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Sambriddhi Kharel
University of Pittsburgh

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THE STRUGGLE FOR FULL CITIZENSHIP FOR DALITS IN NEPAL: APPROACHES AND STRATEGIES OF DALIT ACTIVISTS

Drawing insights from in-depth interviews and secondary sources, this paper examines the struggle for full citizenship through the tactics used by Dalit activists in Nepal. Dalit activists based in political parties tend to privilege the nation-state and its bounded sovereignty as the strategic and ultimate terrain upon which the struggle for full Dalit inclusion is fought, while Dalit advocates based in non-governmental organizations appeal primarily to international human rights and the claims to universal human dignity. The important political moment of People's Movement of April 2006 brought these two groups together to fight locally for full citizenship rights.

NATIONAL CITIZENSHIP VS. GLOBAL CITIZENSHIP

According to Isin (2000:4), "Modern citizenship rights that draw from the nation-state typically include civil rights (free speech and movement, equality, rule of law), political rights (voting, seeking electoral office) and social rights (welfare, unemployment insurance and health care)." Even though a modern democratic state is expected to uphold a combination of citizenship rights and obligations, the exact combination and depth of such rights vary from one state to another. Today, a process like globalization has opened up the way in which citizenship is understood and debated. Rather than simply focusing on citizenship as legal rights, there is now agreement that citizenship must also be defined as a social process through which individuals and social groups engage in claiming, expanding or losing rights. This may be considered as the sociological definition of citizenship where there is less emphasis on legal rules and more emphasis on norms, practices, meanings and identities. The issues of citizenship raised in this paper lie within this sociological definition. It is important to point out that citizenship rights are not natural. "What determines the composition of rights and obligations (citizenship) that pertains to a given nation-state depends on its historical trajectory" (Isin 2000: 2).

Besides national citizenship, the concept of global

citizenship has also received a lot of attention. Associated with this concept are terms like international human rights, global civil society and transnational activism. As Chandhoke (2005: 356) states, "the notion of global civil society has been associated with distinct historical trends and emerging institutional spheres of operation, notably, the activities of international non-governmental organizations (INGOs) that network across national borders and create a new space of solidarity within the world system." For example, human rights activism has important implications for concepts of state sovereignty. Chandhoke further points out:

Traditionally states, holding aloft the banner of sovereignty and state security, have resisted any intervention by outside agencies and the banner of state sovereignty has been used or misused to hide state-sponsored violence or lawlessness from the censorious global public gaze. Today human rights INGOs, which emphasize solidarity with victims, have brought human rights issues into the global public sphere. International human rights organizations embody the conviction embedded in the Universal Declaration of Human Rights that national borders or sovereignty are simply irrelevant when it comes to human rights. In these and other ways, global human rights organizations have formally declared and mandated an ethical and a morally authoritative structure for national and international communities (Chandhoke 2005: 359).

Jacobson (1996) asserts that rights of citizenship are giving way to international human rights:

More importantly, whereas civic (national) rights can only be realized by “a People,” one does not have to be part of a territorially defined people or nation to enjoy human rights. Human rights are not predicated on nationality. Human rights are not based on the distinction between “national” and “foreigner” or alien (although international law does not prohibit such a distinction). Political, civil, and social rights within the state, however, are based on such a distinction (1996: 2).

He goes on to note that international human rights codes are transforming the nation-state system, despite having been established through the instrumentality of the latter. International human rights derive their authority from “universal humanity” rather than from citizenship or state membership, and they empower or confer political agency on individuals and nonstate entities, who are thereby “becoming international, indeed transnational, actors in their own right” (p. 2-3). Jacobson’s primary concern is with immigrants and immigration and the ways in which these disrupt and transform the regime of national citizenship as the final authoritative source of rights and rights claims for all residents within the boundaries of the nation-state. However, there are other categories of persons whose claims also occupy the unsettled zone between citizenship based on the nation-state and the universal entitlements of international human rights. Examples include refugees, stateless persons, sexual and racial minorities, women as victims of gender oppression, and other oppressed sub-national groupings or communities based on ethnicity, religion, caste, and region. In Nepal, Dalit struggles for equity and freedom appeal to both regimes of rights, as strategy and/or goal. While these regimes might be seen as complementary, they have become competitive foci or tools based on the different institutional locations of the advocates who deploy them. Dalit activists based in political parties tend to privilege the nation-state and its bounded sovereignty as the strategic and ultimate terrain upon which the struggle for full Dalit inclusion is fought, while Dalit advocates based in non-governmental organizations appeal primarily to international human rights and the claims to universal human dignity and entitlements embedded therein.

In this paper I examine the tensions between citizenship rights as a function of national sovereignty and the appeal to international human rights as a function of universal personhood. The entitlements of international human rights fill a space left open by the limitations of citizenship based on national sovereignty. I briefly talk about the lack of full citizenship status of Dalits in Nepal, historically and in the present context, as a result of sustained discrimination, oppression, exploitation and social exclusion. I then turn to the struggle of Dalits for full citizenship. In particular, I will talk about the Dalit movement or movements, their strategies, politics of activism, and internationalization. I then focus more specifically on the struggle for full citizenship through the tactics used by Dalit activists. I draw my insights from my

field-work and from secondary sources. In order to explain the processes I draw upon the differences between Dalit advocates and activists affiliated with non-governmental organizations and those affiliated with political parties. This also highlights the tension between national citizenship discourse and the international human rights discourse. Finally, I focus briefly on the timing of the research and how the political moment allowed me to observe these two factions coming together in addition to the contradictions and tensions within the Dalit movement.

RESEARCH METHODOLOGY

This paper is based on the findings of my field work in Kathmandu, Nepal during January 2006 to July 2007. I have used a triangulated ethnographic approach of in-depth, semi-structured, face-to-face interviews, participant observation and field notes. I interviewed a total of forty-one activists and leaders. The activists included a diverse range of individuals: Dalit advocates, leaders and activists in the civil sphere. The political insurgency during my time in the field not only required that I capture the “politicized” voices of Dalit leadership, but also that I record for long-term purposes this unique moment in Nepal history. They were in an important position to articulate and publicize key discourses around Dalit identity and aspirations at a historic moment for the society as a whole. Moreover, the insurgency provided a perfect occasion to study the disjunctures between the “ethno-national” leadership and poor urban Dalit communities. The interviews were conducted in Nepali, the official language of Nepal and my native language, and translated into English.

DALITS AS UNEQUAL CITIZENS

The caste system was instituted in Nepal as a result of Hinduization only in the second half of the eighteenth century. It is an offshoot of the Hindu Indian model that came to Nepal with caste Hindus with their traditional caste occupations. Prior to this, Nepal had independent but fluid political units, chiefdoms and principalities characterized by diverse communities each with its own religion, language and culture (Pradhan 2004). Nepal was unified under Prithvi Narayan Shah in 1768 and consolidated during the Rana regime from 1846 to 1951. The Muluki Ain of 1854 organized Nepali society into five main categories the *tagadhari* (the twice born sacred thread wearing high castes), the *namasine matwali* (unenlavable liquor drinkers), *masine matwali*, (the enslavable liquor drinkers), the impure but touchable castes (including Muslims and Europeans) and the *achuts* (untouchable castes), known today as Dalits (Gunaratne 2005). Differential privileges and obligations were accorded to each caste and sub-caste within the system, prescribing certain hereditary occupations for some and either allowing or disallowing ownership of land for others. In the old civil code, there was differential treatment in justice and

punishment based upon the caste hierarchy. It remained until the proclamation of New Legal Code of 1964 (Dahal *et al* 2002; Gellner *et al* 1997).

