

To be a
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CK Lal



Martin Chautari

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Publisher

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Publisher's Note

Nepal has undergone momentous changes in political, social as well as cultural arenas in the last two decades. From a monarchical unitary Hindu kingdom, Nepal has been transformed to a secular federal democratic republic. The hegemony of Nepali language over other languages of Nepal has been increasingly challenged even though the number of Nepali language users is ever growing due mainly to the expansion of the education and media sectors. The old forms of being 'Nepali' and 'Nepali-ness' based primarily on Panchayat era nation-building project and nationalism have also become delegitimized. After the falling apart of all the three pillars—monarchy, Hinduism as state religion, and Nepali language—on which Nepali nationalism was said to have rested, there is now widespread confusion regarding questions such as what Nepali nationalism now means, and what constitutes being a Nepali. Moreover, there has been some discomfort and even polarization among various social groups due to heightened identity politics in the recent years.

With the understanding that there is a need for the building of new national forms of identity and inclusivity, Martin Chautari (MC) decided

to organize informed discussions and debates on Nepali nationalism and national identity in various districts across Nepal. The focus of this endeavor was to encourage the sharing of different viewpoints of different communities on how they see their identity and sense of belonging in Nepal; to map out differences and similarities thereby enabling a sense of overall unity despite differences and to strengthen the social contract between the Nepali state and its citizens.

In order to facilitate these discussion programs, MC decided to provide some reading materials on the subject matter for participants to think through. For this, MC requested political analyst and social critic CK Lal to write a discussion paper. This paper, which the author calls a *soch patra* or 'think paper,' titled *Nepaliya Hunalai...* has been converted into a book form, along with select commentaries of participants of discussion programs. Two editions of this book have already been published in Nepali. The latest Nepali edition includes additional commentaries, an article by writer Khagendra Sangraula based on his experience of participating in the discussions organized by MC and an analysis of the survey questionnaire administered to the participants of the discussion programs. Both the paper and the discussion programs have helped to further debates and discussions on the future of nationalism and national identity in Nepal.

While the Nepali speaking community has benefited from the *soch patra*, MC thought it appropriate to translate it into English for the benefit of the non-Nepali reading public interested in Nepal's current 'transitional period.' The author CK Lal himself translated the original text into English. It is hoped that this monograph will provide insights beneficial to a public largely excluded from debates that occur in the Nepali language.

A difficult read in Nepali, the translation into English brings additional challenges. To be noted is the sense in which the term 'Nepali' and 'Nepalese' have been utilized. 'Nepali' has been used in two ways—one is in reference to the Nepali language and the other, more centrally, in reference to the more exclusionary and narrow sense of elite and state-sponsored Nepali identity. The term 'Nepalese'

in contrast, is a more inclusive and plural term, used also to refer to the larger society of heterogenous people in Nepal.

We are grateful to CK Lal for both the Nepali and English versions of this text. We would like to thank Thomas J. Mathew for copy editing, Ramesh Parajuli for coordinating the production of this book and Kishor Pradhan for layout and design.

Martin Chautari

Preface

The title of this essay has turned out to be somewhat more complicated than I initially presumed: *To be a Nepalese...* . But, what to do? These are difficult times and we have to endure the challenges of complexity as best as we can. The period after the declaration of republic has turned out to be not just an interregnum of transition but also an incubation period for testing new ideas, fresh concepts and modern models of polity and society. Old values, beliefs and theories have grown wings and are on the verge of flying away. New ideals to replace discredited ideas are yet to find a firm footing to stand on their own. Nothing is certain, everything is up in the air and nobody can claim anything with complete conviction. There are certain advantages inherent to such a fluidity of situation: New thoughts do not need to be constrained by the realities of social circumstances. Despite freedom from inhibitions, this presentation is not completely free of all restraints however.

First of all, the form of this paper is what can, perhaps, be called a 'think paper.' It is a written presentation that seeks to think aloud about a subject without bothering too much about niceties of academic format (building on existing knowledge, citing sources, weighing the

evidence, developing a case, drawing considered conclusions, etc.) or the standards of journalistic impartiality (sticking to facts, recording voices, quoting established authorities, hearing the other side, and all such rules that are often observed more in breach!) and proceeds from one argument to another in a free flowing manner. Previous studies related to the topic have not been examined in detail. The tone may appear simplistic and even platitudinous at places, but no attempt has been made to temper it in anyway.

Points of presentation have been prepared on the basis of bits of information stored away in memory. Some of these anecdotal tidbits are based on things read in the past. Many arguments have been developed from accounts heard from people who had no access to ways of recording them for posterity. Since the context is so scattered, it is possible that the presentation in this ‘think paper’ has the appearance of being incoherent. Perhaps it would have been impossible to convey a completely new way of looking at Nepaliya nationality without taking some liberty with the established methods of presenting ideas for public debate.

When discussing a comprehensive issue like nationality, it makes more sense to begin with its various stages and components. However, this ‘think paper’ attempts to deal with the topic in its entirety. For that reason its readers may get the impression that the paper lacks depth, nuance and rigor. But that is one of the points being made in this presentation: Experts need to step in and develop ideas outlined here in more detail. A short outline leaves enough space for scholars to chart their own course in areas of their interest and expertise. Since this work is exploratory and open-ended, there is ample opportunity for whoever is interested in the topic to have a go in independent ways.

This work was first conceived, written and discussed in Nepali, a language where literary flair is valued more highly than the ability to raise complex issues in a roundabout manner. In the original Nepali, some words were used in ways that departed from their established meaning. Purists and traditionalists often frown upon the practice of

neologisms in Nepali. However, it is hoped that new words will spark fresh ideas to endorse or contest positions taken in this paper.

This is more in the way of an explanatory note than an authoritative pronouncement on the topic; hence no claim is made here for originality, literary merit or grammatical perfection. If someone is tempted to write a better text on this issue, that will be its greatest success.

CK Lal

Background and Introduction

What should happen and what needs to be done to be a Nepaliya, a Nepalese? The question is extremely unsettling. Possible answers could cause even more distress. None of the old certainties remain in place. After the parliamentary declarations of 18 May, 2006, the Hindu kingdom became a secular state. With the near-unanimous decision of 28 May, 2008, the Constituent Assembly (CA) bid farewell to the Shah monarchy and determined to institutionalize a republican system of governance in the country. The interim constitution of the country has announced that it is a federal democratic republic. In reality, however, whether the country has become secular or not, whether the end of monarchy has signified the evolution of a republic, and whether Nepal is a unitary state or a federal one are all debatable issues. New system requires new forms of expression and the continuous search for acceptable definitions. The question, 'What is the meaning of being a Nepali' is one of such perplexities vexing the polity. Who is a Nepaliya or Nepalese? Many controversial concepts are tied with this seemingly innocent query. When the monarchy was in place, the idea of a kingdom was clear. But unless the meanings of hyphenated terms such

as state-nation, nation-state or nation-country are clarified, it would not be possible to assess the qualities on which Nepaliya is predicated.

If a state is a unit of governance with clear geographical boundaries, it would not be inappropriate to term such a sovereign country an 'adhirajya,' which literally means a sovereign country, the connotation of a kingdom being merely a coincidence as the sovereign and the king were synonyms for a long time. Similarly, it is not necessary that 'muluk' be a term associated with monarchy. This word can be used for one's place of birth and belonging, as it is often done in Abadhi and Bhojpuri languages, where the expression 'returning to muluk' actually means going back to one's own ancestral land. Words acquire their meaning from popular uses; dictionaries merely compile, interpret and standardize such expressions.

The definition of a nation too cannot not be imprisoned within its established meaning. In English, nation can be a term of identity, which refers to a real or imagined community sharing a common imagination of history, culture, language and ethnic origin that lives within a clearly defined and contiguous territory. The Nepali meaning of nation is closer to its Sanskrit original, *Rashtra*, which stands for 'a community that lives in the same country or remains united under the same government.'

It is possible to draw definitional terms such as community, society, indigenusness, ethnicity, faith, religion and nationality that have lost their old certainties into debate, but these discussions are unlikely to help resolve the issue of 'To be a Nepalese... .' It is almost certain that even after the dimensions of the nationality of Nepal have been determined, contestations over its various components will still continue. The primary issue for now is what could be the bases of ascertaining the collective identity of a person in Nepal? Although the form of primary identity itself is debatable: Should it be ethnicity, caste, nationality or citizenship? Each form has its own committed votaries. The concern of this 'think paper' is the collective identity of being in the same country under one constitution that regulates relationships between citizens and with the government in a democratic manner.

President Ram Baran Yadav, the first elected head of state of republican Nepal, likes to emphasize the necessity of old Panchayat-style certainties of being a patriotic person: 'First of all we are all Nepalis, then only anything else.' His exalted status perhaps necessitates such a position. However, ground realities are not so straightforward, simple and indubitable. The primary identity of a person often begins with name, surname, village of origin, identification of parents and grandparents and then leads to his caste. Their husbands' families identify women's standing in society. The question then straight leads to caste (To which category do you belong, meaning Brahman, Kshatriya, Vaishya, Shudra, non-caste ethnicity or untouchable?) or community (Where was your place of origin? In highly mobile Nepali society, this is an important marker of identity) and then only the address of citizenship certificate and passport or the profession of the person finds acceptance.

Even though the surname is inherited from the father, it is the caste of the mother that determines the status of a person if she happens to be from the 'lower' order. This tradition probably originated with the intention of tying men within their own caste. But it is also true that motherhood is a physical reality while the question of fatherhood largely a matter of faith based on the fidelity of a couple. It is impossible to be sure about the identity of the father without biological investigation since there are no witnesses to the fact of copulation and conception. In the *Mahabharat*, Kunti, the mother of the Pandavs, claims that Karna was born of the sun before she had got married. Did she literally mean the Sun or a mortal being of radiance? There is no way of knowing it.

The history of identity perhaps begins with tribes. Since tribal chiefs dominated the political structure at this stage, their identity was primary and, thus, in the *Mahabharat*, the Pandavs belong to Pandu and the Kauravs to Kuru, while Raghu identified the ancestry of Ram in *Ramayan*. Loyalty to the tribe was permanent while its movement common, hence attachment to place was perhaps secondary and division of territory as common as a share in property.¹

¹ Ruling clans would often divide territories under their control between cousins.

The transformation of tribal chiefs into warlords and finally into kings probably began with the evolution of agricultural society, the institutionalization of organized religion, and the modernization of the techniques of waging war. The *Divyopadesh*² (divine council) of King Prithvi Narayan (1723–1775) of Gorkha is a testimony to the fact that his outlook remained somewhat tribal even after he had become the ruler of a large territory. In his eyes, everyone within his kingdom other than the royal family and loyal courtiers was merely duniya (the masses) who could be used as physical resources for the promotion and protection of the interests of the king.

The emergence of Jang Bahadur (1816–1877) after the Kot massacre of 1846 indicates that the institutionalization of absolute monarchy in Nepal's history was necessitated due to the spread of trade and services, increase in revenue collection, the needs of organized civil and military services, and the will of the domineering foreign power (British India) to have a friendly but firm ruler at the helm. Even though Jang was not strictly a monarch—he merely founded a hereditary premiership that paid ritual obeisance to a titular king—he was considered the first eastern potentate to visit Europe. For Jang, common Nepalese were mere serfs who were required to cultivate land, pay taxes and serve their masters as free labor. It was a military state and the main function of the army was to provide its services for a fee. The state was a kind of commercial enterprise run for the benefit of the family of the hereditary prime minister under a titular king.

By the premiership of Chandra Shamsher (1863–1929), the Nepali army had become a complete mercenary force. Brothers and cousins of the premier had begun to dominate civil and military positions. Even though King Prithvi had already established the idea of a state religion, it was during the reign of Chandra that priests and precepts began to enforce the doctrine of the Hindu edict: 'Those who protect religion will be protected.' The 'masses' of King Prithvi and the 'serfs' of Jang

² For the contents of the *Divyopadesh*, see Baral (1964), and Acharya and Naraharinath (2061 v.s.).

became the 'subjects' of Chandra. In Hindu belief, subjects who serve their ruler will find happiness in this life and peace and salvation after death. Probably the most intense 'Hinduization' of society took place during the reign of Chandra.

Padma Shamsher maintained the subject status of the people but tried to transform them into economic and political beings by introducing some form of constitutional rule. However, the economy and society of Nepal was not ready for a constitution until as late as 1948 when Padma prepared the first constitution of the country. His Rana cousins considered the country to be their property and were unwilling to share it with commoners. Padma Shamsher was forced to abdicate and sent into exile. For the next three years until the 1950s, the people of Nepal were forced to remain subjects.

The intensity and force may be different for different forms of being, but animals other than mankind also have basic traits such as hunger, thirst, yearning for sex, fears, hopes, greed, attachment, and affection. However, among animals other than men, conflicts caused by desire take the form of physical confrontation and a situation of fight or flight arises. Human beings, however, are capable of negotiations and rapprochement to arrive at the terms of coexistence. The masters and the ruling families decided the terms of settlement for commoners, plebeians or subjects. The belief that people are capable of protecting their own interests is fundamental to the idea of democracy. That is the reason people's representatives are empowered to determine terms of coexistence in a democratic society, such as the principles of governance and policies, as well as the laws and rules of administering a shared domain. The concept of a ruler is retained even in a democracy, but the people decide who will exercise their sovereignty and rule in their name. This belief makes the democratic system a balanced form of governance.

