well as other so-called lower level occupations. The second is that improvement in the quality of life of Dalits is to be accomplished by increased education and creation of income-generating facilities as has been done for other segments of Nepal's population. It is often expressed that the former--enhancement of traditional skills--is championed by non-Dalits, and the latter--education and job creation--is the chosen approach of Dalits.

The National Report says, "Over the years, the Dalit community has become politically more conscious of their rights and more determined to become unified so that they can challenge the democratic government for their rights and privileges. At the same time they are challenging the Hindu, brahmanic model of caste hierarchical structure based on pollution and purity, and blame this model as their root cause of underdevelopment. The report quotes Padam Singh Bishwakarma, former chairperson of the National Dalit Commission, "Religion is responsible for classifying touchability and untouchability in the society. So, religious institutions should be responsible for eliminating untouchability. There should not be any confusion in defining Dalits. It is straightforward that Dalits are those who are religiously discarded, socially oppressed, economically exploited, politically suppressed and educationally deprived. The movement of development should be from the bottom for economic upliftment and from the top for abolishing untouchability against Dalits."

Mrs. Sob complained, "The government has no special policy to include Dalits in the mainstream, so now we are demanding reservations for jobs and political representation in all sectors of the government as historical compensation." Nepali added, "The Dalits want knowledge and wisdom through education, and power through participation in decision-making bodies."

As an economist, I recommend that all possible efforts be made by the concerned agencies to provide the Dalits market for the sale of items produced by them like khukuris (the formidable "Gurkha knife "), utensils, ornaments, agricultural tools,

woodcarvings, shoes, basketry items, etc. It is regrettable that in a certain district the milk brought to the market by the Dalits has been refused on the ground that the supply was from the untouchable community. In the future, if any organization is really interested in serving the interests of the Dalits, it should focus on improving their traditional skills. In this context, it would be important to set up a Technical Training Institute for them in various regions of the country. With a combination of effective programs like these, the conversion of the Dalits to alien faiths, particularly to Christianity, will come to a halt.

If the Hindus expect equal treatment from the West, it is essential that they should give the same treatment to their Dalit families. By the same token, if the Dalits want equal treatment from the non-Dalit Hindus, they should also avoid discrimination among themselves. The Hindu ethos is guided by atmavat sarvabhuteshu, i.e., looking upon all beings as your own self. For our country to advance, our society must rid ourselves of what Swami Vivekananda called the mental disease of "Don't touchism."