

# Brooms Against Bullets

## A Saga of the Madheshi Movement in Nepal

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**Abstract:** In January-February 2007, a massive protest erupted in the southern plain region of Nepal, also known as Madhesh or Tarai, home to the half of the population of Nepal. Several millions of Madheshis, the native inhabitants and indigenous communities of the region, protested against the long “regional and racial discrimination” and “internal colonisation” of the region by the state, demanding an end to the discrimination and a greater autonomy. A massive use of force by the state, in response to the intense protest lasting several weeks, eventually led to the killing of more than four-dozen protestors injuring thousands of them. This talk will focus on the role of women in the movement and describe what made these otherwise usually home-bound and veiled women rise up against the state.

**About Speaker:** CK Raut was born and brought up in Nepal, and educated at Tribhuvan University (Nepal), Tokyo University (Japan) and Cambridge University (UK). Dr. Raut is also the president of the Non-Resident Madheshis Association, a global diaspora organisation of Madheshis living abroad.

## Brooms Against Bullets: A Saga of the Madheshi Movement in Nepal

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(This is the script of the talk delivered at the South Asia Seminar at Harvard University, on November 15th, 2010. The script is associated with the talk slides.)

**I**N South Asia, between India and China, lies a country of beautiful mountains and myths, of majestic Himalayas and myriad Gods, of Mt. Everest and Yetis, of Gurkhas and Sherpas, of Buddhist monks and exotic Tantriks; of medieval temples, of chiming bells, and of prayer flags — thus they often think of Nepal.

But under the shadow of the Himalayas, if you look carefully, there lies a strip of plain, flat land in the southern Nepal — from the east to the west, almost close to the sea level — and there live half of the Nepal's 30 million population.

This southern plain region of Nepal is called Madhesh or Tarai, and the native and indigenous people living there are called Madheshis. As much as Madhesh, with its flat terrain and hot and humid tropical climate, produces a stark contrast to the rest of the country, so do the Madheshis.

Compared to Gurkhas and Sherpas, or Pahadis, Madheshis have their own distinct identity, culture, language and heritage. These relatively dark-complected people wear *dhoti-kurtas*, *lungi*, and *saris*, speak Maithili, Bhojpuri, Awadhi, Hindi and other closely related languages, and live mostly in crammed thatched houses in villages scattered throughout this fertile land.

In ancient times, this land was called Madhyadesh, in Sanskrit, meaning the Middle Country, from which it derives its current name of Madhesh. It extended to a much greater region in ancient times. The whole region of plain land, between the Himalayas in the north and Vindhya Mountain in the south, used to be called Madhyadesh. It lies at the very centre of the Indian Subcontinent, and thus the name — the Middle Country, Madhyadesh.

Ancient texts give its precise boundary too. For example, Manusmiriti defines the boundary of the Madhyadesh as the Himalaya in the north, Vindhya Mountain in the south, Vinasana River in the west, and Prayag in the east.<sup>1</sup>

The Buddhist canonical texts called this land Majjhimades in Pali language, again meaning the same — the Middle Country. They too gave its precise boundary, for example

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<sup>1</sup> himavadvindhayormadhye yatprāgvinaśanādapi, pratyageva prayāgācca madhyadeśaḥ prakīrttitaḥ, Manusmirti (2/21).

in Vinaya Pitaka.<sup>2</sup> In the Buddha's time, the eastern boundary of the Middle Country extended further 400 miles eastward of Prayag, compared to the Manu's time<sup>3</sup> — it was such a vast land.

On this land, lay the ancient Kingdom of Mithila, with its capital at the current town of Janakpur. The kingdom is well known as an ancient centre of learning. It is well known for the wisdom of King Janak and the idealism of his daughter, Sita, as much as about the woman scholar Gargi challenging erudite Yajñabalka, in what is generally referred as the first philosophical conference of the world.

On this very land was Buddha born, at the current place of Lumbini. There lies a pillar erected by Emperor Ashoka, next to the Mayadevi Temple in Lumbini.

The pillar has an inscription celebrating the Buddha's birth-place, which roughly translates into English as, "King Piyadasi (Asoka), the beloved of Gods, in the twentieth year of his reign, himself made a royal visit. Sakyamuni Buddha was born here, therefore the marker stone was worshipped, and a stone pillar was erected. The lord having been born here, the tax of the Lumbini village was reduced to the eighth-part only."

This land was ruled by several great dynasties in ancient and medieval times.

Upon the arrival of Islamic rulers from the Middle East on the Indian Subcontinent, they also called the plains of this "undulating former marshland" of the Middle Country as 'Tarai' — meaning 'wetland' or 'moistland', a word derived from the Persian word 'tar' meaning 'wet'.<sup>4</sup> Thus this region is also called Tarai. Over the time, this land came under the influence of the Muslim Rulers and Nawabs.

Then came the British. At the later stage of the British Raj in India, this land was ruled by Sen and other kings mostly as suzerainty states. These kings paid taxes to Nawabs and the East India Company.<sup>5</sup>

At the end of the 18th century, then, the Gurkhas started their conquest from the Kingdom of Gorkha, which was merely a village in the mountain to the west of the Kathmandu Valley. They started expanding their territory, and their frontiers clashed with the British, and the state boundaries moved to and fro for several years. Gurkhas conquered some parts of the Madhesh Kingdoms, and took control of many by paying taxes to Nawabs and the East India Company.<sup>6</sup>

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<sup>2</sup>Henry Clarke Warren, *Buddhism in Translation: Passages Selected from the Buddhist Sacred Books*, pp. 40–41, Kessinger Publishing, 2003.

