

CONFERENCE PROCEEDINGS

2018

THE ANNUAL KATHMANDU CONFERENCE ON  

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NEPAL & THE HIMALAYA



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**NEPAL & THE HIMALAYA**



Britain-Nepal  
Academic Council



Nepal Academic Network

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# Infrastructures of Social Repair

## Insights from Northern Pakistan and Kashmir

OMER AIJAZI

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### Introduction

In this paper, I attempt to elaborate linkages between social repair and the reconstruction of infrastructure following a large earthquake (2005) in the *pahars* (mountainscapes) of Northern Pakistan and Kashmir (Pakistan 'administered'). This is important to consider given the contested nature of infrastructure in the Himalayan region where the built environment is incrementally negotiated between local communities and the Pakistani state. I examine how humanitarian reconstruction following the earthquake intercepted or interrupted the everyday work of repair and how survivors sought to exceed these interruptions. I conclude that 'natural' disasters are not just 'mere glitches in the reproduction of life' (Berlant 2016, 393), which warrant the replacement of broken infrastructure necessary for sociality to extend, but are also revelatory spaces to understand forms of life emerging from within its very brokenness. In that sense, we cannot afford to understand disaster reconstruction or recovery along separate domains of the 'social' and the 'physical' and that these interconnections require further and much more careful elaboration. Oliver-Smith terms this as the problem of hybridity (2002, 24). He contends that unless we have a way of theorising the hybridity of the material/physical and the social (and the ecological), the complex relationships that link society, environment, and culture will remain concealed to our detriment.

Since 2014, I have been working with non-normative subjects in the *pahars* of Northern Pakistan and Kashmir.<sup>1</sup> I consider my interlocutors as 'non-normative' simply because they do not prescribe to the same rules by which we have come to know the world. Their demands and expectations are out-

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1 In this paper, I refer to Northern Pakistan and Kashmir as a collective region despite being differently configured by the hysteria of nation states and geopolitics. In my other work, I have argued that the region has enjoyed historical interconnections long before the firming up of borders as evident from traditional migratory routes, the common Hindko language, and ecological place-based citizenships. And that there is 'something' to be gained by allowing ourselves to imagine Northern Pakistan and Kashmir as interconnection, movement, and flow. See Aijazi 2018a.

*of-this-world* in terms of the sheer magnitude of the material and philological risks they are compelled to undertake to achieve life projects that they themselves deem worthy. In this way, they inspire anxiety in those around them. In my work, I explore how people flourish (a state where mere survival is not considered triumphant) under settings of chronicity. I understand chronicity as the convergence of multiple forms of violence in the body, subjectivity, and sociality. This includes the violence of 'natural' disasters, conflict, military occupation, and other structural forces. Over time, I have moved away from the conceptual tropes of recovery and reconstruction towards a more fluid understanding of how people maintain and extend life in settings of chronicity to better accommodate the ambiguity and analytical indeterminacy which characterise the openness of life. In my work, I attempt to see and feel the multiply situated and unbounded labour, desires, and relationalities needed for some approximation of the social to allow life to flourish despite the violence it bestows (Aijazi 2016, 2018b). I have come to realise that much of the work of living lies outside available language (see Deraniyagala 2013), and I remain divided whether there is even a need to label and name them. For the time being, till I reach a resolution, I have parked these wider modes of imagining and enacting life within the container of 'social repair'.

I approach social repair as a heuristic device and a broad conceptual terrain (as opposed to a fixed analytical or diagnostic category) to more adequately reflect those seemingly mundane gestures of life, which hold important existential value and are crucial for attaining liveable presents and viable futures. In my current thinking, social repair captures the plurality of processes, embodiments, and decisions, which enable people to carve hospitable lives for themselves despite overwhelming structural constraints. In this way social repair is not just limited to 'repairing the social', the reconciliatory act of drawing relationships closer as commonly invoked in transitional justice literatures (see, Arriaza and Arriaza 2008; David and Choi 2006; Haider 2011; Prieto 2012; Theidon 2006). Rather, it encompasses coming to terms with the 'fragility of the normal' (Mehta and Chatterji 2001, 202) and dismantling the 'feelings of scepticism' embedded within a 'frayed everyday life' (Das 2007, 9). Social repair reflects those modest (or radical) processes of advancing one's claims and responding to those that are placed upon oneself, a negotiation, a vigorous shuffling of feet, a dance, and a graceful way of inhabiting the world. I understand social repair as tense, urgent, and palpable.

## Mountain Pathways

The earthquake killed over 73,000 people and severely injured thousands more. It is estimated to have affected some 5.1 million people throughout the Himalayan region and destroyed a significant percentage of the total infrastructure, including homes, schools, hospitals, pathways, and irrigation networks.<sup>2</sup> The disaster triggered an intense period of humanitarian action bringing into purview the region's countless forgotten valleys, hidden among the cracks and crevices of the lesser known Himalayan region.

Modest houses with mud and corrugated iron sheet roofs dot these *pahars*. To an outsider, these houses appear out-of-place, awkwardly perched on top of inhospitable land. But they are rather strategically situated based on local understandings of acceptable topography, flat enough to construct a homestead. The iron sheets are widely believed to have been popularised by relief agencies following the earthquake. Such modifications in the infrastructure are thought to be accompanied by equally important transformations in the very social DNA of the region. However, it cannot be said with absolute definitiveness that the earthquake solely brought on these shifts, but perhaps accelerated the changes that were already taking place in line with Pakistan's shifting national character and modernisation (Loureiro 2012, 2013).

It is important to understand that geography intimately shapes everyday life and structures notions of community and belonging, setting residents apart from mainland Pakistan. In the absence of any central spaces which may serve as a focal point for locals, familial units organised into immediate and extended households form the standard parameters of one's social world and relationships. Complex caste and kinship relations further exacerbate this sense of fragmentation. The terrain is rugged, and homes are connected via narrow, makeshift *pahari* pathways. Within villages, dense maizescapes often lead to homes and provide *pardah*<sup>3</sup> and privacy.

The Pakistani state maintains minimal investments in infrastructure in this region. Even the roads leading into the numerous valleys were upgraded only after the 2005 earthquake and till today, their condition is at best 'jeepable'. In response to this lack in many places, residents have

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2 'Natural' disasters are frequent in Northern Pakistan and Kashmir. In 2010, monsoon floods ravaged the region again, affecting some 20 million people across the country. A large flood also devastated parts of the region in 1992, details of which are poorly documented. These are in addition to frequently recurring smaller events, including seasonal landslides, snowstorms, flash floods, and glacier melts.

3 *Purdah*, a hotly contested concept, generally points towards an understanding of privacy and modesty, mostly but not always directed at women. For further discussion on the centrality of *pardah* after disasters, see, Aijazi and Panjwani 2015.



Makeshift pathways crisscross the pahars (photograph by Rihanna Tahir).

put in place their own micro-infrastructure such as makeshift bridges and narrow mountain pathways. It is safe to say that interconnectivity within and between villages is entirely dependent on the navigational ability and agility of the people who live there. In most cases, residents overcome this apparent lack of connectivity with considerable ease, and do not let the trivialities of topography interfere with everyday life. The timely and adequate completion of daily life chores are contingent on one's ability to exploit the landscape and convert its inhospitality into convenience which is aided by locally held 'infrastructure'.

After the earthquake, the landscape 'shifted'. New cracks and fissures appeared, *pahars* split, and rocks changed their locations. Even the streams and various smaller water bodies crisscrossing the villages changed their pathways, rendering some bridges useless, and creating the need for new ones. Land that was previously safe to live on became dangerous, and the fertility of the soil changed, opening new opportunities in some areas, and closing hope in others. There were even shifts in the water quality of the rivers and the types and quantity of fish they sustained. Research interlocutors described how they had to actively 're-learn' the landscape, discover new spaces, and find other routes to access familiar (and new) destinations as former pathways and routes were erased.<sup>4</sup>

<sup>4</sup> Cook and Butz similarly argue that while disasters curtail mobility by destroying infrastructure, they also motivate communities (though at a different scale) to discover and create new routes for the continuity of daily life. See, Cook and Butz 2015.



A community-installed bridge (photograph by Shafiq Butt).

Following the earthquake, humanitarian NGOs prioritised the reconstruction of pathways needed to navigate the *pahars*. Hundreds of ‘cash for work’ or ‘food for work’ schemes were initiated across the affected region where local men with the help of civil engineers from Islamabad were compensated in cash or kind to ‘re-build’ pathways in the *pahars*. After completion, these pathways, were then ‘handed back’ to communities (the men) who from that point onwards were responsible for their upkeep. These reconstructed pathways often took the form of a series of cemented steps crisscrossing the *pahars*, as shown in the photograph below. Like most humanitarian interventions, and under the pretext of vulnerability, women, children, and the elderly were considered the official beneficiaries for these initiatives. I found most of these reconstructed pathways to be in shambles, indicating that they were not maintained despite local participation (mostly of men) in their construction. The men interviewed during fieldwork shrugged at the practicality of these ‘reconstructed pathways’.

The cemented pathways reflect humanitarian desires of order, control, and technocracy. This is apparent just from the way connectivity is imagined and its ideals reproduced as infrastructure. The differences in NGO pathways and those that exist otherwise are not just reflective of a lack of technical and engineering skills, but hinge on other considerations, such as what kind of connectivity is desired, by whom, and for what purpose? It rains and snows much of the year in the region. The cemented pathways turn dangerously slippery under these weather conditions and residents find it safer to walk



An NGO supported cemented pathway. This one is in reasonable shape (photograph by Rihanna Tahir).

outside of them. I noted narrow pathways created by regular foot traffic crisscrossing the *pahars*, often adjacent to these cemented stairways. Not surprisingly, livestock and carrier animals (such as donkeys and mules) also find it incredibly difficult to walk on the cemented pathways even outside of the rainy season. The cemented pathways cannot withstand the region's harsh weather. Their upkeep requires monetary expenditure and specialised tools, which communities cannot sustain. While connectivity between villages and even within villages from one house to the next is strained, efficiency and time are important considerations which are considered when choosing a particular route. Often this means choosing the shortest route as opposed to the safest or easiest route. Cemented pathways do not necessarily adhere to this consideration of timeliness.

I often chose the cemented pathway since they appeared easier to navigate. One day, a passer-by asked me in awe:

Why are you taking this route to get to Sehri [a village]? This will take you over an hour. Go from here, between these rocks, past the shrubs, across the waterfall—you will get there *fatafat* (immediately, at the snap of your fingers).

On my way back, I followed the villager's recommendation and decided to take the 'quicker route'. That turned out to be a *faux pas*. It took me nearly 2.5 hours to navigate the 'quick route'. I had to carefully make my way across very narrow pathways, get on my feet and hands on extremely steep slopes (which one passer-by described as *janwar jaisa* (just like an animal)), take numerous breaks, suppress several panic attacks, and at one point requested two elderly villagers to take my hand and walk me across a five-foot long stretch which was too terrifying to cross on my own.

The humanitarians were keen to bring in engineers, foreign materials such as cement, and specialised tools to work towards a particular kind of built environment. For local communities, it was more plausible to do just enough, to make the landscape slightly more hospitable, and only for particular bodies (not everyone).

### **Ghar**

*Ghar* (home), an 'emic category of social practice', refers to 'flexible arrangements of people, places, things and values, which are closely related to structures and processes of the larger society and the state' (Schild 2012, 35). To facilitate the reconstruction of houses, the humanitarian community channelled conditional cash payments to families only to be used to reconstruct houses based on pre-approved earthquake resilient designs. The new approved designs dismantled the joint family structure and proposed houses as single-family units, separating parents and siblings. The new designs were significantly different from previous forms of housing which comprised of a shared complex (inhabited by the extended family), organised around a common kitchen. These changes in design led to the fragmentation of the household and challenged sacred expectations and accountabilities of being and belonging to a family. One of my interlocutors, Niaz who is paraplegic, remarked:

Since members of the family no longer live together, their demeanour towards one other has significantly changed. Previously, I would see my parents, siblings, and their families daily. Now we are separated and sometimes I don't see them for several days.

An emphasis on the separation of the kitchen also created novel distinctions between public and private spheres of domestic life, offering far less opportunities for mutual help and sharing. Niaz explains: 'Previously it was

easier to get by. We would sit together and eat. If someone lacked something, we could easily share, taking and giving was easier and acceptable. Now it is not possible the same way'. At another occasion, Niaz adds: 'When I was living with my parents and brother, I would always know what everyone was cooking and could ask for my favourite dishes. Now I can't do this anymore'. The distribution of housing payments within families also led to much dispute and discord as there was no clarity on how the money should be distributed or operationalised in the context of a joint family.

Infrastructure collapse was the leading cause of death in the earthquake. However, the older homes provided certain social contributions which were embedded in their very design. For example, their flat *katcha*<sup>5</sup> (mud) roofs (later to be replaced by sturdy, sloped iron sheets) provided some relief to the steepness of the region and offered a semblance of flatness. The roofs served as social space for people to come together (including women), to sit, have tea, exchange news, and gossip without interfering with the privacy of the home and the gender segregation it demands. Men and boys would sometimes play *kabaddi* (a form of wrestling) on these flat(ish) roofs and people could gather for various events such as to offer funeral prayers.



Men congregate on a mud roof to offer funeral prayers. The slanted iron roofs of newer constructions can be seen in the background (photograph by Saeed Khan).

5 *Katcha* translates as 'raw' or 'unbaked'. It refers to construction that is made from mud and clay as opposed to cement.

The pre-earthquake *katcha ghar* (mud-houses) also allowed residents to collect honey. People maintained special cavities in their mud walls for honeybees. The bees stopped coming once the material changed to cement. Several residents expressed nostalgia at the lack of honey which was shared amongst family and friends. It is fair to say that the new housing design interrupted sociality and took away the few social sites available in the pahars, and contributed to the shrinking of the social as opposed to its expansion.<sup>6</sup>

The cemented house, or the *pakka*<sup>7</sup> *ghar*, also interfered with life's existential concerns reflecting infrastructure's 'non-material' qualities and emplacement within a lifescape that cannot be adequately reduced to the 'physical' or the 'social'. I explain this with the help of my interlocutor Sattar, an elderly man who lives by himself. Sattar's father moved to his village some 60-70 years ago when the local landlord awarded him some land to cultivate. Currently Sattar Shah lives in the same modest *katcha ghar* that his father built: 'I have been living here for more than 50 years. My father has long died. My sister also used to live in this house, but she is also dead. Their graves are nearby'. Sattar continues: 'I was scared when the earthquake struck. It was every person for himself, *bus Allah Allah karta raha* (all I could do was invoke Allah)'. He points at a corner of the room in which we were seated: 'Look there is a door there [which led into a small room], this is where I tie my goat. My father made this with his own hands, he is long gone, but see this house survived the earthquake'.

Like many people in his village, Sattar too received some iron sheets after the earthquake. These were given on the condition that recipients would reconstruct their homes following pre-approved earthquake 'resilient' designs. Sattar also began constructing a new home, approximating the mandatory housing design, but never truly completed construction. At present, Sattar has two houses: the one his father built (the *katcha ghar*) and the partially finished 'earthquake resilient' cemented house (the *pakka ghar*).

Both houses are only a few feet apart. The *katcha ghar* is in far worse shape and requires urgent maintenance work, yet Sattar chooses to live there. He explains: 'I prefer this house [the *katcha ghar*]. When it snows, you can hear the snow falling on the tin roof [of the other house] and it is also very noisy there when it rains'. He continues:

6 Unfortunately, sites like playgrounds were not a reconstruction priority. Young people reported a loss of cricket grounds after the earthquake and lamented the days when they would compete in a region-wide cricket competition which brought villagers together from near and far in a festive mood.

7 *Pakka* translates as sturdy, finished and cemented. It stands in contrast to *katcha*.



Sattar's katcha (left) and pakka (right) ghar next to one another (photograph by Ali Akbar Shah).

When my sister died, I stopped looking after the other house [the *pakka ghar*]. I have decided that I will spend my remaining years here. That house is furnished and has my things, but I feel more content here. You know my father built it with his own hands. I feel more at home here [I feel more grounded here]. My temperament is also such [I like simple/down to earth things]. *Allah ko aajzi bohot pasand hai* ([You know] Allah loves those who are humble).

### **'Reconstruction' as Repair**

Niaz aspires to complete his master's degree. He stated a number of times that he has been unable to enrol in the degree because of a lack of funds. He was given a generous stipend for his involvement with this research. In 2014, when I was leaving the region, I suggested Niaz that perhaps he should use the money to finally enrol in a master's programme. Next year when I went back to visit Niaz, I asked him whether he had enrolled, and he responded with a negative. Instead, he used the money to insulate his room by repairing the various holes and gaps in the roofing and walls. In 2015, Niaz was remunerated in a similar way and I again gently suggested that perhaps the money can be used for his enrolment this time around. In 2016, when I

was in Islamabad, Niaz phoned me on *Eid* to wish me *Eid Mubarak*. I learned that he had still not started his master's. *Why did Niaz not use the money to pursue his master's degree, a life project he was yearning for?*

On several occasions, Niaz told me that the winter season compounds his sense of loneliness and isolation on account of his paraplegia. In fact, it becomes so cold in his room that at times he cannot even take out his hands from under the blanket to do simple tasks such as offering his prayers or reciting the Quran. For Niaz, these simple tasks are extremely important for nurturing his heart and are made more possible in a warmer room. Increasing the insulation of his room also means that his guests can stay longer with him and have more incentive to see him during the isolating winter season. Niaz also had an influx of visitors in the winter following his father's death who came to offer their prayers and condolences. The act of insulating his room can be seen as a gesture of repair, one meant to protect and nurture his heart (by allowing him to engage in his spiritual endeavours) and enabling his alter-sociality to flourish in the winter months. It also meant more people can visit him and pray for his father, and in this way, he contributes to the safety and well-being of his departed father. This is a rare opportunity for Niaz to prove himself as a good son and responsible family member. With this short story, I am attempting to argue that if we continue to insist on the separation of the 'physical' from the 'social', we risk overlooking and erasing people's lived and felt experiences. These are missed opportunities, which if paid serious attention to, can help us reinvigorate our understandings of 'reconstruction' and 'recovery'.

## Conclusion

Abundant research has drawn attention to the loss of individual and collective identities as an impact of disasters (Hoffman 2002; Moulton 2015), how this loss of a sense of self is further exacerbated by destruction of objects, places, and practices that allow the provision of moral life (Cupples 2007; Erikson 1976; Farrar 2009; Oliver-Smith 2010), and how a loss of meaning greatly diminishes well-being (Barrios 2011). Other important work has demonstrated how disasters fracture social networks which must be reorganised and reinterpreted to enable continuity of everyday life and maintain a relational presence (Barrios 2014; Casagrande, McIlvaine-Newsad and Jones 2015; Gordon 2004; Storr and Haeffele-Balch 2012). Such works have insisted that in addition to rebuilding homes and livelihoods, survivors must address these kinds of losses to regain a sense of wholeness despite radically altered circumstances, highlighting the centrality of the social and cultural for recovery (Browne 2015; Falk 2014; Fothergill 2004; Gamburd

2014; Klinenberg 2002; Oliver-Smith 2005, 2011; Thurnheer 2014; Tierney and Oliver-Smith 2012).

However, surprisingly, such perspectives only occupy a small niche in relation to the wider field of disaster studies and a significant disjuncture remains with policy and practice. This is partly because there are continuing fundamental disagreements on the nature of disasters, their consequences, and recovery from them (Gaillard et al. 2008; Hoffman 1999; Oliver-Smith 1999; Neal 1997, 2013; Passerini 2000; Quarantelli 2005). Additionally, anthropological accounts on disasters put in direct collision widely accepted frameworks of measurability, validity, and generalisability with the subjective sensibilities of ethnographic research paradigms. However, the limited uptake of anthropological perspectives in policy and practice cannot be sufficiently explained solely on the basis of the merits of quantitative over qualitative methods, but also hinge on wider questions of epistemology and ontology, the nature and source of knowledge, and whether disaster survivors are accepted as bearers of valuable experience that supersede limiting vocabularies of survival and coping mechanisms.

This brings us to the following questions: *Do the developments in disaster theory and literature matter if they have not found a way to purposefully mediate the policy and practice of disaster recovery and reconstruction? And, whether the very modes and mediums of policy and practice (by this I mean associated institutions, systems, and expectations) are at fault as their own maintenance depends on insisting on the world as separate, partial and diffused?* Mani (2013) refers to this as the 'ruling paradigm' which obscures relationships and interconnections and inspires categorical thinking within academia, policy, and practice, perpetuating epistemic and material forms of harm. I do not have the answers to these questions and believe that till we are able to adequately understand what compels us towards categorical thinking and why such perspectives continue to dominate, there is much to be gained from insisting on the density of life, its rich textures, and 'excessive normative truths', which provoke us to regain interconnection, hybridity, and relationships.

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# Global Care Chain of Nepalis in the UK

## Who Cares for the Carers' Families?

SANJAYA ARYAL

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### Introduction

Migration is a long-established phenomenon. People never remain static and they are on the move from one part of the world to the other, be it locally within a country, or internationally from one country to the other, or from one continent to the other. The migration of people across the globe has been increasing in terms of the number as well as the proportion of the total population, i.e., from 2.8 per cent of the total population in 2000 to 3.4 per cent in 2017, making around 258 million international migrants (United Nations 2017). The number of migration origin countries has also been increasing (Czaika and Haas 2015), which is bringing 'super diversity' among the migrants in the destination countries, with variation in terms of nationality, ethnicity, and linguistic and religious backgrounds. Further, differences can also be found in the migration pattern, legal, social and economic status, gender, age, and capabilities in terms of education, skills and experience of the migrants (Meissner and Vertovec 2015; Vertovec 2007, 1024). Longitudinal data shows the increased feminisation of migration around the 1910s and the 1920s, reaching the point of gender balance in the 1980s (Donato and Gabaccia 2015). However, studies until the 1970s lack focus on gender aspects of migration because of either androcentric research, or studying both male and female migration by putting them in the same basket. Therefore, it was only around the 1980s that the studies on home-based care work and domestic work and global care migration were able to challenge the male-dominated viewpoints on migration, and provide evidence of the 'feminisation of migration and the gendered nature of globalisation' (Williams 2010, 386). These studies identified women as having an independent identity among the migrant workers, and created demand for gender-focused studies, which analyse migration through the gendered lens, focusing on the socio-economic context and power dynamics.

Migration of women for providing care and domestic work either

nationally or transnationally is not a new practice. The contemporary practice of transnational migration and care work is linked to or the advanced form of the demand for domestic workers by the richer countries in the earlier days, or the migration based on colonial ties, or transnational care service in the wake of industrialisation (Yeates 2009). Along with this transformation process, migration of women from poor countries to the richer countries for providing care and domestic work has been increasing. The migration of women for care work to richer countries is linked to the changing demographics of rich countries with increased aging population, restructuring of welfare regimes, growing participation of women in labour market, and social transformation taking place in these destinations where the demand of care work is continually increasing (Araujo and González-Fernández 2014; Williams 2010).

Migration of people from the poor countries to the richer countries is linked to several factors: the aspiration to have better opportunities and lead a better life in the destination (Carling and Collins 2018; Castles 2014; Migali and Scipioni 2018; Van Hear, Bakewell and Long 2018); increased capabilities of people in terms of the economy, education and information, facilitated through the social transformation in the countries of origin and destination (Castles 2010; Castles, Haas and Miller 2014; Czaika and Haas 2015); strategies and steps to avoid gender-based violence and problems in relationships (Brettell 2016; Parreñas 2005); and, influence of migrants' agency and network (Bakewell 2010; Näre 2014), among others. Apart from these, care and immigration policies also influence migration decisions and the involvement of migrants in the care work (Adhikari 2013; Anderson and Shutes 2014; Cangiano and Shutes 2010).

In the case of Nepal, transformation of Nepali state from an autocratic regime to a multiparty democratic system in 1990 is seen as one of the major factors in facilitating migration of Nepali people to different parts of the world. Along with the significant waves of migration since 1990, the trend of migration among Nepali women is also increasing rapidly with a more than a three-fold increase from 2001 to 2011 (Central Bureau of Statistics 2001, 2012).<sup>1</sup> Undocumented migration often is much higher. Social transformation in Nepal as an outcome of political change in 1990, such as increased awareness level, education, connection with the outer world, changes in livelihoods, and participation in labour markets are some of the major contributing factors encouraging outmigration of women from Nepal. Foreign migration and associated remittance flow by migrant women is not

1 A comparison of the national census data of 2001 and 2011 shows that the number of absentee women in 2001 was 82,712 compared to 254,666 in 2011.

just redefining the role of women as breadwinners for their families in Nepal, but also shaping the socio-cultural meanings of care, and the care economy more broadly (Adhikari 2013).

While exploring the migration pattern between Nepal and the United Kingdom (UK), we can find a long historical connection of migration of Nepalis to the UK where the recruitment of Nepalis as *Gurkha*<sup>2</sup> soldiers in the British Army can be taken as one of the earlier patterns of migration from Nepal (Gellner 2013). Though we can trace a rare historical evidence of a Nepali man living in London in 1850, Nepali immigrants started coming to the UK only around the 1950s and increasingly since the 1990s. Along with that historical connection, Nepalis are taken as one of the fastest growing ethnic minorities in the UK (Adhikari 2012), and their diversity has been increasing because of these migrants coming through various migration routes such as *Gurkha* settlement programme, student migration, 'high skilled migration programme', and migration of health professionals such as doctors and nurses (Gellner et al. 2010). Between 1997 and 2008 when the UK was actively recruiting nurses and health care workers internationally, more than 1000 Nepali nurses migrated to the UK (Adhikari and Melia 2015).

It is worth mentioning here that Nepali care workers' migration to the UK is a small subset of migration from Nepal. An estimate accounts around two million Nepali migrants all over the world, with top seven destination countries before the UK being India, Saudi Arabia, Qatar, the United Arab Emirates, the United States, Malaysia and Kuwait (World Bank 2016). Among these migrants, the most common destinations for labour migration include India, the Gulf region, and some East Asian countries such as Malaysia and South Korea (GoN 2016), with almost 90 per cent working in the Gulf region (Saudi Arabia, Qatar, the United Arab Emirates and Kuwait) and Malaysia (NIDS 2011). There is no official figure on Nepali population in the UK apart from the 2011 UK census recording more than 60,000 Nepalis residing in different parts. There are estimated to be around 100,000 Nepalis in the UK (Laksamba, Adhikari and Dhakal 2016), which is only around five per cent of the Nepali migrants around the world. Likewise, Nepalese Nursing Association UK estimates more than 2000 Nepali nurses to be living and working in the UK.

This paper, by focusing on Nepali migrants involved in care work, including but not limited to nurses, health care assistants, care assistants

2 Named after Gorkha, a district in the Nepali hills, which prides itself with symbolism of bravery and Nepali identity, Gurkhas are a special brigade of Nepali soldiers in the British Army serving since 1815. Ex-Gurkha army who had served in the British Army after 1997 and their family members have been settling in the UK as they received the right to settlement in the UK in 2004. The soldiers who had served at least for four years before 1997 also received the same rights later in 2009.

and support workers, analyses the impact of migration on these migrants' family care responsibilities. The analysis is based on a broad conceptual framework of global care chain that I have dealt with in the subsequent section. Nepali migrants have not been studied previously through the use of global care chain framework. It may be because of a lower number of Nepali care workers in comparison to the migrant care workers from major source countries such as the Philippines, Sri Lanka or Eastern European countries. This paper consists of four sections following this introduction. The first section reviews the literatures on global care chain and the complex impact of migration and globalisation on care and gender. The second section briefly introduces the research method. The third section discusses the data from case studies to examine the impact of migration on global care chain of these migrants. It analyses how the migrants and their families manage care responsibilities while providing care services, and how they maintain family relations in a transnational setting.

### **The Concept of Global Care Chain**

We may operationalise the global care chain (GCC) as an interaction between the globalisation process and transfer of care or by looking at how people's transnational migration creates the chain of care work across the globe. Here, the GCC consists of three main components, i.e., 'global', 'care', and 'chain'. Globalisation deals with the interdependence of richer countries in the global north or 'the global cities' to the poor(er) countries in the south to provide the lower paid workers to resolve the care crisis (Sassen 2002, 255). Therefore, it is the relationship based on transfer of emotion and care at the transnational level; Hochschild described it as a 'growing global trend ... [of] the importation of care and love from poor countries to rich ones' (2000a, 17). 'Care' is a very vague term having broader meanings, which can connote labour work of supporting others, or having love and emotional attachment. 'Care' is taken here in this study as paid labour which is mostly labelled as 'women's work'. The term 'chain' in the 'Global Care Chain' shows the relationship between the care workers from the global south and their employers in the global north. It shows the nexus between globalisation, migration and care in which 'care' as a resource is extracted from the poor parts of the globe, and supplied to the richer parts with a lowered value (Yeates 2004a, 2012). The relationship between these two groups as care suppliers and care consumers is unequal as the care practice thrives at the expense of deficit in care, love and affection in the migrants' families. The people in the north are getting extra care, which Hochschild articulated as the children in the global north being privileged of getting 'surplus love'

from the nannies, in addition to their parents (2000a, 136). Therefore, it not only depicts the links between the families of care providers and those of the care recipients globally, but also shows how the chain of care stretches down and affects the sending families and societies.

The 'Global Care Chain' (GCC) was coined in 2000 by Arlie Russell Hochschild to construct the relationship between globalisation, migration and care to demonstrate transnational transfer and recruitment of domestic workers. The initial concept looks at how the globalisation process attracts women with dependent children from the south to join a care work in a rich country to secure better income for their families, but forces them to leave behind their families and children, thus creating a globally stretched chain of care and inequality of care between the countries in the south and the north. Hochschild (2000a, 131) defined GCC as 'a series of personal links between people across the globe based on the paid or unpaid work of caring'. She presented a common form of chain as: '(1) an older daughter from a poor family who cares for her siblings while (2) her mother works as a nanny caring for the children of a migrating nanny who, in turn, (3) cares for the child of a family in a rich country', and suggested the possibility of varying numbers of links, sometimes only one and sometimes two or three, with different connective strength between these links (Hochschild 2000a, 131). Despite the variation in the number of links, the GCC always shows the transnational linkages on transfer of care and how inequalities between the service providers and recipients are created. Likewise, it shows how care workers are dependent on each other creating an 'invisible human ecology of care' (Hochschild 2000b, 33). Therefore, Hochschild's concept of GCC deals with the transfer of care, emotion and love of a migrant mother at the transnational level and its impact on the children who are left behind. When a woman migrates to a rich country to provide care work, care gap is created at the migrant's family and someone else will be hired locally to cover the gap if the family can afford the cost. Otherwise, other members of the family and mostly elder female siblings replace the role of the migrant mother. The increase in outmigration of women means that someone else has to replace their responsibility back home, who again need to bring someone else to do her/his work and the chain goes on. Then, the children/family members who are at the end of the chain, who cannot afford to hire external person for care work and remain without care, or elder siblings or elderly grandmother who get overburdened by looking after younger children free of cost, in addition to their other responsibilities, suffer the most. Therefore, the value of the care service keeps on decreasing down the chain and becomes unpaid at the bottom (Yeates 2005).

The GCC's main concepts look at how globalisation creates demand for care workers to migrate in the global north, and how this process of care transfer creates inequality in access to care between the families of the care providers and the care recipients. It also cautions to look critically at the impacts of globalisation by realising that although the care workers from poor countries get opportunity to earn more wages in the migration destination, it increases the inequality of access to care. Likewise, although men are absent in the GCC concept, it also considers that the whole process of GCC flourishes because of the existing gender relations and ideology of men and women in the family, and men's reluctance to shift the gender relations, i.e., taking over reproductive labour/care responsibilities (Hochschild 2000a; Yeates 2009). Therefore, GCC shows how global capitalism and patriarchal system both in the sending and the receiving countries shape the transnational division of reproductive labour (Parreñas 2001b). Moreover, looking at the broader picture, the causes of GCC are not only based on the individual and their family members' gendered relations, but also broadly influenced through the national and international policies, practices and relationships such as care and migration policies, and welfare policies and programmes. At the same time, consequences of GCC are also not only limited to the individual and family levels, but can also be seen at the national and international levels. The uniqueness of the concept of GCC from other similar discussions on migration and care during the same epoch [such as transnational motherhood (Hondagneu-Sotelo and Avila 1997), labour intimacy regime (Chang and Ling 2000), international transfer of caretaking, international division of reproductive labour (Parreñas 2000), or globalisation of domestic service (Lutz 2002)] is important in studying global links of care and mobility with its strong focus on individual human relationships. Yeates described GCC's distinct features in two key ways (2004b). Firstly, GCC considers the links of care as a chain having a series of interconnected nodes with the possibility of variation in the chain in terms of number (it could be one or more); geographical spread (the chain can have link from rural to urban); and economic status (from a poor to a rich family within a country, or from one poor country to a rich country with the possibility of its stretch through an intermediate country), and connective strength between the chain. Secondly, GCC looks at how the distribution and displacement of care further reinforces inequality between the service providers and recipients, and between their children based on social relations of inequality.

GCC in its initial conception phase by Hochschild was concentrated on studying transnational migration of women leaving behind their children at home to provide care and domestic service in private/informal settings

in the global north. Yeates (2004a, 2009, 2012) and other scholars such as Parreñas (2000, 2012), Mahon and Robinson (2011), Dumitru (2014), Vaittinen (2014) criticised the original concept of GCC for its narrow focus and suggested broadening the concept as well as its area to cover broader range of care professions at different levels. Though still in a refinement process, the concept has been adapted and developed to cover different care professions including care workers having diverse backgrounds in terms of gender, marital status and children, family accompanying or left behind, and the care workers working both at the informal household settings or formal/institutional settings.

This research has used the broadened framework of GCC to study the global care chain of Nepali migrant care workers who are diverse in terms of their profession ranging from care assistant to nurses, and those working in individual households or in care institutions. These care workers include both males and females, and those accompanied by their family members in the UK, as well as those that have left their family members behind in Nepal.

### **Research Method**

This paper is based on 15 ethnographic case studies on the Nepali migrant care workers in the UK, which is a part of ongoing data collection in the UK and Nepal for my doctoral project. Care workers for this study is defined as the Nepalis migrants who are providing paid care services in the UK's different health care settings such as hospitals, and social care settings such as care homes for the elderly and people with disabilities, or nursing homes (old age homes). Again, for this study, the professions of the care workers ranged from registered nurses in the higher strata with technical qualifications, skills level, and income, to minimum waged workers in lower strata, such as care assistants (in care homes), health care assistants (in health care settings), support workers (in disability care centres), etc. These migrants are all transnational as they are linked to their family and relatives in Nepal. However, they are diverse in terms of their visa status/channel of migration, accompanying family members in the UK and left behind family members in Nepal. Within this population, samples for the case study are selected purposively through snowballing technique using multiple sources to cover the diversity in terms of their: i) profession—those working as care assistant to those working as nurses; ii) care settings—working in different institutional settings; iii) gender; and iv) family status—either accompanied by their family members in the UK or their family members are left behind in Nepal. The in-depth qualitative interviews are conducted in Nepali language, tape-recorded, and transcribed into English. The names of the interview

participants are changed in order to maintain anonymity. The management software NVivo 11 is used to systematically collate and analyse the interview data.

## Preliminary Findings from the Case Studies

### *Diversity of Nepali Care Workers*

As suggested by Adhikari (2012) and Gellner et al. (2010) regarding the increased diversity among the Nepali migrants in the UK, diversity among the Nepali care workers is also highly evident from the study. The Nepali care workers in the study had taken diverse visa routes and migration channels to enter into the UK. These include: family members of *Gurkha* soldiers who entered and settled in the UK through *Gurkha* settlement programme; few of the qualified nurses who entered as nurse through employer's work permit, whereas most of the other nurses entered as students to take overseas nursing programme, which was earlier known as adaptation course, or to take lower level semi-professional nursing training course such as National Vocational Qualification (NVQ)<sup>3</sup> level 3 or 4; family members of the nurses, specially husbands of female nurses who entered under dependent visa; domestic workers who entered as labour through employer's work permit and their spouse; or other residents' spouse who entered under dependent visa. Therefore, the entries of these Nepalis who are working as care workers in the UK have mostly been through the non-labour visa route. Most of the qualified nurses with years of experience as nurses in different hospitals in Nepal have also entered the UK as students.

Nepalis have become involved in diverse professions ranging from registered nurses at National Health Service (NHS) hospitals,<sup>4</sup> registered general nurses at nursing and care homes,<sup>5</sup> health care assistants, support workers, and care assistants. Despite their nursing qualification in Nepal, some are working as health care assistant only because they are unable to score the required proficiency level in the English language test. The Nursing and Midwifery Council (NMC) UK requires a score of at least seven

3 In the case of the UK, '[t]he NVQ is a work based qualification, which recognises the skills and knowledge a person needs to do a job. The candidate needs to demonstrate and prove their competency in their chosen role or career path'. Source: <https://www.vocationaltraining.org.uk/nvq-overview>, accessed 22 June 2018.

4 NHS hospitals and health facilities are the government-funded medical and health care services in the UK.

5 Nursing homes/care homes are residential care providers in the UK for the persons who are in need of care, such as elderly people, persons with disabilities, persons with mental illness, and persons with long-term illness such as dementia. Private service providers mostly operate these facilities.

in each band of the International English Language Testing System (IELTS) in reading, writing, speaking and listening for the registration of overseas-trained (non-EU countries) nurses and midwives. Additionally, the NMC from 1 November 2017 has introduced an option to take either the IELTS or Occupational English Test (OET). For the OET, a score of at least Grade B in all four sub-tests of listening, reading, writing and speaking is required (NMC 2017). Gradual increase in the threshold for the NMC registration is not a new practice as Adhikari (2011, 202) analyses the creation of this higher threshold of English proficiency in 2006 only for the nurses coming from outside the EU countries as ‘institutional discrimination’ to demotivate migration from outside the EU countries. Likewise, Kilkey, Lutz and Palenga-Möllenberg (2010) articulate the increased English score for the NMC registration as the creation of barriers from the state to demotivate migration from overseas.

Spencer et al. (2010), based on a comparative study of migrant care workers in the UK, Ireland, Canada and the USA, found that higher percentages of migrants in the lesser-skilled and lower-paid care occupations had not entered the destination countries through work visa. This is even true in the case of Nepali care workers as most of the dependent family members who had entered the UK through the family reintegration visa are working as minimum waged care assistants or support workers despite their higher qualifications and expertise. However, in the case of the nurses, though they came to the UK through student migration channel and their qualification and experience from Nepal are devalued in the beginning, after certain months/years of lower care jobs and training, most of them are able to shift to nursing jobs.

A Nepali nurse who had worked for ten years in a reputed hospital in Nepal and was only able to start the hospital nursing job in the UK after three and a half years of struggle stated:

Though I was already working as a nurse for ten years and had done bachelor’s degree in nursing [in Nepal], I came here through NVQ level 3 student visa as I was not able to score 6.5 score in IELTS. My aim was to continue my profession as nurse by any means. Therefore, after coming here, I continued the [NVQ] course for six months; I gave the IELTS exam again and scored 6.5. Then I left the NVQ course and enrolled for the ONP [overseas nursing programme] for six months at a university and after finishing the course I applied for the NMC registration and got the PIN [professional identification number]. I worked as care assistant for one and half years till I got the PIN. Then I applied for nursing jobs and ultimately got a work permit from a private nursing home. I was able to

get the proper nursing job in a hospital after two years (she laughed). Therefore, it is a long story on re-joining the nursing profession after coming here (she laughed louder). (Jina)

Since the qualification, skills and experiences gained in Nepal are devalued in the UK, even the trained nurses with years of experience in Nepal are bound to take training, English language tests and ONP course to become eligible to register as a nurse.

The migrants are also diverse in terms of accompanying family members. Most of the care workers are accompanied by their spouse and children. Some Gurkha families are even maintaining their joint family structure in the UK as their parents are able to accompany them through the Gurkha settlement programme. Some became successful in bringing their children after several rounds of visa application process and court cases against the immigration authority, whereas, as exceptions, some families were not able to bring their children in spite of incessant efforts.

### ***Global Care Chain of Nepali Care Workers***

Since the Nepali care workers are diverse in terms of their channel of entry into the UK, their residential status, family accompanying in the UK, and dependent family members in Nepal, their care chain is also found to be diverse in nature and diverse in terms of the length of the chain. One of the major causes of migration to the UK for these migrants is related to the process of globalisation. As there is a high demand of health and social care workers in the UK, and huge difference of wage and other facilities in Nepal and the UK, Nepal is unable to hold its human resources within the country. Likewise, because of the social network, influence of private business firms/ individuals, and their friends and colleagues' increasing migration trend, their aspiration toward migration also increased. People are attracted to even join the lower level jobs in the UK because of the higher wages in comparison to Nepal. A male care assistant who had entered into the UK as a dependent of his wife stated:

I was teaching accountancy at army academy and working part-time as programme coordinator in a NGO in Nepal. Those were the professional jobs as per my qualifications and expertise. I didn't get the similar job here [in the UK] and started working as bingo caller [in a betting shop]. Though, it was much lower level job in comparison to my Nepal's jobs, I received 12 times more wages than in Nepal. (Dev)

The care arrangement of left behind family members or the fulfilment of care gap created by migration is often done by the extended family members or by hiring domestic workers who have lower socio-economic status than the migrants' family. A female nurse, who had left behind her husband and two daughters while coming to the UK, was accompanied by her husband after a year, and by her two daughters after two years. She recalled the care arrangement for her daughters while they were in Nepal as:

My elder daughter who was nine years old was admitted to a hostel [boarding in a school], whereas the younger daughter who was only two years old was left with my *didi* (elder sister). I used to miss her a lot and spent most of my income in calling her [telephone calls through international calling card] and sending remittance to my *didi* to look after my daughter. The funny incident was that in spite of my frequent calls, my daughter started calling me aunt and to her aunt as mom (though she labelled it as a funny incident, she was heavy-hearted while sharing this). (Jina)

A female support worker who had migrated to the UK as a dependent of her husband stated:

I had left a 13-months-old daughter and a six-year-old son with my *sasu ama* (mother-in-law) who was supported by a *nani* (girl) from a poor family living in our house as domestic helper. I had left my children for nearly four years and it was only possible because of the presence and support of that *nani*. She helped in household works and also looked after my children. Within that four years' time, I had travelled two times to meet my children and used to talk to them regularly and later on brought them here. We had supported *nani* for her education till undergraduate degree and also financed every expense of her marriage. After getting married, she also migrated to India with her husband. (Bhagwati)

In another case, a single woman who had migrated to the UK through the *Gurkha* settlement programme leaving behind her son in a joint family structure, having an elderly father-in-law and her husband's siblings, shared about the shift in the care responsibility in her family after her migration:

Since I was the elder *buhari* (daughter-in-law) in the family, I was the main responsible in the family to look after everyone. I also used to visit my own father and mother quite often and support them especially when

they became ill. My *deurani* (younger sister-in-law) used to support me at home [husband's home] so we used to do the household work together. When I came here [in the UK], our family kept [hired] a girl to work as domestic help to support my *deurani* in household work and to care for my son and father-in-law as my father-in-law was in need of special care due to his illness. We were paying 10,000 [Nepali rupees] to her per month. I am contributing some money from here for the family expenses – money for my son's education and living expenses, treatment for father-in-law, and I also used to contribute in paying the helper's salary. But after working for five years, she also migrated to Saudi Arabia. So now, my *deurani* is looking after each and everything on her own. (Bijaya)

These cases show similar findings to Parreñas' study (2000, 2001a, 2001b, 2010) on Filipina migrant mothers where the care of left behind children is shifted either to female members from the extended family or to the hired domestic/care worker, irrespective of whether their husband is living with the children or not. These studies also show the increasing burden of care of children and elderly to the female members from the extended family. In addition, the above two cases also show that the migrants' choice of migration destination is based on their socio-economic status. People from lower social class who work as care/domestic worker in those migrants' homes migrate to India or Gulf countries, whereas people from the relatively higher social class migrate to affluent countries in the north. As mentioned earlier, the Nepali care workers' migration to the UK is a small subset of migrant care workers as the common destination of female labour migrants include the Gulf and East Asian countries, with most of them being involved in domestic work, caregiving, health and medical services, among others (GoN 2016; World Bank 2011).

