

INDIGNEOUS MOVEMENTS: IDENTIFICATION OF INDIGENOUS CONCERNS IN
NEPAL

By

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Abstract

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This thesis aims to identify the concerns of indigenous nationalities in Nepal and to analyze them from an anthropological perspective in the national political context. It describes the situation of indigenous nationalities in Nepal. The discriminatory governmental practices and social exclusion experienced by the indigenous nationalities are examined. The thesis highlights the major concerns of indigenous nationalities along with the general perception of the indigenous movement based on the questionnaires and focus groups conducted as a part of this research in Kathmandu, Nepal in the summer of 2008. Recommendations are presented for public policy to heed indigenous concerns and issues to create a ‘fully democratic’ Nepal. The findings of the research reveal that the position of indigenous leaders may not always be supported by the people they represent.

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Dedication

This thesis is dedicated to Diana Ames and Eric Martin
who encouraged me.

CHRONOLOGY

Adapted from the *Historical Dictionary of Nepal*, following is a chronology of the political history of Nepal.

Early History

Before 400 A.D. Kirata dynasty, founded by Yellung Kirata.

The Licchavi Rule

400-879 The Licchavi period. Referred as the “Golden Age” in Nepali history.

Vrasadeva (400-425) – Manadeva (875-879).

The Medieval Period

879-1200 Dark phase in the history of Nepal.

The Malla Rule

1200-1482 Kathmandu Valley maintained and ruled as one kingdom. Ari Malla, the founder of the Malla period.

1382-1395 Reign of Jayasthiti Malla. Instituted many social codes, including the classification of castes and sub castes.

1743 Prithivi Narayan Shah crowned king of Gorkha. He embarked on a long military territorial conquests, consolidation, and “national unification.”

1769 Prithivi Narayan Shah completed the conquest of the three Malla kingdoms. He became the founder of the Shah dynasty. Kathmandu was declared the capital of the new Nepal.

The Early Shah Rule

1769-1846 Unification of Nepal. Loosely described as the country’s Modern period.

1846 Kot Parba. Jang Bahadur Kunwar and his brothers slaughter 29 leading bhardars (court nobles).

The Rana Rule

1846-1951 Hereditary and autocratic prime ministership. Jang Bahadur Kunwar became prime minister and commander in chief. Rana prime ministers usurped power and turned the Shah kings into figurehead with little authority or power. Mohan Samsheer became the last Rana prime minister.

1854 Promulgation of the Muluki Ain (Administrative procedures, legal frameworks, or national civil codes) by Prime Minister Jang Bahadur Kunwar.

1858 King Surendra bestowed upon Jang Bahadur Kunwar the honorific title of “Rana.”

Return of the Shah Rule

1951 King Tribhuvan appointed a new government and selected Matrika Prasad Koirala as prime minister ending the Rana rule.

1953 Edmund Hillary and Tenzing Norgay became the first two climbers to reach the summit of Chomolungma (Mt. Everest) on May 29.

1960 Palace Coup by King Mahendra, Revival of the Absolute Shah Rule, and infanticide of Democracy.

1962 Promulgation of a new constitution and formalization of a four-tier Panchayat system.

Democracy and Constitutional Monarchy

1990 Movement for the Restoration of Democracy.

Promulgation of the Constitution of Nepal, 1990.

End of the Absolute Shah Rule and the Emergence of Constitutional Monarchy.

1996 “People’s War” declared by the Communist Party of Nepal (Maoist).

Interim Government

2006 People’s Popular Movement.

Formation of the interim government.

Interim constitution.

2008 Constituent Assembly Election

Formation of the Constituent Assembly

Election of the first President and the first Vice President

Pushpa Kamal Dahal named Prime Minister.

CHAPTER ONE

INTRODUCTION

This research started with a curiosity to understand *Social Inclusion* and its implications and popularity in use among development organizations and the government of Nepal. Initial explorations in the study however, directed me towards the ethnopolitics of this pluralistic country, which encompasses a greater paradigm of indigenous issues that has evolved for more than two centuries now and one that is important and personal to me. With much of the history of indigenous nationalities lost, forgotten or ‘wiped out,’ there is an immense need for discourse on indigenous issues. Although the history of ethnopolitics is long and is rooted deeply within Nepali society, as a field of study, it is still young like several other fields of studies in the country, with few scholars actively involved in it and even fewer representations of indigenous peoples within it. These reasons and causes have inspired and shaped the research to its present form.