People are considered an unorganized political force. That could have been the reason King Mahendra claimed that he had the backing of the people for the royal-military coup in 1960 that ousted a government with a two-thirds majority in the parliament. The king

would later dissolve the parliament, imprison all leading politicians of the day, proscribe political parties, suspend the constitution and establish a realm suited to the 'soil, water and weather' of the kingdom and the supposed desires of the people. When the idea that people needed to be organized to exercise their rights in a system where 'government of the people, by the people and for the people' could work gained wider acceptance, the ground for the democratic struggle of 1990 was prepared. Even though it was called prajatantra (democracy under constitutional monarchy), the constitution of the kingdom of Nepal aimed to establish nothing less than the sovereignty of the people, constitutional supremacy and the inviolability of individual rights. These are the very essence of a republican order. It is possible to speculate that a republican order under a titular kingship could have evolved if the spirit of constitutionalism had been honored. When the constitutional order envisaged in 1990 was systemically undermined and challenged violently by its opponents, the People's Uprising of 2006 became inevitable.

A federal republic can function even with ordinary people merely voting at every elections, but a 'democratic republic'—loktantra in Nepali language—expects a conscious citizenry. A democratic republic cannot function efficiently without a citizenry conscious of its rights and responsibilities. In a republican system, the quality of leaders determines the state of its society. The so-called People's Republic is by definition a system run by the revolutionary vanguard that exercises monopoly right over power to decide what is the 'real interest' of the people. In a democratic republic, however, every individual has a role and that is what makes him or her a citizen. Despite all its inefficiencies, a democratic republic is believed to be the least harmful of all political orders because it puts the citizen at the centre. Since all failures and successes are his or her own, a person is expected to volunteer for the common good out of free will rather than some form of force characteristic of all political systems other than a democratic republic.

The definition of citizenship and the making of a citizen are the main challenges of creating a functional democratic republic. There are

several templates for building the body of democratic governance, but ideas about creating its engine—the citizenry—remain rather sketchy. Perhaps the belief that democratic republics produce conscious citizen on their own is rather strong. Universal principles of transforming ‘people’ into ‘citizenry’ do exist, but it is not as easy to replicate or adapt as forms of democratic governance. Every society has to look for the roots of citizenship in its own tradition and then attempt to transform those beliefs into workable components of a democratic order. The purpose of this ‘think paper’ is to identify the bases of building a collective Nepalese identity, which would help create a conscious citizenry.

A strong lobby in Nepal believes that the bases of Nepalese identity have already been established and it is sacrilegious to question them. It is difficult to dismiss such convictions. Identity, after all, has more to do with emotions than rational arguments. However, it is possible to expand existing beliefs without dismantling them altogether.

The Production of Nepalipan

The state of Nepal and Nepali society have invested heavily in the production of the idea of Nepalipan.³ Rulers have themselves taken initiatives to establish markers of this identity. Soldiers have helped spread it far and wide. Priests and preceptors have set its ideals. Itinerant yogis and sadhus of Hindu sects have been instrumental in creating the ground for the acceptance of the concept of Nepalipan. Wizedened gurus and mahatmas have fashioned its meta-narrative. It has taken several generations to establish the idea of Nepalipan. It is not easy to deconstruct (in the original meaning of the term, which is to break down into components, rather than its ideological interpretation that implies criticizing or demonstrating the incoherence of a position) the established idea of Nepalipan, but its demolition is fraught with even the higher risk of crises of identity. For that reason, it is necessary to handle the components of the power of Nepalipan identity with sensitivity and care. The history of the production of the Nepalipan

³ The term Nepalipan is impossible to render in English; perhaps 'the essence of being an authentic Nepali' captures the spirit of the word.

identity dates back at least to the reign of King Prithvi and it continues to be churned to this day.

THE PURE LAND OF HINDUS

There are several hypotheses in circulation about the origin of Shah rulers. Court hagiographers trace the family back to the mythical dynasties of Rajputana on the edge of Thar desert where warriors are believed to have once ruled over their domain according to the edicts of the Hindu scriptures. Such claims need not be dismissed out of hand. There are stories of devout Hindu rulers fleeing to the Himalayas during various Muslims' attacks from the West and Central Asia. Rajput chieftains who could not make peace with the mighty Mughals, as well as Hindu warriors who had to go into hiding for various reasons, fled to the safety of the mountains. It is possible that some of them made it to the central Himalaya, got into the service of local rulers and emerged as minor princes themselves in places like Galkot, Bhirkot or Gorkha. For a few other narrators, the Shah kings of Gorkha were originally Magars, an ethnic group considered indigenous to the mountains, who became Thakuris after marriage relationships with ruling houses of the region. This logic is not very weak either. There is little reason to believe that all Thakuris belonged to the Kshatriya caste-group of the Hindu varna system. On the contrary, it was quite common for ruling families to marry their daughters to brave soldiers from loyal families or bring in beautiful girls of any caste as princesses and queens. Such intermingling produced claimants to the throne who came to be considered Thakuris.

It is also possible that some of the ascetic warrior families of Gorakhpur in present-day Uttar Pradesh of India, where a Hindu seer had established a sect for the protection of cows during Muslim rule, climbed up the mountains with their deities. If so, they were probably of the casteless sanyasi sect. That could have been the reason priests of Varanasi were unwilling to grant any 'gotra' other than Kashyap to King Prithvi. About the Kashyap gotra, there is a saying in Maithili that those who have no known origin belong to the Kashyap family.

Every theory of origin of the Shah family is intertwined with their Hindu identity. In case they came from Rajputana, they were probably Shakta worshippers of the Mother Goddess. Even the Magar identity matches with ancestor worship and the veneration of the Mother Goddess. The sanyasi sect is related to a casteless band formed for the protection and promotion of Hinduism. It is not for nothing that King Prithvi was so attached to 'asali Hindoosthana,' concept of a place that belonged truly to Hindus. Such a formulation had practical implications too. When King Prithvi began his military campaigns, the forested plains and foothills of the Himalaya were dotted with powerful temple trusts that had been established along the trail between Kamrup Kamakhya in Assam, Badri-Kedar in Uttarakhand and Vaishno Devi shrine in Kashmir during Mughal rule in the Ganga plains. Due to the escape northwards of Brahmans from Bengal, Mithila, Vaishali, Kannauj and Ujjain into Mahabharat mountain ranges, various sects of Hinduism such as Shakta, Shaiva, Vaishnav and Tantriks were flourishing away from the eyes of Muslim sultans. This influential section needed military initiative for their organization into a potent Hindu force. Some of these sects saw that it was possible to realize their dream of creating a pure Hindu land under the leadership of an ambitious ruler from a relatively insignificant principality of Gorkha. That is how the military campaigns of Gorkha's ruler probably began.

A lot has been written about the bravery of the military commanders, but the main credit for the creation of the kingdom of Nepal should perhaps be given to an informal but committed network of Brahman pandits, priests, preceptors, itinerant yogis, and sanyasis that functioned as a dependable cadre of informers, fifth columnists, infiltrators and advance force of the Gorkhali army. Without their active support, it would not have been possible for an impoverished prince from tiny Gorkha to marry into the powerful Sen dynasty of Makwanpur or establish ritual friendship of 'meet' with the wealthy Malla king of Bhaktapur in Kathmandu valley. Without priests and preceptors like Bhanu Jaishi, Kulananda Jaishi (They get a fleeting mention in Prithvi's *Divyopadesh*) and a host of others of their ilk,

imagining a 'true Hindoosthana,' and that too in an area where ancestor worship was dominant, would have been extremely difficult.

King Prithvi's conceptualization of the state was primarily tribal in nature with the loyalty of the soldiery and the patronage of priests as its main components. That probably explains why his *Divyopadesh* reads like a manual of military rule. The apogee of such an entity is the triumph of a strongman. To quote a Sanskrit shloka, it is the brave and not the meek that shall inherit the earth: *bire bhogyā basundhara*, the courageous shall use the earth for his pleasure. Such an audacious person emerged not in the Shah family but from one of the loyal Khas clans of the Gorkha rulers. His name was Jang Bahadur Kunwar.

LOYAL LIEUTENANTS

King Prithvi had established religious unity as the founding principle of his rule. Jang Bahadur Kunwar decided to pursue social uniformity as his goal. That was a strategy of necessity for him. Had he failed to establish himself as the sole ruler of Gorkhali tribe, the East India Company, spreading its tentacles in South Asia, would not have accepted him as a significant leader. Mukhtiyar (Prime Minister) Bhimsen Thapa had fallen to court intrigues, assisted by outside conspiracies. Jang could have met a similar fate if he had not succeeded in eliminating all challengers inside the country. It may just be legend that Karl Marx coined the moniker, 'loyal Tibetan dog of the British' for Jang Bahadur. However, it is true that Jang preferred to be a hunting dog rather than a lion, and enthusiastically assisted the British in snuffing out the Sepoy Mutiny of 1857,⁴ in lieu of which he was allowed to loot Lucknow and rewarded with land grants in the plains of western Nepal that came to be called 'Naya Muluk'.⁵

The choices that Jang made slightly weakened King Prithvi's 'true Hindoosthana' formulation. Jang submitted the military structure of the Gorkhali state into the service of 'firangi' foreigners. He tried to

⁴ Much has been written about the 1857 Mutiny. See, for instance, Dalrymple (2006) and David (2003). For Nepali army's role in the Mutiny, see Rana (2047 v.s.).

⁵ Present day Banke, Bardiya, Kailali and Kanchanpur districts.

compensate for the loss of religious legitimacy by forming a network of loyal courtiers and faithful families that would stand by him. Since he was from the itinerant Kunwar clan of Khas, it was not very difficult for him to serve British masters or cross the 'black waters' of the ocean to visit Europe. For a traditional high-caste Hindu, such acts would have been difficult, if not unthinkable. Unlike in the rise of King Prithvi, priests and preceptors had played no role in the emergence of Jang; he had acquired power with a combination of trickery and bravery and did not owe a debt to Brahmans. He promulgated a *Muluki Ain* (law of the land) that was nominally based on Hindu scriptures but essentially helped him concentrate all power in his own hands.⁶ Brahman priests lost whatever say they had in state affairs and the military came to dominate the polity and society in every way.

Loyalists of King Prithvi had not succeeded in befriending the Newar elite of Kathmandu valley. Jang eliminated all competitors from the victorious families of the Gorkhali clan and began the tradition of Ranas being patrons, protectors and partners of prominent Newar business families. It helped forge a bond between the Ranas and the merchant Newar families of Kathmandu valley.

By minting new coins and appropriating the exchange mechanism, Jang managed to extend his control over the profitable foreign trade but allowed loyal Newars run monetary transactions under the close supervision of his courtiers. It is believed that he refrained from directly investing in India for fear of exposing his wealth to the British. Instead, he is reported to have used Newar traders as proxies to make investments in the commercial centers of British India, extending up to the port city of Calcutta.

In this way, Jang succeeded in transforming the 'true Hindoosthana' of King Prithvi into a military-commercial state loyal to British overlords. However, priest-preceptors had penetrated down to the village level and Jang either did not want to or could not succeed in controlling the influence of Brahmans upon the nascent Gorkhali society. During Jang's rule, the notion of Nepalpan acquired two traits in addition

⁶ See Höfer (1979) for an analysis of 1854 *Muluki Ain*.

to the centrality of Hinduism and kingship—mercenary military and monopolist merchants.

TRUE TO THE SALT

It is believed that Jang had explained the source of power of different groups to his loyalists. In a ditty said to have been composed by Jang, the wily warrior identifies the respective strengths of his possible challengers. According to him, Tibetans were physically strong. The British were technologically superior. The competitive advantage of the Gorkhalis lay in their ability to dupe others. It is true that Jang was cunning and used the British Resident in Kathmandu to his advantage. But it is difficult to predict the outcome of the politics of trickery. By the time of Chandra Shamsheer, the court in Kathmandu and the Gorkhali military were completely under the thumb of British overlords. They had become instruments of servitude for the British Empire.

In the entire Indian subcontinent, the court in Kathmandu was the only local nobility that the British could trust without looking over their shoulders all the time. Perhaps this was the reason that made the British accept Nepal as an independent entity of the Raj in the Indian subcontinent through a separate treaty. After all, from among the subject races of the British Empire, perhaps Gorkhali blood was shed the most in the defense and promotion of the interests of the master race.

After the experiences of the World War I, British strategists probably thought it necessary to establish an independent identity for Gorkhalis that was different from that of the other subject populations of the Indian subcontinent. After the end of World War I, the dissolution of the Caliphate in Turkey by the victorious powers and the subsequent Khilafat movement (1919–1924) in the Indian subcontinent, the British authorities probably decided that they could no longer count upon the support of the Muslim masses in the region. The loyalty of the Marathas had been under cloud ever since the Sepoy Mutiny in 1857 and subsequent developments. The British had stopped believing the Biharis and Bengalis too after the mutiny. Due to the extreme religiosity of the Sikhs, their utility was limited to the defense of the

realm. Such realities in one of the most prized possession of the Raj made the strategists of the British Empire treat Gorkhalis as loyalists worthy of their respect and trust.

The bravery and courage of the Gorkhalis was valorized as the traits of a superior martial race because such legends served the interests of British even as it helped keep the court in Kathmandu in good humor. Thus the 'project' to manufacture the Gorkhali race was born due to the exigencies of the British Empire. Later, mythmakers helped manufacture several legends to popularize the martial qualities of the Gorkhalis, but the purpose of all these stories was to serve the interests of the British Empire.

The Vaishnav flag of Hanuman had already been transformed from the original saffron to crimson. The cry of 'Jai Bhavani' provided the red flag with a sense of aggression. The strategists feared that if the Gorkhalis learned Urdu-Hindustani, they would begin to empathize with other soldiers of British India. A separate lingua franca was allowed to evolve with the support and help of the British army propaganda machinery and missionaries working in India. British officers of the then Indian army were instrumental in popularizing Gorkhali language among the Gorkhas recruited from the various ethnic communities of Nepal. The role that the military priests and preceptors played in the Hinduization of tribal Gorkhas was tolerated because they helped create a uniformity that was useful from the point of view of the British officers in India and their Rana collaborators in Nepal at the same time: The homogenization process made control over the subordinate group a lot easier.

