

NEPALI MUSLIMS AND THEIR STRUGGLE FOR RECOGNITION

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 Analysis

According to census, Nepali population on religious line shows that Hindu constitutes 81.3 percent, Buddhist 9 percent, Muslims 4.4 percent and Christian 1.4 percent.¹ If we look at the Nepali population from an ethnic point of view, the Khas Arya ethnic that belongs to the upper caste makes up 31.2 percent of the country's population. They come from the Shah, Rana and Thakuri communities, claiming to be the descendent of India's Rajput families. For most of its history, Nepal has been ruled by this caste.

The indigenous hill tribe called Janjati forms 35.81 percent of Nepali population. These tribes include different communities namely Magars and Gurungs (primarily located between Gandak and Karnali river basins) and Rais, Limbus and Tamangs, concentrated in eastern Nepal.

Those who live on the plains of Nepal are usually called the Madhesis, who include both Hindus and Muslims; they make up more than 30

percent of Nepali population, having close ties with the Indian people in the northern districts of Bihar and Uttar Pradesh. Historically, the Janjatis, Tharus (indigenous tribes of the plains Nepal) and Madhesis have been part of the marginalized people of Nepal.²

In 2008, an overwhelming majority of Nepali parliament voted in favor of abolishing the 239 year-old Hindu Kingdom, and transforming the country into a secular republic. The country's new constitution that was promulgated in 2015 also supported the earlier decision of the parliament in which Nepal would remain a secular country. The promulgation of a new constitution also paved the way for the radical transformation of Nepal.

Nepal chose a new path to transform itself from a Hindu monarchy into a secular republic. Administratively, Nepal left a unitary government and adopted a federal system. The new constitution helped the marginalized

people to challenge the monopoly of political power by high-caste Hindus of the hills and made democracy inclusive by guarantying representation for all segments of Nepali society.³

For some times, Nepal is also providing shelter to religious refugees who face persecution in their own homelands such as the Buddhists from Tibet and a small number of Rohingyas from Myanmar.⁴ After the end of Hindu monarchy, Nepal made progress in different walks of life. It recognized religious pluralism; but the socio-economic situation of Nepali Muslims remained the same. They stayed socially and economically at the margin, their political representation did not reflect their actual presence in Nepal.

Brief History of Muslims in Nepal

Although the number of Nepali Muslims is less than their Hindu counterpart, they are regarded as the country's second largest religious minority. The majority of Nepali Muslims are Sunni. They adhere to the Hanafi's school of law, but some of them also claim to be Ahl-e Hadis or Salafi. There is also a presence of Shia Muslims but demographically they are not in significant numbers.

Kashmiris were the first Muslims who arrived in Nepal. They came to the country to sell wools. They used to trade between Kashmir and Lhasa being Kathmandu as their midpoint. Later they were granted permission by the Newar King Ratna Malla (1482–1512) to have permanent settlement in Kathmandu.

In the 17th and 18th centuries, Muslims were invited by the royal family of Nepal to settle in the northern hill regions outside the Kathmandu valley. They were asked by the king to manufacture military armaments and train the royal military to use them. They were also engaged in making agricultural tools and glass bangles.

In the 19th century, Hindu Monarchs asked Indian agricultural workers to settle in a plain in Nepal called Tarai. The monarchs wanted these labors to clean the forest and cultivate the land. Many who settled in Nepal on the Invitation of

monarchs were Muslims. Later on, a lot of local people accepted Islam as well.

Throughout history, the Nepali state never saw the Muslims as indigenous people; therefore Nepali Muslims had not been granted full citizenship in the country. The 1854 Muluki Ain, Nepal's first written constitution placed Muslims at the lower strata of the society, close to the lower caste Hindus. The first Codified law of Nepal was based on Hindu traditions and customs that are very hierarchal in nature.⁵

In the 1950s, Nepal experienced a political transition for a brief time. The Nepali people had an aspiration to establish a democratic government that would give more space to all religious groups, but this transformation of governing system did not affect the major Hindu characteristic of the state. In this brief period, however, people had the liberty to demonstrate their religious affiliation in the public sphere. Muslims in Nepal were able to build mosques easily, even without government permission. In 1959, an election took place, in which for the first time several Muslims won parliamentary seats.

Since the beginning Nepali royals did not like the idea of democracy to take root in Nepal. From 1960 to 1990, Nepali monarchs controlled the state directly; they banned political parties and prohibited any kind of political activism. During this period too, the monarchs used to give some nominal positions to the Muslims who were loyal to them in their royal cabinets so they could obtain greater legitimacy, but the real power was availed by those upper caste Hindus who were loyal to the monarchs.⁶

In 1990, there was an uprising against the monarchy. The people of Nepal wanted to restore democracy. There was this possibility that following the restoration of democracy in Nepal, Muslims and lower caste Hindus would have a say in the country's political process. But Nepali political parties failed to accommodate and promote Muslim and lower caste Hindu leadership in their ranks.

