

SOCIAL INCLUSION: POLICIES AND PRACTICES IN NEPAL

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Introduction

Social inclusion is one of the most vibrant issues raised strongly by indigenous peoples, women, *Madhesi*, *Dalits* and other marginalized communities in Nepal. At present, this issue has been a political agenda among political leaders, a subject of academic discourse among intellectuals and a field of development priority among development practitioners. Given the fact that the present state is exclusionary, non-participatory and non-representative and discriminates against indigenous peoples, women, *Madhesis*, *Dalits* and other marginalized communities on the basis of caste, ethnicity, language, religion, sex, class and geographical territory, these marginalized peoples and communities are demanding for a inclusive state through its restructuring along the line of federalism on the basis of national regional autonomy. For this purpose the election of constituent assembly has served as a legitimate and democratic process in present day Nepal.

Demographic Overview in Nepal

Nepal is a country of great cultural diversity. The racial, ethnical, cultural, linguistic and religious diversities have characterized Nepal as what Toni Hagen (1961:59) calls "the ethnic turn-table of Asia". The national census of 2001 has identified 102 caste and ethnic communities and 92 languages and dialects in Nepal. These caste and communities are broadly divided

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into two major ethnic groups: the Indo-Aryan language speaking Caucasoid group and Tibeto-Burman language speaking Mongoloid group. The former group belongs to the Hindu caste communities while the latter group belongs to the indigenous nationalities of Nepal. As per the national census of 2001, *Bahun*s and *Chhetri*s constitute 30.9 percent, indigenous peoples constitute 37.2 percent, *Madhesi*s constitute 14.8 percent, *Dalit*s constitute 11.8 percent and religious minorities and other unidentified group constitute 5.3 percent of the total population of 2.27 million. On the basis of religion, 80 percent of Nepal's total population is reported to be Hindus and 10 percent as Buddhists. The rest percentage of the population belongs to the Kirants, Muslims, Christians, Jains and other unidentified minority religious groups. The predominance of Hindu population is due to long political dominance of a theocratic Hindu state (Gurung, 2003). The Hindu caste people are of plain origin. They fled away to Nepal from India in early 12th and 13th centuries to escape from Muslim invasion in India. Most indigenous peoples are of hill and mountain origin who came to settle in Nepal from Tibet long time back. Geographically, we find more indigenous people in the hill and mountains (25) than in *Tarai* (18), whereas we find many caste groups in the *Tarai* (41) than in the hill (9). We do not find any caste groups in the mountain region.

Status of MDGs in Nepal

In the history of the planned development efforts, the Government of Nepal included, for the first time, policies and programs related to the development of indigenous peoples, women, *Madhesi*s, *Dalit*s and other marginalized communities in the Ninth Five-Year Plan. In this Plan, the government has admitted its weaknesses to accommodate these communities in the mainstream development programs of the country. It has considered indigenous peoples and other marginalized communities as development partners. But in practice, these communities did not participate in the development planning and programming of the Ninth Five-Year Plan because the government never consulted them. The Tenth Five-Year Plan was the Poverty Reduction Strategy Program for Nepal that identified human development and social inclusion as one of the four main pillars of the poverty reduction strategy with objectives to: (i) improve access to and quality in primary education and (ii) provide

primary education in mother languages of the communities. But the government did not look honest and serious to implement the development programs for these communities. Instead, its development programs displaced indigenous peoples and other marginalized communities from their lands and territories. The land reform program, for example, converted the *Tharu* and *Madhesis* from land owing communities to *Kamaiyas* (bonded labourers) in western *Tarai*. The establishment of National Parks in Nepal has displaced indigenous *Chepangs*, *Botes*, *Majhis*, *Darais*, *Rajis* and *Mushars* communities from their land and territories. The community forestry program, a model of the most successful community-based development program in Nepal, has deprived many indigenous peoples off their customary use rights of forest resources. This has not only affected the economic life of the local communities but also their traditional knowledge, skill, technology, beliefs and practices which, in turn, has affected their ethnic identity.