As an indigenous person from Nepal studying in the United States, my role in this research is one that is not simple. On the one hand, I am directly affected by the Nepali indigenous movements and hence, become a part of it. On the other hand, I approach the indigenous movements from the standpoint of an objective anthropologist. The challenge here is to know where to draw the line and how much to be a part of this historic change. In this research, I have utilized my native position to get a better understanding of the situation of indigenous peoples in Nepal and I have utilized my privilege as a student in the United States to distance myself from the movements in order to analyze it objectively.

In Nepal, indigenous peoples claim to be victims of a 240 year-old oppressive monarchy that emphasized and created a 'Hindu' Nepal. The people's popular movement of 2006 is considered to be an important historical event in determining the fate of indigenous peoples. The formation of the Constituent Assembly with representatives from different indigenous groups can be seen as a historic success for the indigenous movement especially after the failure of the government to proportionally include representatives of indigenous groups in the drafting process for the constitution of 1990. However, this success is compromised as many state recognized indigenous groups still are not being represented in the current CA. The goal of this research is to identify the concerns of indigenous nationalities in Nepal and to analyze them from an anthropological perspective in the national context. However, the problem here is that there are 59 nationally recognized indigenous groups and individually these groups have their own concerns. Due to the vastness of this topic and limited time and resources, this research focuses on the overarching concerns of indigenous nationalities in Nepal primarily based on the documents presented by NEFIN to the government of Nepal. This thesis is by no means, an attempt to undermine other indigenous concerns raised by indigenous nationalities that are not mentioned here. In order to achieve the goal, the thesis examines the relationship between indigenous nationalities in Nepal and international indigenous movements.

Thesis Orientation

As the primary objective of this research, I identify the common concerns of indigenous nationalities in Nepal. In the thesis, I examine the situation of indigenous peoples in Nepal and the historical and political developments that have led their movement to its present status. The presentation of this thesis is threefold. First, I identify the situation of indigenous nationalities

in Nepal. I examine the discriminatory governmental practices and social exclusion experienced by the indigenous nationalities. Then, I present the major concerns of indigenous nationalities along with the people's perception of the indigenous movement based on the questionnaires and focus groups as a part of the research conducted in Kathmandu, Nepal in the summer of 2008. Finally, I analyze indigenous movements from an anthropological perspective in a national political context and present my recommendations. The findings of this research reveal that the position of indigenous leaders may not always be supported by the people they represent. It also reveals that the international indigenous movement provides a platform for the indigenous nationalities of Nepal to voice their concerns.

International Indigenous Movement

The United Nations' Declaration on Rights of Indigenous Peoples, 2007 comes as yet another hope to millions of indigenous peoples living around the world. Indigenous peoples continue to be oppressed and deprived of essential human rights around the globe. In the past, several human rights declarations and international conventions for the rights of these underrepresented groups have promised a lot but have not accomplished as much as hoped. It appears that the governments are not shy of casting votes as international members at international meetings but when it comes to the implication of these declarations in their countries they fall short of keeping their promises. Thousands of people continue to struggle for their rights, recognition and cultural survival. International discussions and debates have occurred. Several national and international efforts to assist indigenous peoples have taken place. However, indigenous peoples still continue to live as disadvantaged members deprived of the right to self-determination. So, what has gone wrong with the assistance to indigenous peoples? Is it even possible to preserve indigenous cultures? Will indigenous peoples ever have

the right to self-determination? By talking about indigenous peoples' movement as one, are we decreasing the distinctiveness of these unique cultures? These are the questions that drive the quest to achieve knowledge and understanding of indigenous peoples' struggles.

Indigenous Nationalities

The self-identity of indigenous people has now become a central element in their political struggle for social and cultural survival. The most obvious answer to the question *Who are indigenous peoples?* is that they are whoever they say they are.

[Bodley 2008]

In 1977, the World Council of Indigenous Peoples (WCIP) passed a resolution at its second general assembly declaring that only indigenous peoples could define indigenous peoples (Bodley 2008). However, international organizations and scholars have used working definitions for indigenous peoples. The World Bank (2009) recognizes Indigenous Peoples as distinct populations in that, the land on which they live, and the natural resources on which they depend, are inextricably linked to their identities and cultures. According to Eriksen (2002), the term *Indigenous Peoples* is a blanket term for aboriginal inhabitants of a territory, who are politically relatively powerless and who are only partly integrated into the dominant nation-state (pp 14). There are over 300 million indigenous peoples in the world representing approximately 4% of the world's population. Although unique and distinct, these peoples have come together and united, as they share many common experiences including histories of marginalization and struggles for cultural survival (UN 2009).