### **Transnational Contact and Care of the Family Members Left Behind**

Technological advancement has brought a huge difference to these transnational families. The introduction and easy access to internet and social media, such as Viber, Skype, Messenger and Facebook, has increased regular communication and sharing of information transnationally. They call their family members daily or twice a week, or weekly, or at least occasionally whenever they can manage their time. Introduction of easy access to internet has replaced the expensive international telephone calls for which the migrants in the UK used to buy calling cards. Transnational contacts are maintained not only through the flow of remittance from the UK to Nepal, but also through paying regular visit to and fro, i.e., the migrants

visiting Nepal whenever they can, ranging from once in a year to once in 5-6 years, their parents visiting the UK in 3 to 6 months' visit visa, and mothers visiting the UK to provide post-natal care to their daughter or daughter-in-law after giving child birth. These families are engaged in face-to-face communication regularly through the use of Viber, Facebook Messenger or Skype calls. Through these regular contacts, the families share about their day-to-day business and health conditions. The care workers provide health advice regularly to their family members, and they are also contacted by extended family members and relatives seeking health-related consultations. The family members are also consulted while taking significant financial decisions, such as selling/buying property, making investment, or marriage of family members.

Since most of these families are middle-class, the migrants did not need to send remittance on regular basis for family subsistence. They rather sent it occasionally as gift, or to cover major financial needs in the family such as medical expenses, marriage expenses, financial investment or financing to support the migration of other family members abroad. A female nurse who is accompanied by her husband, daughter and son in the UK stated:

We used to send money regularly while our daughter was left behind in Nepal. However, when she also joined us, we stopped sending it regularly but we are still sending it occasionally during the festivals, birthdays and to cover the medical expenses of *buwa* [father-in-law]. (Sita)

Another female nurse who had migrated to the UK while she was single and afterwards got married, and now had a daughter and a son, stated that she contributes in major financial events at her maternal home:

Since I am the elder daughter in my family, I always consider me as the responsible person to look after family in financial needs. I paid back all the money incurred while I came here [in the UK] to my parents within a year. Then I shared almost 50 per cent of my marriage expenses [normally parents are seen as responsible to bear the expenses in the marriage of their children]. I also supported one of my younger brothers while he was migrating to Australia ... and supported another brother's higher education in India .... However, my husband's parents – my *sasu ama* (mother-in-law) is accompanying us here, and my *sasura buwa* (father-in-law) who is living on his own in Nepal gets pension so we don't have to send any money to my husband's family. (Sanu)

Some elderly family members in Nepal are more dependent on their children and they seek the same kind of support, care, attention and advice from their children even when they live abroad. In return, these migrant care workers try to meet their parents' expectations by talking to them regularly, providing health advice and travelling back to Nepal when needed. A female nurse stated:

My father used to seek every advice from me to do anything while I was with him in Nepal before coming here. He expects the same role from me even I am here now. He seeks advice from me specially regarding health care. Once he had to go for a minor hernia operation, he called me to Nepal for the operation and waited for my visit. After I managed a month-long holiday from my work, I travelled to Nepal. We booked the operation date, accomplished the operation and took care of him till he was completely healed. Then only I returned back here [to the UK]. Hence, though there are other family members there in Nepal, I have to be there if any health conditions or emergencies occur at my family. (Shila)

Baldassar and Merla (2014, 6) by sharing the case of Vivina's transnational family, whose members are spread in Italy, Australia and the UK, illustrated how middle-class families and their members are in a privileged position both in the home and the host settings to manage the family care responsibility, and 'circulate care' despite being in the state of mobility and absence. Nepali care workers in the UK who belong to the middle-class status are also maintaining the care of their family members transnationally, and are in a privileged position to visit either Nepal or the UK to provide care in times of need—during hospital stays or for providing care to new-borns.

### **Accompanied Children and Their Care in the UK**

The care workers in most of the cases, especially among the nurses, come to the UK alone in the beginning by leaving behind their spouse, children and parents. After getting work permit, they are entitled to bring their dependent family members including spouse and children. In rare instances, the spouse and children had even migrated together at the same time. Sometimes, they had left or sent back their children in Nepal until they were financially stable in the UK.

When the children were accompanied in the UK, the migrant couple became the sole responsible toward the childcare and none of them hired nannies or child minders or sent the children to the extra nursery apart from

sending to a limited free nursery service available through the government. Some of the reasons for this were high cost of extra nursery that they could not afford or did not want to pay for, or they did not want to leave the children in the hands of hired nannies or child minders, showing reasons of affection towards their children. Rather, the spouses negotiated their working hours by managing the jobs alternatively between the husband and the wife, or by reducing their hours of work. In some instances, where a child was above the age of 13 and the other child was small, they sometimes used to leave the younger one to be looked after by the elder sibling for some hours in the daytime while both the parents worked. Sometimes, other Nepali families who were living nearby used to provide voluntary support in reciprocity to look after children while their parents were at work.

A single mother was working as a care assistant in a nursing home during night shifts for five days a week, i.e., more than 60 hours a week. She was able to bring her daughter to the UK after incessant efforts of two years. She shared about her compromise of working hours and preferred working shift after the arrival of her daughter as follows:

When my daughter came here [to the UK], I changed my night shift to the day shift to give time to my daughter and look after her. Though it is difficult to work in the day shift than in the night, I changed it and I also reduced the working hour to 40 hours so that I can be with my daughter. (Usha)

A male care assistant who had come to the UK as a dependent of his wife (registered nurse) and was looking after their daughters in absence of his wife said:

I and my wife were working in the same nursing home and we were working alternatively to look after our daughters as per our availability. But when our work used to overlap with each other, [name deleted] Nepali *didi* (sister) used to look after them [our daughters] for some time. It was only because of the *didi*'s support, both of us were able to work full-time. (Poshan)

Likewise, a female registered nurse who had a five-year-old differently-abled son and a 15-year-old daughter stated:

Since our son was having special care need, I and my husband reduced our working hours to look after him. But when he started going to the

nursery, we started working full-time again and our daughter also occasionally looked after her brother for some time of the day. (Sita)

### **Change in Gender Roles among the Spouses**

Gender roles between husband and wife have also changed in these transnational families as both of them were bound to engage in looking after their children in the UK. A male would rarely perform such a role in Nepal, instead it would have been allocated to other women family members when they were available. Likewise, in some occasions, grandmothers were called from Nepal to provide extra care to the mother and child after having a new-born at home, or the new mother and the baby travel to Nepal and stay with the family in Nepal for certain period of time. It is taken as a strategy to save the money for hiring nanny, and also as an opportunity to meet the parents.

A registered female nurse whose husband is working as support worker stated:

While I and my husband used to work in the same nursing home, my husband used to prepare rota to make our working shifts alternatively so that we didn't have to reduce our hour. At present as well, though we are working in different places—I am working in the hospital and he is working in the disability centre—I give my rota to him and then he manages making his rota so that we can work alternatively ... He cooks food, looks after the sons and cleans the house. He is better than me in these works where I only support him as much as I can when I am free from my work—but I never Hoover the house (she laughed longer and louder). (Shila)

A male care assistant who had quit his full time bingo caller job, which he had been engaged for nine years in the UK and started home care job stated:

In order to look after my children, I was in need of family-friendly job. Hence, care job was the most suitable for me where instead of working from Monday to Friday I could work long hours for three days and have off days for four days a week. So my wife used to work 3-4 days a week and in that time I was able to look after the children. Therefore, the shift into the care job was *pariwarik hisab kitab milauna lai* (to manage the family work equation). (Dev)

A female registered nurse who had visited Nepal after giving birth to her son

and was visited by her mother and father in the UK after giving birth to her daughter stated:

While I had my daughter, I had called my *mommy-baba* (mom and dad) here ... We are going to Nepal in regular intervals—within 1-2 years ... then during my maternity leave while having my son, I went to Nepal and stayed with my [maternal] family for three months. Therefore, my *mommy-baba* are always having a chance to see their grandson and daughter growing up very closely and I am continuously getting their support. (Sanu)

### **Conclusion**

It is evident from these case studies that though the migrant Nepali care workers belong to the middle-class socio-economic status, they are diverse in terms of level of occupation, entry route to the UK, and family accompanying or left behind in Nepal. Reasons for their migration to the UK are numerous. Some of them are: a huge wage gap between Nepal and the UK, increased aspiration to lead a better life for themselves and their family members, better financial condition and educational qualification, increased role of business firm/individual to facilitate migration process, and increasing trend of migration of their friends and colleagues to the UK because of the high demand of the health workforce. However, it should be noted that because of the UK's policy change in 2006, though Nepalis are migrating to the UK mainly through family unification, *Gurkha* settlement programme and other visa routes, the trend of migration of the Nepali nurses suddenly decreased from that point.

While analysing the performance of the family care responsibility by the Nepali care workers through the GCC framework, it is found that the care gap created due to the migration of family members, i.e., the responsibility of looking after the left behind children and the elderly, is either shifted to other female members in the family or they have hired care workers from lower socio-economic status. Female members' work burden is increased because they are absorbing the care gap in the family. Among these transnational families, the family care responsibility is maintained from both sides, from the UK to the family members in Nepal and from Nepal to the members in the UK, be it through financial support, regular communication, or intimate care through transnational visits. It is also apparent that the maintenance of transnational contact is further facilitated through the improved means of communication with easy access to internet and social media. Since these families are of middle-class status, the remittance is used not as a family

subsistence strategy, but occasionally as a gift or to cover major financial needs. Within the care chain, a major contrast in choice of migration destination is found based on socio-economic status which also depicts, as articulated by Yeates (2005), the vulnerable status of the care workers who are towards the lower end of the chain.

After a few years of their stay in the UK, most of the migrants are accompanied by their spouse and children. While providing care to their client on the job, the care workers are managing the care of their accompanied children either through compromised working hours or work time, or by maintaining conducive shift patterns between husband and wife, or getting support from fellow Nepali neighbours or elder children in the family, or through inviting parents from Nepal to look after the new-born. Further, male members being engaged in looking after their children or in performing household works shows the change in gender roles among these migrant families in the UK.

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# Emerging Subaltern Religiosity in Nepal

AMAR BAHADUR BK

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## Introduction

After finishing their morning household chores, about 50 women, many along with their young children, gathered in the backyard of a house in a Dalit village near the town of Pokhara, Nepal on a Saturday in the summer of 2016. While three women sat on chairs, all others sat cross-legged on a mat, facing those sitting on the chairs. Among them, sitting on the mat were two men whose specific role in the gathering was to play a musical instrument, *madal* (a double-headed cylindrical drum) while singing *bhajans* (devotional songs). A loudspeaker was used to amplify their sound although one could easily hear the other without the speaker. Nearly every woman placed the Bible in their lap and held a pen to underline the Bible's passages.

These women were gathering for a *satsang* or prayer meeting of a charismatic healing group called *Sachchai* (meaning 'the truth'), whose primary purpose is to heal the suffering of its believers. The *satsang* began with a prayer (*prarthana*): everyone closed their eyes, joined their hands, and praised the god. They, then, sang three *bhajans*. Many women stood up from their place and danced in the *bhajans*. Six women then shared their testimonials about good things that happened in their lives after they embraced *Sachchai*. Three women told *bachans* or teachings, mostly based on the Bible. They read specific passages of the Bible and explained them with examples. It was followed by a prayer for giving. The women held some money inside their fist and put it inside a plastic bag being circulated, ensuring that no one could notice how much donation they made. Then, couple of *bhajans* were sung. They said a final closing prayer, and couple of more *bhajans* followed again. While a few women lined up for exorcism by a leader, others grabbed their child(ren) and hurried to their homes.

In the afternoon, I had a conversation with the main leader of the *Sachchai* branch of that village. She was curious to know my views about what she and other women were doing through *Sachchai*. She pointedly asked me if I liked *Sachchai* and if I believed in the testimonials that the women shared in the morning's *satsang*. I gave an indirect answer suggesting that I needed to



A village branch *satsang* of *Sachchai*, 2016.

understand more about *Sachchai* in order to make my judgment. She tried a lot to convince me why *Sachchai* was a better faith than other religions, especially the Hindu religion. Some of her remarks struck me. She said that *Sachchai* was founded for people like us, who are Dalit, oppressed, and poor; that it was an inclusive faith that people from any caste and religion could join; that Hindu religion does not do well for Dalits as it denies Dalit's reading of Hindu texts and entry to temples; and how her god has specifically focused on those who are at the bottom of the society. I had taken several hours of interviews with her six years ago for another research project. There was no *Sachchai satsang* in her village at that time. She had always hesitated to ask me questions; she would just answer my questions. However, this time, she was trying to persuade me. She had become a leader of a *Sachchai* branch; she could speak for hours before any size of a mass, and she appeared to be much empowered.

The *Sachchai* in this village is one among tens of other branches in village communities in and around Pokhara. Since its introduction in Nepal from India in 2007/8, *Sachchai* is rapidly expanding and has become popular among women who are marginalised and poor. In this paper, I aim to explain why women, especially who are marginalised and poor, are attracted to *Sachchai*. I argue that the case of *Sachchai* suggests that a new form of religiosity which serves the poor and the marginalised is emerging in Nepal. This religiosity is more inclusive, egalitarian, and universalist, and less demanding of time, money, and commitment. It is a response to the established religions in Nepal such as Hinduism, Buddhism, and Christianity.

Marginalised populations' attraction to charismatic healing groups such as *Sachchai* and to Pentecostal Christianity has been a global phenomenon. Anthropologists studying Christianity have given various reasons for such attraction. They have claimed that such forms of Christianity have grown because of uncertainties and instabilities in people's lives wrought by globalisation, urbanisation, and gender, racial, and caste discriminations (Bauman 2015; Jenkins 2006; Martin 2002), and of moral contradictions people face in their life (Gibson 2017; Robbins 2004; Roberts 2016). They claim that such forms of Christianity have helped in solving people's everyday problems and moral contradictions. In this paper, I focus on other aspects such as practicality, hierarchy, and inclusivity of the faith-based groups, which also become crucial in attracting believers.

Nepal's religious landscape has changed significantly after the People's Movement of 2006, after which Nepal was declared a secular state and the centuries-old Hindu monarchy was removed. One of the remarkable changes that is made possible by secularism is the emergence and flourishing of faith-based organisations (Letizia 2016). Many faith-based groups, in fact, had emerged after the 1990s democratic change. Notable among them were Ram Dev's *Patanjali Yogpeeth*, Sathya Sai Baba's *Sathya Sai International Organisation*, Osho's *Tapoban*, Ravi Shankar's *The Art of Living*, Prem Rawat's *Atma Gyan Prachar Sangh*, and Prajapita Brahma Baba's *Brahma Kumaris*. These organisations are commonly more secular, egalitarian, inclusive, universal, and non-ritualistic (Toffin 2016). These organisations primarily focus on believers' health, happiness, and peace. According to Toffin, these new religious movements mainly serve urban educated middle-class (Toffin 2016).

What is remarkable about *Sachchai* is that it mainly serves women who are from marginalised sections of the society, and that it uses the Christian text, the Bible, as means of healing. *Sachchai* may be the first such organisation which has attracted the marginalised sections of the population in Nepal, and therefore, it can be viewed as a kind of subaltern religiosity.

There are at least three independent *Sachchai* groups in Pokhara that have their own branches and believers, but they all follow *Sachchai's* main leader and the founder, Sangat Ben, who founded *Sachchai* in India in the late 1970s. I study the largest group of *Sachchai* in Nepal, the *Ishwaria Marga Bhajan Mandal-Sachchai Kendra Nepal*. It was established in Pokhara in 2009 by an inter-caste couple, a Dalit man and a Brahmin woman in their late thirties, and has become very popular among Dalit and Janajati women in and around Pokhara. It may be the first religious organisation in Nepal which is headed by a Dalit man. More than 90 per cent of believers are

women. *Sachchai* now claims to have at least 1.5 million believers from more than 40 districts in Nepal. The country's popular youth politicians such as Nepali Congress' Gagan Thapa and CPN-UML's (Communist Party of Nepal- Unified Marxist Leninist) Rabindra Adhikari have attended as chief guests in *Sachchai's* annual *satsangs*.

The *Sachchai Kendra Nepal* operates at two levels: a centre in Pokhara run by main leaders Prakash Deep Gaire and Sushila Kattel, and local branches in village communities run by local leaders. While the centre holds *satsangs* three times a week, the branches do so once a week, generally on Saturdays. The *satsangs* run for three hours in which they pray, sing devotional songs, often accompanied by dances, study the Bible, and perform healing rituals. While an average of about 2500 believers attend each *satsang* at the centre, between 50 and 200 attend *satsang* in the branches. Although anyone can participate in the meetings, one is required to declare that Jesus is his/her god in order to become a formal follower of *Sachchai*. One is particularly required to accept and recite a line, Romans 10:9, of the New Testament, which states 'that if you declare with your mouth that Jesus is Lord, and if you believe with your heart that God raised him from the dead, then you will be saved'.

*Sachchai's* adherents believe in miracles, charismatic healing, and the Bible as the word of God. However, unlike Pentecostalism, *Sachchai* dissociates itself from Christianity and encourages its believers to identify themselves as Hindu. *Sachchai* is a kind of meta-religion in that adherents believe in god as the incarnation of a central idea, the idea of *Sachchai* (truth). This truth is



A *satsang* at *Sachchai* center in Pokhara, 2018.

thought to supersede established, institutionalised religions and ultimately realise incarnate beliefs that are said to be true of all religions.

The primary purpose of *Sachchai* is to address every kind of problem its believers have, illness and disease, family disputes and domestic abuse, economic insecurities, robbery, theft, and loss of items. Their testimonials include ordinary everyday events such as how one found their lost mobile, how one's teacher did not beat in school/college when he/she was late, how government officials unexpectedly finished one's paperwork on time, how one found was lost and found their way in a forest, how one's children did well in their exam, how one found their lost gold chain, how one's husband got a visa, and so on. *Sachchai* helps these women get rid of the uncertainties and impossibilities of their everyday life.

### **Hindus Who Read the Bible**

Most of the women I interviewed suspected *Sachchai* as a Christian religion before they embraced it. They said that they would not have embraced *Sachchai* if it was a Christian organisation. One of the main reasons that women liked and embraced *Sachchai* was that they could continue to wear *sindur*, *pote*, and red clothes, symbols of a married Hindu woman. It is almost impossible for a Hindu woman to abandon these symbols.

In a yearly *satsang* of *Sachchai Kendra Nepal*, I briefly chatted with a young woman in a *momo* (stuffed dumpling) stall, who was feeding *momo* to her young child. It had just been two months since she had embraced *Sachchai*, and she had embraced it for her husband's luck to get a work visa for a country in the Middle East. She was an upper-caste Chhetri woman married to a Christian Gurung family. Her orthodox Hindu parents severed relations with her after she eloped with a Christian man. She had never been invited to her parents' home after that. Her husband's Christian family had also not treated her well because she was still a Hindu woman. I asked her why she did not choose to convert to Christianity in order to get accepted to at least one family. 'I did not want to abandon *sindur*', she said. I asked her again why she needed to wear the *sindur*. 'Since I have my husband, I should wear it', she added. For her, abandoning *sindur* meant abandoning her husband.

Despite the allegation by outsiders—including neighbours, relatives, and family members, who are mostly Hindu—of being Christians, *Sachchai* members claim themselves to be Hindu. They collectively celebrate Hindu festivals to prove that they still follow Hinduism. However, the believers could choose to convert to Christianity or continue to remain Hindus, or to profess no religion. *Sachchai* is a religiously inclusive faith. Persons of any religious background can become a follower, and one does not need to

abandon their original religion. *Sachchai* leaders in their educational speeches claim that *Sachchai* is against any kind of religion. They understand religion as a wrong way of approaching god. Religion, they believe, was created by some ‘mindless’ persons to divide humanity.

However, the Bible plays a central role in their faith. Although *Sachchai* believers study both Old and New Testaments of the Bible, emphasis is given to the New Testament. *Sachchai* leaders claim that they do not subscribe to all that is written in the Bible, and that they study only what is appropriate and good. Although they study the Bible, they do not follow the Christian culture and rituals as demanded by the Bible.

The centrality of the Bible in the faith puts them in a difficult position to deny the allegation of being Christians. Outsiders and some believers as well suspect *Sachchai*'s intentions and think that it eventually might take its believers to the point of conversion to Christianity. *Sachchai* leaders spend a significant amount of time in their weekly prayer meetings to explain and convince the believers why they are not Christians. Nonetheless, some believers still see a contradiction in *Sachchai*'s claim; they question why one does not become a Christian when he or she studies the Bible and believes in Jesus Christ.

While the Hindus accuse the adherents of *Sachchai* of conversion to Christianity, the Christians in Pokhara accuse *Sachchai* of spreading false messages about the Bible. Hence, Christians deny *Sachchai* believers as true Christians. Moreover, they perceive *Sachchai* as a threat to Christianity in Nepal.

The middle-path chosen by *Sachchai* might seem reasonable, at least for *Sachchai* leaders and believers for several reasons. There is a pervasive hostility of Hindu activists toward conversion to Christianity in Nepal. Hindu activists see the conversion to Christianity occurring for economic incentives, and not for a true spiritual transformation. They see conversion as a growing influence of Western imperialism. Conversion seems quite difficult in this social and political scenario. This could be one reason why *Sachchai* has adopted an explicitly ambiguous position, claiming to be neither Hindu nor Christian. By assuming an in-between status, *Sachchai* can avoid accusations of proselytisation as well as avoid pervasive stigmatisation associated with being Christian. Mass conversion to Christianity through organisational activities like *Sachchai*'s could be easily considered illegal according to Nepal's laws. Thus, believers' non-requirement to be Christians and non-requirement to abandon Hindu rituals and festivals may have attracted the adherents. They get a chance to read the Bible, but without being a Christian and without abandoning

Hinduism. Thus, *Sachchai's* choice to be in the middle-path has prevented its stigmatisation to some degree.

### Ordinary Leader, Common Language

Most religious leaders in India and Nepal are often referred to as a *guru*, *baba*, *swami*, or *maharaj*. They often use a long name, keep long hair and beard, and wear a special dress. They are worshiped by their believers. *Gurus* generally maintain a hierarchy and certain level of seclusion from their believers.

In *Sachchai*, there is no such central *guru* or *baba*. They address the main founder and local leaders with 'sir' or 'madam'. Addressing with 'sir' and 'madam' was not a traditional Nepali practice. *Sachchai's* leaders are not worshipped. Their photos are not even kept in the meeting halls. The main leaders of *Sachchai* in Pokhara, Prakash and Sushila, behave like ordinary believers. Prakash wears a shirt, pants, and leather shoes. Some of his assistants even wear shorts in the meetings, which is not common in formal meetings in Nepal. Rather than a leader of a religious group, Prakash looks like any other ordinary person. Sushila usually wears a sari and blouse. They both sing songs and dance with the believers, and occasionally converse with believers. Unlike in other faiths, the hierarchy between the leaders and their believers seems to be much less.

Prakash and Sushila do not seem to have any charismatic personality that other religious *gurus* generally have. Their life experience is not very different from that of their believers. They frequently remind the believers in the meetings of how difficult their life was before they started *Sachchai*.

They came from a folk music background and continue to sing songs and perform in music videos even today. Folk music (*lok dohori*) is a very popular music genre in the region around Pokhara. Folk music has been one of the few means of entertainment for many women in rural areas in Nepal. Prakash and Sushila both have good voices, and they entertain their believers with songs and dances in *Sachchai satsangs*. Music seems to be a significant element of *Sachchai*. *Sachchai Kendra Nepal* has a keyboard, a drum set, tom-toms, and flutes, which are mainly played by males. Prakash himself plays music during the meetings. They mainly sing *bhajans* in the meetings. *Bhajans* are sung in other popular song's *laya* (tune/melody), mainly from popular *lok dohori* or Nepali movie songs.

One main reason why the believers like *Sachchai* is that they can easily grasp what is taught or talked about in *Sachchai*. Many women have tried other faith-based groups before they finally settled in *Sachchai*. Moving from one faith organisation to another has been a common practice among people. They tell, *tesle ta malai bhayena* (that did not heal me). They said that they

did not understand what was taught in these organisations. The language of teaching in other organisations may have been harder to grasp for the illiterate and poor women.

The simplicity and ordinariness of the leaders, the common experiences of hardships and pain they suffered, and non-hierarchical organisational structure has attracted illiterate and poor women.

### **A Practical Faith, Affordable for the Poor**

Subita's relationship with her husband got worse after she gave birth to her second baby. She would often fight with her husband. She realised that it was because of her temperament to become 'too aggressive' that caused the fight. She had come to learn from others that she had symptoms of depression. She tried every treatment option her friends and neighbours advised. She tried hospital medicine, but it did not reduce her aggression. She visited every locally famous astrologer and *dhami* and *jhankri* (shaman), and did whatever they suggested doing. One of the famous female astrologers, a *mata*, suggested her and her husband to observe fasting for two days a week, for five years. Subita would clean her body, wipe the floors of her room, and visit a temple every day as early in the morning as she could. She said she would visit the temple mostly at 3 or 4 am, sometimes as early as 2 am. As I asked why she visited the temple so early, she laughed and said, 'to meet the god, the *mata* told that I could meet the god only if I visit the temple before anyone else did'. She looked a bit embarrassed. She now thinks that it was foolish to do all those things suggested by *matas* and *dhami/jhankri*. She said that while following the advice of astrologers and shamans, she finished all her money and borrowed a significant amount of money, and her husband took out considerable time from work. She said, 'neither we saved money, nor my husband got time to work, nor I got cured'.

Most of the believers share the story of Subita. They complain that they needed to give more time and money than they could afford while following Hindu ways of healing. There are a great many gods of different hierarchies and clusters requiring worship in Hinduism. There are different evil spirits/demons who should be satisfied through different rituals. Satisfying these gods and demons mostly requires making a trip, animal sacrifices, hiring a priest, and buying various worship materials such as rice, fruits, clothes, vermilion, pots, and so on. Thus, worshipping these gods and demons requires a significant amount of time and money, which these women cannot afford.

Believers find *Sachchai* the most suitable and practical religion in terms of how much time they are supposed to give in order to practice the faith.

They say, in *Sachchai*, they do not need to make any trips or worship or spend money. The only trip they need to make is to attend the weekly *Sachchai* meetings, which they can skip, too. They can just pray to god from wherever they are and whatever condition they are in. They say that just remembering the name of the god is enough in this faith.

### Focus on Equality

*Chhaina jat dharama basau unkai bharama*

*Swarga jasto gharama*

There is no caste and religion

Relying on him (god)

Let's stay in a heavenly home

This is a verse from a *bhajan* that is sung most frequently in *Sachchai*. Equality is one of the central messages of *Sachchai*. Not only is equality among castes, religions, and genders asserted, but these categories are dismissed as creations of human beings. Thus, *Sachchai* leaders and believers critique and dismiss the very core concepts of caste, religion, and gender. The women I have interviewed bragged that *Sachchai* is an inclusive faith, that everyone, irrespective of their caste, religion, gender, and economic status, can embrace *Sachchai*.

*Sachchai*'s slogan *Himal, Pahad, Tarai koi chhaina parai, sabailai sametne ek matra Sachchai* (no one from mountain to hills to Tarai is alien, it is only *Sachchai* that includes all the people) indicates their inclusive values. 'No one from mountain to hills to Tarai is foreign' was some hill-dwelling political activists' call to include Madhesis within Nepali nationalism. Adopting this political slogan, *Sachchai* wants to bring all the diverse caste, ethnic, and regional groups into a single fold. It claims that only equality among a diverse group of people can ensure social harmony, and ultimately peace, in Nepal. They claim that *Sachchai*'s aim is to bring peace in Nepal. For them, the division among people in the name of caste, religion, gender, and region is the main cause of social disharmony, war, violence, and instability in Nepal.

However, their demand for equality is not based on political and social rights of a person, but in the faith that all human beings are children of god. *Sachchai* believes that all the people are the children of god, and they have equal rights to whatever they get from god. It is assumed that god also treats every child equally. Although their demand for equality is based on the Bible's ideas, I claim that their longing for equality is mainly shaped by their own personal experience of inequality. It is not the Bible that taught them

about equality, the Bible only validated their idea and desire for equality. They voiced their idea of equality through the Bible.

### **‘All the Oppressed, Suffering, and Helpless Fellows’**

Before telling a testimonial or a *bachan* in the *satsang*, believers tell their personal story of suffering. They would usually share about how their life was stuck in a swamp (*daldal*), how they were oppressed (*pidit*), how they cried a lot, and that no one came to help them. The believers identify themselves as an oppressed, helpless, and suffering mass, who need to be rescued by god. It is the *dusta aatma* (evil spirit) that caused their suffering. However, their testimonials suggest that government, politicians, bureaucrats, doctors, and the rich, who are in power, are the oppressors. Upper castes and men are additional oppressors for Dalits and women respectively. While some believers directly name these institutions and categories of people to describe how they were treated unfairly and cheated, others blame evil spirits for mediating their suffering.

Dalit is the perfect example of the oppressed, exploited, and helpless category of people. Answering my question of why Dalit women make up the majority of *Sachchai*, both Dalit and non-Dalit believers said that it was because god has favoured Dalit women as they are the most oppressed people in Nepal. They believe that god starts uplifting from the bottom, the most oppressed and powerless section of the society. The Dalit women I interviewed believe that Dalits (both men and women) will soon come to power and rule the state because they have been favoured and assisted by god. Some level of participation in the government because of inclusion policies of the state and the rise in Dalit awareness have been taken as preliminary signs of the imminent Dalit rule.

The leader of the Dalit village branch mentioned in the beginning made a reference to the Bible to advance this claim. She said that the god has told them (oppressed people) that they can topple even the most powerful ruler of the world and become ruler one day. She said,

*Sachchai* is for oppressed people. God has favoured us. I think Dalits comprise the majority in *Sachchai*. The entire world had oppressed Dalits in every possible way. There are upper caste people in every position. I went to CDO (Chief District Officer) office, all the officials were upper caste. God has told that he has chosen Dalits to speak against all those who have oppressed Dalits and to raise Dalits high. If we know this truth, it may also prove to be true.

Dalit believers' vision of Dalit future seems more radical than the mainstream Dalit political vision. Dalit activists had claimed that Dalits should be given priority during the restructuring of Nepal, or in the New Nepal. *Sachchai* believers have a radical political imagination of their imminent future—an equal society ruled by the least powerful, the Dalits.

Another reason that they saw for Dalits comprising the majority in *Sachchai* is that Dalits are the most honest, kind, and helpless people. They believe god likes those qualities in people. According to them, Brahmin-Chhetris are more traditional, superstitious, dishonest, and cunning people, who are under the influence of evil, and so god has not trusted them yet.

The Bible appealed to Dalits just as a religious text. Upper castes historically barred Dalits from owning and reading Hindu religious texts. They also denied Dalits' entry to Hindu temples and worship. Dalit believers of *Sachchai* have never owned and read a single Hindu religious text. They are, therefore, grateful to *Sachchai* that they now have an opportunity to own and read a religious text and become a religious being. One Dalit *Sachchai* believer said,

What the Hindus hide from us, the god has given us today. He has given it specifically to low castes. Upper castes are hypocrites, they taught us bad things. A Brahmin priest is required for everything. Why the text should be read only by Brahmin priest? Why are texts not available to everyone? In *Sachchai*, everyone can read the text. God has told us, 'You should also read the text. You can also read this text. You have a right to the text'. We Dalits should take this opportunity with full confidence. There is such a good thing in the Bible. We were in the darkness so far. We discovered it today. Our conscience and eyes have been opening now. More than that, we have been rescued. . . . The god chose the powerless.

## Conclusion

The women I interviewed said that their life has been getting more and more difficult. The difficulties they commonly mentioned include family disputes, bad relationship with husband and in-laws, disobedient children, disease and illness, stress, difficulty to afford family expenses, unaffordable and untrustworthy medical services, costly school fees, troubles they face from government offices, issues related to fuel, drinking water, and food, and so on. Husbands of most of these women live outside Nepal. These young wives' relationship with their husband and in-laws may have been more strained now than before. They live a restricted and stressful life, usually under strictly coded gender norms (CESLAM 2017, 48), which may have contributed to their social suffering. Power cuts, fuel shortages, poor

services by government offices, hospitals, and school systems have further compounded their problems. Thus, their life seems to be surrounded, to a large degree, by uncertainties and impossibilities. They look desperate and helpless. They think that they have no one except god to help them. These women believe that without god's intervention, their problems could not be addressed.

These desperate women get moral support from *Sachchai*. They receive power from god. They get confidence, strength, security, and hope from god, which, I think, helps them heal their suffering. Studies have shown that divine power can be a source of real power for marginalised groups (Guha 1983; Mines 2005; Sax 2009).

There is no doubt that believers embrace *Sachchai* faith to primarily heal their suffering and what keeps them in the faith is their continuous healing. *Sachchai*'s primary goal is to spiritually heal its believers' sufferings. It is a spiritual movement. But, it does something more, it does some politics too. It challenges unjust and discriminatory traditions and practices such as caste, gender, and class, and upholds a vision of a more equal and just society. As discussed above, they even have a more radical agenda than the mainstream Dalit movement. Dalit believers believed that god is on their side and that Dalits will rule the state in the near future. Thus, *Sachchai*'s spiritual healing overlaps with political agenda such as equality, inclusion, and secularism, but these agendas are expressed in terms of divine power. Marginalised groups do not always have the freedom to openly challenge those in power, and they often resort to subtle ways of resistance (Scott 2013). They use whatever means of resistance and politics is best for them at a given time. *Sachchai* may be understood as a form of resistance, a kind of politics, or a kind of social movement, whatever terms we may use, by which marginalised groups challenge dominant religious traditions and values that oppress them.

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# Representing and Performing the Contested Trans-Himalayan ‘Shared Heritages’ of ‘Gorkha’

Virtualisation of the Public Sphere and the  
Aesthetics of ‘Being Gorkha’ in South Asia

ANUP SHEKHAR CHAKRABORTY

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The claims of belonging to the martial race, *Bir Gorkha*, and the linked *Gurkha/Gorkha/Gorkhey Chinari* (identity), have been strongly contested. ‘Being Gorkha’/‘being Nepali’, ‘feeling Gorkha’/‘feeling Nepali’ is severely webbed and caged into experiential and existential paranoia. The virtualisation of the public sphere and the multi-fold media (both old and new), SMS jokes, satire, cartoons, etc., unleash a virtual viral wave. The discussion in the paper by weaving across poetry, literary works by the Nepali-speaking communities in India, select speeches of political leaders of the Gorkhaland movement(s), recorded nationalist songs and music videos (‘Gorkhaland ko Nimti’ by Prakriti Giri, 2009), local plays such as *Bhanu ra Pala 1 and 2* by Lalit Golay (2007, 2009), the ‘viral videos’ (2017) such as Seema Subedi Shrestha versus Nepali Gorkhas (and also Darjeeling Gorkhas) attempts to bring to the fore the complex politics of representations, performance, and aesthetics of the contested claims to the trans-Himalayan ‘shared heritages’ of ‘Gorkha’ in South Asia.

## I

### **Being Gorkha in India: Bharat to Mughlan, Mughlan to India**

The native Nepali-speaking people in India and their quest to cartographically chart their emic self-defined identity in a map called Gorkhaland in and around Darjeeling in the directional construct ‘North Bengal’ located in the Indian state of West Bengal has spurred in marked phases. As a geopolitical space, Darjeeling has reflected immense tensions amidst the phased calm and phased uncalm in the form of demand for *Chuttei Rajya* (separate state) of Gorkhaland. The *Chiyasi ko Andolan* (1986 Movement)

and the current imbroglio (stretched from 2007 to 2017), though showing signs of peculiarities and particularities in terms of the movement, styles of leadership, political agency, participations, etc., continues to showcase commonalities, connections, and continuations in the indelible question of identity of the people and its place. *Chuttei Rajya* of Gorkhaland is projected as the panacea for all prevailing problems of its people, ranging from being stateless, neglected, misconstrued, and to being misrepresented (as *durwans*, security guards, etc.), branded as ‘foreigners’ (confused to be from Nepal), called ‘chinky’ (confused to be from Northeast India), etc. Though a popular tourist destination, globally known for Darjeeling tea, idyllic backdrop of many Bollywood movies (and feeding into the romanticised visual social imaginaries of South Asia), the region continues to be geographically misconstrued. The simple question ‘where is Darjeeling?’ can uncork startling responses and confusions: few presume it to be in Assam (a clear confusion because of the ‘tea’ factor), while others consider it to be a part of Nepal and try to use Nepali Rupee, and still others focus on the historical connections with Sikkim. Another difficult question ‘whom does Darjeeling belong to (territorially, politically, culturally, socially)?’ evokes vexed responses: while the *Chuttei Rajya* narrative claims its deepseated autonomy enmeshed in cultural, social, linguistic differences, those against *Bangavanga* (division of West Bengal) claim Darjeeling to be the ‘crown’ of the state of *Sonar Bangla*. These responses do little to quench the thirst and curiosity of the questioner. I am of the view that if Darjeeling could speak for itself, like in the Bollywood song by the late Mahendra Kapoor ‘Ye Mati Sabhi ki Kahani Kahegi’ (this land will narrate everybody’s story) (1959), the response might unleash startling rethinking, positional shifts, and realignments. The current imbroglio in the ‘hills’ needs to be understood silhouetted on these seemingly disparate issues and problems.

The evolution of martial race (Sinha 2003), *Bir*<sup>1</sup>*Gorkha*, ‘the brave invincible

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1 I am not comfortable for many reasons with the notion of the ‘brave’ (*Bir*). My discomfort arises from my contention that individuals can be brave for many reasons or situations, but can communities in totality be classed as ‘brave’? How does an entire community claim to be brave when only a section of them might/may, depending on the situations or other factors, display acts which can be classed as acts of bravery? If this claim is taken to be rock solid and a universal truth, by corollary, then just on the basis of acts of a few individuals, let us say a hypothetical case of a few students of a particular community who fail repeatedly in a class, can we call that community a ‘community of failures’? Or let us change the context to a group of individuals from a particular community who get caught stealing, can we call that community a ‘community of thieves’? Such constructions of communities are deeply ingrained in the colonial project of creating subjects, citizens, denizens, and the everlasting impressions in the social imaginaries and stereotypes. My argument is that individuals can be brave and not communities, and yes, few communities can/might have more of these ‘brave individuals’.

Gurkha' (Caplan 1995; Forbes 1964; Hutt 1989; Marks 1971) in South Asia and India in particular is embossed and engraved deeply into the history of the Raj (the British colonial government that ruled India in various forms over two centuries) and the Raj-making. The everchanging borders, frontiers, and spaces of the Raj witnessed the flow of a multitude of people/races/ethnicities/religions. The 'traditional'<sup>2</sup> territorial spaces were traversed, turned inside-out, and made malleable to the demands and visions of the Raj. This meant that communities/people were coming to an interface more strongly and at a faster pace amidst the wave of multidimensional change in transports, administration, security (artillery, war craft, defence, military intervention, etc.) to name just a few. This also meant that communities/people were slowly yet surely by want/choice, force/coercion becoming categorised as 'citizens', 'subjects', 'denizens', 'enemies', 'foreigners', 'interlopers', and the like. The colonial census projects, studies of administrators doubling as anthropologists, surveyors, the missionaries, and the numerous retinue of experts (white/European/American) and informant natives (the elites, the traditional privileged sections, mostly men) resulted in the creation/construction of stereotypes and social imaginaries of communities/people in South Asia.

In South Asia, specifically in India, and the Northeast India in effect, the predicaments of being/belonging to a 'privileged' (English 1983; Muktan 2001; Nath 2003; Palit 1984; Pradhan 1991; Tyagi 1974) community/people is strongly experienced. Contacts and conversations between India and Nepal can be traced to times immemorial through the epics, historical exchanges, pilgrimages, and trade relations (Ramakant 1976; Sen 1977). Contemporary nomenclature referring to community as a homogenous unit has remained haunted by the spectre of the colonial visions and its projected social imaginaries. The predicaments of the Nepali-speaking people to find an expression to definitively relay or signify their selfhood is a universal problem and criss-crosses the borders. Take, for instance, the social imaginaries of the Nepalis as operative in Nepal in relation to India, which is clouded by the Mughal state and its flexible connections with the Kingdom of Nepal. For a large section of Nepali people, 'India' is always *Mughlan*, an alien territory, exploitative, extractive, polluting, contagious, and a necessary space for earning, saving, and investing back in Nepal. India is, thus, not for 'living':

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2 I use the term 'traditional' to refer to the age-old, maybe pristine, territorial spaces, places that communities in South Asia claim as their root place. I use 'traditional' as reflective of the historical, the age-old. I use it as a convenient term to get my message across, and also because I fail to find a better word in English. Apologies to the readers for my inability to be sharp-worded in 'her majesty's language'.

at the closure of the day, the Nepali/Gorkha longs to be in the *Pahad* (hills, mountains). Such images can be absorbed from the popular cinematic visions like *Saino* by Ugyen Chopel (1987), *Muglan* by Shiva Regmi (2005), etc. These cinematic projects are intensely reflective of the realities on ground zero. The trans-appropriation of nomenclatures, cultural troupes, symbolisms (like the khukuri), etc., are the connections of nostalgia, memory, and history that the community continues to hold across the borders/spaces/territories. For instance, till the early 1990s, Nepali-speaking households in many parts of Northeast India could be seen with the garlanded (adorned with *saipatri* [marigold] flower) framed photographs (atop the main door) of the late Nepali King Birendra Bir Bikram Shah and his family with the liner: 'Hamro raja, hamro desh, prana bhanda pyaro cha' (Our king, our country, more precious than our lives) (Chakraborty 2017).

The case of the Gurkha/Gorkha/Gorkhey identity (*Chinari*)<sup>3</sup> in the erstwhile colonial spaces is reflective of this uneasiness and discomfort. The discomforts and contests over the community appellation are intensely visible in the discourses of/about the community, and the inability to arrive at an agreeable 'coinage' has worsened the projection of a unified collective nomenclature for 'the' representational identity.

The contest over nomenclatures is clearly visible on the issue of the language of the Nepali-speaking community in India. Nepali or the Khas (kura) language is spoken in a variety of dialects, and the non-agreeability over the authentic style of spoken and written and usage of terms and colloquial jargons/terms is neatly wedged. In few cases, the words and sentence formation in spoken as well as written is astoundingly different. For instance, *anda* is used for eggs in Darjeeling, while in Northeast India the community would use *dimma* for eggs. Few areas have large influence of

3 The term 'Gurkha'/'Goorkha' spelt with 'u' or a double 'o' is patterned on the colonial documents while 'Gorkha' or 'Gorkhey' has got a community appellation and transformed its culture-historical underpinnings into an ethnopolitical one. The 'brave Gorkha' construct is not just a colonial given, but also a 'borrowed image', and more intensely a diaspora historical consciousness, especially when one keeps a cautious reminder that the term had its roots in the Kingdom of Nepal. 'Gorkha' and 'Gorkhey' are used interchangeably while referring to the community's self-defined identity. The latter though has more poetic connotations associated to it. I acknowledge the insights provided on this by Dr Radha Sharma, Associate Professor, Department of Nepali, St. Joseph's College, Darjeeling. For my discussions, I use the term 'Gorkha/Gorkhey/Gorkhali' as a blanket term to denote all ethnic tribes/people who migrated from Nepal to British India and who speak the Khas Kura, the lingua franca of Nepal. I do not intend to delve into the debates on the correct nomenclature for the said group as argued by A.C. Sinha (2003). I consider it more appropriate to refer to the said group as 'Gorkha/Gorkhey/Gorkhali' because of their colonial linkages as migrants either recruited in the British-Indian Army or Administration. What is interesting to note is the fact that the term 'Gorkha' is basically the name of a district in present-day Nepal, and later the term acquired a special meaning in British martial discourses.

the Hindi belt, while others have Tibeto-Burman influences. The community popularly refers to its *Chinari* as ‘Gorkha/Gorkhey’ but has agreed to retain Nepali as its representational spoken language in place of Gorkhali language. See for details, the 8<sup>th</sup> Schedule (dealing with languages) of the Indian Constitution. The adoption of the term ‘Nepali’ for its language is again a part of what I call ‘mimicry’, ‘borrowings’ (Chakraborty 2017). Borrowing from Rhoderick Chalmers<sup>4</sup> and improvising it further, I would call this the inability to arrive at a consensus as the problem of ‘Ekрупata Namkaran’ (uniformity in naming/christening). Further, the homogeneity that ‘Gorkha/Gorkhey’ entails is astoundingly visited by variegations and hybridised<sup>5</sup> innovations such as ‘Nepali versus Nepalese’ (Subba 2003), ‘Bharपाली or Nepamul’, ‘Lhotshampa’, ‘Zo Gorkha/Gorkhey’, etc.