Today Nepal is undergoing a deep structural shift: away from predetermined and largely unchanging caste/ethnic identity as the primary basis for social status and economic and political power, towards a more open, class-structured society where status is based on attributes like education, wealth and political influence which (at least theoretically) can be attained through individual effort. While some Dalits have been upwardly mobile and taken advantage of the limited opportunities, the majority of Dalits, as historically disadvantaged groups, lag behind in their income and asset levels, in their education and other human development indicators. Dalits comprise between 13 percent (about 3 million) to 20 percent (4.5 million) of the national population. Their poverty rate is 46 percent against the national average of 31 percent. Their literacy rate is 34 percent in contrast to the national average of 54 percent. Their life expectancy stands at 50.8 years against the national average of 59 years. Their per capita income is US \$39.60, which is almost the lowest in the world. The majority of the thirty-eight percent of the Nepali population living below the poverty line are Dalits. Twenty-three percent of Dalits are landless and 48.7 percent have less than 0.1 hectares of land. For those who have land, cultivable land is less than 1 percent. Dalit women are ranked lowest in the Nepali social structure with a high illiteracy rate (92 percent), poor health conditions and very low wages. Dalit women engage, for the most part, in agricultural operations and constitute the major workforce doing hard manual labor. They experience most acutely the interlocking oppressions of class, caste and gender (Bishwakarma 2004; CBS 2001; Jha 2004 and World Bank & DFID 2006).

PURSUING EQUALITY: THE ROLE OF THE STATE

The state declared untouchability illegal in 1964. The 1990 Constitution mentioned protective discrimination in its Article 11(3). Prohibiting caste as well as gender discrimination, the constitution pledged to initiate special programs and welfare laws for the socially and educationally backward people. Following this constitutional provision, the government has enacted various acts, policies and programs, i.e. free legal aid, free primary education, provision for political participation at the local level, policies for cultural enhancement and specific program for their economic enhancement. Some programs for social security have also been formulated. Another pro-Dalit move on the part of the government has been the ratification of several international conventions. The Government has ratified International human rights instruments, including the International Convention on the Elimination of all kinds of Racial Discrimination, 1965 (ICERD), International Covenant on Socio-economic and Cultural Rights, 1966 (ICESCR), Convention on Eliminating all kinds Discrimination against

Women, 1979 (CEDAW), Convention against Torture (CAT) and the Anti Slavery Convention (CAS), whose compliance is monitored by a group of human rights organizations and Non Governmental Organizations (NGOs), including Dalit NGOs.

Even though Nepal has laws and procedures for filing cases against untouchability, Dalit activists do not seem so optimistic and hopeful towards the positive role of the implementing authorities. Since there few Dalits in implementing agencies discrimination against Dalit continues even at the state level. Police officials (mostly non-Dalits) and court officials discourage victims from filing complaints. Victims have to deal with a lot of bureaucratic hassles if they want to file a case (Tamrakar 2004). Most of the cases that have been registered have been through extensive efforts of Dalits NGOs, but most Dalits are unaware of legal processes and do not have access to NGOs.

In short, despite these legal provisions, Dalits continue to suffer from discrimination and human rights abuses because of their caste status. They are still unequal citizens. Dalits have been prohibited from entering upper-caste Hindu temples and teashops. Moreover, they live in segregated neighborhoods, are often forced to perform menial tasks, such as removing dead animals or disposing of human excreta, and are subject to punishment if they refuse to do so. Altogether 205 existing practices of caste-based discrimination have been identified by a research study carried out by Action AID Nepal (2003).

TACTICS AND STRATEGIES OF DALIT ACTIVISTS

The people's movement of April 2006 provided an opportune political moment for all marginalized groups to voice their grievances. In addition to observing events that unfolded prior to and after the democracy movement, I also identified organizations based on policies, programs and political manifestos gleaned from their literature, knowledgeable informants, and office visits. During my field work I visited all the national Dalit organizations. I also visited international organizations that support Dalit NGOs. I accessed and photocopied organizational records pertinent to this research, observed meetings, activities, and events that are relevant to my research. In addition to reviewing public documents of organizations, I also attended some workshops, seminars and rallies of the organizations and advocacy groups when these were conducted in conjunction with other organizations and in a common public venue. Some examples are the programs in commemoration of the International Day against Racism, participation in South Asia People's Assembly, the Dalit Citizen Assembly, workshops conducted to discuss the constituent assembly, and workshops on the issue of proportional representation of Dalits. The participant observation allowed me to observe the group dynamics and interactions that I would not otherwise have noticed if I had used only interviews. According to Lichterman (1998),

researchers using the method of participation observation might have more opportunity to pick up implicit meanings that respondents might not be comfortable in disclosing in interviews. I interviewed activists from these organizations as well as independent activists and activists representing the seven Dalit-sister wings of national political parties. This diverse sample of activists is emblematic of the diversity of Dalit castes, Dalit organizations and Dalit advocacy in Nepal.

From a general and long term view, the tactics and strategies employed by Dalit activists are evident from examining the programs, slogans and strategies of the different organizations. I will first discuss organizations in general and then focus on the historic people's movement of April 2006. The people's movement provides an example of how activists associated with political parties and those associated with non-governmental organizations operated locally to put aside differences for a larger cause. At the same time, this process was not without tensions and contradictions.

ORGANIZATIONAL SPACE: BRIEF OVERVIEW OF NATIONAL DALIT ORGANIZATIONS

Foreign aid plays a vital role in development in Nepal, as Nepal is one of the poorest countries in the world. Nepal ranked 142nd out of 177 countries in the United Nation's 2007 Human Development Index (HDI), which measures achievements in terms of life expectancy, educational status and standard of living. Nepal ranked 84th among 108 developing countries in the Human Poverty Index (HPI) measure, with 17.4 percent of the population having the probability of not surviving past the age of 40, an adult literacy rate of merely 51.4 percent, 10 percent without access to safe water, and 48 percent of children being underweight. The gender inequality is high as denoted by the gender-related development index (GDI) -- Nepal ranks 134th in the world. Similarly, Nepal's HDI of 0.534 is well below the regional average of South Asia and substantially below the average HDI for all developing countries (UNDP 2007).

A major source of revenue is through development aid. Since 1970, foreign aid has increased substantially and Nepal has received more financial aid per capita than any other country of the world (Macfarlane 1993, cited in Geiser, 2005). Since the implementation of the five-year plans in Nepal, poverty reduction and poverty alleviation have always been the focal objectives of the government and continue to be so. Additionally, there is a proliferation of non-governmental and governmental organizations and community based organizations involved in poverty alleviation and development programs.

