Secularism and statebuilding in Nepal

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The question of whether Nepal should be secular or should once again be officially designated 'the world's only Hindu state', as it was between 1962 and 2006, has become increasingly pressing. An unexpected compromise was reached when a new constitution was finally promulgated in September 2015, seven years after the first Constituent Assembly was elected following the end of the war.

Article 4 of the new constitution describes the Nepali state as secular, but defines this as meaning 'religious and cultural freedom, along with the protection of religion and customs practised from ancient times'. None of the other terms used in Article 4 were deemed to need similar explication. Hence, according to the 2015 Constitution, to say that Nepal is secular is to say that there is religious freedom and that someone, presumably the government, must protect those traditional religions and customs 'practised from ancient times' – which, it seems, does not apply to religions and customs that are less ancient.

Secularism in Nepal dates back to April 2006, when the second People's Movement forced King Gyanendra to give up power. On 18 May, the reinstated House of Representatives proclaimed Nepal secular, the first of several constitutional steps that led to the abolition of the monarchy and the creation of the new secular Federal Democratic Republic of Nepal. The Interim Constitution of January 2007 declared Nepal a secular state, while the first Constituent Assembly (CA) abolished the monarchy at its very first meeting in May 2008.

Yet, the place of secularism was never fully secured during the long constitution-writing process that followed. When elections for a second CA were held in November 2013, the political scene changed: the Maoist party, the most prominent political force under the first CA, was relegated to a distant third, while the older political parties, the Nepali Congress (NC) and the Communist Party of Nepal-Unified Marxist-Leninist (UML), were returned to power. The Rastriya Prajatantra Party-Nepal, which supported both constitutional monarchy and a return to state Hinduism, became the fourth largest party. It fought a clever campaign and managed to win a large number of votes in the proportional part of the election from pious Hindu middle classes, especially in the cities, who gave their first-past-the-post vote to the main parties but split their vote in protest against secularism.

In the wake of the Hindu nationalist Bharatiya Janata Party's stunning victory in the Indian elections in May 2014, anti-secular forces have grown stronger in Nepal. As the new constitution was being drafted, different political parties and religious associations held protests and rallies calling for the restoration of the Hindu state. Even though the new constitution reaffirmed Nepal's secular status, continued demonstrations in the summer of 2015 for the replacement of secularism with the principle of 'religious freedom' underlined the strength of opposition.

Demand for secularism

Although prefigured from the 1950s onwards, serious and more mainstream demands for secularism emerged only in 1990 after the fall of the partyless Panchayat regime. Started by Theravada Buddhist monks and laypeople who no longer wanted to be counted as members of a Hindu sect, and strongly supported by Janajati (indigenous) activists, this campaign aimed to obtain equal recognition, rights, and space for all religions practised in the country.

Activists recognised that a two-century-old process had embedded Hinduism in Nepal's national identity, seeking to homogenise an extremely heterogeneous population and leading to the domination of 'high-caste' Hindus in the economic, political, legal and educational spheres. Secularism therefore represented a demand that the multi-ethnic and multi-religious composition of the country be acknowledged. It was not a move to banish religion from public life, but rather a call for non-Hindus to be treated equally with Hindus. The core elements of this demand were the de-Hinduisation of the state (by replacing Hindu symbols and rituals on state occasions, for instance), the push for a multicultural Nepal, and the recognition of the distinct identity of ethnic groups.

The 1990 constitution retained Nepal's identity as a Hindu kingdom, but secularism won the day 17 years later thanks to the success of the Maoist party. Maoists had asked for secularism from the beginning of their 10-year

insurgency – it was listed in the 40-Point Demand they presented to the government before the launch of the 'People's War' in 1996. Their pro-secular stance was popular among Janajatis, who formed a large part of their support. Opinion polls have consistently shown that the majority of Janajatis, unlike other major groups in the country, favour a secular state – although there is still a sizeable minority of Janajatis who prefer the Hindu state option. The NC and UML parties supported secularism in 2007 and 2008 because they saw it as a necessary step to dismantle the power of the monarchy, which existed in symbiotic relationship with Hinduism. Even though many of their leaders had misgivings, they went along with the secular tide for fear of being seen as monarchists.