International Struggle for Indigenous Rights

“We are not myths of the past, ruins in the jungle, or zoos. We are people and we want to be respected, not to be victims of intolerance and racism.”

Rigoberta Menchu Tum, the BetterWorld Project
[http://www.indigenouspeople.net/ipl_final.html]

Bodley (2008) points out that the political struggle of indigenous peoples to defend themselves and their resources against encroaching states have taken place for at least 6,000 years, since states first appeared. The colonization, assimilation and acculturation of indigenous peoples by states are the primary causes of indigenous struggle. States have extracted and exploited indigenous land resources to aid the national economy. Indigenous cultures have been considered to be incompetent to meet the material needs of today's commercial world. The *wardship principle* as discussed by Bodley (2008) is the relationship between tribal [indigenous] peoples and the state as that of a benevolent parent-guardian and a ward who must be protected from his or her own degrading culture and gradually reformed or corrected (pp 21). He argues that ideas such as the *wardship principle* reflect ethnocentric views that have neglected the sustenance of indigenous cultures for thousands of years now further pointing out that today, the economic development policies reflect these views as they point out the need to pull indigenous peoples out of poverty and social illness (Bodley 2008). This struggle of indigenous peoples to strive in the expansionist capitalism and the threat they face to their cultural survival from the enforcement of nationalism by the dominant group has created an increasing need for international dialogue and actions to secure indigenous rights. The Indigenous and Tribal Populations Convention and Recommendation, 1957, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the ILO 169 among others have been adopted by the international community.

Indigenous peoples worldwide have been brought together by their common struggle. They are culturally diverse and unique but their struggle for cultural autonomy, right to self-determination and right to land resources are the same. By organizing themselves locally,

nationally and globally, indigenous peoples have been able to communicate with each other and share their experiences and accomplishments. As a collective force, the international indigenous community has been able to increase global discourse on indigenous issues and gain international attention.

This thesis documents the indigenous struggle in Nepal, identifies the concerns of indigenous peoples and analyzes the relationship between the current socio-political situation and indigenous movements in the country. The government of Nepal has endorsed many international instruments of human rights including the Covenant on Civil and Political Rights, International Convention on the Elimination of All Forms of Racial Discrimination, and has also endorsed declarations including the UN declaration on the Rights of Indigenous Peoples and the Durban Declaration and Plan of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. However, indigenous peoples in Nepal are still being treated as second class citizens and face with exclusionary governmental policies. The government has failed to effectively implement these international instruments (Bhattachan 2002 a).

CHAPTER TWO

THE SETTING

[Nepal] is a country that was born in medieval times, grew up in the sixteenth century, and now finds itself engulfed in the high-tech gadgets and material marvels of the twenty-first century—all three phases wrapped into one.

[Historical Dictionary of Nepal 2003]

Figure 1 Map of Nepal



Source: <http://www.colorado.edu/studentgroups/nsa/images/nepal-map.jpg>

Nepal is a landlocked country located in South Asia between India and China. Nepal borders with India in the East, West and South and with China in the North. The Himalayas act as a physical barrier that limits the ability of movements of people to and from China whereas the plains in the South enable higher movements to and from India. The total population of Nepal, according to the CIA World Factbook, is 28,563,377. The 2001 census shows that the Hinduism is the predominant religion with 80.6 % followed by Buddhism at 10.7 %, Muslim at 4.2 %, Kirat at 3.6 % and other at 0.9 %. Until 2006, Nepal was the only official Hindu state in

the World. According to the 2001 census, languages spoken in Nepal are Nepali 47.8 %, Maithili 12.1 %, Bhojpuri 7.4 %, Tharu (Dagaura/Rana) 5.8 %, Tamang 5.1 %, Newar 3.6 %, Magar 3.3 %, Awadhi 2.4 %, other 10 % and unspecified 2.5 % (The CIA World Factbook 2009).

Nepal Politics

In May of 2008, monarchy was abolished from Nepal and the country was declared a Federal Republic by the Constituent Assembly. The historic transition of Nepal from a monarchy to a republic was possible with the support of millions of Nepali people residing all over the country. People's popular movement of 2006, led by an alliance of seven major political parties marked the beginning of a "new Nepal" with the end of direct rule by King Gyanendra. In 2002, King Gyanendra had taken executive power in his hands after dissolving the government. This power was relinquished in April 2006 with the success the people's popular movement after just 19 days.