<sup>3</sup>D. R. Bhandarkar, *Lectures on the Ancient History of India on the period from 650 to 325 BC*, pp. 44, Asian Educational Services, 1994.

<sup>4</sup>Encyclopedia Britannica

<sup>5</sup>See, for details: Francis Buchanan Hamilton, *An account of the Kingdom of Nepal and of the territories annexed to this dominion by the House of Gorkha*, Asian Educational Services, 1997.

<sup>6</sup>ibid. See also: Baburam Acharya, "Annexation Of The Sen Kingdoms," in Regmi Research Series, Year 5, No. 5, pp. 81–85, December 1, 1973, URL: <http://himalaya.socanth.cam.ac.uk/collections/journals/regmi/pdf/regmi.05.doc>, and J. K. Goit, "History of Terai in Nepal," URL: <http://madhesi.wordpress.com/2007/04/04/history-of-terai-in-nepal/>

However, the part of Madhesh present today in Nepal is a result of the memorandum of 1816 and the treaty of 1860 with the East India Company.<sup>7</sup> Through the memorandum of the 8th December 1816, the East India Company handed the eastern part of Madhesh, between Koshi and Rapti rivers, to Nepal, instead of paying two hundred thousands rupees per year, as agreed previously on the Gurkhas' request for supporting the living cost of their employees. The western part of Madhesh between Rapti and Mahakali rivers came through the treaty of 1860, as a reward to Gurkhas, for their support to the East India Company, in suppressing the Sepoy Mutiny in India, in the late 1850s.

This is how the British handed Madhesh to Gurkhas. Currently, Madhesh mostly forms 20 southern districts of Nepal. The rest parts — hills and mountains — are called 'Pahad' in overall, and the people living there are called 'Pahadis'.

So, this is how Madhesh came to Nepal, and thus the Madheshis. However, Madheshis were very much like gifted prisoners of war in the eyes of Gurkhas, as earlier, Madheshis had sided with the British and fought against Gurkhas in the Anglo-Gurkha war of 1814–16, in the hope of liberating themselves from the Gurkha's recent invasion. Therefore, while handing over Madhesh to the Gurkhas, the British did want to ensure about the safety of the Madheshis.

So, in the same memorandum of the 8th December 1816, through which the British handed over Madheshis and their land to Gurkhas, they put a condition, stating, "the Rajah of Nipal agrees to refrain from prosecuting any inhabitants of the Terai, after its revertance to his rule, on account of having favoured the cause of the British Government during the war."<sup>8</sup>

But the things didn't turn that way. How can warriors like Gurkhas, whose legacy included taking revenge of their defeat by chopping ears and nose of thousands of people in Kirtipur<sup>9</sup> and committing mass foeticide on the eastern frontiers<sup>10</sup>, treat who were virtually prisoners of war? Madheshis became the victim of Gurkha's discrimination, from the beginning.

As soon as the Gurkhas controlled the land of Madheshis, they dismissed all existing armies of Madheshis, and they virtually banned Madheshis from entering the army.<sup>11</sup> Today Madheshis have a zero or near zero percent representation in the Nepalese army. Once when Nepalese Prime Minister K. P. Bhattarai was asked about the reason, he replied on an internationally broadcasted interview, "Madheshis are coward, that's why we do not take them in the army."<sup>12</sup> This reflects the policy and attitude the ruling class

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<sup>7</sup>C. U. Aitchison, *A Collection Of Treaties, Engagements And Sanads Relating To India And Neighboring Countries*, vol. 2, Bengal Printing Company Ltd., 1863. Also available at: [http://www.fighting-racism.net/doc\\_de/archiv/n/nepal/treaty/02121815.The\\_Treaty\\_of\\_Segowlee.htm](http://www.fighting-racism.net/doc_de/archiv/n/nepal/treaty/02121815.The_Treaty_of_Segowlee.htm) and [http://www.fighting-racism.net/doc\\_de/archiv/n/nepal/treaty/01111860\\_Treaty\\_with\\_Nipal\\_1860.htm](http://www.fighting-racism.net/doc_de/archiv/n/nepal/treaty/01111860_Treaty_with_Nipal_1860.htm)

<sup>8</sup>ibid.

<sup>9</sup>Father Giuseppe, "An Account of the Kingdom of Nepal," 1790.

<sup>10</sup>Iman Sing Chemjong, *The History and Culture of the Kirat people*, Kirat Yakthung Chumlung, Forth Edition, 2003.

<sup>11</sup>Goit, op. cit.

<sup>12</sup>C. K. Lal, "Madheshi Muddā Ko Raštriyakarana," Himal Khabar Patrika, December 30, 2006, URL:

Pahadis have for Madheshis.