The Social Welfare Council oversees the service and development sectors while monitoring and coordinating the activities of local and international NGOs in the country. Although indigenous social institutions and organizations have existed from the very beginning in Nepali society, NGOs

addressing issues related to socio-economic development and community mobilization became active only after the restoration of democracy in 1990. The growth of NGOs in Nepal is fundamentally linked with the proliferation of development discourse and agendas. While only a few NGOs began to contribute to "development" in the 1980s, their growth in the 1990s and 2000s was phenomenal. Over the years INGOs have played a crucial role as key stakeholders and partners in the development of Nepal. The Association of INGOs in Nepal (AIN), representing about 70 INGOs working in Nepal, shares the common goal of poverty reduction and sustainable development (<http://www.ain.org.np/index.html>).

DALIT NON GOVERNMENTAL ORGANIZATIONS (NGOS)

There are two kinds of Dalit NGOs in Nepal. The first are large national NGOs, including the Dalit Welfare Organization (DWO), the Feminist Dalit Organization (FEDO), Nepal National Dalit Social Welfare Organization (NNDSWO), Jana Utthan Pratisthan (JUP) and the Jagaran Media Center (JMC). The second are the many small Dalit organizations working at the community level. All Dalit NGOs conduct advocacy/activist functions alongside traditional development activities. The Dalit NGO Federation (DNF) is an umbrella organization of Dalit NGOs, with a membership of over 500 Dalit organizations.¹ The DNF aims to eradicate caste-based discrimination through networking and alliance building among Dalit and pro-Dalit institutions (www.dfnepal.org). It is emerging as a powerful converging point for the movement (World Bank and DFID 2006). The Dalit NGO Federation envisions a discrimination-free society in which all people including Dalits can live with respect and dignity. It hopes to promote pro-Dalit policy to ensure Dalit rights/representation in the mainstream socio-political processes, to facilitate and provide legal aid to Dalit organizations and community, to focus on Dalit women, Madhesi Dalits and the marginalized ones within the Dalit communities, to build national and international solidarity, to strengthen the Nepali Dalit rights movement, to improve good governance of DNF and its Member Organizations, and to focus on DNF's institutional sustainability and human resource development (<http://www.dfnepal.org/aboutus/stategic.php>). Many donor organizations have supported the Dalit cause, and the development assistance that Dalits receive falls within these thematic areas (Bishwakarma 2006).

1. Advocacy programs: workshops, interaction programs, mass meetings, face-to-face public hearings, lobbying and mobilization.
2. Capacity building: training for staff members, board members and frontline workers.
3. Legal Aid: free legal support, paralegal development, legal awareness training and case investigation.

4. Need based: income generation support (training, saving & credit, seed money, and income oriented programs), health and education (scholarships, awareness raising, empowerment).

The table below compiled from organization brochures and websites of national-level Dalit NGOs in Nepal demonstrate that they want to ultimately eradicate caste-based discrimination and untouchability. The organizations place emphasis on equal rights and living with dignity and freedom. The table depicts the efforts of these organizations to integrate the development agenda along with their objective of a caste discrimination-free society. Dalit organizations also act as pressure and lobbying groups. The organizations organize advocacy interventions like rallies, demonstrations, mobilizations. Dalit organizations are now a part of the international network against racism (Bishwakarma 2005). The website www.nepaldalitinfo.net provides and serves as an international network of Dalit information. This dynamic portal, with information both in Nepali and English

allows discussions, debates and dialogue on Dalit issues. It is becoming a very important and encouraging space in developing and generating Nepali Dalit discourse and perspectives and in bringing together Nepali Dalits from all over the world under a common platform.

All the organizations listed below are supported by donors that change over time. However, by and large, the major donors and partners are the World Bank, USAID, Action Aid, Care Nepal, Lutheran World Federation, Plan International, Care International, German Development Service, The Advocacy Project, United Nations Development Program, Swiss Development Cooperation, Department for International Development, European Commission, Danish International Development Agency/Human Rights and Good Governance, Save the Children US, Volunteer Support Overseas and Enabling State Program/Dalit Empowerment and Inclusion Project.

Table 1: National Level Dalit Non-Governmental Organizations in Nepal

(Source: Information compiled from organization websites)

NAME OF ORGANIZATION	SLOGAN /VISION	STRATEGIES	PROGRAMS
DHRO (Dalit human rights organization) (www.dhro.org.np)	Establishing an egalitarian society with full enjoyment of human rights	Creating public awareness against the improper social practices including superstition, caste discrimination and environmental degradation Bringing the Dalit Community into the socio-political mainstream of the national development.	Producing and broadcasting materials relating to the protection and promotion of human rights of the Dalit Community Undertaking research to monitor human rights falling under the purview of national, international laws, treaties and protocols, enhancing economic, social, political capacity by conducting various informal education and income generating programs
Dalit Welfare Organization (DWO) (www.dwo.org.np)	A movement for social justice Envision a society where people respect each other with justice and live with dignity regardless of caste, race, status, profession, and ethnic groups they belong to.	To support and advocate for the eradication of the caste-based discrimination system. To provide a holistic program for the development of Dalits. -To unify as a people in attaining Dalits' emancipation. To gain equal rights and dignity among Dalits and non-Dalits alike.	Awareness for capacity building:--Radio, TV, Tele film, street drama , training, seminar, interaction, discussion and copicnics; Cultural programs, Legal literacy Networking, and mobilization; Advocacy Educational Support Programs -Early Child Development Center --Child and adult literacy class and parents and social awareness literacy; Scholarship and educational support; Skill development training; Textbook and amendment of curriculum; Self-help and income generation

Table 1 continued on next page

NAME OF ORGANIZATION	SLOGAN /VISION	STRATEGIES	PROGRAMS
Feminist Dalit Organization (FEDO) (www.fedonepal.org.np)	For a Just and equitable society Emphasizes the role of Dalit women & children in the upliftment and liberation of Dalit society.	Awareness building among Dalit women, Advocacy for Dalit rights and against caste discrimination. Caste and gender mainstreaming to promote human rights and social justice Implementing development programs focusing on Dalit women and children based on their needs.	Participatory approach to developments with programs focusing on: Education: increasing Dalit women literacy rate, inspiring girls to join school Economic Empowerment- promoting self-sustaining and economically profitable micro enterprises; mobilizing Dalit women groups in income generating and skill development activities for their economic empowerment; modernizing occupational skills of Dalits Health and Sanitation programs; Advocacy, awareness campaigns and research
Lawyers' National Campaign Against Untouchability (LANCAU Nepal) (www.lancaunepal.org.np)	Elimination of the crime of Untouchability and all forms of Untouchability based discrimination	Advocacy and sensitization programs for the elimination of Untouchability and caste based discrimination. - Innovative campaigns against caste-based discrimination Promotion of human rights and social inclusion of Dalits	Consultations and workshops in District networks Awareness campaigns Mass Media Research and Publications
Jana Utthan Pratisthan (JUP) Academy for Public Upliftment (www.jup-nepal.org)	Nobody is born impure, all humans are created equal	Raising awareness about human rights, socio-economic development, environmental deterioration, and prevailing superstitious social customs, such as caste discrimination.	Empowerment and advocacy strategy Training programs to enable self-reliance, decentralization, good governance and community mobilization Lobbying at the international meetings in accordance with the laws of the UN, European Union and international organizations, international treaties and conventions, international Dalit Solidarity Network (IDSN). Coordinating its activities with other Dalit movements.
Nepal National Dalit Social Welfare Organisation (NNSWO) (www.nnsw.org.np)	Envisioning an equitable society	Uplifting the living standard of the Dalits communities and mainstreaming this isolated sphere of the	Advocacy for Basic Human Rights of Dalits Promoting Dalits Rights and Political

