

## Maghi - the Black day

By Bishnu Rimal

The medieval slavery system is still alive in Nepal. The isolated agricultural workers in the far west have for years been exploited ruthlessly but now there seem to be some hope for the workers and their liberation

*Should the land of the country be justly partitioned  
I do also inherit a place where to erect my humble hut  
And, of the innumerable river banks of the country  
there will be one for my funeral pyre to rest in peace*

Some decades ago, a well-known Nepali poet, late Bhupi Serchan, composed these lines in genuine sentiment for his fellow citizens' right over the land. His "demand" is still relevant to over 40,000 people, known as the Kamaiyas in western Nepal.

The Kamaiyas are hard working labourers, fully engaged in cultivation and domestic work. They remain tied to land forever but they do neither hold a single piece of land nor own even a small hut. They are agricultural workers but their wages have not been determined yet, rather they are working as bonded labourers.

The word "Kamaiya" also denotes a system, which is one of the most inhuman exploitative labour practices. It is nothing other than a residue of the medieval slavery system, an intolerable characteristic and a major infringement of the Nepali labour market.

### Still slavery after 60 years

Although Nepal as long back as in 1926 took the initiative to abolish the Kamaiya slavery system, it is still lingering on in five districts of Western Nepal. The UN convention against slavery (1956) has already been signed by the Nepali government and the constitution of the kingdom of Nepal has clearly stated its commitment against slavery, debt bondage

and forced labour. However, no law against these unfair practices has yet been formulated.

Customarily, a Kamaiya has to make an employment agreement every year in Maghe Sankranti (mid January). The day is known as "Maghi", the black day. In principal the agreement is a contract by which a Kamaiya can bargain, accept or reject the terms and conditions imposed by his land master. In practice, he does not breach the contract nor make his master relieve him from his job before completing the year.

### **Chained to the master**

A Kamaiya, who is looking for a master, comes out with a cloth encircling his head and carrying a stick on his shoulder. As a way to identify himself as a candidate. If he finds a master, this one will go to his former master, pay outstanding loans and then take the Kamaiya to his house. A process similar to replacing old cattle by new among rich farmers in rural Nepal.

If someone wants to be a Kamaiya it is compulsory that he has a "bukhrani". It is generally the wife or, if he is not married at the time she may be his mother, sister or daughter. She is usually assigned for domestic work and has to offer her labour to the land master with no payment at all.

A Kamaiya is expected to work around 18 hours per day, with no fixed salary. They are heavily burdened by the loan known a "saunki". It is a kind of loan borrowed by a Kamaiya from his master to pay for his family's subsistence. The loan can never be paid back in his entire life from the salary he gets.

### **Action in favour of landlords**

Finally, in 1995 the Kamaiyas started to organise themselves in collaboration with a Nepalese human rights organisation. A preparatory committee for "The Kamaiya Liberation Movement" was formed and slowly the movement came to be associated with the trade union movement.

During a conference in 1996, a working paper was presented which addressed a number of issues: "There are many communities in this country to consider as victimised, but the suffering of the Kamaiyas is significantly worse," it stated.

The paper also stated that the problems of the Kamayas would not come to an end simply by giving physical assistance by running literacy classes or income generating schemes. In order to liberate the Kamaiyas there is a need of state involvement both at policy and enforcement level.

The General Federation of Nepalese Trade Unions (GEFONT) has been involved with the Kamaiya Liberation campaign since 1995. In the first phase, a "Kamaiya Liberation Forum, Nepal"-delegation (KLFN) met the Prime Minister to try to make him aware of the bitter realities and demands. But the then government instead started a program, which empowered the landlords and gave nothing to the Kamaiyas. It simply sent displaced Kamayas from their master's house out into the uncertainty of the streets.

From August 1996, KLFN has run its own campaign in all of the five districts of the far Western Nepal. They have picketed the land reform offices and organised rallies and mass meetings. They have also faced police intervention so free legal aid is now being provided to Kamaiyas by GEFONT.

### **Land right is central demand**

Let us change slaves into poor! The slogan may seem odd, but is never the less chanted nowadays. To turn slaves into poor means to establish an employee-employer relationship instead of that of a master and slave. If a Kamaiya is liberated from bondage he will be converted into a poor. They already number a total of four to five percent of the entire population.

As it is now there is no end to the inhuman system of slavery. If one Kamaiya leaves, another poor guy will fill in the vacancy.

According to a new study on Kamaiya systems in Nepal by Dr. Shiva Sharma, almost 60 percent of the Kamaiya households do not own land. Thus the right to land is a central demand of the Kamaiya movement. An appeal movement requesting landlords to voluntarily relinquish their Kamaiyas has given positive hope. Up until now 13 Kamaiyas have been freed. But there is still a long way to go before they can say along with the old Nepalese poet:

*Should the land of the country be justly partitioned  
I do also inherit a piece to erect my humble hut*