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Introduction to Special Section: Ethnicity, Exclusion and Democracy in Nepal

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SPECIAL SECTION: ETHNICITY, INEQUALITY AND POLITICS IN NEPAL

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INTRODUCTION: ETHNICITY, EXCLUSION AND DEMOCRACY IN NEPAL

THE POLITICAL CONTEXT AND ISSUES

Since 2006, Nepal has been undergoing a political transition that could herald major changes in the society. Some major political transformations have already taken place (discussed below) while other change agendas are being hotly debated. Two important contested issues are the extent of socio-political inclusion of diverse ethnic groups (ethnic/national, caste, religious, linguistic, and regional identity) and forms of democratic structures for the “new” Nepal. These contested issues are important for two reasons. First, they will affect a majority of Nepalis. Second, the country failed in both fronts in the past. The majority of its diverse citizens were excluded from various realms of social and political action for most of Nepal’s two and half centuries of existence while attempts at democratization since the fifties failed multiple times.

Being the oldest state in South Asia has not advantaged Nepal in its democratic trajectory or in the accommodation of its diverse ethnic groups. In fact, both exclusion and inequalities among ethnic groups and the failure of democratization, two issues analyzed in this volume of *Himalaya*, are the result of the Nepali state’s long history of authoritarianism. Although people’s rights were slowly being expanded in early democracies during this period and even though the British Raj introduced local elections and some level of representative government to its South Asian colonies during the first half of twentieth century, Nepal’s rulers were strengthening their authoritarian regime even until the mid-twentieth century. Among other things, inequality and exclusion, which are not favorable for fostering democracy and could become inimical to it as well, became entrenched during this long period of authoritarian rule. The CHHEM (caste hill Hindu elite males) consolidated their hold with the consolidation of the state, and inequality as well as exclusion of many

ethnic, caste, religious, and linguistic groups began, continued or became consolidated during this period. The inequalities and exclusionary norms and practices became so entrenched that they largely continued even during the short democratic interludes of the 1950s and 1990s. The relatively open polity, however, energized activists of the traditionally excluded groups to organize against their marginalization and demand equal rights. The challenges especially increased during the democratic years of 1990-2002 due to the considerable political rights to organize and mobilize guaranteed in the 1990 Constitution. After the ‘surprising’ rise of identity politics during the nineties, exclusion began to receive increasing academic and political attention. Considerable work has been carried out on this issue but many aspects of exclusion are yet to be analyzed, as the contributions of this volume make clear. The articles in this volume will contribute to illuminate additional dimensions of exclusion and inequality, including after the multiple transitions to democracy.

DISCOURSE ON EXCLUSION AND INEQUALITY: PAST AND PRESENT

Nepal’s attempt at development, which began after the 1951 transition to democracy, largely focused on class inequality for most of the time. Development was seen as reducing poverty through modernization by targeting individual citizens. However, these policies exacerbated inequality among various groups (Bista 1991). The dominant group largely benefitted from the policies because even though couched in universal discourse, the policies and institutions were influenced by their values, worldviews and interests (Lawoti 2005). For example, recruitment to the civil service through exams conducted in the native language of the dominant group resulted in their overwhelming domination of the bureaucracy.

The state promoted nationalism, which was based on hill Hindu religious values, the Nepali language aka Khas-kura of the dominant group, hill dress and the Hindu monarchy, projected the ethos and worldviews of the dominant group as universal while considering others as deviant.

Writing and discussing ethnic issues from a political angle was considered taboo and discouraged even during the late nineties (Hangen 2000; Kraemer 2003).¹ Such an environment restricted academic research on the issues of exclusion and inequalities among different ethnic groups. Anthropologists and social scientists produced a corpus of knowledge on many ethnic groups that has contributed to understanding the status, including unequal positions, of those groups, but the studies rarely framed themselves explicitly from the exclusion and inequality angle, largely due to the unfriendly and constraining circumstances. This does not mean that occasional academic work, even that produced during the Panchayat regime, had not pointed out exclusion (for instance, Gaige 1975; Beenhakker 1973; Rana 1971; Caplan 1970; Holmberg 1989), but exclusion had not become a major theme of political or academic discourse before 1990.