‘Being Gorkha’/‘Being Nepali’, ‘Feeling Gorkha’/‘Feeling Nepali’ is severally but severely webbed and caged into experiential and existential paranoia. Most individuals (belonging to the Nepali-speaking community) cite being perplexed and hurt when posed a question as to which community or the country they belong, and strongly believe that a separate state for the Nepali-speaking Gorkha is the only solution to heal the community. My argument based on my studies in Mizoram drives me to firmly negate this proposed solution. If a separate statehood was the final solution for community identity and aspiration, then why do the Mizos (of Mizoram), the Nagas (of Nagaland), the Manipuris (of Manipur), the Khasis, the Jaintias, and the Garos (of Meghalaya) still struggle to prove their national identity over and over despite having their ‘own separate state’? Also, the Nepali-speaking community’s nostalgia for Nepal, mimicry of the ways and customs of Nepal, including the ‘borrowings’ and transportation of identity nomenclature ‘Gorkha’/‘Gorkhey’, celebration of Bhanubhakta as the community’s representational bard, are all deeply ingrained into the ‘problem-solution’ web. Though the Nepali-speaking community in Darjeeling will be in denial, I have observed (as a participant) for nine years

4 Rhoderick Chalmers in his discussion unseals the tensions in language as operative among the Nepali-speaking people in the hills of Darjeeling and gleans into the knotted problematic of the ‘Ekrupta versus Bahurupta’ of the Nepali-speaking community and their national consciousness (*Jatibhiman*) (Chalmers 2009). Inspired by and borrowing from Rhoderick Chalmers’ discussions, I attempt to tease out the nuances of Nepali/Gorkha consciousness further in my discussions in this paper.

5 Hybridisation arrests the essentialist claims to inherent authenticity or purity of cultures which, when inscribed in the naturalistic sign of symbolic consciousness, frequently become political arguments for the hierarchy and ascent of powerful cultures, which claim hegemony. This also means that the colonial subject positions itself as a subaltern and inscribes a space of iteration for itself. The colonial subject undoubtedly is located in a space of hybridity and transmutations, where identities are formed, iterated, and translated by the coloniser-subject relations.

that any routine development in Nepal (for instance the adoption of the new constitution in 2015) had its ripples across the borders. Many among the Nepali-speaking people (including the politicians and businessmen) in Darjeeling have intense connections in Nepal by way of relatives, marriage, investments in businesses, hotels, property, jobs (including in the British Army), etc. So much so that households diligently listen to and update themselves with news from Nepal TV (the state broadcaster), and would care less to listen to news updates on/about India. My interaction with my past students and others in Darjeeling impressed on me the ‘vision/tendencies’ that I call ‘Nepal callings’, i.e., the urge to go to Nepal (Kathmandu), find a job, work there for few years and fly off to Dubai, or to the UK, the USA, or anyplace else and earn in dollars/pounds/dinars and send remittances back to the place they like to call ‘home’. These tendencies are the bricks that build the problem of ‘being Nepali’/‘being Gorkhali’. The mobility and migration of people to earn more (for betterment, of course) is good and should be encouraged, and also with education, individuals will obviously never stay rooted and will find their own green pastures. But questions that cloud my mind are ‘if everyone leaves for elsewhere, then who will live, work, and survive for “Gorkhaland”?’ Should not the retention of able-bodied young force equipped with the power of education and the zeal to stretch beyond the call of honour be a part of the community’s social imagination? Should not the political leaders encourage (instead of egging students to boycott schools, colleges) the youths to study harder, compete with the rest of India, come forward with more civil servants (IAS, IPS, or the state civil service), more college teachers, etc., and place themselves in all relevant positions, and thus overcome their challenges much like the way the Meena community has done for itself over the years and crossed the traditional barriers to empower their community (Chakraborty 2017)?

The Gorkha identity is further complicated when tied and looped to the *Pahadi/Pahadey* (hill) identity<sup>6</sup>. It is interesting to observe that this seemingly innocent looping of constructs, namely Gorkha/Gorkhey with the *Pahadi/Pahadey* is not as simple as it appears, rather it is a ‘calculated replication’ of borrowed constructs and distortions of associated caste/class/race distinction between the ‘hills people’/the ‘Nepte’ (the largely mongoloid Rai, Mangar, Thapa, and others, and later conveniently used as

6 *Pahadi* identity is a common hill identity that can be found among many hill communities or communities living in the mountainous places like Garwhal, Kumaon (Uttarakhand), the hill communities in Northeast India, and the hilly regions across South Asia. The notion of ‘insider-outsider’, ‘hill men (women)-plainsmen (women)’, ‘the exploited-exploiter’, etc., plays strongly into the construct.

absorbing even the Chhetri-Bahun, Newar) and the plains people (Madheshi) as operative in Nepal. Such borrowings, blurrings, and contortions of loan terminologies and constructs operate performatively in the everyday lives of the communities in perspective. For instance, among the Nepali-speaking community in India, especially in North Bengal region, the tag 'Madheshi' is used to refer to any plains person, more specifically to the Hindi-speaking persons, identifiably the Bihari. In the Northeast, the term 'Madheshi' has very limited usage and the plains people are referred as *Thal ko manche* (flatland people). The fuzzy tag of 'Madheshiya' in Darjeeling hills can broadly include the Bengali and the Marwari (a community from the state of Rajasthan locally scorned as *Kainya*, their entrepreneurial enterprise being conceived as extractive, exploitative, and detrimental to local/native interests). Many of my respondents during formal and informal discussions referred to the *Kainya* as the 'Indian Jews', the Bihari as the *Bhaiyaji* (Hindi language is seen as a language of this *Bhaiyaji* category, and there is much hesitation to converse in this language as it belongs to the 'other'), the Punjabi as the *Ghantauke* is seen as the entrepreneur-political leader, etc. However, the category of the 'others' or 'outsiders' in broader context also incorporates the Santhal/Adivasi (mostly the 'tea tribes'), and the Tibetan. Locally referred to as the *Bhotey*, the Tibetan are seen as unwanted intruders infringing on local resources and eventually controlling the local economy, thereby depriving the Nepali/Gorkha the benefits of 'their land', etc. The category of the 'others' is fuzzy and encapsulates those groups or ethnic communities/minorities who maintain cultural, linguistic distinctiveness or exclusiveness and do not share the imagined rootedness to the *Bir Gorkha* (Chakraborty 2017).

I call this 'calculated replication' precisely because the Chhetri-Bahun-Newari group has been the traditional beneficiaries of the *Char Jat Chattis Varna* (four *Jat* and thirty-six *Varna* [castes]), and their patriarchal privilege has outcasted the rest of the communities as *duniyadar* (worldly). The Bahun-Newari people have over the years very conveniently appropriated the martial Gorkha identity that was styled for the mercenary forces comprising the Khambu-Rai-Limbu hill people. The Chhetri as the Kshatriya were the traditional martial caste. The question of caste in the *Gorkha Chinari* grid unravels intense complexities of caste-class structures and projected identities as operative in Nepal through the trans-Himalayas (Baral 2004, 2012; Hussain 2003; Ryan, Strahan and Jones 1925; Shakespear [1927] 1977).

The interloping of the two constructs very readily seals the aspirations of the plains communities to be a part of the Gorkha/Gorkhey identity. It unleashed an exclusivist construct that insulates itself neatly and gate-keeps

membership. However, the ingenuity of the human mind is incredible. My confession is that the 'others' in the operational spaces of the Gorkha/Gorkhey identity have manufactured and chiselled their own convenient ways to seek group membership or remain at least in the fences as fence sitters. The nebulous category of the 'others' in Darjeeling hills can broadly include the Bengali, the Marwari, the Bihari, and at times also incorporates the Tibetans. The category of the 'others' encapsulates those groups or ethnic communities/minorities who maintain cultural, linguistic distinctiveness or exclusiveness and do not share the imagined rootedness to the *Bir Gorkha*. The in-migrants have strong discomfort with the *Madheshiya* and *Bhaiyaji* tag given to them by the Gorkha and, as a response, employed survival strategies of camouflaging their identities in tune with the Gorkhey identity. For instance, newer and more convenient forms of defining community identities in synchrony with the overarching Gorkhey identity have been sought by most immigrants in the region. Gorkhey-Bihari, Gorkhey-Punjabi, Gorkhey-Rajasthani, Gorkhey-Muslim, etc., are the hybridised identities that have evolved and displayed in the public in contemporary times among in-migrants, especially the younger generations born and raised in the region and who typically are multilingual and conversant in Nepali/Gorkhali language. The older generation among most in-migrants tend to display both publicly as well as privately more conservative response. For instance, privately they stick to their identities as Bihari, Punjabi, Rajasthani, Bihari-Muslim, etc., and interestingly refer to themselves as Bihari-Gorkhey, Punjabi-Gorkhey, Rajasthani-Gorkhey, etc., when it comes to the public (Chakraborty 2015a, 2015b, 2016; Chakraborty and Chakraborty 2016). Here we arrive at the problem of 'nomenclature' that I refer as 'one breathing and oozing with "borrowed" semantics' and definitively lacking in an 'authentic' self-representation and fraught with contestations from within and outside. Here I would echo A.C. Sinha (2003): 'let's be brave to use new construct', constructs that were not in existence, newer nomenclatures to definitively chisel and ease/tease out 'authentic self-representation'.

The dilemma of having to 'explain' their identity/community appellation and hem it to a particular region/state is indeed perplexing, traumatising and results in emotional exasperation. The Gorkha in the region have been constantly challenged by contending communities to prove their authenticity as citizens, their loyalty to the Indian nation, and prove their 'Indian-ness'. For instance, the Bangla O Bangla Bhasha Bachao Committee (BOBBBC) has time and again questioned the Indian-ness of the Nepali/Gorkha population in North Bengal and has even submitted a memorandum to the Election Commission requesting the office to withhold the inclusion

of Nepali-speaking population in the electoral rolls. This challenge ‘to prove their loyalty’ to the nation-state has been a universal experience for the Gorkha community and comes very close to the experience of the Gorkha in the United Kingdom as seen in the case of the Joanna Lumley-led debt of honour movement (Chakraborty and Chakraborty 2016). An overview of the socio-political history of the Gorkha in India unveils locational, positional, and situational ambiguities (Bose 1979; Chakraborty and Chakraborty 2016; Devi 2007; Gait 1906; Nath 2003), and further dismantles the ‘homogenised Gorkha’,<sup>7</sup> and unveils the veritable differences within the construct of the Gorkha identity. In short, while there might be overlaps on certain issues like concerns over citizenship, political insecurity, etc., there are distinct political differences between Nepali-speaking communities living in different parts of India as elsewhere. Similarly, the Gorkha movement in the United Kingdom also unravels continuities and discontinuities. While the latter is concerned more with equal wages and pensions as British Gurkhas, the former is more about ensuring political recognition as Indian citizens. Elsewhere in India, we find that the construct of the Gorkha is vexed and does not stand the test of homogeneity. Though the Gorkhaland movement(s) in its different phases has called for a collective solidarity, experience shows that the Gorkha is variegated. For instance, Mr Chhetri (name changed), Mr Subba (name changed), and many others from different parts of Northeast India who, postretirement, shifted base to Darjeeling (district), found that they were treated as second-class citizens and scorned as ‘recent arrivals’, and often subjected to the *bahira-ko-manche* (outsiders) treatment. In fact, one of my respondents mentioned that Gorkhaland and Gorkha identity is assumed to be the badge of only the ‘Darjeelingwalas’, the rest of the Nepali-speaking people are mere pawns for mobilising the cause of the Gorkhaland movement (Chakraborty 2017). The current debate in the public sphere in Darjeeling on *Bhoomiputra* (Sons of Soil) versus *Gorkheyputra* (Sons of Gorkha), in connection with the candidature of Shriman Amar Singh Rai (local resident of the hills belonging to the OBC (Other Backward Caste) category) supported by the TMC (Trinamool Congress)—backed GJMM (Gorkha Jana Mukti Morcha) (Binay Tamang, Anik Thapa faction), and that of Shriman Raju Bista (a Gorkha from Manipur in Northeast India, belonging to the KhasChhetri) supported by the BJP (Bharatiya Janata Party)-led GJMM (Bimal Gurung), the GNLF (Subhash Ghising’s Gorkha National Liberation Front) and other political parties from the hills during the Lok Sabha Elections 2019,

7 ‘Kangra Gorkhas Facing Identity Crisis’, *Times of India*, 6 May 2016, <https://timesofindia.indiatimes.com/city/shimla/Kangra-Gorkhas-facing-identity-crisis/articleshow/52143264.cms>, accessed on 30 May 2017.

reaffirms the internal tensions and murmurings within the category Gorkha and substantiates the perceptual notions of *bahira-ko-manche* (outsiders) and *bhitra-ko-manche* (insiders) in Darjeeling.

The term 'Gorkha' in the Indian context, though intensely contested, has survived not simply because of its community appellation, but more because of the failure to moot an agreeable replacement, and has, over the years, transformed its cultural-historical underpinnings into an ethno-political one. The intervention of the current State government in West Bengal further complicates the already complicated Gorkha/Gorkhey/*Pahadi/Pahadey* construct with the mushrooming of specific 'clan/tribe/caste/group'-based 'Development Boards'. The Gorkha identity is as of today faced with stiff challenges from within as now the stakeholders are keen to showcase 'socio-cultural difference', 'cultural distinctiveness', 'peculiarities', and all the little veins that make the disparate people more 'particular', and 'creating communities' anew, therefore, befit to be granted 'autonomy' and caged into a 'development board' of their own. The musings of the 'collective subjectivity', i.e., Gorkha/Gorkhey/*Pahadi/Pahadey* identity, is contested by the moorings of the 'subjective particularities'<sup>8</sup> of clan, tribe, and caste.

## II

### The Aesthetics of 'Being, Feeling, Thinking Gorkha/Gorkhey' Post-2007

The claims and the contests to cling to (and thereby share) a trans-Himalayan Gorkha/Gorkhey identity are posed with multidirectional challenges. The schizophrenics of the contests, the claims, and the connections can be gleaned through the literary and the theatrical engagements.<sup>9</sup> Modern Nepali

8 The 'Subjective Particularities' (Hegel 1978), I observe, are readily challenging the homogeneity and hegemony of the Gorkha/Gorkhey for many factors, one obvious factor being the arrival of the final moment in the history of the Nepali-speaking people where the multitudes of marginal castes, clans, tribes have a chance to defy the unwritten norms/codes of *pani chalne, pani nachalne* (pollution-purity) as observed among the Chhetri-Bahun and the exclusivist Newari/Newar and the others, i.e., Kami-Damai-Sarki, and the tribals. This is the unique historic opportunity for all those who have been subalterned (like the Biswakarma collective working for their own Development Board) to express/articulate, exhibit/display their agency, autonomy and create/manufacture their spaces of collective redressal, and be heard. Agreeing with, invoking, and stretching Gayatri Chakravorty Spivak's (1988) question '*Can the subaltern speak?*', I would here add that the current political developments in the hills of Darjeeling open the doors and windows for the subaltern to circumvent the hurdles of being represented and speak for themselves, speak not just in their voice, but also be 'heard' perhaps patiently.

9 Literary studies on the Nepali-speaking people would inevitably begin with a thick dedication to Bhanubhakta Acharya. In deviation from that trend, the discussion in this paper would skirt the *Adikavi* and the contests over and around the bard.

literature<sup>10</sup> throughout the twentieth century has dealt with the comforts and discomforts of engaging with the Gorkha/Gorkhey identity and its vexed exclusivities hemmed to a region in Nepal, and in that sense to a select group of people, and the claims-making to that region-specific identity by those living outside the cartographic map of Nepal in its contemporary order. The discussions in the following subsections will try to unweave the same.

The Indian Nepali poetry<sup>11</sup> post-2007, much like the preceding stages, can be polarised as poetry of ‘lament’ (of a lost past, a lost glory), and ‘hope’ (aspirations of a political enterprise of converting the ‘Dream of Gorkhaland’ into a cartographic reality). The year 2007 marked multiple milestones in the ever-changing mood of the articulation of the Gorkha aspirations for identity and self-determination. The most important being the rise of a ‘new political party’ claiming to be more pro-Gorkha people and by that logic aptly named the ‘Gorkha Jana Mukti Morcha’ (Gorkha Peoples’ Liberation Front/Party). The leadership and the intelligentsia at the helm of affairs pronounced that the party was a peoples’ party and that the *Sachet Jagruk Janta* (Informed Vigilant People) was the core of the new party. Following the political dislocation of the GNLFF and Subhash Ghising from the hills of Darjeeling, there was a sudden wave of vigour injected into the realms of creativity and literary pursuits among the Nepali-speaking people in Darjeeling. Bimal Gurung publicly declared the ‘Gorkhaland Andolan 2007 version’ to be a *Jana Andolan* (people’s movement) and gave a call for mustering community representation, participation, visibility, and vocality. ‘Being Gorkha’ as the clarion call of this *Jana Andolan* began to take multiple meanings—from performance to aesthetics. Performing and displaying (this involved an elaborate programme

10 Nepali language, known by various names such as *Khas*, *Parbate*, and *Gorkhali*, established itself as the main language of Nepal on its emergence as an enlarged kingdom around 1816. Benares had been the principal centre of learning Nepali as large corpus of literary works were printed and published from there. This was gradually challenged by Darjeeling and the claims of writers in Nepali from Darjeeling to stake a claim to print and publish Nepali literature from Darjeeling, and shift the centre of knowledge creation and articulation from a highly Sanskrit-influenced Benares to a more Nepali-toned Darjeeling (Pradhan 1991).

11 The period preceding the 1960s can be loosely clubbed as the age of the Imitations, Romantics, and Progressives. The 1960s witnessed the birth of the *Tesro Ayam* (Third Dimensional Writing) by the three literary stalwarts Indra Bahadur Rai, Ishwar Ballav, and Bairagi Kaila. The Ayam tradition believed in expressing firsthand experience without any secondary thought or reflection intruding between the act of experiencing and writing. They were highly influenced by Cubism and used archetypal images, myths, and stream of consciousness. Their aim was to express human experience in its entirety. The 1970s through the 1990s saw an upsurge of internationalism, an urge for world peace, a craving for humanity, pangs of alienation in the poems of Manprasad Subba, Girmi Sherpa, Kewal Chandra Lama, Kiran Rai, Sobhit Rai, and Norjang Syangden. Of late, Indian Nepali poetry has once more become down to earth, simple, people-oriented, lucid, and direct. The discussion in this paper has not included the literary activities, poetics, and theatrics of the Indian Nepali from Northeast India.

of inventing and rediscovering cultural, tribal, ethnic markers for defining and asserting the same), the Gorkha began to take a political project, and the new leadership encouraged those who exhibited and helped build that 'Gorkha' in sync with the political rhetoric of Bimal Gurung. This being the backdrop, the poetry and literary creations of this phase were pronouncedly *GoJoMomised* (those in Darjeeling pronounce the acronym GJMM in Nepali as 'Go-Jo-Mo-Mo' instead of the English 'Gi-Je-eM-eM'). The bulk of the works produced after 2007 like the preceding genre of Indian Nepali poetry are replete with expressions of the lived experience of injustice meted on the Gorkha and their cravings for a cartographic recognition embossed on the nostalgia of Nepal as the *Mul Ghar* (original home) and the image of the *Bir Gorkha*. Literary traditions as passed from the Pranta Parishad<sup>12</sup> continue to steer the course of such imagological exercise and versifications of the embodied experience of spatial estrangements of the Gorkha in South Asia. *Mul Ghar* among the Nepali-speaking people refers to the original ancestral home/hearth. I conceive that 'once you leave 'home', the spatial and temporal change affects both the 'home' itself and the one that 'moved out of that "home"'. The *Ghar bhitra* (the one inside the home), and the *Ghar bahira* (the one outside, the one who leaves) undergoes qualitative changes in a multitude of power relations; and the *Ghar farkine* (the one who returns) as an outsider undergoes stringent tests of positional power play as operative in the given society (here Darjeeling). Also, the sense of the 'home' is subjective and not as neat as presented in definitional categories. However, one cannot deny that the 'home is where when you come, there is someone to open the door', that is, acceptance by those at 'home' to those who come back. The notion of the 'home' and outside has been the core of many Indian Nepali plays such as *Ani Deorali Runcha* (And the Hilltop Cries, Man Bahadur Mukhia 1972), *Agoko*

12 The Pranta Parishad reiterated the demand for inclusion of Nepali language in the 8<sup>th</sup> Schedule of the Indian Constitution even later after it was marginalised by the GNLf. In 1980, the Pranta Parishad with the active role of Indra Bahadur Rai and the Nepali Bhasha Manyata Samiti started a campaign to include the Nepali language in the 8<sup>th</sup> Schedule of the Indian Constitution and converted itself as a formidable rival of Subhash Ghising and his GNLf. Ghising's rhetoric was that Nepali was not emic to the people of Darjeeling and the large section of people in India, and, therefore, it was urgent to invent a nomenclature for these people and to him 'Gorkha' should be the name of the language of the Gorkha and the name of the people in discussion. Ghising attempted to snip every link with Nepal, the 'mother country' for the Nepali-speaking people, and abhorred even the Adikavi Bhanubhakta as a foreign poet, and the only link that continued to cling to the said community was the name 'Gorkha', which interestingly was an import from Nepal. To counter the various literary giants of the time (such as Paras Mani Pradhan, Indra Bahadur Rai, Ishwar Ballav, Bairagi Kaila, Kumar Pradhan, etc., and also the past giants such as Rupnarayan Sinha) from Darjeeling who were consolidating their literary genius to dislocate the Benares Nepali literary enterprise, Ghising also took to writing and developed his own style of print nationalism.

*Jhilkaharu* (The Sparks of Fire, Mohan Thapa 1976), *Ani Bhaleyungro Runcha* (And the Chameleon Cries, C.K. Shrestha 1980), and *Durga Malla* (The Story of Durga Malla, Kiran Thakuri 1980). These plays staged in different years during and after the *Chiyasi ko Andolan* (the 1986 violent phase of the Gorkhaland movement) visit and interrogate the question of the ‘home’, the land, the nation (and locate themselves into the rubric of the nationalist histories and historiographies), and sync it with the immediate concerns and dilemmas faced by the Nepali-speaking people throughout South Asia in an age when communities across the region were dabbling with the logic of caging people in the Westphalian frame.

The creative spaces of Indian Nepali poetry also carry forward this mantle of lament of a lost past, a pristine home, loss of land, loss of honour, and community shame, etc. At the same time, these also show how as communities the Nepali-speaking people have appropriated alien territories and made multiple places their homes and lived up to the social imaginaries of a ‘brave Gorkha’. For instance, Sanjay Bantawa’s ‘Tyo Gaon, Tyo Bastima’ (2007) continues to hold on to the old mantel left by the literary figures from Darjeeling, Northeast India, and elsewhere in South Asia. The poem compels the Nepali/Gorkha to introspect his/her positional and spatial paranoia in the following lines:

*Oh Bahadur! Timilai tha cha ke nao yaha deshka?* (Oh Bahadur! Do you know the name of this country?)

*Oh Bahadur, timilai kasto lagcha afnu desh bhitra bataunu nao timro yaha deshka.* (Oh Bahadur, how does it feel to be questioned to name your country in your own country?)

Questioning the subservient positional moorings of the Gorkha, Jas Yonzon Pyasi (2012) locates the problem as an internal one and blames the self of the community for having failed the aspirations of the community. The following lines from Pawan Kumar Chamling’s poem ‘Bahadur Kancha’ (Chamling 2012) conjure the exasperations of the community:

*Ani kasto sasto* (oh how cheap)

*Jhyal ma pani kinnusakney* (can be bought and exchanged so easily)

*Ra nun sanga satnu sakiney* (can be exchanged even for salt)

*Shyabas ra dhanayabad bhanera pani* (with well done and thank you)

*Afnu banaunu sakiney* (can be won over)

*Kasto achammako manchey* (what a strange human)

*Kancha ra bahadur* (called Kancha or Bahadur)

*Uslai afnu hak ra mato chaieko chaina* (he doesn't aspire for his rights and claims to the land)  
*Kinabhaney gjasamma usle* (this is so because till date he)  
*Tesko lagi yuddha ladeko chainna* (hasn't fought any wars/battles for it)

On similar lines, the issue of 'foreigner tag' is addressed by Kamal Regmi (2007) in the following lines:

*Purvay gaye purvay hajur bideshi ko dag lagchan* (generations after generation you are branded a foreigners tag)  
*Uttar dakshin jata gaye pahuna ko bhag lagchan* (North or South wherever you go you are treated a guest)

The unrequited patriotism of the Gorkha towards the Indian state (in the form of guarding the nation), and the denial of a cartographic space for Gorkha are expressed in the following lines of Manprasad Subba's 'Desh ani Ma' (2011):

*Afnu anuharma desh ko manchitra tassera* (having worn the mask of the nation's (India) map)  
*Ma desh ko parichey hidirahey hidirahey* (I walked on and on for the image/identity of the nation [India])  
*Tara mero parichey bhaney desh ko manchitra ma kina tassiyena hai?* (but why is my image/identity not embossed in the map of the nation?)

Following the trend of evoking the image of the 'national' and the 'patriot', Kamal Regmi's 'Mrityuko Gharima' (2009) unweaves the internal manifestation of the same. The poem is a tribute to the first *Saheed* (martyr) of the second-generation Gorkhaland movement. Pramila,<sup>13</sup> in her death became a *Saheed* and symbolised the *Mato ko Maya* (love of the land). The GJMM supremo Bimal Gurung had time and again in his public speeches mentioned that the sacrifice made by Pramila Sharma (chronologically the 1201<sup>st</sup> martyr of the Gorkhaland Andolan) will not go in vain and that she was the first martyr of the GJMM led 'Gorkhaland Jana Andolan'. The public

13 Pramila Sharma died in July 2008 while protesting in front of Deepak Gurung's residence (Deepak Gurung was a Councillor and close aide of Subhash Ghising, the GNLFF Leader and the Chairman of the erstwhile Darjeeling Gorkha Hill Council [DGHC]) during the Gorkha Jana Mukti Morcha (GJMM)-led second phase (since 2007) of the Gorkhaland movement under the leadership of Bimal Gurung. Thousands of people paid homage to Pramila Sharma with shops downing shutters as the funeral procession snaked from Gymkhana Club in Darjeeling to the cremation ground 3km away on 27 July 2008, the day after Pramila's death.

declaration of Pramila as a *Saheed* marked multiple milestones, for instance, the women's question in the Gorkhaland Andolan was officially addressed by the political party (i.e., the GJMM) and women were elevated from previous assigned roles of *Cheli-beti* (daughters) who needed to be protected and securitised within the confines of the 'home' and outside, to the elevated status of *Gorkhey santan* (Gorkhey lineage)/*Gorkhey Nari* (brave Gorkha women) who no longer needed to be protected, rather who could protect herself/themselves and her 'community' if need be. Also, the glass-ceiling of being a *Saheed* was broken in the GJMM Andolan (2007-2017) as now a woman could be celebrated as a recognised *Saheed*. Beyond these typifications of the land and its people and their contributions to the larger Indian state, there does exist a self-critical literary genre.

A quick glance through the popular poems post-2007 among the Indian Nepali writers marks interesting combination of preceding the traditions of the Romantics, and the *Tesro Ayam*. In that sense, the new critical space is 'neo-romantic' while clinging on the tradition of experiential narrative. In short, the terms of 'being, feeling, and thinking Gorkha/Gorkhey' in South Asia can be situated and contextualised to the embodied experience at ground zero in Darjeeling—the mouth of the volcanic Gorkhaland movement; also it can be connected to the nostalgia and lament of a lost past, intergenerational memory of making multiple places a 'home' and lived everyday practices that they choose to call *Gorkhey chalan* (the Gorkha way).

### III

#### **Speeches of Political Leaders of the Gorkhaland Movement(s)**

Speeches of Subhash Ghising and also songs in cassettes were circulated for public consumption during the first-generation Gorkhaland movement. These circulated cassettes (magnetic tapes) containing fiery speeches by leaders in support of the Gorkhaland Andolan formed the unique selling points of the first-generation Gorkhaland Andolan under Ghising (Gorkha 1996). Nagendra Gorkha's *Mato, Jati ra Rashtriya Chinari ko Prasanama: Subhash Ghising ka Aitihāsik Baktabya haroo* (1996) documents the speeches of the political leadership and how the GNLF supremo Subhash Ghising neatly wedged the distinct lines between Nepali and Gorkhali and how, through his public speeches, built social imaginaries of a Gorkha identity for the Nepali-speaking people in India. The intervening period 1986-2007 witnessed several mutations, distortions, and contortions in the appropriation and localisation of the borrowed semantics of Gorkha Chinari in the region (as mentioned in section I).

The second-generation GJMM-led Andolan (2007-2017) was marked

by the rise of the internet and social-networking platforms (Facebook, Twitter, YouTube, to name a few). These expanded the realm for democratic participation and debates, further enhancing the possibility of new public spaces for political intervention. Bimal Gurung, Roshan Giri, and Asha Gurung through their speeches extended the membership of the earlier cocooned Gorkha identity as propagated by Ghising. GJMM's interpretation of 'Gorkha' was more inclusive and opened the possibilities of hybridisation and mutations (as mentioned in section 1). The select speeches, when analysed, bring to the fore the multiversal understanding of 'being Gorkha' in South Asia and the contested nature of the appropriated nomenclature, its associated heritages and insignias. While Ghising wanted to redefine Gorkha as an emic/exclusive nomenclature for the Nepali-speaking diaspora in South Asia, especially around the question of 'land' (i.e., Darjeeling), latter rival/emergent leadership weaved a more inclusive definition of the nomenclature Gorkha and opened up possibilities of hybridities and mutations so that non-Gorkha/non-Nepali-speaking communities could claim the 'shared heritages' of 'being Gorkha' and, thus, increase the electoral and demographic shares in the roadmap to a cartographic definition.

#### IV

##### **The Music Videos of the Andolan Post-2007**

Music has been an integral part of the Gorkhaland movement in India. In this section, I will attempt to connect the links between ethno-political aspirations and political movements in general. One of the most effective experiments in mobilisation for the Gorkhaland movement was the *Indian Idol Season 3*, a singing reality show that was aired on Sony Entertainment Television in 2007. The show took the discussions around the 'contentious and fluid nature of culture, identity and politics' forward, as Prashant Tamang, a contestant from Darjeeling, was pitted against Amit Paul, who hailed from Meghalaya. Interestingly, in this particular case, the state of Meghalaya was also being represented at a cultural level albeit in the most limited sense by Amit Paul, a *dkhar*, or a non-local, an 'outsider'. There was similar uncomfortable feeling of a Gorkha (Prashant Tamang) representing the Bengali, when it came to pitting one state against the other. The internal dynamics within Bengal strongly voiced the wedge between the Gorkha and the Bengali during the finale, when West Bengal was represented by two contestants, Tamang from North Bengal and Emon Chatterjee from South Bengal.

The 'musical andolan' (2007-2017) showcases a matrix of versical

cacophonies from anti-establishment to protest themes ('Samaya ko Mang Ho Yo' n.d., 'Hami lai Chahincha Gorkhaland' 2017, 'Malai Mero Mato Deu-We Want Gorkhaland' 2017) to prayer calls ('Yo Darjeeling-Prayer Song for Gorkhaland' 2017) to ode to martyrs ('Mangal Singh Rajput-A Tribute' n.d.), and political campaigns ('Gorkha Jan Mukti Morcha-Ya Habibi' n.d., 'Jai Bimal, Jai Bimal Vote for Kamal' as part of MP Election 2014-BJP-GJMM campaign 2014). These viral video songs also include parodies on being Gorkha and Gorkhaland. The following lines from the parody song 'Suttu ma Suttu Delhi Janchaw' (2017)<sup>14</sup> reflects the fisted nature of political manoeuvrings during the '105 days' shutdown' in 2017:

*Khai ta Gorkhaland pani kathai bhaio* (it's a dream to be gifted Gorkhaland)  
*Suttu ma suttu Delhi janchaw* (stealthily going to Delhi) (chorus)  
*Sunne ma bhasan thik thak thiyo, Gorkhaland paune asathiyo* (the speech was assuring, it raised hopes to be gifted Gorkhaland)  
*Gatthe Gorkhey janta lai astitwa dine bacha thiyo* (the foolish Gorkha people were assured a legitimate identity)  
*Janta ko paisa ghechew ki bhuri thulo cha?* (did you gobble public money or are you potbellied?)  
*Bikas ko paisa gojima, sadak chai dulo cha* (development funds pocketed, the roads are potholed)  
*Timita raichaw dhatua, bangal ko agi padua* (you are a liar, a stench for Bengal)  
*Padalikha janta chai khoi kina bhako lathua* (why are the educated public acting foolish)  
*105 din istrike hamro goio sitei ma* (105 days of strike all in vain)  
*Andolan chappai rokiyo paisa ko bittei ma* (the movement was derailed by bundles of money)  
*Suttu ma suttu Delhi janchaw* (stealthily going to Delhi) (chorus)  
*Hunuatheko Gorkhaland amilo thiyo ki gulio?* (what was the taste of the aborted Gorkhaland, sour or sweet?)  
*Jopani goio Delhi ma tetai tira bhulio* (whoever went to Delhi forgot it)  
*Kasai pasio junglema; Kasai mangalma* (some fled to the jungle; some bestowed new riches)  
*Raatbhari runey, bhuri jewdei, janta chai Bangal ma* (crying night long, on empty stomach, the people still in Bengal)

14 The song is a parody of the popular Nepali song 'Kutu ma Kutu, Suparidana' by Melina Rai, Ranjan Raj Shiwakoti, Rajan Ishan. Lyrics & Music: Rajan Raj Shiwakoti. Soundtrack in Asim Shah dir. *Dui Rupaiyah* (2017). Prod. Nischal Basnet. G21 Production and Black Horse Pictures.

These songs and videos transmit messages shaped by their referred contemporary political context. Understanding the history and events that inspired the music is, therefore, necessary in order to fully comprehend the message. The nature of that message can also be ambiguous because the label 'political music' can be applied either to songs that merely observe political subjects, songs which offer a partisan opinion, or songs which go further and advocate for specific political action. Thus, a distinction has been made, for example, between the use of music as a tool for raising awareness and music as advocacy. Possibilities of disconnect between the political intentions of musicians (if any) and reception of their music by wider society remains ajar. Also, the possibility of misreading or missing the target or general indifference or antipathy of the audience remains. The music of politico-ethnic consciousness among the Gorkha in India presents a monochromic canvas post-2007. This monochromic technique has been a tendency emic to the Gorkha. Also, this monochromic method is deeply undemocratic though it ostensibly claims to be democratic.

## V

### **The Theatrics of 'Being, Feeling, and Thinking Gorkha/Gorkhey' Post-2007**

Following a lineage of theatre clinging to the roots of shared heritages of Gorkha and connectedness to the *Mul Ghar* in Nepal, the contemporary performances in theatre/plays in Darjeeling uphold the same trend, but with strong injection of critical voices. Gleaning through the very popular drama in the second-generation Gorkhaland phase in *Bhanu ra Pala* (Golay 2007, 2009), we can observe the intensity of the theatrics of 'being, feeling, and thinking Gorkha/Gorkhey'. This drama set on the hill politics post-2007 marks many interesting breaks from the preceding drama and theatre cultures of the region and the Nepali-speaking people in India and across South Asia (Chalmers 2009; Pradhan 1994; Rai 1984; Thakuri 2008). The interlinked nature of media and politics can be felt at various levels. As much as the media has compromised 'ethical information dissemination', it has also brought on a strong wave of critical thinking through nationalist songs, plays, and local programmes such as *Bhanu ra Pala 2* (Golay 2009), a drama that was aired in 2009. In *Bhanu ra Pala 2*, for instance, there is a strong critique of the second-generation Gorkhaland movement through humour. The encounter between Ghasi Baje (an old grass-cutter) and Bhanubhakta, the local village *neta* (leader), who owes an allegiance to a supremo popularly referred to as

the *buro* (old man)<sup>15</sup> highlights the issues of *hamro manche* (our people) and the scheming political outsiders in Darjeeling. The conversation between the duo brings to the fore the contestations over demands, tactics, and issues of authentic representation of people's aspirations. For instance, Bhanubhakta asks Ghasi Baje: 'who gave them (rival political parties) the right to demand Gorkhaland? Gorkhaland is 'our' issue, it is "our demand", and we were the first party to demand it. No other party has the right to demand Gorkhaland'. Ghasi Baje responds by asking Bhanubhakta a question: 'Wasn't your party the first to drop it (issue of Gorkhaland) as well?' To this Bhanubhakta replies: 'Tyo "drop" matrei gareko ho, tyo pani kagaj ma matrei ho tyo drop (it has just been dropped and that too on paper [it isn't really dropped])'. Ghasi Baje probes Bhanubhakata: 'Kagaj ko drop toh "puccka drop" hoina? Eti lekha pari, sahi chap gari "drop" ko ke value chaina? (dropped on paper is "dropped in real", isn't it? Numerous discussions, debates, signatures, and official stamps/seals have no value?)'. The drama unravels very complex realities of Indian politics such as absentee elected leaders, ritualised visits to constituencies, vote bank politics, money laundering, etc.

The issue of Gorkhaland and Gorkha identity seems to be a never ending one, though actors, small and big, claim knowingly or unknowingly to have reached a 'solution'. 'Setup cartoon' (see picture below) satirically snubs the claim that the problems in the hills have been resolved.

The drama series *Bhanu ra Pala 1* with the subtitle *Sabhyata ani Kukur ko Pucchar* (civilisation and the dog's tail) and *Bhanu ra Pala 2* correctly convey the dilemma of having 'dropped the issue on paper', 'reaching a consensus', and the need for keeping them alive in real-time politics. The play very strongly relays the evolution and concerns of 'being, feeling, and thinking Gorkha/Gorkhey' in the *GoJoMomised* socio-political milieu in Darjeeling.

## VI

### Gorkha versus Gorkha: Viral Videos and Virtual Battles

Virtual communities are places/sites where people meet, and they also are tools; the place-like aspects and tool-like aspects only partially overlap. Cyberspace, much like the market, through gossip/chatting<sup>16</sup> makes the

15 The play being a spoof on Gorkhaland politics follows very craftily the tussle between Subhash Ghising's GNLf and Bimal Gurung's GJMM. Subhash Ghising is popularly referred as the *buro* or the 'oldman' while Bimal is referred popularly as *Mama* (uncle, mother's brother).

16 Language has a strong relationship to power struggles and systems of dominance, traced in history by postcolonial critics, yet very relevant in today's analysis of internet culture. New terms have emerged to stand in for internet-specific ideas and processes, related not only to hardware and software, but to social themes that have arisen due to widespread internet use.



Source: Setup cartoon, 10 July 2011, <http://www.gorkhacreed.com/harka-bahadur-chettri-and-roshan-giri-setup-cartoon-gorkha-creed-exclusive/harka-bahadur-chettri-and-roshan-giri-setup-cartoon>, accessed on 17 January 2013.

connecting link between people (Chakraborty 2013). Through such gossip/chatting and group interaction, the raw material for 'Gorkha-ness' gets proliferated in the virtual space towards 'a community-in-building'. 'Virtual communities' require an act of imagination, 'and what must be imagined is the idea of the community itself' (Anderson [1983] 1990). Anderson's line of thinking can be stretched to the understanding of cyberspace. Through these virtual communities, the 'wished for' appearance manifests itself as the 'virtual identity'.

The symbolism exhibited in the Gorkha virtual spaces (both Nepal-based and India-based) is very much reflective of the myths and folk traditions among the Gorkha people. Most of the graphics displayed in these virtual spaces in the form of logos, designs, etc., are inspired by the traditions and little histories of the Gorkha. For instance, the use of the twin khukuris, *Gorkhey Topi* (Gorkha cap), popular sayings like 'Katar hunu bhanda marnu ramro' (better to die than to be a coward) eulogising the Bir Gorkha, and the like. These websites, blogs, and other spaces in the virtual world make use of the symbolic representations to aesthetically quench the aspirations of

The vernacular of internet culture is more than technical jargon, and a reflection of the kinds of values online culture is tending to gravitate towards.

the Gorkha to exhibit themselves as one, irrespective of the veritable and ostensible nature of their identity callings.

Entering cyberspace is like gazing into a maze of community that is creating itself virtually on the computer screen, and no single metaphor can completely convey its nature. The virtual community, like other 'real communities', includes the participation or interaction of people. However, unlike real space, the virtual space is technically limited by the constant wave of coming and leaving without actually meeting in a face-to-face situation (keeping aside cam2cam [C2C] interactions/conversations).<sup>17</sup> But strangely enough, virtual spaces still do manage to create a social connection or networked environment which feels like a community, constantly in the process of becoming or evolving.

No doubt the virtual networked community is more open to imaginative creativity or freedom, and, in this sense, more loose and receptive to multiple interpretations. Due to their 'un-gated' nature, such communities help citizens revitalise democracy or provide an attractively packaged substitute for democratic discourse via electronic means. The Gorkha cyber politics like other identity-driven cyberspaces is characterised by translocality,<sup>18</sup> in which different local agents, individuals, and initiatives operate within a networked environment. The isolated nature of cyber politics, combined with the absence of physical bodies on the internet, provides not just innovative opportunities for people to reflect upon their identities, but also acts as a tool for establishing new types of communities with varying degrees of social consequence (Diamantaki 2003).

Public opinion in Darjeeling has worked itself up to a considerable pitch and has infused elements of self-criticism in the civil society. These pitches of critical voices have extended the debates from the realms of the real to that of the virtual. The virtualisation of the public sphere in the form of contested cyberspace, trolling, sharing, etc., reflects the bonding and unbonding of the *Gorkhey santan* and how they make meanings out of shared trans-Himalayan heritages of the Gorkha. The Gorkha cyberspace (blogs, Facebook, Twitter, and the like) are translocal in nature and origin. Through my field interactions, I was able to gather that most bloggers, vloggers, and visitors to these sites were educated, employed, semi-employed as well as unemployed youngsters.<sup>19</sup> Those using WhatsApp and other app-based

17 Cam2cam or C2C is a term common in use in the virtual space or the world of internet to chat via video conference through the medium of a camera connected to computer.

18 Translocal means that we are dealing with individual in local situations, but they are distributed within a larger geographical and cultural system. The global is locally embedded.

19 This further substantiates Foucault's argument that 'knowledge is power'. It is the voices of the few who are privileged to use these tools that are mapping the structures that will make up the

platforms were more heterogeneous, cutting across age, education, gender, caste, class, and geographies.

One of the most useful ways of evaluating the prospects of the internet to function as a public sphere, given its inherent limitations, comes from Mark Poster's *CyberDemocracy: The Internet and the Public Sphere*. Poster (1995) argues that if the print media and the values of enlightenment helped create a 'modern' society and an individual who was rational, autonomous, and stable, then new technologies facilitated the birth of a post-modern society and created an individual whose identity was fractured, unstable, and fragmented. Poster contends that communication on the internet need not be limited to that of a single public and can encompass previously excluded groups, while also accommodating multiple spheres of discussion. Poster acknowledges that the internet cannot eliminate all the inequalities and power relationships present in the existing forms of communication, he still argues that the internet can perform the duties of the public sphere without 'actually being one' (Poster 1995, 224). In other words, the internet can and does provide a medium for disparate people to form social networks (based on common interest) and communicate meaningfully with each other. Furthermore, the internet can also foster critical reasoning, self-reflection, and debate among users who do not know each other. Thus, the internet now offers a wide scope for forging a connection that is not only immediate, but also personal, social, and political, which in turn provides tremendous potential for the empowerment of society (Chakraborty 2013).

In *The Structural Transformation of the Public Sphere*, Habermas sketches the degeneration of media from print-based journalism to the electronic media of the twentieth century in an analysis that, as his critics maintain, tends to idealise earlier print media and journalism within a democratic public sphere, contrasted to an excessively negative sketch of later electronic media and consumption in a debased public sphere of contemporary capitalism (Calhoun 1992). For Habermas, the function of the media has, thus, been transformed from facilitating rational discourse and debate within the public sphere into shaping, constructing, and limiting public discourse to those themes validated and approved by media corporations. Hence, the interconnection between a sphere of public debate and individual participation has been fractured and transmuted into that of a realm of political information and spectacle, in

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World Wide Web for the Gorkha. This power of self-representation on the internet is reserved not only for those who can afford computers, smartphones, uninterrupted internet connection, but also for those who can afford the time, education, and the inclination to pick new technological skills to make this tool workable for them. Access to the virtual space comes with a hidden power play.

which citizen-consumers ingest and absorb entertainment and information passively. 'Citizens', thus, become spectators of media presentations and discourses which mould public opinion, reducing consumer/citizens to objects of news, information, and public affairs (Kellner 2011).