Competing narratives

Secularism has encountered strong opposition precisely because it entails a new, pluralist notion of national identity in which different religions meet on the basis of equality. The anti-secular and Hindu nationalist associations and political parties emphasise *sanatan dharma* (Hinduism as a transcendent, 'eternal religion') as a shared Nepali (and South Asian) heritage. They argue that Hinduism is the world's 'most secular' religion, which includes in its fold many different sects and guarantees tolerance and harmony amongst Nepal's different religious communities. Hindu nationalists ignore the fact that ethnic and religious identities distinct from Hinduism (particularly Islam) have a long history in Nepal, and that seeing some people as more Hindu than others bestows them with special privileges. Disregarding the defining role that movements to assert a non-Hindu identity have played in Nepal's recent history, Hindu nationalists prefer to portray secularism as a foreign import. In doing so, they capitalise on both the lack of proper public debate on secularism before the declaration of a secular state, which surprised and shocked many, and the widespread belief that foreign actors play a large role in Nepal's politics.

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Thus, secularism is often seen by its opponents as the product of a Christian conspiracy to allow proselytising. In this discourse, secularism is seen as giving religious minorities the right to convert and eat cows – whereas protecting cows and banning conversion symbolised the purity and the Hindu-ness of the former kingdom. Secularism is thus viewed as leading to disrespect, communal violence and the loss of national unity and identity. The idea of Nepal as the 'last land of the Hindus', or the only Hindu country in the world, retains its appeal to a younger generation seeking affirmation of their Nepali identity.

What does secularism mean now and what has changed?

The declaration of secularism has not brought radical legal changes: 'anti-secular laws' such as those criminalising cow slaughter and proselytising have not been repealed. Neither have gods left the political sphere. Much of the symbolic and ritual apparatus of the monarchy has passed unchanged to the secular republic. Rituals that featured the king's public presence continue to be financed as state affairs, and the president of secular Nepal has appropriated the king's ritual role at important Hindu festivals.

Far from being a mere continuation of the status quo, however, this reconfiguration of royal rituals into state rituals is one way in which the young secular republic is legitimised, which is precisely the reason some still seek to reverse this trend. While secularism itself has not undermined the traditional elite's hold on power, the fact that Hinduism is no longer formally guaranteed a hegemonic position has opened up the possibility that Nepalis of different religious backgrounds could represent the state in the future. Certainly, further challenges for Nepali secularism will emerge as minorities begin to achieve greater representation in the courts, the legal profession, the political parties, and the governmental apparatus.

So far, secularism in Nepal has not meant the strict separation of state and religion and appears to be inspired by the Indian model, according to which the state upholds all the religious traditions of its people equally. It neither makes religion a private affair nor society secular. Instead, through secularism, religious minorities seek recognition on an equal footing with the majority, and religious and ethnic groups engaged in identity-making processes have tended to enhance their religious traditions, making sure that they invite the president or prime minister to their new year's festivals, for example. The multiplication of religious festivals in the national calendar and in public space is thus seen as both a secular development and an important symbolic recognition of religious and ethnic minorities.

Secularism has changed the nature of the relationship between Hinduism and minority religions – from a paradigm of distant control under a tolerant hegemony to a situation of competition and negotiation among

Members of the Christian community carry mock coffins demanding a burial space, March 2011. © Min Ratna Bajracharya

equals. Secularism has been an essential step in the larger project to create a new, inclusive and republican Nepal, but it has also led to a public debate on the relationship between religion and the state that has at times become fractious. Religion continues to be a crucial modality for constructing individual and collective identities, including at the national level, which explains the lasting sensitivity around the idea of secularism. Barring a few isolated incidents, though, secularism has not given rise to religious conflict. Despite the fact that the principle is highly divisive, it is still evolving, and actual secularist practices and accommodations can be built and worked out over time, without recourse to identity politics.

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