The exclusionary nationalism promoted by the state began to be challenged after the polity opened up in 1990. Political parties like the Nepal Sadbhawana Party (Nepal Goodwill Party), Rastriya Janamukti Party (National Peoples' Liberation Party), Mongol National Organization and associations of ethnic groups and NGOs of Dalits pointed out the exclusion of the Dalit, indigenous nationalities, and Madhesi from various socio-economic, cultural and political realms and they argued that the previous development and modernization policies had neglected or even discriminated against them (Lawoti 2005; Hangen 2010). This new form of nationalism that emerged from the society, and is empowering the traditionally marginalized group, sharply contrasts and, in fact, challenges the state led and imposed exclusionary nationalism that had privileged the CHHE as the cost of Dalit, indigenous nationalities, Madhesi and minority religious groups like the Muslims.

Initial attention on exclusion pivoted around cultural discrimination and on the under- or non-representation of

1. This situation has changed considerably, and as a result much more work on these issues have been conducted. However, many members of CHHE academia and media still project the social justice movements of the ethnic groups as divisive (for examples of such opinions in recent years, see Himal Khabarpatrika, which occasionally provides space for the "other" perspectives and loves to project itself as a "professional" newsmagazine. See International Crisis Group (2009) for a discussion of "mainstream" media bias against the Maoists after the 2008 Constituent Assembly election. I have been asked by some Bahun friends whether particular anthropologists working on ethnic groups are Bahun birodhi (anti-Bahun). Historic context is provided by Holmberg (2006), who has written that he was removed "for his own safety" from a Tamang village he was studying in 1977 after being implicated, with no fault of his or his host, in local symbolic ethnic politics.

various groups in the governance of the country. Various works pointed out that indigenous nationalities and Madhesi were facing linguistic, religious, citizenship and other forms of cultural discrimination, while Dalit were facing caste-based discrimination and women were socially and legally discriminated against (Bhattachan 1995; Gurung et al. 2000; Jha 1993; Kisan 2005; FWLD 2000). Data on representation of different groups in various influential state and society sectors showed the overwhelming domination of the CHHEM (Neupane 2000). The discussion of exclusion from governance assumes that descriptive or bodily representation is necessary for protecting the interests of different groups. Other work pointed out material inequality among ethnic groups as well, such as in access to education and employment opportunities (NESAC 1998; World Bank and DFID 2006).

Once exclusion among different groups even under democracy was established and accepted to some extent in the mainstream political and social discourse by late nineties, work began to identify causes of exclusion. Many work pointed out that formal institutions were the causes behind the exclusions. Constitutional articles that discriminated against native languages, minority religions, ethnic, caste and identity groups, the first past the post electoral system, and the unitary state etc. were pointed out as contributing to exclusion (for example, see Bhattachan 2000; Khanal 2004; Lawoti 2005, 2007; Neupane 2000; FWLD 2000). The ongoing political transformation is aimed at replacing many of these formal exclusionary political institutions. The papers in this volume of Himalaya, however, suggest that formal political institutional reforms may not be enough to ensure inclusion because exclusion is entrenched deeply beyond the formal political arena.

CONTENTS OF THIS VOLUME

The first three papers in this volume increase understanding of exclusion and inter-group inequality by analyzing newer dimensions of these phenomena, including their causes and consequences, while the fourth paper provides the political context in which exclusion has continued, with a discussion of the multiple democratic transitions Nepal has gone through.