During the long reign of Maharaja Chandra Shamsheer as the all-powerful Prime Minister between 1901–1929, the geopolitics of the region also helped Nepal establish its independent identity. The concept of 'Nepali Jati' (Nepalese race) that continues to be popular to date was given concrete shape by a Buddhist monk from Japan, Ekai Kawaguchi (1866–1945) who made several trips to Nepal during Chandra's reign and addressed the Maharaja as his friend.⁷ The model

⁷ See Subedi (1999) for details about Kawaguchi's Nepal visit.

that Kawaguchi offered for Nepal was based on Japanese experience. Whether Kawaguchi had also been involved in espionage was never established, but he definitely helped create 'good feeling' towards the Japanese in the Nepali court. Thus the model of uniformity introduced by the British army strategists was strengthened with the homogenization concept of a Japanese monk and the resulting idea of 'Nepali jati' became a standardizing one.

Kawaguchi had advised Chandra to opt for a disciplined security force, one language of governance and a single system of education all over the kingdom. Along with these methods of manufacturing uniformity, Kawaguchi, in his missives, had also suggested ways of increasing economic activities. Chandra adopted some of the ways of manufacturing uniformity but feared that the spread of education and intensification of economic activities would undermine his autocratic rule and hence made his investments mostly in India and perhaps also in Britain rather than within the country. He decided not to follow Kawaguchi's advice of modernizing agriculture and forestry or investing in domestic industries.

Along with the adoption of a single official calendar of Vikram Sambat and the introduction of a national anthem eulogizing the ineffectual and sidelined king, the establishment of the Gorkha Language Popularization Committee were some of the far-reaching steps taken by Chandra that would become the foundation of building a nation-state in Nepal. Rana prime ministers after Chandra continued to build upon the model. The idea of uniformity in society and unitary governance continues to be popular in the Nepali polity and among the intelligentsia.

GROWTH OF CHAUVINISM

The anti-Rana protests in Nepal were influenced by the anti-colonial struggles in neighboring India and were similar to the independence movements of other colonized countries. It is said that the leaders of anti-colonial movements idolize the governance system of their colonial masters and want to set up a domestic version of the same

model. Countries that have gained independence after throwing off the colonial yoke of Britain have adopted British definitions of nationalism, while Francophone post-colonial states have followed the French model.

The anti-Rana movements were conducted with the purpose of establishing a democratic system of governance based on the idea of nationalism propounded by the displaced regime. The Revolution of 1950–1951 had no intention of creating an alternative idea of Nepali nationalism. The concept of nationalism established by Prithvi and tinkered with from time to time by every powerful ruler after him, including Jang and Chandra, was given continuity by the Rana Prime Minister of democratic government under Mohan Shamsher with minor modifications. Young Nepali-speaking scholars educated in Assam, Benares, Calcutta and Darjeeling (ABCD), however, were given the task of improvising the established model to make it acceptable for all Nepalese. The end result did nothing to question the concept of ‘Nepali jati’ and those excluded from such a formulation of uniformity did not experience any change in the definition of nationalism even after the regime change.

Heavily influenced by anti-colonial movements, even the idea of Nepali nationalism for B.P. Koirala became limited to the modernization of the uniformity model established by Chandra. Even though B.P. was relatively liberal over issues of one language, Nepali, one dress, labeda-suruwal, the centrality of the king, the project of uniformity and cultural chauvinism, he did not feel the need to change any of these assumptions of Nepali nationalism. Perhaps one of the reasons behind his political failure was the inherent contradiction between democratic governance and cultural nationalism. Cultural nationalism is often past-oriented and aims to recreate historic glory. The grandeur of ancestors inspires cultural nationalism. However, democracy cannot function without the participation and support of those that have either not been participants in the making of glorious history or had been victims of excesses committed by the dominant community. While it is not true that democracy cannot function in societies with

manufactured uniformity, it has been a reality of history in countries like France, Japan, Germany and even Bangladesh that rulers with dictatorial inclinations find it easy to sway the opinion of the dominant community by hawking the fear of ‘infiltration’ of ‘others’ in otherwise ‘pure’ nations.

Perhaps the manufacture of uniformity was the zeitgeist of the fifties and the only respectable model of nationalism. It is not unnatural for newly independent countries to fear fragmentation and prefer uniformity to diversity. But for the leaders of Nepal who had witnessed the division of British India into India and Pakistan over issues of cultural nationalism, it was shortsighted to believe that Nepal would never be chauvinistic and would evolve instead into a parliamentary democracy with constitutional monarchy like Britain by following an idealized model of nationalism based on uniformity. King Mahendra rightly identified the inherent contradiction between the idea of democracy and the belief in cultural nationalism and played upon the fears of the general population to introduce his authoritarian rule in the name of protecting the nation and promoting national interest. Thus the experimentalism of mixing the modernity of democracy with traditional nationalism ended in the triumph of fear over hope. The idea of cultural nationalism acquired its true character and became what it had always been: A model of manufacturing the imagined Nepali Jati.

MODEL AND STRUCTURE OF NEPALIPAN

Mahendra decided to emulate the Japanese idea of inherited nationalism—where community is constituted not *by land* (*jus soli*) but *by blood* (*jus sanguinis*)—instead of taking the agenda of assimilative identity forged by ABCD pandits of B.P. Koirala, based on modern concepts derived from the British but also influenced by developments in Europe and the United States of America. It is possible that the intellectual climate of the Cold War of the sixties, when it was believed by Western strategists that cultural assertiveness could be an antidote to communist contagion in developing countries, affected Mahendra’s choice. B.P. had imagined Nepali nationality to strengthen democracy;

Mahendra turned the model upside down and used the same concept to establish the centrality of monarchy in governance and society. Thus, the concept of Nepali Jati continued to gain strength even during the conflict of ideas over the form of democracy and the role of monarchy.

It may have been due to the active participation of Western scholars in the governance of Nepal at the height of the Cold War during the mid-sixties, but the assimilation project began to gain momentum after the Panchayat system was established. Mahendra's language-based cultural nationalism was expanded to include 'Nepali' art, architecture, religion, culture, symbols, and system of governance. The Tibetan art of Thangka and carpet weaving became Nepali. The pagoda style of architecture became a heritage of Nepal. In place of the relatively tolerant Vaishnava or Shaiva sects of Hinduism, the state renewed the practice of patronizing the aggressive Shakta tradition based on blood sacrifice. Building temples for Rajdevi—the Royal Goddess—with the active participation of the military, the police and the local administration began to spread. The tradition of treating Hinduism as the religion of state and society was given continuity. Symbols were created to honor the monarchy as the central feature of the polity. In order to transform popular myths as official history, stories of legendary warriors such as 'Bir' Balbhadra and Amarsingh Thapa were recreated and enshrined in schoolbooks. The project of jingoistic nationalism launched in the 1960s gained momentum and accelerated further after the beginning of the New Education Plan in the 1970s that sought to introduce an uniform school system all over the country. This whole process of establishing the centrality of monarchy in society and polity was named 'Nepalipan.' Based on the assumption of 'us' and 'them' of cultural nationalism, there was no place in this order for those who were deemed to be the 'other' of Nepali Jati.

When the Nepalipan campaign began to gain impetus, its proponents found to their chagrin that instead of transforming Nepal into an anti-communist stronghold, cultural nationalism had ended up fueling leftist consolidation. In the mid-1970s, half-hearted attempts

were made to look for the components of Nepali nationality in its broadest sense. Analogous to the exotic fruits and flowers planted in the gardens of the nobility, the royal palace tried to promote its favorites from the Madhesi, Sherpa or Rai communities in politics. During the regional visits of the king and the royal family, local culture began to be exhibited to visitors. However, all such moves were meant to strengthen the idea of uniformity. Acceptance of plurality was not the intention of the establishment.

King Mahendra re-introduced the crony capitalism of Jang Bahadur to create a firm economic base for the project of creating 'Nepalipan' based on the idea of cultural nationalism. Whether it was unauthorized trade and transactions in contraband with the active participation of members of the royal family or grant of special permission to people from the Himalayan district of Manang to do as they pleased in 'export-import' businesses, cronies of the king and royal favorites began to enjoy immunity from the fiscal laws of the country in the name of popularizing Nepalipan and promoting national unity. Thus, Nepalipan became a resource to be used for personal gain and the number of people using it for pecuniary benefits went on increasing by the day. In qualitative terms, proponents and propagandists of Nepalipan failed to create confidence in the concept among the masses.

The model of Nepalipan introduced by King Mahendra has not yet been analyzed in an impartial manner on the basis of its merits and demerits. The group that considers Mahendra to be a 'great nationalist' is not small. However, it is possible that the steps taken during his reign caused lasting damage to the idea of inclusive nationality based on accommodation rather than on assimilation.

The grounds for the creation of national unity in world history have most often been leveled at the bonhomie between warriors of different communities forged in army camps and trenches. The Gorkhali tribe evolved into a nationality after going into war against common enemies. Once the Nepali army was released from the responsibility of maintaining a mercenary force for the service of the British Empire, Mahendra could have taken initiatives to transform the organization into a truly national force. By making it even more

exclusively Gorkhali, he ended up undermining its acceptability among non-Gorkhali Nepalese.

It had been seen in the newly independent states of the Third World recently freed from the colonial yoke that political processes—especially free and fair inter-party and intra-party competition during local and national elections—were effective ways of bonding diverse communities together in the spirit of accommodative nationality. By keeping political parties proscribed for three decades, Nepal was denied such an accommodative process as at least two generations of cultural Nepalis grew up primarily with the communal values of nationalism. Besotted with the smugness of a victorious community, this group took great pleasure in announcing that ‘my heart is Nepali’ and felt no responsibility towards rest of Nepalese society. It is impossible to understand Mahendra’s Nepalipan without recognizing the kind of disinterested Nepalis it created who had little or no empathy for their fellow countrymen other than those of their own community. Whether Mahendra’s communal Nepalipan was destiny or conspiracy is impossible to ascertain, but it has definitely made the creation of an accommodative and plural idea of nationality, based on diversity, extremely challenging. The Nepalipan project was not only given continuity during King Birendra’s reign but the concept remains intact to this day due to the deep roots it has dug in the psyche of the dominant community.

Unfortunately, at least an entire generation of youngsters failed to use their creativity and energy to transform Nepali polity and society. Between 1960 and 1990, all attempts were wasted in returning the country back to the parliamentary democracy of 1958 or resisting it. Since intellectuals too were preoccupied with opposing Mahendristism (the idea of a nation-state based on the centrality of monarchy), they failed to come up with alternative concepts of accommodative nationality based on the multiplicity of identities, plurality of cultures and diversity of languages in the country. It is possible to call the political community of 1960–1990 period as belonging to the ‘lost generation,’ bereft of creative ideas, probably because the period was intellectually sterile.

I am the Nepali

It is impossible to translate the swagger of 'ma ta Nepali' into English; 'I am the Nepali' is only an approximation. Despite all its idiosyncrasies, strengths and weaknesses, the definition of nationality prior to 1990 was based upon certain certainties. The tribal chieftaincy of Prithvi, the military state of Jang, Chandra's subservience to the British Empire, B.P.'s assimilative state-nation and Mahendra's uniform nation-state—each of these models had their distinctiveness, merits and demerits. All these concepts had one common feature: None contested Prithvi's principle that strong subjects would strengthen the royal palace. Even the Panchayat system that pronounced that a single language, uniform dress, same religion and culture, and homogeneity were necessary elements of nationality and adopted a proto-fascist slogan—'Our king and our country are dearer than life and liberty'—dared not question the centrality of the subject (praja) in the polity. However, the Constitution of the Kingdom of Nepal, 1990 that has been claimed as one of the best charters of the world aimed to embrace modern principles of governance by declaring in the very first clause of its preamble that the constitution shall be above the citizenry. In

retrospect, it may appear that the seeds of conflict were sown with this declaration.

When the constitution failed to maintain a balance between social realities and the ideals of the proposed state, the supreme law of the land lost its relevance. The constitution had mandated that its protection would be the duty of every individual. However, when the charter faced a crisis, neither the king who had promulgated the constitution nor the people who had fought for it rose in its defense. Apparently, nobody wants to protect a document that is claimed to be above everybody without reflecting their condition and aspirations.

Even though the People's Movement of 1990 had succeeded in forging a sense of solidarity between different communities of Nepalese, mutual suspicion was intact and society remained divided. The populace, which had suffered under the weight of the authoritarian Panchayat regime for long, took the restoration of multiparty politics as an opportunity for institutionalizing plurality. However, due to the rapprochement between the king and the agitating political parties, the suppressed aspirations of the common people failed to get an opportunity to even air their deep-rooted grievances as arrangements were made to institutionalize the same socio-cultural order despite changing the politics of the country. The constitution drafted in a hurry to re-establish the multi-party system failed to even question the contested and dated idea of Nepalipani that the Panchayat regime had strengthened. The Constitution of the Kingdom of Nepal accepted the ideology of the 'one language, one dress and one race' model in toto.

Due to the contradictions between the beliefs, norms and values of Gorkhali hegemony over Nepali society and the ideals of a modern nation-state sought to be established by the new charter, the nobility and the socio-cultural elite of the country refused to accept the idea of the supremacy of the constitution. Among the hereditary merchants, loyal soldierly clans, families of senior bureaucrats, devoted priests and preceptors, kin of the nobility and faithful courtiers that formed the old Gorkhali elite, few accepted the idea of 'new Nepalipani,' as the supreme law of the land had left everything other than the centrality

of Nepali language and the close ties between the monarchy and the military open for political negotiations and settlement.