MAJOR POLITICAL PARTIES IN NEPAL

Nepal lacks national Dalit parties as in India². Instead each national party listed below in alphabetical order has a sister wing. There were altogether 74 registered parties for the CA elections. The names of the parties with their election symbols may be found on the website <http://www.nepalelectionportal.org/EN/political-parties/>. Activists note that they do not want independent Dalit political parties as in the case of India because Dalits are scattered all over Nepal. It is felt that due to the diversity of Nepal Dalits, forming a single Dalit party will not necessarily address all Dalit problems. Regional differences matter more than caste differences. In Nepal, the

Dalit party-affiliated organizations are generally established according to the organizational structure of the parties to which they are affiliated and they are tightly bound within that particular political party's ideological framework and practical strategies and programs for Dalit liberation. There seems to be a general consensus within the Nepali Dalit Social Movement to carry out peaceful and legal struggles. Almost all organizations envision an "egalitarian society" where there would be no casteism and untouchability. But what particular social systems and structures would forge this egalitarian society are matters of vast difference of opinion (Kisan 2005).

Table 2: Major National Political Parties of Nepal

1.	Communist Party of Nepal (Maoist)
2.	Communist Party of Nepal (Unity Centre-Masal)
3.	Communist Party of Nepal (Unified Marxist-Leninist)
4.	Madhesi People's Right Forum (<i>Madhesi Janadhikar Forum</i>)
5.	National Democratic Party (<i>Rashtriya Prajatantra Party</i>)
6.	Nepali Congress
7.	Nepal Goodwill Party-Anand Devi (<i>Nepal Sadbhavana Party</i>)
8.	Nepal Workers and Peasants Party

Dalit wings of political parties have leaflets or books documenting their ideological agendas. However, the Dalit wings of political parties are not organized in keeping documents or publications. Most do not have websites. They claim that they do not have “foreign money.” Many use the media to transmit their ideological messages and to raise awareness of caste issues, mostly in the form of local folk songs. All wings have their separate offices. One of the most organized wings I observed was the Dalit Mukti Morcha (Dalit Liberation Front) of the Maoist party. For example, the members were ready to answer questions and were very articulate in their responses. Although the organization did not have a separate text devoted to Dalit issues per se, a special book was prepared using Prachanda (the leader of the Maoist party)’s ideology that criticized the feudal caste system that has dominated Nepal for centuries, and it explained how Maoist ideology was interested in a fundamental restructuring of Nepali society through the eradication of the caste system. There was also a general explanation of the support for proportional representation of Dalits in all sectors of society. Kisan (2005) notes that a common critique by leftist organizations adhering to dialectical and historical materialist ideologies is that Nepali society is feudalistic and class divided. Other Dalit organizations, adhering to democratic ideologies or to ideologies that maintain the status quo, do not appear to have made similar, broad analyses of Nepali society. Beyond this broad critique of society, there is no specific identification of the social structures or systems that maintain Dalit oppression. This limits the capacity of Dalit organizations to have a clear target to oppose.

MAJOR DIFFERENCES BETWEEN NGO-BASED AND POLITICAL PARTY-BASED ADVOCATES

A general theme of my findings was the differences in perspectives distinguishing activists employed by NGOs and INGOS and those in political parties. These differences reflect a long-term distinction between these two groups, and partly explain the related tensions I found in the field. They also demonstrate the diversity and heterogeneity within the larger movement itself.

The most striking difference is that while political parties are fighting for sovereign rights and full inclusion in the national body politic, NGOs have widened their referential domain and have also adapted to a form of global citizenship through deployment of the human rights discourse. Activists associated with the non-governmental organizations feel the Dalit movement in Nepal was uncoordinated because of the tendency of the Dalit wings of political parties to stick to ideological differences rather than to rally around a collective movement for Dalit rights. They feel that the parties’ main objectives are to muster Dalit votes upon promises that they invariably fail to deliver. In essence, the Dalit executive members of political parties do not address deep-rooted problems peculiar to Dalits and the caste system. Moreover, in their view, Dalit political leaders are simply used as *tokens* within the parties with little say and little power.

Activists associated with the non-governmental organizations claim that the success stories of the Dalit movement are a result of their work, some going so far as to call the movement an NGO movement. For instance, it was through their pressure that the government ratified many international conventions. This group appears skeptical of

political processes and state programs. However, they admit that political party wings are necessary for a successful Dalit movement because of the importance of political power. They also feel that “civil society,” characterized by the rights to voluntary association through the formation of NGOs and INGOs, can address Dalits problem and challenge the status quo outside of a political culture fraught with a feudalistic mindset, nepotism, corruption, and lack of accountability. They enjoy more space and autonomy (although this space may not necessarily be more powerful) to fight for a common Dalit cause. This allows them to function as effective and less corruptible pressure groups.

The political activists representing Dalit wings of the political parties admit that they are limited within political ideologies and it is difficult for them to grapple with the gaps or contradictions between the political ideologies and the fight for Dalit rights. Yet, for them, true freedom for Dalits can be achieved only through the full exercise of their sovereign rights (power of the people) played out through national politics. In this sense, the Dalit wings of political parties are tied to a national movement where their aims may or may not be achieved through their political parties’ programs and ideologies. They lack the autonomy and the focus for a full-fledged Dalit movement. This is reminiscent of the dilemmas faced by women’s movements in developing nations that are a part of national movements.

Political activists do not feel that the differences in ideologies detract from or undermine the cause of Dalit liberation, since the constitution addresses the caste system and, in any event, Dalits should exercise freedom of political association. Moreover, Dalits are a heterogeneous group. They feel that the success of the Dalit movement to date could be credited to those martyrs who were selfless in resisting the oppressive state throughout Nepal’s history, and who challenged the system through their own sacrifice and through political organizations. They reject the notion of an NGO movement. What NGOs do, in their view, is “activities, programs and awareness raising campaigns,” using agendas decided by outsiders and funded through foreign aid. For example, an activist affiliated with a political party notes “We are not those types of advocates who will simply hand in chicken and goats to villagers. We will make them aware of their political rights and strive for total freedom. We want to bring about a fundamental change. We (political parties) do not have money to hold talks in five star hotels and distribute food” (Interview March 19, 2007).

Political activists also challenge the notion of an uncoordinated movement and emphasize the heterogeneity of Dalits. As Gorringer (2005) notes, social movement actors are neither homogenous nor necessarily united. One activist stated that the issue of an uncoordinated movement is not a serious one. “In fact, there can be many Dalit movements: Why should one expect harmony and co-ordination among Dalits? Dalits are a diverse group” (Interview June 15, 2007).