Lawoti's article points out that informal institutions by themselves as well as in interaction with formal institutions, contributed to exclusion by constraining, or creating incentives, for political actors to behave in certain ways. The article points out the role of the religiously supported patriarchy on the exclusion of women, the role of the Hindu caste system and the marginalization of Dalit and other 'lower' castes like the indigenous nationalities, and it discusses the role of hill nationalism in the exclusion of the Madhesi. The informal institutions competed, substituted or complemented formal institutions to often exclude the marginalized groups (occasionally they promoted inclusion as well). This suggests that exclusion may continue even if

new formal non-exclusionary institutions are established or new laws ban certain informal exclusionary practices because cultural attitudes die hard. The classic example is the practice of untouchability even after the 1990 Constitution declared it illegal. Thus, the ongoing reforms on the formal political sector that target formal exclusionary institutions of the past may not be adequate to reduce or eliminate various forms of exclusion in “new” Nepal. Exclusionary informal institutions have to be targeted by new formal institutions to reduce or eliminate them.

Tiwari presents four categories of inequality employing the horizontal inequality concept. His paper contributes to the discussion of exclusion in at least two ways. First, even though the concept of horizontal inequality in the Nepali context was introduced as a spatial-horizontal concept earlier (Murshed and Gates 2005), Tiwari uses it with regard to ethnic groups more specifically. The concept will help to clarify the frequent confusion between class/vertical inequalities with inequality among groups. Critics of ethnic social justice movements often argue that poor Bahuns also face oppressive conditions. However, a poor Bahun does not suffer from an additional oppression of untouchability that a poor Dalit does, or the ethnic prejudice a poor member of a marginalized ethnic group endures. Furthermore, untouchability and ethnic prejudice have additional consequences for those who must endure them.² Second, Tiwari presents four categories, namely inequality in cultural, political, economic and social outcomes. This is more comprehensive than earlier categorizations that pointed out, often separately but occasionally together as well, exclusion in cultural, political and policy realms (NC-IP-Nepal 1993; Bhattachan 1997; Neupane 2000; Lawoti 2002, 2005). Tiwari provides data to show that ethnic groups also face inequalities in economic and social outcomes.³

Shakya does not directly look at exclusion or inequality but her article contributes to understanding how control of the state has consequences for ethnic inequality in the economy, which is often considered outside the realm of culture, by showing the historic and contemporary role of the state in the business sector. She argues that ethnicity played a vital role in advantaging members of the ruling group and their allies and disadvantaging members of non-ruling groups. Members

2. Compared to ethnic groups, the concept of horizontal inequality may not capture the overwhelming inequality faced by Dalits, who are vertically subordinated to the “high” caste groups (Horowitz 1985: 21-36). The horizontal inequality concept assumes that groups are different and separate horizontally. However, if the notion of horizontal inequality is employed simultaneously with vertical inequality, the combined use of the two concepts may capture more fully the situation of the Dalits, who comprise a separate but subordinated group.

3. I have elsewhere identified exclusion in eight spheres (exclusion in citizenship/participation; governance; policy; cultural; symbols; civil society; knowledge generation and dissemination; and economy) (Lawoti 2010, unpublished monograph).

of the ruling ethnic group benefitted with assignments in the lucrative sectors and from contracts and deals due to its connection with the state. Other non-ruling groups like the Newar were also engaged in the business sector but they rarely benefitted from state patronage. In fact, they have suffered due to state negligence and discriminatory policies, such as the requirement, following Hindu traditions, to purify after foreign travel.⁴ Shakya points out that the biases continued even after liberal market reforms were introduced and implemented in the mid eighties and nineties.

Kantha’s article, on the other hand, does not discuss ethnicity or exclusion and inequalities but nevertheless has relevance for these topics. Employing concepts and ideas from the vast democratic transition literature, Kantha points out that three transitions to democracy have already failed in Nepal. If a large number of people belonging to marginalized groups are excluded even during democracy, the democratic polity may not be perceived as legitimate by those who are excluded. In such circumstances, first, the democratic polity may be weak due to the lack of popular support. Second, the anti-democratic forces may cultivate the excluded and dissatisfied groups, as seen during King Mahendra’s cooptation of indigenous and Madhesi leaders after the 1960 royal coup and after the dismissal of the elected government in 2002 by the then King Gyanendra (Lawoti 2008), in addition to the mobilization of excluded groups. The multiple failures of previous democratic transitions suggest that if various forms of exclusion are not addressed during the ongoing transition, then exclusion may hinder consolidation of democracy this time also.