Under the previous Hindu socio-political structure, kings were considered to be incarnations of Lord Vishnu who possessed divine authority to rule the people. The end of direct rule by the king was a landmark victory for struggling indigenous nationalities of Nepal who claim to be victims of the 240 years old process of "Hinduization" of the country by the ruling class in the name of nationalism (Gurung 2004; Bhattachan 2002 a; Tamang 2006). The ruling class consists of Bahuns and Chhetris, the High Caste Hindu groups from the Hills of Nepal. "Hinduization" refers to the process by which the country of Nepal was turned into a "Hindu state" disregarding the diverse cultural, religious and linguistic nature of the people and often replacing their culture, religion and language with that of dominant Bahuns' and Chhetris' from the Hills of Nepal through political, legal and constitutional measures (Gaije

1975). The country's status as 'the only Hindu kingdom in the world' served as a link to the dominant religion of South Asia, especially in the nineteenth and the twentieth century, although Hinduism is not the only religion practiced in the country (Whelpton 2005). Scholars and indigenous movement leaders point to the Hinduization process as the primary source of deprivation, discrimination and exclusion of indigenous nationalities that led to the revolution in the country.

In fact, Gaige has pointed out that Hinduization, the process by which Nepali, a Sanskrit based language as well as Hindu practices have been introduced to the peoples in Nepal, actually extends beyond linguistic and religious changes to include a whole complex of interrelated cultural changes, ranging from the adoption of different values to that of different clothing styles and food preferences. Therefore, Nepalization is a broader and a more appropriate term for this process (Gaige 1975, 23).

The declaration of Nepal as a secular state in 2006 gave recognition to the diverse ethnic and religious nature of the Nepali population for the first time. The interim constitution of Nepal, 2006 states that the country of Nepal is "an independent, indivisible, sovereign, secular, inclusive and a full democratic nation." The interim constitution under 33 (4) mandates that the government of Nepal shall end the centralized and one-way political structure to create an inclusive, democratic and a progressive state. It also mandates the formation of an inclusive Constituent Assembly with representatives from different minority groups such as women, Dalits, Madhesis and indigenous nationalities. This has finally given the people of Nepal an opportunity to write their own constitution (NEFIN 2008).

The people's movement of 1990 was able to bring an end to the Panchayat system but it was not able to create a 'full democracy' in the country as minorities continued to suffer

(Pradhan-Malla 2000; Tamang 2006). There was no elected constitution drafting body, no women and no minorities for the Constitution of 1990. There was instead, a Commission that mandated constitutional monarchy and parliamentary democracy for the country (Malagodi EWC 2009). Election for the Constituent Assembly (CA) took place in April 2008 and the CA was formed in May 2008. The first President of Nepal, Dr. Ram Baran Yadav of the Nepali Congress Party and the first Prime Minister of the new government, Puspa Kamal Dahal “Prachanda” of the Communist Party of Nepal (Maoist) were elected by the Constituent Assembly.

Exclusion of Indigenous Nationalities

The Constitution of Nepal 1990 and the Muluki Ain (Country Code) of 1854 along with other laws and policies have provisions that legally discriminate and exclude indigenous nationalities (Hangen 2007; The World Bank 2006; Bhattachan 2002 a, 2000; Whelpton 2005). These legal provisions strengthen the Hinduized political structure, the caste hierarchy and facilitated the exclusion of indigenous nationalities from various social, economic and political opportunities. Krishna Bhattachan, a professor of anthropology at the Tribhuvan University, Nepal and a prominent indigenous leader is a prolific writer of indigenous issues and public policies. Bhattachan (2002 a) identified several historical markers of domination and discrimination against indigenous nationalities in Nepal. These historical markers include:

1. The caste restructuring by King Jayasthiti Malla in the Kathmandu valley in the fourteenth century. Although Newar, the Malla King invited Hindu priests from India and restructured the castes of the people in the valley. Bhattachan (2002 a) sees this as the first historical marker that paved the way for intensification of the process of Hinduization or Sanskritization of indigenous nationalities of Nepal.

2. The conspiratorial attack against the Magar King of Lig-Lig kot by King Drabya Shah, who later won a war against the Khadka King of Gorkha in 1559, is seen as “the beginning of the downfall of independence of indigenous nationalities in Nepal” by Bhattachan (2002 a).
3. The territorial “unification” of Nepal in 1769 by king Prithvi Narayan Shah is the third historical marker. “The main consequence of the ‘territorial unification’ was that all indigenous nationalities lost their independence and gradually lost their rights to land, water, forests, mines, rivers and pastures. Thus, indigenous nationalities began to loose their language, religion, culture and indigenous knowledge system” (Bhattachan 2002).
4. The Muluki Ain (the Country Code) of 1854 was implemented by Jung Bahadur Rana, the founder Prime Minister of 104 years old autocratic Rana rule. The Country Code is the “first ever codified law applicable in all parts of Nepal, it restructured caste and ethnic groups and legally divided them into a fourfold social hierarchy.”
5. The Partyless Panchayat rule from 1960-1990 under the direct and active rule of King Mahendra and King Birendra launched a campaign of “One King, One Country; One Language, One Dress.” Any organized effort to preserve and promote indigenous nationalities’ language, religion and culture was charged as “anti-King,” “anti-constitution,” “anti-national,” and “communal” (Bhattachan 2002 a; Whelpton 2005).

