



## Identity, dignity and development as trajectory: Bihar as a model for democratic progress in Nepal? Part II. Nepal's promise

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# Identity, dignity and development as trajectory: Bihar as a model for democratic progress in Nepal? Part II. Nepal's promise

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## ABSTRACT

Part I of this article traced the experience of India's Bihar state as it shifted in the last decade of the twentieth century from a region dominated by landowning upper castes and plagued by entrenched poverty to one led by newly emergent middle castes. In a two-step process, these groups first attained a significant dignity and self-respect and then it became possible in the 2000s to turn to economic growth and improvement in living standards. Part II makes a case that Nepal, long suffering under conditions similar to those hobbling Bihar until recently, might follow a similar two-stage path of dignity and then development.

**KEYWORDS** Bihar; Nepal; caste; elections; legislatures; economic development

## The Nepal case

Nepal's ethnic composition makes Bihar's look simple and straightforward by comparison, for it is split not only by caste and religion as in Bihar but also by region and ethnicity. The caste mix is different and more complex, but the historical dominance and exploitation by a high caste minority historically based in the country's middle hills (*Pahad*) is similar to Bihar's in economic (mainly landownership), religious (caste ranking), administrative and political realms. The complexity comes from overlapping categories of ethnicity and geography. The hill elites (often called *Pahadi*) are least heterogeneous, consisting principally of Brahmans (also called Bahuns), Chhetris (the leading Kshatriya community) and Newas (traditionally the dominant group in the Kathmandu valley), collectively amounting to roughly a third of total population, as can be seen in [Table 1](#). In both autocratic and more democratic times, the polity has been dominated by these elites.

Over the last couple of decades, this Pahadi elite dominance has been challenged from two quarters, which can be discerned in [Table 1](#). The Tarai region down on the Gangetic Plain in many ways has more in common with the

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**Table 1.** Major demographic communities in Nepal, 2011.

Category	Group	Number of groups in category	Percentage of total population	Districts where group is		
				≥50%	≥30%	Largest
Hill elites	Hill Brahman	1	12.2		5	11
	Chhetri	1	16.6	10	17	24
	Newar (mostly Hill)	1	5.0		2	2
	<b>Total Hill elites</b>	<b>3</b>	<b>33.8</b>	<b>10</b>	<b>24</b>	<b>37</b>
Other Hill Hindus	Other Hill Caste Hindus	2	2.4			0
	Hill Dalit	5	8.1			0
	<b>Total Other Hill Hindus</b>	<b>7</b>	<b>10.5</b>			<b>0</b>
Tarai Hindus	Tarai Brahman	1	0.5			0
	Tarai Yadav	1	4.0			5
	Tarai Other Caste Hindus	34	10.9			0
	Tarai Dalit	15	4.5			0
	<b>Total Tarai Hindus</b>	<b>51</b>	<b>19.9</b>	<b>0</b>	<b>0</b>	<b>5</b>
Muslims	<b>Muslim (mostly Tarai)</b>	<b>1</b>	<b>4.4</b>	<b>0</b>	<b>0</b>	<b>5</b>
Janajatis	Magar (Hill-Mountain)	1	7.1	1	5	7
	Tamang (Hill-Mountain)	1	5.8	1	5	7
	Rai (Hill-Mountain)	1	2.3		2	4
	Gurung (Hill-Mountain)	1	2.0		1	4
	Limbu (Hill-Mountain)	1	1.5		3	3
	Other Hill/Mountain Janajati	44	3.6			0
	Tharu (Tarai)	1	6.6	1		3
	Other Tarai Janajati	12	1.1			0
	<b>Total Janajatis</b>	<b>62</b>	<b>30.0</b>	<b>3</b>	<b>16</b>	<b>28</b>
Others	<b>Others</b>	<b>4</b>	<b>1.4</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>Total for all groups</b>	<b>128</b>	<b>100.0</b>	<b>13</b>	<b>44</b>	<b>75</b>

Source: GON (2014, pp. 27–39).

adjoining cultures of Bihar and Uttar Pradesh than with the Nepali hills. Its inhabitants collectively are known as *Madhesi* and form the second major grouping in Nepal. The other community consists of the dozens of indigenous ethnic groups (akin to India's Adivasis), who have traditionally been largely isolated from each other but have since the 1990s begun to forge an identity called *Janajati* (generally translated as 'indigenous nationalities'). The Janajatis live mainly in the hill and mountain areas, but a good portion of them are found primarily in the Tarai, as indicated in Table 1. So if the Tarai Janajatis are grouped with those in the hills and mountains, the aggregate amounts to some 30 per cent of the total population. An additional group, also gaining consciousness as an identity, are the Dalits, who adding their hill and Tarai components together amount to about an eighth of the total population.<sup>1</sup>

These cross-cutting cleavages cause problems for identity politics, for instance with the Tharus, who are both Janajatis and Madhesi, or the Dalits, who can be seen as hill Hindus, Tarai Hindus or a group by themselves