INTERNATIONALIZATION OF THE DALIT CAUSE AND HUMAN RIGHTS DISCOURSE

The criticism attributed to NGOs in Nepal by political parties as stated above is commonly shared by the public and independent Dalit activists. Nevertheless, non-governmental organizations and international non-governmental organizations, also seen as involved in the “development industry,” occupy visible positions in Nepal, a country heavily reliant on foreign aid. This visibility also denotes power and upward social mobility. This is seen in the posh office buildings in which the big NGOs and INGOs are located, the luxury cars that they use, and the attractive salaries and benefits that their employees receive. This visibility unfortunately stereotypes all local NGOs, including those who may be working at the grassroots level, doing commendable work and struggling to get funds, and those NGOs who use local money. Because of these perceptions, skepticism towards NGOs has taken deep root in Nepal, in contrast to the projected principles of non-profit organizations. It is common to refer to organizations supported by western donors as “dollar harvesting organizations”—making money without doing the real work. One intellectual noted that the development industry and those employed in such NGOs or INGOs create a different class category of a *privileged group* when they do not reach the masses. This perpetuates inequalities, resentment and skepticism (Interview May 4, 2006).

Acknowledging criticisms, activists associated with NGOs and INGOs admit that the development scene in Nepal is not pristine -- neither are the political leaders. According to them, it is crucial to be aware of the complexities and to keep working. Activists associated with Dalit NGOs and INGOs emphasized that the Nepali Dalit Social Movement has been supported by United Nations organizations, and other international organizations and associations. There has been considerable influence from the Indian Dalit and anti-caste movements. Dr. B. R Ambedkar is a source of inspiration for Nepali Dalit leaders. They celebrate International Day against Racism and draw upon the speeches of Dr. Martin Luther King. They also draw upon the history of apartheid in South Africa. In general, these Dalit activists appear very focused on international advocacy.

Most NGOs and INGOs have adopted the human rights discourse. A consciousness of human rights has percolated through to Dalit movements and shaped their rhetoric and strategies (Gorringer 2005). The National Human Rights Commission (NHRC) was established on May 26, 2000, with the objective of effective protection and promotion of Human Rights of the people of Nepal. The Maoist conflict and the gross violation of human rights along with pressure from international organizations led to the formation of the NHRC. This move also helped Dalits to frame their demands within the purview of human rights violations. Recently, the National Human Rights Commission named caste-based discrimination among the key human rights issues in Nepal.

In its summary report on the Status of Human Rights under the Comprehensive Peace Agreement, the NHRC of Nepal highlighted the continuation of discrimination against Dalits as one of the most pertinent human rights issues of the country, stating that the Dalit Community was still facing obstructions in enjoying the right to life with dignity (NHRC 2007).

The adoption of human rights discourse has also led to the internationalization of the Nepali Dalit movement. Dalit activists in Nepal use human rights discourse to make the case for the importance of human dignity and to expose the inhuman aspects of caste discrimination. This human rights approach seems to have a universal appeal (Tamrakar 2007). This move has enabled Dalit NGOs to form alliances with organizations all over the world. There has been a significant involvement of international development agencies, human rights institutions and solidarity groups/forums that have highlighted the efforts of Dalit organizations and internationalized their issues.

It is important to point out that Dalits started using the human rights discourse after the United Nations accepted that caste discrimination was a form of discrimination based on descent. No international conventions specifically covered problems of untouchability; human rights treaty bodies did not recognize caste-based discrimination as a human rights violation; major human rights NGOs had not taken up the issue until recently. Up until the late 1990s, the daily violence, exclusion, and humiliation suffered by millions of people in low caste groups had not been treated as human rights issues by United Nations organs or non-governmental organizations (NGOs). Bob (2007) shows how it has taken a lot of effort by India's Dalits to transform centuries-old caste-based discrimination into an international human rights issue. Most importantly, the formation of a unified Dalit network within India and the subsequent creation of a transnational solidarity network played a major role in these successes. The rhetorical changes played a key role, as Dalits moved from their long-standing focus on caste-based discrimination to a broader framing within the more internationally acceptable terminology of discrimination based on "work and descent." This move greatly benefited the Nepali Dalit movement. It was only in 2001 that the Dalit issue was globalized at the World Conference Against Racism (WCAR) held in Durban. The WCAR brought the issue of caste- and untouchability-based discrimination to wide public audiences internationally and highlighted caste-based issues at the national level. "The WCAR became, in effect, an important means of creating a public space by reflecting the controversy over caste-based discrimination back to the countries where caste was practiced and igniting a huge internal public debate on local terrain" (Smith 2005:17). Today there is an alliance called International Dalit Solidarity Network based in Copenhagen, Denmark, of which Nepal is a member. Its slogan is "*working globally against discrimination based on work and descent.*" The purposes of IDSN are:

1. To work for the global recognition of Dalit human rights and contribute to the fight against caste discrimination, and other forms of discrimination based on work and descent around the world, by raising awareness and building solidarity.
2. To advocate Dalit rights - seeking to influence policies of governments and international bodies and institutions; and to monitor enforcement and implementation of anti caste discrimination measures.
3. To facilitate Dalit rights interventions at various levels internationally, including at the Commission of the European Union and European Parliament, United Nations (UN), the International Labor Organization (ILO) and related forums.
4. To create and maintain a resource base and forum that facilitates and strengthens solidarity and representative functions especially at the United Nations, the ILO and other related multilateral bodies, financial institutions like the IMF, WTO, the World Bank (WB), Asian Development Bank (ADB) and bilateral bodies (www.idsn.org).

Dalit Platforms in caste-affected countries, solidarity networks in Europe and USA, and international human rights and development organizations have joined forces in the International Dalit Solidarity Network to work globally for the elimination of caste-based discrimination and similar forms of discrimination based on work and descent. Participation of Nepali Dalits in international spaces like the World Conference Against Racism (WCAR), other UN conferences, and World Social Forums, allows them to bypass their own governments and appeal to the global community. This is a tactic commonly used by human rights advocacy networks to place their issues on the international agenda.

My findings from interviewing Dalit activists working in NGOs suggest that Dalits feel that forming international alliances and making their presence felt in venues like WCAR, UN conferences and the World Social Forum (WSF) helps them to move beyond the nation-state towards which they have deep frustrations and skepticism. Moreover, they feel that in a globalized world, it is important to form alliances and expand their network with oppressed people all over the world. Supporters of the human rights approach note that governments with bad records can be shamed through international pressure.

Taking the Dalit case beyond the Nepali state shows the desire and need of Dalits to create public spaces in which to highlight their cause and to give voice to the voiceless. Smith (2005) points out that Dalits have been adept at moving across the entire spectrum of local to global politics. Such networks can serve as catalysts of empowerment and agency from below for marginalized groups and social movements.

In contrast to Indian Dalits, the Nepali Dalit Diaspora is only slowly developing. There are a few Dalit societies operating from abroad. It is only recently that Dalits have had the opportunity to go abroad for study, travel or as immigrants. The Nepali-American Society for Oppressed (NASO) Community and

Empower Dalit Women of Nepal are both based in the U.S. According to its website (<http://nasocommunity.com/default.aspx>), NASO's objective is to help create a casteless society in Nepal. In order to fulfill this objective, the NASO Community is involved in mobilizing political workers, government officials, NGO workers and human rights activists, and any other institutions/organizations working towards similar goals.

