

# People's Participation in the Management of Local Affairs in Southern Mustang in the 19th and 20th Centuries

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1. **Introduction** : The points I would like to discuss herein do not constitute a paper as such. This is only an outline of what I could see when I came across some old documents relating to the management of local affairs in the Thak Satsae and some other parts there around.

In one of the documents the Thak Satsae region is described to have been bounded in the north by the Chimkhola across the Gurase-dada, Khanikot and the Kali Odar; in the south, by Daran Dhunga, Dhulya Odar and Badar-jung; in the east by Rakte; and in the west, by Surti Charaune below the Gauda Khark in Dah Bugan.

Similarly, it is described to have been composed of 13 villages with 10 wards (toles or localities) as they were called. They are Tukuiche, Khanti, Kobang, Larjung, Nakung, Bhurjungkot, Naphrunkot, Dhambu, Titi, Taglung, Kuncho, Lete and Ghasa. [Situated between Tukuiche and Ghasa, this Satsae region so called after the seven hundred households in the area is also called Thakali region because of the Thakalis residing there. [cf. *Mechi dekhi Mahakali* Vol. 3. p. 526.]

The local affairs, so to say, the customary rules and regulations (sometimes known as such) in this region were looked after and managed by and with the consent of the local people even when nothing sort of legal provisions like the Village Panchayat Act or regulations could have been introduced giving civil rights to the people. (The first such regulation was introduced in the kingdom as early as 1926 only when local people were given judicial powers to settle minor local disputes in a certain western district. [cf. *HMG, Village Panchayat Act, 1949*]. This system, so far I could gather, persisted even until recently upto 1950s i. e. even until the democratic form of government could be established in the center and the concept of local self-government could have, by way of legal enactment, entered into local administration

This, in my view, may be the influence of the independent political system that existed in the southern Mustang during the 17th and 18th centuries as Prof. D. Schuh had pointed in one of his papers entitled 'Political Organizations in Southern Mustang During the 17th and 18th centuries'.

Prof. Schuh had sometime back published this paper in the *Ancient Nepal Vol. 110* in which he had spoken of 'numerous political entities which recognized the suzerainty of the King of Jumla' and pointed to the 'interesting fact that this fragmentation into small political units paved the way for the development of forms of the political state organisations which seems to be unique even for the rest of Asia'. His views were based on several copies of the written constitution called *bem-chag* still kept in archives of different places in the area, to which Charles A. E. Ramble and Michael Vinding as well as himself had access.

In the strength of the three different versions of the *bem-chag* he was able to photograph, he had, in his paper discussed besides the political structure, the organisation of labour and trade, internal economic organisation, regulations concerning the monastery, and customary laws and regulations of Marpha, which, according to the quite separate *bem-chag* of Chimang was one of the three separate political units of that time, viz., Thag, Thini and Marpha.

For the purpose of our presentation we are concerned here only with the last three subjects relating to labour and trade, economic activities and customary rules and regulations. There are several other evidences, which we presume, are existing still to show that local communities in different villages in the area had, while recognizing the rules and regulations of the Government, formed themselves into some sort of local self-government, at least as far as social affairs are concerned, and looked after the management of the same in these fields in their own way. Besides, they had, in the assemblage, their participation in deciding upon new regulations and additions and amendments on the existing ones. As for example, 13 villages in the Thak Satsae region formed themselves into an organisation to look after and manage the general affairs in the whole of the region, while one component of this organisation, Ghasa, looked

after and managed the particular local affairs peculiar to itself. In case of any matter of local concern to two or more villages, the villages concerned settled it among themselves, as we shall see in the case of Thini and Jomsom, without any influence or interference from outside. This is unique in the sense that inspite of the established central Government in Kathmandu and inspite of the rules and regulations enforced by them for the entire Kingdom, time and often the local affairs were thus managed by the local communities in a body or by common consent without any interference or initiation from Kathmandu or anywhere else under their instruction or otherwise, an example for which may be taken in the case of decisions arbitrarily taken up by the community in Thak Satsae sometime in 1955 (i.e., after the setting up of the democratic form of government in Kathmandu) to use both the coercive and persuasive measures to implement the decisions of the central Government to do away with the custom of gambling during the Tihar festival. The basis of this presumption is the discovery so far made of a number of documents that show such arrangements existing until recently in Thini and Ghasa in the same and adjoining areas.