The report of National Living Standards Survey (NLSS) 2003/ 2004 shows that indigenous peoples and other marginalized communities have access to social services and other economic opportunities far behind the national average. For example, the national poverty rate is 31 percent, but 44 percent indigenous peoples, 46 percent *Dalits* and 41.4 percent *Muslims* are below poverty line. The national per capita income of high caste Hindu *Bahun*s and *Chhetris* is Rs. 18,400. But indigenous peoples' per capita is Rs.13,300, *Madhesis*' Rs. 10, 461, *Dalits*' Rs. 9,202 and *Muslims*' Rs. 8,483. The national literacy rate of Nepal is 53 percent, but it is 48.8 percent among indigenous peoples, 21.3 percent among women, 36 percent among *Dalits*, 32 percent among *Madhesi* and 27 percent among *Muslims*. Indigenous peoples occupy 12 percent of the administrative works, *Madhesis* occupy 5 percent, *Dalits* occupy 1.3 percent and religious minorities occupy only 1.1 percent. The majority of women work in informal sectors of subsistence economy. Indigenous peoples, women, *Madhesis* and *Dalits* sell their labour as production workers on daily wage basis to support their subsistence economy. On an average, indigenous peoples and other marginalized communities hold less than 0.5ha of agricultural land. Women manage land, but they do not hold any lands in their name as men control and own land and other properties in a patriarchal Nepali society. The available data show that

only 8 percent women have landholding entitlement in their names. In total, indigenous peoples, women, *Dalits and Madhesis* are at the bottom of the composite human development index.

Government of Nepal has now made national commitment to achieve the Millennium Development Goals (MDGs). And as per the spirit of Poverty Reduction Strategy Programs (PRSPs), the Three-Year Interim Plan (TYIP) has fine-tuned the priorities related to the MDGs according to the national context with particular focus on indigenous communities, women, *Madhesis, Dalits*, and other disadvantaged communities. But several case studies reveal that MDGs have no significant impact on the life of poor peoples (cf. Bhattachan and Chemjong 2006, Bhattachan and Webster 2005). With the exception of the basic primary education, MDG-related programs have not reached the marginalized communities. The government and donor agencies have no meaningful policies and programs on consultation and participation of indigenous peoples, women, *Madhesis, Dalits* and other marginalized communities in the planning processes and implementation stages of poverty reduction strategy programs. The achievement of MDGs is severely constrained first by the decade-long Maoist armed conflict and second by the lack of political commitment and strong policies of the government. Indigenous peoples, women, *Madhesis, Dalits* and other religious minorities are still poor and marginalized communities in Nepal.

Social Exclusion

One of the widely accepted factors of impoverization and marginalization of indigenous peoples and other marginalized communities in Nepal is the social exclusion. The cultural discrimination, economic exploitation, social exclusion and political oppression have become the national characters of Nepali state politics ever since the formation of greater Nepal through territorial conquest by the Gorkha rulers in 1769 A. D. Soon after the territorial conquest, Prithivi Narayan Shah declared Nepal as the *Ashali Hinustana*, meaning Nepal as the true Hindu Kingdom. He further declared Nepal as the common garden of four *varnas* and thirty six castes. In practice, Nepal never became a common garden of all communities. In stead, it remained private vassal of so called high caste Hindu *Bahun*s and *Chhetri*s. The territorial unification of Nepal through

military conquest did not unify the feelings and aspirations of non-Hindu communities. They were excluded from the mainstream national political life and deprived off the socio-economic opportunities. The indigenous patterns of communal life and economy that existed in the hill and mountain regions of Nepal were subjected to penetration by dominant Hindu caste people. Hindu rulers created conditions for perpetuating their penetration by the transformation of land tenure systems, codification of Hindu laws and imposition of Nepali language. The structure of Nepali society into a hierarchical segmentation along the line of Hindu caste system with the ritual claim of superior and inferior as well as pure and impure excluded indigenous peoples, women and *Dalits* from the national social, cultural, economic and political life.