INCLUSIVE REFORMS SINCE THE 2006 REGIME CHANGE

The regime transition of 2006 has brought major political transformations, and unlike the previous transitions has made some significant impact on exclusion/inclusion as well. The state was declared secular in 2006 while the Hindu Kingship was eliminated in 2008. Citizenship certificates were distributed in 2007 to more than two million Nepalis who were denied them earlier, mostly Madhesi but others as well. The Madhesi movement of 2007 also forced the ruling coalition partners to amend the Interim Constitution to declare that the country would adopt a federal structure in place of the unitary system. The reservation policy begun in 2003 by the royal regime was expanded after 2006 to include the Madhesi as well. The election to the Constituent Assembly in 2008 was conducted with a mixed proportional electoral method that helped to elect many members of the marginalized groups. Even though public holidays are still overwhelmingly on CHHE festivals, many holidays have

4. Janga Bahadur Rana also went through the purification ritual after his return from Europe but for him it was a one-time affair and the practice legitimized his rule. For Newar traders prior to modern times it was a repeated and costly affair.

been declared for indigenous nationalities, Christian and Muslim festivals. Likewise a few indigenous nationalities have been added to the roster of the mostly CHHE national heroes declared by the state.⁵

The progress in terms of representation in various state organs, however, is mixed. The Constituent Assembly has become the most representative legislature ever in Nepali history. However, the Dalit are still underrepresented despite significant progress. The cabinet is less representative than the Constituent Assembly. The Madhesi and Dalit have increased their representation in the cabinet but representation of the indigenous nationalities has declined.⁶ The judiciary and bureaucracy are still highly unrepresentative where the domination of CHHE is still disproportionately high (Lawoti forthcoming).⁷ The ceremonial president and vice president are Madhesi and the Constituent Assembly chair is an indigenous nationality but the powerful executive is still headed by a male Bahun. All the major parties are still led by CHHEM. Despite these shortcomings on the representational sector and with other issues like ethnic autonomy and equal recognition of native languages not yet decided, on balance the 2006 transition has brought the most inclusive reform in Nepal's history.

TENTATIVE THOUGHTS ON FACTORS CONTRIBUTING TO REFORM

Transitions, by definition, bring changes and the 1951, 1979-80, 1990 and 2006 transitions that Kantha discusses were changes towards democracy. However, as pointed out before, the earlier transitions did not herald major inclusive reforms. In fact, as Lawoti and Tiwari point out, exclusion continued even during the 1990-2002 democratic years.

5. In 2066 v. s. (2009-10), 10 percent and 1.43 percent public holidays were declared for the festivals of non-Newar Hill and Tarai indigenous nationalities, respectively. The proportion of holidays on CHHE festivals had declined as a result but still stood at 54.29 percent. In 2057 v. s. (2000-01), 68.85 percent of public holidays were on CHHE festivals while holidays for non-Newar indigenous nationalities, Muslims, and Christian festivals were nil (Lawoti forthcoming).

6. The non-Dalit Madhesi caste groups' representation reached 18.5 percent and that of Dalit 7.5 percent during the 2006-2009 period while the representation of non-Newar indigenous nationalities declined to 16 percent. The average representation of indigenous nationalities was 16.1, 16.7 and 27.1 percent during 2002-2006, 1990-2002 and 1976-1990 periods respectively (Lawoti, forthcoming).