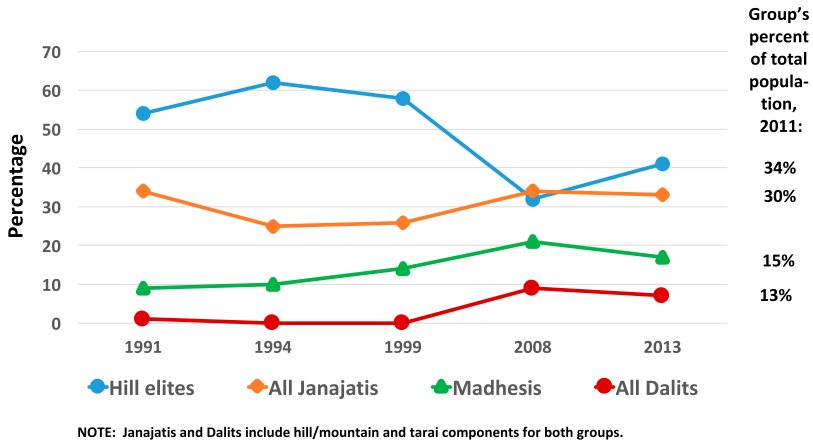
distinct from 'Caste Hindus' in both the hills and the Tarai group. And the fact that there are some 51 officially recognised Hindu castes in the Tarai and 62 ethnic communities among the Janajatis (as per [Table 1](#)) means that the scope for changing alliances and forming splinter groups is huge. All groups in Nepal were stratified into a tight hierarchy by an 1854 legal code, the *Muluki Ain*, which labelled each community and its place in the system, from sacred thread wearers at the top to 'impure and untouchable' orders at the bottom.<sup>2</sup>

After what turned out to be a brief flirtation with multiparty democracy at the end of the 1950s, King Mahendra eliminated popular governance along with political parties and established an autocratic 'guided democracy' as the state path to modernity. A new constitution in 1963 essentially abolished the *Muluki Ain* and further declared all citizens of Nepal equal regardless of caste. At the same time this new dispensation sought to replace pluralistic ethnic cultures, with a model of national culture into which modernity was to be attained through assimilation to national norms. What this meant was official policy mandating Nepali language and upper caste hill culture as the national standard, in short the culture embodied by the ruling Brahman-Chhetri elites and managed by an autocratic state.<sup>3</sup>

A sustained popular uprising in 1990 restored multiparty democracy and provided an opening for new demands, but despite some formal reforms, hill elite ascendancy continued in terms of civil service positions and political leadership, economic dominance, and a pervasive insistence that Nepal had a national identity based on the Hindu religion, the Nepali language and Brahman-Chhetri culture.<sup>4</sup> To find advancement in such a system, the lower orders would have to adapt to and accept these standards.

The United Nations' *Human Development Report* of 2014 showed the cumulative effect of hill elite dominance in its data on the Human Development Index (HDI) for the country's major ethnic groups in 2011. Hill Brahmans topped the HDI listings at .557, well above the national average of .490, while Janajatis stood at .482, non-Brahman Madhesi castes at .460, and Dalits (hill and Tarai) at .434. The inequalities are largely explained by educational scores among the groups; Hill Brahmans score 84% higher than Madesi Dalits on education, for example, but only 39% higher on income and 6% higher on life expectancy.<sup>5</sup>

The democratic restoration in 1990 gave previously excluded Janajatis, Madhesis and Dalits the opportunity to organise and demand a place in the polity, and the first two groups achieved a measure of representation in the successive elections of 1991, 1994 and 1999, as can be seen in [Figure 1](#), though hill elites assured themselves of continued dominance through a majority of MPs elected each time. In contrast, Dalits achieved virtually nothing, winning only a single seat in 1991 and none thereafter (Vollan, 2015). Madhesis and Janajatis did organise several small parties in the 1990s, and one of the Madhesi parties did win several seats, but almost all



**Figure 1.** Nepal MPs for major ethnic groups, 1991–2013.  
Source: Adapted from Vollan (2015).

of the MPs from these two groups shown in Figure 1 were members of the NC or the UML. Thus, much of the energy that might have been devoted to acting as cohesive groups never coalesced into viable political entities as Madhesis, Janajatis and Dalits instead joined the larger political parties.

As the 1990s were unfolding, in a pattern similar to the beginnings of the Naxalite movement in India several decades earlier, a small upper caste hill elite leadership initiated an insurrectionary Maoist campaign in Nepal's western area, under a doctrinaire yet flexible leadership that proved adept at stoking Janajati and Dalit resentments, inspiring many among both groups to join the Maoist force and many more to demand recognition and inclusion more generally. At first ignored, the insurgency expanded into a decade-long civil war that by the time it ended with a Comprehensive Peace Agreement (CPA) in 2006 had taken some 15,000 lives and wreaked havoc in most of the country's rural areas.<sup>6</sup>