The political consolidation of Nepal under a feudal regime through the 19th and early 20th centuries set the stages of other significant changes. The Gorkha rulers confiscated the *kipat* (communal) lands from indigenous peoples and converted them into *raikar* (state-owned) so that the state could levy taxes on them to support ruling classes and military expenditure. The state also granted confiscated lands to non-local settlers under various forms of *birta*, *jagir* and *rakam* tenure. *Birta* land grants were made to loyal followers of the new monarchy as symbol of patronage or as ritual gifts. *Birta* receivers were usually from so-called higher caste and members of royal family. They did not have to pay the tax. *Jagir* land grants were made to civil and military personnel for their services and loyalty to the state in lieu of their emoluments. The vast majority of indigenous people cultivated agricultural lands under the *rakam* system. Unlike *birta* and *jagir*, *rakam* was not a form of land grant, It was a *raikar* land on which the cultivators were required to pay taxes to the state and provide unpaid *corvee* labor referered to as *hulak*, *jhara*, *beth* and *bethi*, on a compulsory basis to construct palaces, temples, bridges, roads, irrigation channels, transport military supplies and other materials, reclaim wastelands, and process and supply forest products. The extraction of taxes and compulsory labor services placed a heavy burden on the population, particularly indigenous peoples. Since land and forest were the main sources of socio-economic life of indigenous people, new land grant policy undermined the local autonomy of indigenous communities. The creation of national parks in the 1970s

displaced many indigenous peoples from their ancestral lands and territories. The customary rights of indigenous peoples over their land, forest and water resources were confiscated by the state. In the name of conservation and development, indigenous peoples were displaced from their traditional lands and territories without guaranteed option of livelihoods. The government's land reform and park policies and uncontrolled hill-*Terai* migration have resulted in a progressive impoverishment of the indigenous and *Madhesi* peoples, particularly in the *Tarai* (plain). Until 1950s/60s, *Tharus*, for example, were land owners of west *Tarai* of Nepal. Now the process of migration and population pressure as a result of government's land reform policy has converted the *Tharus* into land tillers and eventually to agricultural laborers in the form of *Kamaiyas*, bonded laborers. Similarly, the community forestry program has forced many indigenous and poor peoples of hill and mountain villages of Nepal to give up their traditional occupation of animal husbandry and live a life of migrant workers in India and other parts of the world. These contributing factors are responsible for high rate of poverty among indigenous peoples, women, *Madhesis*, *Dalits* and other disadvantaged communities of Nepal. The high rate of poverty has threatened cultures of local communities that are so vital for their community identity.

Indigenous peoples, women, *Madhesis* and *Dalits* experienced new form of domination and hegemony during the *Panchayat* (partyless political system) regime (1960-1990). Politics was dominated by Hindu *Bahun*s, *Chhetris* and few *Newar* elites and indigenous peoples, women, *Madhesis* and *Dalits* were excluded from the national political life. The new political system called *Panchayat* headed by absolute monarch was engaged in a new project to modernize Nepal and attain national integration. But rather than developing a new model of ethnic pluralism, the Hindu rulers of the new regime engaged themselves to officially promoting ethnic homogenization by imposing the concept of one nation, one culture, one language, one religion, and one national identity. To become a citizen of Nepal, one has to speak *Khas* language, observe caste system, follow Hindu religion and wear Nepali dress. *Parbatiya* Hindu values became the ingredients of pragmatic model of creating national culture. Under this type of cultural model or cultural