7. The Dalit, non-Newar indigenous nationalities, and Madhesi were underrepresented at 0, 5.63 and 11.27 percent respectively in the judiciary during the 2006-2009 years while the CHHE dominated with 64.82 percent. The CHHE domination in bureaucracy (special class and equivalent) was 83.93 percent in 2009 while Dalit, non-Newar indigenous nationalities, and Madhesi had representation of 0, 0 and 8.93 percent respectively (Tarai indigenous nationalities are included in the Madhesi category in this count of bureaucracy to make it comparable with the 1999 data where Neupane had lumped them in the Madhesi category).

In this context, what led to the current inclusive reforms? Literature point out that democratic process, insurgency and rebellions, regime change, and social movements could facilitate reforms. Which political process or events facilitated them in 2006 (and not during earlier transitions)?

The democratization literature mentions that the opening up of the polity could lead to further reforms. Introduction of mass electoral politics empowers voters, and citizens could vote for their choice, forcing democratic leaders to respond if they want to perform well in future elections (Dahl 1971; O'Donnell and Schmitter 1986). According to this logic, the demands and pressure upon the democratic political actors would force the state to respond and introduce reforms. However, this did not happen in Nepal with regard to inclusive reforms during the past democratic epochs. Major reforms to address demands for federalism, the proportional electoral system, a secular state, the three language policy, reservations in public offices and admission to education institutions, citizenship certificates to those without them, and an end to substantial cultural and caste discrimination were not initiated during the 1990-2002 democratic years.⁸ Only minor reforms, such as issuance of a few stamps commemorating heroes of the marginalized groups, establishment of powerless and financially strapped Dalit and Women commissions and the foundation for the indigenous nationalities, were carried out. The Nepali experience suggests that a democratic regime may be more responsive than an autocratic one, but it may only introduce minor reforms. This supports the thesis that policy changes in democracies usually occur incrementally if there are no major crises (Truman 1951; Lindblom 1959). Major reforms were obstructed in Nepal because the state was overwhelmingly dominated by the dominant group and the democratic rule of the game was set up based on the majoritarian principle where most of the state power was enjoyed by the party/group in power.⁹

Since major reforms did not occur during the democratic years, the Nepali case suggests that democracy by itself may not lead to major inclusive reforms. The question then is what or which event or process caused the major inclusive

8. The demand for the three language policy, which was made by native language groups, calls for teaching an international language, a countrywide medium language, and a local/regional language in schools. Citizenship certificates were not awarded to many Madhesi and others, including children of women married to foreigners. Cultural discrimination included absence of public holidays on non-CHHE festivals, absence of non-CHHE heroes and imposition of CHHE values on others.

9. In fact, majoritarian democratic institutions could facilitate discrimination and exclusion of minorities because the government may respond to the narrow preferences of the majority group, as seen in Sri Lanka (Tambiah 1986; DeVotta 2004). A consensus system, which is an opposite democratic model, shares powers among different actors, including opposition and minorities, and different level of governments. It is more often found in ethnically divided established democracies (Lijphart 1977, 1999).

transformations in Nepal after 2006? The social movement literature argues that if people mobilize, such collective actions could pressure governments to introduce reforms (McAdam, McCarthy, and Zald 1996; Tarrow 1998). This argument is supported by transitions towards democracy (1951, 1979-80, 1990, and 2006) that Kantha discusses because those transitions occurred due to popular mobilizations that demanded democratic reforms. However, the social movements of the excluded groups in the nineties were not able to get major inclusive concessions. One explanation for the failure of the social justice movements is that the movements, despite exploding in the 1990s, were relatively new and they may not have developed enough organizational and mobilizational strengths (Lawoti 2005). Whatever the reasons, it is clear that the social justice movements of the excluded groups were not able to bring major inclusive changes, which were introduced only after the 2006 regime change.