The CPA led to the abolition of the monarchy in 2006, and an interim constitution followed in 2007 amid a welling up of Madhesi and Janajati demands for a federalist structure that would devolve serious power to provinces in which elected legislatures would represent the local population. As the two main parties in the parliament drafting the interim constitution, the hill elite-dominated Nepali Congress (NC) and Communist Party of Nepal (United Marxist-Leninist) – generally known as the CPI-UML or just UML – leaders rejected all federalist demands, leading to widespread protests of sufficient magnitude that the parliamentary leaders committed to a federal system and the country was renamed as the Federal Democratic Republic of Nepal. In the process, the monarchy was abolished as well.<sup>7</sup>

A parliamentary election in April 2008 under a 2007 interim constitution combined 240 single-member or 'first-past-the-post' (FPTP) constituencies with 335 proportional representation (PR) seats elected by the country at large. The interim constitution required parties to include ethnic groups as candidates in proportion to their population share, and as is clear in [Figure 1](#), Janajatis, Madhesis and Dalits all improved their representation significantly, in large part through the parties' use of PR seats to select MPs from these groups.

The election saw all major political parties endorse the federalist concept, and the combined Parliament-cum-Constituent Assembly (CA) that resulted then occupied itself with managing the country and writing a new constitution. The Maoists – formally the United Communist Party of Nepal (Maoist) or UCPN(M)<sup>8</sup> – won the most seats, but with only 38% of the total 575 MPs elected, it was necessary to form a coalition government. The CA spent the next four years wrangling over what kind of federalist system it would establish, with the different parties and factions advocating different solutions.

Madhesis demanded a unified single state along the country's southern tier, where they would outnumber the various hill communities that had migrated down there over the years, while the Janajatis agitated for a large number of smaller states in the hills and mountains, where their individual ethnic groups would have enough critical mass to influence the local political scene. Leaders of the three major parties (NC, UML and after the election the Maoists), who were themselves almost exclusively hill elites, proposed a smaller number of states, with the Maoists being a bit more open to alternatives and the NC and UML generally dragging their feet, while Madhesi and Janajati MPs in all three parties threatened to bolt and form new parties. Some four Madhesi parties had formed by 2012, along with perhaps 14 minor political groupings in the Tarai (ICG, [2012b](#), p. 19). Also in 2012, a Janajati NGO announced the formation of a Janajati political party, the Social Democratic Pluri-Group Party, hoping to pick off indigenous leaders from other parties, especially the NC and UML (ICG, [2012b](#), p. 23; Shneiderman & Tillin, [2015](#), pp. 29–34).

By spring 2012 the Maoists combined with the major Madhesi party had more or less agreed on a federalist structure, though its exact composition remained in dispute. Expecting they would benefit electorally from a federalist dispensation, the Maoists had in many ways assimilated themselves into the mainstream political culture, even to the extent of essentially abandoning their military wing, the People's Liberation Army, which earlier they had demanded be integrated *in toto* with the regular Army as a condition for accepting the CPA in 2006 (ICG, [2012b](#), pp. 7–8; Jha, [2014](#), pp. 277–294). But despite rhetorical support for the federalist principle, the NC and UML leaders could not bring themselves to move away from the system that had

conflated their own Brahman-Chhetri identity with a national Nepali identity and toward a new system that would recognise and dignify all ethnic identities.

In sum, the older elites wanted to hang onto every bit of their erstwhile dominance in the name of a unified Nepali identity, while the hitherto marginal communities demanded recognition and inclusion in the country's culture and public affairs. A prolonged impasse within the CA resulted, and the CA's term ran out in May 2012. After several interim arrangements, a new national election for a second Parliament/CA was held in November 2013, with some 123 parties officially contesting and 30 winning at least one FPTP or PR seat (far more than the 25 parties contesting and 8 parties winning one or more seats in Bihar's 2015 election). Ethnic representation remained about the same as in 2008, with hill elites gaining slightly and others falling back proportionately (Figure 1).

As widely anticipated, no single party proved able to form a government, so another coalition became necessary. What was much less expected was that the NC and UML would emerge as substantial victors at the polls, each winning more than twice as many seats as the UCPN(M), which saw its share of seats drop by almost two-thirds (Table 2). The Maoists claimed fraud and vote-rigging, but their assertions held little credibility; their candidates were clearly rejected at the ballot box. The Madhesi parties also declined badly; collectively they held on to roughly the same 11% of total vote they had secured in 2008, but internecine factionalism had led to

**Table 2.** Nepal Constituent Assembly/Parliament election results, 2013.

Acronym	Party	First-past-the-post		Proportional representation		Total no. of seats
		Per cent of votes	No. of Seats	Per cent of votes	No. of Seats	
NC	Nepali Congress	29.8	105	25.6	91	196
UML	Communist Party of Nepal (Unified Marxist-Leninist)	27.6	91	23.7	84	175
UCPN (M)	Unified Communist Party of Nepal (Maoist)	17.8	26	15.2	54	80
RPP-N	Rastriya Prajatantra Party Nepal	2.8	0	6.7	24	24
MJFN-D	Madhesi Jana Adhikar Forum, Nepal (Loktantrik)	3.1	4	2.9	10	14
RPP-N	Rastriya Prajatantra Party	2.6	3	2.8	10	13
MJFN	Madhesi Jana Adhikar Forum, Nepal	2.3	2	2.3	8	10
TML	Tarai Madhesh Loktantrik Party	1.9	4	1.9	7	11
	22 Parties winning at least one seat	9.6	3	13.6	47	50
	93 Parties winning no seats	1.3	0	5.5	0	0
	All Independents	1.2	2	0.0	0	2
<b>Total</b>		<b>100.0</b>	<b>240</b>	<b>100.0</b>	<b>335</b>	<b>575</b>

