

## TOWARDS A DEMOCRATIC NEPAL: INCLUSIVE POLITICAL INSTITUTIONS FOR A MULTICULTURAL SOCIETY

MAHENDRA LAWOTI

REVIEWED BY SUSAN HANGEN

*Towards a Democratic Nepal* is an important contribution to the efforts to resolve Nepal's current political crisis. Those who seek to overhaul the political system, rather than merely to restore what was in place prior to February 2005, will find this to be an exceptionally useful and accessible book. In this ambitious, policy oriented book, Mahendra Lawoti analyzes the problems with the post-1990 political system and provides a detailed blueprint for constructing a democratic polity.

In his recommendations for strengthening democracy, Lawoti is most concerned with ending the political exclusion of "marginalized sociocultural groups." Included in this category are indigenous nationalities, Madhesi, dalits, and women, whom collectively form the numerical majority of Nepal's population. His consideration of multiple identities is a significant contribution to studies of Nepali politics, which too often consider these forms of inequality separately. He defines the dominant group as the Caste Hindu Hill Elite Males (CHHEM), avoiding more common labels such as "Bahuns" or "high-caste Hindus" that ignore the regional and gendered dimensions of social inequality.

Contrary to conventional wisdom, the political exclusion of the marginalized groups actually increased during the post-1990 multi-party system, while the CHHEM became more dominant, he argues (21). The source of the problem, he argues, is the set of institutions and policies that were implemented after 1990; as he states: "exclusion has been institutionalized in Nepal" (20). Without ending political exclusion, it will not be possible for the marginalized groups to achieve equality in other

spheres of society (30). Furthermore, implementing inclusive political institutions is essential for strengthening democracy (24). The goal of this book is thus to identify and evaluate alternative democratic institutions that would facilitate the inclusion of these underrepresented groups.

Many of Lawoti's critiques and proposals for reform have surfaced in popular political discussions in Nepal during the last decade. Readers who have been following the discourse of ethnic activists in particular will be familiar with the general critique of the 1990 Constitution, and the basic arguments in favor of federalism and reservations, for example. Lawoti's book brings scholarly rigor to these discussions, providing a careful, thorough evaluation of the policies and institutions that are currently in place and of those that could be adopted.

In the first part of the book, the author's central concern is to warn readers about the consequences of political exclusion. In chapter 2, he argues that the political exclusion of the Maoists was one of the significant factors that led to the initiation of the insurgency (57). This is an important argument that has often been overlooked in analyses of this conflict. Lawoti further argues that if political exclusion continues, "there is a high possibility for violent ethnic conflicts and insurgencies in Nepal..." (82). However, as the Maoists are a political group rather than a sociocultural group, the reader may question whether political exclusion will have the same effects for the sociocultural groups. He also supports his argument about the possibility of ethnic violence by using comparative data, showing that the political institutions Nepal adopted in 1990 have contributed

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Mahendra Lawoti

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to violent ethnic conflicts, and by referring to a little publicized ethnic insurgency that an ethnic political party called the Khambuwan National Front (KNF) launched in 1997.

The second section of the book outlines the central social and political obstacles that the sociocultural groups face, and the advantages that the CHHEM hold. He argues against the popular idea that the problems faced by the marginalized groups can be resolved by working to end poverty. Marginalized groups also face cultural, linguistic and religious discrimination, rooted in the biased policies of the state (108-109). For instance, as he shows in chapter 4, marginalized groups face a discriminatory Constitution. The Constitution is biased, he argues, because "the group rights of the dominant group are protected because the state institutions reflect their group values and norms" (121). Thus, he demonstrates how numerous articles in the Constitution discriminate against non-dominant groups: for example, Articles 9.1, 9.2, and 9.5 do not treat men and women equally in determining citizenship (124).

In the third section of the book, the author carefully reviews the process through which these structural changes should be selected and implemented. In chapter 6, he evaluates changes that others have proposed, including administrative decentralization, a presidential system, a federal structure, the proportional distribution of resources, a proportional election system, and a secular state. Using comparative data, he considers the extent to which these proposals will increase political inclusiveness and strengthen democracy. In chapter 7, he takes up the contentious issue of whether to amend the constitution or to rewrite it entirely. Because he believes that the 1990 Constitution is severely flawed, he opts for a constituent assembly, a representative group which would create a new constitution. He describes how the assembly should be composed, and suggests a three-step process for the operations of the constituent assembly that would ensure that the creation of a new constitution occurs in a democratic manner.

In the fourth section of the book, Lawoti presents the package of inclusive democratic political institutions that he recommends for Nepal. In chapter 8, he advocates ethnic federalism as a way of providing autonomy to ethnic and regional groups. Citing comparative studies, he argues that federalism could prevent violent conflicts, make the government more responsive and accountable to local people, and promote economic development. Lawoti does not describe exactly what Nepal's federal system would look like; rather, he identifies the guiding principles and key institutions that should be part of such an arrangement, such as the right to form a new region, and a House of Nationalities. Lawoti argues that Nepal could simultaneously use multiple forms of federalism, with some groups forming territorial regions, others forming non-territorial groups, and still other groups forming sub-autonomous groups and receiving special privileges.

While he asserts that federalism is "the most important aspect of inclusive political institutions" (261), it alone could

not resolve all forms of exclusion. Thus, in chapter 9, he also recommends that Nepal abandon its current "first past the post" electoral formula in favor of the proportional representation method, in which parties receive seats proportionate to their vote share. In addition, he prescribes reservations for marginalized sociocultural groups in education, public service, political offices and all public undertakings. In chapter 10, he argues for the need to protect minority rights within the Constitution. Indeed, it seems that these last two measures would be far more effective at addressing gender inequality than federalism.

While the author's arguments in favor of his recommendations are thorough, he does not fully address the challenges that would be involved in implementing these plans. Ethnic and caste identities in Nepal in particular are highly fluid and fragmented, and the process of identifying which groups would be recognized by the government for reservations would be contentious. It seems likely that large and well-organized groups would be best positioned to take full advantage of these institutions and policies; it is also likely that these new policies would foster the reshaping of old identities and the emergence of new identities. Furthermore, the consequences of territorial federalism could be disastrous. While many of the ethnic groups listed as potential candidates for forming territorial regions have homelands where they are concentrated, they also have members dispersed throughout many other areas of Nepal (254). If territorial federalism were implemented, would these individuals be pressured to leave their current homes and relocate to their own ethnic group's region? These and other questions about how the structural changes this book proposes would work on the ground will need to be further debated.

In sum, this is an excellent book that contains a wealth of data and concrete ideas about how to create a stronger democracy and a more equitable society in Nepal. It should be required reading for the international and Nepali policy community, for scholars of Nepali politics and society, and for anyone who is interested in understanding how to move Nepal beyond its present quagmire.

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