Once the regime change occurred in 2006, however, the Madhesi utilized the fluid opportunity to launch a successful movement in 2007 that forced the government to accept federalism. It also significantly contributed in making the government accept the mixed electoral method for the Constituent Assembly election. Here it should be noted that the Madhesi movement became successful only after the 2006 regime change. Scholars have pointed out that transition period could witness mobilization for changes because the old institutions are dismantled or discredited but new institutions are not set and the fluid situation generates incentives for change seeking agents to mobilize and push for changes as they rightly perceive that changes are more possible during transitions (Gurr 2000; Jarstad and Sisk 2008). A combination of fluid situation due to the ongoing transition and particularly the Madhesi movement that became successful because of it at that particular juncture, contributed in heralding a few major inclusive reforms but other major reforms had already taken place. This brief discussion shows that social movements by themselves did not bring about the major inclusive changes in the country before the 2006 transition.

The Maoists, an insurgency as well as a social movement, are often credited with pushing for major transformations, including in ethnic relations, and putting them on the country's socio-political agenda, as Shakya points out in her piece in this issue. The Maoists contributed in highlighting the issue of exclusion much more than any other major political force. They also politicized the rural periphery with their organization and rebellion related activities (recruitment, expansion, publicity campaign, control and governance etc.) (see Mottin 2009; Eck 2009; Joshi 2009). The Maoist implemented social reforms by penalizing sex, caste and ethnic prejudices and crimes in rural areas under their control (Lecomte-Tilouine 2009), declaring autonomous ethnic regions, and including more indigenous and Dalit leaders in their party and front organizations (Lawoti 2009).

They created considerable pressure for inclusive changes and it might have contributed to the eventual reforms, but their pressure alone was not sufficient to force the government to introduce major inclusive reforms in the state during the insurgency period.¹⁰

As pointed out before, the major inclusive reforms only came after the 2006 transition. The 2006 regime change and subsequent inclusive reforms points out a few things if analyzed from a historical perspective. First, regime change from autocracy can facilitate inclusive reforms but as demonstrated by the 1990 and earlier transitions, regime change is not sufficient to bring about inclusive reforms. Except for cooptation of a few minority individuals and minor reforms, substantial inclusive reforms did not occur during the earlier democratic transitions. The question then is how was the 2006 transition different from earlier ones? The forces that were demanding or committed to inclusive reforms (the Maoists, ethnic organizations and ethnic parties) were a part of the coalition that forced the royal regime to buckle down in 2006 while powerful inclusion seeking forces were absent in earlier democratic transitions. The regime change was possible with the joint mobilization of the civil society (including ethnic organizations), parliamentary political parties (including ethnic parties),¹¹ and the Maoists.¹²

10. The argument is not that the government and the parliamentary parties did not feel the pressure but that the pressure was not sufficient to force the government into introducing major inclusive reforms. The only major reform during the insurgency was reservations for Dalit and indigenous nationalities in the public sector and admissions to educational institutions in 2003, introduced during the Royal regime. This partly supports the thesis that competition among political forces could lead to reforms but in this instance the competition did not occur among democratic parliamentary parties but between the parliamentary parties and the non-democratic monarchy.

11. The parliamentary political parties had reluctantly adopted some of the demands for inclusion during the mobilization against the royal takeover to attract the excluded groups and to arrest the increasing influence of the Maoists among the excluded groups. Ethnic organizations like the NEFIN (Nepal Federation of Indigenous Nationalities) and its constituent organizations, and ethnic political parties like Nepal Sadhbhawana Party (Nepal Goodwill Party) faction that participated in the movement lobbied, advocated and pressured the larger parliamentary parties to adopt inclusive agendas, while ethnic members of the different political parties pressured their respective organizations to adopt inclusive agendas. Through the work of the identity movements since 1990, the larger society and parliamentary parties had also become more aware of the grievances of the excluded groups.