Source: Wikipedia (2016).

more than 12 parties contesting and eight parties winning some seats, so that the total share of seats shrank from 12.5 per cent to 8.5 per cent. And a serious Janajati party, which was being enthusiastically promoted by many Janajati MPs threatening to leave their parent parties after the collapse of the CA, never materialised.<sup>9</sup> As a result, there would be no coherent group of MPs in the new legislature that could credibly claim to represent either the Madhesi or the Janajati constituency.

Dalits, who are divided between hill and Tarai castes, and moreover are so scattered that nowhere do they amount to more than a small slice of the population, failed to elect any MPs from FPTP seats (though constitutional requirements obligated parties winning FPTP seats to select Dalit MPs as part of their PR contingent in the CA). In contrast with Bihar, where a smaller number of parties and higher allegiance among major caste groups to specific parties gave political clout to non-elite strata and Dalits in particular were guaranteed reserved seats proportionate to their share of the population, in Nepal the major non-elite groups so far remain fragmented and unable to advocate strongly for themselves as such. Group conscientisation has been achieved by Janajatis and Madhesis (although less so for Dalits), but, to paraphrase an old Marxist expression, these groups *in* themselves have not as yet effectively become groups *for* themselves on the political scene.<sup>10</sup> In contrast, the upper OBCs in Bihar had over the decades from the 1960s to the 1990s definitely had become groups for themselves, preparing the ground for the state to move from political development to economic development.

Overriding Madhesi opposition, in September 2015 the CA voted in a new constitution calling for a seven-state federal system and elections by the end of January 2018. A coalition government between the UML and the UCPN-M took office,<sup>11</sup> only to last for a few months before another coalition comprising the NC and UCPN-M formed a government in the summer of 2016.

At the time of writing, although the numbers of provinces and local governments have been agreed upon, boundaries have yet to be laid out for parliamentary seats. Elections for local governments were held in May 2017, and are projected for provincial and national legislatures before the constitutional deadline of January 2018.

It can be assumed that eventually elected bodies will take office at all three governmental tiers. If past electoral patterns continue, the NC and UML – with their keenness for a ‘Nepali’ polity managed in the interest of pahadi elites – will most likely between them win a majority of both FPTP and PR seats, thereby dominating whatever governing arrangement emerges, probably in some form of coalition, since neither party would have an absolute majority by itself. But Janajati and Madhesi MPs inside the major parties are sure to continue their demands and threaten defection, bolstered by the fragmented parties outside that represent these two constituencies (and which may be



making some progress toward amalgamation). And even at reduced strength, the Maoists can be counted on to push a more inclusive federalist agenda. The process may take longer than had been thought earlier, in other words, but the demand for an inclusive federal Nepal is sure to continue with significant vigour. The question then is whether that vigour can be sufficient to effect real change in hill elite dominance of the political system.

## A path to dignity in Nepal?

Presuming that a federal state with an elected parliament and provincial legislatures does eventually emerge, can it facilitate achieving the goods of dignity and agency being demanded by Madhesi and Janajatis? And what about Dalits? One wonders whether any federal system can do so, given the geographical mix of the country's ethnicities. As has often been pointed out, individual ethnic groups comprise a majority of the population in only 13 of Nepal's 75 districts, and in fully 10 of the 13 those majorities are Chhetris, as can be seen in [Table 1](#). A single Janajati community forms a majority in only three districts, though they exceed 30% in 16 and comprise the largest ethnic group in 9 more – figures that should offer substantial hope of securing representation in (if not control of) elected bodies at local levels.

The picture faced by the Madhesi is not as encouraging, given that in as many as 6 of the Tarai's 21 districts a majority of the population consists of hill and mountain transplants, and these 'outsiders' amount to over 30 per cent in another 5 districts.<sup>12</sup> More importantly, the Madhesi castes are deeply fragmented; Yadavs as the largest have only 4 per cent of the whole population (though they form the largest community in five districts), with the next largest among the 49 remaining castes (including Madhesi Dalits) being Telis at 1.3 per cent.