Once the Gurkhas took control of Madhesh, they started to rule this land as a colony, as a source of revenues through tax, and as a source of land grants for rewarding to loyal Pahadis. Pahadis ruled Madhesh as a colony, and treated Madheshis virtually as foreigners, from the beginning. John Whelpton in 'A History of Nepal' published by Cambridge University Press, writes, "Terai was also in many ways a colony, although a better managed one. The superior status of the hillmen [Pahadis] in the Nepalese state was made clear in Muluki Ain [laws of the land]."<sup>13</sup>

Similarly, Frederick Gaige, in his book 'Regionalism and National Unity in Nepal', published back in 1975 by California University Press, which still remains as a solitary work done by the international community on Madhesh at a book scale, wrote, "Culturally different from the hill people [Pahadis], and geographically isolated from Kathmandu, plains people [Madheshis] living in the Tarai were considered to be at least quasi-foreigners. . . ."<sup>14</sup>

Until 1950s, Madheshis required a visa even to enter Kathmandu. This system was not completely abolished until 1958.<sup>15</sup> Such has been their status in the state.

Many of the Madheshis have been deprived even from the basic human rights, such as citizenship.

A 2009 HDR report by the United Nations Development Programme (UNDP) states, "Many individuals who belong to these groups [Madheshis] are not even identified as citizens of the country and, until recently, have encountered problems in obtaining certificates of citizenship. The largely Parbatiya ruling group [Pahadis] has tended to regard the Madhesi who speak Awadhi, Bhojpuri and Maithili, as somehow "non"- Nepali or "less" Nepali on the grounds of the languages they use daily rather than the locations in which they live. This cultural/linguistic criterion of citizenship has denied many Madhesi their identity creating difficulties in their attempts to register their land in their own name, however long they and their ancestors may have occupied and worked the same lots of Tarai earth. They therefore remain officially landless."<sup>16</sup>

Besides, Madheshis have been under-represented in almost all areas of the national life. Madheshis occupy only 8% in civil services and judiciary.<sup>17</sup> They are mostly excluded from army and police and high ranking administrative positions.

The electoral system has not been fair, either. The number of parliamentary seats in Madhesh does not reflect its population. A prominent Madhesi leader has been quoted

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[http://www.nepalihimal.com/2063/paush-1-15/bishleshan\\_madhesi.html](http://www.nepalihimal.com/2063/paush-1-15/bishleshan_madhesi.html), and Goit, op. cit.

<sup>13</sup>J. Whelpton, *A History of Nepal*, Cambridge University Press, 2006.

<sup>14</sup>F. H. Gaige, *Regionalism and National Unity in Nepal*, University of California Press, 1975.

<sup>15</sup>ibid.

<sup>16</sup>"Nepal Human Development Report 2009: State Transformation and Human Development," UNDP Nepal, 2009, URL: <http://www.undp.org.np/publication/html/nhdr2009/>.

<sup>17</sup>S. G. Shah, "Social Inclusion of Madhesi Community in Nation Building," Civil Society Forum Workshop, Social Inclusion Research Fund, February 2006, URL: <http://madhesi.files.wordpress.com/2006/07/social-inclusion-of-madhesi-community-in-nation-building.pdf>.

in a report, saying: “There are 10,000 people in one constituency in the hills and upper reaches and 100,000 in the Tarai. This goes against the principle of one person, one vote.”<sup>18</sup> So, Pahadis could elect much larger number of seats in the parliament.

The laws, too, have been very discriminatory against Madheshis, from the beginning. For example, for getting a bail on the case concerning a murder, Madheshis had to pay 100 rupees, whereas Pahadis could pay only 10–25 rupees.<sup>19</sup> There are many examples like this. The laws ensured the superior status of Pahadis, and treated Madheshis as colonial subjects.

As the Pahadi government ruled Madhesh as a colony, the land of Madheshis was distributed as grants and rewards to Pahadi armies, police, landlords and loyal subjects.<sup>20</sup> As the government viewed Madheshis with suspicion, it started settling Pahadis in Madhesh, through several programmes funded by Israeli government and other agencies.<sup>21</sup> After the eradication of Malaria in 1950s, a huge migration from the hills took place in Madhesh. This displaced indigenous Madheshis. In 1951, there was only 6% Pahadi population in Madhesh, whereas in 2001, it was 33%.<sup>22</sup> Many Madheshis lost their land — with many of them failing to register because of lack of citizenship certificates, lack of awareness, and many of them deceived by fake loan documents, and many through the so-called “land-reforms” which took land from Madheshis and distributed to Pahadis. The indigenous communities like Rajbanshis in Jhapa and Tharus in Chitwan and other western districts were displaced by the hill migrants in large numbers. Today districts like Jhapa and Chitwan have got a Pahadi majority, and many indigenous communities have vanished. Those who remained lived a life of hardship as landless, or became bonded labourers, Kamaiyas.

