

National Seminar on Raising Dalit Participation in Governance

Organized by Centre for Economic and Technical Studies (CETS) (3-4 May 2004, Lalitpur)

By Prof. Hari Bansh Jha

Inaugural Function

The seminar began with Inaugural Session in the morning at 9:00 on May 3, 2004. Professor Hari Bansh Jha, Executive Director of CETS presided over the Session. Hon'ble Mr. Ram Prit Paswan, Deputy Chairman of National Assembly was the Chief Guest on this occasion. Mr. Shailendra Kumar Upadhyaya, former Foreign Minister, Mrs. Durga Sob, President, FEDO and Mr. Dev Raj Dahal, Representative, FES addressed on this occasion.

While delivering welcome address, Professor Jha highlighted on the programmes of the seminar. Additionally, he also gave details about the contributions made by FES in Nepal for the benefit of women, weak and marginalized sections of the society, apart from labourers and informal sector workers. He also mentioned certain activities performed by CETS in cooperation with FES in the past years.

Ms. Durga Sob in her speech expressed that the lack of participation of the Dalits, including the Terai Dalits in the governance is the main reason for the backwardness of this community.

Mr. Shailendra Kumar Upadhyaya stated that the law for removing untouchability and caste discrimination cannot be effective in the absence of social movement. He also added that the political parties should present themselves as model by promoting the interests of the Dalits so that it could have demonstration effect in the society. He also added that proportional representation system, instead of Westminster model of democracy, might address the problems of Dalits, which if applied could bring at least 20% seats to this community in parliament.

Mr. Dev Raj Dahal pointed out that the state would have to pay very high price for the exclusion of Dalits from the national mainstream. He rightly suggested that a genuine solution to the denial of Dalits from the superstructures of governance lies in making political power in Nepal proportional to its representatives of the social diversity and social identities.

In his inaugural address, Hon'ble Mr. Ram Prit Paswan, Chief Guest on the occasion stated that the Dalits have been deprived of opportunities by the state through legal mechanism. Discrimination against the Dalits has been perpetuated by the state, he added. He said that it was because of the social movement by the Dalits that King Mahendra introduced Muluki Ain, which, however, neither made meaningful change in the society nor did it remove caste-based discrimination. He concluded that the caste-based discrimination with Dalits cannot be resolved until such discrimination is eliminated by the Dalits themselves.

At the end of the Inaugural Function, Professor Hari Bansh Jha hoped that the seminar would help the policy makers, planners and government to bring desirable change in the society by increasing Dalit participation in governance. He also gave vote of thanks to the participants, apart from the Chief Guest and other distinguished speakers on this occasion.

First Session

Immediately after the Inaugural Function, the first session started in the morning at 11 on May 3, 2004 in which Mr. Tek Tamrakar presented his paper on "Existing Pro-Dalit Policies and Barriers in Implementation." Mr. Tamrakar discussed different policies aimed at improving the quality of life of the Dalits, which included constitutional promises, welfare legal provisions and more especially the Ninth Plan and the Tenth Plan. Apart from this, the paper also discussed in detail about the role of such national bodies as National Commission for Dalit, Ministry for Women, Children and Social Welfare, Committee for Deprived/Depressed and Dalit Community, National Commission for Women, and Human Rights Commission for addressing the problems of the Dalits. It was found that most of the policies could not be implemented effectively mainly because of the ambiguous nature of the Nepalese constitution, though it is expected to be reflected as mirror of a country. He said that the Nepalese constitution has just copied American jurisprudence without Nepalizing it. "The constitution does not say that untouchability should be eliminated but only points out that it should be prevented," he added. He strongly felt the need of affirmative actions and reservation to eliminate caste based discrimination with the Dalits.

Dr. Sumitra Manandhar Gurung made comment on the Mr. Tek Tamrakar's paper. She mentioned that as many as 14 interventions were made during the multi-party system after the political change of 1990 to address the problems of the Dalits. However, she concluded that most of these interventions do not bear fruit for the simple reason that the government does not want to implement the policies. In his comments on the paper, Mr. Yam Bahadur Kisan, Lawyer maintained that the paper ought to have mentioned the groups whose interests are served through these policies.

Mr. Desh Bahadur Sarki, former member National Dalit Commission said that priority should be given to education for the upliftment of the Dalits, who constitute one-fourth of the country's population. He added that the approach for implementing reservation policy should be 'bottom to top' rather than 'top to bottom.'

Mr. Suman Kharel, Mr. Nepali Sah, Mr. Lal Babu Yadav, Mr. Mohan Singh, Mr. Kiran Kharel, Mr. Baburam Vishwokarma, Ms. Pabitra Sunuwar, Mr. Pramod Chalise, Ms. Rupa Jha and other persons from the floor also raised pertinent questions, which the author answered satisfactorily.

In his chairman's remarks, Dr. Mohan Man Sainju said that the caste-based discrimination with the Dalits is associated with social structure and as such the solution also be sought there.