The contentious politics of identity among the Gorkha fused with the emergent Indian consciousness or Indian identity complicates the double helix of 'identity' among the Nepali-speaking people in South Asia. The viral videos such as Seema Subedi Shrestha (2017, henceforth S3 viral videos) versus Nepali Gorkhas (and also Darjeeling Gorkhas) attempts to bring to the fore the complex politics of representations, performance, and aesthetics of the contested claims to the trans-Himalayan 'shared heritages' of Gorkha in South Asia. The backdrop of the viral video controversy was the '105 days' indefinite bandh that began in Darjeeling on 15 June 2017, following the State (West Bengal) government's imposition of Bengali language in schools. Weeks on Seema Subedi Shrestha live-streamed herself on Facebook and expressed her opinions about the Gorkhaland movement in Darjeeling and the Nepali-speaking people in India. Seema Subedi Shrestha made uncomfortable comments about the Nepali people in general and strongly emphasised repeatedly that Indian Gorkhas (Nepali-speaking Indian citizens) and Nepalis are completely different and how proud she is to be an Indian. The S3 videos touched Nepal's hurt zone by reiterating the branding of 'Gorkhas' as *durwans*, migrant workers from Nepal as 'dishwashers' in India, and several issues projecting Nepal in poor light. Also, the S3 videos highlighted the popular social imageries of Indians in Nepal as *Dhoti* (wearer of the Indian loincloth) (Jha 2014), *Jhalmuri* (puffed rice with assorted spices and onions) seller/eater, etc. The S3 viral videos unleashed a series of rebuttals from across the globe, and the global *Gorkhey santans* engaged in fisted battle of monologues in the virtual spaces. These videos also brought to the fore issues of power tilts and inclinations among nations of South Asia, for instance, the issues such as 'Nepal being more comfortable and supportive to Pakistan rather than being smothered by India's hegemony' and 'Nepal and Bhutan being on an agreement that India is a bully in South Asia', and the allegations that 'India and the Modi government did not provide much to Nepal in the post-2015 earthquake-rebuilding programmes and that the economic embargo made life difficult for people in Kathmandu', etc. The S3 viral videos, thus, triggered the hornet's nest and unfettered the intensely uncomfortable contests and claims to 'being Gorkha' and disturbed the people-to-people connect across South Asia.

### Some Closing Observations

Bringing the arguments in this paper to a closure, I would say that contemporary critical/theoretical debate surrounding identity and culture politics has to be kept in mind and used as an effective tool to unravel and unweave the braided relationship between citizenship, identity, community recognition, etc. The dilemma of having to 'explain' their identity/community appellation and hem it to a particular region/state is indeed perplexing, traumatising and results in emotional exasperation. The Gorkha in the region have been constantly challenged<sup>20</sup> by contending communities to prove their authenticity as citizens, their loyalty to the Indian nation, and their 'Indian-ness'.

The multiversal 'ethnosymbolic' connections to the shared heritages of Gorkha invites seemingly polarised notions of 'being Gorkha' in multiple geographies and projects a cacophony of contested frames of 'Gorkha-ness'. These negotiations (also hybridisations) of identities and rootedness or connectedness to a 'shared heritage' (Gorkha heritage) enables the Nepali-speaking people across South Asia and beyond to meaningfully engage with the problematic of being 'far from home' and trying to find a home in themselves, or in other words 'taking their home with and within themselves'. Much in the lines of how the character Makare while confronting the uncle Chandrabir in Mohan Thapa's *Agoko Jhilkaharu* (1976) mentions, 'the place where she (the new-born baby) is born is truly her motherland. We came here along with the land. This land was cunningly taken away from us by the British'.

An overview of the socio-political history of the Gorkha in India unveils locational, positional, and situational ambiguities and further dismantles the 'homogenised Gorkha' and unveils the veritable differences within the construct of the Gorkha identity. In short, while there might be overlaps on certain issues like concerns over citizenship, political insecurity, etc., there are distinct political differences between Nepali-speaking communities living in different parts of India as elsewhere. The revived Gorkhaland aspiration post-2007 unleashed discomforts in negotiating the calls for homogeneity amidst the display of rudimentary ethnic motifs. Such discomforts are best reflected through the *Bhesh Bhusha Andolan* (ethnic wear movement) of 2008 and the black paints smeared on the faces of those who dared to resist the GJMM's 'cultural movement'. The second-generation Gorkhaland movement post-2007 shows neatly how the media was used and later how media appropriated for itself a new vigilantist role and brought the *Jana Andolan*

20 This challenge operates even at the 'inter-community' level of the said community. For instance, the Kalimpong Nepali-speaking people versus the Darjeeling people, Darjeeling (as a whole) versus the Northeast Nepalispeaking communities, Darjeeling versus Sikkim Nepali-speaking people, Darjeeling versus Garhwal/Kumaon Nepali-speaking groups, etc.

deep into the living rooms of the remote houses in the tea gardens. Unlike the previous Gorkhaland movement, the '2007 Andolan' emphasised on the *Sachet Jagrukt Janta* (informed vigilant people).

Gleaning through the literary and the creative manifestations among the Indian Nepali-speaking community in India, one can thread the connections, the loops, the shifts with the literary genre elsewhere in South Asia. The term 'Gorkha', though intensely contested (from within and outside) and met with the tensions of claims-making has survived not simply because of its community appellation but more because of the failure to moot an agreeable replacement and has, over the years, transformed its culture-historical underpinnings into an ethno-political one. The claims to 'Gorkha' has invited polarised wave of opinions both in real and the virtual spaces and pose stiff questions to the concerns of the trans-Himalayan heritages of Gorkha and associated social imaginaries. These stiff questions, though muffled in the real spaces, reverberate forcefully in the virtual spaces. The use of the term 'Gorkha' outside Nepal has invited fisted mood swings within Nepal. The styling of the ethnic cartographic movement as 'Gorkhaland' is construed as another attempt by the state of India and the Nepali-speaking people in India to hijack and promote a 'false history'.

Following the second-generation Gorkhaland movement post-2007 and the highs and lows of administrative and institutional swings from DGHC (Darjeeling Gorkha Hill Council) 1988 to GTA (Gorkhaland Territorial Administration) 2012, and the multiple Development Boards, the Gorkha identity is today faced with the challenge of recalibrating and reconfiguring itself to the politics of 'autonomy' and 'development boards'. In other words the 'collective subjectivity', i.e., Gorkha/Gorkhey/*Pahadi/Pahadey* identity is contested by the moorings of the 'subjective particularities' of 'clan, tribe, and caste' (Shneiderman and Turin 2006). The poetics, the theatrics, performances, and aesthetics of 'being Gorkha' (2007-2017) among the Indian Nepali-speaking people in South Asia showcase these rumblings in fine measure. The discussions in this paper unsettle our notions of fixities of identities and reaffirms the understanding that we endlessly choose to become something new and in doing so skilfully put the rhythm of connectivities of shared heritages into motion.

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# **Evolving Theories of Federalism and Comparative Evidence**

## **Research Questions for Multicultural Democracy**

**DHANA LAXMI HAMAL**

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### **Introduction**

This paper seeks to lay a foundation for future research on the effects of Nepal's recent 2015 constitutional settlement on identity-based politics, party formation, individual rights, and civic empowerment. Three important contexts are elaborated followed by several suggestions for future research. First, the paper begins by looking at the significant shifts in the political theory of federalism since the 1960s and suggests that they can be understood as a change in emphasis away from stability (and elite calculations over trade-offs) towards an analysis that includes a normative, identity-based theory of multicultural politics. Second, it explores criticisms raised about multicultural politics, and especially ethnically-based federalism, articulated both in the international literature and within Nepal. This review of the critique of ethnic federalism is centred around a leading individualistic, rights-based, equal citizenship-centred critique of ethno-politics articulated in Nepal during the period of constitutional debate prior to 2015. Lastly, the paper reviews relevant results from a recent study in comparative politics that measures the Nepali constitutional settlement against comparable recent settlements in Sri Lanka and Myanmar. The paper concludes with a brief sketch of proposed research that would compare several of the newly formed Nepali federal provinces, each with its own distinct ethnic, economic, and historical features. The review of the political science literature on federalism and the critical theoretical approaches to ethnic politics inform a research agenda to examine the effects of Nepal's 2015 constitution by asking: by what standards should we evaluate the major features of the constitutional settlement reached in the Constitution of Nepal 2015? How is this system, and in particular its democratic federal structure, affecting critical aspects of Nepali democracy such as citizenship, identity-politics, and the exercise of individual rights? How does the Constitution of Nepal 2015 reflect and

add to changes in the fiercely contested ‘imagined community’ (Anderson 1983) of Nepal?

## Theoretical

### ***State Stability or Political Justice?***

The first generation of political science studies on federalism were dominated by a concern for state stability. This approach is rooted in political scientist William Riker’s path-breaking *Federalism: Origin, Operation and Significance*, published in 1964. In it, Riker takes the United States as the first and most influential federal model.

Riker’s work drew on the emerging fields of microeconomics and game theory, with a frankly anti-idealistic approach inspired by a *realpolitik* that focused on how political actors pursue their interests through rational calculation of risks and rewards. Riker discusses the behaviours of decision-making elites and their incentives or motives to give up some local power in exchange for the formation of larger and newly federated unions. Riker rejects idealistic motives for adopting federalism (such as the previously dominant claim that federalism was adopted by the American constitutional framers to protect liberty). Part of his aim seems to have been to puncture American patriotic myths. He argues in a later work that the American federalism was not adopted because it protected liberty or individual rights; it was an ‘ideological fallacy’ that ‘federal forms are adopted as a device to guarantee freedom. . . . I am certain that there is no simple causal relationship between federalism and freedom’ (Riker 1987, 13–14). In attacking a longstanding American myth, Riker rejects the claim that federalism had been chosen to support or defend freedom. Riker argues that America’s eighteenth-century constitutional framers made a calculated decision that giving up some of their individual state power to join a more powerful federal union, thereby forming the United States, would increase their power to pursue their interests: first to resist an external threat and then to increase their ability to impose their own united power on other people and places. Riker argues that only his theory explains the US federal system—the military goal to gain more territory or power—a theory that he calls a military interpretation of the US constitution (Riker 1964, 17).

Much has changed since Riker’s theory. The field of political science still embraces his fundamental focus on the calculations of decision-makers. But, new works reflect upon the importance of federalism for democracy, in part, as an urgent need for a shift towards multicultural politics. This focus also tends to be less concerned with claims that federalism serves the protection

of individual rights, and is relatively more interested in the claim that federalism can advance political justice based on group identity, cultural rights of expression, and group-based political participation.

Most broadly, one might assume that the shift towards a new definition of political justice followed identity-based political movements as well as the influence of postcolonial and cultural studies. Within the most relevant political science literature, however, the major break is represented by the work of political scientist Alfred Stepan, who argues that Riker's focus on the United States' experience was profoundly misleading. Stepan argues that while the United States federal system was a case of pre-existing states 'coming together', most of the federal unions since World War II are examples of states 'holding together' (Stepan 1999). As a result, the nature of the 'bargaining' and the motives at stake in constitution-making were very different, leading to what Stepan calls 'a completely different historical and political logic' (Stepan 1999, 3). He celebrates how federalism could help diverse and even divided countries hold together and advance new definitions of democracy that addressed or 'accommodated' centuries of political hierarchy. Such work can be viewed as part of a broader framework that seems at once descriptive and normative, and based on the idea that cultural, ethnic or racial, and class-based hierarchy was always bound up with the formation of traditional nation-states. Stepan begins his analysis with the work of B.R. Ambedkar, one of the key authors of the Indian constitution and notes much of the shift in the political theory of federalism over several generations of anti-colonial and postcolonial struggle around the world.

Furthermore, Stepan's work accepts the claim that the United States federal system had a significant effect on protecting individual rights against a dominant centre, and as a result, the system was ultimately what he called highly 'demos-constraining'. According to Stepan, modern federal systems could be designed to make democracies more inclusive and more responsive to local citizens, and thus pursued as 'demos-enabling'. The theory of federalism, then, has involved a shifting focus on how federalism expands democracy and how societies, especially historically divided and exclusionary ones, can pursue what Michael Breen (2018) and others call political justice. That said, most contemporary analyses of federalism should and usually do include an attempt to measure and study federalism for how it delivers on all these potential outcomes: the creation of political stability, the protection of individual and group rights against majority tyranny, the nature of multi-ethnic states, and inclusive political justice. A great deal of important comparative studies that engages the concern with political stability has focused on whether federal systems, and especially ethnically

defined federal settlements, have positive or negative effects on ethnic conflict. This kind of work has focused on studies of the former Soviet states in Eastern Europe, African countries like Ethiopia, and divided states in Asia like Sri Lanka and Myanmar. As discussed further below, Nepal's contemporary history of democracy includes the 1990 democracy movement through the Maoist civil war and ethnic (Janajati) political movements, the Constitution Assembly (CA) following the peace process and republican transformation of 2005, to the settlement that resulted in the Constitution of Nepal 2015. This history engages all the themes discussed here: elites' rational calculations over the adoption of federal structures in the pursuit of power; a concern with the effects of federalisation on political stability (and ethnic conflict); and, as is discussed in Section B below, the effects of federal systems on the pursuit of political justice defined by the accommodation of long-oppressed ethnic and other groups in cases of holding-together federalism.

***Institutionalising Political Justice: Multicultural Politics and Federalism***

A dominant trend in contemporary politics is the attempt to create the conditions for greater political justice by designing multicultural states. In the post-colonial period and the age of expanded feminist, civil, and human rights, the ideal of 'multicultural citizenship' or a 'politics of representation' has become central. These forms of political justice have changed the meaning of democracy and how it is analysed in political science (Kymlicka 2001; Taylor 1992; Young 1997). Based on the communitarian criticisms of American and English liberalism, philosophers like Charles Taylor and Iris Young have advocated multicultural politics.

Will Kymlicka, leading political theorist, explores the relationship between multicultural politics and states structures. Kymlicka (2001) argues that democratic liberal society (based on limited state powers and strong individual rights) need not be ethnically or nationally 'neutral'. He argues that modern liberal democracy can create a significant place for ethnic and identity difference, which can co-exist with both political stability and the protection of individual rights. Following socialist, feminist, and post-colonial critiques, Kymlicka insists that the ideal of neutrality advocated by traditional liberals is not true to lived reality and is based on an inaccurate description of existing societies and states. The United States, for example, is a seemingly neutral state with neutral political forms at the central and state levels, with freedom of association among groups in civil society, no explicit constitutional status for groups, and strong rights of the individual. Even race-based American slavery was presented as 'neutral' in the 1789 constitution, and in the amendments that ended it after the Civil War. While

the United States stands maybe as the ideal of a modern, liberal ‘neutral’ state, Kymlicka argues that it has a strong nationalist and ethnic identity-based reality of power inequality beneath this neutral surface. For critics in this tradition, it should be acknowledged that the liberal state is also always a national state. If this is so, Kymlicka argues, we are then obligated to try and make room for multiple, openly-recognised national identities within a unified liberal state (Kymlicka 2001). If we acknowledge these forces, Kymlicka argues, we can then make room, within the liberal state model, for a more pluralistic politics, that is, multiple ‘nationalities’. We can make room for other national identities within the unified liberal state. In sum, Kymlicka defends minority nation-building using the same tool as majority nationbuilding. Kymlicka’s arguments for multicultural politics are adopted by many contemporary advocates of federalism. Alfred Stepan is among those who defend the use of federal systems to support ethnic plurality and inclusive democracy, and his descriptive emphasis on ‘holding-together federalism’ is closely connected to the normative drive for multicultural politics. Several of the most prominent modern federal states have emerged from historical and political situations that make them forms of ‘holding-together federalism’, including India, Belgium, and Spain. These were all systems that already had ‘strong, unitary features’. But their leaders decided that ‘the best way, indeed the only way, to hold their countries together in a democracy would be to devolve power constitutionally and turn their threatened polities into federations’ (Stepan 1999, 22).

### ***Theory Questioning Ethno-Politics***

Within political theory, the call for ethno-politics and related approaches to federalism remains controversial. The most interesting concerns are not stability and holding-together, but the substance of whether laws and policies will represent a full range of visions about the common good. As Graham Smith summarised, ‘[t]hose who question the merits of multi-ethnic federations are concerned that by structuring the polity along multi-ethnic lines, federalism enables key policy areas to be hijacked by highly partisan ethno-regional groups who are able to impose their will on others’ (Smith 1995, 17).

Iris Young’s *Politics and Group Difference* (1997) is a foundational text in multicultural politics. Despite her support for cultural politics and identity politics, she takes seriously concerns about the empowerment of groups, rather than individuals, within political systems. For Young, the important concern is how the political representation of groups may add to an essentialising view of identity, ethnicity or gender, and she attends to the

internal marginalisation of identities (such as gender) that often occurs within groups (Young 1997).

Young recognises that the idea of group representation fails to contend with the fact that groups are always based on exclusive definitions of identity, and plurality often collapses into chauvinism. The celebration of identity groups typically includes how complex and contested is the group itself, and how groups tend to generate, and often amplify, oppressive differences, such as race, class, religion, gender, and ethnicity. Individual members of gender or ethnic groups have many types of different life histories that complicate their relationship to any given group (Young 1997). Most importantly, Young (1997, 350) recognises that '[t]he unifying process required by group representation inappropriately freezes fluid relational identities into a unity, and can recreate oppressive segregations'.

But, Young continues to argue that inclusive democracy means that every 'structured social group perspective in the polity should be represented' so that governments can reach 'fair and wise decisions' (Young 1997, 369). This group-based approach is important in any society 'structured by group-based privilege and disadvantage', which, really, is every society that exists. In Nepal, for example, such structures and hierarchies, typical of all societies, play out in categories of caste, gender, indigenous groups, regional disparities, and so on. Young argues that the structured group perspective within politics offers an important critique and correction of liberalism and the ideal of neutrality, or formal equality. In this critical perspective, political processes that claim to be neutral will, in fact, systematically favour the views and interests of historically privileged groups. It is likely that most participants in the Nepal discussion would agree with this critical perspective, and would insist, like Young, that '[d]emocratic inclusion . . . requires special measures to enable the representation of oppressed or disadvantaged structural social groups', in part, so that 'dominant perspectives which are assumed as normal and neutral' can be made more nuanced, fair, and accurate (Young 1997, 370).

It is important to note Young's defence of subject-position-based group representation. In the midst of defending group empowerment, she advances many weak or compromising types of institutions, from civil society to proportional voting, that are much less intensive than ethnic federalism, which seem structured to avoid the worst aspects of ethno-politics. They allow for internal fragmentation and opting out, and are similar to Kymlicka's proposals. The legal theorist Ayelet Shachar (2000) goes further than Young to critique politicisation of ethnicity. Shachar (2000, 64) explores how some ethnic and nationalist passions against the unifying centre even in

longstanding federal systems, such as the United States and the affluent European Union, experience pressures to pull apart.

More importantly, Shachar explores the costs that multicultural politics can impose on people within the political community and emphasises the 'harmful effects' that group rights can have on the constituencies they are intended to benefit (Shachar 2000, 64–65). 'Multiculturalism presents a problem', Shachar argues, 'when state accommodation policies intended to mitigate the power differential between groups end up reinforcing power hierarchies within them' (Shachar 2000, 65). Shachar is less concerned with essentialism, or the theory of representation that Young (1997) discusses, but is worried about the power dynamics within groups given to state power.

Shachar seems to accept Kymlicka's and Young's critique of the false neutrality of the liberal nation-state and discusses Charles Taylor's (1992) arguments on the importance of difference and identity to the human condition. Their goal, as Shachar suggests, is 'to free minority communities from the tyrannical imposition of centralised state law', and instead to identify mechanisms that can 'officially include the voices of identity groups within the constitutional framework' (Shachar 2000, 67).

Shachar (2000, 68) claims that this approach masks the phenomenon of intra-group oppression in the name of inter-group oppression, and, thus, she expresses concerns about the particular place of women within group's identity-producing and -defending practices. She argues that the 'so-called traditional treatment of women sometimes becomes a cultural flag for a group's authenticity' such that groups will constantly 'reinterpret those traditions that systematically injure women' to protect and extend 'the group's identity' (Shachar 2000, 74). As I discuss below, Bennett, Sijapati, and Thapa (2012) share a similar argument in the case of Nepal. According to Shachar (2000), the standard defence against this is to offer the individual within the group (here, she is focused on women) the opportunity to 'opt-out' of regional or cultural group power and to seek protection or to escape into the central state and its individual rights. Shachar is not convinced that this is either fair or effective. '[T]he right of exit rationale forces an individual into a choice of penalties: either accept all group practices . . . or (somehow) leave', which 'throws on the already beleaguered individual the responsibility to either miraculously transform the legal-institutional conditions that keep her vulnerable or find the resources to leave her whole world behind' (Shachar 2000, 80). As such, any new approach to redistributing legal powers between membership communities and the state, Shachar argues, must be sensitive to the diversity and power hierarchies within groups and consider not only the interests expressed by a group's acknowledged leaders, but also

the voices of less powerful group members, especially those subject to strict and disproportionate regulations by their own identity groups (Shachar 2000, 81).

### **Federalism in Nepal**

In 2006, after a decade-long Maoist insurgency, Nepal transitioned from a monarchy to a federal democratic republic. The Constitution of Nepal 2015 transformed the country into a federal democratic republic in which significant amounts of autonomy and sovereignty are embedded in seven federal provinces (Breen 2018). But, as discussed in the review of the relevant literature that follows below, a number of concerns relevant to the federal structure arise when analysing Nepal's constitution: (1) the new constitution offers only the appearance of change, leaving too much in place from the old unicultural state and its deeply-rooted social hierarchies; (2) the state will fail to 'hold together'. With significant forces of ethno-politics active, empowered and dissatisfied, and with its federal system characterised as disintegrating and falling apart, the federal state will collapse and dissolve under separatism and greater ethnic conflict; and (3) the state will more or less 'hold together', but only under an undemocratic sort of ethnic or populist regime.

### ***Assessing Nepali Federalism as a Democratic Movement***

Federalism in Nepal, both in its territorial and ethnic forms, is part of the long-term struggle for democracy carried on by generations of Nepalis. It is a reaction to a past built on several anti-democratic regimes (the Shah conquest and dynasty, the Rana oligarchy, the Panchayat system), and a nation-state based on a very strong form of unicultural nationalism/national hegemony.

Nepal seems to be a case of Stepan's 'holding together federalism' after centuries of a unitary political system. The major political parties in the successful 1990 People's Movement were national political parties which drew electoral support from districts and regions across the country. Even the Maoist party, which attacked the monarchy and fought a civil war against the constitutional monarchy, was structured largely as a national party, although it had a complex and critical relationship with the Adivasi Janajati, or indigenous nationalities, and showed separatist potential.

Karl-Heinz Kraemer (1998) demonstrates that Nepali ethnic movements have long been part of the forces strengthening democracy in Nepal. In the late seventies and early eighties, the growing self-consciousness of ethnic elites led to the formation of ethnic organisations. The turning points were the student riots of 1979 and the national referendum of 1980, which led to

constitutional changes that undermined the conservative basis of the royal system, and in 1986, shared concerns across diverse ethnic groups led to the formation of the Sarvajati Adhikar Manch (Forum for the Rights of All Nationalities).

Democratic forces pushed for greater ethnic inclusion during the 1990 People's Movement. According to Kraemer (1998), in 1990, 90 per cent of public recommendations on shaping the new constitution concerned diversity of religion and language, and demanded state action to eliminate ongoing elements of the caste system and redress past harms from it. Nevertheless, the chairman of the Constitution Drafting Commission in 1990, Bishwanath Upadhyaya, dismissed such demands: 'Statements which foster communalism and sow the seeds of religious intolerance cannot be justified. Such improper tendencies, if not checked in time, will create obstacle in our efforts to establish a democratic constitutional system' (Upadhyaya quoted in Kraemer 1998). Upadhyaya went on to become the Chief Justice of the Nepali Supreme Court in 1991 under the 1990 constitution.

The most effective political and social forces for ethno-politics, especially in the past two decades, have been the Madhesi and Adivasi Janajati movements. Distinctive Madhesi political activity has a fifty-plus year history in Nepal. It may first have become visible in the 1950s in the form of the Nepali Tarai Congress, which 'called for an autonomous Madhes, the recognition of Hindi as an official language, and a Madhesi presence in the civil service', and as early as the 1980s, federalism was a part of the Madhesi discourse associated with regional autonomy (Hachhetu, Yadav and Gurung 2010 cited in Lecours 2014, 619). Mahendra Lawoti has, perhaps, been the most influential scholar of ethnic identity and its relationship to democratic political movements in Nepal and a trenchant critic of the Constitution of Nepal 2015 (Lawoti 2005, 2007, 2015).

In his work from 2005, Lawoti emphasised a limited form of ethnic federalism. He wrote: 'In demanding only the rights that mainly deal with cultural, social and developmental issues, the sociocultural groups acknowledge the advantages of staying within the existing nation state' (Lawoti 2005, 257). Yet more recently, and in more polemical situations, he has argued that only 'diamond cuts diamond', suggesting that the only way to handle minority inequality and grievance in Nepal is to draw provinces along ethnic lines. The upper-caste population is spread across the country and will find ways to unite and control power unless the country's marginalised peoples are empowered to do likewise (Lawoti 2013). From such a view, ethnic federalism is the first concern for the future that dominates: the 2015 settlement leaves far too much unchanged.

The ruling upper-caste Hindus have been Nepal's dominant social and political power since the formation of the Nepali state in the eighteenth century, and Chhetris continue to hold disproportionate power in the highest-ranking parts of the state. Lawoti follows Stepan and others in claiming that comparative research shows that federal countries tend to 'avoid violent rebellions', while it is unitary states that provoke conflict (Lawoti 2005, 235). As Nepal moved through its period of constitutional settlement between the end of the Maoist insurgency and the promulgation of the 2015 constitution, political scientist Seira Tamang has been one of its most outspoken critics. In her 2011 article 'Exclusionary Processes and Constitution Building', Tamang emphasised that '[p]ast democratic transitions, including the 1990 change, failed to ensure the rights, participation and representation of excluded groups' (Tamang 2011, 293). In so arguing, Tamang, joined by many others, was starkly critical of the processes that led to the constitutional text as ultimately promulgated. Most importantly, she criticised its failure to adopt an ethnically defined federal structure.

### ***The Equal Citizenship Argument on Nepali Federalism and Democracy***

During the long period of constitutional debate in Nepal, much of the resistance to multicultural politics was framed as a defence of stability with the aim of preventing further ethnic violence or the state's falling apart. In light of the developments in political theory and other areas of multicultural politics, as well as Nepal's democratic movements' sweeping success in changing the terms of debate, such stability arguments are not discussed in this paper. Instead, I focus on the critique of ethnic politics developed by Bennett, Sijapati and Thapa (2012). The concerns developed in this work resonate with communitarians like Young and Shachar, as well as advocates of universal human rights. Moreover, Bennett, Sijapati and Thapa prioritise justice over stability and contribute to the critique of Nepal's exclusionary state and its long history. Their work advocates comprehensive solutions to radically remake Nepal into a more just, inclusive, and democratic society.

In *Forging Equal Citizens*, Bennett, Sijapati and Thapa (2012) support that Nepal balances 'ethnic politics and pluralism'—the political empowerment of groups, with a commitment to individual and human rights, backed by a strong central government. They write, 'multiculturalism must be framed by the universal principles of human rights and practiced within an open democratic system' (Bennett, Sijapati and Thapa 2012, xxxiii). Throughout their study of Nepal's diverse groups—Dalits, Janajatis, Madhesis, Muslims, and more or less all Nepali women—systematically oppressed by centuries of institutionalised inequality, they argue that the urgent need to transform

Nepal into a truly pluralistic state involves the protection of the rights of all groups so that the demands of long-repressed or exploited social groups who seek increased autonomy, will nevertheless coexist with new forms and practices that also protect 'the basic freedoms and human rights of all groups', which would inevitably include basic protections for 'the traditionally dominant Hill Bahuns and Chhetris' (Bennett, Sijapati and Thapa 2012, xxxvii).

Informed by years of feminist research and policy-making in Nepal, Bennett, Sijapati and Thapa emphasise how different groups have different relations to international frameworks of recognition and protection, to the geographical concentration of political power, and how their various demands are shaped by distinct inequities that each group brings to the public sphere. As a result, some historically oppressed groups, such as those who are spread throughout the country, may have very different attitudes toward multicultural politics, state formation, and federalism than other historically oppressed groups. The authors emphasise that equal rights, affirmative action, and proportional representation are the most important goals '[f]or women and Dalits, the two groups that have faced the deepest discrimination' and that a strong central state and judiciary that guarantee such powers may indeed be preferable to the pursuit of democracy through the provincialisation of federal power (Bennett, Sijapati and Thapa, xxxiv). In fact, they may typically prefer a stronger, centralised state as the tool to actively change the structures of caste inequality and gender-based violence. At times, women and Dalits have less interest in ethnic expression and autonomy, and 'the most to gain from a strong legal and institutional framework that guarantees substantive equality to all citizens' (Bennett, Sijapati and Thapa, xlii). While the authors seem to favour territorial federalism over ethnic ones, they also express sympathy with the call for ethnic federalism, acknowledging the reasons, both historical and contemporary, for such advocates to harbour the deepest distrust of the institutions of the centralised state (Bennett, Sijapati and Thapa, xlv).

Following theorists like Young, Bennett, Sijapati and Thapa identify the dangers of cultural and other forms of identity essentialism and call for Nepal to develop a much clearer 'logic of multiculturalism and minority rights' that could avoid the 'substitution of one imbedded hierarchy for another' (Bennett, Sijapati and Thapa, xl). Their logic shows a clear normative preference for universal human rights/individual rights over group rights, a preference typical of the sort of liberal traditions criticised by Kymlicka and other advocates of multicultural politics. Bennett, Sijapati and Thapa's normative position is that 'most centrally, citizens of Nepal should enjoy

the same set of rights whatever group they belong to and wherever they are' (Bennett, Sijapati and Thapa, xli) and call for 'a clear prioritisation of individual human rights over all other rights'. Importantly, they suggest that such a preference for individual citizen rights over group rights is strongest in regions often most strongly associated with demands for provincial autonomy such as the Tarai and western hills, where gender and class inequalities are deeply entrenched (Bennett, Sijapati and Thapa, xliii). Chaitanya Mishra and Om Gurung, in part framed their 2012 edited volume *Ethnicity and Federalisation in Nepal* around this tension between centralised systems of universal, individual rights and provincial group autonomy. As Shneiderman and Tillin put it more recently, the question remains of how the state can offer special powers and entitlements to marginalised groups, while 'ensuring equality and universal access to resources for all' (Shneiderman and Tillin 2015)

### ***The Constitution of 2015—Recent Comparative Evidence***

Nepal's constitution promulgated on 20 September 2015 adopted a democratic federal system. One of the most recent evaluations of the constitution is Michael Breen's (2018) *The Road to Federalism in Nepal, Sri Lanka and Myanmar*. Breen studies the Nepal constitution as an example of what he calls 'third generation South Asian Federalism', along with those of Myanmar and Sri Lanka. All three countries are considered 'divided societies', with long histories in which a mono-ethnically identified state repressed and exploited a diverse population that underwent violent conflicts and periods of democratic transition involving constitutional reform. Each, in recent years, has struggled with and implemented some form of federalism.

Based on comparative work on Myanmar, Sri Lanka, and Nepal and the theoretical literature discussed above, Breen concludes his work by suggesting the adoption of ethnic- or identitybased accommodation, along with moderation in federal design. He argues that a balanced approach of this kind is not merely the result of established elites holding onto power and resisting democratic change, but when seen in international context and in light of comparative evidence, is the clearest path to achieving fuller justice for long-marginalised groups, a successful politics of recognition, and functioning democratic institutions. Breen emphasises the importance of deliberative processes and the constitutional conditions that enable them. He advocates for a federal system that empowers multi-ethnic parties at the centre, 'while leaving space for ethnic parties and lower-level group autonomy at the unit levels, is able to balance' (Breen 2018, 5). This approach strongly resembles the basic outlines of the 2015 constitution, although the

impact of Nepal's new system on the country's multiparty system remains an important topic of study going forward.

Breen considers seriously the strong criticisms in Nepal concerning undemocratic features of the process and outcome of federal design in the 2015 constitution. He argues that, on the one hand, Nepal's federal design strikes a balance between the accommodation of multicultural and ethnic interests, and on the other, stability-interests and individual rights protections. Most importantly, he believes Nepal's constitutional outcome to be superior in theory and practice to those recently adopted by Sri Lanka and Myanmar.

Breen identifies 'necessary and sufficient' factors to explain the adoption of federalism across contemporary Asia. Following Riker's interest in the conditions that make federalism possible, he applies what Riker observed about rational decision-making and trade-offs in 'coming together' federalisms to the contemporary Asian forms of 'holding together' federalism. In so doing, Breen identifies the following conditions as both necessary and sufficient: an 'alliance of excluded minorities' combined with a 'dominant group' that is also pushing for the change of previous regime. He adds conditions of ethnic diversity, infrastructural capacity, and 'moderate secession risk' as important. Indeed, Breen argues that if the risk of secession is too high or too low, federalism will be strongly resisted, but if the risk of secession is not too great, it creates conditions for compromise (Breen 2018, 4).

Breen takes Lawoti's earlier critiques (2014) of the non-democratic aspects of the Nepali CA process sincerely, but also qualifies them. In an argument that may antagonise some in Nepal, Breen argues that in the process leading up to 2015, 'democratic processes were not abrogated, they were adapted' in ways that are, Breen suggests, characteristic of federal negotiations across many divided societies. Where there has been acute civil violence and asymmetry of power remains among the negotiating groups, a more 'elite-based settlement process' is typical, and, in many similarly-situated societies, negotiations over constitutional forms tend to resemble the same sort of deal-making as occurred in Nepal from 2006 and 2007 (Breen 2018, 127).

More importantly, Breen emphasises that Nepal's constitutional settlement stands out in contrast to those of Myanmar and Sri Lanka because of its decision to turn the country into a true democratic federation—devolving significant powers of, for example, autonomy and revenue to the democratic institutions within the provinces. Indeed, one of the single-most important findings he offers is that Nepal's provinces are much stronger, enjoying significantly more autonomy than its Sri Lanka or Myanmar counterparts

(see Schedule-6 of the constitution on taxes, revenue, land, language, law and order, and each with its own provincial legislature).

In fact, Breen claims that in the design of federal or provincial governmental units, 'autonomy' is a trade-off for 'the recognition of ethnicity'. In data comparing the federalisations of Nepal, Myanmar, and Sri Lanka, a consistent pattern appears: constitutional settlements in which provinces receive more autonomy feature a reduced level of ethnic identification in those units. The more autonomy, the less ethnically defined the region; the more ethnically defined, the less autonomy the province receives.

This claim is supported by some compelling evidence, summarised in the table below. In this chart that compares the federal outcomes in all three countries, Nepal, Sri Lanka, and Myanmar, Breen has weighted the provincial autonomy and ethnicity trade-offs in each country:

**Table 7.1 Summary of demographic unit demarcation and autonomy relationships**

	Number of ethnic groups	Number of groups over 1% of population	Dominant group percentage of population	Basis of units score (2015)	Autonomy score (2015)
Nepal	118	18	29	1	2
Myanmar	135	7	68	3	-0.5
Sri Lanka	6	4	75	2	-1.2

Source: Breen 2018, 154 .

If Breen's claims are accurate, it means that Nepal's constitutional settlement is significant in that the relatively limited ethnic or identity definition of its regions, which disappointed many, was balanced by the gain in the highest amount of provincial autonomy in South Asia.

In Myanmar and Sri Lanka, the federal units have been marked with a significantly greater degree of ethnic identification and homogeneity than in Nepal. Their federal design is closely related to the fact that in both countries the dominant ethnic group makes up more than two-thirds of the total national population, thus, 'the risks of localised marginalisation are lower' and the position of the central state in the overall system can be held together more easily, which reduces both the future domination of any one ethnic group and the risk of secession (Breen 2018, 154). But, as the table indicates, the identity-based states in these other two countries have markedly *less* power. Even if this account is accurate, it leaves important questions unanswered that will drive further research that deals directly with the demands of many Nepalis: will the current governmental structure

(and how political parties and government function within it) lead to an increasingly inclusive political outcome? Will this structure produce desired policies at the central level or allow them to emerge from the provinces? Will this approach to democratic federalism sufficiently address persistent caste and class inequalities?

According to Breen, federal structure is balanced against party function in the Nepali compromise. Critical to this are the requirements that parties create inclusive candidate lists and that the country continues to implement proportional voting. These two features are closely inter-connected and central to the overall approach. On the one hand, identity claims are moderated by the choice of territorial and geographical features to delineate units as opposed to distributions of ethnic population, and on the other hand, demands for increased ethnic autonomy are accommodated through the design of the electoral system, *and* at the level of governments within the provinces (Breen 2018, 149). Breen's optimism over an increasingly deliberative national and provincial process, helped by constitutional features and ongoing activism, scholarship, and public engagement, encourages national parties to become more inclusive and multi-ethnic, while giving room to and incentivising sub-national ethnic or identity-based parties.

The early evidence is encouraging that the parties in Nepal, that had long been largely exclusive fortresses of *Pahadi* (hill) political power and familial and social networks, are, in fact, becoming increasingly multi-ethnic (Breen 2018). Breen's analysis of the second CA elections of 2013 focuses on the first-past-the-post (FPTP) portion of the vote. If the three major national parties had been mono-ethnic, the FPTP outcomes would not have returned Janajatis, Dalits, and Madhesi representatives (Breen 2018, 160). Instead, the FPTP voting returned 59 Janajatis (25 per cent), 12 Dalits (4 per cent) and 45 Madhesis (19 per cent).

These numbers do *not* reflect marginalised groups according to their proportion in the country, but the trend is clear and encouraging: almost 50 per cent of the major party FPTP winners were from minority ethnic groups. Further data is needed to understand the degree to which the mainstream parties are effectively becoming more multi-ethnic and inclusive, or whether more new parties arise and succeed with new and different approaches to ethnicity, identity, or the politics of recognition. Experience will be the test of the hypothesis' accuracy and whether Nepal's national parties, historically ethnically neutral in name, and in practice, vehicles of caste privilege, are in fact changing in this regard.

### Conclusions and Proposals for Further Research

My hope is that the review of the above debated around theories of federalism can improve current thinking and future research on the democratic effects of Nepal's constitution. This approach reflects global transformations in thinking about constitutional government, political justice, and multicultural politics. It is also deeply rooted in Nepali history and the ongoing social democratic movements that led to the creation of the republic and its new constitution, which continue to offer important critiques of state and society.

I would like to consider a comparative research project that reflects as much of this material as possible. As discussed above, there are realistic concerns over the future of the Nepali state. Most importantly, if the constitutional settlement of 2015 is as flawed as many of its critics claim, Nepal could *remain* a divided and hierarchical society because of too little 'accommodation' and too much 'moderation'. Indeed, critics' strongest claim is that the elites have used the constitutional process to suppress political justice and identity-based empowerment. This claim can and should be explored and tested by empirical research on the effects of the new constitution. Yet, there is also an important concern that ethnic conflict may worsen, and that the constitution is an example of what the political scientist Malcom Feeley (2012) calls a 'tragic compromise' in which no side is satisfied. Future research on Nepal should be informed by attempts to study the effects of other constitutional settlements, from Europe to Africa and across Asia, to measure increases or decreases in ethnic conflict (violent and otherwise) in Nepal post-2015, and identify correlations or causal relationships between those rates of ethnic conflict and the new constitutional system.

Related to this might be the sort of concern expressed by Taylor (1992), whose work has informed so much of political theory on multiculturalism, that the new national federal structure cannot deliver the practical policies, or, perhaps, generate the experience of an imagined community or civic nationalism, needed to hold together. Research could explore the degree to which the 2015 constitution is succeeding or failing to deliver both material gains to constituencies, and adding to or fragmenting the sense of national community or cohesion. Finally, there is a concern based on the worst-case scenarios like those seen in the political party system of Ethiopia that the country may only be held together by increasingly undemocratic modes of power, perhaps associated with the incentives and behaviours of political parties. Indeed, recent work on identity politics and rising populist, authoritarian, anti-liberal regimes in many parts of the world might be considered relevant to contemporary research in Nepal on changes in its political culture and behaviour since 2015.

With these concerns in mind, broad research questions would begin with the commitment for radical social change in Nepal, acknowledging the normative claims on which so much Nepali political history has been based since 1990. It would then draw questions from the important parts of the theoretical debates over democracy and federalism. Ideally, one or more of these questions would be researched in two provinces considered to have strongly distinct ethnic or identity-based features. Research questions would include: (1) How are women's rights claimed or contested at the central or provincial levels? (2) Are national parties becoming more inclusive and multiethnic from voter participation to executive leadership and policy outcomes? And, drawing on ethnographic methodologies to approach these political questions, I would ask: (3) What forms of belonging, both civic and identity-based, are emerging under the 2015 constitution? (4) What do they suggest about the ability of the newly designed Nepali state to both hold together and become increasingly multicultural?

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# Back to Nepal

## A Canadian Perspective

WAYNE JOHNSTON

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### Introduction

This paper explores the relationship between place and memory, and how the past and present interact with each other when we return to a place of personal significance. While there is a focus on people from Nepal and their experience when they returned to Nepal, it also draws on my own experience of having been in Nepal eleven years ago and returning in 2018. It attempts to put these personal experiences in the context of the literature on place affiliation, memory, and returning home.

Much of my thinking on these themes has been informed by the work of Dylan Trigg and, in particular, his book *The Memory of Place: A Phenomenology of the Uncanny*.

Each of us is held captive by a series of memories, which in their intensity and depth return us to a specific place and time. Consciously or otherwise, the places we inhabit and pass through come back to us in the present, sometimes affording a sense of familiarity in the midst of uncertainty. At other times, disturbing the source of everyday existence. However cryptic these memories are, they nevertheless attach themselves to us, just as we attach ourselves to the places in which those events occurred. Yet from the childhood house to the city square, from the attic to Antarctica, why some places become more central in our memories than others remains a source of mystery. Notwithstanding the idiosyncrasies of human memory, which is as much prone to selective remembering as it is to selective forgetting, the question of how we can begin to decipher the memory of place is at the core of this book. (Trigg 2012, xv)

### Overview of Interviews

There are approximately 10,000 Nepali Canadians. A little over half of them live in Ontario. This paper was informed by five informal interviews conducted with Nepalis currently living in Canada. Each interview was about an hour in duration. The interviews focused on one or more return visits to Nepal.

Some of the questions included the following:

- Can you talk about visiting places in Nepal that brought back memories for you?
- Were there smells, tastes, sounds or sights that triggered memories?
- Did you observe changes from when you lived in Nepal?
- Have you been back since the 2015 earthquake? If so, what impact did you see on the places that are meaningful to you?
- Do you feel your time in Canada has affected how you perceive Nepal?

The interviewees, identified only by first name, include:

- Bhaju was born and raised in Bhojpur district and educated in Kathmandu. He left Nepal in 1991 and has made return visits three times.
- Krishna was born in Baglung district and spent his early years there before migrating to Chitwan. He received his education in Pokhara. He left Nepal in 2000 and has been back many times, most recently in 2016.
- Nima grew up in a village called Phera in Solukhumbu district. As a young adult, she worked in Kathmandu. She left Nepal in 1984 and has returned many times.
- Niva grew up and lived in Kathmandu until she migrated to Canada in 2013. She has made multiple return visits to Nepal.
- Tejendra lived in Chitwan until he left Nepal in 2007. He first returned in 2014 and has been back many times since then.

### **Ten Cities: The Past Is Present**

This paper is related to a creative literary project I have been working on called *Ten Cities: The Past Is Present*. In this project I am revisiting ten sites in ten cities that have had a formative impact on my life. I document these site visits with writing that could be described as creative non-fiction, postcard stories or prose poetry. The visits are further recorded with drawings. In the writing and drawings, I am exploring the relationship between memory and place, as well as the dialogue between the past and the present. In each of the ten cities I also present the results of my work in a literary performance event.

1. New York City: I lived in New York City off-and-on from about 1998 to 2004. I was working for the United Nations through that time period. My event there took place at Dixon Place on 8 June 2017.