Thanks to Prof. Schuh and management of the Nepal-German Project on High Mountain Archaeology I recently had an access to some unpublished materials relating to this subject. For our purpose I will devote mainly on three different documents the photocopies of which are lying with the Project.

## 2. Thak Satsae Dharma Panchayat Document:

It would be desirable, first of all, to discuss the Thak Satsae document which will be called TSD when necessary. This was photographed by Prof. Schuh in 1990 in Ghasa. This is the 'constitution' of the Dharma Panchayat Thak Satsae formed for the declared purpose of managing, by an assembly of the Mukhiyas of all the 13 villages comprising Thak Satsae, the local affairs including social customs, settlement of local disputes, promoting

the sense and spirit of cooperation to the Government (obviously the central Government in Kathmandu) in the interest of promoting nationalism, communal harmony and organisation, spread of education, prevention of epidemics and other diseases, trade and commerce, cottage industry and handicrafts, and taking strict measures against evil traditions and undesirable activities infesting the community.

This document is written in Nagari script. The language is pure written Nepali, presumably written towards the 1950's after the formation of the Nepali Bhasha Prakashini Samiti (estd. 1913), a Government publishing unit, which had started campaign to standardise the Nepali language. It has no date mentioned, nor any seal affixed on. It seems to be a copy of the official document which is kept securely stored under three locks, distributed to a member-Mukhiya of a village as is required to be done under the 'constitution'. As a true copy of the official document, however, it had to be endorsed with a seal or signature and why it was not done so is a matter to be ascertained as it gives rise to a doubt that it may either be a draft or not a true copy. But the later portions or additions contained in it as records of different decisions made on different dates from 1949 to 1959 as well do not confirm it to be so.

The decisions made in 1949 were meant to regulate the custom relating to the funeral rites, while those made in 1951 were meant to amend the same, and these decisions are recorded to have been made after due deliberations by the Mukhiyas and the *bhaladamis* (local prominent persons) assembled in the 'Panchayat Kachahari' meaning assemblage of the said Dharma Panchayat (quite different from the 'Manyajan Kachahari' formed in Dang Deukhuri under the 1926 Sanad with powers to settle local disputes. (cf. *HMG Village Panchayat Act, 1949*).

It shows, in the absence of other documentary proofs, the 13 Mukhiyas representing 13 villages

in the Thak Satsae region formed themselves into a Dharma Panchayat under a 'constitution' adopted by themselves and looked after the local affairs almost independently, as one example cited above relating to the Govt. measures to put a stop to the custom of gambling showed they themselves took both coercive and persuasive measures for the purpose.

On whose initiation the Panchayat was thus formed is not clear, nor is clear the legal authority under which it could function as such although it is found sometimes written that it had the recognition of the Government. [cf. *Mechi dekhi Mahakali Vol. 3 p. 527*]. The objectives listed in the 'constitution' as mentioned before as well as the rights and duties outlined therein as to work under the existing rules and regulations and customs and manners and also the decisions taken arbitrarily in matters of local interest, however, make it clear that it was the sheer interest of the local people, in the context of the changed time and circumstances, to preserve and safeguard their community's life that had goaded them to act in that way.

For the purpose the 'constitution' had a provision to annually elect a Working Committee of 13 members - all the Mukhiyas of the 13 villages of whom the Chairman was called Mir Mukhiya, the Vice-Chairman, Upa-Mir Mukhiya, and the Treasurer, Tahabil Mukhiya. The meetings were held generally two times a year - once in the month of Shraavan and the other in the month of Ashwin, which were called Shraavan Tritiya meeting and the Vijaya Dashami meeting respectively after the days on which they were held. The meetings were participated in by *kuriyas* and *bhaladamis* as well. *Gunduls* may also be invited to take part as observers. As for *bhaladamis*, they were to be elected as such by the concerned villages (which is clear from one of the Ghasa documents which we are going to discuss later in this very paper). The number of these participating *kuriyas* and *bhaladamis* was fixed as

261 and 32 respectively, supposedly to represent their respective villages. The *gunduls* if ever invited would be not more than one from one village and they had no right to speak. The venue of the meetings was Kobang.