In the Kamaiya system, too, it was the women who suffered the most. A former Kamaiya, Mrs. Moti Chaudhari of Bardiya district, has put her life like this: “As a daughter of Kamaiya parents, I entered into Kamaiya system at the age of 6–7 years. . . . I got married at the age of 17–18 years with a Kamaiya, and became Bukrahi [a stage in the system]. I was beaten several times by the landlord. . . . I was sexually harassed by them several times. Even after I got married and started to work as Bukrahi, several times the landlords sent my husband to the field for “irrigating farm land” and came to me to sexually exploit at night. I had always fought back and did not accept such attitudes of landlords. But there were many like me, who became victims of such behaviour of landlords. . . . I have also noticed that wives and daughters of landlords also abused and sexually exploited Kamaiyas. We spent most important time of our life under threat and terror. Since we did not have our own home and land, we were forced to accept it; we had no where to go and nobody to turn to. The kind of food they used to give us was very the same they cooked for their dog. . . . the kind of work, I was asked to do was including

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<sup>18</sup> “Nepal’s Troubled Tarai Region,” International Crisis Group, Asia Report N°136, July 2007, URL: <http://www.crisisgroup.org/en/regions/asia/south-asia/nepal/136-nepals-troubled-tarai-region.aspx>.

<sup>19</sup> Goit, op. cit., see also many other examples in *Regmi Research Series*, URL: <http://www.digitalhimalaya.com/collections/journals/regmi/>.

<sup>20</sup> Mahesh Chandra Regmi, *Land Tenure and Taxation in Nepal*, vol. 1–4, University of California Press, 1963–68.

<sup>21</sup> Gaige, op. cit.

<sup>22</sup> ICG Report, op. cit.

cleaning dirty clothes [menstruation, maternity stuffs] and stool and urine of the children and very old members of their family. . . .”<sup>23</sup>

The Kamaiya system continued to the 21st century in Nepal. In 2000, the government termed the Kamaiya system as illegal, at least on the paper. However, without any arrangement to resettle most of them, they have no other way to live. They still continue to live as Kamaiyas, under the same masters.

In my last two-week tour of the region from the east to the west, interacting with the grassroots level, in last July-August, I came across some of them in the western Madhesh. One of them was among the few fortunate Kamaiyas who received some land from the government. She showed me the four small patches of land that, she said, are unable to feed her even for a couple of months. She also pointed me her house, almost a size of kennel, that she owned. She said she had no option but to continue to serve and live under her landlord, despite all exploitations.

I met other landless Tharus, too. They complained, “The government has land to give to Bhutanese and Pahadis, settle them here in Madhesh, but not for us.”

Similar to Kamaiyas, the Madheshi girls also suffer from the Kamlari system.<sup>24</sup> In different regions of Madhesh, poor people sell their daughters for a small amount of money to Pahadi people, to work as Kamlari servants. Sometimes, the landless Madheshis, specially Tharus, give their daughters to their landlords to keep the plot of land to cultivate, or as a guarantee for the debts. Pahadis from all over the country including the capital come to the poor villages in Madhesh looking for Kamlaris, around the time of Maghe Sankranti. Girls even barely five or six years old are forced into servitude. Kamlaris live in their master’s house, far from their own home. They work hard, even more than 14–16 hours, doing cooking, cleaning, babysitting, cattle herding. They eat leftovers and sleep on the floor or verandas. They are often victims of physical assaults and rape from the master and their families. The Kamlaris even go as a dowry, when their master’s daughters get married. Obviously, they never get any chance to go to school.

Other several practices of child labour exist in many casual settings too. According to USAID, from the total child labour force in Nepal, 61% are girls.<sup>25</sup> This affects on literacy rates significantly.

The adult literacy rate for Madheshis is significantly low than Pahadis. This is further aggravated for the Madheshi women, who have only about 36% of literacy rate, almost half of that for the Pahadi women.<sup>26</sup> In Madhesh, according to the Nepal Living Standards Survey in 2004, 25.0% cites reason as too expensive education for not going to school,

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<sup>23</sup> “The Kamaiya System of Bonded Labour in Nepal,” World Organisation Against Torture (OMCT), 2006, URL: [http://www.omct.org/pdf/ESCR/2006/intl\\_conference2005/II.B.3.Nepal.Case.Study.pdf](http://www.omct.org/pdf/ESCR/2006/intl_conference2005/II.B.3.Nepal.Case.Study.pdf).

<sup>24</sup> Meredith May, “Olga’s Girls,” San Francisco Chronicle, February 08, 2009. URL: [http://articles.sfgate.com/2009-02-08/news/17187179\\_1\\_girls-daughters-families](http://articles.sfgate.com/2009-02-08/news/17187179_1_girls-daughters-families)

<sup>25</sup> [http://www.usaid.gov/our\\_work/cross-cutting\\_programs/wid/snapshot/ane/nepal/nepal\\_health.html](http://www.usaid.gov/our_work/cross-cutting_programs/wid/snapshot/ane/nepal/nepal_health.html)

<sup>26</sup> UNDP Report 2009, op. cit.

whereas only 8.8% in hills cites the same reason.<sup>27</sup>

The literacy rates of Madheshi communities like Muslims are further low. It is just 26% for Muslim women.<sup>28</sup> In Muslim community, 41% is reported to live below the poverty line and 40.4% of them are landless. The average life expectancy of Muslims is reported to be just 52.2 years.

The condition of other Madheshi women has not been very good either. Also, it's not that the Madheshis women always suffer in the hands of the Pahadi ruling class and government. Inside their home too, their freedom is usually restricted, and they suffer from gender discrimination. Parents prefer not to send their daughters to school.

On the last tour, I talked to a girl child, Dilshad, on the way. She was looking after goats, not going to school. I asked her why she didn't. She replied blankly that her parents did not send her, and asked her to work instead.