For non-Gorkhalis, the ideals of Nepalipan that the constitution of 1990 tried to establish proved to be somewhat illiberal. A large number of Madhesis could not own the constitution because the question of their citizenship had been left unresolved in the charter. The centralized and unitary structure of the state frustrated a lot of aspiring leaders from non-Gorkhali communities. The marginalized, the suppressed, and the downtrodden communities of society were disillusioned as the state had made no provision for inclusion or positive discrimination and had insisted upon competitive examinations for recruitment into the bureaucracy, military and police. Provisions related to old notions of nationality resulted in the irrelevance and finally the repudiation of the constitution of 1990.

In Part-3, Clause-2 of the Constitution of the Kingdom of Nepal, 1990 the state had been granted the right to promulgate laws that could suspend even fundamental rights to protect the harmony existing between different communities of the country. This provision was irrational because (a) the 'amity' between Gorkhalis and non-Gorkhalis was a state of silent conflict between the oppressors and the oppressed, (b) the state had been conferred the right to suppress voices of dissent from traditionally marginalized and oppressed communities, and (c) the agonies of the oppressed communities were swept under the carpet by the charter.

Despite the shortcomings and weaknesses of the Constitution of the Kingdom of Nepal, 1990, what the document did achieve was encourage a sense of resistance mindset—something like Negritude—among the campaigners and leaders of the marginalized communities. Negritude originally implied the affirmation or consciousness of the value of black or African culture, heritage, and identity. A similar attitude develops among suppressed communities in traditional societies where the lifestyles of the marginalized are not only claimed to be different from that of the mainstream but even superior to it in many ways. Communities that had long been associated with British

and Indian Gorkhas began to exhibit attributes of Negritude to begin with. Some Newar intellectuals of Kathmandu had already started to assert their 'Newa dignity' since the 1980s in order to overcome the stigma of belonging to a community of losers that had to surrender to the Gorkhalis in the eighteenth century. Based on the notion of the nationality of modernity, the constitution of 1990 had no place for the politics of the post-modern multiplicity of identities. The more the politics of identity and dignity spread, the more irrelevant the constitution became.

The increasing irrelevance of the constitution could have been checked in two ways: political consensus over controversial issues or wide-ranging constitutional amendments. Due to the fluidity of politics and the lack of trust between constitutional forces, political consensus could not be forged. The influence and rigidity of the forces of the status quo, such as the king, the palace and the court, meant that people's aspirations for some fundamental rights, such as citizenship and language, could not be addressed through constitutional amendments. Thus, the constitution ended up being a handbook for maintaining stasis rather than a document for facilitating socio-political dynamism.

In addition to social and political realities, it has to be accepted that economic policies too helped create conditions for the irrelevance of the 1990 constitution. Whatever be the system of governance, the acceptability of the state depends upon the programs of security and welfare that it can offer the people. Partly due to geopolitics and the insistence upon liberalization, privatization and globalization by Nepal's influential donors and lenders, the post-1990 governments failed to ensure the security of the people and could not initiate any meaningful welfare program. The dominance of free-market ideas transformed the state from being an agent of welfare to the agency for bidding farewell to its people heading to West Asia for menial employment. The fear began to spread that people would lose whatever faith they had in the state and government. Perhaps it is due to the indifference of the state to welfare measures that the government is construed to be an agency of exploitation in large parts of the country.

During the Panchayat regime, the state ensured its existence by spreading fear and trepidation of its displeasure. Democratic governments could have raised their acceptability through providing assurance and generating realistic aspirations. That could not happen as the government began to rely upon market forces. As 'miniature states,' political parties could have accommodated upwardly mobile members of marginalized communities through inclusive policies and positive discrimination and created outlets for the fulfilment of their ambitions. It would, thus, have been possible to incorporate their concerns within the umbrella identity of 'we Nepalese' and the imagined community of nationhood. Regrettably, the so-called 'big parties' of the mainstream failed to show even as little tolerance and farsightedness as the Panchayat regime, which had at least ensured the token presence of representatives from the traditionally marginalized communities.

The combined failure of the constitution, the government and the political parties meant that instead of the political solidarity of 'we Nepalese,' the individualism of the market centred upon the idea of 'I am the Nepali' became popular. Having lived under an authoritarian regime, most Nepalese had little respect for the state and had become anarchically individualistic. A government based on so-called meritocracy and the market mechanism fuelled an individualistic approach to life. When opportunities for those with little money and no access to the corridors of power began to get scarce, there was no option other than fending for oneself in whatever way they could for people on the margins of society.

On the ideological front, the conflict between the modernist beliefs of class-based society and post-modern formulations of identity assertions began to intensify after 1990. The fundamental assumptions of both were group-based: Leftists talked about proletarian solidarity while ethnic activists began to organize around their cultural community. The middle-class found these seemingly antagonistic concepts abhorrent as both had little space for individuality. Talented individuals of the bourgeoisie began to concentrate on ensuring their

own future and that of their families. The agenda of change was dumped as the conscious citizenry became self-centred. In retrospect, it appears amazing that such an opportunity of using democratic processes to imagine an inclusive and plural 'we the Nepalese' identity was allowed to weaken as the almost anarchic idea of 'I am the Nepali' gained wide acceptance. Identity obtained through birth, ancestry or culture creates a sense of entitlement without responsibility and this mindset ultimately ends up weakening social solidarity and nationality.

Partly due to religiosity and the relative stability of Nepali society, the failure of the constitution of 1990 caused less upheaval than a cataclysmic issue like this would have otherwise created. Since there was so much confusion about the definition of 'we the Nepalese,' a constitution based on the democratic idea of 'we the people' failed to find traction in larger society.

In the deliberations of the social sciences about the notion of nationality, the 'imagined community' formulation of Benedict Anderson (1991[1983]) and his observations about 'print-capitalism' are very popular. However, years before Anderson, Marshall McLuhan (1962) had already commented upon a close relationship between the print medium and nationality. The sudden openness of the democratic regime after three decades of the closed environment of the Panchayat resulted in an explosive growth in the media sector as long-suppressed voices began to be raised in the public sphere. However, most media persons had been schooled under Panchayat or had been influenced heavily by the jingoism of Nepal's leftist parties. They failed to even begin a public conversation over the imagination of a new and plural idea of Nepali nationalism. When that imagination itself was absent, there was no chance of people coming around to a new idea of nationality. Thus, the debate over nationality failed to benefit from the explosion in the media and the communication sector.

A question can be raised here: Did the constitution of 1990 completely fail to identify the bases of building a new definition of nationality? It would be an injustice to the framers of that constitution to answer in the affirmative. Perhaps the constitution-drafters had

expected amendments according to the rapidly evolving scenario and had put provisions in place in the document to meet the exigencies of the future. However, the pace of change in the political economy of the country exceeded the ability of its institutions to handle and manage the transformation. It would be unwise to blame the inflexibility of the constitution or the incompetence of the leadership for the supposed 'failures of parliamentary system' within few years of its introduction. There comes a moment in the history of every country when accumulated experiences from the past and knowledge of the present prove inadequate to address emerging questions and risks have to be taken to try out new solutions. However, it is inappropriate to discard all inherited beliefs and values to find fresh explanations and pursue new models of understanding. The lessons of failure lead towards success. That is the reason why it is necessary to revisit the process of the breakdown of the constitution of 1990 and re-evaluate the experiences gained during its short-lived implementation.

Some individuals ask in utter frustration: What has the constitution of 1990 given us? Such a question is an answer in itself. Before the constitution of 1990 came into being, very few activists could think that such questions about the national charter were possible and could be raised in public. The culture of not accepting anything at face value was a result of the guaranteed fundamental rights enshrined in the constitution of 1990. The belief that it is the primary duty of the state to protect fundamental rights and then only can it expect citizens to perform their duties was introduced into Nepalese society by the constitution of 1990. The fact that it appears to be so obvious to the new generation is in itself a testimony to the success of that constitution.

The doctrine of separation of power is only valid when sovereignty lies with the people. That is why it would not be improper to conclude that the true independence of the judiciary in Nepal began only after the 1990 constitution was promulgated. Before that, all constitutional powers were vested in the king and the organs of the state had to look to royal benevolence for their authority and functional independence.

Normally, an independent judiciary ensures that when the executive or the legislature misuse their authority or act extra-constitutionally, it is possible to move the courts for remedial measures and justice. Even though the judiciary in Nepal has not always been successful, it would not be proper to undermine the work that the courts have done to ensure justice and make the executive and legislature accountable to the people. It is necessary to evaluate the limitations of the independent judiciary to chart out a new course for Nepalese nationality.

Political parties are the proper instruments for building nationality. Unfortunately, political parties in Nepal failed to live up to the expectations of the constitution of 1990. It would be wrong to blame the cadres and leaders of the political parties for all the failures. They have begun to mature after shouldering more responsibilities than they were capable of handling in the past. Democracy cannot be strengthened without having faith in political parties and it is impossible to strengthen nationality without the active participation of politicians. The biggest success of the 1990 constitution was in establishing the centrality of political parties in national life. That could be the reason even people steeped in the culture of a one-party polity have begun to champion the multi-party system.

The guarantee of the freedom of the press meant that public opinion was created in favor of unfettered rights and people could raise their voice against the very constitution that had ensured it in the first place. Even at the height of the armed conflict, there was no interference from the state in the functioning of the free media—the exception being Chairman Gyanendra’s royal-military experiments during the last phase of his rule when attempts were made to muzzle the press in a planned manner. Some practical problems that invariably crop up during difficult times were there, but by and large, the media remained free. However, it also showed that constitutional guarantees are not sufficient to ensure proper functioning of the free press. A culture of press freedom takes time to evolve. The experiences of the role of the media in constitutional exercises would be useful in

appreciating the influence the press has in building new boundaries of plural nationality for the future of the country.

The lessons from the failures are even more glaring. It has been seen repeatedly that no matter how well fundamental freedoms are protected through constitutional provisions, it is impossible to ensure their implementation without restructuring the state and reorienting the machinery of the government. In the name of the separation of powers, the supremacy of the constitution can end up making law courts the paramount authority in the country. When the executive and the legislature appeared to be helpless in front of the judiciary over issues of citizenship and language rights of non-dominant communities, it became clear that the courts were unmindful of the separation of powers. The decisions of the Supreme Court on these important issues ended up undermining the legitimacy and acceptability of the state itself.⁸

Even though political parties have started to gain maturity, in absence of inclusive policies and internal democracy, none of them have been able to become truly 'national' in structure, composition and influence. Most political parties are like shops set up by ambitious politicians. The assumption that if freedom is guaranteed, political parties would learn to institutionalize themselves on their own, has turned out to be false. The need to identify the strengthening of political parties as one of the aims of the constitutional exercise has emerged from the experiences of the last two decades.

A free press is a fundamental requirement of democracy. However, the guarantee of press freedom in itself is not sufficient to ensure that the media will promote plurality, tolerance and an environment of trust and cooperation between the different communities. Even a free media can fall prey to the lure of unitary government and cultural uniformity. Hence, a monitoring mechanism is necessary to observe

⁸ In June 1999, the Supreme Court quashed a few local bodies' attempt to employ local languages Maithili and Newari as additional languages of official use (see Bista 2011). Similarly, the Supreme Court nullified the Nepali government's decision to distribute the citizenship certificates in the villages across Nepal (see Gautam 2008).

whether the free media is fostering freedoms or becoming a tool of the dominant business, cultural or demagogic groups. An independent and free media does not mean that business or other vested interests can claim immunity in the name of a free press to do as they please.

The Constitution of the Kingdom of Nepal, 1990 will soon be history and only future generations will be able to evaluate it with the detachment of distance. But there should be no hesitation in accepting that the doors of political change that closed in 1960 had been turned ajar with the Referendum of 1980, when the electorate got an opportunity to vote for or against the Panchayat system, but the gates were flung wide open with the promulgation of 1990 constitution. Had there been no constitution of 1990, probably it would have been difficult to launch a popular revolt of the scale of 2006. The market economy, postmodernism and communism found a hospitable environment because liberal democracy guaranteed by the constitution of 1990 had made free thought possible. The reason Maoism spread so fast probably had to do with the lack of creativity and inventiveness rampant among all the competing political ideologies of that time.

The 1990 constitution had based itself upon the beliefs of the age of enlightenment in Europe and the values of the American independence struggle. In a society where 'traditional' cultures and post-modern lifestyles existed together, the idea of uniformity proved to be inadequate, if not inappropriate altogether. But it does not mean that the experiment was entirely useless. The discredited constitution, the Maoist armed struggle, the popular revolt and the Madhes Uprising have shown that the new constitution needs to be even more liberal, accommodative, tolerant and proactive to address the aspirations of the different communities that make up this diverse country. There is nothing wrong per se with the expression 'I am the Nepali'; the need of the time is to go beyond it and make sincere attempts to popularize a 'we Nepalese' concept and fashion out an accommodative identity of pluralism.

Explosions of Discontent

Efforts have been made several times to run Nepal according to constitutional provisions. Even if the significance of Jang's civil code, the Muluki Ain of 1854, and Chandra's written 'shresta' directives are ignored as the attempts of autocrats to control their minions, experiments with the idea of supremacy of laws in Nepal began as early as 1948, when Rana ruler Padma Shamsher prepared a constitution. The interim constitution adopted after the People's Revolution of 1950–1951 had aimed for a republic. The constitution, drafted with suggestions from British jurist, Sir Ivor Jennings in 1959, tried to initiate the practice of parliamentary democracy, which often takes decades to institutionalize. Even the constitution that Mahendra adopted in 1962 was an experiment in 'controlled democracy' and was based on an alternative to the model of modernity preferred by political reformers like B.P. Koirala.