In 1996, another phase came into Nepal's political history; a strong Maoist rebellion took place against the political establishment. The Communist Party of Nepal launched a civil war in the name of the people that went on for a decade for which Nepal paid heavily. In the initial phase of their political activism, Nepali Maoists had 40 demands to reform Nepal's political structure in order to stop the monopoly of the state by upper caste Hindus. The radical demand that Maoists insisted was that the constitution should be drafted by elected representatives and the country must be declared as secular so every segment of the society could avail the country's resources.

As the civil war deepened, the Maoist leadership realized that marginalized and lower caste communities started to show their sympathy to them. The Maoists proclaimed their agenda to establish an inclusive Nepal where every citizen would have equal rights and responsibilities; that there would be no discrimination on the basis of caste, creed, region and religion. Yet this propaganda did not appeal too much to Nepali Muslims; the majority of them remained aloof toward the Maoists.

Since 2006, after the end of the Maoists Conflict, the motto "no one should be left behind as far economic progress is concerned" became the mainstream political agenda.

In 2008, as per agreement between the Communist Party of Nepal and other political parties, an election was held to form a new Constituent Assembly; with the purpose to draft a new constitution that was promulgated in September 2015. For the Nepali Muslims, to end Hindu monarchy and to declare the Nepali state as secular in 2008 was a major breakthrough. As of now, Nepali Muslims saw the possibility of inclusion in the political process of the country, but some of them are still skeptical in regards to their full rights as citizen of the country.⁷

Nepali Muslims In search of inclusiveness

Although several successive governments claimed to have created policies that were

in favor of Muslims, in 2012 the Nepali government constituted a special commission to study the socio-economic situation of Nepali Muslims because the commission's suggestions would enable the government to make Muslim-supporting policies. The new constitution of 2015 acknowledged the Nepali Muslims as marginalized and under-privileged group.

Like other parts of the world, strong middle class also emerged in Nepal, where some of them are Muslims. But overall, Muslim's representation in Nepal's different spheres of life did not improve as expected after the country's change into a secular democracy. This can be seen from different indicators of Human Development Index, which shows that the index of Nepali Muslims are lower than the entire Hindu and Buddhist groups. As far as literacy rate is concerned, the literacy rate among adult Muslims is 45 percent while the average national literacy rate is 66 percent.⁸

After end of the Maoist Conflict, there was a popular belief in the society - especially among Muslims - that the Nepali government would recognize Muslims as a distinct group and would ensure their political representation in the national parliament as per their population. That Nepali Muslims, being positioned at the bottom of every socio-economic indicator, would get their fair share in available national resources. There is no doubt that the Nepali government must take actions to uplift its Muslim citizens.

Today, Muslims in Nepal are also experiencing Islamophobia during the coronavirus epidemic like their other co-religious brethren across the world, especially those who are living as minorities. Although Nepal is somewhat deemed as a rather tolerant country, the rise of Hindu Nationalist force under the guidance of Rashtriya Swayamsevak Sangh organization and the dynamic leadership of Indian Prime Minister Narendra Modi helped a Hindu nationalist ideology to flourish; due to cultural affinity, it is easy for the Indian media to disseminate Islamophobia to Nepal that influenced common Nepali Hindus.⁹

Endnotes

- ¹ Budhathoki, Arun. 'India's Islamophobia creeps into Nepal'. Foreign Policy, 16 June 2020. <https://foreignpolicy.com/2020/06/16/india-islamophobia-hindu-nationalism-nepal/>
- ² National Population & Housing Census 2011 (National Report) volume1. November 2012. <https://unstats.un.org/unsd/demographic/sources/census/wphc/Nepal/Nepal-Census-2011-Vol1.pdf>
- ³ Zeldin, Wendy. 'Nepal: New Constitution approved'. Global Legal Monitor, Library of Congress Law, 1 October 2015 <https://www.loc.gov/law/foreign-news/article/nepal-new-constitution-approved/>
- ⁴ See for further detail, 'Migration and Refugee in South Asia: Quest for a new legal regime', 26 September 2018 <https://www.kas.de/documents/278334/4713770/Publication+Migration+and+Refugees+in+South+Asia.pdf/409db523-3ab2-2a96-9ec5-82adea6a053c?version=1.1&t=1549510900215>
- ⁵ Sijapati, Adamson, Megan. 'Muslims in Nepal: The Local and Global Dimensions of a Changing Religious Minority'. Wiley Online Library, 1 November 2011 <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1749-8171.2011.00314.x>
- ⁶ Kaur, Harsimran. 'Transition of Nepal from Monarchy to Democracy'. IOSR Journal of Humanities and Social Science (IOSR-JHSS) 12 February 2018. <http://www.iosrjournals.org/iosr-jhss/papers/Vol.%2023%20Issue2/Version-12/B2302122227.pdf>
- ⁷ Thapa, Depak, Ramsbotham, Alexander. 'Two steps forward one step back The Nepal Peace processes'. Accord Issu 26, 2017 https://rc-services-assets.s3.eu-west-1.amazonaws.com/s3fs-public/Two_steps_forward_one_step_back_The_Nepal_peace_process_Accord_Issue_26.pdf
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- ⁹ Budhathoki, Arun. 'India's Islamophobia creeps into Nepal'. Foreign Policy, 16 June 2020. <https://foreignpolicy.com/2020/06/16/india-islamophobia-hindu-nationalism-nepal/>