Dalits are severely challenged in that unlike Bihar, Nepal has no reserved seats for them, but on the other hand, the 2015 constitution specifically states that parties shall distribute their PR seats so as to ensure representation of all major communities 'on the basis of population'. The specific article is worth citing verbatim:

The Federal law shall provide that, in fielding candidacy by political parties for the election to the House of Representatives under the proportional electoral system, representation shall be ensured on the basis of a closed list<sup>13</sup> also from women, *Dalit*, indigenous peoples [i.e. Janajatis], *Khas Arya*,<sup>14</sup> *Madhesi*, *Tharu*, Muslims and backward regions, on the basis of population. (Government of Nepal (GON), 2015, Article 84(2))

Provided that the 2015 constitutional requirement in Article 84 is implemented in the upcoming parliamentary election, the number of hill elite MPs will go down while that of Dalits and Muslims will increase so that

all groups will be more or less represented in accord with their share of population.<sup>15</sup> The task here will be made harder in that the 2015 constitution reverses the ratio of FPTP to PR seats from 40–60 to 60–40, while lowering the total number of seats from 575 to 275. Accordingly, the PR seats in the next parliament will number only 110, giving considerably less scope for the parties to balance their MP delegations than they had with 335 PR seats under the 2007 constitution. Even so, the larger parties should be able to achieve a rough ethnic balance among their MPs.<sup>16</sup> Despite these problems, the bottom line here is that the struggle to attain and secure representation in the legislature that took so long in Bihar may not be necessary in Nepal: The 2015 constitution will provide direct access to parliament for the country's major ethnic communities. The basic problem in Nepal, then, is not representation for marginal groups, but a share in actual power for them.

As in Bihar, though, where the increasing representation of OBC MLAs as a group in itself did not immediately become a group for itself, so too PR of erstwhile marginal groups in Nepal's parliament will not automatically give them proportional weight in managing national affairs.

If the pattern set by the 2013 election continues, some Madhesis will win FPTP seats for the small parties (more would win if Madhesi parties should merge), and some Janajatis could take seats as well. But in any case, most of the MPs from these two groups as well as virtually all the Dalit and Muslim MPs will obtain their seats with the three major parties, either by winning FPTP elections or by PR selection. And these parties will surely continue to be led by hill elites who in the absence of serious pressure from marginal ethnic groups will most likely keep on dominating political space and promoting their own interests under the banner of 'Nepali language and culture' as they have done in the past rather than include newcomers as real players in policy decision making.

In this situation, three challenges face these three marginal groups: the need to work across party lines as advocates for inclusion; a parallel need for work across their own internal divisions, and finally a need to compensate for the lack of an economic resource base such as Bihar's Upper OBCs were able to accumulate to support their drive to political power.

### **Working across party lines**

That Nepal has some significant experience with cross-party caucuses during the constitution-making years should make the first task less arduous than it otherwise would have been. A Janajati caucus for a time became a major player in the long-running CA deliberations on federal state structuring (ICG, 2012a, 2012b; Braithwaite, 2015), though it ultimately failed to obtain any provinces that would have Janajati majorities (Jha, 2016). A smaller Dalit caucus had a lesser impact, perhaps in part because its members were

virtually all PR MPs chosen for loyalty to their respective parties rather than to the cause of Dalit solidarity (ICG, 2012b, pp. 28–29). A women’s caucus appeared to suffer from the same loyalty problem (ICG, 2012b, p. 29) but did prove instrumental in securing the one-third female quota for all elected bodies in the 2015 constitution.<sup>17</sup>

As implied just above, the major constraint on cross-party caucus effectiveness will be demands from party leaders on their MPs to hew to the party line rather than to ethnic group solidarity. Such tensions arose in the constituent assembly but the women’s caucus proved able to hold together and at least at times so did the Janajatis. The experience is there and with adequate leadership can be replicated by these and other ethnic communities.

### Working across internal divisions

All three groups are internally split into segments. The Madhesi Hindus are divided into some 36 caste Hindu *jatis*, and 15 Dalit communities (Table 1) – a replica of Bihar’s Hindu caste structure and containing many of the rivalries that have riven the political arena in Bihar for so long. Janajatis consist of 49 recognised hill/mountain groups and another 13 in the Tarai, most of them having distinct languages as well as cultures. Those in the Tarai, particularly the Tharus as the largest, in some ways consider themselves Madhesis and make common political cause with them, but in other ways think of themselves as Janajatis. Dalits are similarly divided between 5 hill castes and 15 more in the Tarai. They are firmly anchored within the Hindu community but at the same time both disregarded by it and degraded within it – ‘excluded insiders’ in the words of Steven Folmer (2013, p. 86). And like the indigenous Tarai groups, they find themselves politically identifying with either hill Hindus or Tarai Hindus, but at the same time finding they have more in common with their fellow Dalits on a national basis.

The Madhesi Hindus are best situated to forge sufficient unity to become a potent political force. They occupy a relatively compact geographic area in the Tarai, which has given them leverage for political activism more than once, most successfully in early 2007 when an ad hoc *Madhes Andolan* (movement) vigorously protested the new interim constitution, demanding a federal nation that would give them autonomy and blockading the border with India to reinforce their demands, a tactic that within several weeks induced the then-ruling NC to promise a federal system of government in the upcoming final constitution (Jha, 2014, pp. 182–189; Sijapati, 2013). Then again after the proclamation of that constitution in September 2015, Madhesis again protested and (evidently with some Indian government support) blockaded the border, bringing the economy to a standstill (ICG, 2016, pp. 21–26).

Thus far, Madhesis have achieved more acting politically in their own interest than have Janajatis or Dalits, but their fortunes have declined more recently.