2. Toronto: I lived in Toronto from 1986 through 1994, initially working for the Hockey Hall of Fame and later at the Centre for Refugee Studies at York University. My event there took place at Theatre Passe Muraille on 22 September 2017.
3. Accra: I was in Accra in 2006 setting up a resource centre for the Department of Agricultural Economics at the University of Ghana. My event there was part of the PagYa Literary Festival on 21 October 2017.
4. Geneva: I worked in Geneva during the summers of 1990, 1991 and 1992 in the United Nations system. My event there took place at ImpactHub on 8 April 2018.
5. Zagreb: I was in Zagreb in 1994 working for the Humanitarian Expert Group on Refugees and Victims of War. My event there took place at Booksa on 13 April 2018.
6. London, Ontario: I lived in London from 1968 through 1981. My event there took place at the TAP Centre for Creativity on 23 May 2018.
7. Ottawa: I lived in Ottawa initially from 1985 to 1986, and then again from 1995 to 2002. My event there took place at the Arts Court on 7 June 2018.
8. Kathmandu: I was in Kathmandu in 2007 working as a volunteer for Fair Trade Group Nepal. My event here will take place at Quixote's Cove on 28 July 2018.
9. Iqaluit: I worked in Iqaluit off-and-on from 1995 to 1999. I worked for the Nunavut Wildlife Management Board. My event there will take place at the Visitors' Centre in March of 2019.
10. La Paz: I spent time in La Paz in 2015 researching how mobile technology could be used to facilitate data gathering during field research. My event there will take place at MagicK Cafe Cultural in June of 2019.

## Returning Home

Tingting Elle Li and Bob McKercher explain how the concept of home can have a very different scope depending on the subject's perspective.

While much of this work is informative, the spatial context of what constitutes 'home' is rarely delineated and, as a result, little work has been conducted examining the behavioural patterns of home return tourists. Yet, reading the above works suggests researchers to tend to define recent migrants' 'home' in narrow spatial terms as representing their home community. Alternately, studies of individuals with longer migration histories reveal that 'home' is conceptualised at a more generic or national level, which may or may not include the specific community of origin

(Hughes & Allen 2010). In addition, individuals with disrupted migration patterns who cannot lay claim to a specific ancestral home community, such as descendants of former African slaves and much of the Jewish diaspora, view the idea of 'home' as an amorphous, symbolic, and mythic space (Levitt & Waters 2002; Safran 1991). Regardless, all still claim some type of 'home' attachment to these places. (Li and McKercher 2016, 360)

The following excerpts from the interviews illustrate how profound the experience of returning home can be, whether the focus is on the nation as a whole, a city or a rural setting:

When I first landed in Nepal, as soon as I get off from the airplane, I feel like, oh, I'm in my birthplace now. I'm in my motherland now. It's a different feeling after seven years. So when you are going back to your home country . . . I put my forehead on the ground when I first got off from the plane. It was a very spiritual, emotional feeling towards your home country, towards your motherland. (Tejendra)

When I'm in Kathmandu, I want to go to Patan, always, because it feels like home. I'm not born and raised there but we have an ancestral home in that area which is a five generation gap but still it has a sentimental attachment. (Bhaju)

I was there forty years later. I flew in by helicopter. My brother was the pilot. We went there for our 25th anniversary. I was just bawling. I was just crying. The air was so pristine. There was no road. This was 2007. And the people were just the same. Nothing had changed. Of course, the young people have left, the old have died, but some of the ones that I knew were peeking from the windows. (Nima)

### **Place as the Source of Memory**

Most of us have a catalogue of memories that have been with us for a long time and we take it with us wherever we go. However, when we visit a place from our past, we often discover memories that we did not know we had. Visiting places from our past is quite literally a voyage of self-discovery.

Researchers such as Maria Lewicka (2008), and Raymond, Brown and Weber (2010) have studied manifestations of place attachment. Lewicka looks at the relationship of place attachment to place identity with a particular focus on the granularity of the attachment. Does place attachment tend to be stronger for a neighbourhood, a city, a region or a nation? Raymond, Brown

and Weber analyse place attachment in the contexts of personal identity, the social community, and the natural environment.

Trigg provides a compelling statement about the critical role of place in human memory.

This book is about places. More specifically, it is about the memory of places that human beings inhabit and pass through. As bodily subjects, we necessarily have a relationship with the places that surround us. At any given moment, we are located within a place, be it in the hallways of universities, the cockpits of airplanes, or lost in the forest at night. Over time, those places define and structure our sense of self, such that being dis-placed can have a dramatic consequence on our experience of who we are, and even leave us with a feeling of being homeless in the world. Equally, the memories we acquire of the places we inhabit assume a value that is both immeasurable and vital. Without the memory of places, memory itself would no longer have a role to play in our conscious lives. (Trigg 2012, 1)

Interviewee Krishna describes his love for place even when he can no longer identify any specific connections to the place.

Always when the name Baglung comes that touches me more than any other places so there is a kind of sentiment. Even though I have nothing there now. No one is there. But I still love and remember Baglung. (Krishna)

### **The Past Is Present**

The past is in constant dialogue with the present. What we know about ourselves and our world is based on past experience. Every new experience we have is comprehended by how it relates to our personal catalogue of past experiences. Equally, our past experiences are in a constant state of evolution as we reassess them based on current experience. The past and present perform a duet of harmonies and counterpoints.

Trigg indicates that it is the process of engaging with our past that builds our sense of self:

imagination defines the experienced reality of memory, such that our sense of belonging to the past depends on not only remembering how things were, but constantly reworking that memory in the present. (Trigg 2012, xxvi)

Langenbacher, in discussing the graphic novel *Maus*, indicates that present experience cannot be divorced from the past.

*Maus*, jarring and ambiguous throughout, is ultimately opaque regarding the success of enlightenment. Rather, the knotting or crosscutting between past and present reveals the captivity of the present by the past and the simultaneity of identity and non-identity. (Langenbacher 2003)

In his novel *Slaughterhouse-Five*, Kurt Vonnegut suggests that we can opt to experience any moment in our personal past as much as we experience the present.

The most important thing I learned on Tralfamadore was that when a person dies, he only appears to die. He is still very much alive in the past, so it is very silly for people to cry at his funeral. All moments, past, present and future, always have existed, always will exist. The Tralfamadorians can look at all the different moments just that way we can look at a stretch of the Rocky Mountains, for instance. They can see how permanent all the moments are, and they can look at any moment that interests them. It is just an illusion we have here on Earth that one moment follows another one, like beads on a string, and that once a moment is gone it is gone forever. (Vonnegut 1969, 26)

### **Ghosts Inhabit Place**

When I walk into a room, I encounter not only the people and objects that populate that room today; I also encounter the ghosts from the past that inhabit that room in the form of personal memories or psychic deposits.

Most of our impactful memories are of interpersonal experiences. Rarely do we have impactful experiences in isolation. Consequently, when we return to places that have had a formative influence on us, those places are populated by the ghosts of those people we interacted with in those places in the past. We see them standing or sitting where they always did. In fact, we communicate with them as we always did. These ghosts force us to be at once the person we are as well as the person we used to be.

The following quotes from Bell delve deeper into the role that ghosts play in the loci of memory.

What I am describing is, I believe, a common feature of the human experience of place, for both modern and traditional peoples. The point of this essay is to argue that ghosts—that is, the sense of the presence

of those who are not physically there—are a ubiquitous aspect of the phenomenology of place. (Bell 1997, 813)

Ghosts are much of what makes a space a place. . . . Somebody's office is some body's office, and we sense that body's spirit there even when the body is not. (Bell 1997, 815)

I have been primarily drawn to the ghosts of place as a way to describe a central aspect of the social experience of the physical world, the phenomenology of environment. Such experience arises in part from the social relations of memory, and the memory of social relations. But the ghosts of place should not be reduced to mere memories, collective or individual. To do so would be to overlook the spirited and live quality of their presence, and their stubborn rootedness in particular places. (Bell 1997, 816)

A crucial aspect of how we experience the person is our sense that the person has an animating spirit, a ghost, within. We also experience objects and places as having ghosts. We do so because we experience objects and places socially; we experience them as we do people. Through ghosts, we re-encounter the aura of social life in the aura of place. (Bell 1997, 821)

In so many places in those islands, I can feel my own presence as a child, even though that child is no longer physically there. The ghosts we sense in places, in other words, may also include our own ghost, the ghost or ghosts of our own past lives. (Bell 1997, 823)

Maddern, in her investigations in the abandoned Ellis Island, understands the psychic deposits that can be left behind in a place with a rich history of intense personal experience.

For Mary then, the walls of the ruined landscape are almost conscious agents 'speaking for themselves'. For her the ruined landscape produces certain sublime and uncanny sensations of being haunted in which she becomes particularly aware of her own self and its relationship to what she sees as a record of the 'human drama' that surrounds her. (Maddern 2008, 366)

Interviewee Nima acknowledges the role of ghosts in her young experience.

I always say the only fear I had was of my own wrong-doing because my grandparents always said bad karma always haunts you, comes back to you, if you do bad things to people. And of the ghosts because they believe in ghosts still. Those were the two things I was afraid of. (Nima)

### **Culture and Religion**

Culture is a concept that is closely tied to the idea of home. We tend to think of culture as being aligned with ethnicity. From this perspective it may transcend personal experience. I may identify as part of an ethnic group that has more to do with my heritage and family lineage than personal experience. To some degree, I feel at home with my ethnic background. Our self-identification with culture is multi-layered, factoring in the country where we live, the region within that country, the city, our neighbourhood. For each of us, the priority of those domains will vary. The priorities themselves may shift depending on the context. My concept of home is different when I am an expat in a foreign country from when I am attending a community event in the city where I was born.

Interviewee Niva talks about the role that religious festivals play in her sense of home. Her memories are rooted in Kathmandu Durbar Square which was severely damaged in the 2015 earthquake.

Durbar Square is so important to me because of the Indra Jatra festival. That is so dear to me. I like the crowd and the Lakhay dance and all the other forms of dancing that happens there. The whole environment is so nice. And we are Newars and we are more into cultural things and so Indra Jatra is so huge for me. I have the whole video so every year in Indra Jatra I see it here, I show it to my daughter. So it is so dear to me. The whole procession starts from Durbar Square and it's not there. [Kathmandu Durbar Square was almost unrecognizable following the earthquakes. Seven temples were destroyed.] So that was sad. (Niva)

Bhaju explains how his sense of culture derives from his ethnicity and language which is not shared by all Nepalis.

One thing we learned from our ancestors there is that we are the first nation of Nepal. Kathmandu Valley was actually inhabited by our nation. [The Newar people were the historical inhabitants of the Kathmandu Valley.] There are three cities: Patan, Kathmandu and Bhaktapur. Our ancestors are from Patan. My fifth generation great, great grandpa moved from Patan to Bhojpur. Our culture is so different from today's

Nepali culture. We have everything; our own system like food, dress. My mother tongue is Newari. If I go to Kirtipur, I become foreigner. Somehow the same language, we cannot communicate properly. It's very hard to understand. They find it hard to understand me and I find it hard to understand them. I have to speak another language which is Nepali, currently government-run, constitutional language. Same thing with Bhaktapur. Conversation is difficult. (Bhaju)

Nima recalls the special cultural phenomenon of her rural Sherpa background.

We grew up in an extremely fearless, trusting, very honest environment. Everybody knew everybody and cooperated. I was never made aware that a stranger was a threat. It was never in our culture to ever think that. More importantly, the stranger had to be invited in to feed them. I remember as a kid we would have travellers and they would come by and nothing was charged. You just provided them with what they needed. You provide them the food or whatever they need, shelter. You made sure they were well looked after. We had one of the oldest monasteries. It belonged to my grandparents' family lineage. Even that was all dilapidated [after the earthquake] because it costs money to upkeep. They had a lot of old antique stuff inside the monastery. I had a lot of old memories there. People used to gather there once a year. We would fast for three days and then they have this feast, a lot of prayers. I remember those as a kid. (Nima)

### **Memory and Sensory Stimuli**

If you merely think about a place from your past that has had an impact on your life, you can remember details of what happened there. But if you physically return to that place, you can find yourself immersed in the past. The sights and sounds and smells of the place thrust your past experience into the present. The relationship between smell and memory is particularly intriguing. I find it almost impossible to remember a smell, but a smell, once experienced, has the ability to awaken memories that would otherwise remain dormant.

If you were to ask me what my grandmother's house smelled like, I would not have been able to tell you. But the day I encounter that smell in a totally unrelated environment, I recognise it immediately, and I am transported to my grandmother's house and all the memories of that place. My grandfather, who lost his sight and both his legs to diabetes, puts his hands on my head to determine how much I have grown. I spend hours delving through my

uncle's collection of true detective magazines. All the memories of that place are triggered by the chance encounter with an aroma.

Trigg discusses how the sense of touch can be a powerful conduit for memory.

Nostalgia occupies a precarious line between the lived experience of the past and the augmentation of the memory through the dynamic activity of the imagination. That materiality assists in this augmentation means that felt experience is forever on the brink of unreality, a dream that refuses to end and instead has eloped into the 'real' world. Moreover, that we are made aware of this persistence of tactility often by surprise demonstrates the role touch plays in bringing out the layering of memory traces. (Trigg 2012, 202)

When faced with the prospect of returning to a place that was torn apart by war, Vietnam veteran Kenny understands that the smells and sounds of that place are likely to trigger memories and strong emotions.

'I'm sure that those smells, you know, when you go somewhere there's certain smells and sounds that are going to trigger feelings and emotions. I'm not really sure what to expect', said Kenny. (Yarr 2018)

### **Nepal Changed**

When we return to a place that was significant in our past, we are often shocked to see how the place has changed.

Returning to a place after a long period of absence, we are often shocked by both the small and the vast changes, effectively alerting us to the radical indifference places have to the sentiment we apply to them. (Trigg 2012, 2)

Maddern points out that the shock may be from what we expect to see but is no longer there.

The tension here is one of absence and presence, the tension between materiality and the immateriality. This is a tension in which that which is seen to be missing assumes an importance at least equal to (if not more important) than the historical artifacts that remain. This is a tension between the discursive and the figural, between that which is easily perceived and that which is not—a space that ghosts inhabit. (Maddern 2008, 370)

Bhaju decries the loss of cultural continuity in Nepal's history.

The Shah dynasty came in Kathmandu and grabbed the power. Everything changed. Our mother tongue, our nationality, our culture, everything. Kathmandu now is just like a global city but if you go to Patan . . . All things in life gradually disappear, culture. Patan, there is more continuity. (Bhaju)

Krishna talks about evolution of infrastructure in Nepal.

When we migrated from Baglung 36 years ago, in order to come from Baglung to Chitwan . . . it is about 200 kilometres distance. At that time, there was no road from Pokhara to Baglung, not any kind of road. Not even a very muddy road where you can run the tractors. No road at all. So when we migrated at that time we had to walk from Baglung to Pokhara. So it is about a three day's walk. So you had to walk through many streams, rivers. There were no bridges. What I still remember is the same river I had to cross 22 times. That was the situation 36 years ago. My first return back was after I completed my high school when I went back to visit my grandma. Even at that time, there was no road but they had started construction from Pokhara. At least there was a track for five or ten kilometres. You feel more comfortable walking on those tracks because before you had only foot trails. Then I went after a few more years and at that time there was a lot of change. Now the road went near to the capital of that district. The road reached to the bottom of the Kali Gandaki river but then you had to climb up to go to the capital of the district. Then again you had to walk another two hours to my home. So now the road takes about three hours where before it was three days. It means that now when you start in the morning from your house in the Tarai, you can be at your grandma's place in the evening. (Krishna)

Picking up that theme of developing infrastructure, Nima expresses concern about what can be lost in the process.

Today it's not as remote, but it was then. But it's beautiful, just stunningly beautiful. That's what got me really crying. And I also began to weep for the changes that are coming. There is a pureness that is going to be compromised with roads, with development. If you're really in an ideal world somebody will put a lot of money and really plan with extreme care. We can maintain it. But now the commercial road is going through there

and people in the village don't have a clue. They've never been exposed to it. Nor is there a government strategy to save these beautiful places. Those things concern me and worry me and make me weep. (Nima)

### **2015 Earthquake**

When we discuss changes in places in Nepal, it is hard to look beyond how the 2015 earthquake destroyed or transformed so much of what was cherished by Nepalis.

Niva poignantly discusses the trauma of the earthquake as it impacted her family home as well as more public sites with sacred meaning to her.

I went to look around Kathmandu Durbar Square. My maternal uncle's house is just behind that area. I grew up mostly in my maternal uncle's place. For ten years I was there. More there than my home. My home is just in Kalimati behind the vegetable market. My maternal uncle's house, it was destroyed. Completely came to ground. It was an old house, century old house. My grand mom was there. She could not come down quickly. They lived in the top floor. They don't even remember how they came down. I could not go there. I could not. My aunt went there and she fainted. I went to the beginning of the aisle but then I could not enter. I could not think how I would react to that so I did not go inside. Because I had already seen the other places and I was already so sad. So wherever we go we have to pass Durbar Square area. So it really brought me to tears when I saw everything was down. It was so bad. Especially the Kasthamandap and the white palace behind it. That literally brought me to tears. Those were the landmarks. When I was small, that was the place where we would go to buy the vegetables and all. We used to go to them, every time the same places. We also used to go to feed the pigeons. We used to go to a momo place there, just behind Durbar Square. We used to go a lot there. This time I went, I went there after earthquake, right? Everything has changed. The shops are different now. The houses were not there. They changed their shops. It was difficult for me to find the momo place. (Niva)

Nima talks about the trauma endured by her family during and in the aftermath of the 2015 earthquake. It was very challenging for her to monitor the developments remotely from her home in Canada. She discusses the economic challenges of the recovery process, especially in the context of governmental instability. Nima was not the only interviewee to discuss how the hardship was exacerbated by the Indian blockade. While Nima continued to worry about her family and other Nepalis, she felt they had

actually moved on with their lives as they really had no choice but to cope and adapt.

Once I was there it was as if nothing had happened because people had moved on. People don't always share their pain, display their pain. Of course, everybody had their challenges. But they're very resilient in that sense. They've had to deal with so much. The worst thing with the earthquake was the blockade from India. All this economic hardship. If it happens in America, they have a problem dealing with this and it's a country with a lot of money. So Nepal, with that scale of earthquake and government having gone through such turmoil, an unstable government. It's constant rotation. People who are waiting for the government will be waiting forever. My family lived outside every day. You have to say what part you can do and what part you can't. Otherwise I would be vegetable. I was glued to the TV. People living in Nepal had actually moved on. I always felt it was my duty to fix everybody. Death sometimes is probably easier than living because of what happened. Living is hard. (Nima)

## Conclusion

Nostalgia can be a strong motivation behind the desire to return to places from our past; however, the experience can be disruptive. While nostalgia causes us to long for that place we used to inhabit, the process of discovering first-hand that the place no longer exists, at least, not in the way we once knew it, can create a chasm that we know we can never cross. We can never be reunited with a place that no longer exists. If we never return, we can indulge the belief that only geography separates us from the place we love. If we return and find the place transformed, we realise that space and time are insurmountable barriers.

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# The Legislation and Legitimation of Gender Discriminatory Practices Property Law in Nepal

OJASWI KC & ROSHANI REGMI

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## Introduction

The answer to ‘What is property?’ varies according to the context. However, one cannot miss its relations with society and societal structure. In economics, property and property rights have been a central point in understanding both early and modern human civilisations. This understanding is also useful in analysing the interactions of other societal and cultural factors. In the midst of these factors, lies the issue of gender. The availability of property and enjoyment of property rights is different in terms of one’s gender identity and gender role. This paper<sup>1</sup> will look into the historical background of gender discriminatory practices in property law, and explore how the Nepali law has gradually institutionalised such practices. The paper shows that in many instances, a defective law has been the easiest tool to legitimise discriminatory practices. Furthermore, the paper tries to give a jurisprudential explanation of the legitimisation of such discriminatory practices.

Gender relations define ownership and control of property (Cummings 2005). A recent study has shown that daughters do not have inheritance rights equal to sons, and in 35 countries, widows are particularly vulnerable as they do not automatically inherit their dead husband’s property—it may go to his family or to their sons (Villa 2017). This is a direct result of societal norms and values assigned to gender roles. Davis has pointed out that property consists of the rights and duties of one person or group against all other persons and groups, but it is also rooted in customs and protected by law (Davis 1949, 454). When the law protects inequality in property rights, it will be hard to eliminate.

It is also important to understand how property ownership plays a vital role in gender relations and disparity. Gender patterns the experiences of

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<sup>1</sup> The paper will only be looking at the traditional male and female roles created by a heteronormative value system.

both women and men in society through the construction of identity and consciousness, the development of a belief system, and the distribution of power and economic resources (Andersen 1983).

### **Trinity Relationship of Law, Property and Gender**

It is agreed that law is a social phenomenon incidental to human society. Romans have expressed this statement through the phrase: 'Ubi Societas, Ibi Jus', i.e., law occurs along with the society. As a result, both the law and the society have determined and shaped the norms and values of people and their way of life. One of the major areas of law is property law. Protection of property rights and institutionalisation of the property rights of an individual shows the state's concerns regarding the welfare of its people and their legal status. However, the historical evolution of law has shown that legislation, state, and society have only considered men as eligible for the enjoyment and entitlement of property rights, barring a few exceptions of some societies that run along with matriarchal norms and values, such as the Nairs and Thiyyas of Kerala. Even among them, one can find male dominance in the control and management of the property, as well as in politics (Coogan and Narayanan 2005). The absence of legal provisions that protect, promote and regulate women's right to property from the historical archives also indicate the prevalence of gender discriminatory practices in the area of property law (Regmi [1969] 2007b).

In the context of Nepal, customs and rituals have played a vital role in shaping laws and regulations of the country. This can also be seen in the development of property laws. Unlike India, which is heavily dominated by the *Mitakshara* school and the *Dayabhaga* school of thought in property law, Nepal's property law is more of an amalgamation of various local cultures, customs, norms and values. One of the reasons could be that Nepal was ruled by different regimes and dynasties over the years. According to Bennett, Nepal's property law reflects an attempt to encompass and reconcile the values and norms of a range of people from different social, economic and educational backgrounds (Bennett 1979). Nevertheless, one can still find the reminiscences of the *Mitakshara* and the *Dayabhaga* schools, i.e., demonstration of Hinduisation of laws, in Nepal's property law. According to Bennett, Nepal's law has been influenced by salient social and religious values, which resulted in women's markedly inferior status in the classical Hindu legal codes from which contemporary Nepali law evolved. She further explained that the impression one obtains from Nepali law is that while the norms and values are distinctly Hindu, the sacred books are less and less frequently invoked for guidance in the interpretation of the national case.

Furthermore, she pointed out that the law in many instances is not only an instrument of social change, but also a bastion of conservative values and orthodoxy (Bennett 1979).

To understand the property law of Nepal, one needs an understanding of Nepali society. The legal documents governing the legal status of citizens demonstrate both modern and traditional ideologies, and are heavily influenced by societal values and perceptions of different communities over time.

### **Development and Influence of Societal Norms and Values in Property Law**

Nepali law is a unique blend of customs, culture and societal norms and values, but it also tries to uphold the principles of natural justice<sup>2</sup> and human rights principles. In the area of property law, much of the legal provisions have been derived from the societal norms and values itself. In Nepal, where the majority of the people follow Hinduism, there is a prevalence of Hinduisation of legal theories and thoughts. In many instances, particularly in the area of family law, the legal status of individuals is still effectively determined by customary law (Bennett 1979, 15).

The customary law of Nepal varies between communities, but there is a dominance of Brahmin and Chhetri castes<sup>3</sup> in the social hierarchy. A woman's status in the society is based on her role as a mother, a wife, a sister and a daughter. Daughters and sisters are regarded as symbols of innocence and purity, whereas the treatment towards a wife and a daughter-in-law is reversed. Bennett (1979) points out that a woman's status within the family is improved upon achieving motherhood.

The subordinate status of Hindu women lies in the structure and ideology of traditional Hindu kinship that provides a patriarchal<sup>4</sup> family system and lineage. Men are related through the economic dependence on land that they jointly own and cultivate. Individual women move from one group to another through marriage. Here, the concept of *gotra* (clan) and *jat* (caste)<sup>5</sup>

2 Ram Shah introduced the principle of natural justice for the first time in law by pronouncing the rule 'jasko pap usako gardhan' (punishment only for offenders) in his 16<sup>th</sup> *thiti* (rule) (Sangroula 2010).

3 Although there are several ethnic groups in Nepal, Brahmin and Chhetri castes represent the largest population group who share the same adherence to Hindu values. They are also the largest population group holding various positions in the state. An understanding of this group will be important to understand the gap between laws *de jure* and *de facto*.

4 The word 'patriarchy' obviously existed before 1970, but it was academic feminism which gave the word its particular meaning of the power of all men over women (Evans 2003).

5 Caste is an endogamous division of society in which membership is hereditary and permanent. One can be of the same caste, but of different *gotra* (Berreman 1972).

come into play. A woman's access to property rights has been constrained by the idea of *gotra*. The argument for denying women separate property rights has been that a woman after her marriage will convert to her husband's *gotra*, and then she will be eligible for her husband's property.

The patrilineal family or its extended family also plays an important role in performing various ritual obligations, such as *Kirya* (performing funeral ceremonies) for family members, *Shraddha* (annual worship for deceased patrilineal ancestors) along with *Kula puja* (ancestors' worship). These rituals are done predominately by male members, more specifically one's own sons. From the point of view of women's legal status, they have been traditionally disconnected from the right to inherit patrimonial property, along with their exclusion from *Kirya* and *Shraddha* (Bennett 1979, 18). To quote from *Manusmriti* (IX, 142), 'Pinda (the ceremonial rice ball offered to the ancestors during *Shraddha*) follows family name and estates'. Therefore, the exclusion of women from the patrilineal spiritual function is an expression of the fact that they were also kept on the periphery of the patrilineal economic role as a property-owning group (Bennett 1979, 18).

### Development of Property Law in Nepal

Historically, the evolution of Nepali property law is influenced by regimes of various dynasties over the centuries, dominance of Hinduism,<sup>6</sup> and diverse local customs. Various dynasties have brought different values, and over time, they have been cemented in the societal norms and values of Nepali society. Hence, the law and its legal intentions have both modern and traditional ideologies, resulting in inconsistencies.

In the regime of Kirat dynasty,<sup>7</sup> women's property (*Stridhan*)<sup>8</sup> was distributed among their sons, whereas in the regime of Malla dynasty,<sup>9</sup> there was prevalence of harsher law regarding women in general, and it was mostly dictated by *Manab Naya Sastra*.<sup>10</sup> The code has influenced the introduction of

6 Influence of Hindu value system in Nepali law is rooted in the introduction of the *Varna* system (classification of the population according to caste) in the fourth century, during the rule of Jayasthiti Malla.

7 Kirat dynasty is a Mongolian tribe that originally migrated to Nepal from a province of China via Tibet. They developed an idiosyncratic judicial system based on *Yehang Mundhum* (official code of conduct for regulating all aspects of affairs of the people) which mainly taught about the benevolence of life (Jayaswal 1976; Wright 1966).

8 Women's exclusive property. The gift she received from her side of the family during a wedding is known as *Daijo* and the gift she received from her husband's side of the family is known as *Pewa*. See, *Muluki Ain 2020 BS* (1963), chapter 14, on *Stridhan*.

9 Malla dynasty (1200-1771) succeeded the Lichchhavi dynasty. They ruled Kathmandu, Lalitpur, and Bhaktapur before Prithvi Narayan Shah conquered (Regmi [1969] 2007a).

10 This is a law enacted by Jayasthiti Malla in 1380, also known as *Nyayabikashini* (code of legal rules). It is a collection of local customs and ethical principles laid down by a series of

gender-biased laws in Nepali society, and it did not recognise the independent identity or existence of women. It created disparity in the economic status of women having sons and those only having daughters. Women having sons had more privilege on property than those having daughters only. Further, even the daughters were denied the inheritance of property. In the Shah dynasty,<sup>11</sup> daughters were not regarded as coparcener of property. The *Muluki Ain* (1910 BS) provided conditional property (inheritance) rights for daughters. In 2010 BS, a new *Muluki Ain*<sup>12</sup> was codified whose provisions were more secular, but it still did not have any provision for women's property rights.

A common element found in all the dynasties regarding women's property rights is that women were not granted the same property rights as men. There are differences in access to property rights among women based on their status, namely, unmarried, married or widow, and a mother having sons or only daughters. Hence, it shows that women's right to property was always attached to their status in relation to the male members of the family.

### **Jurisprudential Reasons for Legitimising Discriminatory Laws**

Law is often credited for being able to bring about positive changes in society. It is, therefore, not only unusual, but also quite absurd to think of the law as contributing to the legitimisation of gender discriminatory practices in the society. In order to fully understand why and to what extent such discriminatory laws are brought about, it is important to understand the relationship between law and society.

In his book *The Spirit of Laws* (1748), Montesquieu endeavoured to trace the effect of social environment in law. He viewed history as an important means of understanding the structure of society and stressed that the

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Hindu religious scriptures. However, it is mainly influenced by the *Narada Smriti* (a part of *Dharmashastras*, a collection of legal maxims of dharma). It was created to end the anarchy created by a multiplicity of laws founded on various *Smritis*, which are comprehensive codes of both substantive and procedural laws. Along with this code, Jayasthiti Malla enacted three other laws: laws regarding the house, laws regarding area/territory, and laws of caste (Regmi [1969] 2007b).

- 11 Shah dynasty (1769–2006) is one of the longest ruling dynasties in the history of Nepal. The regime began when Prithvi Narayan Shah started unifying small principalities. The unification resulted in Hinduisation, wherein Prithvi Narayan Shah brought the local diverse customs into one codified law.
- 12 *Muluki Ain* 2020 BS was remodelled after the *Muluki Ain* 1910 BS, but it was more secular. It abolished caste discrimination, untouchability, and polygamous marriage, established choice marriage, and determined the age at marriage. However, it still had limits on women's property rights in the partition of property, intestate, and women's exclusive property rights (*Stridhan*) (Karki 2012; Sangroula and Pathak 2002; Tamang 2000). See also, *Muluki Ain* 2020 BS, chapters 13–16.

environment, history, and economy had an influence on law (Cohler, Miller and Harold 1989).

Formal law is not the only instrument that determines the social behaviour of people. Other factors such as morals, religion, and public opinion are also effective in bringing about social changes. Along this line, Ehrlich developed his theory that the 'living law' of society had to be sought in the society itself, and not just within the confines of formal legal material (Ehrlich 2000, 493). He mentions that social order precedes formal law, and various facts, such as usage, domination, possession, and declaration of will, play an important role in causing the law to be effective. According to Ehrlich, a state only plays a secondary part in social control, and it should be considered in conjunction with other factors, such as customs, morality, and the practice of groups and associations.

In order to understand why some laws (including such discriminatory laws) are willingly and habitually obeyed and others completely disregarded, it is important to understand the process by which any given law gains its legitimacy. Legitimation includes the process of labelling an action, policy or a system such that it was previously illegitimate and is now legitimate, or was optional and now becomes obligatory (Kelman 2001, 54). Kelman argues that a state's legitimacy is determined by the extent to which the state reflects the identity of the citizens and meets their needs, and it is through this legitimacy that the citizens consent to the demands of the state. Hence, citizens are more likely to support certain laws if the demands coincide with their personal preference. He also mentions that the process of legitimation and delegitimation are a societal phenomenon caused and driven by forces operating throughout the society, and spread through various channels of communication and influence. However, they are generally set into motion, or at least are accelerated, by the actions or pronouncements of authorities of one or another kind, such as political, judicial, religious, institutional, medical or scientific (Kelman 2001, 57).

Another observation that Kelman makes is that legitimation generally draws on dispositions that are available within the society. This line of thought is similar to that of Savigny who mentions that the nature of a particular system of law is a reflection of the spirit of the people who developed it (Savigny 2002, 59). Savigny argues that because a law is a reflection of people's spirit, it can only be understood by tracing their history. Nepal, however, is a country with cultural diversity. In other words, the common consciousness (*volksgeist*) that Savigny mentions is not easy to discern in Nepal as various cultures hold different views on different issues.

The positivist school of thought may help to explain the reason behind

why the Hindu law system surpassed other customs prevalent in Nepal (for example, Kirat's *Mundhum*). According to positivists, the strongest source of law is the will of the sovereign (Dias 2013, 335). Scholars belonging to this school of thought believe that law is the command of the sovereign.<sup>13</sup> In Nepal, the ruling authorities were mostly Hindus and they made laws to suit themselves. After the unification of Nepal and with subsequent regimes, the process of Sanskritisation came into effect, and this was followed by Hinduisation.<sup>14</sup> This led to the gradual homogenisation of Nepali laws, and only Hindu laws were regarded as supreme law. Other religious groups were asked to follow the norms of Hinduism in their religious practice. Due to this, many religions mixed their religious practice with Hinduism. Once the Hindu norms were legitimised and codified, they were backed by sanctions and punishments. Hence, the society gradually started obeying these practices habitually, which then became the legal norms.

### **Supreme Court's Approach towards Property Rights of Women**

A core argument of legal realism is that the law of books is not sufficient in determining legal disputes (Dias 2013, 447). Hence, it is not just the legal rules that determine what the law is, but also the judge's decision. The Supreme Court of Nepal has decided on various landmark cases related to property rights of women. The court has shown a tendency to be rigid towards the deep-rooted customs and traditions, while at the same time seeking to make progressive changes by issuing directive orders to the government to make laws based on equality. For example, in the case *Lily Thapa vs. The Prime Minister and Office of the Secretariat of Council of Ministers et al.*, NKP (2062 BS), the petitioners challenged section 2 of the chapter of the *Muluki Ain* (2020 BS) on 'Women's Share and Property'. It allowed an unmarried woman, a woman having a husband or a widow who are separate from a joint family to dispose of only a half portion of immovable and a full portion of movable property. This was deemed discriminatory because a man could dispose of the whole share of the ancestral property. The court observed that the

13 John Austin, a noted scholar of the positivist school, argued that law includes both explicit and implicit commands from a higher authority, and is backed by sanctions and punishments. He mentioned that the law reflects the sovereign's wish and is based on the sovereign's power. Austin, along with Jeremy Bentham, a legal positivist and the founder of modern utilitarianism, mentioned that the command must be habitually obeyed by the people. Austin pointed out that the sovereign must have the power to exact habitual obedience from the bulk of the members of the society (Dias 2013).

14 Sanskritisation is a term used to explain the upward movement of a caste by means of deliberately adopting values, beliefs and practices of Brahmins. The process is followed by the belief that Brahmin value system is 'prestigious'. Whereas, Hinduisation is a process through which local gods and traditions are assimilated into Hinduism.

provision imposed an unnecessary restriction on women's property rights, and it needed to be changed in order to maintain necessary gender justice. The court declared this provision to be ultra vires.

Similarly, in the case of *Meera Dhungana vs. His Majesty's Government, Ministry of Law, Justice and Parliamentary Affairs* (2052 BS), the Supreme Court has shown its flexibility in changing laws that have been deeply rooted in the society. The case was concerned with a married daughter's right over her paternal and ancestral property. In this case, the litigant demanded the repeal of section 1 of the chapter on partition share (*Angshabanda*) of *Muluki Ain 2020 BS* which discriminates against women's equal property rights, claiming that it was contradictory to the right against discrimination guaranteed by article 11(2) of the Constitution of the Kingdom of Nepal (1990). The petitioner also challenged section 12(a) of the *Muluki Ain 2020 BS* which is the chapter on inheritance. The section 12(a) mentions that the property received by an unmarried girl via inheritance needs to be returned to her parent's family upon marriage. Traditionally, it is believed that after marriage, the daughter becomes a part of her husband's family, and is no longer entitled to any share in the parental or ancestral property. In Nepal, a woman upon marriage changes not only her surname, but also her *gotra* (clan). This tradition is still prevalent in the society. The court feared that changing such a deep-rooted practice might lead to social unrest, and maintained that it is difficult for the society to adjust to sudden changes made in social practices, and traditional norms and values. However, the court displayed a positive response while giving the verdict. It held that property acquired under inheritance is private property, and it can be used without permission of other members of the same family. The provision was thus declared ultra vires. The court also issued a directive order in the name of the government for introducing an appropriate bill regarding women's right to property. This was very important as it led to a wide range of public discussion on the matter of property rights and gender equality.

In the case of *Dr Chandra Bajracharya vs. The Secretariat of Parliament, Singha Durbar et al.* (2053 BS), the petitioner challenged the chapter on *Aputali* (intestate) in the *Muluki Ain 2020 BS* claiming that it is discriminatory towards women. The court, however, abstained from declaring these laws ultra vires. The court argued that it is important to observe social structure, culture and tradition of the country when making any changes to the existing laws. The court further mentioned that there is a great influence of Hindu jurisprudence in the Nepali legal system. It also pointed out that a change inconsistent with the culture and tradition may disturb the social set-up and structure, and create social unrest. However, the court issued

a directive order to the government for reforming the defective legal provisions.

The Supreme Court of Nepal is the highest authority and is responsible for setting precedents for future cases. One would assume that the court's approach towards cases concerning discrimination would always be positive and progressive. On the one hand, the court has demonstrated that it is keen on bringing about progressive changes in the society, and on the other hand, it has shown its inflexibility to bring changes in the existing social and cultural practices. It is, however, imperative to note that these landmark cases are decided by judges in the Supreme Court. The decisions given by the judges are not based solely on the statutory laws, but are also influenced by various external factors, such as their morals and values (Cahill-O'Callaghan 2015, 31). These morals and values stem from the customs and norms of the society they live in. Customs play an important role in not only influencing the judge's decision in a given case, but also the public's reaction to the decision. Customs are also a source of law and have a huge role in shaping the legal norms. Deep-rooted customs develop into a conviction that a practice should be continued because it is approved as model behaviour (Dias 2013, 188). It is difficult to steer away from these convictions. This may be what the judges of the Supreme Court considered when giving their decisions in the above-mentioned cases. The judges were cautious of whether the society would accept a sudden change in its long-held belief that daughters are not entitled to the parental and ancestral property, and therefore, instead of giving a straightforward decision, the court took a passive stance and asked the government to consider making changes in the law.

A significant factor in determining the outcomes of these cases can also be found in the diversity of the judges deciding the cases. The lack of diversity on the judicial bench deters possible positive and progressive ideas, and instead, the judicial decision is subject to 'tacit influences that are associated with overt demographic differences' (Cahill-O'Callaghan 2015, 286). When deciding cases, judges are often predisposed to a certain set of personal values, which may be influenced by their gender. Hence, a diverse bench of judges would influence the judicial decision.

## **Conclusion**

The societal norms and values play a crucial role in legal legitimacy. The law governs the space only where society allows it. Gender roles and disparity in gender relations are a product of social consciousness and consensus among the people. The gender-based discriminatory legal practices can be

addressed through a legal approach in order to increase access to right to identity, right to contract, and right to access resources of women, which is directly related to their property rights. Law provides a platform for these rights to be translated and cemented through its provisions and the court's verdicts. However, in many instances, legislations reflect the same discriminatory ideologies that they try to steer off.

Economic independence is one of the crucial elements for an individual to have a fulfilling life. Property right is one of the fundamental rights, which is interlinked with a person's autonomy to access resources. In Nepal, the issue regarding women's property rights has been a subject of public inquiry due to the 'issue' of women's protection (which also includes women's property rights) being a central point of Nepali cultural norms and values. This can be seen in the legislation and the decisions of the members of the court, and is specially rooted in the mindset of the people. This is the result of women's identity being attached to the male patrons of the family. Women's identity and status in the family has a crucial role in strengthening the foundation for their access to property rights.

To address the insufficient legal provision of *Muluki Ain 2020 BS*, Civil Code (2074 BS) was introduced. The code provides a progressive outlook towards women's property rights compared to the *Muluki Ain 2020 BS*, allowing no discrimination against women in accessing property rights. But, the question remains, how well will it be received beyond its black ink?

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*Meera Dhungana vs. His Majesty's Government, Ministry of Law, Justice and Parliamentary Affairs*, NKP (2052 BS), p. 462.

# Vitality of Language and Religion among the Newars in the Kathmandu Valley

FRÉDÉRIC MORONVAL

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In many cases throughout history, religious values have strongly contributed to the building, maintenance, or revitalisation of ethnic or national identities. Even today, in spite of the profound political changes which took place during the last century, religious motivations are ubiquitous. Let us just consider how Orthodox Christianity is linked to Russian identity, even after 70 years of socialist rule. Yet, religious discourses are necessarily expressed through the medium of a language, spoken and written. This association of religion and language can be seen, to take a relatively remote European example, in the role that the translation of the Bible by Luther into German language played in the genesis of the idea of a German nation (Safran 2008, 172).

The present acceleration of changes seen in many countries and societies does not diminish, but complicates, these interactions between languages and religious ideas in the evolution of group identities. In this context, the case of the Newars of Nepal is illustrative of some general movements. Their language, which is not the official language of the country where they mainly reside, Nepal, has become a minority language even in the close environment of the Newars. Among them, those who follow Buddhism are also aware that their religion is strongly in minority, too, in a country where the dominant religion, and until recently, the official one, is Hinduism. At the same time, the situation of the Buddhist Newars is original and maybe unique since they are not migrants, but have become alienated from their cultural environment without having ever moved from their original homeland. Military conquest, occupation, submission, discrimination, and now migration within the country have turned the former dominant population of the Kathmandu Valley into a culturally endangered minority in the modern Nepali nation. We intend to show in this paper how the endangerment of both the Newar language (designated as Newari in the national census) and of Buddhism in the Newar society have a common origin, which has brought about a solidarity in maintenance or redevelopment of both domains until the present time.

In social sciences, the link between language and religion has been noticed by Haugen (1959), who mentions the coincidence of language use and religious affiliation among the Norwegians in the United States. In 1966, Fishman made similar remarks in the migration context, while Ferguson underlined the necessity to take account of the religious dimension in the study of diglossia (2003 [1959]) and of language planning (1968). In the same period, Stewart (1968) saw the ritualistic role as one of the ten functions of a language. Choquette (1977, 1987) described the use of language as religious policy by the Catholic Church in Canada in the twentieth century. In 1982, Ferguson noted the historical redundancy of language spread and the propagation of religious ideas, for instance, Arabic language and Islam, Spanish and Catholicism, and English and Protestantism. A more systematic study of the relations between languages and religions has been explored in *Concise Encyclopedia of Language and Religion* (Sawyer and Simpson 2001), research by Spolsky (2004, 2009), and most importantly in *Explorations in the Sociology of Language and Religion* (Omoniyi and Fishman 2006), followed by *The Sociology of Language and Religion: Change, Conflict and Accommodation* (Omoniyi 2010). Although the last two books are collections of case studies, the second chapter of *Explorations in the Sociology of Language and Religion* constitutes the first milestone in the building of a theoretical frame in this research domain.

The ten principles for a theory of the sociology of language and religion that Fishman (2006) proposes mainly draw our attention to questions like: what other languages interact with the considered language, and what can be their religious roles? Are there both religious languages and secular ones used within the community? What are, or have been, the roles played by language and religion in the development of one another? However, before using these guidelines to synthesise and draw conclusions from the interactions between language and religion, it seems to us that getting a clear idea of the respective situations of the language and the religion we consider is a prerequisite to make sure that both these cultural factors are in a minority and endangered situation, and to observe the possible correlation between them.

To help in evaluating the vitality of minority languages, Edwards (1992) has listed 33 variables to be taken into account in an expanded and more broadly inclusive approach of language ecology. Among them are, for instance, demography, sociology, history, geography, education, religion, economy and media. This list of variables can definitely provide guidelines for the elaboration of questionnaires and other means of field investigation and data collection. We adapted the same list of variables to suit the evaluation of the vitality of a minority religion, in our case Buddhism in the

Newar community of the Kathmandu Valley of Nepal. These approaches have allowed us to collect and cross-reference facts about the vitality, but also maintenance or revitalisation actions in both linguistic and religious sides of the Buddhist Newar identity.