accommodation which Pfaff-Czarnecka (1997) calls "nationalistic model", indigenous and other non-Hindu peoples were forced to share a common culture. Sharing cultural elements of unity was proclaimed by suppressing the differences. Any claim to ethnic identity was reduced to political rebellion during *Panchayat* period, because it was supposedly considered to be a threat to nationalism. Though the legal code of 1963 was considered to be a dramatic change, it also declared Nepal as the Hindu kingdom and practice of untouchability and gender inequality continued to be unabated. Debate and efforts pertaining to ethnicity and culture other than national culture fashioned in the line with the high caste Hindu was discouraged as anti-national and communal and therefore met with strong official opposition. The impact of the state policy of Hinduization and homogenization of cultural diversity threatened identities and severely constrained indigenous nationalities and other marginalized communities to practice and promote their languages, cultural traditions and religions. Development was a promise of the state and school education system promoted Hinduization and sankritization as parameters of civilization and development. Those who retained their culture and languages were considered primitive. In many respects, *Panchayat* policy was even more rigid and orthodox.

The advent of multiparty democracy of 1990 provided an opportunity for articulating the pains of historical injustice and long-standing legitimate grievances of indigenous peoples, women, *Madhesis*, *Dalits* and other marginalized communities in Nepal. The promulgation of new constitution of Nepal in 1991 states equality to all citizens of Nepal before law. Nepal was declared as multi-ethnic, multi-cultural and multi-lingual, democratic, independent, indivisible sovereign state. Thus, for the first time, the constitution of the kingdom of Nepal recognized Nepal as plural societies. In comparison to the constitution of *Panchayat* era, the constitution of 1991 looked more progressive. At least in principle, the new constitution guaranteed civic rights, freedom of speech, freedom of organization, freedom of religious practices and freedom of languages. For the first time in the political history of Nepal, Nepali people enjoyed political rights even in its limited form. Various indigenous groups, women, *Madhesis* and other disadvantaged communities became assertive in an organized form for their collective and ethnic identities. The

multiparty democracy provided indigenous peoples, women, *Madhesis* and *Dalits* with an impetus to quest for equal participation in the national politics and policy-making processes. Nevertheless, the multiparty democratic system failed to address indigenous peoples', womens' and other marginalized communities' hope to reduce socio-cultural and politico-economic inequalities and promote human rights. The declaration of Nepal as the Hindu kingdom legally prohibited indigenous peoples and other religious minorities from practicing their religions. Similarly, the state's recognition of Nepali (Khasa) as the language of the nation and language of official business certainly discouraged the protection and promotion of various languages of indigenous peoples and other linguistic groups. The Supreme Court of Nepal issued an ordinance to Kathmandu Municipality, Rajbiraj and Dahnusa districts for not to use their local languages in the official businesses. This ordinance has prohibited the linguistic freedom and thereby human rights of indigenous and other linguistic communities. The elimination of the practice of untouchability based on Hindu culture and gender inequality promoted by the patriarchal Hindu society became rhetoric of everyday politics rather than a reality. Nepali people became much poorer even during post-democratic Nepal.

Representation of Marginalized Groups in Decision-making Processes

As stated earlier, indigenous peoples, women, *Madhesis*, *Dalits* and other marginalized groups are not proportionally represented in the state's politics, legislative and executive bodies and judicial and civil and military services. This situation remained same even after the establishment of multi-party democratic system in 1990. The multi-party parliamentary democracy did not meet the expectations and aspirations of Nepali peoples. Although the new constitution of 1991 recognized Nepal as multi-ethnic, multi-cultural and multi-lingual country, the fundamental tenets of the Hindu religion and culture remained the same. This prohibits indigenous peoples, women, *Madhesis*, *Dalits* and other marginalized groups from religious, linguistic and political rights and thereby excludes them from mainstream development programs. The parliamentary record, for example, shows that the high caste Hindus (*Bahun*, *Chhetris* and *Thankuris*) who constitute only 30.5 percent of the total population, had