12. Ironically, it was the Royal intervention against the democratic regime that brought together these diverse forces, which were often at odds before 2005. The dismissal of the elected government in 2002 took power away from the parliamentary political parties and pushed them to the streets against the monarchy. A second aspect of the irony is that the Maoists, an anti democratic force that initially launched their rebellion against the parliamentary democratic polity in 1996, were possibly the

Even though the ethnic organizations and movements and the Maoists themselves were not able to bring about major inclusive reforms, they played a significant role in the struggle for regime change, and during the transition that heralded inclusive reforms. The inclusive reform oriented forces were strong and well placed during the 2006 transition to push through those reforms. This was the proximate factor leading to the inclusive reforms during the 2006 regime transition.¹³

The third important link in identifying the underlying factor for the inclusive reforms is to trace how the forces seeking inclusion grew and became powerful enough to push them through. Beyond the aspirations of the excluded groups to share power that almost always existed to varying degrees, what enabled them to become a force that could push the reforms through? This question forces us to recognize the role of democracy in providing an enabling environment for the marginalized groups to organize and mobilize for their rights and become empowered. The growth of ethnic organizations and mobilization became possible during the 1990-2002 democratic years. As mentioned earlier the mobilization of ethnic groups increased dramatically after 1990. Numerous ethnic actors and organizations built cultural capital by reasserting their religions, their cultures, and by spreading the discourse of their rights during the democratic years. NEFIN and its constituent organizations were established and expanded during this period. Likewise, the Madhesi Janadhikar Forum (Madhesi Peoples' Rights Forum) that led the 2007 Madhesi movement also set up its organization during late nineties and early twenty-first century.¹⁴ The Maoist mobilization of the excluded groups also became feasible in mid and late nineties after the marginalized groups became aware of their inequalities and increasingly became alienated with the non-responsive polity.

The Maoists, who played a major role in bringing about the transition and pushing for inclusive reforms, also benefitted from the democratic regime and its guarantee of political

largest contributor to the regime change for democracy in 2006 that ushered in inclusive reforms as well. The Maoists first precipitated a crisis for the establishment by spreading the insurgency rapidly, especially in the eyes of the monarchy and the Royal Nepal Army, and facilitated the dismissal of the elected government by the King in 2002. This in turn helped to exacerbate the crisis further by polarizing different socio-political forces into two camps.

13. One prominent indigenous activist told me that during the movement for the restoration of democracy, some of the second rung leaders of the movement, who set the programs and agendas for the struggle, belonged to the indigenous groups and they were instrumental in pushing through the declaration proclaiming the secularity of the state during the transition. This was confirmed by indigenous politicians who operated as the second rung leadership during the movement. This undermines the claim of some (Shah 2008) that it was the external forces that were responsible for declaring Nepal a secular state.

14. The MJF grew much larger after the success of the 2007 movement but its skeletal organization in most of the Tarai districts enabled it to launch and to provide leadership to the Madhesi movement.

rights and civil liberties. They expanded and grew partly because the democratic regime tolerated their early political activities such as street protests, expansion of organization, and preparation for the insurgency. Unlike in 1971 when the authoritarian regime brutally repressed an armed uprising by the extreme left in East Nepal, the cost of repression increased for the democratic regime due to its pluralistic and tolerant politics. Likewise many Maoist cadres were set free by the court through habeas corpus rights guaranteed by a democratic polity. The free media, which became more professional and which expanded in the nineties, also gave considerable coverage to the Maoists agendas, issues and activities (Mishra 2004).

The above discussion makes clear that even though social justice movements of the marginalized groups, the Maoists, the democratic parliamentary forces, and even regime transition per se did not bring about the inclusive reforms by themselves, their collective efforts at a particular juncture contributed to the endeavor. However, the more important and final factor contributing to inclusive reforms was the decade long democratic regime of 1990-2002. The democratic years provided enabling conditions for inclusive reform seeking forces to grow and sensitized the larger society and parliamentary political parties to the demands of the excluded groups so that they agreed to changes forcefully proposed by the social forces seeking a more inclusive polity during the 2006 transition process.