Now we would like to present the main findings of the field research conducted in 2014 in the Kathmandu Valley, but first we will outline the historical matrix which brought about the current state of affairs. With the victory of the Gorkha king Prithvi Narayan Shah, *khas* language speaker and a Hindu, in 1768, and the annexation of the former Newar kingdoms to what would become the greater Nepal, the Newar faced the loss of political and cultural prerogatives they had enjoyed so far. Their status obviously deteriorated with the promulgation of the first civil and penal code in modern Nepal, the *Muluki Ain*, in 1854, which gave the Newars a subordinate place in the Nepali society. From that time on, until the first democratisation movement in 1951, the dynasty of the powerful prime ministers of the Rana clan, who had eclipsed the kings' power, set about to impose the exclusive use of the Gorkha language, which later became Nepali, and the domination of the Hindu religion and caste system. For the Newars, who inhabit the region of Kathmandu, the capital city of the Shah kingdom, the pressure was even stronger, and the Newari-speaking writers and intellectuals started to lead a language resistance, going as far as to continue writing in the forbidden language, Newari, even while imprisoned for their persistent use of this mother tongue of theirs. As a matter of fact, it is during this same time (the early twentieth century) that on the one hand, some Tibetan Buddhist preachers, or lamas, attracted a noticeable audience in the Swayambhu area of Kathmandu, and on the other hand, the message of the Theravada Buddhist tradition of Burma, Thailand, and Sri Lanka inspired some Newars to revive the long-forgotten monastic life, and to start begging for their food, cloaked in yellow robes, during daily ritualistic alm-rounds in the streets of the Valley. They too faced the wrath of the state authorities, a hostility possibly fuelled by locally rooted religious competitors like the Hindu Brahmins and the Newar tantric *Bajracharya* priests. The interesting fact is that in many cases, the same activists shared both features: the defence of Newari language and the avowed affiliation to the Buddhist faith, a coincidence which could not be more patent than in the publication, in exile, of periodicals like *Nepalbhasa wa Buddhadharma* (Newari and Buddhism), started in 1925 in present-day Kolkata by Dharmaditya Dharmacharya, a Newar language activist and Buddhist monk. After a brief relief with the democratic experience of the early 1950s, the pro-Nepali and pro-Hindu policy resumed, and only since the fall of the monarchy in 2006, can the ethnic minorities of Nepal express their

originality and reaffirm their claims to a better recognition. Thus, what is the situation of Newari language and of Buddhism among the Newars today?

From the first national census of Nepal in 1911 up to the national census in 1981, data related to castes or ethnic groups, religions, and language had either not been collected or was not published to hide the diversity of the population, and to give an image of a culturally unified Hindu and Nepali-speaking country. Since 1991, these data were taken into account and published, and since 2001, the census results allow to cross-tabulate caste and ethnicity with the mother tongue (Dahal 2003). The 2001 and 2011 censuses show a decrease in the proportion of Newars having Newari as their mother tongue. Since Newari can hardly be acquired later at school (besides a recent exception that we will show later), it indicates a decrease in the use of the Newari language. Now, on an average, 64 per cent of Newars have Newari as their mother tongue; they are substantially numerous in the Kathmandu Valley (74 per cent), but this proportion of Newari-speakers in the scattered Newar settlements elsewhere in the country is below 50 per cent, dropping to 30 per cent in the Far-West region.

When we come to the answers that Newars residing in the Kathmandu Valley gave to our survey questionnaire in 2014, half of them felt that the use of Newari was on the wane. They incriminate the former two-century-long pro-Nepali language policy of the state, but also the passivity and indifference of the Newars themselves. In order to understand with some accuracy what the language abilities of the Newars currently are, we have to consider the three generations of speakers. It appears that the older members of the families are mostly Newari monolingual speakers (but most cannot write), the parents are more fluent in Nepali that they had learnt at school, while they encourage their children to use Nepali or even English, considered as tools of individual integration and success at the national level (through Nepali) and at the global level (with English). Although only half of the people observe a decrease in the use of Newari, almost all of them vigorously demand more media products in Newari to be available to them. Since they suggest that the Newars who live out of the Kathmandu Valley are on the verge of losing their Newar identity because they have forgotten their language, we can assume that this strong wish to get access to Newari media products means a desire for the maintenance of a Newar identity. Whatever be the case, the most frequent justification for this demand of media products in Newari is the hope to develop the ability to use Newari for the benefit of both the interviewee and other Newars. Besides the state's language policy being blamed as the main culprit for the poor situation of the Newari language, many informants demanded a regional, or even national

official status for the Newari language. Then, if we view these answers against the religious affiliations of the interviewees, a clear divide appears. With the term 'Buddhists', we first mean the totality of the members of the Bajracharya and the Shakya castes (or families, both words being surnames as well), the Uday group, traditionally merchants supporting Buddhist priests and teachers, and a variable number of Jyapus, i.e., members of sub-castes formerly working as farmers. Hindus, besides numerous Jyapus, are mainly the members of the Shrestha group, both Shrestha families proper and associated sub-castes.

In our sample, Newar Buddhists have more frequently identified the Newari language as their mother tongue, and they are more likely to use Newari in daily life than Hindu Newars. As for the versatile Jyapus, they are likely to be Newari speakers when they are Buddhists. Moreover, Buddhists are more aware of the endangered situation of Newari language. They worry more about its future and propose means to safeguard the future of Newari language more often than Hindu Newars. So, to evaluate the situation of Newari language, we cannot but take into account the role played by the religious factor.

To assess language activism and the Buddhist sphere where it operates, we made several visits and interviewed some key respondents. Some organisations are Buddhist as well as language activists, but they are a minority. As far as the vitality of language is concerned, besides the transmission of the language within relatives, neighbours, and friends, three poles of transmission are present: educational institutions (schools and university departments), audio-visual media (radio, TV, cinema, and music), and written language transmission, viz. libraries, literature circles, and bookshops. All these initiatives are private since no help is provided by public authorities, whether local or national, and Newari is not used in local administration (where actually only Nepali is tolerated), although the constitution guarantees the right to study in the mother tongues. So on the one hand, we cannot say that there is a concerted and unified language policy in favour of Newari language coming from the Newar community as a whole, because these actions are not coordinated with one another (one TV channel that broadcasts exclusively Newari programmes, a cinema society, few bookshops, one library, some literary circles, and two noticeable schools where Newari is the language of instruction). On the other hand, we often meet the same persons involved at various levels in two or more of these organisations. Moreover, these individuals are often Buddhists who operate in language activism, or language activists who are also involved in Buddhist research, teaching, or practice centres. That leads us now to explore the

situation of Buddhism, which is a minority religion, not just in Nepal as a whole, but also in the Newar society.

The Newars are currently involved in three Buddhist traditions: Newar Vajrayana, Tibetan Vajrayana, and Theravada Buddhism. Newar Vajrayana tradition involves the tantric Buddhist lineages that are kept alive within the two high castes of Buddhist Newars: the Bajracharyas, and secondarily, the Shakyas. The Tibetan Vajrayana, originally not different from the Newar branch, became somehow separated from it through the centuries due to language differences after Tibetans had completed the translation of Sanskrit Buddhist texts into their own language while Newars continued to use Sanskrit manuscripts. Political rivalries at times between Nepal and Tibet, as well as the predominantly Hindu and caste-oriented evolution of Newar society contributed to widen the gap between Newar and Tibetan Buddhists. However, some families, who have been trading with Tibet and who had even been living in Lhasa for generations, are still keeping a spiritual link with the Tibetan lamas. The most recent Buddhist tradition to spread among the Newars and in Nepal is the Theravada Buddhism from Burma, Thailand, and Sri Lanka. We learned from Bajracharya Vajrayana priests themselves that they suffer from the loss of the ability to read their own ritual and philosophical texts, and thus lacked the knowledge which would allow them to continue being considered by their fellow Buddhist believers as reliable religious teachers, spiritual masters, and efficient ritual performers. The situation has not yet improved, but there is, at least, an awareness of the situation and actions are being taken. For example, Bajracharyas wish to recover their lost mastery of the Sanskrit language in order to be able to explain to their public the meaning of the rituals they perform and the Buddhist philosophy behind them. However, they are facing a dilemma here since they are reluctant to learn anew Sanskrit from Brahmins who are non-Newar Hindu priests (and who themselves would not be so enthusiastic to teach Buddhist Newars). One of the directions taken nowadays is to have recourse to foreign scholarly works to spread interest and knowledge about Buddhism as a whole among the Newar community. It is with this aim in view that a department of Buddhist Studies has been established at Tribhuvan University. Another dilemma that Bajracharya priests are facing is caste prejudice. After several centuries of imitating the surrounding caste system dominated by the Brahmins, the Bajracharyas have been accustomed to their privileges of being the highest initiated tantric practitioners, and to transmit this privilege along caste lines. Besides being anti-Buddhistic, this strategy is counterproductive as young educated Newars with Buddhist leanings are unlikely to seek teachings

from priests who are unknowledgeable and who will discriminate them on the basis of caste.

That, with the modern individualistic trend and the desire of the youth for new things, explains in part the success of the third and newly arrived Buddhist tradition, the Theravada. Open teachings to all, notably in the form of Saturday morning talks attended by families, meditation methods taught to everybody without any caste or ethnic discrimination, clarity of the philosophy, and a very minimalist ritual side are some of the more attractive features of the Theravada. Another reason for the initial success of Theravada among the Newars is that, far from being considered a foreign and exotic doctrine, it is perceived as a reintroduction, or even a revitalism, of the monastic tradition which had disappeared from the Newar society some six or seven centuries ago. In particular, the Shakya caste, which had been maintained at a secondary position in terms of access to the tantric initiations by the Bajracharyas, sees the Theravada as a means to access full-fledged Buddhist practice. Some of them go as far as to declare their caste as being the heirs of the Buddha's clan, the Shakya, and/or the descendants of the last Newar Buddhist monks, as reported by Gellner and Levine (2005). Nevertheless, it should not let us imagine a divided Newar Buddhist community, as even families who send one of their members for monastic training in Thailand usually request Bajracharya priests to perform their main life-cycle rituals. The Burmese Buddhist preachers show bitter criticism toward the Bajracharyas for superstitious ritualism and caste privileges, but this rivalry also stimulates the creativity of the Bajracharyas in order to adjust to the needs of a new generation of Newar Buddhists. Some effects are already showing as some Bajracharyas have started teaching Buddhism to other castes.

In considering these Buddhist trends, we have not, however, ignored the linguistic side of our investigation. Except for the very few Newars who follow the teachings delivered by Tibetan lamas in Tibetan, Nepali or English languages in the Tibetan monasteries of the Kathmandu Valley, Newari language is still the main means of communication for Buddhist Newars. In the Vajrayana, Newari reigns supreme, and the Bajracharya and the Shakya are the only two Newar castes to always have Newari as their mother tongue. But, Nepali is sometimes used by religious teachers as an increasing number of Newars do not understand and speak Newari these days. In Theravada, Newari has been the first language to be used. The reason is simply that it is the Newars, and principally the Shakyas, for the reasons mentioned above, who have been, and to a certain extent still are, instrumental in the growth of the Theravada tradition in the Kathmandu Valley and in Nepal

at large. Not only are the teachings of Theravada usually given in Newari, but numerous books have been translated or directly written in Newari. Today, the situation varies from one monastery to another. In some of them, the number of Shakyas, and even the number of Newars, is decreasing, and Nepalis from all kinds of other ethnic groups join the Theravada teachings and monasteries. Although most of the Theravada monasteries in Nepal are very small, and sometimes not permanently occupied, the open teachings for lay individuals and families on Saturdays must have some impact.

Besides religious settlements, educational institutions work at rooting Buddhism in the new generation in various proportions with the transmission of Newari language. For instance, the Young Men Buddhist Association (YMBA) in Patan promotes all Buddhist traditions and, at the same time, runs a school where Newari is used side by side with Nepali and English; most of its students and staff are nonetheless Newars. Newars (mostly Shakyas) are still very active in the development of Theravada centres out of the Kathmandu Valley, and they have actively contributed, along with people from other castes, to the launch and operation of the Lumbini Buddhist University, located in the southern part of the country, far from the original Newar land. However, the link between Newari language and Buddhism is broken there since they use spoken and written English and Nepali languages.

To sum up, the Newari language is indeed in danger. It is used at home and in community events, but Nepali is used in all other contexts, starting with public schools and administration, inter-ethnic communication, widespread media, and so on. At the same time, there is an awareness that learning through the mother tongue gives better school results. It is the hope of the founders of the very few Newari medium schools that success of the schools will impart pride to Newars to speak their language, and imparting education in Newari will stimulate the market of teaching materials and careers, which in turn might contribute to the welfare of the language community, and so on, thus giving rise to a virtuous circle.

Theravada Buddhism now attracts non-Newar individuals and seems to have greatly benefitted from the initial Newar enthusiasm, and has in turn given an impetus to Newari language by giving the followers a reason to listen to and read Newari. Bajracharya tantric priests, on their side, are trying different formulas aiming at keeping alive a Newar Vajrayana proper. But, some other Buddhist Newars think that the practice of Vajrayana within the Newar community would receive a salutary impetus if Newars could open up to the Tibetan Vajrayana tradition, which is still very much alive. This would require the Bajracharyas to accept to sit side by side with other Newar castes, and to receive teachings and tantric initiations from Tibetan lamas, whose

level of knowledge is frequently higher than the Bajracharyas'. The language question would have to be addressed, too.

During this research, keeping in mind the questions suggested by Fishman (1966) and Edwards (1992) mentioned at the beginning of this paper, we have tried to take into account as many environmental factors of the language and the religion as possible, in order to understand their situation and to interpret the answers given by our interviewees regarding the vitality of these two essential aspects of the Newar identity. Then, by comparing the explicit or, more often, implicit links between loyalty to the mother tongue and the chosen or inherited religious affiliation, we have shown the intimate and intricate links which weave together the destinies of language and religion in the Buddhist Newar community. It is of course impossible to guess how these relations will evolve, but this example of the Buddhist Newars illustrates, in our view, that language is always considered as a means for the attainment of a higher goal, be it the community's prosperity, fame, and precedence in its human environment, the upkeep of a religious system which aims at the individual and collective happiness in the hereafter, or some political perfection to come. As far as Nepal, the Himalayas, and maybe Asia itself are concerned, languages are often related to religious issues, and we have tried to show that theoretical as well as methodological tools can, and should, be adapted from one field to another, and tried and tested on other terrains, in order to develop a richer, broader, and more inclusive approach of social sciences issues at large.

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# Transregionalism, Hierarchy, and Belonging Dynamics in Himalayan Mountain Tourism

YOUNG HOON OH

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Mountain tourism is one of the few fields in which Nepal earns international fame and seeks equitable prosperity. Decades of development in the mountain tourism industry has garnered international attention particularly on the spectacles of climbing and associated fatalities. Local cultures and rural lifestyle among some mountain communities have received touristic and scholarly attention, notably in the Annapurna and Everest regions. Some ethnic groups such as Manang-pas and Sherpas, who once lost a significant income source of trade due to the political upheaval in Tibet in the middle of the twentieth century, attained substantial prosperity by participating in the thriving industry of tourism.

Nepal's mountain tourism has been examined from several perspectives in academia. The two major trends are, on the one hand, mutual impacts between tourism and the environment, and, on the other, human injuries, deaths, and following ethical issues.<sup>1</sup> Few studies, however, have examined micro patterns of individuals around the industry through which international tourism is uniquely localised on the mountains of Nepal as well

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1 Examples include tourism's environmental impacts such as damage to vegetation, soil loss, soil compaction and the proliferation of informal trails (Nepal and Nepal 2004); increasing levels of nitrate and phosphorus contaminating high altitude lakes near popular trekking routes in Khumbu area (Ghimire, Caravellol and Jha 2013); solid waste that often accumulates around huts, lodges, and campsites in base camps, high camps, and remote mountains (Byers 2014); and the influence of climate change on mountain and mountaineering tourism, affecting climbing routes, and access and attractiveness of mountaineering locations (Hall 2015). With the full establishment of commercialised system of group trekking and mountaineering expedition by the turn of the century, new trends in the tourism industry include increase in the number of inexperienced climbers, increased congestion on climbing routes, persistent garbage management problems, and increased safety concerns among the local climbing guides and porters (Lintvinoff and Madeley 2007; Nepal and Mu 2015). One of the common responses to such consequences of more robust commercialisation throughout the Himalayas is the unequal treatment to Sherpas and other local guides compared to Western guides in terms of payment, criticising the seemingly racial depiction of the local population out of innocent and romantic perceptions (e.g., Adams 1996; Ortner 1999; Nyaupane 2015).

as across the Himalayas, albeit limited examples such as the role of social engagements (Adams 1996), global impacts of Nepali tourism (Liechty 2012), and non-touristic Thamel (Linder 2017) do exist. The lack of understanding of social and cultural aspects of Nepal's mountain tourism industry has left an assumption of methodological individualism to persist in Himalayan tourism studies. In this view, foreign tourists, agency staff, and local labourers are considered to play each of their roles as *a priori* individuals, participating out of a similar set of desire and meaning at the outset, with differentiation of their respective positions which have only to do with ideas and perspectives they come up with.<sup>2</sup> This view pays little attention to, among others, the socioeconomic structure within which each participant is uniquely located to come about their own desires and values. Moving beyond such a liberal frame of deeming tourism participation primarily as an individual choice, this paper asks the question: how have local attributes and global forces conjoined to have created the contemporary field of mountain tourism across the Himalayas?

To answer the question, I analyse ethnographic data gathered from multiple field trips scattered from 2012 to 2018 working with Sherpa mountain guides, Sherpa expedition organisers, non-Sherpa Nepali tourism labourers, government representatives, non-Nepali outfitters, as well as foreign tourists. In particular, I will examine three unique features of the mountain tourism industry in Nepal and across the Himalayas: transregionalism, hierarchical structure, and belonging dynamics.

Briefly, first, Himalayan mountain tourism has evolved to a distinctively Kathmandu-centred series of transregional endeavours. International and domestic flows of tourists, staff, information, capital, equipment and other related entities of Himalayan mountain tourism pivot around the capital of Nepal. Second, the global sector of Himalayan mountain tourism has developed as an industry—a complex and still evolving structure of exchange relationships—over which the Sherpa have increasingly attained industrial monopoly and administrative governance. Finally, the Sherpa have never been a single group. As a contested category of social belonging, they have been establishing dynamic practices of belonging as their own tradition of fission and fusion. New groups of ‘Sherpas’ have replaced those industrially successful ones who are retiring to more lucrative fields than guiding novices on mountain slopes. The enduring tension between the usages of the title ‘Sherpa’ for ethnicity and for occupation is a crucial juncture from

2 In the same vein, Liechty (2017) has recently criticised the lineal paradigm of tourism impact from the developed to the developing regions, as in the case of Nepali tourism, and instead suggested a view of ‘tourism as simultaneous encounter’ (Liechty 2012, 259).

which one may parse out the interplay between the local and the global in Himalayan mountain tourism.

### **Kathmandu-centred Transregionalism**

From the nineteenth century onward, Euro-American anti-industrialist, anti-modernist countercultures increasingly identified the Himalayas with the home of happiness and wisdom lost in the West, real places of ideal Shangri-La which fascinated spiritual seekers and romantic travellers (Bishop 1989). In the early twentieth century, the centre of the Himalayan mountain tourism industry was Darjeeling in Northeast India, where the colonial British government had stationed. While the peaks in Tibet and India were the main objectives at that time, the mountains in Nepal were known to have the most climbing potential. Yet, Nepal was closed to foreigners. Under the ‘closed-door’ policy and protective temperament of the Rana regime, Kathmandu had been very strictly restricted to Westerners (Chand 2000). Even after Nepal opened its door to foreigners in 1950 as influenced by the Indian independence movement, a few Western expeditions, such as the French Annapurna Expedition in 1950, the American-British Everest reconnaissance party in 1950, and the Swiss Everest expedition in 1958, did not stop by Kathmandu, but marched from cities of India directly to the peaks to the north in order to avoid the difficulties and expense involved in transporting expedition supplies to the Nepali capital (Isserman and Weaver 2008, 257).

The first wave of tourists to Nepal, and to Kathmandu in particular, slowly started in the 1950s, mainly with wealthy Americans. Russian émigré Boris Lissanevitch in Nepal, often called ‘the father of Nepali tourism’ (Liechty 2010, 255), who opened Nepal’s first full-scale hotel, the Hotel Royal, which later became the Yak & Yeti Hotel, played a significant role in the early history of Nepali tourism by leading the first organised group-tourism in 1955.

By the late 1960s when Tibet was closed and Nepal fully open, Kathmandu had turned into being a key site in the Western countercultural imagination, sometimes referred to as the ‘New Jerusalem’ or the final destination of ‘the hippie trail’ (Liechty 2005). Strong western economies and currencies were major factors in opening up places like Nepal to mass youth tourism in the 1960s (Liechty 2005). In the 1970s, hashish and cannabis consumption was not illegal in Nepal, and a top-grade hashish was sold as cheap as five hundred times in Nepal, compared to inferior grades in the US.

In this early stage of tourism development in Nepal, Kathmandu had not only been featured as an ideal destination, but also risen to be so compared to other cities or towns throughout South Asia for two reasons. On the one

hand, Nepalis were quick to respond to the rising tourist needs of hotels, restaurants, hash shops, trekking opportunities, and so on, which had not been met attractively in India, Tibet, Pakistan, and Bhutan. This keen and resilient business mind, seeking economic niche, indeed characterises centuries of Nepali entrepreneurship which had to navigate between two big forces of India and Tibet, and later China (Liechty 2005, 24).<sup>3</sup> On the other hand, general ambience perceived in other cities, such as those in India, were not so much tolerant to those countercultural hippie-like young travellers as in Kathmandu, where most people were 'either too polite, too shy, or too busy to voice their opinions, a condition that foreigners took to be tolerance' (Liechty 2012, 221). Scholars generally agree that social, cultural and economic outlook of the Kathmandu Valley has long been characterised by distinctive propensity for multicultural integration, thanks to the geopolitical and trans-Himalayan locality between Tibet and India (Bakke 2010; Bista 1991; Slusser 1982; Toffin and Pfaff-Czarnecka 2014). Bista attributed the cause of the making of national character for *multicultural integration* in the perspective of a historical sociology of religion, saying that Nepalis 'integrate a plurality of belief and ritual systems, rather than submit to the subjugation or overthrow of their treasured traditions' (Bista 1991, 33).

This 'ancient tradition of cosmopolitanism' open to multicultural integration (Toffin and Pfaff-Czarnecka 2014, 13) that originated in the Kathmandu Valley has been one of the central principles actively carried on by participants of various positions in the industry of mountain tourism in Nepal. Nepal Mountaineering Association, for example, states that 'tourism is the only sector that unites people and country though they are divided by politics; therefore, climbers should be regarded as people representing peace and harmony'.<sup>4</sup> Individuals also actively share this propensity and pursue it at the scenes of mountain tourism. In the 1980s, two all-Nepali expeditions were organised and they climbed Mt. Everest just to collect trash. A Sherpa climber in one such pioneering expedition reasoned the project and said, 'It is not very glamorous to come to the world's highest peak to pick up trash. But unless we begin to, we are worried people may not come at all' (Richter 1989, 174). The cause of integration precedes and breeds the cause of environmentalism.

3 It should be noted that there exists a strong criticism against the Hippie culture, which left a 'scar in Nepal and the Nepalese youth which has disturbed the entire social fabric and is held largely responsible for thousands of drug addicts in this country which in the past would have been rather very rare' (Chand 2000, 69).

4 Himalayan News Service, 'Nepali Mountaineer Killed in Nanga Parbat Attack', *The Himalayan Times*, 24 June 2013.

This accepting and hospitable attitude toward plurality of tourists as shared by guides, agency representatives, government officials, journalists and many others in Nepal has resulted in consistent attempts of regularisation to foster conditions of climbing and trekking more favourable to tourist demands perceived on the ground. Yet, this often faces conflicting reactions. In 2014, *The Kathmandu Post* commented that effective government management with a civil administration at the base camp of Mt. Everest is 'surely better than nothing', for '[t]his will not just regulate mountaineering there but will also facilitate it' (Khadka 2014). In December 2017, the tourism board of Nepali government announced a new set of regulations of mountaineering that would ban solo climbers, blind people, and double amputees from climbing, as well as mandated every summit party to include a Nepali guide. Like many other voices in the West, *Alpin*, a mountain magazine in Germany, disparaged this line of regularisation, saying, 'Whether these rules can actually reduce deaths and injuries on Everest is questionable. . . . The far greater security risk is summit aspirants who are not up to the challenge of climbing Everest. Their number will not be reduced by the new regulations' (Editorial 2018, my translation). The proposed ban of the blind and double amputees from climbing was later dismissed by the Supreme Court of Nepal on the ground of being discriminatory. However, the gist of continued criticisms against the Nepali government from mountaineering journalists and pundits from the West still remains hardly addressed, namely popular Himalayan peaks being increasingly crowded with under-experienced clients, which has been viewed from many romantically-minded Western mountaineers and journalists as a corruption of authenticity of mountaineering by the recent commercialisation in the industry.

This romantic, individualistic, and liberal view of Himalayan mountaineering has generally failed Sherpa and other Nepali participants in the industry, and this failure or conflict between perspectives on Himalayan mountaineering, I suggest, illustrates the Kathmandu-centralism in the industry. For Sherpas, Mt. Everest is a preferred destination of mountaineering not only because they can make more money than on other Himalayan peaks. For the past few years, around one thousand people gather at Mt. Everest base camp for climb, and this especial crowdedness, upon which many Westerners have frowned, is indeed the very source of workplace fun for many Nepali participants to expect from Himalayan mountaineering. A Sherpa climber said to me that the reason he preferred for his next climbing destination to be Mt. Everest in the spring and Manaslu in the fall to other 8000 metre peaks such as Annapurna and Kanchenjunga was precisely because he would be able to climb with so many friends and foreigners. Moreover, the popularity

focused on a few mountain peaks would make the climb safer, easier, and less demanding through a high level of collaboration available under detailed written and unwritten rules, which some Western elite mountaineers often violate to elicit hidden, yet shared, antagonisms from the local workers.

It may, therefore, not be surprising that this cosmopolitan and adaptive strategy to tourism seems in recent decades to have successfully expanded industrial networks for Nepali tourism agencies throughout the Himalayan countries, developing a new form of trans-Himalayan transnational chain of industrial network centred in Kathmandu. In the sector of Himalayan mountaineering, it is now widely adopted systemic practice that foreign mountaineers aiming to climb a high peak in Pakistan or Tibet, and not just the ones in Nepal, first contact a Kathmandu-based outfitter, or else, are connected to them through an agency in their own country or another. The Nepali agency then carries out a complex series of regular and irregular businesses depending on the local culture and regulations in the country of destination, such as making subcontract with a third agency, hiring local porters and guides, purchasing goods from local markets, arranging travel methods, and doing the paperwork. This allows foreign tourists to simply focus on their climbing and conditioning, except for the minimum burden of intercultural communication with a usually friendly and easy-going Nepali guide who oversees all those transnational tasks. When climbing peaks in Chinese Tibet, clients, even Chinese, now fly first to Kathmandu to start their expedition bus ride. The China Tibet Mountaineering Association, from which any foreign mountaineer must obtain a climbing permission and a full travel package in order to climb a Himalayan peak in the highly regulated Tibet, is notorious for poor communicability and service, leaving foreign mountaineers to head for Kathmandu instead of Lhasa, so that they make a two-fold contract with a Nepali agency, which communicates with the Chinese governmental agency. In Pakistan, the mountain tourism industry has developed to some extent, but not quite satisfactorily to the eyes of seasoned Himalayan climbers. When clients fly to Islamabad, Sherpas in Nepal (or in Darjeeling) now bring tents, kitchen items, oxygen tanks and other expedition luggage from either their agency in Kathmandu or a storehouse in Gilgit or Skardu where a full expedition is assembled to embark. Peaks in India remain as an exception to this Kathmandu-centralism, though, for two reasons: no 8000-metre peak haunts tourist attraction from the Indian side; helicopter rescue is unavailable in many Indian mountainous regions to divert safety-concerned Nepali outfitters to more accountable countries.

In sum, the evolution of Kathmandu-centred transnational industry of Himalayan mountain tourism is an outcome of dual processes: the rise of

Western and modern search for the ideal world from the East, on the one hand, and, on the other, the religious, social, political and historical as well as geographic circumstances in which Kathmandu has been shaped toward multicultural integration.

### **Sherpa Monopoly and Governance**

Another unique feature of contemporary mountain tourism around Nepal Himalaya is the industrial monopoly and administrative governance achieved by the ethnic Sherpa. This striking success of the Sherpa is primarily a historical problem. The name 'Sherpa' was first reported to the West by Norwegian mountaineers who climbed a peak named Kabru (7412m/24,318ft) in Sikkim Himalaya in 1907. They hired about a hundred local porters including several Sherpas from Darjeeling who, with others, migrated from Khumbu and formed one of the minorities in Northeast India. The Norwegians introduced the Sherpas by describing them as 'very keen', 'interested', courageous, with 'many other good qualities', and the 'most plucky' among the local workers (Rubenson 1908). Until then, following the model of Swiss guide, some Gurkha soldiers were trained to assist British mountaineers on Himalayan peaks.

By being identified with a set of dispositional characteristics seen positive to the eyes of the Westerners, Sherpa men in Darjeeling began to be selectively hired for an increasing number of mountaineering expeditions. They were industrially successful from the beginning. They had introduced a division of labour in the culture of Himalayan mountaineering expedition. From the 1920s onward, hired Sherpas are not required to carry loads before the march reached the foot of the aimed mountain. For the sake of communication within an expedition, moreover, hired Sherpas began to form a separate team of climbing with its own hierarchical structure. The Sherpa group leader, *sardar*, began to be appointed prior to the arrival of foreign mountaineers to expeditiously manage expedition chores. One of the *sardar*'s tasks that have kept the position so powerful and created a new form of hierarchy within Sherpa communities is the election of other high-altitude labourers.

Sherpa's tasks on the mountain were not confined to mere carrying loads for or serving foreign climbers. They climbed to the top as early as 1939, when the American K2 expedition's summit-bid party firstly ever included a Sherpa high-porter to the grunting jealousy from other Americans (Isserman and Weaver 2008, 218–219; cf. Kauffman and Putnam 1992). More importantly, in the 1954 Austrian Cho Oyu first-ascent expedition, a Western climber (Herbert Tichy) was guided in mountaineering decisions by a Sherpa (Pasang) for the first time on an 8000-metre peak.

Not only have the Sherpas elevated their status from mere porters to summiteers and guides, but they have also increasingly attained monopoly in several industrial sectors of Himalayan mountain tourism, such as lodge management, equipment sales and distribution, and expedition and trekking agency. Of the twenty or so registered trekking companies in 1978, Sherpas had a majority financial interest in only four (Fisher 1990, 115). Around half of the 56 registered travel agencies in 1988 were owned by Sherpas (Kunwar 1989). By 1992, the two largest and most profitable trekking agencies were owned by Sherpas (Adams 1996, 215).

In the 1980s, Himalayan mountaineering began to be differentiated in terms of climbing strategy and style, into various forms such as siege tactics, winter expeditions, small-sized 'Alpine-style' climbs, and guided expeditions. The 1990s saw a full-scale trend of guided expedition, often erroneously called 'commercial expedition', for no expedition is ever outside commercial relations, where a few experienced Western mountaineers collect novice clients to climb highest Himalayan peaks. The first decade of 2000 was the period when entrepreneurial Sherpas with experience and connections began organising expeditions on their own, and collecting foreign clients, without having Western mountaineers in the leadership. And, this is also the time when Sherpas came up with further sophistication in the division of labour within expedition, from the previously prestigious position of mountain labourers as simply opposed to lowland porters, to internally hierarchical roles of team guide (the practical leader of an expedition), Sherpa team leader (*sardar*), route-setting ('rope fixing') team, climbing guide (per client), extra guide (not assigned to a client), expedition organiser (staying in Kathmandu), as well as cook and kitchen helpers. Individual Sherpas are now able to aim to advance from physically demanding and certainly risky occupations of guiding and portering on the mountain slopes to safer, more prestigious and more lucrative ones of managing and organising.

In the 2010s, this trend of Sherpa-led expeditions became one of the major patterns of Himalayan mountaineering. The culture of Himalayan mountaineering expedition under such highly sophisticated division of labour now includes several new establishments for the sake of clients' well-being, such as adoption of massive facilities at base camp, like dining hall, bakery, bar, dancing room, agency hospital, and so on. The Sherpa tradition of hospitality and positive dispositions which led to this evolution of locally successful guided mountaineering has aimed at meeting clients' demand of safe and successful climbing while ignoring the romantic, individualistic, and liberal ideal of mountaineering in the West.

The rising Sherpa governance over mountaineering arrangements on popular Himalayan peaks began to provoke experienced mountaineers and pundits in the West. Hence, more vehement conflicts and more common antagonisms between Sherpas and Westerners, most notably the fight between three renowned Western climbers and dozens of Sherpa guides at the camp two of Mt. Everest in 2013. Briefly, the Westerners attempted to climb up ignoring the contemporary Everest convention of Sherpa rope-fixing team's primary role, further provoking them with foul language and in return being mobbed at the camp. *Alpinist*, a prominent mountaineering magazine based in Vermont, criticised the Sherpas for the one-way violence, saying, 'These Sherpas had a right to express themselves . . . but they had no right to hurt another soul' (Cameron 2013). This freedom-of-speech-unless-harming-anyone view, however, seems to have failed a perception of the event generally shared by Sherpa guides, lowland porters, kitchen staff, lodge owners, village ladies, and other ordinary Nepalis. Sherpas at the base camp triumphantly said to me that if the case was reported to police, then the Westerners would have been kicked out and forbidden to enter the country. Excitement, anger, and gloatrage were the public sentiments popularly shared. No such legal resolution took place, though, because three days after the brawl, the conflict formally ended by a 'peace accord' made between the two parties at the base camp exchanging mutual apologies. I suspect these bilateral gestures were not so much genuine as self-serving. One of the three Westerners said in an interview, 'I don't want to make any legal action. I could send a lot of people to prison. But I decided to show to everybody that I don't hate anybody, and I don't want to destroy the life of any young stupid Sherpa' (Miller 2013). By contrast, the whole event was vigorously shared by Sherpas on Everest and other ordinary Nepalis in a version in which Sherpa hospitality and benevolence was proved internationally once again: three Westerners cursed Sherpas selected for a superior task (i.e., rope fixing), so they were deservedly beaten, and yet eventually forgiven.

In sum, the rise of Sherpa monopoly and governance is an outcome of two-fold processes combining the Western romantic project on an idealised Eastern landscape, and people with the Sherpa entrepreneurial endeavours characterised by hospitality and leadership. The mismatch between the perspective of expedition and the perspective of climbing, or between Sherpa governance and Western romanticism is a result of the touristic hegemonic contention which Himalayan mountaineering has turned out to serve.

### Contested Category of Sherpa

'Rais carry loads; Gurkhas serve the army; and Sherpas go to the mountain', one of my Sherpa friends lyricised. While categories of the Rai and the Sherpa are not occupational, and yet the Gurkha is, this verse jokingly rings true to the Sherpa worldview. The nationwide drift of 'asserting ethnic identity' after the 1990 people's movement has in part taken place drawing from the classical notion of caste (Guneratne 2002). By participating in the caste system, Sherpas reemphasise their privileged position in the mountain tourism industry. In other words, the idea of mountaineering as Sherpa ethnic vocation is an expression of membership in the national community (Oh 2016). It follows from this that the category of the Sherpa turns out to be a locus of contest.

Sherpas have never formed a single group from the beginning, and the ethnic group 'Sherpa' is, therefore, hardly more than an idealised production. Yet, the pan-Sherpa ethnic identity has been increasingly stressed out despite conspicuous differences between Sherpa communities in different regions around north-eastern Nepal. Scholars have observed what James Fisher (1990) called 'Sherpaization' in which Bhote, Tamang or other ethnic people falsely claim to be Sherpa because of prestige and income associated with mountain tourism (Salter and Gurung 1999, 23). What I want to address here is a Sherpa competition over genuine Sherpaness in that Sherpas from Group A regard Sherpas from Group B as less authentic Sherpa than themselves by finding faults from dialects, ways of behaviour, religious customs, and so on.

I have been working with Sherpas from Sankhuwasabha district, east of Solukhumbu district. Migrated from Solukhumbu around one-and-a-half-century ago, over one thousand Sherpas in northern Sankhuwasabha near Mt. Makalu, thus called Makalu Sherpas, have formed several loosely connected communities in mountainous areas. Until the 1990s, members in one of the communities called themselves 'Khamba', not Sherpa, and outsiders called them 'Nawa' (Diemberger 1997). Interestingly, they now call themselves Sherpas. The time of the name change parallels the time when they started to engage in the industry of mountain tourism once dominated by Solukhumbu Sherpas. Some Solukhumbu Sherpas told me that those Sherpas spoke like Tibetans.

Crystallisation of ethnic category of Sherpa alongside the tourism industry is the very outcome of the Sherpas' involvement in it. Many of the Sherpas from Solukhumbu and other nearby regions have moved their industrial attention from expedition participation to more lucrative businesses, so that now Sherpas from what they themselves pejoratively call 'remote regions' have increasingly formed major workforces of the tourism industry. One

of my Makalu Sherpa friends stereotyped the demographic trend and said, ‘Solukhumbu Sherpas went abroad. Sindhupalchowk Sherpas also went abroad to work, like Dubai and Qatar. Rolwaling Sherpas no more climb mountains like before. Now it is Makalu Sherpas who climb the mountains’ (personal conversation, 20 October 2015). In so doing, Sherpa ethnicity has become a non-local category defined exclusively by ancestry and occupation, but not by locality, contested among Sherpas from different regions. The assertion, ‘Sherpas go to the mountain’, reinforces non-localisation of Sherpa ethnicity and contributes to contest for becoming ‘truly’ Sherpa.

I estimate that Makalu Sherpas hold around one-fifth of the entire population of Sherpa guides active in the contemporary Himalayan mountaineering industry, a considerable portion considering the relatively small entire population. Even though guiding on the mountains is neither anyone’s final goal nor the most lucrative position, it earns authenticity for any Sherpa rightly positioned within the national community.

There is a Nepali saying, ‘our person (*hamro manchhe*) is preferred over good, competent person (*ramro manchhe*)’. This nationwide custom of privileging interpersonal connection over individual competency is often simply called the principle of *afno manchhe* (‘one’s own people’).<sup>5</sup> Like many others, Sherpas are keen to employ the *afno manchhe* principle. But, it is naïve to imagine that social dynamics of the *afno manchhe* practices occur concentrically at ethnicity; ethnic identity is just one among many poles Sherpas employ to reach out, seeking industrial success. Sherpa guides and outfitters have never ignored that social engagements outside the circle of trekking and expedition agency offices were the key to business success (Adams 1996, 217). They have developed extensive networks of reciprocity regardless of ethnicity, with ministry officials, airline personnel, booking and travel agents, hotel managers, and other tourism agency owners, and also with foreign tourism agents, influential mountaineers and expedition leaders. A Sherpa team guide representing his cousin’s expedition agency secretly showed me a name card of his own tourism agency and asked me for any contacts for future expedition organisation. This dynamic of belonging

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5 This custom has been denounced by Nepali scholars and critics who argue that it has accommodated corruption and caste factionalism over the society (Bista 1991; Caplan 1971; Subedi 2005, 2014). Interestingly, Alex Kondos (1987) reversely criticised this critical view as being ‘Westernised’. Indeed, in the scholarly literature, the reciprocity embedded in the principle has been largely interpreted from a utilitarian point of view. For example, Dor Bahadur Bista emphasised the utilisable aspect of the *afno manchhe* principle, by which one ‘can be approached whenever need arises’ (Bista 1991, 98). I think it is fair to say that prior to being extended to any serviceable purpose, the *afno manchhe* principle is primarily a local logic of collective connection at interpersonal levels.

which criss-crosses between ethnic identity and interpersonal connection explains the continued industrial success of Sherpas at various domains of the industry of Himalayan mountain tourism.

### Conclusion

In sum, the contemporary mountain tourism industry in Nepal can be characterised by three observations: Kathmandu-centred transregionalism, industrial hierarchy and Sherpa monopoly, and Sherpa identity and belonging dynamics. By deconstructing three notions of Himalayan mountain tourism: tourism from Kathmandu, tourism with guides and porters, and tourism with Sherpas, this paper contributes to the understanding of ever more intensifying essentialisms of ethnicity and culture in the discourses of tourism in Nepal (cf. Sharma 2016).

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# Heritage Restoration and Traditional Community Governance in the Kathmandu Valley

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## Introduction

Looking back at the devastating 2015 Gorkha earthquake, it can be observed that the earthquake and the socio-economic effects that followed have been of interest for study in multiple disciplines among researchers from within and outside Nepal (Chiaro et al. 2015; Goda et al. 2015; Poiani et al. 2016; Sharma et al. 2018). One of the key topics that have found space in most discussions related to Nepal after the earthquake is 'heritage' (Coningham et al. 2016; Dhonju et al. 2017; Theophile and Newman 2016). However, the issue of damage to the heritage monuments and their restoration can be looked at from several other perspectives than just heritage studies; an important one among them being public administration (PA) and governance. As most reports will point out, the restoration process has been a display of incompetence in governance in the country.<sup>1</sup> This raises several concerns about governance capacity and policy implementation within the state in the current situation.

Looking at the context of Nepal historically, the governance framework within the state has changed considerably with multiple political transitions being aimed at pushing the country towards 'development'. Democratisation, modernisation, and globalisation have been among the themes in the transitions that have been witnessed in the past half-century. In midst of this transformation, traditional governance practices have been sidelined by imitations of global-Western best practices. The pattern is not different from most other developing countries. However, it has also been claimed that

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1 Anup Ojha, 'KMC Threatens to Scrap Contractor's Deal over Rani Pokhari Project Delay', *The Kathmandu Post*, 12 November 2017, <http://kathmandupost.ekantipur.com/news/2017-11-12/kmc-threatens-to-scrap-contractors-deal-over-rani-pokhari-project-delay.html>; APF, 'Lowest Bidders Threaten Nepal's Quake-Hit Heritage', *Dailymail*, 24 March 2017, <http://www.dailymail.co.uk/wires/afp/article-4344866/Lowest-bidders-threaten-Nepals-quake-hit-heritage.html>; 'UNESCO Concerned about Inappropriate Rebuilding of Ranipokhari', *The Kathmandu Post*, 1 September 2016, <http://kathmandupost.ekantipur.com/news/2016-09-01/unesco-concerned-about-inappropriate-rebuilding-of-ranipokhari.html>.

global-Western practices might not be the only way forward for different countries with varied cultural backgrounds. There is a significant volume of literature in non-Western PA and governance challenging the idea that there is a global best practice which should be followed everywhere (Dao 1996; Drechsler 2013; Elkaleh and Samier 2013).

Studies in heritage governance around the world are influenced by global-Western ideas, and this applies in the case of Nepal, too. But, since the earthquake, as a result of the evident problems in the heritage restoration process, one can observe a debate starting as to whether transitioning towards global-Western best practices in governance has been effective in all the areas. As part of a broader research project, this paper tries to argue that the issues being seen in the restoration of heritage monuments are a failure in part of the state's local governance framework, which in the bid to modernisation, has been moving towards imitating global-Western best practices over traditional ones, and with negative results. The question now could be as to whether traditional practices can be looked upon as alternatives for heritage governance in the Kathmandu Valley, and if there are instances of such alternatives already being experimented with.

### **U-turns in Governance**

Culture influences virtually all aspects of a society. Influenced by culture and traditions, regions in the world have had very distinct governance systems, and most of them are independent from each other to varying degrees (Painter and Peters 2010). PA and governance practices are still argued to not have a set of common best practices followed by everyone. This has led to paradigms in PA and governance that can be categorised based on traditions and cultural influences in different regions of the world. As categorised by Drechsler (2013, 2015), there are three easily distinguishable paradigms in PA and governance: global-Western, Islamic, and Confucian. The fourth has been pointed out to be Buddhist governance, given the degree of influence Buddhism has had in the past in the majority of regions in Asia, and the already existing concepts in political economics that have come from the Buddhist influences like Gross National Happiness and Sufficiency economy (Drechsler 2016a, 2016b; Proto et al. 2012).

Cultural elements and traditions, among other things, are greatly influencing the governance in any given geographical region. As societies evolve, the state transitions and the governance culture within a state evolves. But, often political transitions and disruptions that follow disallow continuation of an evolutionary path of governance culture. Disruptions can affect the trajectory of a culture in different ways. In some cases,

disruptions bring about U-turns in norms and practices. For instance, in post-Soviet Uzbekistan, *Mahallas* have re-emerged as an alternative means for distribution of social welfare (Urinbojev 2011). *Mahallas* which date back to the pre-Mongol period used to be ‘communities of several hundred people organised around Islamic rituals and social events’ (Urinbojev 2011, 117). Sievers (2002) has presented shifting characteristics of *Mahallas* through the three periods in history: Medieval *Mahallas*, *Mahallas* under the Soviet regime, and *Mahallas* under the Uzbek nation-state. Under the Soviet Union, *Mahallas* were subjected to possible elimination, but fearing possible social unrest, the Soviet government tried to integrate them into the state and party structure (Urinbojev 2011). However, the role of *Mahallas* became more prominent after Uzbekistan separated from the Soviet Union and the government was perceived as being unable to fulfil its promise of the welfare programmes (Urinbojev 2011, 2017). As Urinbojev (2011, 121) mentions, *Mahallas* eventually ‘replaced the state as the primary provider of social guarantees and they provide extensive social services for community residents’.