In addition to such restrictions, the mobility of women is often limited too. In many communities in Madhesh, a veil or the purdah system is another tradition that limits them in many ways. It's a post-marital practice, where women cover their face from the elder members of their husband's families. Women do not speak with the elder male members of their husband's families, and do not even cross their shadows.

The Madheshis women also suffer from many social practices, like the child marriage and the dowry system.

The child marriage in Madhesh is in one of the worst condition in the world. According to Centre for Economic Development and Administration (CEDA), Nepal, in Maithili community, 96% of girls get married below 16 years, and almost 60% of all girls get married between the age of 10–13 years.<sup>29</sup>

The dowry system creates another range of troubles for Madheshi women. In the dowry system, the family of a bride is required to pay a certain agreed amount of money and gifts, for the marriage to happen. This practice is so rampant in Madhesh — both among educated and uneducated people. An insufficient dowry or not being able to bring the dowry often leads to the case of domestic violence. According to USAID, the domestic violence against women is estimated at 73% in some parts of the country. The responsibility of such malpractices cannot be always put on others. Madheshi women themselves, too, if not fully, are partially responsible, for the violence that they do not expect for their own daughters they are committing to their daughter-in-laws. The violence against widows and alleged witches is also common in Madhesh.

The status of Madheshi women can be also further seen through the child mortality rate. According to USAID, “Nepal has one of the highest maternal mortality rates in the world. Every two hours, a woman dies from a pregnancy related complication.” But in

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<sup>27</sup>Nepal Living Standards Survey 2003/04, Central Bureau of Statistics, Nepal, URL: <http://www.cbs.gov.np/>.

<sup>28</sup>UNDP Report 2009, op. cit.

<sup>29</sup><http://volunteeraidnepal.org/resource/articles/child-marrige-in-nepal/>

Madhesh, it's much worse. All mortality rates are significantly higher in Madhesh than in Pahad. The early neo-natal deaths, i.e. children dying within a week of their birth, is 77 per 1000 in Madhesh, more than double compared to 35 per 1000 in Pahad.<sup>30</sup>

But in all these saga of suffering, Madheshi Dalits or untouchable women suffer the most, both in the hands of the government and the society. In 1853, the country brought the Muluki Ain, the laws of the land. Through the Muluki Ain, the government promoted a caste based society. It had provisions for punishment according to one's caste. In the legal code entitled '*Pānī Na Calne Jāt Ko*', On Castes Whose Touch Contaminates Water, the government decided which castes contaminate water or not.<sup>31</sup> It classified Madheshi communities such as Muslim, Teli, Kasi, Kushle, Dhobi, Kulu, Mlechchha as the castes water touched by whom cannot be taken and whose touch must be purified through the sprinkling of water or proper rituals. The government had different provisions for punishment for different castes — with the lower castes getting much more severe punishments. The law had less severe punishment for raping a low caste people and Madheshis than Pahadis. The law was effective until 1963, but the condition remains still much the same on the ground. The untouchables are still deprived of basic human rights.

According to a survey carried out by Nepal National Dalit Social Welfare Organisation in 2006, for six districts, the literacy rate for Pahadi Dalits is 54.9%, but for Madheshi Dalits, it is only 20.2%. Even in that, the female literacy rate for Pahadi Dalits is 53.1%, but for Madheshi Dalits, it is only 14.6%. Other reports put the national literacy rate for Madheshi Dalit women to be as low as 6%, and for certain community like Mushahars, as low as 4%.<sup>32</sup>

Also, according to the National Planning Commission, 44% of Madheshi Dalits are landless compared to only 15% of Pahadi Dalits.

Madheshi Dalits are also the most excluded groups in Nepal. According to the 2009 UNDP report, the inclusion index is only 19% among Madhesi Dalits and is the lowest in Nepal, compared to 94% among the Newars.

As these Dalits are considered untouchables, they are not allowed to sell milk, food, or work in hotels or tea-shops, so their economic condition is very bad. Their per capita income is almost lowest in the world at 39.6 USD, and almost 80% of them live a life below the poverty line.<sup>33</sup> Most of the children are suffering from malnutrition, and women suffer from disease like prolapsed uterus. Their life expectancy is as low as 42.<sup>34</sup>

Almost by every statistics — whether it is the per capita income, the literacy rate, the child mortality rate, the human development index, or the unemployment rate —

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<sup>30</sup>Nepal Demographic and Health Surveys 2006, MEASURE DHS, 2007, URL: [http://www.measuredhs.com/pubs/pub\\_details.cfm?ID=669](http://www.measuredhs.com/pubs/pub_details.cfm?ID=669)

<sup>31</sup>Mahesh C. Regmi, Regmi Research Series, Year 2, No. 3, Kathmandu: March 1, 1970, URL: <http://www.digitalhimalaya.com/collections/journals/regmi/>

<sup>32</sup>Hari Bansh Jha (ed.), *Dalit and Dalit Women of Terai*, Center for Economic and Technical Studies (CETS) and Friedrich-Ebert-Stiftung (FES), Kathmandu, 2003.

<sup>33</sup>[http://www.nepaldemocracy.org/ethnicity/dalit\\_women.htm](http://www.nepaldemocracy.org/ethnicity/dalit_women.htm)

<sup>34</sup>ibid.

the Madheshis are lagging far behind the Pahadis. They are living in one of the most deplorable condition in the world.