Electorally the Madhesi did well in 2008, with their leading party, the Madhesi Janadhikar Forum (MJF) winning 54 seats, enough to become the Maoists' lead partner in forming the government. Its main competitor, the Tarai Madhesh Loktantrik Party (TMLP) took 21 seats. But by the 2013 election, the MJF had succumbed to personal and caste-tinged rivalries, splitting into two parties, which won only 14 and 10 seats, while the upper caste-led TMLP secured only 11. What had been 75 seats among two parties now became 35 among three parties (some 12 splinter parties split another 14 seats among them), even though the total votes for all Madhesi parties remained about the same as in 2008 at just over 11% for both FPTP and PR seats.<sup>18</sup> Subsequently the two former MJF parties adopted similar strategies, merging with small non-Madhesi parties in parallel attempts to expand to the national level. To the extent that they succeed in these efforts, they will gain more legislative seats, but they will have diluted their voices as advocates for Madhesi interests.

The principal effort so far among the Janajatis to form a political party has centered on the Nepal Federation of Indigenous Nationalities (NEFIN), founded in 1990 and claiming representation from more than 50 communities. NEFIN did manage to organise one severe *bandh* (strike) shutting down Kathmandu for several days in 2012, in protest of one of the many proposed federal schemes, but little came of it. NEFIN also had ambitions of launching a political party, but nothing has come of that so far. Several splinter parties picked up a few seats in 2008 and, after more splintering and merging, in 2013. Geographical concentration has given them a local edge here and there; in 2008 a Limbu-dominated party won 2 seats<sup>19</sup> and in 2013 two Tharu parties won 3 seats between them, but as these small numbers indicate, Janajati parties in general have not done well. The vast majority of Janajati MPs in [Figure 1](#) have belonged to one of the three major parties.

Dalits have fared even worse with stand-alone parties, winning 1 seat in 2008 and 2 in 2013, so they have had to rely almost completely on the larger parties to include Dalits as part of their constitutional obligations.

### **A lack of economic advancement**

In retrospect, it seems clear that the Upper OBCs' economic advancement in Bihar – particularly in landholding – constituted a critical factor in their political rise during the last quarter of the twentieth century, as argued in Part 1 of this essay. Absent the surplus income generated by their farming activities, that political advance would have been significantly more difficult. In Nepal, none of our three marginal groups has experienced a similar improvement in their economic fortunes.

An exception might seem to be Madhesi Brahmins and Kshatriyas, who score .534 on the HDI scale, virtually the same as their pahadi counterparts in the hills (.536), but as the 2014 HDI report observes, the larger part of

that high score comes from educational achievement (Government of Nepal and United Nations Development Programme [GON & UNDP], 2014, p. 17), not from per capita income. Given the Yadavs' prominence in the 'rise of the Backwards' in Bihar, a look at their economic status in Nepal shows the problem: their HDI score on per capita income in Nepal was .318 in 2011, well below the national average of .409 – not indicative of capital accumulation that could be turned to political purposes. In sum, any improvements in the group fortunes of Nepal's marginal communities will have to come through the first two paths outlined here: working across party divisions and/or across internal divisions. Both paths present problems: the first will confront pressure from party leaders, and the second will face differences between ethnic groups and castes, not to mention the usual rivalries between individual leaders even within groups and castes.

Can Nepal's marginal communities advance their political fortunes without the resource base that Bihar's Upper OBCs were able to accumulate during the latter half of the twentieth century? Certainly the path will be harder, but as the modest successes of the Madhesis have shown in affecting public policy, advances are possible. And the establishment of provinces along with elected local governments through the 2015 constitution should facilitate a larger role for these communities, which will be able to exploit their numerical strength at the local level, as per the discussion of [Table 1](#).

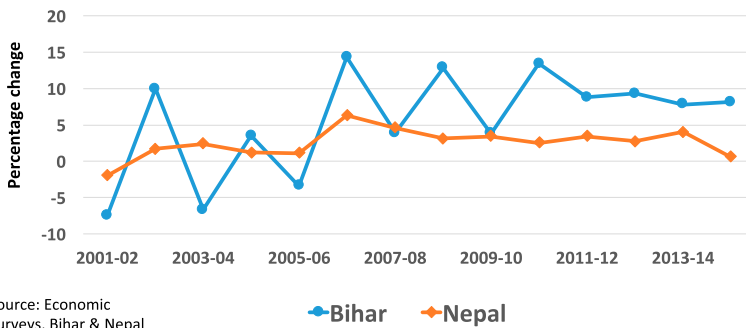
Advances in political power and dignity through identity politics for one or more of Nepal's marginal groups will not mean that all groups will have become significant players in the polity, just as in Bihar attainment of dignity and self-respect for the Upper OBCs has not brought about a place in the political sun for Lower OBCs. Because their caste groups are so many, almost all are very small, and none have the landed resource base of the Upper OBCs, they have not been able to translate their collective number into political power (cf. [Table 1](#) in Blair 2018).<sup>20</sup> In contrast with the Lower OBCs, the Bihar Dalit leader Ram Vilas Paswan pursued a more successful model of political mobilisation along the lines of Hirschman's (1970) 'exit, voice and loyalty' (strategies that groups can pursue to increase their political influence), forming the Lok Janshakti Party in 2000 and steering the party into and out of several alliances since then.<sup>21</sup> A coherent mobilisation by Madhesis and Janajatis (and perhaps Dalits as well) would mean they would have to be treated as serious entities whose values, cultures and languages must be accorded significant weight in how the nation is to be managed, particularly given the strong likelihood of a continuing need for coalitions to form governments. Such a step would not mean as drastic a change as in Bihar, where the Upper OBCs in effect *replaced* the Forwards as the principal managers of the polity during Lalu's reign in 1990–2005 and Nitish's in 2013–17; rather it would mean that Madhesis and/or Janajatis and/or Dalits would *join* the hill elites, as Nitish joined in alliance with the BJP in 2005–2013 and again in 2017. But it