A more discussed example would be the re-introduction of Confucianism in China since Deng Xiaoping’s reforms and a similar tendency also witnessed in Vietnam (Drechsler 2018). In China, under Communism, Confucianism was thought as the enemy till the 1970s. With the death of Mao, a reversal in attitude towards Confucianism was underway amidst the economic, political, and socio-cultural changes that followed. Confucianism was brought back into the education system in China after the ‘back to tradition’ movement grew out of the political events that occurred in the 1980s (Yu 2008). As of now, the Chinese government has embraced Confucianism, but its influence at the PA level is negligible (Drechsler 2018).

In some cases, transitions are multi-faceted and changes only occur in some levels. In South Asia and the Himalayan regions, traditional practices still hold value such as the *Grama Panchayats* in rural parts of India (Pur and Moore 2010; Xaxa 2006). *Grama Panchayats*, also known as ‘customary village councils’ are self-governing bodies that are part of the *Panchayat Raj* that institutionalised during the British occupation when Lord Ripon passed the resolution of 1882 (Kumar et al. 2017; Gul and Khurshid 2017). The *Panchayat Raj* system tried to administer the local affairs through local rural and urban people. As the research from Pur and Moore (2010) shows, even though *Grama Panchayats* were generally believed to be ‘disappearing vestiges of a pre-democratic, hierarchical socio-political order’, they continued to thrive in Karnataka, and not being too different elsewhere in India. With timely changes to their institutional composition, *Grama Panchayats* have

shown a tendency to become more active and exhibiting a potential U-turn by becoming more mainstream. With attempts to digitalise governance in India by the state, *Grama Panchayats* have been digitally transformed into 'e-Panchayats', thus instilling continuation of the *Panchayat Raj* institutions.

Traditional institutions often still exhibit elements that can be of contemporary relevance if provided with possibilities to adapt and evolve. Since traditional institutions and practices are deep-rooted within the societies, they may prove to be more effective in the grassroots level of governance. As the different cases show, long continuing traditions and cultural influences often have some level of contemporary relevance and may even see complete U-turns and come back as mainstream practices. In Nepal, the *Guthi* institution might show a similar tendency.

### **Guthis and Their Role in Governance**

Nepal, even though being at most times on the fringes of the political transition happening in the sub-region, has had a long history of over two thousand years, mostly within the valleys tucked away within the Himalayan foothills. Before the annexation by Gorkha, the historical Nepal or *Nepal Mandala*<sup>2</sup> existed as a system of cities and villages in and around the Kathmandu Valley. Historians believe that the Lichhavi and the Malla eras have been prosperous times for the state, and these periods gave rise to rich art, architecture and a distinct culture (Shaha 1990; D. B. Shrestha and Singh 1972). Art, architecture, and culture in the Kathmandu Valley, which are mostly from the Lichhavi and the Malla periods, have been studied by several scholars for their uniqueness (Bue 2011; Gray 2011; Slusser 1975; Slusser and Vajrācārya 1974; Weiler 2009). Cultural influence in governance have roots in the Lichhavi era and they still exist among the Newars with the traditional governance practices such as the continuing *Guthi* system.

*Guthi* is a distinctive institution among Newars that historians believe to have existed since the Lichhavi era (400 to 750 CE), even though termed as *Gosthi* in older historical accounts (D. B. Shrestha and Singh 1972; Shaha 1990). In Sanskrit, the word *Gosthi* means 'assembly' or 'association' (Dangol 2010; N. Pradhananga, Shrestha and Dee 2010; Toffin 2005). *Guthis* have had several functions within the Newar society and are still an integral part of the Newar lifestyle. *Guthis* have been categorised in many ways by writers who have studied them (Toffin 2005; Quigley 1985; B. G. Shrestha 2012). In general, based on the goals or objectives of *Guthis*, they seem to be of three types: (1) *Guthis* concerning with festivities (*jatras*), workshops, craftsmanship, music,

2 *Nepal Mandala* (also written *Nepālmāndālā*) is the historical space of Kathmandu Valley, a system of three city states and smaller towns within them (see Slusser 1982).

maintaining water conduits and other activities which signify the activities of the living; (2) Guthis which are engaged in the activities of the dead, such as carrying out of funerals; and (3) Guthis engaged in purely religious activities. Guthis are usually formed within specific castes or group within the Newar society, and are the very fabric that build the Newar society. The Newar societal structure being composed of different sub-groups, works vis-à-vis interaction between such sub-groups and the Guthis established amongst them. Toffin (2016, 349) has described the importance of Guthis in defining the society and economy of the Newars. He describes them as ‘communal groups which are theoretically motivated by the notion of service rather than by profits’.

There is a large volume of literature that defines Guthis to be a land tenure system or a religious trust (Acharya 2008; Regmi 1965, 1977). This may present conflicting accounts as to what Guthis are. But, it is necessary to understand that around 3.1 per cent of land in the Kathmandu Valley is owned by Guthis (Dhakal 2011). But, in its origin, the Guthi institution is the institution of community organisations that have been a common practice within *Nepal Mandala*. The latter perspective towards describing Guthis lacks context and adheres to the state endorsed definition. Quigley (1985) argues that Guthis being seen as land tenure system is ‘*Gorkhali* invention’ that started only after the *Gorkhali* conquest of *Nepal Mandala*. Ownership of land provides for the resources for running the Guthis. As acts of charity, land endowments were made to Guthis either by the monarch or citizens. The crop and cash gained from the appropriation of the properties of Guthis was shared among the members of respective Guthis or used for funding activities of the Guthi. This seems to have been the generally practised system especially for running Buddhist monasteries known locally as *Baha* and *Bahi* or *Mahavihar* (Vajracharya 1998). Buddhist monasteries being governed through community Guthis goes back to history as far as a millennium; the oldest manuscript found in Newari mentions the rules on sharing the property of a monastery among the Guthi members in Patan (Malla 1990). Patan and also Kathmandu being historically Buddhist urban spaces have numerous *Baha* and *Bahi*, and their operation seems to be based entirely on the Guthi system (Locke 1985). This tends to suggest that the Guthis most probably have origins in Buddhist traditions.

Despite the significance of Guthis as a system of governance and a part of cultural identity, in the recent past, their role in the state’s administrative framework has been greatly reduced. With the Guthi Sansthan Act of 1964 and its further amendment in 1976, significant changes followed with the framework concerning the traditional Guthi institution and their role in local governance (N. Pradhananga, Shrestha, and Dee 2010). The Guthi

Sansthan Act allowed for creation of a state agency, Guthi Sansthan. The agency now oversees the functions of traditional Guthis for religious and cultural activities such as *jatras* and running rituals in temples and shrines. The competency of Guthi Sansthan, however, is questionable as is the state's interest in improving the state agency (Khaniya 2005). Most importantly, the reduction of the scope of responsibilities of Guthis to religio-cultural activities meant that Guthis were not as relevant as before. Several of the structures and spaces that were managed by Guthis are now controlled by the municipalities. Through the Land Reform Act of 1964, Guthi lands were converted to *Guthi Raitan Nambari* land—a form of privately owned land (Acharya 2008). The intention of the new legislation was to empower the tenant-farmer but, this subsequently meant that Guthis lost their income. As described by Shrestha (2012), in the case of Guthis in Sankhu, several of the Guthis have stopped functioning primarily due to the lack of income as a consequence of the Land Reform Act.

### Gorkha Earthquake 2015

The 2015 Gorkha earthquake, which was of moment magnitude 7.8 and had the hypocentre located in the Barpak village of Gorkha, was devastating for the country with 8674 deaths (Chiaro et al. 2015; Goda et al. 2015). For Kathmandu Valley and nearby districts, the losses to heritage structures were of huge scale with 753 temples, monasteries and heritage monuments being damaged, either partially but significantly, or completely.<sup>3</sup> Nepal, being situated in a seismic zone, has faced large earthquakes almost every century (Weiler 2009). Yet, as the 2015 earthquake showed, the government lacked a preparedness plan. The earthquake and its aftermath have underlined the inadequacies within the state's governance capacity. The lack of preparedness was a clear indication of the state being extremely weak. This is understandable given the political transition the country had been going through.<sup>4</sup> The lack of existing governance capacity is also evident in the post-earthquake restoration process. Many historical structures within the world heritage site of Kathmandu Valley are still awaiting restoration and distribution of funds to earthquake victims has not yet concluded. All this has been despite a large amount of aid received by the government from international donors after the earthquake.<sup>5</sup>

3 Ujjwal Satyal, '85pc Heritage Monuments yet to Be Rebuilt', *The Himalayan Times*, 25 April 2018, <https://thehimalayantimes.com/kathmandu/85-per-cent-heritage-monuments-yet-to-be-rebuilt/>.

4 'How Political Instability Affected Nepal's Disaster Preparedness', *DW*, 27 April 2015, <http://www.dw.com/en/how-political-instability-affected-nepals-disaster-preparedness/a-18411259>.

5 Hemant Ojha, Eileen Baldry and Krishna K. Shrestha, 'Two Years after the Earthquake, Why Has Nepal Failed to Recover?', *The Conversation*, 12 May 2017.

### Community Initiatives in Restoration and Rebuilding

Despite the gross incompetency witnessed in part of the government, there has been some respite in the form of community initiatives, especially towards the restoration of heritage structures. Perhaps the earliest case of a successful community initiative in heritage restoration came from the restoration of a Lichhavi-era stupa in Thamel, locally known as *Ashok Chaitya* (Dave 2018).<sup>6</sup> Even though the paperwork for the project was already started by a local resident Sanjeeb Shrestha before the earthquake, the process had to be restarted after the earthquake. This restoration project, even though a small one, became an exemplary project that started with community initiatives and had a smooth progression. Members of the old Guthi that looked after the structure played a positive role even though the Guthi had become defunct. This was one of the first post-earthquake restoration projects that were completed. In less than two years the stupa architecture was restored with original Lichhavi-era style, and further structures in the area were also constructed. This becomes only one of the several restoration projects that would be later started through community initiatives.

One case which has gained much attention, and for understandable reasons, is the case of Kasthamandap, which through archaeological surveys, was discovered to have been built according to Buddhist traditions using mandala structure in its foundation. It was also believed to be the oldest standing structure in the Kathmandu Valley until the earthquake brought it down—this was verified by archaeological surveys that were conducted later (Coningham et al. 2016; Slusser and Vajrācārya 1974). As the failure of Rani Pokhari restoration showed,<sup>7</sup> concerns were raised regarding the quality of the restoration works done by contractors who were being selected through the ‘lowest bid’,<sup>8</sup> and the community formed the group ‘Rebuild Kasthamandap Campaign’. Restoration works were then attempted through community initiatives, with agreement between the campaign, the National Reconstruction Authority (NRA), the Department of Archaeology (DoA), and

6 Sanjit Pradhananga, ‘Heritage Reconstruction 2.0’, *The Kathmandu Post*, 18 March 2017, <http://kathmandupost.ekantipur.com/news/2017-03-18/heritage-reconstruction-20.html>.

7 Anup Ojha, ‘Concrete Wall around Rani Pokhari Draws Flak’, *The Kathmandu Post*, 20 December 2017, <http://kathmandupost.ekantipur.com/news/2017-12-20/concrete-wall-around-rani-pokhari-draws-flak.html>; Anup Ojha, ‘KMC Threatens to Scrap Contractor’s Deal over Rani Pokhari Project Delay’, *The Kathmandu Post*, 12 November 2017, <http://kathmandupost.ekantipur.com/news/2017-11-12/kmc-threatens-to-scrap-contractors-deal-over-rani-pokhari-project-delay.html>.

8 APF, ‘Lowest Bidders Threaten Nepal’s Quake-Hit Heritage’, *Dailymail*, 24 March 2017, <http://www.dailymail.co.uk/wires/afp/article-4344866/Lowest-bidders-threaten-Nepals-quake-hit-heritage.html>.

the Kathmandu Metropolitan City (KMC).<sup>9</sup> A direct involvement of Guthis regarding the structure of the restoration has not been witnessed, but there have been discussions on the possibility of the same (Bhattarai 2018; KC 2016). After the local elections of 2017, there was a tussle between community activists and KMC, as the mayor wanted to go for reconstruction through contractors (Tuladhar 2018). The new committee that was eventually formed in May 2018 resolved the tension, and opened space for optimism.<sup>10</sup>

However, in the case of *Baha* and *Bahi* monasteries in the Kathmandu Valley, the scenario has been comparatively different as Guthis still actively maintain these structures. *Maitripur Mahavihara*, which is one of the several *Mahaviharas* in Kathmandu, is undergoing reconstruction through the initiatives from the Guthi members associated with the *Mahavihara*. Several of the *Mahaviharas* suffered significant damage in the earthquake. However, in the case of *Maitripur Mahavihara*, the members of the *Mahavihara* decided to completely rebuild the structure, and the process was started in July 2016. Perhaps, due to the current religious making of Nepal, where Hinduism is the majority religion and given more attention, the Buddhist *Mahavihara* structures in the Kathmandu Valley, like Buddhist sites elsewhere in Nepal, have not had the same attention as Hindu religious sites and structures.<sup>11</sup> The lack of media reports on the renovation process of these structures certainly tends to support the argument. But, this tendency to not prioritise Buddhist heritage by the government has not in all instances affected the restoration processes negatively as the case of *Maitripur Mahavihara* shows. As per the information provided by Mr Milan Ratna Bajracharya, a member of the Guthi associated with the *Mahavihara*, the earthquake had caused significant damage to the structure, and since the structure had not gone through a major renovation since centuries, a full reconstruction was started through the initiatives of their Guthi. 85 per cent of the estimated cost was provided by the KMC and 15 per cent by the Guthi members. The restoration process in the *Mahavihara* has been going smoothly.

Not just in the case of *Baha* and *Bahis*, but several other cases have also re-emphasised the relevance of Guthis. The renovation of *Ashok Chaitya* in Thamel had positive support from members of the old Guthi that used

9 'Kasthamandap's Journey Through History, Kathmandu Sights', 2017, accessed 25 September, <https://www.himalayan-dreams.com/kasthamandap-s-journey-through-history>.

10 'Reconstruction of Kasthamandap Temple Begins', *The Himalayan Times*, 14 May 2018, <https://thehimalayantimes.com/kathmandu/reconstruction-of-kasthamandap-temple-begins>.

11 'Ashoka Pillar Finally Gets Protective Shed', *The Kathmandu Post*, 20 March 2018, <http://kathmandupost.ekantipur.com/news/2018-03-20/ashoka-pillar-finally-gets-protective-shed.html>; 'Demand to Promote Ramgram Monastery', *The Himalayan Times*, 30 April 2018, <https://thehimalayantimes.com/nepal/demand-to-promote-ramgram-monastery>.

to maintain the stupa, even though the Guthi had ceased to function. There have been discussions surrounding the old Guthis in relation to the reconstruction of *Kasthamandap* (Bhattarai 2018; KC 2016; Risal 2015). These and several other restoration projects have shown that Guthis have found their way into discussions in the context of the Kathmandu Valley again. For an institution that has continued for more than a millennium, it is certain that Guthis would have a deep-rooted connection with the culture of the people in Nepal, and especially the Newars. As Toffin (2016) has pointed out, the community in Nepal is strong and people have had a tendency to rely more on the community institutions, be it through Guthis or through cooperatives. But, there seems to be a divergence in some parts of the local population due to lifestyle changes that being introduced as more people are opting for jobs instead of family and community-based businesses.

### ICT as a Factor

Information and Communication Technology (ICT) proved to be a key factor in the aftermath of the 2015 earthquake. Initiatives in mapping affected areas were started through Commons-Based Peer Production (CBPP)<sup>12</sup> approach immediately after the earthquake. Through the use of crowdsourcing and open data, a few open data activists helped develop a system that would allow identifying the areas with most urgent needs during the immediate post-earthquake scenario (McMurren et al. 2017; Poiani et al. 2016). In addition to this, there have been feasibility studies for photogrammetric modelling of heritage sites (Dhonju et al. 2017). Photogrammetric modelling can enable one to keep better records of heritage structures in digital form, and help visualise these historical structures so that reconstruction will be possible by matching with the original structure in events of a natural disaster. As these examples show, ICT has found a considerable amount of significance in the post-earthquake scenario.

Use of ICT can enable new models in collaborative efforts and provide other technological benefits. ICT has had an important role since the recent past from the perspective of community empowerment also. This can be observed through the cultural movement amongst the Newars which has also become visible on the cyberspace. The Newar community probably had the most sentimental connection with the cultural heritages in the Kathmandu Valley, and was most concerned by the mismanagement that was witnessed in the restoration of heritage structures. The *Nepal Bhasa* movement, which was a part of the broader Adivasi Janajati movement, had gained strength since the

12 CBPP is a socio-economic model of production that is based on collaboration among large groups of individuals often over a digitally networked environment (Benkler and Nissenbaum 2006).

1990s. The movement was the result of the discontentment of the Newars and other ethnic nationalities towards the increasing Khas Brahmin and Chhetri domination of the public sector, and the marginalisation of minorities (Gellner 2007; Onta 2006). As ICT became more accessible to the middle-class population of the country, it was certain that part of the movement would get voiced into cyberspace. But, with the earthquake and the mismanagement of heritage restoration process by the government, the movement that was generally focused on *Nepal Bhasa*, has now refocussed towards cultural heritage. As a result, ‘heritage activists’ have found a platform through smartphones and social media within the cyberspace.

The activities in the cyberspace that have stemmed from ‘heritage activism’ are only one side of the full story. The use of ICT had also been adopted by the traditional organisations. Traditional Guthis from *Baha* and *Bahis* had started creating social media accounts and pages since the recent past. *Rudravarma Mahavihara* in Patan, *Itumbaha* in Kathmandu, and *Kwabahal* of Patan (also known as ‘golden temple’) are just some of the Buddhist *Bahas* that have online presence. The central theme has been the use of ICT for communication, dissemination of information, and transparency in heritage restoration projects, activities of Guthis and other community activities. The *Thamel Ashok Chaitya* restoration team started to use social media for providing updates on the restoration process since June 2016, soon after the restoration project started. They have used social media platforms very well for providing updates on the progress, and for maintaining transparency. The ‘Rebuild Kasthamandap Campaign’ created an official website since their inception and has also used social media platform. The committee for restoration of *Kasthamandap* that was formed later has also used social media effectively. These social media accounts have been used for providing updates and other information in general about the respective restoration projects.

There have been concerns over the transparency of Guthis and traditional community-based organisations (Bhattarai 2018). Not all traditional organisations follow proper record-keeping procedures, and thus lack of trust in these organisations becomes a problem. But, with the use of social media for transparency, the credibility of community-based organisations is seen to have increased, as seen in the case of *Maitripur Mahavihara*. In most cases, all Guthi members cannot participate equally actively in tasks requiring a hands-on approach, as they can be living not too close to the monastery or might not have sufficient time to devote. To overcome this issue, Guthi members of *Maitripur Mahavihara* have created a working committee for the restoration project from within their Guthi members. The updates on the project have been posted on social media pages by the committee, and this has assured

better trust of other Guthi members in the restoration process that is being carried out. In the case of *Thamel Ashok Chaitya* restoration project, ICT has largely helped in the collection of funds for the project. The continued updates about the execution of the project had instilled better trust among the people. This has also made 'crowdfunding' possible as an alternate source of funding. In case of *Maitripur Mahavihara* and *Thamel Ashok Chaitya*, individual donations from the community and Guthi members have been important for funding the projects, and this was made possible through ICT.

The use of social media has proved to be very effective for better networking, and the outreach has increased to a great extent. Groups on social media have also facilitated discussions among the communities for heritage conservation related agendas. Without the availability of the social media platforms, collaborations and discussions at such a large scale would not be possible. ICT has allowed for collective actions that had largely begun to diminish with changes in lifestyle. Day jobs and increasingly isolated and individualistic lifestyle had caused collective actions to become more difficult to achieve (Toffin 2016). However, social media has brought about alternative possibilities in achieving collective actions. With an increasing number of people emigrating in search of better jobs and income, there is also another angle to view the necessity of ICT. People living abroad, who otherwise would have been left out from these collective actions, have been able to provide inputs by means of ICT. Observing these developments, it is clear that the rejuvenation of the culture of collective actions among the communities and traditional governance institutions is possible when facilitated by ICT.

### **Crisis as an Opportunity for a New Paradigm Shift**

Even though the mismanagement of heritage restoration process after the earthquake is a major crisis for Nepal, there is an emerging paradigm shift that can be sensed in local community's self-governance. Whether this is an opportunity for a revival of communal actions in local governance is something that needs to be studied in detail, but early indications do point towards that direction.

The expression of crisis as an opportunity is very common in literature in several fields of studies (Brockner and Erika 2008; Short 1983). Referring to the ambivalent nature of crises, Short (1983) mentions that the Chinese word for crisis is composed of two figures that signify danger and opportunity. Another popular view that focuses on the idea of crisis providing opportunities comes from scholars in economics such as Carlota Perez. Mentioning about 'green' as a direction, Perez (2015, 15) mentions that it 'turns the environmental

crisis from an economic problem into an economic opportunity'. It can be said about most crisis scenarios that overcoming such situations lead to major shifts in the directions within institutions and societies. This concept can hold true for the case of Nepal and its crisis in heritage conservation. There already seems to be a possible model for collaborative governance that is based on the spirit of already existing traditional practices being developed. This phenomenon has been driven so far by the recognition of a situation of crisis and the need for change. If guided correctly, the movement that has started may provide for an opportunity for achieving transformations that will create a base for efficient grassroots level governance in the country.

The developments so far sprout from the deep-rooted practice of cooperative governance that was the hallmark of the specific Newari governance tradition. Guthi institution might have declined, but the cultural influence is still there. People still form groups from within the community for solving any given problem. The outer features might be different, but in essence, it is the effect of the people being accustomed towards communal actions for solving societal problems. Moreover, strong communities is not just a cultural trait of Kathmandu and Nepal, but of the majority of the South Asian region (Migdal 1988). This intrinsic cultural characteristic provides for the possibility to use the strengths of the society in achieving the goal of having efficient governance. Whether Guthis themselves can be revived or a model based partly on the spirit of Guthis, but transformed to fit the contemporary context, will be needed, is a topic that can only be discussed at a later stage. The current movement amongst the community in the Kathmandu Valley is still at a very early stage, and it cannot be speculated how it will grow and to what extent. There is also the question of political atmosphere in the country, and how it will impact smaller grassroots level movements that are much localised. There may also be the need to study the Guthi institution from a perspective of contemporary relevance in governance. There have so far been ethnographic studies which target the cultural aspect of Guthis more than the functional aspect, such as Shrestha's study of Guthis in *Sankhu* (B. G. Shrestha 2012) and Toffin's study in *Pyangaon* (Toffin 2005). As Shrestha's study showed, even in a small town like *Sankhu*, there were more than 80 Guthis, their functions and characteristics greatly varying from one to another (B. G. Shrestha 2012). This makes it greatly challenging to build a clear framework based on the Guthi institution, without further studies that develop a solid understanding of Guthi as an institution of governance. There needs to be studies conducted taking into consideration the potential of the Guthi institution playing an important part in the mechanism of local governance in the Kathmandu Valley. This will help in building up empirical

evidence towards potentiality of effective governance models coming from an entirely non-Western context that challenges the global-Western model.

### **Conclusion**

The Gorkha earthquake of 2015 and the heritage reconstruction efforts in the aftermath have highlighted the weakness in governance capacity in Nepal. However, a new paradigm shift is certainly starting in the Kathmandu Valley with the Newar community, and the intrinsic aspect of their culture being placed in the centre of the movement. Practices like Guthi have been central to the culture of the Kathmandu Valley and especially the Newars. The cultural influence has brought about a movement towards communal action for achieving effective grassroots level governance, which now can be witnessed through the case of heritage restoration process. ICT is serving as a catalyst in this phenomenon where a grassroots movement for a transformation appears to be starting. It is certain that further studies on this matter will help towards realising an efficient alternative model of collaborative governance that has its roots coming from non-Western traditions.

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# Perspectives on Religious Identity, Caste, and Culture for Bhutanese-Nepali Refugee Families in the United States

KATHRYN STAM

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## Background

Historically, the city of Utica, New York, has attracted immigrants primarily from Ireland, Wales, Lebanon, Italy, Poland, and, more recently, from the Dominican Republic and other Caribbean countries. Refugees fleeing from war-torn countries began resettling to the city in 1978, and the total number of refugee arrivals now exceeds 16,000 people. The most recent arrivals have been from countries in crisis such as Sudan, Burma, Nepal/Bhutan, and Somalia. Because of its small size, the city now enjoys the status of having the fourth highest concentration of refugees of any American city. However, the lives of resettled refugees are not necessarily as easy as they are sometimes portrayed in the media as model citizens, or recipients of generous welfare benefits. Becoming a new American and obtaining citizenship is a source of great pride, but for some it ends any remaining hope of returning to their home country, and brings with it the prospect of continuing lives of deprivation and discrimination. Tremendous diversity within the refugee community means some groups face more prejudice than other groups due to language, religion, the colour of their skin, and related problems of poverty. This small central New York city is unique mostly due to the large percentage of refugees per capita, and its relatively small size. Refugee resettlement host cities have revealed a remarkable level of flexibility as they accept refugees from cultures quite different from their own, and refugee groups have responded in a give-and-take relationship with their new cities with a surprising degree of resilience (Smith 2008).

The Bhutanese-Nepali refugees were evicted from Bhutan in 1992 as part of Bhutan's 'One Nation, One People' cultural policy that left more than 100,000 ethnic Nepali people stateless and homeless. The Bhutanese-Nepalis fled to Nepali refugee camps where they remained for approximately 18 years or longer. The Bhutanese-Nepalis were resettled starting in 2009, when

it became clear that returning to Bhutan was impossible. There is currently a community of 400 Bhutanese-Nepalis living in Utica. Adaptation to their new homes included struggles with language problems, safety, depression, and the consequences of being settled into low-income neighbourhoods with the corresponding social problems. Some families brought more of the necessary skills, resources, and education needed to succeed in the US than others. For the less fortunate, the long-term effects of statelessness and the trauma of eviction from their home has continued to hamper adaptation to a new way of life.

### **Literature Review/Theoretical Considerations**

Successful integration has been viewed in a variety of ways by different authors. The conceptual framework proposed by Ager and Strang (2008) from their UK-based study suggests ten core domains that contribute to understanding of integration. Among these domains, achievement in employment/housing/education/health, access to citizenship and rights, social connection, and linguistic and cultural fluency are useful indicators of integration, and have implications for refugee integration policy. Largely missing from this analysis is the role of changing perspectives on ethnicity, nationality, and family identity that resettled refugees face on a daily basis after resettlement. Although much has changed in the US in terms of refugee arrivals and policy in the decade since the Ager and Strang (2008) study, there was already evidence cited of refugees' and other community members' high levels of mobility causing instability in long-term community relationships (see also Bloem and Loveridge 2018). Assumptions about resettlement resulting in one move and one major period of adjustment has turned out to be atypical. Questions remain about the interdependence of the ten domains and the complexity of contested definitions of 'social capital' and 'integration'. A 2018 study by Rinker and Khadka focuses on trauma, displacement, and resilience within the Bhutanese-Nepali community in North Carolina. The authors concluded that tapping into 'collective historical memory', including awareness and willingness to engage past trauma, is essential for reaching long-term positive change and resilience. A social network analysis of the personal relationships accessed by pregnant Bhutanese-Nepali refugees in the context of the US showed that they tended to depend on social networks that were created long before their arrival (Kingsbury et al. 2018). The strength of those relationships were important in critical situations such as pregnancy and birth. These relationships were shown to mitigate stress for the women in the study who described their friendships and social networks as being strong. Socio-cultural factors present in the new arrival city are also

essential in understanding the mental health outcomes and ongoing stress of new refugees (Kim 2016; Mirza et al. 2018).

Based on Lloyd's (2017) work, the inclusion of an information access and resilience perspective, and fractured information landscapes dovetail nicely with each of the core domains of the conceptual framework by Agar and Strang (2008). The vocabulary used to describe the disruption of refugees' information landscapes can help reconcile the gap between their previous ways of knowing and their new context of adjustment and learning. Sensitivity to information-seeking and use practices is promising for gaining a more nuanced view of the challenges of resettlement (see Yun et al. 2016). What sometimes appear as cognitive deficits may also point to more complex cultural-historical understandings, as shown in Seilstad's (2017) study about elder Bhutanese-Nepalis preparing for the US citizenship test.

There are many issues that affect adjustment that may not relate directly to family identity. For example, there are many barriers to the securing of medical care and medication for refugees, and difficulty navigating and accessing health and human services as well (Morris et al. 2009). Addressing mostly Southeast Asian refugees, a set of studies (Bellamy et al. 2015) identified the following as themes for further investigation: interpretation, navigation of health care system, cultural beliefs, compliance, use of alternative medication and treatment, and issues of social support. According to Betancourt et al. (2015), Bhutanese refugee youths' (age 10-17) most frequently reported adjustment struggles were language barriers (83 per cent), financial constraints for basic necessities (39 per cent), and trouble with homework (24 per cent). Parents' perspectives were that their children had many culturally-specific disorders including conduct-related problems, sadness, and anxiety (Chase, Welton-Mitchell and Bhattarai 2013; Griffiths and Loy 2018).

Ott's (2013) case study of employment services for refugees in Pittsburgh, Pennsylvania showed that the Bhutanese refugee population there was conceptualised as neither vulnerable nor resilient, and the employment services for them could not easily be judged as poor or adequate. Instead, the refugees' responses to service provision showed a high level of complexity, and could only be understood in the context of the particular cultural group and its community formation processes. The uneven experience of the younger generation Bhutanese being well-adjusted and happy, versus the older generation generally struggling is documented by Roka's (2017) study of three cities, and it appears to be consistent with the larger diasporic community.

The differences between being resettled to a small city or a large city is

largely beyond the scope of this paper, but it is clear that the challenges and resources (information resources and otherwise) differ depending on city size. Whether or not this is positive or negative for refugees is difficult to determine at first glance. Positive aspects of a small city such as the one mentioned in this study are that they are walkable, considered safe, and the services and stores are manageable for newcomers and those who struggle with language barriers. Larger cities can be appealing to those who are seeking communities with large numbers of their own ethnic group, but these cities have the downside of creating situations of isolation due to access to transportation and services. For the Bhutanese-Nepalis in particular, larger cities can offer increased opportunities for Hindu worship, festivals, and cultural events, but that is only relevant to some community members. As maintenance of caste remains salient for high-caste Hindus in particular due to their long history of benefiting from their position, larger cities are appealing because there is a higher likelihood of high levels of interaction and the potential of more options as parents attempt to informally arrange partnerships for their adult children's marriage.

One factor that makes this refugee group unique appears to be the high degree of flexibility and resilience. Despite some well-publicised problems with depression and feelings of isolation that have resulted in a higher degree of suicide than the average population, the vast majority of the Bhutanese-Nepali refugees have adjusted quite well. This may be in part due to the fact that Bhutanese-Nepalis are comfortable with inhabiting multiple identities and adjusting their identities to an impressive degree (Hoellerer 2017). The fact that their group experience includes some members with vivid memories of their country of origin and another large group with no personal memories of Bhutan suggests a likelihood for divergent paths and perspectives to be found within the community. Lewicki (2010), using the framework of Gellner (1997) to study identity for Bhutanese-Nepalis in Pittsburgh, Pennsylvania also found that both micro- and macro-level analyses revealed that this refugee group defied the expected linguistic, ethnic, and national categorisation.

In some American cities, there is a divide between the non-refugee Nepalis and the refugee Bhutanese-Nepalis that causes some friction, and also changed the way the refugee groups refer to themselves. Their identification is created in relation to the people around them. In this city, however, there are very few Nepali families, the author knows of only one, and a handful of Nepali international students who tend to spend most of their time on their campuses, so there is no need for the refugees to either separate themselves from or connect themselves to other Nepali immigrants.

US refugee policy has traditionally discouraged secondary migration, which is the movement of resettled refugees to another location by choice. However, the findings of Marks (2014) and Ott (2011) show that resettlement to non-urban sites and secondary migration in general are not detrimental to integration, and rather appear to encourage civic attachment, a newly considered indicator of integration that contributes to the concept of citizenship (and the feeling that one's participation matters in their new community) as it relates to new refugees. The role of secondary migration is salient for Bhutanese-Nepalis who have embraced their newfound freedom to travel, and found themselves with many attractive options to consider.

Another topic that helps illuminate the Bhutanese-Nepali experience stems from Shneiderman's (2015) work on the role of the Nepali 'village' for migrants. If one replaces the concept of 'village' with 'refugee camp', Shneiderman's work on the village is relevant. She describes the village from which migrants originally came as 'not only as a site of nostalgia for those who have left it, but rather as an organising principle that may possess a range of emotional and pragmatic valence' (Shneiderman 2015, 318). In the case of the forced resettlement of refugees such as the Bhutanese-Nepalis, this process has been turbulent and involves a complex interaction of affective realities. What is unique, however, is that entire families moved together and extended families were reunited in the US. They seem to cling to the family first, neighbours from the camps second, and their original villages third, if at all. After leaving the 'village', these families, 'refigured what it meant to them and also—at least in their own minds—what they meant to others within it' (Shneiderman 2015, 332–333). But for refugees for whom returning to the 'village' (camp or original village in Bhutan) has mostly been accepted as impossible, the refugee families must re-evaluate and rebuild many of the foundations upon which they navigated, with some successes and some struggle, their new 'American' lives.

## Methods

This paper presents the results of an ethnographic study of five nuclear and extended families who live in a community of 400 Bhutanese-Nepali refugees, who were resettled to a small city in upstate New York, between 2010 and 2017. The author's focus on comparison of the family units makes this study unique. Field notes of home visits and events in 2013 were taken, and a follow-up was done in 2018 at a local community centre where some of the families worship, as well as in some of their homes. In some cases, individuals were interviewed alone, but often there were multiple people in the room, and they came and went as the discussion occurred, as is normal in

this community. I spoke with adults between age 18-65, although there was sometimes input from elders and teens who were present for the interviews. Three times the interviews were cut short because participants responded to other community members who needed rides or other timesensitive help. This is indicative of how the people in this community normally function, relying on many different people to make their family activities flow smoothly. The study sample is a diverse group in terms of ethnicity and religion, and was representative of the larger group of Bhutanese-Nepalis in the city. Two families are Christian, two families are Hindu, and the other family is Buddhist. Four of the families have three generations living together, while another has just parents and children. They have been living in the city since 2010 at the earliest, and moved to Utica in 2015 at the latest. One family settled in Utica after a brief time in another state.

Having worked with this community in a variety of roles since their arrival starting in 2010, the author has unique access to the study participants. In addition to conducting ethnographic research on the community, the author has advocated for them with local agencies, helped them start a folk band, and attended many of their cultural events and family celebrations. Before the exodus of many of the Hindu families to Ohio, starting in 2015 and going on until present, the author was invited to the refugees' homes for meals and to help with a wide range of tasks that required knowledge of the local health and social services and legal systems. Although there are no field notes to draw from about those activities, the broad base of knowledge that the author has gained about this community is integral to understanding the context of this study.

## **Results/Discussion**

Family identity turned out to be contextual, complex, and contradictory, depending in part upon what groups the Bhutanese-Nepalis were comparing themselves with. The first research question addressed Bhutanese-Nepali refugees' perspectives on family identity as it relates to religious identity, caste, and ideas about cultural maintenance and change. Length of time since resettlement greatly affected perspectives on cultural maintenance and change, as the families had more contact with Americans as well as refugees and immigrants from other cultures. All five participating families expressed some concern about the rapidity of cultural change evident in the behaviour of their children, but the focus of their concern changed from the interviews in 2013 to the ones in 2018. Early problems were related to learning about the new city and the Bhutanese-Nepalis finding themselves a minority and grouped in with the Karen refugees from Burma, of which

there were at least 10 times as many. They lamented the lack of Nepali stores and religious festivals like the ones back in the refugee camps. Later on, the types of problems they expressed included their older teen children's inappropriate behaviour (smoking, drinking, staying out late) and impolite dress, youth's overdependence on tablets and phones, and their independence overall in terms of going out in cars, a phenomenon that only happened after the families had been there long enough to save up for a car by working for a year and receiving a tax return of approximately USD 9000 per full-time worker. Although education was seen as having an important value, high school dropouts were not punished, but rather encouraged to start working as soon as they became old enough to work. Many of the teens drove family cars or friends' cars with only driver's permit, but that did not seem to cause concern. Rather, it was seen as convenient and helpful for the families, whose older members were still afraid to drive or afraid of getting lost in the small city.

Religious identity was particularly salient in this city, as opposed to the larger cities that the participants talked about where there were larger Nepali populations and a great degree of choice of social connections. Reports about religious identity were consistent across the families, who said that the Nepali community was basically split between the Christians who came with Christian pastors (of which there were several), and the Hindu families who were moving to Ohio to live in a larger Hindu Nepali community. After a conflict that resulted in police intervention, several Christian leaders moved to another state and members of their congregation moved as well. This was viewed as a positive development for the community as a whole. A smaller Christian congregation split and found a new place to worship, bringing with them about 30 extended family members and incorporating the newly arrived Dalit (untouchable caste in the Hindu hierarchy) families. The Hindu families did not consider themselves a congregation of any institution and were not concerned when one large extended family started worshipping *Manav Dharma* (Human Dharma, a type of Hindu worship), inviting a female guru originally from India to come visit and perform ceremonies whenever possible. Individuals who normally identify as Christian have been seen singing and participating in *Manav Dharma* ceremonies, and many Hindus feel welcome to join Christian services and cultural performances during holidays. One difficult issue mentioned by the Christians was that they were forbidden from getting *tika* because of its religious meaning, and they were expected not to dance or sing to Hindu songs. Facebook photos and Facebook Live video made this problematic because community members often deviated from these norms, and were discovered and scolded by

their relatives or religious leaders. Several Christian community members changed their names from names of Hindu gods and goddesses to Biblical names. It should be noted that many refugees changed their names at the time of naturalisation, five years after their arrival, so it was common to hear about people who repaired previous spelling mistakes or other preferences at that time.

Ideas that were expressed by the participants about caste were also contextual and contradictory. Caste was described as 'long gone' and 'no longer relevant', but also acknowledged as still important to older generation Hindus (above 40 years old), elders from all groups, and the Brahmin families with members who were Hindu priests or priests in training. Examples of caste discrimination being alive and well abound: high school students were excluded from certain types of events in the community because of their caste, and were encouraged to not mix with or date Bhutanese-Nepalis of different religions and from different castes. Middle-aged men reported being invited to events to help with manual labour and then being excluded from the seating arrangements and eating situations that were hosted by Brahmin families. According to participants, refugees from other cities report legal complaints about maltreatment due to caste by making formal complaints through lawyers or police, but this has not happened in this city.

One case that involved intermarriage, a religious conversion, and a child out of wedlock between a Dalit and a Brahmin caused much consternation on both sides, resulting in threats and cold shoulders and hurt feelings. Through that case, other family members had the opportunity to discuss their current concepts related to caste and its role in their new lives. In a more general sense, younger people from all of the families knew that their parents discouraged intermarriage, but said that if they loved someone, they did not care about the caste to which they belonged, and the parents would learn to adjust. Conversations about moving to Ohio often included statements about how there would be more people like them, and when asked what that meant, participants explained that it meant people from their caste, including relatives and potential marriage partners for the eligible. For the Christian families, discussion of caste was muted and brought around to the topic of Jesus and his love for everyone. Appropriate marriage partners were those from the same religion and those who would fit into the congregation.

Perspectives on caste were also evident in discussion about marriage with Bhutanese and Nepali nationals. There was one Christian woman who was engaged to a Bhutanese national living in Bhutan, and had met him in an Indian village due to restrictions on Bhutanese-Nepali refugees visiting the country. They met online through friends and found each other to be

appropriate, attractive, and suitable partners, given the man's potential future role within her church. On the other side, five men in the community married partners who were Nepali nationals, and four of them had completed the many inconvenient and expensive stages of paperwork to bring the women to the US. The fifth man decided to remain in Nepal with his wife and baby, and renounce his right to refugee and permanent resident status in favour of a quiet rural life with the woman he loved. In only one case, the man knew his bride before resettlement. It is notable that the other men met their future mates online, through friends or relatives, and committed themselves to lives with these women without meeting them in person, and without their families knowing much about it ahead of time.

There were other ways that religious identity was described as fluid, and families as well as individuals within one family changed religion relatively often during the period of first adjustment. The Dalit family became Christian in the US. The mixed-caste Christian family reported not being religious, but respecting other cultures and beliefs, and feeling the need to belong to some kind of community. The Christian families claim not to believe in or focus on caste. The Hindu families are concerned about caste, claiming that it is because they care about their parents, who are anxious about having appropriate marriage partners for their children and grandchildren, their standing in the community, and how it looks to others.

In general, cultural maintenance and change was rapid among the younger generation and those adults who attended ESL (English as a Second Language) classes with a diverse set of refugees and migrants from many different countries, perhaps because of their increased access to a wider range of information sources and networks. Family members who worked outside the home also changed quickly, including what they ate, how they dressed, and with whom they spent their time. Issues of dress, national identity, discussion about moving, and cross-caste relationships were intermingled with complex and contradictory concepts about caste and its changing role among the Bhutanese-Nepali refugees. Older and disabled family members spent most of their time at home, watching Nepali television and talking on the phone with other people like them, and their access to outside information was extremely limited. Signs of family identity can be seen in dress and are at times both complex and contradictory. Cultural and ceremonial dress is associated with a depth of meaning and helps place people in space, time, social status, and context. Desires to affiliate with or reject other groups or subgroups is also evident in seemingly simple decisions about dress and the patterns, colours, and motifs created lovingly within them. Clothing reveals cultural norms related to gender, marital

status, and temporal considerations such as the change of seasons, life cycles, and even the time of day. When the Bhutanese-Nepalis moved to Nepal, they continued to wear their traditional Nepali dress in part to send a message to the Bhutanese government that they did not want to change their identity or adopt the Bhutanese national dress. At the same time, some members wore traditional Bhutanese dress in the US, especially when representing their cultures at a local soccer tournament and at ESL class events because they were defending their right to Bhutanese nationality. The participants in the study frequently referred to dress when they were discussing identity, ethnicity, culture, and nationality.

Young people from all of the families have a strong sense of national pride, which was evident in their choices of songs to sing at the 2015 Nepali New Year festival that was hosted by the SUNY Polytechnic Institute. The younger generation tends to prefer Indian-style clothing (and high heels), but were encouraged by the older generation to dress in traditional Nepali styles, sing Nepali songs, and display the Nepali and Bhutanese flags. This caused a great deal of conflict and gossip. The younger community members, regardless of their family membership, said that they considered themselves to be Nepali. Although they understood their parents' connection to Bhutan and their desire to continue to identify as Bhutanese, the members younger than 20, who were in most cases born while their families were living in refugee camps in Nepal, said they felt like Nepalis rather than Bhutanese. They conformed to some degree to their parents' preferences, but also brought Indian dress to shows and performed some songs that irritated some of the elders.

Dalits said that white Americans were friendlier with them than other Nepalis. They were careful while choosing families with whom to associate, but the ones who had discriminated against them the most (in the form of gossiping about them and refusing entry to their homes) had moved to other states, so it was no longer an issue. With the exception of relatives, they did not feel it was important to maintain close ties with the Bhutanese-Nepali community in the city or in other cities. One respondent said, 'We have everything here. Why would we need people who do not like us anyway?'

Regardless of statements that the refugees in Utica are no longer very concerned about caste, stories abound about the time of arrival in 2010-2012 when caste was very much on the minds of the Brahmin families, who did not let their children have low-caste friends in the house, did not serve food or drinks to low-caste visitors, and encouraged their grown children to entertain any low-caste visitors on the porch or in another setting. The difficulty is that the lowercaste members tended to have lower education

than the Brahmins, and needed more assistance with paperwork, and other problems of adjustment and information access. When they had no choice, they looked to the families who arrived first and had better English skills, and these in most cases, were the Brahmins.