So if there is such a level of inequality, injustice, and crisis, why don't we hear about them? Let's explore this.

According to the data published by Madheshvani in 2006,<sup>35</sup> out of the 33 management positions in the government media, only 2 are held by Madheshis. And, in the non-government media, out of 131 positions, only 3 are held by Madheshis.

So, basically there is no platform, where Madheshis can speak anything against the Pahadi ruling class in Nepal. Their voice goes mostly unheard.

Also, you should not expect a community with a five percent literacy rate, and with a per capita income of forty dollars, to post on blogs either. Besides, the government has recently brought a law that bans any posts so-called "harming national interest".<sup>36</sup> The home ministry has warned of legal action against those who post materials that violate "public decency and courtesy" or post "messages defaming political leaders or other public figures." Any one found violating the law can face a fine of 100,000 rupees and/or a 5 years term in a prison. The ruling applies to Facebook and Twitter posts, too. The home ministry has issued ISPs a list of websites to ban. The list of banned sites included the American news site, The Huffington Post.<sup>37</sup>

Besides the national media, international agencies, NGOs, and INGOs play a very important role in Nepal — both for recognising and highlighting the issues, and addressing them through the development projects and fundings. However, according to the UNDP data published in 2001, about manpowers involved in 30 major multilateral agencies and 61 projects, they had only 5.2% of Madheshis, and more than 80% of Pahadis.<sup>38</sup> Moreover, Madheshis are usually at technical positions, rather than any managerial or decision making ones.

This, combined with the perception of donor agencies and diplomats, does make a difference. Let's see an example of one project — 'Room To Read'. By 2009, it has established 2564 libraries and 659 schools in Nepal.<sup>39</sup> But where? How many of those libraries and schools were built for Madheshis? If you look at the project's work area, you can see that they are working mostly in the hills, and in the areas that already have the highest Human Development Index in the country. Similar fate lies for the One Laptop Per Child and other major development projects, too.

This month Speaker of the Swiss National Council Pascale Wyss visited Nepal. But, where did she go? She went to Okhaldhunga and Solukhumbu, nearby Mt. Everest.

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<sup>35</sup>Shah, op. cit.

<sup>36</sup>Kunda Dixit, "Crackdown riles ISPs," nepalnews.com, URL:<http://www.nepalnews.com/main/index.php/-featurearchive/9002-crackdown-riles-isps.html>.

<sup>37</sup>"Govt. to ban huffingtonpost.com," Nepali Times, October 28, 2010.

<sup>38</sup>Shah, op. cit.

<sup>39</sup><http://www.roomtoread.org/Page.aspx?pid=311> [accessed 2010 November 14].

So, in the lack of international interests, Madheshis have felt lonely.

On the national ground, too, they always felt betrayed. They played a central role in bringing democracy back in 1951, in the hope to get rid of the colonial attitude of the rulers. It was their very land, Madhesh, from where the fight for democracy started and matured — and then eventually became successful. But what happened thereafter? In 1950s, the ruling Pahadis further deprived Madheshis of their rights. They imposed Nepali language and culture, seized land of Madheshis in the name of land reforms, heavily settled Pahadis into Madhesh, and brought such discriminating criteria for citizenship that deprived most of Madheshis even of citizenship. The government strictly promoted “*ek deś, ek bheś, ek bhāśā*” (one country, one dress, one language) policy. One must had to wear a Pahadi cap in their photos for any administrative purpose. The government suddenly enforced Nepali as the medium of teaching in schools and also made Nepali as the sole official language. Prior to that Hindi used to be the medium of teaching. This put these non-Nepali speaking Madheshis into very disadvantageous position. Most of other discriminations remained there.

Then in 1990, they fought again for reviving democracy — but still, the condition of the most of the Madheshis didn’t improve. Almost four millions of Madheshis were reported to be deprived of citizenship. Even, the thirty-five thousands citizenship certificates distributed in 1997 on the government’s recommendation was made void by the supreme court.<sup>40</sup> Also, the efforts by several municipalities in Madhesh to use their language were banned by the supreme court in 1998; Madheshis were again denied many basic human rights. Madheshis contributed 70% of the state’s revenues, yet their share of the political power was less than 5%.<sup>41</sup>

So, when in 2006, another people’s movement happened, Madheshis fought once more with much hope. The king was overthrown, a new era has dawned, and Madheshis expected to get fair rights this time. But once the day broke, they again felt betrayed — betrayed by the Pahadi ruling class. As before, the interim constitution was written by just a couple of Pahadi Bahuns, which almost completely ignored the issues of Madheshis that they had promised to address. This time too, Madheshis had not got fair rights. Madheshis felt cheated. They started protesting.

At the end of December 2006, in Nepalgunj, Pahadis attacked violently on the peaceful protest by Madheshis.<sup>42</sup> Pahadis, though a minority there, were backed by the state police in the attacks. Pahadis went on a rampage, burning shops and houses of Madheshis, searching and attacking Madheshis throughout the town. The government and Nepalese media suppressed the news almost completely, but thanks to technology and handycams, some people had captured a video of the massive attacks on the Madheshis by the Pahadis. The video showed not only Nepali police supporting the Pahadi attackers, but themselves

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<sup>40</sup>K. Hachhethu, “Madheshi Nationalism and Restructuring the Nepali State,” Centre of Nepal and Asian Studies, Tribhuvan University, Nepal, August 2007. URL: [www.uni-bielefeld.de/midea/pdf/Hachhethu.pdf](http://www.uni-bielefeld.de/midea/pdf/Hachhethu.pdf).