The records show the Panchayat had the right to impose fines and penalties as well, which ranged from Mohar Rupees (herein after referred to as Re. or Rs. only) 2 to 500 according to the nature of the offence committed. To quote a few examples, violation of any existing rules and regulations was punishable with a *danda* amounting to Rs. 500 if the case involved anything valued at Rs. 5,000; direct approach to a legal court by by-passing the Panchayat, with a *danda* amounting to Rs. 50 in case of a boy and Rs. 25 in case of a girl; playing of instruments at the time of carrying a dead body or its remains or of burning it, with a *nit* amounting to Rs. 10; carrying of a dead body by a person of a caste other than that of the dead person, with a fine amounting to Rs. 5; cutting of *nigalo* plants without any permission, with a *nit* amounting to Rs. 3; grazing cattle and collecting herbs in the restricted areas, with a *narsari rakam* fixed by discretion; failure to set up a wooden bridge over a certain place called Taglabagar by the 15th of Kartik, and later, through an amendment, by the 21st of Jestha and at any time during military operations with a *nit* amounting to Rs. 50. These examples also serve as samples as to show the expanse of the local affairs the Panchayat looked after and managed.

Besides, the Panchayat tapped various sources as dues and revenues for its income. It charged *dai dastur* and *bhalapani* under discretion on settlements of disputes or dispensation of justice; collected *kharadari* amounting to Rs. 8 per shade for grazing on the high altitude (*lek*) and Rs. 2 for grazing in a particular forest called Phache Kamang forest. In this context can be mentioned also the death tax levied at Re. 1 for a *kuriya*, Moharu paisa (herein after referred to as paisa only) 50 for a landless person and paisa 20 for an

untouchable person; and also birth-tax levied at the same rate. It had also created a reserve fund out of which to meet the expenses for control of epidemics or any other emergencies in the region. Arrangements were accordingly made for depositing in this fund the fees obtained for granting permission to organise the game of lottery as well as marriage tokens of Rs. 3 in the minimum raised from every married couple.

The Panchayat, similarly, managed customs and manners in its own way. To cite a few examples, the *pujas* during the Bada Dashain had to be done through the Mir Mukhiya; last rites may be done by *jhankri* instead of *dumbo* or by a *brahmin* if the circumstances so demand but can in no circumstances be done by both the *jhankri* and the *brahmin* priests at the same time; no animals can be killed when rites are done by a *jhankri* priest; and a person so desirous may make a cash gift called *malam* to the Lama *dumbo* at his residential *gumba* and no other thing could be gifted, nor any one is allowed to go over there on the occasion.

The Panchayat had also taken special measures to consolidate their traditional "banking system" known as "*dhikur*" which gave loans to one in need for business or other purposes. The Panchayat was committed to run the system smoothly "for the benefit of all" and for the "maintenance of peace" in the region. A person proved guilty of working against it was liable to a fine of Rs. 500 or more according to the nature of the offence.

These are only the samples to show how the local people, as far back as fifties were conscious enough to preserve their social customs and to maintain peace and harmony in their society with their own local and voluntary efforts.

3. **Jhumsumba Document** : The people of Thini and Jhumsumba (Jomsom) were not less conscious about their local interest. As this document dated May 1951 which was also photographed by Prof.

Schuh in Thini in 1990 records, the people of these two villages had long before in 1938 concluded an agreement to promote their local interest. Although originally an agreement on sharing of water for irrigation purposes, this present document records a number of decisions regarding matters of social importance of the two villages.

Similarly, as the TSD document, this Jhumsumba document also is written in Devnagari script, and the language is pure written Nepali inscribed in 1951. It bears the signature of the Mukhiyas and *bhaladamis* of both the villages. It clearly mentions itself to be an agreement arrived at with the common consent of the people of both the villages. Through this document they decided upon restrictions to cut down trees without permission from the *talukdars* of both the villages, cut grass for 5 days in the dark half of the month of Bhadra, allow cattle to graze at night in the fields belonging to others, awarding punishment by both the parties for one and the same offence, and growing *uba* and *phapar* in the lands other than one's own.

