

Influence of Casteism in Modern Nepal: A Sociological Perspective

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Abstract

Casteism is a hierarchical phenomenon where prejudice occurs on the basis of caste superiority. It occurs disparity and injustice among human beings. So, the New Civil Code declared the practice of untouchability illegal. But the practice of caste discrimination is still existed in the various spheres of life in Hindu society. In this article, I have tried to present the structure of the caste system as it is manifested in the context of Nepal and discussed the pattern of social discrimination faced by the people. The objective of this paper is to analyze these practices as they occur in the domestic domain and community life. Casteism is still practiced especially in the rural communities of Nepal despite the law declaring it illegal in the New Civil Code in 1963. More specifically, this paper is intent on deepening an understanding of the factors of casteism so people of touchable castes perceive that they or their objects become polluted if touched by a member of Dalit. Given this context, this article also attempts to highlight the role played by society in shaping the contents and structure of caste-based relations.

Keywords: casteism, discrimination, hierarchy, Muluki Ain, untouchability

Introduction

The word 'Caste' is of Portuguese origin and was applied to India by the Portuguese in the middle of fifteenth century (Subedi, 2010). It has been used to mean different things by different people in a variety of situation. It is an ascribed status as well. In other words, caste status of individuals is determined by birth. Achieved skills and abilities cannot change one's caste status. It brings stratification in the society as per the Hindu tradition. Caste is very ancient concept, and now it is ended legally but practically its influence is still strong in the society (Subedi, 2010). Caste determines the social status and role immediately after the birth of an individual. In other words, Caste is the element that brings stratification to society as per the

Hindu tradition. Caste is a very ancient concept, and now it is ended legally but practically its influence is still strong in society. Caste determines the social status and role immediately after the birth of an individual. In other words, caste is the element that brings variation among the people regarding their social relationships, marriage, food habits, and so on (Singh, 1968). Similarly, this is a concept that provides a superior position to some people right at birth, whereas it keeps other people in an inferior position even though they work hard throughout their life. It is a social structure based on a particular religious belief. In ancient classical literature, the caste system has been explained as divine creation. According to it, Brahmin was born out of the mouth, Chhetri out of the hand, Baisya from the thigh, and Sudra from the foot of the god (Ghimire 2066:169). People have to remain under the same caste from their birth till death. Even though occupations of the four castes have been determined right from their birth.

Theoretical Discussion

Many sociologists use the word 'caste' in two different senses. On the one hand, it is a word used without any particular geographical limitation to denote the type of class system in which hierarchy is very sharply defined and in which the boundaries between the different layers of the hierarchy are rigidly fixed (Leach 1967:9). A ruling class may be described as a caste when the fact of class endogamy is strikingly obvious and when the inheritance of privilege has become narrowly restricted to members of that caste in perpetuity. This kind of situation is likely to arise when the ruling group is distinguished from the inferior group or groups by wide differences in standard of living or by other easily recognized labels (Leach: 1967:9). Thus, it is usually easy to locate an individual in his stratum, and when this is done, one knows how to deal with him even without knowing him personally. If X belongs to the first stratum and Y to the second one, X will be considered socially superior to Y, irrespective of their personal qualities, and be treated accordingly. The other use of the word 'caste' is to define the system of social organization found in traditional regional societies of India and among adjacent Hindu and related populations in the territories of Bangladesh, Nepal and Sri Lanka (Dumont, 1980) and surviving to a large extent to the present day.

There has been a long debate in the literature over whether the caste system is a unique social phenomenon or simply one manifestation of processes of social stratification which have a wider generality (Berreman 1968:333). Such presentations rise directly to the question of whether caste is best considered a cultural or a structural phenomenon. This is an issue on which the authorities seem notably confused. Weber, for example, states categorically that 'caste' ... is the fundamental institution of Hinduism (Milner, 1993). He implies thereby that caste is a specific cultural concept, but then he proceeds at once to the remark that 'there are also castes among the Mohammedans of India.... Castes are also found among Buddhists'. This contradiction leads logically enough to an inquiry into the nature of caste, but here Weber's standpoint keeps shifting. Having started by implying that caste is peculiarly a Pan-Indian phenomenon, he proceeds immediately to the discussion of caste analogues in non-Indian context (Milner, 1993).

In the work of Dumont and Pocock, Marriot and their students, the views of Leach have stressed that the caste is to be defined in terms of its Hindu attributes and rationale, and therefore,

is unique to Hindus or at least to South Asia (Berreman, 1968:333). Bailey, Barth, Beteille, and Berreman have stressed that the caste system is to be defined in terms of structural features which are found not only in Hindu India but the number of other societies as well (Gould 1987:2). Those who hold the latter view finds caste groups in such widely scattered areas as the Arabian Peninsula, Polynesia, North Africa, East Africa, Japan, Aboriginal North America and the contemporary United States (Berreman, 1968). Regardless of which side of the argument one chooses, there are certain characteristics of the caste system which are almost universally acknowledged to be associated with it as a socio-cultural institution.

Caste-based Discrimination in Nepal: Its Historical Context

The 2011 population census of Nepal reported that 81.3 percent of her people follow the Hindu religion (CBS, 2011). Hindus, one of the important features of their social organization, are divided into several hierarchically ranked caste groups. After the promulgation of the new Civil Code in 1963, any kind of caste-based discrimination was declared illegal in Nepal. However, the low caste community like Dalits have been suffering from discrimination. For example, the so-called high caste people perceive that they, or their objects, become polluted if touched by members of Dalits. It concludes that discrimination is inherent in the denial of entry, denial of services, denial of access to common resources, denial of kinship, forced labor, dominance, social boycott, untouchability and discrimination to name.