Second Session

The Second Session of the seminar was chaired by Mr. Nepali Sah of Save the Children Japan. Mr. Padmalal Vishwokarma presented his paper on "Situation Analysis of Dalit Women of Nepal." In his paper, Mr. Vishwokarma presented population of Dalit women. Apart from violence against Dalit women, he also discussed several measures adopted in the past for their improvement. At the end of the paper, he has given useful recommendations for the upliftment of socio-economic conditions of these women.

In her comments on the paper, Ms. Anita Shrestha of FEDO stated that such aspect as rape and trafficking of the Dalit girls and women should also have been covered in the paper. She concluded that without participation of women in national politics, their condition is not going to be improved.

From the floor, Mr. Sharad Pathak stated that the paper highly exaggerated the caste based discrimination with the Dalits in Hindu religion. Dr. Basant Vishwokarma, Mr. Tek Tamrakar, Mr. Suman Kharel, Mr. Kiran Ghimire, Mrs. Ranju Thakur and Ms. Pabitra Sunar expressed their views for empowering Dalit women. Mr. Padmalal Vishwokarma answered many of the questions raised from the floor. Mr. Nepali Sah, Chairman of the session said that the paper should incorporate situation of Dalit women of Terai. He also added that gender discrimination is less pertinent among Dalits than the non-Dalits, which is a positive aspect and need to be give due focus by media and the stakeholders so that it could have demonstration effect in the society.

Third Session

Next day on May 4, 2004, the Third Session opened at 9:00. Noted Dalit activist and Chairperson of FEDO, Ms. Durga Sob presented her paper on "Dalit Women and Reservation Policy." Mr. Tek Tamrakar, Lawyer chaired the session. Mr. Meen B. Vishwokarma was commentator on the occasion.

In her paper, Ms. Durga Sob stated that the government ignored the problems of the Dalit women. She also said that the protective actions in favour of Dalit women could not be properly implemented. She expressed surprise as to how the Dalit population declined by 3% in the 2001 census. She concluded that since the Dalit women are triple victims from society, males and economic and social conditions, they should be given due participation at different levels through reservation.

While commenting on the paper of Ms. Durga Sob, Mr. Meen Bahadur Vishwokarma said that there should be reservation within reservation and in this process the most disadvantaged even among the Dalits should be given priority. Such a system, if developed, could benefit Dalit women most. The problems, however, of the Dalits cannot be addressed until there is cooperation between Dalits and non-Dalits, he said. Besides, he dwelt on various factors that led to the decline of Dalit population in the last census. He said that a man if falls into the well needs the support of somebody from outside to pull him out. In the same way, the cooperation between Dalits and non-Dalits is essential for the emancipation of Dalits, he added. He wanted that more of focus should have been given in the paper for the political and economic empowerment of Dalit women. Showing disagreement with the sentiment of the paper, he said that Hindu religion has not discriminated Dalits but it is Hindu culture that has made such discrimination. He said that Buddhists or even Christians have not treated Dalits as equals in taking food and in other matters. So Hindu religion as such cannot be held responsible for such discrimination with Dalits or Dalit women.

From the floor, Mrs. Ranju Thakur commented that the Terai women need to be given as much reservation as the other women at the grass roots level, apart from the Dalit women. Mr. Ashok Upreti pointed out that the paper by Ms. Durga Sob does not deal with exploitation of Dalit women by Dalit women, though it discusses exploitation of the Dalit women by higher castes' people. Mr. Shambhu Hazara Paswan, former member of National Dalit Commission said that there is room for comparison between Dalit male of Terai with Dalit women of the hills in various socio-economic indicators. Professor Tribhuvan Nath Jaiswal of Tribhuvan University felt the need of feminist movement rather than gender movement and wanted that such a seminar should be organized at the grass roots level so that the policy makers are influenced to increase Dalit participation in governance. He also wanted that separate political constituencies should be developed for the Dalits in which none other than Dalits could contest elections. Besides, Mr.

Suman Kharel, Mr. Pramod Chalise, Ms. Sarla Sigdel, Mr. Suresh Mijar, Mr. Lakshman Paudyal, Ms. Pabitra Sunar and Mr. Toya Laudari suggested various measures for implementing reservation policy. Ms. Durga Sob answered all the queries raised from the floor. Finally, Mr. Tek Tamrakar in his concluding remarks highlighted the role and importance of reservation for the upliftment of women and said that the objective of reservation is not to give employment but to develop confidence among the target groups for participation in politics, administrative, judiciary and different other fields.

Fourth Session

The Fourth session started in the afternoon. Mr. Desh Bahadur Sarki, Former Member, National Dalit Commission chaired the session and Professor Hari Bansh Jha presented his paper on "Dalits and their Participation in National and Local Governance." Mr. Motilal Nepali, Chairperson, Dalit Welfare Association and Mr. Om Prakash B.K., Dalit Specialist, Reservation Management Recommendation Committee commented on the paper.

In his paper, Professor Hari Bansh Jha presented historical perspective of caste discrimination and found that there was no such discrimination in the initial Vedic period. It was very sad that this mental disease crept up in the Hindu society during certain period of time, he added.