In order to safeguard the achievements of the People's Movement of 1990, the constitution of 1990 had taken ample precautions to ensure that a coup d'état, like the one in 1960, would never take place again. Even so, democracy has repeatedly failed to strike roots in Nepali society. A convincing explanation for this anomaly is difficult

to find. However, the primacy of the military-mercantile machinery in the affairs of the state, the conspiratorial character of the royal palace secretariat, and geopolitical compulsions are all partly responsible for the lack of longevity of constitutional supremacy and democratic practice in Nepal. In addition to all these factors, an important element missing from all experiments of constitutionalism has been a sense of direction that comes from a popularly accepted definition of the idea of nationality.

For decades, if not centuries, nationalism in Nepal had been defined as loyalty to the crown. This formulation has failed to strike a chord with a large number of people. When nationalism came to mean 'anti-Indian' posturing, the very idea of patriotism was discredited. When a country that was the more influential provider of education, health services and employment opportunities to a large section of population than its own government was vilified, the hypocrisy of shouting slogans against the country of sanctuary of last resort sounded hollow. The moment a possible benefactor is portrayed as an enemy, it breeds inferiority and results in the deepening of chronic insecurity. Ambitious politicians behind the Maoist insurgency attempted to cash in on anti-India slogans through their 40-point demand submitted (on 4 February, 1996) to the then government of Premier Sher Bahadur Deuba and tried to link it with populist ideas of Panchayat nationalism.⁹ The limitations of such slogans were exposed as the armed conflict spread throughout the country. However, by then it was too late even for the Maoists to fashion an alternative model of accommodative nationality. Imprisoned within the walls of dated and discredited ideologies, Maoists insisted upon production of uniformity even as they talked about inequality in society. When pluralism is an anathema, assimilation rather than accommodation becomes the preferred method of forming national unity. However, Maoists soon realized limitations of traditional Maoist track and changed their strategy to lure the externalized and marginalized sections of Nepali society.

⁹ For the 40-point memorandum submitted by the Maoists, see Thapa (2003).

Whether it was destiny or happenstance is yet unclear, but the Maoists discovered the raw energy of ethnicity, correctly assessed the suppressed desires of the downtrodden and the Dalits, and got an opportunity to witness the sufferings of women, especially in the countryside. After that, the Maoists could do without the stale slogans of the 40-points demand made at the launch of armed struggle. The idea of ethnic provinces with the right to self-determination transformed republicanism into an unstoppable force of history. It is not just an accident that the opponents of republicanism consider the Maoist plans of autonomous provinces, with the right to self-determination, a bigger challenge than even the communist ideology. Fears of fragmentation are being stoked to neutralize the restructuring of the state. Perhaps the biggest contribution of the Maoist armed conflict and its propaganda machinery is that it has released ethnic communities and indigenous nationalities from the shackles of the synthetic nationalism of being a Nepali first.

In the natural order of things, love for mother and motherland (the land and culture of one's birth) is paramount and political affiliation is a manufactured identity. The questions whether one is a Magar first or if someone has to stop being a Tharu to be a true Nepali have now become meaningless. There is no contradiction in being a Magar first and then a Nepali or vice-versa. The Maoists have succeeded in establishing this value as the fundamental tenet of Nepalese nationality. There should be no hesitation in giving credit where it is due: the Maoists changed the way nationality had been defined for centuries in Nepal.

The Maoists have also successfully used the old principle that solidarities built in the trenches of battlefields are the strongest bases for forming national unity. At the height of armed conflict, most fighters in the Bardia-Kailali region were Tharu, while a large number of their commanding officers were Bahuns from Jhapa in eastern Nepal. Over time, this came to be interpreted in a communal way, but the 'unifying feel of facing danger together' was an idea that the Nepali Congress had successfully used in 1950 in its Mukti Sena and Maoist's practice was merely its modern version. Due to the Maoists conflict,

the compulsion to recruit Madhesis and women in the Nepali army seems to have arisen.

There should be no hesitation in recognizing that the Maoists have succeeded in raising the awareness level in the countryside and have helped the rural masses organize on a large scale. Coercion may have been a part of the process, but villagers are now much more politically and socially conscious than they were ever before. Earlier, trading in electoral support was believed to be common and it was widely accepted that votes could be bought and sold in bulk. The Maoists transformed it into the politics of the khukuri and guns. Fear and terror have undoubtedly done lasting damage to democratic politics. However, it is impossible to ignore that it was the armed conflict which helped establish the principle that whatever common people were, that was the essence of being Nepalese.

The values established by the Maoists were important elements of accommodative nationality, but they were limited in extent and incomplete by themselves. Coercive methods produce quick results, but the resistance they ignite is equally swift, and as society is polarized, values start being contested. The climate of consensus around issues of common concern is vitiated. The People's Revolt of 2006 happened in an atmosphere when the country was divided into three main antagonistic political camps—monarchists, Maoists and mainstreamers—with everyone fearful about intentions of each other.

When Maoists and the mainstreamers acted in tandem, the Spring Uprising materialized, an interim constitution was promulgated, the 'great parliament' was formed, and Nepal entered the process of becoming a republic once elections for the CA were held. However, it would not be imprudent to hold that the People's Revolt of 2006 had far-reaching consequences and became almost the Rhododendron Revolution (Lal 2005, 2006) because of its wide-ranging impact upon the polity and society of Nepal. Revolts end with a change of regime. Revolutions, however, not only change politics but also transform the way of thinking and necessitate the redrafting of cultural norms and values in the light of new realities. After the Spring Revolt, the

traditional notion of Nepalipani was broken into pieces. Along with that, the strength of the brave and courageous image too fell to the ground.

Nepal Police had failed abjectly to control the Maoist insurgency. Even though formed from the famed martial races, the then Royal Nepali Army (RNA)¹⁰ had failed to protect its Supreme Commander-in-Chief and lost its reputation in the wake of the Narayanhiti massacre (1 June, 2001). When the RNA was mobilized against the Maoists, people did not expect wonders from it but they had hoped that the forces of the state would be able to coerce the insurgents towards the negotiating table. However, the RNA not only failed to deliver even this limited result despite being given whatever it wanted in terms of money, material and operational autonomy, it committed excesses and lost the faith of the people as well as the international community. In concrete terms, the army could not offer security to anyone other than to its own barracks. By the People's Revolt of 2006, the necessity, utility and effectiveness of the RNA was being openly questioned.

The central message of the People's Revolt of 2006 was that the defenders of nationality are not the armed forces but the people themselves. Such a conclusion de-legitimized the Maoists and ended the acceptability of their armed insurgency. The ideological lesson of the experience was that the bonds of battlefield trenches are inadequate; true national unity needs the fraternity of peacetime, which can only be formed through non-violent struggle and democratic practices.

Perhaps it was not just coincidence that the seeds of the Madhes Uprising (2007) were sown with the formation of the coalition government soon after the promulgation of the Interim Constitution, 2007. Even though the People's Revolt had made the politics of violence unacceptable, the Comprehensive Peace Accord (21 November, 2006) had not been successful in preparing a detailed plan of action to take the peace process to its logical conclusion and manage the remnants

¹⁰ The Royal Nepali Army used to be called the Royal Nepalese Army in English. In Nepali, however, it continues to be designated as the 'Nepali Sena' even after discarding the 'Shahi' prefix.

of the armed conflict. The fear had begun to spread in Madhes that after the group entry of Maoist combatants the RNA—renamed the Nepal Army without any change in its composition, structure or operational procedures—would become even more aggressive and intolerant towards non-Gorkhali communities. The RNA had always been perceived as communal and there was no reason to believe that it would suddenly become accommodative just because the political system had changed. To make matters worse, mainstream political parties gave no indication that they had imbibed the values of People’s Revolt and were in the process of reforming themselves.

The vanguard of the Madhes Uprising may find it difficult to accept this, but part of the reason many of them joined the cause was their deep-seated fear and apprehension. During the armed conflict, the RNA had helped set up anti-Maoist militias in Madhes. People associated with such rogue forces feared the ascendance of former Maoist commanders to the seat of political power in Kathmandu. They needed a political cloak to hide their past and the Madhes Uprising was an excellent opportunity for them to establish their credibility and acquire the respectability of being ‘freedom fighters.’

The role that the geopolitical forces of the time played in fermenting trouble to discredit Maoists is difficult to ascertain. Similarly, the hand of the southern neighbor was not clearly visible even though its impact was unmistakable. However, the most powerful cause of the Madhes Uprising was a sense of continued alienation among upwardly mobile Madhesis who saw no future for themselves in the ‘new Nepal’ being envisioned: The post-revolt regime had refused to show any interest in reforming the narrow and communal concept of Nepalipani. Madhesi politicians probably allowed the simmering discontent in Madhes die out as a controlled fire was fanned to attract the attention of the ruling class in Kathmandu towards longstanding grievances. Whatever the so-called national parties may claim, had there been no Madhes Uprising, no political force other than the Maoists would have been under any pressure to re-imagine Nepal’s nationality.

The singular contribution of the Madhes Uprising in creating an accommodative nationality is that now one need not be born a cultural Nepali or pretend to be a clone of the prototype in order to be accepted as a genuine Nepalese. Nobody has to go on demonstrating in front of everyone, 'Look I am a true Nepali!' It is the responsibility of the accuser to prove whether an accused is not what had been claimed in the identity. It is still in the embryonic stage, but once the idea that non-cultural Nepalis can also be true Nepalese, is fully established, it will be a day of emancipation for a large number of people in Nepal. On the face of it, only Madhesis seem to have benefited from the Madhes Uprising, but the principles that it helped establish will promote the interests of all non-dominant communities of the country. Had it not been the ideology of the Madhes Uprising, the country would still be debating whether a Madhesi claiming to be 'Nepali first' is fit to be the first President of the republic or whether a soldier from an indigenous tribe can be trusted with the leadership of the Nepali army as its first Janajati Commander-in-Chief.

Thus the foundations of accommodative Nepali nationality need to be built from the consciousness of the Maoist armed insurgency, the norms and values of liberal democracy that led to the success of the Spring Revolt, and the ideas of inclusion and federalism brought forward by the Madhes Uprising. Even when the idea of cultural 'Nepalipan' had become redundant in Nepal, the Gorkhali community spread all over the world shall keep it alive. For those who have accepted citizenship of other countries and have sworn to protect and promote the interests of their adopted land, the idea of cultural 'Nepalipan' is not inappropriate: It gives them distinctiveness and helps host countries acquire diversity. However, the nationality of Nepalese people would have to be much more plural, diverse and accommodative.

We are all Nepalese

These days, the ‘New Nepal’ phrase is heard often, but the effort to explain its details is sorely lacking. There is little public debate about the components of the concept. What does ‘new Nepal’ mean? Is it analogous to advertising gimmicks such as ‘New Improved!’ and ‘Now in a brand new pack!’ or an honest statement of purpose to transform Nepal? Like an old product sold with new qualifiers of ‘New!,’ ‘Improved,’ and ‘Special’ in redesigned packaging, the slogan of new Nepal has begun to edge out even some positive aspects of ‘old Nepal’ construction. But what should not be forgotten is that Nepal is the only country in South Asia that has managed to keep its borders intact and lived under the same central authority for over two centuries. There are not many countries in the world with such a continuity of geography and history. Even the oppressed, the downtrodden and the marginalized sections of Nepal’s population would have to accept the fact that they are people—if not full-fledged citizens yet—of a country with a distinct identity in the comity of nations.

Admittedly, there is little to be proud of in being a citizen of Nepal. However, there is nothing to be ashamed of about one’s national identity as a Nepali either. But if Nepalese remain contented with

the definition of what it means to be a Nepali, traditional notions of nationality will continue to keep a large number of people out of its ambit. Attempts to broaden the idea of accommodative nationality will be thwarted in the name of purity. If that happens, conflicts over identities will consume polity and society. Peaceful resolution and reconciliation will become difficult, if not impossible. That is the reason all efforts should be made to redefine old values and beliefs in a new way rather than run after the elusive quest of a 'New Nepal' that nobody knows anything about.

There are at least five aspects of the idea of nationality: Name, essence, icons, institutions and structure of the state. These attributes in their totality create a sense of belongingness among the people and generate feelings of ownership, affection and commitment towards the country. There should be no hesitation in reconsidering even something as fundamental as the name of the country. After all, some countries in the neighborhood of Nepal have done it, though not always with admirable results. Sri Lanka was Ceylon until 1972 when it adopted its new name. In 1989, the ruling junta of Burma declared that the country under their control would henceforth be officially known as Myanmar. Renaming does not change the character of a thing, person or a country, but there is little harm in revisiting the processes and principles behind an established name.

To this day, Nepal means the valley of Kathmandu for many rural areas of the country. That is natural, because for centuries before Kathmandu acquired its new name, it was indeed Nepal. Even until the time of Prithvi's military campaigns, Nepal meant the palace and the court in Kathmandu; it was not the identity of the country that was in the process of being made. This culture continues. When Pahadis in Madhes attempt to identify themselves as 'Nepalis' and the rest of the population as Madhesis, they are merely trying to assert their cultural affinity with the ruling elite in Kathmandu. The resulting belittlement of the local community is the power play at work and may not be an intentional slight. In a way, such an attitude too is the expression of an

inferiority complex of the people of dominant community living on the margins, which finds outlet in the form of identity assertion.