When asked about the Bhutanese-Nepali community and family identity specifically, the participants' conversations inevitably went towards the phenomena of moving to Ohio, the desire to buy a nice house, and the priority of making the elderly members of the family comfortable and happy. Elders' happiness often includes some way of addressing social expectations and the changing role of caste. Most of the people who have moved are Brahmins who claimed publicly to be seeking a larger Hindu community where they can worship and celebrate together, find more suitable marriage partners, and avoid the social problems that they view as stemming from living in a small city with few families like theirs, aside from relatives from whom appropriate marriage partners would not be indicated. The younger members of those Brahmin and higher-caste families were willing to move because they must obey their parents' wishes, and they wanted their parents to feel comfortable, but they were not interested in allowing their parents to have influence on their choice of dating or marriage partners in the future. Their experience, which was verified by my observations of six couples who had done this, was that 'kidnapping' (willing girlfriends) or eloping informally on a trip to another city was followed by a relatively quick return and reconciliation with both sides of the family, who had discussed the matter in great detail by phone and made their own arrangements by the time the couple resurfaced in public.

In terms of comparing families, there were certain aspects of adjustment to life after resettlement that was commonly cited in all of the families. There is a saying that when you ask a Nepali if they are Hindu or Buddhist, they answer, 'Yes'. This kind of flexibility in religious identity is also evident in all of the Bhutanese-Nepali refugees.

For many middle-aged individuals and elders, there was frequent (daily) contact with friends and relatives in other states, in Nepal, and in Bhutan. This contact acted to reduce their dependence on students in their ESL classes, Americans at church, and others who might contribute different ideas. Younger participants described this as old-fashioned and hindering the growth of the older family members, but due to language barriers, they did not see an immediate solution to that problem. They did, however, explain that it was not true in the Christian families, who reached out more and made friends and obtained mentors from their multicultural church settings.

For all community members, there were ample opportunities to compare experiences and make decisions about moving to another state. There is a cultural preference to visit each other, so there are often relatives coming to share their experiences with services and general wellbeing of life in some of the bigger cities (Pittsburgh, Cleveland), and other states. Some participants joked that Bhutanese-Nepalis are used to moving around and now that they have passports and money, they travel much more frequently. Others joked that shopping was a main incentive for some of the trips that they made, with Rochester, New York, a particular site for buying gold. In any case, any analysis of information practices of this group must contain robust inquiry into the frequency and process of information shared during trips to other places. One family in the study reported going to a city in Ohio for a social visit and finding out that their relatives had started arranging housing, new jobs, schools, and everything for them to move, so they returned home only to pack and move within the month.

The priorities and experiences of one of the Christian families differed from the other four families because their focus was on assimilation, and their newfound opportunities in many different realms. They were surprised and happy at their ability to purchase vehicles and make plans to buy a house in the future. They were the first to deny the importance of their relationships with other Bhutanese-Nepalis in the city and adjusted to new clothing styles and ways of talking more quickly than some of the others, even though they were the last to arrive. They rejected the option of long-term membership in the Hindu groups and activities because the latter were thought of as gossips, old-fashioned, and too concerned about outdated concepts of social class and caste. They expressed delight in the freedom they had to invite people to their home for food and celebration.

Shneiderman's (2014) work on ethnicity is relevant because she analyses the process by which Nepalis who migrate negotiate their 'community-internal expressions of ethnic consciousness and external frameworks for recognition—such as the state, markets, or global discourses of indigeneity and heritage' (Shneiderman 2014, 292). When extended to include refugees who in addition to their country of origin and their second-country to which they escaped from war or political strife, the thought processes behind these negotiations include yet another set of connections to place and people that is more global, dynamic, and complex. When the participation in a 'village' changes so dramatically, it is no surprise that individuals rely on their familiar networks and find them less helpful in some ways and still essential in some others. The refugees' reliance on additional 'frames' for understanding their ethnicity becomes clear as they cross borders and find

new ways to express their ethnic identity that have meaning for their new neighbours and reconstituted 'villages'.

### **Conclusion**

One main finding of this study relates to Bhutanese-Nepali refugee identity in the US as contextual, flexible, and emotionally-charged. Acceptance of multiple identities, even contradictory ones, were the norm in this community. In some contexts, the participants focused more on being a small group, all from the same country. Some family members wondered aloud whether or not a move to Ohio would be better for the family, with special consideration for the children and the elders. There were multiple religions and castes in one household, and inter-caste marriage with some related family conflicts in others. Tension over behaviour related to caste membership was overt at the beginning, but changed somewhat after a few years in the country. Perspectives on caste tended to be different, depending on age in some cases, and on individual families who have ideas that were different from the mainstream. This fluidity, along with generational differences in information flow, has made the adjustment easier than it might have been otherwise.

Another lesson of this study is in the unexpected consequences of forced migration across social class and caste, and the continued tensions between maintenance of cultural traditions and the desirability of cultural adaptation to the host culture. In addition, there can be both added advantages and vulnerabilities due to former caste membership that nonetheless endure in the new environment. Many of the patterns seen in the Bhutanese-Nepali communities mirror the social problems also found in the early stages after arrival by Southeast Asian refugee groups since the early 1980s (Yau 1997), as new refugees from those groups conflicted with their parents over issues including dress, substance use, and associating with friends. Special associations that can be related to the Bhutanese-Nepali group are the relatively lower level of extreme violence and trauma associated with their group history overall, their good communication and language skills, relaxed demeanour, and the perception that they are loyal employees and good neighbours.

In an effort to use the information gained in this study to better understand the dynamics of resettlement, and update models such as Ager and Strang (2008), it is important to consider the flexible, contextual, and contradictory nature of this particular refugees group's efforts to adjust to their new lives, and deal with cultural change for themselves and their families. Long-term consequences of statelessness affected these families, but in different

ways from other groups (see Kingston and Stam 2017). Not only does each refugee group need to be understood more thoroughly, the nuances of the diversity within the group, as shown by the different families' experiences, is important to study as well. Each of the families, with their experiences and histories of caste and religious membership, let the new and radically different environment affect their choices and attitudes, while at the same time clinging to some basic elements of their complicated and emotionally-charged Bhutanese-Nepali identities.

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# Illness and Honour

## Creating and Treating Opioid Addiction in Urban Nepal

THOMAS ZELLER

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### Introduction

Addiction is relatively new as both a moral category and an illness in urban Nepal, and those suffering from substance dependence disorder are primarily young adults. As a result, private rehabilitation centres can perpetuate a specific definition of addiction which incorporates elements of familial moral obligations, dubious statistics, and specific relationships to the periphery of biomedicine. This definition is not ubiquitous for all private centres, rather, competing definitions of addiction and care are circulated through various media sources, where they vie for public affirmation. The instability of the medicalisation of illness creates a fraught arena in which competing understandings of bodily disorder partially determine lives, establish political willpower, and amass fortunes.

While injecting drugs was an uncommon practice in Nepal prior to 1990, intravenous drug use (IDU) and its accompanying health concerns have increased in urban areas since the late 1990s (Ojha et al. 2014). The WHO believes there are between 17,000-24,000 injecting drug users in the country, but the problem may be more severe as Nepali health statistics are notoriously difficult to collect and verify (Justice 1989; WHO 2010). The increasing prevalence of drug abuse has caused localised HIV epidemic within the IDU community, and has been blamed for numerous other social issues in urban areas (Sinha 2008). In response to these concerns, the Nepali government has created a Drug Control Section within the Ministry of Home Affairs (MoHA) with the intent of reducing drug supply and demand.

Despite government provision of detoxification and Opioid Substitution Therapy (OST) at teaching hospitals and centres throughout the country, many Nepali drug users are treated at Non-Governmental Organisations (NGOs) which are termed 'strategic partners' (Sinha 2008). Although these centres are labelled as NGOs, they are operated as for-profit institutions and are commonly referred to as 'private centres'. Private centres are becoming

increasingly prevalent in urban areas as drug abuse and knowledge of its treatments have become more available. There is a huge variety in the type of treatment that private centres provide in Nepal. Some follow standard psychiatric evidence-based therapies which psychologists at Tribhuvan University Teaching Hospital advocate for, and represent the standard in Nepali drug abuse care. Others preach specific versions of what drug addiction and ‘addicts’ are to distinguish their treatment mechanism. This loosely regulated industry incorporates centres which actively do harm to those placed inside. Private centres have created addiction as a curable behavioural illness through advertisements and TV shows, enabling them to utilise violent methods under the guise of curative therapeutics.

This paper is drawn from interviews and tours within private rehabilitation centres in Kathmandu, Nepal. In particular, the ethnographic information forming this piece comes from tours and interviews I conducted at Drug Care Nepal (DCN)<sup>1</sup> with its owner, Mr Shamsheer, and his assistant Prashant. During the period of this study I was also assisted by psychiatrists, workers in the government OST centres, former private rehabilitation centre patients, and user advocacy groups. From these interviews and tours, I learned how the portrayal of addiction controlled by private centres creates a version of illness which relates to conceptions of morality and distance, justifying removing individuals from their families and placing them in private centres. Depending on the centre, this decision can cost families huge sums of money, a primary reason for why a marketplace has formed around conceptions of what addiction is and how to treat it.

### **Creating Addiction**

Mary-Jo Delvecchio Good has described the popular faith in medical procedures and technologies as ‘the biotechnical embrace’, seen through the ways individuals ‘invest in the medical imaginary—the many-possibility enterprise—culturally and emotionally, as well as financially’ (Good 2001). Good remarks that this embrace is two-fold, medical practitioners and patients alike participate in the reification of curative technologies through symbolic and material investments. In this case, private centres profit off the conception that they provide a curative service, the kind that will restore one’s offspring to their proper roles through saving them from addiction. Mr Shamsheer, the owner of the popular private centre DCN explained the ways in which they typically interact with parents about drug abuse, stating: ‘What are the major problems for drug use? Economic loss is a major problem,

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1 All businesses and individuals discussed in this paper have been given pseudonyms.

prestige is the major problem, family harmony breaking is the major problem. The family says we can accept, but we want to see them alive. So the people who call us have a big hope that DCN will give them a new son, who will not do these things'. DCN plays on specific Nepali understandings of citizenship to develop treatment that will appeal to the medical imagination of Nepali parents. This paper will examine the ways in which private centres create addiction treatment as a commodity and a treatable behavioural illness.

Within the private centre, creation of addict and addiction is the marginalisation of substance abusers as non-citizens. In this case, citizenship implies an individual's ability to make claims upon the state. The rhetorical work of disenfranchisement lies on one side of what Scheper-Hughes and Bourgois have termed the 'violence continuum' which 'refers to the ease with which humans are capable of reducing the socially vulnerable into expendable nonpersons and assuming the license—even the duty—to kill, maim, or soul-murder' (Scheper-Hughes and Bourgois 2004, 14). The marginalisation of the substance dependent can also be seen as an element of structural violence through the ways in which addicted bodies become profit-producing entities, lacking rights and protections in cycles of dehumanisation.

### **Narrating the Addict: Youth, Morality, and Danger**

A central element in the creation of private addiction treatment as an 'economy of hope' is the narrative that private centres create about addiction and treatment (Novas 2006, 289). While some fields of medicine have regarded the concept of narrative as the antithesis of the scientific establishment of which they are a part, narrative forms the ways both patients and healers make sense of illness and healing (Mattingly and Garro 2000). The anthropological study of narrative is a vast area of inquiry, drawing on many disciplines from linguistics to performance studies. In the realm of medicine, narrative has been understood as one of the ways 'the innately human experience of symptoms and suffering' is interpreted by care providers and receivers (Kleinman 1988, 3). While most of the literature in this genre examines the structure of narrative and what narratives tell us about the experience of illness, I examine how the use of a single narrative creates a specific conception of disease and healing regarding addiction. In the words of Mattingly and Garro, '[p]owerful stories can shape future actions in decisive ways' (Mattingly and Garro 2000, 18). The ability to narrate the bodily disorder of another is also revealing of power dynamics between healer and healed, as 'entitlement to tell the story of another's illness . . . can serve as a marker of other types of social relationships' (Mattingly and Garro 2000, 18). Below I examine the ways in which private centres narrate

addiction, and how that narration marginalises substance abusers in a way that removes them from their homes and places their treatment in the specific context of private treatment, rather than biomedical establishments. I draw on what I was told during my tour of DCN as well as Mr Shamsheer's speech to examine how narrative creates addiction in the minds of parents, and justifies practices which reduce the substance dependent to 'bare life' (Agamben 2005).

The concept of youth and its tenuous connection to morality and social change is a crucial element in the narration of a 'new' illness. Youth culture in Kathmandu developed simultaneously with the intensification of hard drug use and other activities deemed 'immoral' by conservative Hindu society. In Mark Liechty's examination of youth culture in Kathmandu, he noted that youth, specifically the terms 'teen' and 'teenager' almost always described young, unmarried men who were considered unruly and delinquent' (Liechty 2003, 229). He goes on to say that conservative Nepali society maintains the view that 'teenagers are disobedient, likely to take drugs, and usually male' (Liechty 2003, 229). In this description, youth is not a marker of a numeric age or stage in life, it is tied to a certain moral status, one which is at once foreign and dangerous. Young Nepalis coming of age during the era of globalisation face the dual pressures of living up to international standards of success, and maintaining local notions of moral purity (Liechty 2003).

The young men with whom I worked were coming of age and beginning to use drugs in a social climate far removed from their parents' world. Based upon her discussions with young men in peri-urban Nepal, Brunson (2016) explains the situation, which was described to her as 'social vertigo . . . the embodied experience of negotiating a state of globality' (Brunson 2016, 10). She claims that the young, unmarried, mostly middle-class men she worked with were caught in between local and global standards of being, placed precariously between their existence within the durable patrilocal family structure and their parents' expectations for them to be successful global citizens. Young men expressed that they faced the common challenges of high rates of unemployment, low wages, and rising prices despite political rhetoric describing an era of *nayā Nepāl* (new Nepal) (Brunson 2016).

Brunson is careful to point out that to be middle class in Nepal means to remain limited by financial constraints due to the scarcity of employment, even for the very well educated. As a result, 'young men of a comfortable economic background found themselves with excess free time, looking for some activity to serve as a "timepass"' (Brunson 2016, 109). 'Timepass' returns us to the idea of social vertigo that *nayā Nepāl* is experienced within, a tension between local and global expectations, where new youth

identity is created as a bricolage within a generation struggling to define itself as something new, while remaining inside enduring social and familial structures. Although young sons are meant to support patrilocal families, they often end up remaining reliant on them throughout their youth. Some have attributed the prevalence of addiction in the Kathmandu Valley to existing within this tension, as youth drug use typically occurs in peer groups. Young people are depicted as facing challenges their parents do not understand, and using drugs as a means of stabilising their identity and building confidence (Jha and Plummer 2014; Liechty 2003).

Factors such as stress, belonging, and self-care are absent from private centre narratives about drug abuse. Instead, youth drug abuse and other immoral social acts are categorised into the definition of addiction as a behavioural illness presented by DCN. On my tour, Prashant described the purpose of each of the four modules of DCN treatment. In his description, treatment followed a consistent linear narrative of a sobriety achieved through properly understanding conceptions of morality. He said, ‘Drug detox is not sufficient, life should be improved. To do this you need to disconnect with the antisocial persons and learn how to ID [identify] who are good and who are bad. Second you need to know the dos and don’ts. But when people take drugs it is like this “born to be wild” they will not accept any rules’. The definition of addiction presented in this model goes beyond behavioural and medical illness to attack drug users’ conception of rightness. It assumes a narrative of substance abuse which incorporates an amalgam of immoral practices, making one ultimately unfit to be within the household and the national community. This narrative fits what others have observed about connections between criminality and its danger to communal moral identity. In these narratives, characters like the ‘figure of archfelon, albeit culturally transposed, seems to be doing similar work in many places, serving as the ground on which a metaphysics of order, of the nation as a moral community guaranteed by the state, may be entertained, argued for, even demanded’ (Comaroff and Comaroff 2004, 808). Criminal and immoral actors, like substance users, do not only defile their own claims to moral citizenship, but also risk communal identities of moral correctness. Their very existence thus threatens social moral order and justifies their separation and detention.

The Nepali concept of *ijjat* is central in discussing youth morality and its relation to familial and social danger. *Ijjat* represents the ‘concept of status with a moral valence’ (McHugh 1998, 164), and maintains a complex relationship to *laj* or shame, not as a dichotomy, but as a place marker because ‘[t]he idea of honour reflects a larger configuration: through this concept

one's place in a given social world is defined and one's character as a moral person is assessed' (McHugh 1998, 165). Thus, 'honour can accrue through association and dishonour can contaminate . . . if improprieties are known to have taken place in one household, lineage members . . . may distance themselves from this household' (McHugh 1998, 165). *Ijfat* establishes a fragile morality that is in constant reference to those around you. Liechty comments that this is especially true for those members of the middle class of which most drug users are members. Liechty argues that '[m]iddle class people are those in-between, those neither corrupted by deprivation, nor debauched by excess. The middle class is "tied down" by the "restraints" of the social order' (Liechty 2003, 69). Due to this instability, immoral acts by family members can have catastrophic effects on notions of familial prestige and placement in the community. As a result, when immorality is present, the immoral person must be placed at a distance to maintain a family's status as honourable people.

The spatial relationship between a dishonourable individual and those associated with them is a major part of the logic of addiction treatment presented by private centres. In private centre narratives, addiction is a behavioural defect that requires treatment outside of the home, and is a disease affecting the individual and the family. When discussing about who brought students to DCN with Mr Shamsher, he explained, 'The family has to get involved with it. The family is the one who is concerned about them'. In this narrative, substance dependent individuals do not have the tools to care for themselves or request help, their family members manage their communal identity relative to the potentially damaging acts of the diseased daughter or son. Mr Shamsher discussed the fear associated with addicted children when talking about individuals returning home, thus, 'They finish the course, then they work one or two months in a different department. Then we ask the family if they are ready. First just at night, then during the day. In many cases family says no, we are still afraid of him. In that case we try to give technical education and send them abroad'. In Mr Shamsher's understanding, the fear of the damaging presence of an immoral child is solvable with distance. He explained, 'We try to tell the parents to send them to Arabic countries. One, there is no drugs on that side of the world, drugs are hard to find there. Second, they can start earning money and surviving. . . . So we give them education or training, make them able to stand on their own feet. That is one of the reasons for our success. Give them something to do, instead of watching money slip away and sit at home doing nothing'.

Private clinics provide space between immoral actors and those who they could potentially harm through shame producing activities. They are

made to create individuals in line with identities of moral citizenship by any means. While on the symbolic side of the violence continuum, these constructions both limit the real-world capacity of those labelled ‘addicts’, as well as connect to interpersonal acts of physical violence which cause human misery in the rehabilitative context.

### **Vocabularies of Certainty**

Private centres present themselves as curative spaces for an illness affecting the social and physical body, and are unlike other medical entities. Centres like DCN operate within an in-between, offering treatment that is technical enough that it must be paid for, but not so much that it might fall under the purview of medical regulation. Existing on the periphery of medicine, private centres use the vocabularies and some of the techniques of biomedicine, but in discourses surrounding care, DCN spokespeople are quick to separate treatment from psychiatry. Not only is the addiction described by DCN curable, according to the statistics they advertise, being cured is almost guaranteed. This guarantee is expressed through the certainty of numerical data, the origin of which is questionable. Returning to the episode of my tour with Prashant, I asked him how DCN compared with other facilities in regards to its treatment method and success rate. The following is an excerpt of our conversation:

Prashant: There are three types of rehabilitation centres: One, the government run facility, where someone stands with a gun at the gate like a prison kind of thing. Second is a Narcotic Anonymous disclosure type of thing. Third is DCN, which is the only one. The other two have a success rate of 2-5 per cent. DCN’s success rate? 80-85 per cent.

Thomas: Wow.

Prashant: And that is because there is no 100 per cent in anything. I can say the 15 per cent they are in the category of people who will never and cannot recover. But we are trying out best. That is a good success rate in this sector.

I found this number surprising because the National Institute on Drug Abuse (NIDA) projects that around 50-60 per cent of users who have undergone in-patient treatment eventually relapse (NIDA 2015). For example, the state-run clinic where I worked in Hawaii had over 80 per cent of their clients relapse; it happens so frequently that the tendency to relapse is built into the biomedical definition of the disorder. The level of rigour with which DCN was treating their data collecting process was unclear. When I asked Prashant about how they monitor for relapses, he stated, ‘We keep the contact and

stay connected with their parents. The course is about six months long, and after this we don't just send them on their way. No, we keep them inspected'. When I told a psychiatrist working at a local teaching hospital about the success rates DCN was claiming, he exclaimed, 'How do they measure that? These things do happen in countries like ours where people with influence can just make things happen'. An employee in a Kathmandu OST centre shared his disbelief: 'I don't believe in the 80 per cent success rate because I have proof!' People take six months there, after eight months the same people come over here! So I have proof!' The incomplete medicalisation of addiction allows DCN to co-opt the vocabularies of certainty of medical treatments without being subject to the rigorous burdens of proof which go into their creation. In using statistics as evidence for the supremacy of their treatment, DCN goes beyond advertisement, into the creation of medical truths which reify their narrative of addiction.

Briggs (2003) explains that the story of the Venezuelan Cholera Outbreak of the mid-90s was told by and large through statistical imagination. In this case, government-controlled sources of data collection told a specific story through the statistics they shared, while simultaneously reifying the structure of the state as an entity that could collect data and enact public health policy during a crisis (Briggs 2003). Other authors have described the 'Age of Statistics' as 'a recent emergence of faith in statistical measurement as the basis for an objective and necessary science of society' (Urla 1993, 819). Alonso and Star state that 'where the statistical collecting and reporting agencies enjoy a reputation for professionalism, their findings are commonly presented—and accepted—as neutral observations, like a weatherman's report' (Alonso and Star 1987, 1). Statistical measures are powerfully symbolic as evidence of scientific truth. Since statistics give the appearance of being apolitical and unbiased, they can produce events and populations in a specific, seemingly undeniable light. Centres can prove the efficacy of this construction, and the methods they use to treat it through co-opting medical vocabularies of certainty, like statistics, which present their construction and its supposed success as naturalised.

Private centres assume the authority of medical professionalism without being subject to the burdens of evidence-based care. As a result, addiction as an illness experienced in urban Nepal can be narrated in a way that appeals to cultural tropes and norms that are specifically Nepali. DCN and other private centres have created addiction as a behavioural malady resulting from personal immorality. This type of immorality and its potential to damage the moral standing of the community from which the substance dependent individual is, justifies their removal from everyday life and

internment in private centres where personal wellbeing and agency are no longer protected by the state. In their narration of addiction, private centres attempt to divert authority away from the burgeoning Nepali psychiatric sector, forming a niche for care on the periphery of Nepali medicine, where biomedical regulatory measures are absent. This process represents a new form of medicine and treatment, where definitions and notions of curative medicine are formed and espoused in central places like advertisements, but are treated on medical and bureaucratic peripheries.

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## THE CONTRIBUTORS

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**Amar BK** is a PhD candidate in the Department of Anthropology at the University of Pittsburgh, Pittsburgh, USA. He has an MA in Anthropology from Tribhuvan University, Nepal. Before joining the University of Pittsburgh, he worked in development organisations in Kathmandu. Amar's academic interests are in social inequality, resistance, rights, and social justice. His current research focuses on a charismatic healing movement in Pokhara, Nepal, and through this research, he is exploring how the participants of the movement, especially women, achieve their voice, equality, self-respect, and dignity. Amar occasionally writes for Nepali newspapers on Dalit issues. He has published a paper titled, 'The Stigma of the Name: Making and Remaking of Dalit Identity in Nepal' (2013).

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**Wayne Johnston** is a librarian, writer and painter living in Guelph, Ontario, Canada. He has worked as a research and scholarship librarian at the University of Guelph since 2004. He initially worked in Nepal in 2007, and returned in 2018. He is engaged in explorations of what it means to return, the role of specific sites in the experience of memory, and the ways in which past and present experience can inform each other. He published a book called *Ten Cities: The Past Is Present* in 2019.

**Ojaswi K.C** is a lawyer based in Nepal. She has a BALLB from Kathmandu School of Law (KSL) with a major in Constitutional Law. She also worked as a graduate research assistant in the KSL. She has previously researched on gender studies, environment law, and torture. Currently, she is pursuing her master's degree in Human Rights and Democratisation from Mahidol University, Thailand, under the European Commission Scholarship.

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**Young Hoon Oh** is a lecturer affiliated in the Department of Anthropology and the Department of Religious Studies at the University of California, Riverside. He earned his PhD in Anthropology from the same university. His research interests include Sherpa culture, Himalayan mountaineering, and Korean mountaineering communities. His ethnographic research in Nepal focuses on Sherpas from Sankhuwsabha district and their participation in the mountain tourism industry. His forthcoming monograph, *Sherpas: Himalayan Mountaineers*, is awarded the Publication Award from Asia Culture Center in South Korea.

**Roshani Regmi** is a legal researcher. She is a feminist. She has a BALLB from Kathmandu School of Law with a specialisation in Constitutional Law. She has previously conducted research in gender studies and the right to information. Currently, she is pursuing her law career.

**Shobhit Shakya** is a PhD candidate and Junior Research Fellow in Ragnar Nurkse Department of Innovation and Governance at Tallinn University of Technology, Estonia. He has an MSc in E-Governance Services and Technologies (cum laude) from Tallinn University of Technology, Estonia. His PhD in Public Administration is supervised by Prof Dr Dr h.c. Wolfgang Drechsler. Mr Shakya's research interest include governance, public administration, e-governance, ICT4D, and engaged Buddhism. He is the Managing Editor of the journal *Halduskultuur - The Estonian Journal of Administrative Culture and Digital Governance*. He has been involved in the Institutional Research Funding project IUT19-13: 'Challenges to State Modernization in 21<sup>st</sup> Century Europe: Theoretical Developments and Future Scenarios (2014-2019)'. He has been involved with E-Vote-ID - The International Conference for Electronic Voting. He also has more than 10 years of experience developing and providing consultations on various online tech solutions for businesses and other institutions.

**Kathryn R. Stam** is a Professor of Anthropology at the SUNY Polytechnic Institute, where she teaches anthropology and information design and technology. She is the President of the Board of Directors of the Midtown Utica Community Center, a refugee-friendly community center in the heart of Utica, New York. She feels inspired every day by the stories and the resilience of Utica's refugee community and the volunteers who serve alongside them. Kathryn's project, 'Refugees

Starting Over in Utica, NY', is an information hub for refugees and others who are interested in refugee events and topics.

**Thomas Zeller** is a medical anthropologist focusing on issues of substance use, treatment, power, and resistance in the contexts of Nepal and Hawai'i. He received his master's degree in medical anthropology from the University of Hawai'i at Manoa and is currently a researcher at the John A. Burns School of medicine in Honolulu, Hawai'i. At the medical school, he works with youth who are involved in foster care and juvenile justice systems, as well as with youth who are unstably housed, to improve their access to substance use services. He is applying to continue his anthropology education in a PhD programme, and plans to continue work on this topic in the near future.

# ANNEX

## 2018 Conference Schedule

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THE ANNUAL KATHMANDU CONFERENCE ON  
**NEPAL & THE HIMALAYA**

25-27 July, 2018, Hotel Shanker, Lazimpat

Social Science Baha, Association for Nepal and Himalayan Studies,  
 Britain-Nepal Academic Council, Centre for Himalayan Studies-CNRS &  
 Nepal Academic Network (Japan)

**SCHEDULE -2018**

**Day 1: 25 July (Wednesday)**

SESSION 1: 9 – 10:10 am	
HALL B	
Welcome <i>Nirmal Man Tuladhar</i> Social Science Baha	
<b>Panel B1</b>	
<b>Dynamics of Labour Migration: Discursive Structures</b>	
<b>Chair:</b> <i>Nirmal Man Tuladhar</i> Social Science Baha <b>Discussant:</b> <i>Ang Sanu Lama</i> Independent Researcher	
<b>Arjun Kharel</b> Researcher, Social Science Baha, Nepal	Social Perception, Media Representation, and the Policies of Female Labour Migration in Nepal
<b>Sanjaya Aryal</b> PhD Candidate, Department of Sociology, University of Essex	Beyond Empowerment and Exploitation: Care Chain of Transnational Migratory Nepali Women
<i>BREAK: 10:10 – 11:10 am (refreshments will be served in the dining hall)</i>	
Day 1      SESSION 2: 11:10 am – 12:50 pm	
HALL A	HALL B
Panel A2	Panel B2
<b>Nepal's Complex and Contested 'Transition': Discussion from the Margins</b> <i>(Convener: Sangita Thebe Limbu)</i>  <b>Chair &amp; Discussant: Sohan Prasad Sha</b> Martin Chautari	<b>Ethnographies of Infrastructure: Roads, State Building and Everyday Practice in Nepal's Agrarian Districts</b> <i>(Convener: Elsie Lewison)</i>  <b>Chair: Dinesh Paudel</b> Appalachian State University <b>Discussant: Sara Shneiderman</b> University of British Columbia
<b>Sujeet Karn</b> Senior Researcher, Martin Chautari	<b>Lagan Rai</b> Lecturer, Department of Anthropology, Post Graduate College, Biratnagar (Tribhuvan University)
Political Mobilisation and Borderland Brokers in Nepal's Tarai	Rural Roads Matters: Debate and Practice of Road Building in the Eastern Plains of Nepal



<b>Dipti Sherchan</b> Graduate Student, Department of Anthropology, University of Illinois – Chicago	Shifting Imaginations: Contemporary Arts Education and Practices in Nepal		
<b>BREAK: 3:25 – 3:55 pm (refreshments will be served in the dining hall)</b>			
Day 1		<b>SESSION 4: 3:55 – 6 pm</b>	
<b>HALL A</b>		<b>HALL B</b>	
<b>Panel A4</b>		<b>Panel B4</b>	
<b>Legal Instruments: Limitations and Exclusions</b>		<b>Imagining a Nation: Words and Pictures</b>	
<b>Chair: Thomas B. Robertson</b> Fulbright Commission – Nepal <b>Discussant: Mark Turin</b> University of British Columbia		<b>Chair: Michael Hutt</b> University of London <b>Discussant: Seira Tamang</b> Independent Researcher	
<b>Ojaswi KC &amp; Roshani Regmi</b> BA in Law, Kathmandu School of Law, Bhaktapur, Nepal	Legislation and Legitimization of Gender Discriminatory Practices	<b>Andrea de la Rubia Gomez-Moran</b> History of Art, Universidad Complutense de Madrid, Spain	Contemporary Art of Nepal, Picturing a Nation, Performing an Identity
<b>Rajya Laxmi Gurung</b> MPhil Candidate in Sociology, Tribhuvan University	‘Poathi Bashio’: Security of Women Human Rights Defenders (WHRD) in Nepal	<b>Avash Bhandari</b> Graduate Student in History, University of Illinois, Chicago	Dibya Upadesh and the Making of a Nationalist Gospel
<b>Chiara Letizia</b> Professor, South Asian Religions, Department of Religious Studies, Université du Québec à Montréal, Canada <b>Blandine Ripert</b> CNRS Researcher, Ethno-Geography, Centre for Humanities and Social Sciences, New Delhi, Centre for South Asian Studies, EHESS-CNRS, Paris	Deviation or Devotion? A Supreme Court Verdict on Animal Sacrifice in Nepal	<b>Katsuo Nawa</b> Professor of Cultural Anthropology, Institute for Advanced Studies on Asia, University of Tokyo, Japan	Ambivalence Denied or Unrecognized? A Preliminary Study on Some Governmental Brochures in the Early Panchayat Period
<b>Vijay Jayshwal</b> Teaching Faculty, Kathmandu School of Law <b>Roshana Parajuli &amp; Ankita Tripathi</b> BA, LLB, Kathmandu School of Law, Nepal	Right to Privacy vs National Security, Law and Order: A Comparative Study of Constitutional Provision of Nepal and India	<b>Lok Ranjan Parajuli</b> Senior Researcher, Martin Chautari, Nepal	Power Play: An Intricate Story of the Founding of Nepal’s First University

**Day 2: 26 July (Thursday)**

<b>SESSION 5: 9 – 10:40 am</b>			
<b>HALL A</b>		<b>HALL B</b>	
<b>Panel A5</b>		<b>Panel B5</b>	
<p><b>Nepali Diaspora: Belonging and Longings</b></p> <p style="text-align: center;"><b>Chair: Sara Shneiderman</b> University of British Columbia <b>Discussant: Bandita Sijapati</b> Researcher</p>		<p><b>After the Earth's Violent Sway: The Tangible and Intangible Legacies of Earthquakes in Nepal</b> (Convener: Michael Hutt)</p> <p style="text-align: right;"><b>Chair: Jeevan Baniya</b> Social Science Baha <b>Discussants: Govinda Raj Bhattarai</b> Tribhuvan University <b>Anie Joshi</b> Specialist in Heritage &amp; Conservation <b>Tri Ratna Manandhar</b> Tribhuvan University</p>	
<p><b>Kathryn Ruth Stam</b> Professor of Anthropology, SUNY Polytechnic Institute, Utica, New York</p>	<p>Perspectives on Religious Identity, Caste, and Culture for Bhutanese-Nepali Refugee Families in the United States</p>	<p><b>Michael Hutt</b> Professor of Nepali and Himalayan Studies, SOAS, University of London</p>	<p>The Nepali Poetry of the 2015 Earthquakes and their Aftermath</p>
<p><b>Nabin Maharjan</b> PhD Candidate, Child and Youth Studies, Brock University, Canada <b>Thomas O'Neill</b> Professor, Department of Child and Youth Studies, Brock University, Canada</p>	<p>Nepalese Canadian Youth Civic Engagement: Young Nepalese Canadians Experiences In High School</p>	<p><b>Stefanie Lotter</b> Teaching Fellow, South Asia Department, University of London</p>	<p>Missing Rani Pokhari: Conditions for Alternative Futures in a Monument Destroyed</p>
<p><b>Wayne Johnston</b> Head, Research Enterprise and Scholarly Communication, University of Guelph Library, Canada</p>	<p>Back to Nepal: A Canadian Perspective</p>	<p><b>John Whelpton</b> Honorary Research Associate, Department of Cultural and Religious Studies, Chinese University of Hong Kong</p>	<p>Juddha Shamsher and the 1934 Earthquake</p>
<b>BREAK: 10:40 – 11:10 am (refreshments will be served in the dining hall)</b>			

**SESSION 6: 11:10 am – 12:50 pm**

<b>HALL A</b>		<b>HALL B</b>	
<b>Panel A6</b>		<b>Panel B6</b>	
<p><b>Understanding the Prevalence and Persistence of Domestic Violence</b></p> <p align="center"><b>Chair: Sambriddhi Kharel</b> Social Science Baha <b>Discussant: Feyzi Ismail</b> SOAS, University of London</p>		<p><b>Pluralism and Liberalism in Sikkim and Darjeeling</b></p> <p align="center"><b>Chair: John Whelpton</b> Chinese University of Hong Kong <b>Discussant: Dan V. Hirsland</b> University of Copenhagen</p>	
<p><b>Arjun Kharel</b> Researcher, Social Science Baha, Nepal</p> <p><b>Ratna Shrestha</b> Programme Implementation Manager, Volunteer Service Overseas (VSO) Nepal</p>	<p>A Study on the Prevalence of Physical and Sexual Violence Against Returned Women Migrant Workers in Nepal</p>	<p><b>Kishan Harijan</b> Assistant Professor, Department of History, Presidency University, Kolkata</p>	<p>Trans-himalayan Commercial and Cultural Interactions: A Case Study of Colonial Darjeeling Himalaya</p>
<p><b>Ramesh Prasad Adhikari</b> Research Manager, Hellen Keller International, Nepal</p> <p><b>Subash Yogi</b> M&amp;E and Knowledge Management Specialist, Suaahara II/USAID, Nepal</p> <p><b>Ajay Acharya</b> Nutrition and FP Specialist, Suaahara II/USAID, Nepal</p> <p><b>Kenda Cunningham</b> Senior Technical Advisor, Suaahara II/USAID</p>	<p>Domestic Violence and Maternal Nutritional Status in Nepal: Findings from NDHS, 2016</p>	<p><b>Rajeev Rai</b> PhD Candidate, Department of International Relations, Sikkim University, India</p>	<p>Impact of British Colonial Rule in the Modernisation of Sikkim</p>
<p><b>Claire Willey Sthapit</b> PhD Candidate, University of Washington</p>	<p>Domestic Violence in Nepal: A Discourse Analysis of the Research Publications of International Development Institutions</p>		
<b>LUNCH BREAK: 12:50 – 1:45 pm (served in the dining hall)</b>			
Day 2			
<b>HALL A</b>		<b>HALL B</b>	
<b>Panel A7</b>		<b>Panel B7</b>	
<p><b>Rituals and Practices: Communication through Worship</b></p> <p align="center"><b>Chair: Katsuo Nawa</b> University of Tokyo <b>Discussant: Zsoka Gelle</b> Independent Researcher</p>		<p><b>Healing, Ritual and Belonging: Explorations of Christianity in Nepal</b> (Convener: Victoria Dalzell)</p> <p align="center"><b>Chair: Victoria Dalzell</b> Independent Scholar</p>	



<b>Thomas Robert Zeller</b> MA student, Medical Anthropology, University of Hawaii	<b>Ingesting Instability: Opiate Addiction and Care in Urban Nepal</b>	<b>Tashi Tsering Ghale</b> Independent Researcher	Himalayan Yak Herders: The Case of Dolpo Kchung-jhee
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**BREAK: 5:35 – 6 pm** (*refreshments will be served in the dining hall*)

**6 pm onwards**

**Public Event**

**Collaborative Research Projects in the Wake of the 2015 Earthquakes**

A Panel Presentation and Discussion

Several international scholarly collaborations are currently focusing on Nepal's 2015 earthquakes and their aftermath, from a range of disciplinary and methodological approaches. Their concerns include the dynamics of relief, recovery and reconstruction and the cultural, sociological and political impacts of both recent and historical earthquakes.

This roundtable will bring together participants from three such projects to share information about their lines of inquiry. Projects represented include 'After the Earth's Violent Sway' (based at SOAS, London with funding from the UK's AHRC/Global Challenges Research Fund), 'Expertise, Labour and Mobility in Nepal's Post-Conflict Post-Disaster Reconstruction' (based at University of British Columbia, Canada, with funding from the Canadian Social Science and Humanities Research Council) and 'Resilience Capacity of the Community', which is part of 'A Study on State of Social Inclusion in Nepal' (based at the Department of Anthropology at Tribhuvan University, with funding from USAID).

*Speakers*

**Mukta Singh Lama**, Department of Anthropology, Tribhuvan University

**Sara Shneiderman**, University of British Columbia, Canada

**Michael Hutt**, SOAS, University of London

*Moderator*

**Jeevan Baniya**, Social Science Baha

**Day 3: 27 July (Friday)**

<b>SESSION 9: 9 – 10:40 am</b>			
<b>HALL A</b>		<b>HALL B</b>	
<b>Panel A9</b>		<b>Panel B9</b>	
<p><b>Aims of Education: Resources and Mobilisation</b></p> <p><b>Chair: Lok Ranjan Parajuli</b> Martin Chautari</p> <p><b>Discussant: Thomas B. Robertson</b> Fulbright Commission – Nepal</p>		<p><b>Re/Construction: Expertise, Politics, and Materiality in Nepal's Ongoing Transformation (Panel A)</b> (Convener: Sara Shneiderman)</p> <p><b>Chair: Cameron Warner</b> Aarhus University</p> <p><b>Discussant: Philippe Le Billon</b> University of British Columbia</p>	
<p><b>Yoko Ishikura</b> Independent researcher</p>	<p>In the Name of Children's Rights: Rethinking The Rhetoric of Schools as Zones of Peace and Prohibitions on Student Involvement in Party-Based Activities in Nepal</p>	<p><b>Sara Shneiderman</b> Associate Professor in Anthropology, University of British Columbia, Canada</p>	<p>Expertise, Labour and Mobility in Nepal's Post-conflict, Post-disaster Reconstruction</p>
<p><b>Shak Bahadur Budhathoki</b> Associate Researcher, Martin Chautari, Nepal</p>	<p>The Dynamics of Financial Accountability in Nepal's Community Schools</p>	<p><b>Dan V. Hirsland</b> Department for Cross-Cultural and Regional Studies, University of Copenhagen, Denmark</p>	<p>Chains of Exploitation: Skills, Solidarity and Survival in Kathmandu's Urban Construction Industry</p>
		<p><b>Bishnu Pandey</b> Faculty, Civil Engineering, British Columbia Institute of Technology, Canada</p>	<p>Untangling the Technology-society Knot: An Engineer's Social Scientific Observations of the Post-Earthquake Reconstruction Process in Rural Nepal</p>
<p><i>BREAK: 10:40 – 11:10 am (refreshments will be served in the dining hall)</i></p>			
<b>SESSION 10: 11:10 am – 12:50 pm</b>			
<b>HALL A</b>		<b>HALL B</b>	
<b>Panel A10</b>		<b>Panel B10</b>	
<p><b>Change in Relations: Effects of Migration on Left-behind Families</b></p> <p><b>Chair: Bandita Sijapati</b> Researcher</p> <p><b>Discussant: Sanjaya Aryal</b> University of Essex</p>		<p><b>Re/Construction: Expertise, Politics, and Materiality in Nepal's Ongoing Transformation (Panel B)</b> (Convener: Sara Shneiderman)</p> <p><b>Chair: Nabin Rawal</b> Tribhuvan University</p> <p><b>Discussant: Katharine Rankin</b> University of Toronto</p>	

<p><b>Ram Narayan Shrestha</b> PhD Candidate, South Asian University, New Delhi, India</p> <p><b>Krishna Sharma</b> Consultant, National Institute of Public Finance and Policy, New Delhi</p>	<p>Migration and Agrarian Change in Nepal Plains</p>	<p><b>Dinesh Paudel</b> Assistant Professor, Department of Sustainable Development, Appalachian State University, USA</p> <p><b>Philippe Le Billon</b> Professor, Department of Geography &amp; Liu Institute for Global Issues, University of British Columbia, Canada</p>	<p>The Geopolitics of Post-Earthquake Reconstruction in Nepal</p>
<p><b>Ram Narayan Shrestha</b> PhD Candidate, South Asian University, New Delhi, India</p>	<p>Migrant Husbands and Left-behind Wives: Effect of Spousal Separation on Subjective Well-being of Young Nepali Women</p>	<p><b>Omer Aijazi</b> Sessional Instructor, PhD Candidate, University of British Columbia</p>	<p>Infrastructures of Social Repair: Insights from Northern Pakistan and Kashmir</p>
<p><b>Anchala Chaudhary</b> Lecturer in Sociology, Prithvi Narayan Campus, Tribhuvan University, Nepal</p>	<p>Livelihood Practices in Transnational Space (A Case Study of Family Left Behind in Nepal)</p>	<p><b>Amrita Gurung</b> Research Associate Social Science Baha</p> <p><b>Jeevan Baniya</b> Assistant Director, Social Science Baha, Nepal</p>	<p>I/NGOs' working modalities and its impact in relation to humanitarian responses post-earthquake 2015: Empirical evidence from Gorkha, Sindhupalchok and Southern Lalitpur</p>
<p><b>LUNCH BREAK: 12:50 – 1:45 pm (served in the dining hall)</b></p>			
<p>Day 3 <b>SESSION 11: 1:45 – 3:25 pm</b></p>			
<b>HALL A</b>		<b>HALL B</b>	
<b>Panel A11</b>		<b>Panel B11</b>	
<p><b>Aspirations and Identity: New and Old</b></p> <p style="text-align: center;"><b>Chair: Mukta Singh Lama</b> Tribhuvan University</p> <p style="text-align: center;"><b>Discussant: John Whelpton</b> Chinese University of Hong Kong</p>		<p><b>Inclusion and Representation in Federal Nepal</b></p> <p style="text-align: center;"><b>Chair: Youba Raj Luintel</b> Tribhuvan University</p> <p style="text-align: center;"><b>Discussant: Tatsuro Fujikura</b> Nepal Academic Network (Japan)</p>	
<p><b>Avash Piya</b> Aarhus University, Denmark</p>	<p>'We are also Gurkhas': Changes in Gurkha Recruitment Policy and the Inclusion Discourse in Nepal</p>	<p><b>Sanjaya Mahato</b> Researcher, Social Science Baha</p> <p><b>Pooja Chaudhary</b> Research Assistant, Social Science Baha, Nepal</p>	<p>Token Versus Team Work: Women in the Local Bodies of Nepal 2017</p>
<p><b>Wai-Man Tang</b> Adjunct Assistant Professor, Department of Anthropology, The Chinese University of</p>	<p>Realities and Aspirations: Kabaddi Players in Far-West Nepal</p>	<p><b>Mahendra Lawoti</b> Professor, Department of Political Science, Western Michigan University</p>	<p>When Do Minorities Get Autonomy, And When Do They Not? Marginalized Groups and Movements for</p>



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