Professor Jha compared certain key socio-economic indicators of Dalits with non-Dalits in different sectors, including in economic opportunities, political and administrative structure. Since the Dalits are not homogenous communities and there are different worlds even among the Dalits, priority should be given to each Dalit community as per their needs - be it in education, health, political or administrative bodies, he said. In this context, he discussed some of the cases of upward mobility developing among the Dalit communities. He also talked that because of certain change in the Nepalese society these people have gone out for seasonal migration and now they have been able to improve their economic conditions to such an extent that they need not rely on the traditional landlords or money lenders for their survival. At least, this is truer of Terai Dalits. Because of some of this development, there is silent revolution in the society and the economy is benefiting a lot from the Dalits.

While commenting on the paper of Professor Jha, Mr. Motilal Nepali laid emphasis on joint struggle against caste discrimination. He clearly spelt out that the centuries old discrimination against the Dalits cannot come to an end unless these disadvantaged communities are brought in the national mainstream by giving them due share in political, administrative and other social sectors.

Commenting on the paper of Professor Jha, Mr. Om Prakash B.K. said that the paper should have clearly mentioned Terai perspective wherever it is necessary. He suggested that the paper should come out with conclusion as per its spirit that the nation cannot progress until the Dalits are brought in the national mainstream through reservation and they are given due share in political, administrative and social sectors.

When the floor was opened for discussion, Mrs. Ranju Thakur stated that Dalit's participation in various layers of administration is pre-requisite of good governance. Mr. Basant Kumar Vishwokarma from Tribhuvan University pointed out that the paper should have gone deeper in its bid to trace out the origin of caste based discrimination. Mr. Ashok Upreti, Mr. Kamal Bahadur Chand and Mr. Suresh Mijar also expressed views for the improvement of the paper.

Speaking from the chair, Mr. Desh Bahadur Sarki made useful suggestions for the improvement of the paper and also for the empowerment of the Dalit community. In this context, he concluded that unless the policy of 'one man one post' is effectively implemented in various political appointments at the national levels like in Dalit Development Committee and National Dalit Commission, the least disadvantaged among the Dalits such as Damai, Sarki, Badi in the hills and Musahar, Chamar, Tatma, Khatwe, Dusadh, Dom, etc. in the Terai cannot be benefited and the exploitation of comparatively weaker Dalits by the stronger ones would continue to exist.

Fifth Session

The fifth and the final session of the Seminar was chaired by Mr. Motilal Nepali, Chairperson, Dalit Welfare Association. Mr. Hira Vishwakarma was the paper writer, while Mr. Dharma Swornkar was the commentator. In his paper on "The Scenario of International Development Aid in Nepalese Dalit Movement," Mr. Hira Vishwakarma dealt with various multilateral and bilateral agencies that supported Dalit movement in Nepal. In this context, he categorically mentioned European Union, ILO, UNDP and UNICEF among major multilateral institutions which extended support to various programmes aimed at improving the quality of life of the Dalits. Of the major bilateral agencies, the USAID, CCO and now DFID have been supporting various programmes for the upliftment of Dalits. Among the INGOs, the Save the Children US, ActionAid Nepal, The Asia Foundation, Lutheran World Federation, CARE Nepal and OXFAM have also extended support to Dalit related programmes. Besides, a number of Dalit organizations, including DWO and FEDO, have been working for the welfare of the Dalits. All these agencies - multilateral, bilateral, INGOs or NGOs - have been playing important role for the overall empowerment of the Dalits. He added that the national and international agencies should give priority to the Dalits in various employment opportunities with a view to assimilating them in the national mainstream. Finally, he observed that unless the problems of Dalits are addressed poverty in Nepal will continue to exist for ever and, therefore, all international communities should prioritize Dalit issues in their policies, programmes and budget.

Commenting on the paper of Mr. Hira Vishwakarma, Mr. Dharma Swornkar mentioned that foreign aid includes grant, loan and direct foreign investment; while the paper's focus is confined to grant aspect of aid alone. He also suggested that it would have been better if the paper could have mentioned sectoral allocations of foreign aid.

While speaking from the floor, Ms. Lynn Benette of the World Bank observed that in the changed context an analysis is needed about the impact of Nepal's accession to the WTO on the life of the Dalits. Mr. Desh Bahadur Sarki suggested that there should be transparency in aid that comes for the Dalit community. Mrs. Ranju Thakur felt the need for assessing the impact of the aid that has come for the sake of the Dalits. Mr. Ram Bhattarai said that the paper is silent about the main output of the foreign aid in regard to Dalit upliftment. Mr. Bishnu Vishwokarma, Mr. Ashok Upreti, Mr. Pramod Chalise, Mr. Lakshman Paudyal, Mr. S. R. Khadka and Mr. Basant Kumar Vishwokarma raised various useful questions, which the commentators and paper writer answered satisfactorily. Mr. Bal Krishna Jha presented rapporteur's report, which was appreciated by the participants. Mr. Motilal Nepali speaking from the chair suggested some measures for making foreign aid more effective for Dalits. At the end, Professor Hari Bansh Jha gave vote of thanks to the participants, FES, resource persons, guests and all those who extended support for the success of the seminar.