55.16 percent in 1991, 62.9 percent in 1994 and 59.5 percent seats in 1999 in the legislature. Indigenous peoples who constitute 37.2 percent of the total population (23million) of the country represented only 25.2 percent in 1991, 18.5 percent in 1994 and 18.4 percent seats in 1999 in the legislature. Similarly, *Madhesis* had 8.7 percent in 1991, 10.7 percent in 1994 and 14.1 percent in 1999. *Dalits* had only one elected Member in 1991 and no representation in 1994 and 1999. Similarly, women, who comprise 51 percent of the total population in the country, had no more than 5 percent representation in the parliament from 1991 to 1999. *Madhesis* and *Dalits* had less elected chairs and vice- chairs in the Local Self-government Bodies (for example, indigenous peoples had 19% in DDCs and 39% in VDCs, *Madhesis* had only 31 elected chairs and vice-chairs in DDCs and VDCs whereas *Bahun*s and *Chhetri*s had 59% in DDCs). In reality, the elected members from indigenous people do not represent the interests of their own communities as they are elected from their affiliated political parties. In the executive bodies and bureaucracy, indigenous peoples and other marginalized communities have lower representation (indigenous peoples 12%, *Madhesis* 5%, *Dalits* 1.3% and religious minorities 1.1%). They also did not hold key position in bureaucracy and they do not occupy important Ministries.

In civil services, gazetted civil service posts seem virtually the fiefdom of *Bahun*s, *Chhetri*s and *Thakuri*s. *Janajatis* excluding *Newars* occupy only 2.3 percent of the total positions in the civil services. In judiciary, indigenous peoples have only two judges and so is the case of the *Madhesis*. Indigenous peoples, *Dalits* and *Muslims* have only nominal representation in constitutional bodies. After peaceful settlement of armed conflict, the Maoists participated in the legislature. The participation of Maoists in the legislature increased the percentage of the representation of indigenous peoples, women, *Madhesis* and other various marginalized communities. But an increase in the political representation has not necessarily solved the problem of poverty, health, education and unemployment, as *Bahun*s, *Chhetri*s and *Thakuri*s are still holding the major political power and control state's economic resources. Indigenous peoples, women, *Madhesis*, *Dalits* and other marginalized groups have neither any share in the resources nor do they have access to opportunities. Their share in the state resources and access to socio-economic

opportunities has been constrained by political, legal and institutional barriers that need to be removed through the restructuring of the state in an inclusive manner.

Constituent Assembly Election and Restructuring of the State

One of the major issues raised strongly by indigenous peoples, women, *Madhesi*, *Dalits* and other marginalized communities is to increase their participation in the policy making processes and restructure the state of Nepal to make it inclusive, participatory and representative accommodating various communities in the state mechanism. The commitment to restructure the state has been reflected in 12-point understandings signed between seven political parties and the Maoist and 10-point peace accord signed between the government of Nepal and the Maoists. The Interim Constitution of Nepal (2007) has ensured the commitment of the political parties and the government to restructure the state. But the form and character of the state restructure was not clear until indigenous peoples' movement and *Madhesi* uprising forced the government to declare federal system of administration and amend the Interim Constitution accordingly. Like indigenous peoples and *Madhesi* communities, women and *Dalits* could not come to the forefront of the movement on their own due to their political partisan culture and lack of community-based organizations. Yet, with their own distinct and independent demands of property rights and elimination of caste and gender-based discrimination, they supported the on-going movement of indigenous peoples and other disadvantaged groups for federalism and proportional representation in the state mechanism. The collective voice of indigenous peoples, women, *Madhesi*, *Dalits* and other disadvantaged communities has partly been heard by the government through separate agreements with these communities and the government has made its political commitment to make federal state inclusive, participatory and representative through proportional representation in all bodies of the government at all level.

The Nepali Congress, CPN-UML and CPN (Maoist) and many other small political parties have also promised, at least in their election manifestos, for the federal democratic republican government and an inclusive, participatory and representative democracy even though they

differ in the contents of federalism. According to the report of Election Commission, Nepali Congress has nominated 21 percent indigenous peoples, 13 percent *Madhesis*, 1 percent *Dalits* and 2 percent *Muslims* as the first-past-the-post candidates for constituent assembly election. Similarly, CPN-UML has nominated 24 percent indigenous peoples, 13 percent *Madhesis*, 5 percent *Dalits* and 3 percent *Muslims* as the first-past-the-post candidates. The CPN (Maoist) has nominated 30 percent indigenous peoples, 13 percent *Madhesis*, 9 percent *Dalits* and 2 percent *Muslims* as the first-past-the-post candidates.