**4. Ghasa Village Document :** More such arrangements are found to have been made by the people of the Ghasa village, the one component of the Thak Satsae Dharma Panchayat. Although mostly concerned with the protection of the forests and forest products and the grazing as well as agricultural lands, this document contains records of decisions made on different dates from as early as 1868 to 1954 on a variety of subjects of local interest and concern as hunting, management of labour, trade and industry, observance of festivals, keeping buffaloes in the village and so on.

Although written in Nagari script the Nepali used in this document is mostly a locally spoken one in the early part while in the later parts it has grown purer to become a written one. It is a copy of the document completed under the signature of the prominent local people. It was photographed in

Ghasa also by Prof. Schuh in 1990. As clearly stated at the outset this document is the outcome of a complaint made by the local people against the *bamdej* (bonds or pledges) made in 1868. Evidently an agreement to govern themselves this document in a sense is a pledge made by them to abide by for the interest and benefit of the entire Ghasa village, a component of the Thak Satsae Dharma Panchayat formed in the early fifties.

Under the provisions of this document, the Mukhiya and the Jethabudha of the village, as well as the *gundul* under their instructions, were empowered to enforce the rules and regulations and impose fines and charge dues as fixed and agreed to by the people.

It was, as is clear from the document, with the authority of the people that the rules were so made and time and often reviewed, amended or added with further provisions as time demanded. The reviews, amendments and additions were made most often in the month of Bhadra, presumably in view of the deliberations made in the Thak Satsae Panchayat meeting which was annually held first in the earlier month of Shravan which, according to the TSD, the Mukhiya of the village was also obliged to attend.

As this document shows the village people had their participation in the local affairs in various ways. They had managed to protect their village from the wild beasts menace by providing incentives to the hunters to kill bears, tigers, porcupines and jackals. They had regulated voluntary labour for the good of the village by making a punishable offence not to offer labour for building roads or bridges etc. The setting up of a liquor shop in the village was regulated by imposing yearly dues. Similarly, the sale prices of the *dokos* made in the villages and elsewhere were fixed according to the size and the localities they were sold. The duties of observing festivals of Siddhapuja as well as performing religious services in the Buddhist temple and *dhonaje* in

Chaitra, Falgun and Bhadra were assigned to the Gunduls. Since 1954 the buffaloes were not allowed to be kept in the village. (The TSD shows this restriction was later lifted in view of the demand for milk-product like *ghee*.)

Besides, the villagers, through this document, regulated the grazing of cattle, cutting of trees, collecting of grasses and pine-leaves, releasing of timber, clearing of road, building of bridges, as to be done only in a particular area and that also in a particular part of the year. Similarly, rates of wages and travelling expenses were fixed for particular persons. To cite a few examples, one engaged for cutting fuel-wood, tilling land for growing corn or weeding out plants was given wage amounting to 20 paisa if he is a man or 16 paisa, if a woman, while one engaged to carry a bundle of *bhorla* leaves to the place of *dumbo* was paid 50 paisa. A *gundul*, engaged to perform religious services, was paid 16 paisa a day. As for travel expenses, one assigned to military duties was paid 75 paisa a day as also a person assigned to attend the panchayat meeting as a *bhaladami*, who, however, was later, paid Rs. 2.50 a day. As for promotion of *doko*, *chyatro* and *lutho* making industries, special provisions were made for allowing cutting of *kharsu* bamboo and *nigalo* canes.

Although a component of the Thak Satsae Dharma Panchayat, this Ghasa village is, sometimes, found to have acted in its own independent way in matters of its local importance. It is evident also from a provision introduced towards 1948 which provided for choosing by lot a person as *bhaladami* to attend the Panchayat meeting in spite of the notice served by the said Panchayat specifically to his name. Similarly, restrictions on buffaloes were imposed only in 1954 when the Thak Satsae Dharma Panchayat had imposed it as early as 1951 only to lift it up in 1955.

**5. Conclusion :** This in short is an account of the local people's participation in the local affairs in one part of Nepal long before the introduction of the local-self government laws in the form of Village Panchayat Acts by the Centre for the whole kingdom as is seen from the three documents in the local affairs in some parts of the Southern Mustang. How could this have been possible and why could people remain content with participation only in affairs other than development ones is to be seen by digging deeper against the thesis propounded by Prof. Schuh on the basis of the *bem-chag* discovered by Charles Ramble, Michael Vinding and himself.