would amount to a sea change nonetheless after centuries of undisputed hill elite dominance.

### Sustained economic growth in Nepal?

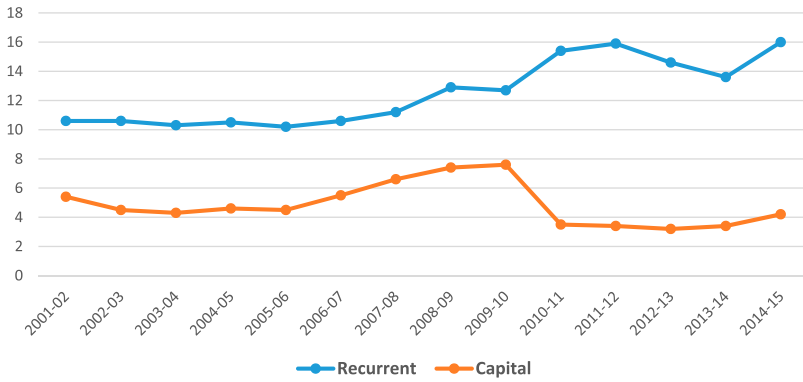
If Nepal can craft a pluralistic arrangement in state power that includes the Madhesis and Janajatis, and perhaps Dalits as well, what are the prospects for moving on to Bihar's second, developmental phase? [Figure 2](#) illustrates the magnitude of what would be required. Beginning with Nitish's second term in power after the 2010 election, Bihar's per capita gross state domestic product has attained a steady annual increase in the neighborhood of 8–9 per cent in constant prices, whereas Nepal's equivalent measure has levelled out at around 4 per cent in recent years.<sup>22</sup> To raise its GDP growth rate to Bihar's level on any sustainable basis, Nepal will have to devote a much greater portion of its annual government expenditure to such development sectors as education, transportation, power and the like than it has in the past. But [Figure 3](#) shows that capital expenditure in the current decade has in fact dropped as a percentage of national gross domestic product while recurrent expenditure has risen – the opposite of what has occurred in Bihar (cf. [Figure 3](#) in Blair, 2018).<sup>23</sup> The challenge for Nepal would seem to be formidable, exacerbated by the fact that remittances from the huge number of Nepalis working abroad are currently equal to some 30 per cent and more of GDP (GON, 2016, p. xv), a resource highly vulnerable to the vagaries of the world economy.

Changes in the composition of the gross domestic product provide another way to look at what would be necessary for Nepal to transform its developmental path. [Table 3](#) shows how Bihar's sectoral contributions to GDP altered quite suddenly between Lalu's last term and Nitish's second term. The primary sector dropped by a third from just over 30 per cent to just above 20 per cent of GDP while the secondary sector grew by about a



Source: Economic Surveys, Bihar & Nepal

**Figure 2.** Per capita gross state/domestic product in Bihar & Nepal, 2001–2002 to 2014–2015 at constant prices.  
Source: GOB, various years; GON, Economic Survey, various years.



**Figure 3.** Nepal Govt recurrent & capital expenditure as percent of GDP, 2001–2015.

**Table 3.** Sectoral contribution to state/national gross domestic product in Bihar and Nepal (figures in per cent).

Three-year averages	Bihar		Nepal
	2003–2004 to 2005–2006	2012–2013 to 2014–2015	2012–2013 to 2014–2015
Primary sector	30.9	20.5	33.8
Secondary sector	13.8	18.4	15.2
Tertiary sector	55.3	61.2	51.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

Source: GOB and GON, various years.

third and the much larger tertiary sector by roughly a tenth. Nepal essentially remains somewhat behind where Bihar was during Lalu's time. As with capital expenditure, a transformative path would be tough to navigate, but not impossible, as the Bihar case has shown.

Is this two-phase route an idle pipe-dream for Nepal? Anyone knowledgeable about Bihar 25 years ago would have pronounced the state a totally hopeless case for development upper caste domination, semi-feudal repression, corruption and economic stagnation,<sup>24</sup> but more recent history has humbled the Bihar-bashers. In the foreseeable future, Nitish model 2.0 will continually loom as a threat, but with some luck and a lot of determination from its political leaders, Bihar could stay on Nitish model 2.1's track (see Figure 5 in Blair 2018). Given a similar level of luck and leadership, Nepal just might be able to follow that second Bihar trajectory.