For the proportional representation, Nepali congress has nominated 30 percent candidates from indigenous peoples, 13 percent candidates from *Madhesis*, 14 percent from *Dalits*, and 2 percent from *Muslims*, whereas CPN-UML has nominated 34 percent indigenous peoples, 9 percent *Madhesis*, 16 percent *Dalits* and 4 percent *Muslims* for the proportional representation. In the same way, CPN (Maoist) has nominated 36 percent indigenous peoples, 11 percent *Madhesis*, 15 percent *Dalits* and 2 percent *Muslims* for the proportional representation in the CA. Half of the total proportional candidates for CA come from women. Despite the government's political commitment and constitutional provision of 33 percent of women's representation in the state mechanism, these big three political parties have failed to nominate 33 percent of women as FPTP candidates. Thus, compared to indigenous peoples and *Madhesis*, only 30 (12%) women have been elected in the CA through the FPTP electoral system. But women occupy almost half of the total proportional seats in the CA. The election result shows that of the total declared 601 seats in the CA, women occupy 197 (32.77%) seats in the Constituent Assembly. Similarly, indigenous peoples occupy 219 (36.43%) seats, *Madhesis* occupy 117 (19.46%) seats, *Dalits* occupy 49 (9%) and *Muslims* occupy 17 (2.82%) in the constituent assembly. The rest percentage (34.29%) of the seats is occupied by *Bahun*s, *Chhetris* and *Thakuris* referred to as "others" in the Interim Constitution.

Though marginalized communities, particularly indigenous peoples and *Madhesis*, are not satisfied with the election process as they demanded for full proportional electoral system, they are satisfied with the result of the election, because such a great representation even on ideological basis never happened before in the political history of Nepal. To a great

degree, the result of the CA election confirms the success of indigenous peoples and other marginalized communities' movement for inclusive political and administrative system in Nepal. Of course, these elected members are more accountable to their political parties than to their own communities. Nevertheless, it is the major shift in the political history of Nepal.

Government's Strategic Measures for Social Inclusion in Interim Development Plan

The Interim Constitution has guaranteed Nepal as multi-ethnic, multi-cultural, and multi-lingual secular federal democratic republican state. The decade-long armed conflict has turned into a peaceful settlement. In order to eliminate caste, ethnic, linguistic, religious, gender, and regional discriminations and to address the issues of indigenous peoples, women, *Madhesis*, *Dalits* and other disadvantaged groups, the state restructuring has been committed in the Constitution. The basic education in mother language has also been ensured by it. The civil, political and human rights have been guaranteed. The Three-year Interim Development Plan also admits that the centralized and unitary structure of the state is responsible for the social and economic backwardness of indigenous peoples, women, *Madhesis*, *Dalits* and other marginalized communities.

In order to improve the socio-economic condition of indigenous peoples and other marginalized communities, the Three-year Interim Development Plan has introduced a policy of inclusive development focusing particularly on poverty, health, education, culture, language, natural resources, environment and infrastructure development. It has promised a sectoral approach to address community specific problems. In order to avoid the institutional and legal barriers to the ownership and access of indigenous peoples to natural resources (land, water, forests and mineral resources), it aims to conduct a legal review for introducing the necessary reforms. In order to ensure the development, protection and promotion of indigenous peoples' culture and languages, a tri-language education policy has been adopted. Despite the equal sex ratio in Nepal, extreme forms of gender discriminations still do exist in Nepal. Life span of women is shorter by two and half years. Maternity mortality

