

Land Reforms, Key to Social Harmony

by Suman Pradhan

KATHMANDU, Sep 13, 2006 (IPS) - Before conflict and violence became synonymous with Nepal, this impoverished country wedged between India and China was known for some of the worst social abuses, linked closely to its feudal order.

The 'Kamaiya' system of bonded labour was one. Another was 'Kamlari', the practice of selling young girls as maids to households in the villages and cities. These social abuses were entrenched among the indigenous Tharu community of western Nepal, who inhabit the lush fertile plains of five districts -- Banke, Bardiya, Dang, Kailali and Kanchanpur.

Today, as Nepal enjoys a fragile but optimistic peace, these issues are again beginning to emerge on the national scene. Newspapers this week were laden with reports of a Supreme Court decision striking down the Kamlari system. And countless reports have appeared in recent days about the travails of former Kamaiyas who are still awaiting parcels of land from the government.

Land is at the heart of the problem in western Nepal. A careful look at the social practices in the Tharu community of western Nepal reveals that land ownership, or the lack of it, has given rise to the many social ills that have given Nepal such a bad name.

"Everything boils down to land ownership," says Shram Lal Chaudhary, a Tharu community leader in Tulsipur. "If you look carefully, you will see that as the Tharus lost ownership of land to the hill settlers, all these social ills began to sprout. Today, those practices have become entrenched."

Nepal is a desperately poor country of 26 million where more than 65 percent of the people survive on subsistence farming. It is a country of both mountains and plains. While sustainable agriculture in the hills of Nepal has been a particularly arduous and unproductive venture, the fertile plains of the Terai provide the nation with most of its food grains. It's little wonder that the Terai, that southern strip adjoining India's northern states, is considered the breadbasket of the entire country.

When a country is so dependent on agriculture, land occupies centre-stage, as is the case in Nepal. Land not only signifies wealth, but also social status and political power. Most of the Tharus of western Nepal have gradually lost all political power and socio-economic status as their grip on land eroded over the decades.

Tharu lore holds that all the land in the five districts once belonged to the Tharus. But after malaria was eradicated in the late 1950s and 1960s, and as the national government in Kathmandu encouraged migration from the hills to the plains as a means of national integration, the Tharus slowly lost their land rights. The Tharus now form 6.6 percent of Nepal's population of 27.5 million people.

"The pahadis (hills people) were clever and shrewd," says Krishna Chaudhary of Society Welfare Action Nepal. "The Tharus were illiterate and gullible. Whatever land they held was signed off to the pahadis over a mere bottle of local liquor, or a small loan. This is how we became landless in our own land."

That assertion may or may not be true, since the strong sense of injustice in the Tharu community makes it almost impossible to separate the fact from myth. But it is true that only a handful of Tharus today hold significant bits of land. Most Tharu families are landless in their own country, living a life of squatters and share-croppers, dependent on the landlord's goodwill.

That change in the power equation introduced many social ills. Tharus soon found that the small loans they took became the instruments through which the landlord entrapped them in bonded labour, in many cases, for generations. As the compound interest made it difficult to pay off the loan, the Tharu, his wife and his children, all were forced to work for the landlord. The loan passed from father to son and so on. In time, they became bonded labourers, or Kamaiyas.

Sunder Chaudhary is one such Tharu. His family shares a small thatched hut with the families of his two brothers in Khaira village of Dang district. The hut is built on government land, since the brothers don't have any of their own. In fact, the entire village of more than 150 houses is built on government land. None of the Tharus there hold rights to the land they live on. Most of them are former Kamaiyas freed by the government decree.

Sunder's family works as share-croppers on the landlord's farm nearby, which does not provide year-round sustenance. To supplement their incomes, Sunder and his brothers have sent six young girls, all under age 12, as Kamlaris to households in the cities. Some of the girls were 'sold' for Rs 4,000 (about 54 US dollars) a year. Others were sent on condition that the girls would be provided education. "What can we do? It's poverty that makes you do these things. Why would we send our daughters otherwise," asks Sunder.

While the Kamaiya and Kamlari systems originated with the loss of land ownership among the Tharus, civil society activism since 1990 has helped bring some relief. In 2000, the government finally banned the Kamaiya system, but overlooked the Kamlari system. This week's Supreme Court decision attempts to correct that oversight.

But civil society leaders say, the problems cannot be rooted out until land-ownership patterns are changed. The government's policy on land reforms so far has been to limit the size of land holdings, which is not the solution, say these activists.

"What is needed is comprehensive land reforms which provides the landless land that can sustain their lives," says Jagat Basnet of Community Self Reliance Centre which works in 18 Terai districts on land-reform issues. "But the problem is that most of our policy-makers and politicians come from the landed class. They just don't see the issue from the perspective of landless people."