<sup>41</sup>Rupesh Silwal, “Nepal’s Citizenless Citizens,” OhmyNews, June 28, 2006. Also, see Shah, op. cit., and Goit, op. cit.

<sup>42</sup>Some details of the Nepalgunj attack and the following Madheshi Movement can be found in: Bhaskar Gautam (ed.), *Madhesh Bidrohako Nālibeli* [The Details of the Madhesh Revolt], Martin Chautari, Nepal, 2008; Ram Dayal Rakesh, *Murder of Madhesh*, Safari Nepal, 2007.

participating in the rampage too. The police had also shot dead one Madheshi, and injured dozens others. This fuelled anger in Madheshis, and made them further suspicious of the Pahadi ruling class. It also reminded them of the massive racist attacks back in 2000. In 2000, Pahadis had searched Madheshis and attacked them throughout the country. Pahadis had vandalised and burnt houses and shops of Madheshis on a large scale.<sup>43</sup> In that incidence lasting weeks, Pahadis had so blindly searched Madheshis by looking at the dark-colour of their skin, that some of the non-Madheshis who had seemingly black-skin, had also become the victims of their attacks.<sup>44</sup> So naturally, with the recurrence of similar attacks, Madheshis felt insecure. They saw no change coming to them. They thought they could take it no more. They took to the streets.

In the following January, some of the Madheshi groups burnt the interim constitution, as a symbolic protest. As a result, the government arrested several Madheshi leaders. The protest against the constitution started in different places of Madhesh. Then in Lahan, Maoist cadres, who were supposed to be disarmed and in the United Nations monitored camps, attacked Madheshi protesters, and shot dead one Madheshi. This flared the movement. The protests started erupting nationwide, spontaneously. They demanded an end to the long regional and racial discrimination and internal colonisation. They asked for a greater autonomy, some even demanding a separate state. In the movement, the Madheshis participated at an unprecedented scale. The old and children all came out. Women, who used to be confined in the house, veiled and voiceless, ran with their brooms to the streets. Their long suppressed fury against the injustice had come out. They came with brooms, a symbolism for cleansing dirt and removing evil spirits; they came to sweep the injustices, inequalities; they came to free Madhesh of the evil spirits. They came to fight for their rights, caring not about the freezing cold outside, not about the storms of bullets.

In the movement, I believe, the Madheshi women had some personal nature of anger too. A large number of Pahadi migrants have settled in Madhesh, along the highway in recent decades. Many of the Pahadi women opened tea shops, motels, and *bhattis*, a local pub selling alcohol, everywhere. They operated these places alone, with their husbands mostly away from them. These places became a hanging out place for most of the local men. These local men started drinking alcohol, and engaging in flirting and other activities there. When they returned home, drunk, their wives became victims of the domestic violence. Besides, their wives had a feeling of their husbands being alienated from them. These Madheshi women perceived the Pahadi migrant women responsible for driving their husbands into bad habits. Personal insults and injuries are far more precarious than historical and statistical injustices. They felt natural enmity towards the Pahadis.

Besides, the Pahadis administrators refusing to interact or serve unless one spoke in Nepali had put Madheshi women into the most disadvantageous position. Uneducated as most of them were, they failed to have any interaction with the administration and the Pahadis, whether it be a bank, a hospital, a court, a police station, a government office, or in a bus. They felt helpless, and frustrated in the hands of the Pahadi administrators. I have myself observed their suffering, due to the language problem, for over more than

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<sup>43</sup> "Trouble in Nepal," URL:<http://www.rediff.com/news/hritnepa.htm>

<sup>44</sup> "Ethnic Cleansing of Nepal in Progress?" News Blaze, January 30, 2007, URL: <http://newsblaze.com/story/20070130180301nnnn.nb/topstory.html>.

two decades.

Moreover, the massive deployment of forces and frequent curfews, during the decade-long Maoist insurgency, had made Pahadi forces more visible even in the remote villages of Madhesh. The villagers often suffered in the hands of these forces, usually as victims of false accusations. The Madheshi women usually felt harassed by them — at times traumatised. The curfews imposed in evenings in many areas had made life miserable. On many occasions, there were cases of rape and abuse, and finally killing, by the forces. Amnesty International has documented some of them.<sup>45</sup> Recently, a couple of months

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<sup>45</sup> “Nepal: A deepening human rights crisis,” Amnesty International, December 2002, URL: <http://www.amnesty.org/en/library/info/ASA31/072/2002>. An excerpt from the report follows:

Amnesty International has documented several cases of torture, including rape, in custody. In early November 2002, it submitted 57 such reports to the heads of the security forces urging for them to be investigated and for Amnesty International to be informed of the outcome. In mid-December 2002, the cases were also submitted to UN Special Rapporteur on Torture. Among them were the cases of two unmarried Muslim cousins, Tarnum Maniyar (16) and Tabsum Maniyar (18) who had been arrested by army personnel from Chisapani army camp, Banke district, on 3 April 2002.