Claims such as 'Buddha was born in Nepal' or 'Sita is the daughter of Nepal' are fallacious because the Nepal of mythology and ancient history was the Kathmandu valley. However, such claims find resonance among the populace because of their emotional appeal. Hence, the argument that since the place where Lord Buddha was born as Prince Siddhartha is in present day Lumbini in Nepal, he can be claimed to have been a 'Nepali' becomes legitimate. Similarly, Goddess Sita may have been a mythical figure of the Hindu epic *Ramayana*, but it is believed that she was a princess of Mithila. Janakapur, the place believed to have been the capital of Mithila, lies within borders of Nepal. Ergo, Princess Sita was a daughter of Nepal before she became the consort of Lord Ram. Geography is reality while history is mostly a record of narratives, explanations and beliefs.

Even the geographical boundaries of countries are not constant lines drawn by nature or God. At the time of Indian Independence, the region had around 600 principalities and kingdoms, each claiming to be different and with distinct identities of their own. There was no Bangladesh before 1971 and no Pakistan until it was created out of British India. Prior to the Treaty of Sugauli (1816), the map of Nepal was different, which more or less acquired its present shape once Jang managed to please the East India Company in the Sepoy Mutiny of 1857 and was rewarded for his loyalty with the return of 'Naya Muluk'. Such a master-minion relationship between the 'firangi' British and the pious rulers of 'asali Hindoosthana' was something that Prithvi could never have imagined during his military campaigns a mere 70–80 years earlier.

Despite the continuity of relatively homogeneous identities such as the Chinese, French, German and the Japanese, the idea of nationality is not fixed but dynamic and keeps evolving with every cataclysmic political event in the neighborhood. The idea of cultural 'Nepalipan' can continue to exist even when there is no country called Nepal on the map of the world. However, the meaning of being a 'Nepali' has

to be understood in the context of a country called Nepal. That is why it would be more appropriate to identify the national characteristics of the people of a country called Nepal as being Nepaliness rather than Nepalipan. English adjectives already in use such as Nepali and Nepalese can easily be translated as Nepalitwa and Nepaliya without linguistic acrobatics.

It is possible to argue once again: What is there in a name anyway? In matters of nationality and identity, such irreverence is inappropriate. The essence of political identity lies in the name because there are no immutable characteristics associated with any country. A Nepali is snub-nosed while a Nepaliya has a hooked snout, one is loyal the other cunning, or the former is indigenous while the later itinerant, are often characterizations of self-deprecation rather the denigration of the 'other,' though sometimes a hint of malice in such observations is not very hard to detect. However, nationality is primarily a political identity and its name should be able to accommodate the cultural diversities of a country. In future, it is possible that a Black person of African origin could acquire Nepal's nationality. His or her descendents may aspire to become the 'Obama' of Nepal—a head of state from a non-dominant community. A dynamic identity need not be tied to mythologies or history; political identities have to be constructed with eyes towards the future.

The essence of belongingness to a country is even more difficult to explain than its name. The primary identity of a person is tied with one's mother tongue. Rare is the person who is not overwhelmed with emotion on hearing the mother tongue far away from the motherland. Even though the language of education often overpowers the medium of conversation absorbed in childhood, the affinity towards a tongue used in communicating with one's mother remains strong throughout life. Attachment to the mother tongue is beyond rational explanation. It lies in the realm of emotions. That is why the identity of mother tongue is the primary one for most people. The certificate of citizenship and the book of passport may cover that identity with a synthetic construction or an official seal, but primacy of belongingness to the

mother and the mother tongues remains throughout one's life. The principle that every 'nation'—in the narrow sense of the term where a nation is large aggregate of people united by common descent, history, culture, or language, inhabiting a particular territory—has a right to become a country has emerged precisely from this belief. However, this belief has fuelled enmity between communities of the world rather than promoting fraternity, hence political bases of constructing identity have come into fashion. When it is possible for different cultural nations to live within the political territory of a plural 'nation,' pathologies associated with endless fragmentation can be avoided.

In the context of Nepal, attempts have been made to cover pluralities of Nepal in Prithvi's 'garden of four castes, 36 communities' dictum. At the time of this formulation, the four caste groups of the Hindu varnashram division—Brahmans, Kshatriyas, Vaishyas and Shudras—had primacy in the 'asali Hindoosthana' of Prithvi while other communities were secondary. The owner of such a 'garden' was the king and his loyalists were gardeners. This model may not be appropriate for modern Nepal. The line in the new national anthem 'bouquets of flowers of hundreds of varieties' is not just a call for managing limited identities within a garden. It extends beyond even the splendours of the wilderness and underlines that such multiplicities can only be fostered when every person is conscious of being a gardener.

The kind of 'purity of nationality' that Chandra had tried to build in Nepal, based upon models in practice in Japan, Germany and France of his time, is impractical in a society with a multiplicity of identities. For thousands of years, Nepal has remained a shelter for communities coming from the south and north as well as the east and the west. Over time, intense interactions and intermixing have resulted in the creation of mixed communities. Very few ethnicities can claim to be 'pure'—whatever that means in human genealogy—any more. That could be the reason the idea of the 'fatherland' is improper for a country where the ancestors of almost everyone came from somewhere else during different periods of history.

B.P. Koirala and cultural activists of his generation were influenced by post-colonial ideas of constructing assimilative states in the newly independent countries of Asia and Africa. However, the differences between the different communities of Nepal are so deep-rooted that it is not possible to build an assimilative identity without paying a heavy price in terms of the annihilation of conflicting cultures. Hence, the assimilative approach too is not suitable for nation building in Nepal. Initially, the Maoists also attempted to follow the assimilative model. Its influence was so strong at one time that Maoist cadres attempted to ape even the mannerism and intonations of their chairman when speaking in public. However, the Maoist leadership soon discovered the futility of such an attempt and moved away from the post-colonial model of political identity construction to the post-modern ideals of multiplicity of identities.

Mahendra's nationalism originated in the purity theory adopted by his ancestors but was also influenced greatly by the beliefs of his American advisors. Behind the idea of U.S. nationalism, the pursuit of happiness, which is believed to be obtained through material possessions and acquisitions of the means of pleasure, is the paramount concern. In the heat of competition for goods and services required for a good life, all metals ultimately melt into one single materialistic liquid, which then cools and becomes an alloy that is distinctly American. This model was unsuitable for spiritually rich Nepal where the politics of competitiveness bordering on enmity is yet to strike roots.

The prosperity of the United States of America is probably based on the economic philosophy of continuous conflicts and constant wars of all against everyone else. It has not been possible to implant such values in Nepal in the past and is unlikely to succeed in the future. The per capita resource base required for the success of the materialistic model of the melting pot theory does not exist in Nepal. Cooperation rather than competition is the only way to ensure survival in resource-strained countries with fragile ecosystems, such as Nepal.

After the success of the People's Movement of 1990, intellectual debates over the mixture of identities or the Salad Bowl theory of unity

were begun in Nepal, even though in half-hearted way. They failed to find many takers in a society where the ideas of assimilative identity and the melting pot theory held intellectual sway. Despite decades of democratic struggles since 1950, various armed revolts after 1960, the People's Movement of 1990, the historic Spring Uprising of 2006 and the Madhes Uprising of 2007, the debate over nationalism in Nepal remains where it has always been: The idea of being a 'pure' Nepali. The central questions continue to be 'Who is a Nepali,' rather than what it means to be a Nepalese, and what needs to be done to become one.

It is never easy to identify the secular bases of emotional solidarity. What is the zeal that pushes an officer of the fire brigade to jump into an inferno to save the life of a person he has never met? What is the emotion that makes one weep when a landslide erases a village that one has never been to? Neighborliness alone does not explain the strength of nationality. In the case of Nepalese living on the frontiers, sometimes there is more intermingling across the international border than with one's own compatriots due to cultural proximity between trans-border communities. During emergencies and celebrations, such as fire, floods, death, plantation, harvest and birth, borders cease to be barriers. Unlike ancestry, family, tribe or ethnicity, nationality is not a natural instinct. That is the reason states keep hammering in nationalism and patriotism to create a sense of unity among people. Like other national identities, Nepalipan too is not something natural but an artificial construct. Unless the reality that, like most other nationalities, Nepali nationality too is a manufactured one is accepted, it will be impossible to identify the components for building solidarity around a Nepalese identity and institutionalizing the concept on terms acceptable to most, if not all, people of the country.

In order to make passion for nationality as strong as religion, it will be necessary to create a consensus around the symbols of shared identity. The belief that the constitution of the state has to be politically as sacred as the holy books are for religions is not meaningless. However, holy books demand complete obedience and are immutable

while constitutions are subjected to change to reflect changes in the circumstances and aspirations of the people. Instead, it is possible to argue that the national flag of a country could be made as sacred as the holy books are to the different religions. Counter-arguments too can be made with equal conviction, but some symbols have to be put above combative disagreements.

Nothing in this universe is absolute, completely free from defects and full of desirable qualities, the flag being no exception. To take an example from neighboring India, there is no historic evidence that the Ashoka Chakra of the tri-color ever reached either Kohima or Kerala before it found a space on the national flag. Similarly, it is quite unlikely that the Ashoka Lions from Sarnath were known to all Indians before being adopted as the national emblem of the newly independent country. Jawaharlal Nehru, a Kashmiri Pandit, liked the Ashoka Lions from Sarnath, decided to adopt it as the official seal of the government when India became a republic on 26 January, 1950 and the rest of the country accepted it. Over time, it has become a symbol of national unity.

It is impossible to satisfy all curiosities concerning the origin of the double triangles that make up the flag of Nepal. Even though the proposed flag of India had not found wide acceptance, writing for *Young India* on 13 April, 1921 Mahatma Gandhi observed, 'A flag is a necessity for all nations. Millions have died for it. It is no doubt a kind of idolatry which it would be a sin to destroy.'¹¹

The Shah and Rana clans have variously interpreted the crimson colored double triangle flag, with blue border and embossed with sun and moon, according to their own convenience. It is true that the red color represents bravery, but it can also stand for a sense of unity inspiring commitment. Blue is the color of peace, as also of greatness, civilization and power. The moon is equally respectable for Hindus, Buddhists, Muslims and various ethnic communities. There is no controversy over the fact that the universe of the solar system is

¹¹ As quoted by Vinay Lal, www.sscnet.ucla.edu/southasia/history/independent/flag.html; accessed 20 June, 2010.

centred on the sun. It would not be pragmatic to insist that debates over the flag should be proscribed. However, it would be a lot more useful if such debates were to be directed towards finding explanations that are more agreeable for a common symbol of political identity for the country.

Invoking the metaphors of Mahatma Gandhi, if the idol of the religion called nationality is the flag and the constitution its holy book, then who are the seers of the sect? For every country, the creation of national icons is the most challenging task. National idols arbitrarily created during the Panchayat regime, without adequate intellectual homework, have failed to find public acceptance to this day. It is not necessary to discard them altogether in an abrupt manner. However, the relevance of King Janak or Princess Bhrikuti (she has never been an official icon though) needs to be re-examined to see if such idols help in the consolidation of Nepaliness and Nepalese identity. It is possible to build a new line up of icons consisting of peace-builders and creators of wealth rather than praising brave warriors or eulogising past rulers.

There are other controversial symbols to choose from: the 'labeda-suruwal' or the 'dhoti-kurta,' the Himalayan monal or the sparrow of the plains, the cow or the rhinoceros, the magnificent marigold or the rare rhododendron? Spending too much time and energy in settling such issues of contention will divert attention away from building consensus over the more pressing concerns of constitutionalism.

Hasty decisions over symbols may create conflict rather than harmony. It is natural that forging consensus over icons and idols should take time. However, a beginning can be made by honoring every important actor of the various political struggles in Nepal as icons of inspiration. From history, non-controversial Dalit personalities, such as Sahles and Bise Nagarchi, need to be identified as icons of national pride. The martyrs up to 1950, the visionaries and activists of the 1950–1960 period, the inspirational figures of the struggles between 1960–1990 and prominent warriors of the Maoist armed revolt as well as the Madhes Uprising can be included in a list of personalities honorable for all Nepalese.

In the process of transforming the unitary identity into a multiple one, it will be necessary to recognize that the state can have no religion other than ensuring security and service for its citizens. The background, norms and values of individuals determine their religious persuasion and the state, entrusted with the task of ensuring freedom, can have no religion of its own other than constitutionalism. After the clashes between the various sects of Christianity, the conflicts between Jews and Christians, and the Christian crusades against Islam, the concept of secular politics emerged in Europe. Many countries of the world continue to be directly or indirectly involved in the promotion and protection of state religions. However, only secular politics can foster the plurality of Nepalese society. Secular politics need not mean secularism bordering on being aggressively irreligious though. The duty of a secular state can extend to ensuring religious freedom on the basis of equality for all religions in the realm. Just as no atheist need be excluded from the security and services of the state, people of all religious persuasions have equal right to claim the protection of the government against faith-based prosecutions or discriminations of any kind.

In the transformation of the conflict-ridden politics of identity to the consensus-oriented politics of dignity, the question of language is even more crucial than symbols, icons, and religions when restructuring the state. That could be the reason many newly independent states have adopted the language of their former colonizers as their own. The origin of English is not Indian, but it is the language of the state and the media all over India. Pakistan has adopted Urdu as the official language, even though none in present-day Pakistan other than refugees from India used it as their first language.

The state in Nepal has invested heavily in establishing the primacy of the Nepali language in national life. Even if it is considered as a legacy of the Gorkhali Empire, Nepali is the only language that is understood everywhere in the country from Mechi to Mahakali. Nepali is used from currency notes to postal stamps, and from the 'lal purja' land title to the citizenship certificate. Such an extensive application

gives Nepali language national exposure and wide circulation. It would not be wise to waste this huge investment made in the language. In the foreseeable future, it is unlikely that any other language will be able to challenge the position of Nepali in the national life of Nepal. Problems, however, will begin when the propaganda to propagate it as the sole language of the nation and the state is revived once again.