Empower Dalit Women of Nepal (EDWON) describes itself as a human rights organization for "untouchable" women. EDWON empowers women socially and economically through education and micro-finance programs. The organization's slogan is "Women act together to end domestic violence, caste and gender discrimination, and poverty; women act together to promote income-generating activities, solidarity, education and community development" (<http://www.edwon.org/>). The UK-based Srijanshil Nepali Society (SNS) is a local community organization founded by Nepali Srijanshil (Dalit) Diaspora with a vision of creating a better society through reformative and innovative work (<http://www.nepaldalitinfor.net>).

CRITICISM OF THE HUMAN RIGHTS APPROACH

The human rights approach is not without criticism. My findings suggest that independent Dalit advocates and activists affiliated to political parties are skeptical of such tactics. Human rights organizations and values are linked to western powers. Many activists feel that authorities from the west have no right to talk about the human rights situation in Nepal. Dissenters (mostly Dalit activists affiliated to political parties and independent advocates) note that adapting to a human rights discourse might not lead to full citizenship status for Dalits, and might not highlight the true problems of minorities. They feel that key strategic issues will be determined by western donor countries. How effective this discourse has been in Nepal is yet to be seen, according to them. Activists also seem displeased when international human rights officials give directives to the Nepali government as to what the government should do while chiding it for its poor human rights record. For example, when a high level human rights representative came to Nepal for a few days and spoke on how Dalits should be included and on the importance of timely Constituent Assembly elections, one activist noted firmly, "Whatever our system says, it is our issue. Nepal public can say something. She has no right to say that. So now the US and other western countries are saying we *should* have elections" (Interview July 4, 2007).

The Dalit movement, then, is riven by internal divisions. Chandhoke (2005:370) raises very relevant questions of accountability and representativeness in the context of INGOs that operate transnationally. She questions who talks for whom and whether the people are truly represented in these contexts: for the practices of representation may well constitute needs, interests, and the problems of people rather than represent them. "Considering that the most influential

INGOs are based in the West, it is time to ask how adequately or how competently the problems of the people are being represented and in which direction."

Many independent Dalit intellectuals and Dalit activists share Chandhoke's view. Dalit activists note that most NGOs and INGOs are donor-driven and the donors mostly support projects in remote areas. Funding is erratic when programs do not fall within thematic areas of donors, which change frequently. Dalit intellectuals and independent activists are wary of this process of dependency on donors. According to one activist, this dependency does not give Dalit organizations a bargaining position and it compromises Dalit concerns and interests due to donors' decisions regarding what causes they will fund. During my research, I observed NGOs and government agencies struggling to find funds, and trying to shift their focus depending on the call for proposals in order to accommodate donor interests. As money started coming in for conflict and peace building, organizations were busy preparing proposals and trying to fit their programs into what the donor seemed to want, although they had no experience in the area. This kind of pattern in my view limits true change because it does not allow organizations to provide continuity to the work they do nor does it allow enough time to assess change in the areas of activity. This dependency on donors and emphasis on report writing and grant applications have also led to negative stereotypical images of NGOs and INGOs as running a "report-writing industry." I encountered such criticism mostly from independent Dalit activists and those affiliated with political parties.

According to Tvedt (2002), this type of development politics occurs in many developing countries. Tvedt emphasizes that now we can talk of a worldwide system, disbursing billions of dollars every year, engaging tens of thousands of NGOs, and assisting hundreds of millions of people. The boundaries of this money flow have produced a rather closed system (and, in so doing, reproduced its systemness), in the sense that the partners or members have to formally apply to be included in it or to be allowed to cross the boundaries. If you get the money, you are inside. If not, you are on the outside. My research suggests that this, indeed, is also how Nepali NGOs operate, how some are included and others excluded. You are included if you have good English speaking and writing skills. Ironically, since few Dalits have gone to private schools (where they can learn English), many Dalit NGOs have non-Dalit staff. Dalit NGOs may be excluded from access to funds because they lack good English and are not able to write proposals that would satisfy western donors. Critics complain that because there is a heavy emphasis on good written English skills, many non-Dalits are employed in this sector, and Dalits are not able to compete equally. Some feel that it would be advantageous to hire Dalits for Dalit causes because of the critical experience of being a Dalit. My interviewees also expressed frustration that they were limited because of poor English language skills. This trend then has also created a certain class bias, where only well-educated Dalits, along

with well-educated non-Dalits, get opportunities in the field of advocacy work.

Dalit advocates from political parties feel that NGOs are spoiling their constituents by seducing them with free things, conducting meetings in posh hotels and providing attractive venues for employment. They feel that once Dalits are well educated and have the potential for fighting for true freedom, they are co-opted by the NGO sector where they are no longer free. Political parties feel that true freedom and true change cannot happen with the help of donors.

Being critical of donor dependency does not mean that political parties are doing a better job in addressing Dalit issues. Activists are also critical of the politics of Nepal and feel that the political culture will have to be changed before Dalits can be liberated. While the answer may lie in true sovereign, substantive rights for Dalits, the political culture of impunity, tokenism, corruption and nepotism will have to end. Genuine change will come about only after Dalits are properly represented in positions of power and decision-making. The ongoing pressure employed by Dalit activists for proportional representation will be discussed under the context of the recent People's movement in the following section.

PEOPLE'S MOVEMENT (JANA ANDOLAN II): BRINGING ALL DALIT ACTIVISTS TOGETHER

In April 2006, the major political parties, in cooperation with the Maoists, organized massive countrywide demonstrations for the restoration of democracy, forcing King Gyanendra to relinquish power. The nineteen-day protests, considered peaceful and organized, caught the world's attention. On April 24, 2006, the king reinstated the Parliament. Former Prime Minister Girija Prasad Koirala of the Nepali Congress Party was selected by the Seven-Party Alliance (SPA) of political parties to lead the government. The Maoists declared a unilateral cease-fire on April 26, and the new Koirala government announced its own unilateral cease-fire and plans for peace talks with the Maoist insurgents. The SPA and the Maoists have since signed a number of agreements, including, in November 2006, a comprehensive peace agreement that ended the 12-year conflict. Both sides also agreed to an arms management process and elections for a Constituent Assembly. On January 15, 2007 a 329-member interim Parliament, including 83 Maoist representatives and other party representatives, was constituted. The first sitting of the Parliament unanimously endorsed an interim constitution, which replaced the constitution of 1990. On April 1, 2007, the ruling eight-party government formed an interim Council of Ministers through political consensus, including five Maoist ministers. The main agenda of the SPA and the Maoists was to hold a Constituent Assembly (CA) election. The Constituent Assembly is the body of representatives authorized by the Interim Constitution to draft a new Constitution for Nepal that would undo the concentration of political, social and economic power in a few

hands and make the society inclusive and democratic in the widest sense (Murthy 2007). This Constituent Assembly is to be directly elected by the people of Nepal in order to make it representative of Nepali society and ensure that all groups in Nepal can participate in this historical process (<http://www.election.gov.np/EN/electionresult/>). The Interim Constitution legislates for the creation of a 601 member Constituent Assembly, with 575 of these members being directly elected (335 through Proportional Representation and 240 through First-Past-the-Post) and 26 being appointed by the Cabinet after the election.