[...]

During the search operation in Pathariya village, Kailali district, on 10 September 2002 in which Sukuram Chaudhary was killed, members of the APF raped Sita Chaudhary. A neighbour, Sri Krishna Devi, aged 20 and pregnant, was also allegedly raped.

[...]

On 3 April 2002, about 15 army personnel along with Captain Ramesh Swar, came to Masgit Maniyar’s home and asked for him. When they found he had gone to India they asked instead for the young girls, Tarnum and Tabsum Maniyar. The girls tried to hide on the roof of the house. However, they couldn’t escape and were arrested by the soldiers. After their arrest, the two girls were taken to army vehicles parked near their house. Captain Ramesh Swar kept Tarnum with him in his own vehicle while Tabsum was asked to stay with the other army men in the next vehicle. On the way to Chisapani army camp, Captain Ramesh Swar repeatedly told Tarnum that the reason for their arrest is the “escape of Masgit”.

At Chisapani army camp, they were told to sleep on the rooftop of the building. Blankets were provided and the next morning they were offered coffee. Captain Ramesh Swar told them that they should not worry and that he is “under pressure” because of the escape of Masgit Maniyar.

For a whole day they were locked in a room and told that Masgit Maniyar had been kept in this room. Later in the day they were given food. After a while, at about 9pm, a soldier came and took Tarnum saying that “Sir” had asked her to come. She was then taken to the room of Captain Ramesh Swar, where she found him drinking beer. He reportedly told her that she has to pay for her uncle’s mistake. She cried and pleaded her innocence but was threatened to obey his orders if she cared for her life. She reports that he then raped her. Tarnum cried after being raped, so she was taken back to the custody room. In the meantime, Tabsum was taken to another officer, referred to by everyone at the army camp as “Saheb”. She was also allegedly raped and then taken back to the custody room. Both of them were threatened to keep quiet.

After about two and a half hours, Tarnum was again taken to Captain Ramesh Swar’s room. The captain gave her a toothbrush and towel and asked her to brush her teeth and take a shower. She did so. Then she was raped again. Tarnum alleges that Captain Ramesh Swar raped her three times during that night. Around 5am, she was then asked to put her clothes on and to go back to the custody room.

Tarnum was bleeding severely. Tabsum was also feeling sick the next day and both were feeling very weak. They were told by Captain Ramesh Swar that the reason why he raped them was just to take revenge against their father and uncle. He said he would release them if they did not tell anyone. They were then threatened that if they told anyone, they will be caught again, raped and shot dead. He also told them that he would visit them every week to make sure that they had not left the place and had not told anybody. Since Tarnum was bleeding severely, at about 3 o’clock in the afternoon, Captain Ramesh Swar put them into a vehicle and brought them to Nepalgunj bazaar. Next day Tarnum was taken to a medical doctor in Nepalgunj. She was prescribed some medicines for the bleeding, but did not tell the doctor that she had been raped. Both continue to suffer from nightmares, excessive fear and sudden palpitations. Tabsum is also reported to be seriously mentally disturbed.

ago, United Nations High Commissioner for Human Rights in Nepal published a report about the extrajudicial killings in Madhesh, saying, “credible allegations of unlawful use of lethal force by security forces” in the deaths of 57 people in Madhesh between January 2008 and June this year.<sup>46</sup> “No thorough investigations or criminal prosecutions have been undertaken in almost all cases,” the office said. In the dominance of the Pahadi ruling class and the culture of impunity, the Madheshi women could never feel safe in the presence of Pahadi police, army and administration.

These were few further reasons that had translated into anger against the state, which you can see in the clashes between the police and the Madheshi women in the movement.

The movement continued for three weeks with much vigour and intensity. Then, on and off, it continued to the next year. During the movement, the government had deployed armed police forces heavily, and imposed curfews for weeks. Maoists went on the verge of deploying People’s Liberation Army [Maoist’s Army] and the Nepal Army against Madheshis. Without any media and infrastructure, without any effective leadership, without any attention of the major international communities, without much concern from the human rights organisations, Madheshis felt lonely in the movement for their rights. In the movement, the forces killed more than four-dozen protesters, and injured thousands of them, including many minors. Finally, what United Nations called “an excessive use of the force”<sup>47</sup> and the forces taking quick “action against individuals violating curfews in an excessive and unnecessary way”<sup>48</sup> brought the movement to an end.

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<sup>46</sup>“Investigating Allegations of Extra-Judicial Killings in the Terai,” United Nations Office of the High Commissioner for Human Rights (OHCHR), Nepal, 2010, URL: <http://nepal.ohchr.org/en/Reports.html>.

<sup>47</sup>“Excessive force used against protests in Terai, UN human rights report concludes,” UN News Service, 27 March 2008, available at: <http://www.unhcr.org/refworld/docid/47ed19231a.html> [accessed 14 November 2010].

<sup>48</sup>UN Office of the High Commissioner for Human Rights, “Summary of human rights concerns arising from the Terai protests of 13 - 29 February 2008,” 27 March 2008, available at: <http://www.unhcr.org/refworld/docid/483ecbd02.html> [accessed 14 November 2010].