Language is not just a medium of expression; it is also a form of cultural capital that the elite use as a tool of control to give continuity to their hegemony over the entire society. Once Nepali ceases to be the only official language, the group that has managed to maintain monopoly over this important cultural resource will fail to get adequate returns from the investments that they have made in taking it to the commanding heights of economics, politics, culture and society. Hence, it is almost sure that an influential group will intensify its efforts to defend their linguistic monopoly. If the official language were to be drawn into controversy repeatedly, it will benefit neither its proponents nor its critics. This has already been seen in the storm raised over the language of oath of Vice President Paramananda Jha.¹² Such disputes polarize the polity and weaken society.

The tri-lingual formula tried in India could be a useful model for Nepal too. A policy of English for international communication, Nepali as a link between the federal units and national languages as the official medium in the provinces should help cool tempers. An important aspect of the linguistic debate is that those with Nepali as their mother tongue have been getting undue benefit, as they did not need to learn any other national language. This felicity with the official language was the natural advantage that native speakers of Nepali enjoyed over people who spoke other national languages of the country. Nobody can deny them this facility. However, if it was made necessary that even those people who spoke Nepali as their mother

¹² Nepal's first Vice President Paramananda Jha took oath of office in Hindi, which caused stir. The debate reached the Supreme Court and it ruled the oath void. The drama ended when the Interim Constitution, 2007 was amended, which allowed one to take oath of office in one's own mother tongue.

tongue are required to learn at least one national language of their choosing in order to avail of administrative or political opportunities, it will help promote amity and a sense of unity between the different communities of the country, even though in a very limited way. There is very little cost involved in this arrangement, it will not harm anybody, and people learning a second language will benefit most in the long run.

After the flag, the icons, and the language, work needs to be done to manufacture the shared myths that emotionally unite the country. Unfortunately, most existing fables are of a communal nature. Protagonists of what historian, Pratyoush Onta (1996), calls 'Bir Itihas' or the history of bravery, as well as the travails of Moti-Bhanu narrated by littérateurs of the ABCD (Assam, Benares, Calcutta and Darjeeling) variety hold little appeal for most Nepalese because they do not represent the struggles of the common people for survival. Perhaps the new mythologies would have to center around those Nepaliya pioneers who have struggled for the livelihood of the people and fought autocratic regimes for democratic rights and human dignity. The context and conditions of politics when martyrs sacrificed their lives for the betterment of society in the stifling environment preceding the Spring Awakening of 1950 can inspire and energize future generations. The industriousness of the people of Tibetan origin living in the harsh climatic conditions of the Himalayan region, the creativity of the craftsmen and traders of Kathmandu, the endurance of the inhabitants of Bhitri (inner) Madhes clearings, the survival instincts of Madhesis fighting the cycle of floods and draughts, the forbearance of the Dalits in the mountains and Madhes, and the native genius of various neglected ethnicities are in no way less interesting than stories about the learning of the Brahmans, the bravery of the Kshetris or the much-vaunted valor of the so-called martial tribes traditionally recruited into mercenary services.

In future, Nepal will require a new kind of literature, stories, plays, movies and other forms of arts. Nobody knows what exactly this will be; creativity is unpredictable by definition. However, there is little

doubt that the horizons of imagination will have to be broad, very very broad. Established values will not be enough to inspire new thinking and innovative constructions. It is somewhat ironic that the creators who should have been leading from the front to envisage a new kind of accommodative and just Nepal have been left behind in the fast evolving politics of the country.

Name, essence and icons are extremely important in forging emotional unity around a collective identity. However, institutions and structures give shape to the idea of nationhood (the state of being a nation) and those issues need to be given equal attention. It is necessary to have a free debate about the kind of institutions and structures Nepal needs to support accommodative nationality.

Construction of Nepaliness

Once Italy had taken shape after many wars and military campaigns, an irreverent politician noted in his memoirs: 'Italy has been made; now it remains to make Italians.' None of Prithvi's courtiers, priests or preceptors had the farsightedness to raise and face a similar question. In the near past, by the time B.P. Koirala could assess the fragility of assimilative nationality, Mahendra had already revived Chandra's nationalism. That could be the reason that the entire political, social, cultural and economic structure of Nepal is unitary and centralized. The moment one is touched, others may begin to fall like ninepins. Despite that risk, it would perhaps be more effective to build a future-oriented Nepaliness through structural reforms in the politics and institutions of the state.

The source of legitimacy of political structures lies in the relationship between the state and its citizens. Under monarchy, such relationships were determined by religious values and the belief that if the king and his subjects did their divinely ordained duties creation would get continuity was widely respected. In modern states, relationships have to be based on written or perceived contracts rather

than religious beliefs. The state, as a party to the contract, is visible through its various organs, such as the legislature, the executive, the judiciary and a wide range of information and communication sources.

The other party to the contract of nationality is the citizenry, which remains invisible unless it is organized around interest groups. Due to their asymmetric status, it is extremely difficult to ascertain whether parties to the contract are being honest to their respective commitments. In the coming days, states that recognize its citizens with a national identification document and ensure their survival through the guarantee of a minimum level of employment will be able to maintain their relevance. The rest will have to struggle to keep the loyalty of their citizens. Without delivering physical security and human dignity, no wall in the world—neither statutory nor material—will be able to contain a restive population.

Unlike in the past, states will not be able to keep their population under severe restrictions in the name of sovereignty, as fundamental human rights become universal values guaranteed by global covenants and treaties. The concept of the supremacy of the constitution is merely a recognition that no legislature or executive in the world would have the authority to deny fundamental human rights to its citizens. When the judiciary interferes in other areas of the right of the legislature to frame laws, then it becomes judicial supremacy instead of constitutional supremacy. Such a situation may turn out to be an open invitation to political instability or open revolt. The supremacy of one group or party over politics in the name of the majority would merely mean a rebirth of the Panchayat system in a new form.

The judiciary will have to be proactive to promote Nepaliness and protect the rights of externalized and marginalized communities. Institutions that merely rely on traditions and precedence will not have the energy or enthusiasm to fulfill such a role. To ensure substantive independence of the judiciary, it will be necessary to make clear provisions for interrelations between judges, lawyers and jurists in the new constitution. Unless the default position of the judiciary is with

the victim, the impression that 'God alone knows the laws of Nepal' will retain its potency.

Forms of government are being hotly contested. However, it should not be very difficult to combine the best of the presidential and the parliamentary systems in a federal structure. If the federal government is presidential, states can opt to be parliamentary to manage diversities at the provincial level. Alternatively, the federating unit can be parliamentary while provincial governments can be led by strong and directly elected governors or chancellors based upon the presidential model. If the federating unit is presidential, it may be necessary to make the provinces more powerful in order to check the possible rise of a putative savior on horseback. Similarly, president-like elected governors could become populists and may develop separatist tendencies. For that eventuality, residual powers may have to be retained by the federal government.

For a fragmented society like Nepal however, where the different groups entertain deep-rooted mutual grudges and consensus is lacking over issues of vital interest, perhaps the compulsions of a coalition within a parliamentary system will be more appropriate than brute majorities that emerge from presidential elections. A directly elected executive is more appropriate for local government units where there is relatively higher homogeneity and people can keep closer watch on demagogic tendencies.

With a long history of practice, the authority and duties of legislature have become technical in nature and there is little disagreement over their form or functioning. However, with more than 100 ethnicities longing to exert their long denied identities, it is not going to be easy to address their aspirations in the formation of federal and provincial legislatures and ensure the meaningful participation of most communities in vital deliberations. It is possible to have an Upper House (National Assembly) with at least one member from each ethnicity having negation rights in laws concerning their community. In the absence of a political culture of consensus among parties, such an arrangement runs the risk of becoming dysfunctional right from the start.

The functioning of the legislature depends on an environment where political parties can conduct their activities without fear. That cannot happen unless the politics of violence is completely renounced by all parties. The right to recall elected representatives and the right to hold peaceful protests cannot be compared with the right to resort to armed rebellion. Almost all armed struggles acquire an international dimension. Due to Nepal's geopolitical sensitivity, the dangers of foreign interventions in the event of internal armed conflict are very high.

It is not necessary to analyze too much data to realize that the press, the so-called 'fourth estate,' is even more conventional, prejudiced and exclusionary than the other three estates of democracy. Till today, the presence of Dalits, women, non-Newar Janjatis and Madhesis in the leadership positions of the self-proclaimed national media houses of Kathmandu is negligible (see Onta and Parajulee 2001). In the capitalist model of media operations, the situation is unlikely to change for the better any time soon. Hence, it may not be possible to use the media aggressively for the promotion of Nepaliness and the Nepalese identity. It may be more appropriate to introduce the change in attitude through public endeavors, such as education, training, and participatory programs. It will also be helpful if public sector broadcasting and public television services were to take initiatives in promoting nationality. The regulatory mechanism of the state will have to keep an eye on programs that tend to pamper prejudices and promote negative stereotypes.

Even though it has been over a century since debates about educational reform started in the country, something as simple as Mahatma Gandhi's observation that education without character is one of the seven sins has yet to find acceptance in society. Unless the importance of manual work is recognized, the belief that those who do not work with their hands can never function fully and effectively will continue to be neglected and the principle of dignity of labor will have few takers. The rapid commercialization of education has begun to produce a large number of ambitious consumers rather than

conscientious citizens. It requires principled people with faith in the future to develop productive industries in the country. Intellectual efforts to devise educational and training systems that can produce industrious entrepreneurs through arrangements like, say for example, master-apprentice, on a substantial scale has never been made.

Health services, like education, have passed under the control of the profit sector. The role of entrepreneurs, traders and trade unions is thus important for the promotion of nationality. Due to the prevalence of unregulated business practices, the profit sector of Nepal is in a mess.

Even in capitalist economies, large industries of a participatory nature do not thrive without some form of state protection. When competition in the market exceeds the government's regulatory capacity, businesses are free to do as they please. Consumers then lose faith and the integrity of the business sector starts being publicly questioned. In the competition between arguments about the role of market forces (the government was stifling hence unnecessary) and the state (the belief of the Marxists that the state will ultimately wither away anyway), the post-1990 democratic regime was forced to fight on two ideological fronts simultaneously even before it had found its 'democratic socialist' feet. The result is that the competence, acceptability and reliability of the state in Nepal is so low that few trust the government's ability to enforce its will in the country. It will not be enough to burden the executive with the responsibilities of making the state more inclusive and participatory. Some of the load will have to be shared by constitutional bodies. The role and responsibilities of constitutional bodies will have to be clearly outlined and such institutions built from a scratch.

Institutions of inter-faith dialogue help foster religious harmony. Charitable organizations create bonds and solidarities. Cooperative enterprises are effective means of promoting a participatory attitude among stakeholders. All such efforts require initiatives from a confident and competent citizenry willing to persuade others of their good intentions and secure support from diverse sectors of society. In

countries with extreme diversity, it is not easy to foster such a culture of confidence and cooperation. People who want to help others without any self-interest are not many in any society: selfishness is ingrained in human beings. The number of good Samaritans in countries passing through rapid changes is even smaller as the immediate concern of most of the people is to look after their own interests. The role of leaders who can inspire confidence during transitions is thus extremely important.

Is leadership a natural instinct or a product of particular circumstance and grooming? Public debate over this question has been continuing since the time of Plato and Chanakya. Plato wanted to produce leaders by secluding them in monastic schools. Chanakya believed that it was easier to mould a person with demonstrable potential into leadership material. There is no clear answer about the superiority of one model over another and the argument over nature and nurture will probably continue forever. Such a deliberation in itself is a process that helps in the evolution of the art and science of leadership. According to the principle of the primacy and purity of means, only clean, independent, and peaceful elections can ensure the emergence of competent leaders in a democracy. That is the reason periodic, free and fair elections are vital for the health of democracy. It will be necessary to make the entire election system inclusive.

Relations with foreign countries is also connected to the idea of nationality. Since the time of Prithvi, the court in Kathmandu has always been suspicious of the intentions of the southern neighbor. Probably such a policy had some relevance in the early years of the formation of the kingdom of Nepal to keep the territory of 'asali Hindoosthana' free of the polluting influences of the 'firangi' East India Company. Jung overturned Prithvi's policy and made Nepal an undeclared dependency of the British. Chandra left no stone unturned to establish the country as a loyal subsidiary of the British defense forces. Juddha too was committed to giving continuity to the policies of Chandra. After India's independence, the relationship of the court of Nepal got somewhat complicated with countries outside the immediate neighborhood.

Once Premier B.P. permitted countries of the US-led Western alliance, like Israel and Pakistan, to open their embassies in Kathmandu, the Chinese and the Indians probably began to minutely monitor the foreign policy moves of Nepal. It is necessary to gain the confidence of both the Chinese and the Indian governments to create favorable condition for the strengthening of Nepaliness in the country. Nepal cannot pretend that geopolitical compulsions do not exist: The saying that one can choose one's friends but not neighbors is valid even in foreign relations. For a country surrounded by India on three sides, the unfortunate instance of Indians mounting a virtual economic blockade of Nepal in 1989–1990 was the height of absurdity born out of trust deficit between governments of both countries. It is necessary to forge unanimity over foreign policy, at least among the so-called 'big' political parties. Nationality cannot be strengthened without putting foreign policy and relations with close neighbors on a sound footing.