rate is the highest in South Asia. Compared to men, they work for long hours (12-16 hours a day). They have a very heavy workload with high level of physical vulnerability. Despite the government commitment of 33 percent representation of women in the state mechanism (except in CA at present), their participation in public services is nominal. Poverty and illiteracy rate is the highest among indigenous women. Sex abuse, domestic violence and girl trafficking are reported high among them. Women also suffer the most from the political conflict. With such persistent suffering and discrimination, Nepali women are forced to live their lives. The Interim Plan has committed to eliminate gender inequality through the legal reforms. Women's empowerment and women development programs have been initiated. Special rehabilitation and reconstruction measures have been committed for conflict-affected and displaced women. *Dalits* still suffer from the practice of untouchability and poverty. Their indigenous technology and traditional occupations have been displaced by modern technologies and open markets. They need constitutional reforms to eliminate untouchability and special economic measures including skill development and income generating programs to address their poverty. They need education and cultural awareness program. Their traditional artisan works should be protected and promoted and made dignified. The *Madhesis* have special problem of identity and economic poverty. They are socially excluded and they are deprived off the basic social services.

The Three-year Interim Plan also aims to ensure the participation and representation of indigenous peoples, *Madhesis* and other disadvantaged *Tarai* communities in the development planning processes and implementing stages. The plan also urges the government of Nepal to implement various international covenants and conventions such as ICCPR, ICESCR, CEDAW, ICERD and ILO 169, UNDRIP to end all forms of discriminations and to promote multiculturalism. All these international covenants and conventions provide directives to the national governments and international development partners for the inclusive development in all aspects of social, economic, cultural and political life ensuring the peoples' consultation and participation at the community level. Based on the concept of inclusive democracy, the Plan has also promised to empower the local bodies of government as per the policy of power devolution.

Main Challenge and Constraints

At present, Nepal is undergoing a rapid social and political change. Autocracy has been defeated and democracy has been reinstated. The eagerly awaited election of constituent assembly was successfully over on April 10, 2008. The first meeting of the constituent assembly of May 28, 2008 removed the king from the political and administrative powers for ever. The meeting also implemented the federal democratic republic in Nepal. Constitutionally, now Nepal is a federal republican state. The president has been elected and the new government has been formed under the premiership of CPN (Maoist). The new government's policies and programs for the fiscal year 2008/09 have been made public. But Nepali peoples have not yet been able to experience the changes in their day to day life as per their expectations. The government has not implemented its commitments to address issues raised by indigenous peoples, women, *Madhesi*, *Dalits* and other marginalized groups during their movements. The new government's policies and programs look highly ambitious, but the new policies and programs have failed to satisfy the needs and aspirations of indigenous peoples, women, *Madhesi*, *Dalits* and other marginalized communities. This certainly has raised frustration among these groups.

The new constitution making process ensuring the social, cultural, economic and political rights of indigenous peoples, women, *Madhesi*, *Dalits* and other marginalized communities is very challenging issue. The restructure of the state along the line of federalism on the bases of ethnicity, languages and geographical territory is another challenging issue. Indigenous peoples, women, *Madhesi*, *Dalits* and other marginalized communities have their own specific problems of identity, representation, participation, and social inclusion in every sector of their social life. They demand human rights-based development programs such as food security, education, health, decent works and income generating activities at the community level. Development infrastructures such as road, drinking water, hospital and electricity in the areas of indigenous peoples, *Madhesi* and *Dalits* are very poor. These development programs demand massive budget. But budgetary constraints usually limit the implementation of development programs targeted to marginalized communities. Thus, the new government will have critical time because

it has many challenges to face in the days to come. The fulfillment of basic needs of peoples, maintenance of law and order, rehabilitation of displaced peoples and families and reconstruction of destroyed development infrastructure are among many other serious problems to be solved by the new government. Under such circumstances, the issues of indigenous peoples, women, *Madhesis*, *Dalits* and other marginalized communities may be overlooked. In such a case, Nepal may face a serious social and political crisis. So the government, political parties, international communities and various development partners should be serious to such foreseeable social and political crisis in Nepal. Otherwise, Nepal will have to face another type of conflict in the near future.

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