## Notes

1. Unlike the Indian census (at least until 2011), the decennial Nepal census has regularly registered the caste, ethnicity and religion of all citizens down to the village level, so these data are widely available.

2. See Höfer (2004) for an account of the Muluki Ain. It was not superseded until 1963.
3. Whelpton (2005, p. 183 and ff) provides a short synopsis of this history; see also Jha (2014, p. 171 and ff), and Folmer (2013, pp. 89, 93).
4. For a thorough analysis of these trends, see ICG (2011, esp. 1–5; 2012a).
5. Data in this paragraph are drawn from GON and UNDP (2014). The HDI combines measures of life expectancy, education and income. For the 2014 report on Nepal, HDI calculations were recalibrated across all categories, as discussed in GON and UNDP (2014, Annex 2).
6. Among the many accounts of the conflict and its end, Jha (2014) offers an excellent one.
7. These developments are covered at length in the ICG reports as well as Jha (2014).
8. The Maoist party has undergone many name changes over its relatively short life. As of late 2017 its official name was the Communist Party of Nepal (Maoist Centre).
9. The Nepal Federation of Indigenous Nationalities (NEFIN), organised in 1991, had been trying to promote Janajati unity for more than two decades but with little success (Ismail & Shah, 2015).
10. On the evolution of this distinction in Marxist analysis, see Andrew (1983).
11. Once the new constitution went into effect, the CA/parliament became simply the parliament.
12. These Tarai figures are from Sharma (2008, p. 13). Other district-level data in this and the previous paragraph are from GON (2013).
13. In a ‘closed list’ PR system, the ballot shows only political parties, not individual candidates; after all votes are tallied across the constituency (in this case the nation), parties are allotted a number of MP seats according to their percentage of the total votes cast, which they can fill as they wish.
14. The term ‘Khas Arya’ is defined in the same article as follows: ‘For the purposes of this clause, “Khas Arya” means *Kshetri, Brahmin, Thakuri, Sanyasi (Dashnami)* community’. Thakurs and Sanyasis are both very small groups. Thus, the term essentially refers to Brahmins and Chhetris (here denoted as Kshetri).
15. The 2008 constitution included a similar provision [Article 63(4) in Cottrell, Surya, Basant, Kedar, and Pant (2009)], but it was somewhat looser than the new version.
16. Such a balancing of course will not be possible for parties electing only a small number of MPs on the PR ballot.
17. There are other examples to draw upon as well. Closest to home, women MPs in the Indian Rajya Sabha worked together across party lines to advocate successfully in 2010 for a Women’s Bill that would replicate at national and state levels the one-third female requirement created in the 73<sup>rd</sup> Amendment for local governments. The bill passed in the Rajya Sabha but so far has stalled in the Lok Sabha (Rai, 2012, esp. 207–209; also Singer, 2016, and Tengbjer Jobarteh, 2016).
18. Jha (2017, pp. 83–90) traces this disintegration in some detail.
19. Thus far Limbus have been the most successful Janajati group in electoral terms. See Lawoti (2013, esp. pp. 200–204; Lawoti & Susan, 2013).
20. The ‘Others’ included with the ‘Lower OBCs’ in Table 1 comprised 257 castes according to the Mandal Commission Report of 1980, almost all of them with miniscule numbers. See Backward Classes Commission (1980).



21. In the 2015 election, Paswan's party added almost 5 percent to the BJP's 24 percent of total votes, though it won only two seats in the legislature (in 2005 it had won 11 percent of the vote and 10 seats).
22. The severe 2015 earthquake forced a serious drop that year, but the growth rate rebounded the following year.
23. Nepal's classification of state expenditure as 'recurrent' or 'capital' is not exactly the same as Bihar's division into 'developmental' and 'non-developmental'. For example, defense is included under the 'capital' heading in Nepal, but Bihar relies on the national budget for this sector. Thus comparisons between the two entities can only be approximate. But the contrasts between Figures 2 and 5 appear sufficiently striking to make the case here that serious difference do in fact exist.
24. This was certainly my conclusion at the end of the 1980s in an essay comparing rural development in Bihar, Bangladesh and Maharashtra (Blair, 2008).

## Disclosure statement

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## Postscript

National elections held in December 2017 returned a newly formed UML-Maoist alliance with 174 seats in the national legislature, a clear majority in the 275-member house. In addition, this left alliance won majorities in six of the seven new provinces. Assuming that these two parties will consummate an announced merger plan, the emerging legislature will have a clear mandate to govern unobstructed by any need to build coalitions. And further assuming that constitutional requirements are met to use PR seats to meet identity quotas, legislatures at both levels will be reasonably representative. What remains to be answered is whether hill elites leading the governing party will actually share power with Nepal's heretofore excluded minorities, and whether the party will be able to use its stable majority to embark on the kind of development trajectory undertaken by Nitish Kumar in Bihar.