The interim constitution guaranteed the basic rights of Nepali citizens to formulate a constitution for themselves and to participate in the Constituent Assembly in an environment free from fear. The interim constitution transferred all powers of the King as head of state to the prime minister and stripped the King of any ceremonial constitutional role. Under the interim constitution, the fate of the monarchy will be decided by the first meeting of the Constituent Assembly. There has been pervasive pressure from all political parties and civil society to make Nepal a federal democratic republic. The CA elections were successfully conducted on April 10 after being postponed twice. Ongoing violence in the country and lack of a compromise between parties and the government had led to skepticism of the possibility of successful elections (<http://www.state.gov/r/pa/ei/bgn/5283.htm#gov>).

The democracy movement unleashed three important developments in Nepal: first, the abolition of the monarchy and the declaration that Nepal was a secular country, completely changing its status as the only Hindu kingdom in the world; second, the successful process of bringing the Maoists into the political mainstream; and third and the most unexpected, the assertion of their rights by the marginalized sections in a call for an inclusive society (Murthy 2007).

Discontented with the Government, many marginalized groups are demanding their wider participation in governance, bringing the Government under intense pressure. Their major demands include a federal restructuring of the state based on ethnic lines, the right to self determination and a proportional representation-based electoral system. For example, all the major groups representing the indigenous communities have united for a common struggle based on these demands. Groups like the Nepal Federation of Indigenous Nationalities (NEFIN) joined hands to pressurize the Government, resorting to nationwide strikes and agitations. All groups discontinued their strikes only when government agreed to a dialogue with them. There has been the emergence of armed groups in the volatile Tarai³ region with sporadic violence and armed activity continuing throughout the year. On December 7, 2007 four parties in the Tarai region, Madhesi Janadhikar Forum (Madhesi People's Right Forum) led by Bhagyanath Gupta, Dalit Janajati Party, Madhesi Loktantrik Morcha (Madhesi Democratic Party) and Loktantrik Madhesi Morcha (Democratic Madhesi Party), came together to float the Broader Madhesi National Front (BMNF). In a joint

statement they said that they all believe in the liberation of the Madheshi people through a federal democratic republic, proportional representation and autonomous Madhesh region equipped with the right to self determination (<http://www.satp.org/satporgtp/countries/nepal/index.html>).

THE INVOLVEMENT OF DALIT CIVIL SOCIETY IN THE PEOPLE'S MOVEMENT

Dalits were actively involved in the People's Movement of April 2006. Activists reiterated several times that the Dalit community had contributed significantly to the people's movement. They noted that many Dalits had sacrificed their lives (in historical and recent times) in protesting against autocratic and oppressive regimes. Thousands of them from all over the country took part in the people's movement protesting the authoritarian rule of the King. They participated in the larger movement and also organized separate demonstrations and staged agitations separately. Of the 19 people killed during the protests, three were Dalits-Setu Bishwakarma, Deepak Bishwakarma and Chandra Bayalkoti were killed in the demonstrations and declared martyrs of the peoples' movement. Many Dalits were seriously injured during the agitation. Apart from this, more than a hundred Dalits were arrested in different parts of the country. Likewise, Dalit organizations supported the people injured by being volunteers and contributing to the treatment fund initiated during the movement. The Dalit NGO Federation appealed to the leaders of the seven-party alliance and the revived parliament, to bring lasting peace, good governance and sustainable development to the country. They urged the leaders of SPA and the parliament to include the Dalit community in the process of re-construction of the state and address key Dalit-related issues immediately (Dalit NGO Federation 2008).

Dalit activists and leaders played an important role in the articulation of Dalit identity at a historic political moment for the disenfranchised. They were articulating Dalit demands in public discourses. The timing of my research enabled me to observe Dalit organizations and Dalit activists move towards a common political agenda of educating the public about the Constituent Assembly elections and fighting for proportional representation. I observed platforms where political and non-political organizations were framing and discussing the common agenda of Dalits in very opportune conditions. Dalits' profiles are being enhanced in the public domain as Nepal is involved in a process of peace and nation building. This provided an excellent opportunity to observe the actors in the Dalit social movement. Because there was money for the peace building process through the UN, bilateral and multilateral donors, members of Nepali civil society, including Dalit NGOs and INGOs, were focusing their efforts on educating their constituents about the Constituent Assembly (CA) elections and participatory democracy. There were many rallies, demonstrations and workshops, on issues of social

inclusion, affirmative action and inclusion of minorities in the Constituent assembly elections. Political leaders, legal experts and political experts were also invited to participate in the discussions. I observed discussions and debates on what should be included in the interim constitution. Dalit civil society actors played an important role in pressurizing the government to have an inclusive process in forging the interim constitution and in preparing for the CA elections. For example, it was through their pressure that they later included a Dalit member, Mr. Min Biswakarma in the interim constitution framing committee. Dalit advocates from the Nepali diaspora in the United States also criticized Nepal's draft interim constitution and sent an open letter to the Committee demanding that Dalits be guaranteed 20 percent of the positions in the government and in all state bodies, proportionate to the Dalit population in Nepal.

Many large-scale events, gatherings and conferences were organized. For example, a National Citizens' Assembly of Dalits was organized in Kathmandu, where more than 2,000 Dalit activists and supporters voted to demand one-fifth of the Assembly seats for Dalits, and to mount a concerted campaign to pressure the government to agree. Similarly, they also rejected the proposed 6 percent reservation in the CA elections and called for a new constitutional amendment to ensure that Dalits receive 20 percent of the seats. The conference also called for the monarchy to be abolished. One big criticism by the conference participants was that the restoration of democracy had not improved the status of Dalits, and that the time had come to exert some political pressure. Despite such calls, an interesting observation was that the Dalit groups did not declare frequent nationwide strikes like indigenous groups and terai groups (other marginalized groups discussed briefly above). Activists noted that they believed in peaceful protests and they supported the plans for CA elections. They felt that the purpose of the democracy movement would be defeated if they resorted to violence, although there were a few dissenters who argued that only violence would make the government listen to them. Dalit groups had not been successful in forming a negotiating team to have a dialogue with the government in the early stages of the movement. This was seen by some as an indication of weakness in the Dalit movement. In fact, a joke went around suggesting that everyone was waiting for Dalits to shut Nepal down with a nation-wide strike and was wondering when it was coming. However, the majority of my informants emphasized that this was precisely how the Dalit movement was different from the indigenous and the terai movements. It is also important to note another way in which the Dalit movement differs from the indigenous and terai movements. While the former movements are bent on a federal republic and right to self-determination, the Dalit agenda is wider. Since Dalits are scattered all over the country, their framing of demands is not within federalism, although they support a federal republic. Their concern is where Dalits would be placed within a federal republic

system. What sorts of rights would Dalits have? How would Dalits be represented in such a system? Another difference is that while the indigenous movement is a separatist one, Dalits want to be integrated within the larger society, but with equal rights and opportunities, and with arrangements in place for the government's redress of historical discrimination through affirmative action. Dalit activists from all sectors emphasized this aspect very clearly. They are aware of the heterogeneity and diversity of Dalits living all over Nepal, and they see integration, therefore, as necessary. Here, analysis of the difference between national sovereignty and the right to self-determination is pertinent. Although the right to self-determination of nations is a presumptive part of national sovereignty, it is also something to which prospective or de facto "nations" can appeal (Dusche 2000). This is the crux of the difference between the Dalits and the ethnic minorities. Dalits want to be included or integrated on equal terms into the national community based on citizenship and its attendant rights, as well as into the global community of universal humanity based on the dignity and rights of personhood. They are not "natural" nations, either in terms of ethnicity or in terms of region or territory.