The question of the national army is related to foreign policy and relations with neighboring countries. Normally, the police force is responsible for internal security while the national army has to shoulder the responsibility of protecting international borders. Some may hesitate to accept the reality, but the fact remains that the Nepali army will not be able to protect the country from interventions of either the Chinese or Indian defense forces. Since 1857, when Jang turned the Nepali army into virtually an auxiliary force of the East India Company till the signing of the Treaty of Peace and Friendship with independent India in 1950, Nepal remained under the security umbrella of the British Empire. In an extremely circumscribed manner, the treaty of 1950 at least recognized that the security needs of Nepal were different from those of India. However, the provisions of that controversial agreement were directed towards giving an anti-Chinese tilt to Nepal's foreign policy, albeit in an indirect manner.

At the height of the Cold War in the 1960s, Nepal aligned itself unofficially with the Western block. The RNA was stationed primarily on the borders with India, ostensibly to deal with Nepali Congress insurgents. Thus the RNA was torn between the stated purpose, which

was an alignment with India, and the implemented practice of having to stand guard at the Indian border. This inconsistency had destroyed the resilience and spirit of the force when the Maoists drew the enfeebled RNA into internal armed conflict through their audacious attack on the Dang Barracks on 23 November, 2001. Even though the capability of the Nepali army appears to have increased somewhat in recent years, it is still not worthy of being called a 'national' force.

The essence of democratization of the army is that a force maintained by tax revenue should be committed to ensuring the security of the people. There are various technical aspects of reforming the army, but emphasis should be placed on broadening the recruitment base to make the security forces representative and to reflect the diversity of the country in its composition. The army too needs to transform itself from a cultural 'Nepali army' to a national Nepaliya or Nepalese army. Unless this issue is given adequate attention, the fears of 'group entry' of Maoist combatants or Madhesi militants into the army weakening that organization will continue to pervade.

Civilian supremacy is an idea related to military reforms. Maoists as well as anti-Maoist forces are trying to ridicule the question of civilian supremacy to serve their own interests. However, in the absence of unqualified and unquestioned civilian control, the Nepali army can degenerate into a 'rogue force' as has happened in many newly independent countries. Semi-judicial institutions and civilian think tanks are necessary to keep a close watch over the form and functioning of the Nepali army to reduce the risk of leadership of this vital institution falling into the wrong hands or military officers developing a 'man-on-horseback' savior syndrome.

The role of civic movements in promoting nationality is limited to the voluntary commitment of free citizens to foster amity, which emerges mostly in times of extreme adversity. Unlike rule-bound state organizations or profit-oriented private enterprises, it should not have been so difficult to give civic initiatives an inclusive character. However, even the civic sector—voluntary as well as career-oriented non governmental organizations (NGO)-activism—has not been able

to use its full potential to send a strong message of inclusion and participation.

Finally, the feeling of nationality is a product of national will. So far, no proven dose of academic, intellectual, economic or political prescription has been discovered that can help create or foster nationality. As long as national structures, institutions and organizations are functional, the possibility of the emergence of nationality remains intact. It can grow the moment conditions become favorable. However, firm faith and informed activity is the best way of creating conditions that are conducive to the growth of accommodative nationality. After all, everything begins from a concept and the origin of all creation is imagination expressed in words. That could be the reason words have been characterized as the creator Brahma in the Hindu traditions.

Concluding Remarks

Many issues have been raised in this 'think paper,' mostly without offering adequate explanation of the concepts mentioned or sufficient justification for the faults identified and their possible remedies. Perhaps such an ambiguity is inevitable. Nationality, after all, is a complex emotion borne out of belongingness, bonding, commitment and passion. It is almost impossible to catch its full splendor in a piece of prose. It is said that no dose of theory can transform a beginner into a swimmer; the correct way of learning swimming is to jump into the water and begin to wade. The choice of the pool, however, has to be safe enough for the learner and the beginning should be made under proper supervision. To get a feel of what is wrong with the inherited concept of 'Nepali nationalism' and discover possible ways of transforming it into 'Nepaliya nationality,' the best course would be to travel and interact with various sections of the Nepalese population. Despite the limitations of theoretical reasoning, attempts have been made in this 'think paper' to review certain basic values of Nepali nationalism and redefine them in the context of the changed circumstances of the country. These deliberations may help clarify some issues, such as:

- a) The meaning of being a Nepaliya or Nepali
- b) The exclusivity of the Nepalpan construct
- c) Anarchic individualism and nationality
- d) Challenges to the established values of nationalism
- e) Grounds of the Nepaliya concept
- f) Possible structures of building Nepaliness
- g) Realism in foreign policy

The deliberations in this ‘think paper’ indicate that it is necessary and possible to construct an accommodative Nepaliya nationality. However, it requires a national resolve and political will, which seem to be lacking. This is a debilitating constraint and the prognosis appears somewhat gloomy at present. There are no prescriptions. However, an assessment of the situation suggests that it would be useful to concentrate the ongoing debate on the transformation of the structures and policies of the state to foster accommodative nationality in the country.

References

- Acharya, Baburam and Yogi Naraharinath, eds. 2061 v.s. *Badamaharajadhiraj Shree Panch Prithvinarayan Shahako Divya-Upadesh*. 3rd edition. Kathmandu: Shreekrishna Acharya.
- Anderson, Benedict. 1991[1983]. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. 2nd edition. London: Verso.
- Baral, L.S. 1964. Life and Writings of Prithvinarayan Shah. PhD dissertation, University of London.
- Bista, Tirtha. 2068 v.s. Samvidhansabhako Sandarva: Madheska Savalbare Chhapama Bahas. *Media Adhyayan* 6: 165–198.
- Dalrymple, William. 2006. *The Last Mughal: The Fall of a Dynasty, Delhi 1857*. London: Knopf.
- David, Saul. 2003. *The India Mutiny: 1857*. London: Penguin Books.
- Gautam, Bhaskar. 2008. Parityakta Madhes: Likhatdwara Kaid Nepali Rashtriyata. *Studies in Nepali History and Society* 13(1): 117–146.
- Höfer, Andrés. 1979. *The Caste Hierarchy and the State in Nepal: A Study of the Muluki Ain of 1854*. Innsbruck: Universitätsverlag Wagner.
- Lal, CK. 2005. May Day, May Day. *Nepali Times* 245: 2.
- Lal, CK. 2006. April Uprising. *Nepali Times* 298: 2.

- McLuhan, Marshall. 1962. *The Gutenberg Galaxy: The Making of Typographic Man*. Toronto: University of Toronto Press.
- Onta, Pratyoush. 1996. Creating a Brave Nepali Nation in British India: The Rhetoric of *Jati* Improvement, Rediscovery of Bhanubhakta and the Writing of *Bir* History. *Studies in Nepali History and Society* 1(1): 37–76.
- Onta, Pratyoush and Shekhar Parajulee, eds. 2001. *Nepali Mediama Dalit tatha Janajati*. Kathmandu: Ekta Books.
- Rana, Purushottam Shamsheer. 2047 v.s. *Shree Teenharuko Tathya Vrittanta*. Varanasi: Paramveer Shamsheer Jabara.
- Subedi, Abhi. 1999. *Ekai Kawaguchi: The Trespassing Insider*. Kathmandu: Mandala Book Point.
- Thapa, Deepak, ed. 2003. *Understanding the Maoist Movement of Nepal*. Kathmandu: Martin Chautari.

Executive Summary

This section was not originally meant to be a part of the text but was added at a later stage to meet the needs of a group of people among the intended audience who have neither the time nor the patience to plough through dense arguments. The requirement is daunting, and this section attempts to ‘summarize’ a text that in itself is actually a summary of multiple thoughts.

Purpose: This ‘think paper’ aims to review the evolution of Nepali nationality and Nepalpan identity and explore ways of transforming the later into ‘Nepaliyata’ or ‘Nepaliness.’ I also attempt to examine established values and point out possibilities of consensus about an inclusive ‘Nepaliya’ or Nepalese identity.

Method: Since this is a ‘think paper,’ previous studies on the subject have not formally been scrutinized. Largely based on independent study and personal contemplation and reflections, this ‘think paper’ is written as a free ranging essay. It gives the author sufficient freedom

to digress and raise issues that may have only passing relevance to the topic under consideration.

Limitations: Conscientious readers and scholars may find this presentation lacking in focus and too scattered to be coherent. Since no new survey, research or focus group discussions were held to test the hypotheses being presented in this text, it was difficult to be too specific with conclusions or recommendations. The ‘findings’ of this ‘think paper’ rely on my personal studies and there is here no claim to scholarly authority, either explicit or implicit. Readers of this text are free to form their own opinions. This presentation is meant to open up the discussion and not to close it with authoritative assertions of experience, knowledge, research or wisdom.

Contents: This presentation begins with the examination of the context of the idea of nationality in Nepal. In the background and introductory sections, the necessity, relevance and significance of the question ‘Nepaliya hunalai...’ or ‘To be a Nepalese...’ is discussed. The first part concludes that the idea of ‘Nepali’ identity has outgrown its cloak. The dimensions of a more commodious outfit have to be measured and the shape of a future-oriented idea of ‘Nepaliness’ has to be determined.

In the second section, the trajectory of Nepalipani identity is mapped. Its various stages such as the true Hindu land, loyal lords of the Empire, faithful vassals that have licked the salt of loyalty, images of racial purity, and systems and structures that sustained the manufacture of uniformity are dissected in a deconstructive manner (the analytic examination of something often in order to reveal its inadequacy rather than in the philosophical sense of the term). In short, this section concludes that exclusivist definitions have weakened the notion of Nepalese nationality.

The third section examines the causes that gave rise to the individualistic concept of ‘I am *the* Nepali.’ The main argument being made is that the state has lost its acceptability because it has failed to ensure security, provide basic services or create conditions for

widespread participation in decision-making processes. The idea of nationality in a flailing state has become a tool of identity assertion of traditionally privileged groups of society.

The fourth section lists the explosions of discontent since the People's Revolution of 1950–1951 to the Madhes Uprising, including the decade-long Maoist insurgency, and attempts to assess their individual and collective impact upon the polity and society of Nepal. This section points out that cultural Nepaliness continues to be useful for diasporic 'Nepalis,' but the nationality of Nepalese citizens must necessarily become more accommodative if it has to find popular legitimacy and acceptability.

The fifth section points out the necessity of initiating an open debate about the different dimensions of Nepaliya or Nepalese nationality. The perspective of the author regarding names, emotions, symbols, institutions and structures of Nepaliya and Nepali identities, emerge in this section.

The sixth section is of a prescriptive nature. In particular, identity issues and the structural aspects of the state are examined and suggestions made to improve their functioning and interrelationships.

The seventh and the concluding section appraises points made out in the presentation. It is essentially evaluative and lists issues for further debate.

Summary: It is essential to understand issues of this presentation in their totality as they are interrelated. Some of the point made may not make sense or end up giving misleading meaning when explanation of its context is not perused. This summary needs to be taken as an invitation to read and think about issues raised here. In short, this 'think paper' suggests that:

- Even though Nepaliness has been long in construction, it is not possible to build a future-oriented 'Our Nepal, Better Nepal' nationality on that basis alone.

- It is necessary to strengthen the emotional dimension of Nepalese nationality, for which an exclusivist ‘First I am a Nepali’ assertion needs to be replaced with a plurality of hyphenated identities such as ‘I am a Newar-Nepali’ or ‘I am a Marwari-Nepali.’ The sequencing of micro and macro dimensions of identity needs to be left to the preference of the person: ‘I am a Rai-Nepali’ is as valid as ‘I am a Nepali-Magar.’ Together, they are all proud and independent components of a larger Nepaliya or Nepalese identity.
- The Nepalese flag, as the symbol of Nepaliness, needs to be maintained. It would not be appropriate to discard everything old wholesale. Among all icons of the ancien régime, perhaps the flag is most distinctive and least controversial.
- Secularism is an inalienable part of an accommodative and inclusive Nepalese identity. However, it needs to be interpreted as the institutionalization of freedom of religion rather than the popularization of atheism. Freedom of religion, as enshrined in the *sarba dharma sam bhav* injunction of Hindu scriptures means that all religions need to be given equal respect. The state, being a shared institution of the people of all religious persuasions and of atheists alike, cannot have a religion of its own but needs to respect everyone for their beliefs. Such a state is then not irreligious—constitutionalism is its ‘religion’—but secular in beliefs, conduct and performance.
- Under a tri-lingual policy, the state needs to accept and actively promote the culture of every Nepalese citizen learning at least one Nepalese language in addition to his/her mother tongue.
- Shared myths and legends need to be re-imagined, re-interpreted and made part of a cultural movement to construct an accommodative and conciliatory identity.
- It would be useful to institutionalize the system of issuing a National Identity Certificate at the time of birth to every Nepalese person. The responsibility of issuing such a certificate should be upon the government and officials should be made accountable for failing to keep proper records.

- Fundamental human rights, as enshrined in UN declarations, and the principle of constitutional supremacy need to be made the basis of formulating national consensus over politics and governance.
- Federalism and parliamentarianism should be the two principal aims of restructuring the state to accommodate what may appear as conflicting aspirations about democracy, development and identity.
- Transformation of the communalized media into an institution broadly representative of Nepalese diversity should become an issue of common and shared concern. The debate to make the media more accommodative and representative needs to be kept open to ensure constant innovation and improvement.
- The rapid commercialization of health and education needs to be checked and these basic services made the twin pillars of a responsive state. The provision of basic education and health can accelerate the process of formation of an accommodative nationality.
- Institutions of deliberation or 'think tanks' devoted to the task of examining different facets of foreign relations, national defense policies including the national army, and people's movements need to be established. It is not that other issues are not important. It's just that for a country like Nepal, foreign relations, civil-military interface and people's movements have emerged as topics of constant concern.
- Fora for inter-religious dialogues and inter-religious understanding need to be developed to ensure religious harmony.