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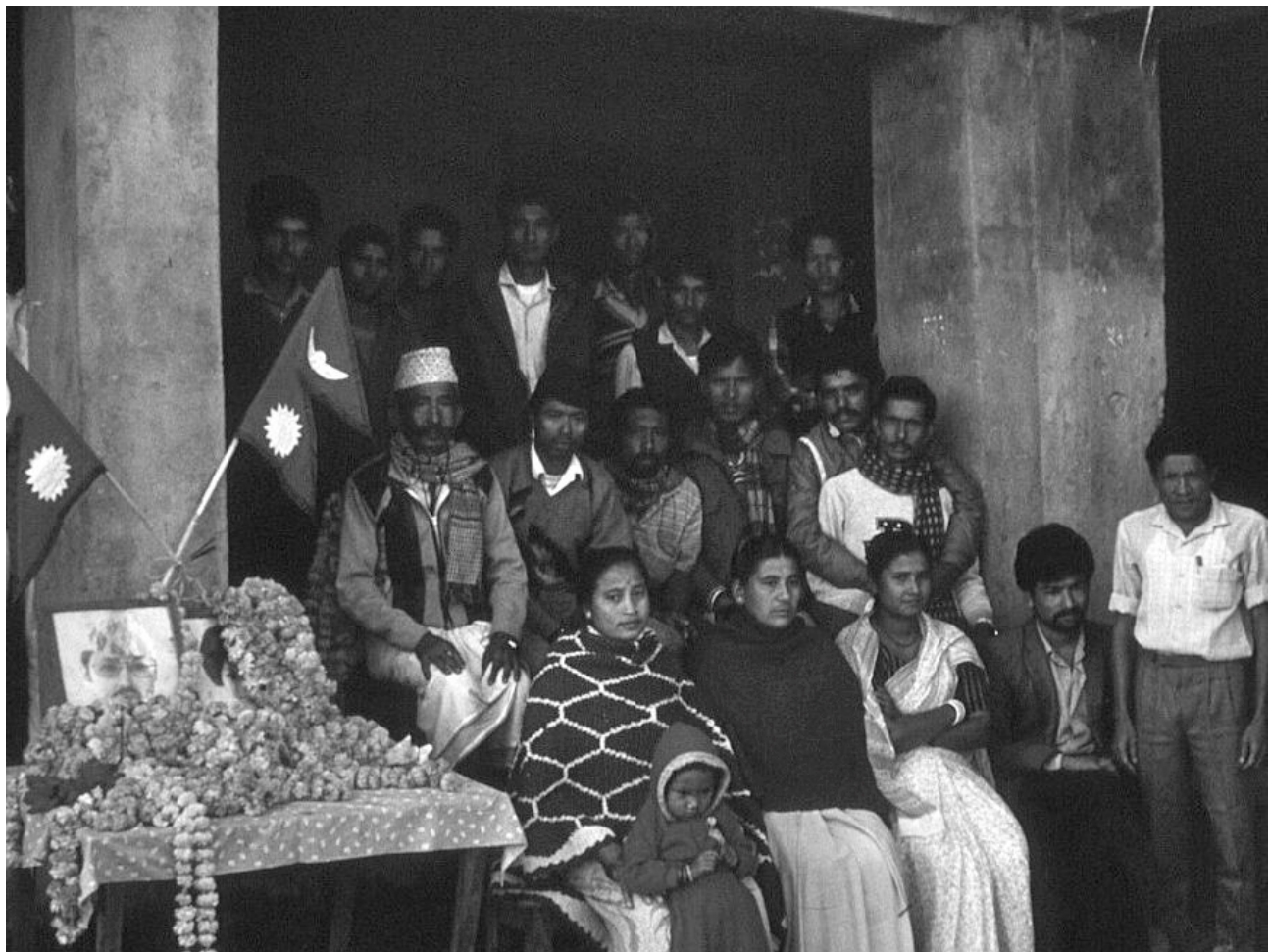
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