Before the 14th century, social discrimination rooted in the caste-based identity of the population had its influence mainly on the practice of tradition. Bayly and Bayly reported that the formation of Muslim hegemony in Mogul India and the expansion of the Christian faith in the territory after it came to be a part of the British Empire motivated the Hindu rulers of Nepal to provide state-level protection for this religion. In this process, Jayasthiti Malla divided the Newars of Kathmandu valley into 64 castes (Ghimire, et al, 2021). Later, Ram Shah of Gorkha implemented some strict regulations which prescribed different qualities of garments for different castes, prohibited low caste people to live in Pakka houses, and required them to settle in areas close to river banks or rural areas (Ghimire, et al, 2021). The Human Right Year Book (INSEC, 1993) also mentioned the case that during the Malla period, there was a legal provision to cut Sudra's penis, force him to eat it and get him butchered by Chandals on a charge of having sexual intercourse with a Bahun woman. The Sen Rulers of Palpa also provided their support to the caste-based organization of society. However, until mid-19th century, the caste rules induced by the state had been effective only in specific localities. Then, the Nepali state attempted to universalize these regulations for all categories of people living in all parts of the nation.

The code redefined the Varna model to fit into Nepal's social environment. Firstly, it classified the caste groups into pure and impure classes and divided them again by ranking them into five broader categories (Hofer, 2004). The Tangadharis were placed in the first rank. Bahuns, Chhetris, Sanyasis and some high caste Newars were incorporated into this caste group. People belonging to different types of ethnic and tribal groups were ranked in the second and third categories. While both of these caste groups were termed the groups as Matawalis (liquor

drinkers), their rank in the caste order was determined based on the types of punishment that could be imposed upon their members for their commitment to the same crimes (Hofer, 2004).

Classification of caste categories by the 1854 Muluki Ain

The following table presents the caste categories according to 1854 Muluki Ain.

A	Pure Castes
1	Tagadhari: Caste group of the 'Wearers of the Holy Cord' (Janai) Upadayaya Brahmin Rajput (Thakuri) Jaisi Brahmin Chhetri (Warrior) Dew Bhaju (Newar Brahmin) Indian Brahmin Sanyasi Lower Jaisi Various Newar Castes
2	Matwali: Caste group of the Alcohol-Drinkers (Non-enslavable) Magar Gurung Sunuwar Some other Newar Castes
3	Matwali: Caste group of the Alcohol Drinkers (Enslavable) Bhote Chepang Kumal Hayu Tharu Gharti
B	Impure Castes
4	Impure but Touchable Castes (Pani Nachalne Chhoi Chhito Halnuparne) Kasai (Newar Butcher) Kusle Hindu Dhobi Kulu Musulaman Mlechha (European)

5	Impure and Untouchable Castes (Pani Nachalne Chhoi Chhito Halnuparne Kami Sarki Dadara (Stemming from unions between Kami and Sarki) Damai Gaine Badi Pore (Chyame)
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(Hofer, 2004)

One group of these Matawalis were relatively privileged in the sense that their members were immune from the punishment of a slave. Another group of them had not had this privilege. They were segregated into an unsalable category. The fourth and fifth categories of caste groups were considered as ones containing an impure or water unacceptable population. The difference between them was that the members belonging to the fourth category were touchable while those in the fifth category were considered untouchable by the pure castes. The Civil Code also approved some differences in the privileges provided by law to people belonging to these different caste categories. This code became the law of the country to govern the pattern of social relations before its provisions were amended and it was replaced by the new Civil Code in 1963.

Current Discriminatory Practices

The political movement launched at different times replaced the prevailing system of oligarchic rule with a multiparty system of government. Since then, constitutional procedures were introduced in the system of the rule of the country. These constitutions including the constitution of Nepal 2072 B.S. has guaranteed the right to equality (Secretariat, 2015). It has stated that the state shall not discriminate against citizens based on religion, caste, sex, etc. The present constitution of Nepal has declared the practice of untouchability an illegal task. Besides this, the constitutional, legal and international commitments have committed the state government to eliminate all forms of discrimination including those based on caste (Secretariat, 2015).

In an urban and semi-urban environment, the tendency of caste practices has rapidly changed. There are hotels and restaurants and parties where high caste man does not observe the rules of pollution. They eat in public places with people whose caste they do not know, and even with low caste people of their village. During such parties, the liquor bottle is passed from man to man, meat is served on a common plate and no one is reluctant to touch a fellow guest. The weakening of hierarchy and impurity, and the relaxation of behavior about food in towns, indicate the decadence of the caste hierarchy which is based on the emergence of a class hierarchy. On the other hand, rural Hindu societies are still suffered from casteism. In Nepalese village life, one might reasonably expect that pollution taboos would constitute a considerable barrier to inter-caste sexual relations and religious functions as well. Usually, no purification measures are taken and a person's caste becomes the same. However, who to invite to the public gathering, drink and eating together and develop an economic relationship is becoming a matter of concern for many elites despite their caste hierarchy.

Conclusion and Implications

Discriminating against people based on caste position is shameful and completely inappropriate in the modern democratic state and everyone should be prepared to speak publicly in support of social justice. It is equally dangerous and undemocratic if the people are harassed and exploited based on caste hierarchy and inequality. However, the influence of casteism exists in Nepalese society. It is manifested in the domestic and business domain of social relations, religious and non-religious domain of community life, participation in administrative and political institutions as well as in the share of economic resources and social facilities. But this should be a matter of debate for the academicians, planners, and policymakers regarding the social transformations of Nepali society for making it more inclusive, trustworthy and less hierarchical.

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