In sum, the Dalits were calling for the fulfillment of their demands, which include 20 percent reservation for their representatives in the Constituent Assembly as well as scholarships and free education for Dalit students. A conference organized by the association of Dalit women, entitled *Dalit Women for Ensuring Proportional Participation of Dalit Women in Constituent Assembly and New State Structure*, issued a 15-point charter of "Nepali Dalit Women in Building New Nepal-2007" on November 30 and, among other things, called for reserving 13 per cent of the seats for Dalit women in the Constituent Assembly election, providing 20 per cent reservation to Dalit women in the overall women's reservation at every level of the state and 50 per cent of the reservations made for the Dalit community, and ensuring proportional representation in the political parties from the decision-making level down to the grassroots level. The President of the Association, Durga Sob, warned that the Dalit women would launch a strong movement if the state did not take their demands seriously.

My interviews with Dalit activists indicated that they felt that the Maoist Party had been the most active and pro-Dalit in their policies and practices. For example, a significant achievement was having the largest number of Members of Parliament (MPs) from Dalit communities ever in the democratic history of Nepal. The CPN (Maoists) while entering the interim Legislature-Parliament as a part of the peace process based on its agreement with the seven parliamentary parties fielded 12 MPs from Dalit communities, making up 15% of their members in the interim Legislature-Parliament. Among the pre-existing parliamentary parties, CPN (UML), Nepali Congress, and United Left Front nominated, respectively, two, one, and one (of MPs) from the Dalit community. Two ministers in the Government representing the Dalit

community were also a record for Dalit representation in the history of governance in Nepal (Nepal 2007).

However, Dalits were very disappointed, frustrated and skeptical with political parties in that they did not have adequate representation of candidates for the CA elections. They insist that the political parties did not listen to them despite all the pressure placed upon them. In fact, only the Maoist party has heeded their demands with a fair representation of dalit candidates. This kind of frustration has also led the larger civil society to look for international spaces where their voices might be better heard.

The Constituent Assembly Election⁴ was held on April 10 and considered largely peaceful and successful by international observers. 240 members were elected in a direct vote in constituencies, 335 were elected through proportional representation, and the remaining 26 seats were reserved for nominated members. The CPN-Maoist party won a stunning victory of 120 out of 240 Constituent Assembly (CA) seats in the First-Past-the-Post (FPTP). Forty three Dalits were nominated for CA under the PR system and seven members (all from CPN-Maoist party) were elected directly under First-Past-the-Post (FPTP) system, making a total of 50 Dalit CA members. No Dalits were nominated by the executive government for the remaining 26 seats. This total is little less than 10% of the total members, which is only half of the 20% seats that Dalits have been demanding to represent them in the CA based on the estimated proportion of 20% for their population (<http://nepaldalitinfo.net/2008/05/03/439/>). The results, however, are viewed very positively by Dalits.

CONCLUSION

This paper demonstrates the dynamics of the Dalit Social Movement in Nepal at a historic political moment. The contributions of the movement are noteworthy. With the recent change in power in the political scene and victory for Dalits as shown by the winning Dalit candidates as well as those chosen by political parties under the proportional representation list, Dalit activists seem cautiously optimistic. Those advocating for Dalit rights and freedoms are eagerly waiting to see whether the new Maoist-led government will fulfill its promises of inclusion and fair representation of marginalized groups, tackling discrimination head-on and curtailing corruption in the process of building a new Nepal and fundamentally restructuring a caste-based feudalistic society. Or will they simply use Dalits as *tokens*? Where will Dalits be placed within a federal republic? Will the newly elected Dalit leaders fight for Dalit rights or will they have to subordinate their fight for Dalit freedoms to party ideology and politics? Will this historic change provide favorable conditions to bring together dalit activists associated with NGOs and those associated with political parties? In an atmosphere filled with new-found hope, expectations and yearning for "true social change", the answers to these questions remain to be seen in the years to come.

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WEBSITES OF DALIT ORGANIZATIONS

An international network for Nepal Dalit information resources
www.nepaldalitinfo.net

Association of INGOs in Nepal (AIN)

<http://www.ain.org.np/index.html>

Dalit Human Rights Organization (DHRO)

<http://www.dhro.org.np>

Dalit NGO Federation(DNF)

www.dnfnepal.org

Dalit Welfare Organization (DWO)

<http://www.dwo.org.np>

Empower Dalit Women of Nepal(EDWON)

<http://www.edwon.org>

Feminist Dalit Organization (FEDO)

<http://www.fedonepal.org.np>

International Dalit Solidarity Network

www.idsn.org

Jana Utthan Pratishthan (JUP)

<http://www.jup-nepal.org>

Jagaran Media Center (JMC)

<http://www.jagaranmedia.org.np>

Lawyers' National Campaign

Against Untouchability (LANCAU Nepal)

<http://www.lancaunepal.org.np>

Nepal National Dalit Social Welfare Organisation (NNDSWO)

<http://www.nndswo.org.np>

Nepali-American Society for Oppressed (NASO)

<http://nasocommunity.com/default.aspx>

ENDNOTES

1. The Dalit NGO sector is now divided into two umbrella organizations, Dalit NGO Federation (DNF) and Dalit NGO Federation – Nepal (DNF-NEPAL).

2. Two parties were registered for the Constituent Assembly elections, i.e. Nepal Dalit Shramik Morcha and Dalit Janajati Party. See “Political parties of Nepal” (<http://www.nepalelectionportal.org/EN/political-parties/>).

3. Half of Nepal's population lives in the Terai (fertile plain region) where the majority of people are Madhesis or people of recent Indian origin. Madhesis are under-represented in all areas of life. The Terai region contributes over two-third of the nation's GDP. It has 60 per cent of agricultural land. Though it is the backbone of the national economy, commensurate investments are not made in the Terai to serve the local population. Madhesis have lower education and health indicators than the hill communities. The agitations in the Terai in January and February following the adoption of the interim Constitution saw unprecedented violence. Terai Dalits are also a part of this movement.

4. Two kinds of electoral systems were adopted for the Constituent Assembly election: Each voter cast two votes:

i) The First Past the Post System (FPTP) in which the one leading in the vote count is elected. One Member, One constituency principle is followed in the First Past the Post System (FPTP). There could be a number of candidates but a voter is allowed to vote in favor of only one candidate.

ii) Proportional Representation, in which voting takes place for political parties, considering the entire nation a single election constituency. The winning candidate is determined on the basis of the maximum number of votes received by the parties. For this system, the political parties must submit a closed list of their election candidates to the Election Commission. The listed candidates are declared winners, according to the number of votes earned by political parties in the election. This system is an attempt for inclusion where each party is required to represent marginalized groups (<http://www.election.gov.np/EN/electoralsystem.php>)