Bhattachan’s historical markers of discrimination and domination of indigenous nationalities show the gradual loss of indigenous rights and autonomy in practicing and preserving indigenous culture, language, and religion. Following the people’s movement of 1990 that ended the 30 years old partyless Panchayat monarchical autocracy, the constitution of Nepal, 1990 was promulgated in November 1990 and abrogated in January 2007. This constitution recognized the multiethnic and multilingual nature of the population of Nepal and stated that all citizens are “equal irrespective of their religion, race, gender, caste, tribe or ideology.” The constitution also allowed the formation of civil society based on caste and ethnic identity. This was a major development for indigenous nationalities who were not able to

formally organize themselves previously under the “old projection of a ‘single Nepali culture’ based on that of upper-caste Parbatiyas” (The World Bank 2006). Despite these positive changes, the constitution of Nepal, 1990 still remained contradictory and ambiguous towards indigenous nationalities like the historical markers that preceded it (Hangen 2007, Bhattachan 2005). “A consultative workshop organized by Nepal Federation of Indigenous Nationalities, NEFIN with support from the Minority Rights Group International (MRG), has identified 26 provisions in the Constitution of Nepal 1990 and 49 legal Acts that discriminate against indigenous nationalities” (Bhattachan 2002 b). Following are some of the ways in which the constitution of Nepal, 1990 and other laws are discriminatory towards indigenous nationalities (The World Bank 2006; Bhattachan 2002).

Article 4 (1) of the Constitution of Nepal, 1990 states that “Nepal is a multiethnic, multilingual, democratic, independent, indivisible, sovereign, Hindu and Constitutional Monarchical Kingdom.” Although the constitution recognizes the diversity among the population of Nepal, it also privileges Hinduism over other religions. No. 10 of Chapter on Quadrupeds of the Country Code (1963) states that “ Whoever takes cows, bulls, bullocks or calves of any category to a foreign territory from Nepal and slaughters them, causes them to be slaughtered, he/she shall be liable to a punishment of imprisonment for 6 years” (The World Bank 2006). This law prohibits indigenous nationalities from slaughtering cows, which are sacred to Hindu religion only. As a result of this, indigenous nationalities continue to face social discrimination being labeled as “cow-eaters.” According to the preamble of the Country Code (1963), “...punishments shall not be more or less merely based on people’s higher or lower status...” This clearly shows that the Country Code recognizes the higher and lower

status of Nepali society although the constitution mandates equality for every citizen regardless of their background (The World Bank 2006).

Discriminatory law towards indigenous nationalities that has taken away their rights over natural resources is exemplified by the no. 1 of Chapter of Land Evictions of the County Code (1963), which states that “Kipat (common communal property) lands which lack official documents are equivalent to Raikar, lands on which taxes can be levied.” By taxing Kipat lands, the Country Code discourages the use of communal lands and supports the loss of Kipat practice (Whelpton 2005; World Bank 2006; Bhattachan 2002).

Furthermore, article 6 (1) of the Constitution of Nepal, 1990 states, “The Nepali language in the Devnagari script is the language of the nation of Nepal. The Nepali language shall be the official language.” This article is discriminatory as it does not recognize other indigenous languages as the languages of the nation of Nepal although the constitution recognizes the country as a multilingual nation. Indigenous intellectuals and activists argue that only the Khas language spoken by Bahuns and Chhetris of the Hills should not be the only ‘language of the nation’ because there are more than a hundred languages spoken in Nepal (Grimes 2005). In 1999, the Supreme Court banned the use of local language as formal language in local bodies. The apex court had made the ruling in response to a writ filed against the use of Newari and Maithili language by Kathmandu metropolitan and Rajbiraj municipality, respectively (NEFIN 2007). The current Interim Constitution, 2007 under article 5 recognizes all languages spoken as mother tongues in Nepal as the languages of the nation. However, Nepali language in the Devnagari script is the language of official business.

Additionally, article 18 (2) of the Constitution of Nepal, 1990 states that “Each community shall have the right to operate schools up to the primary level in its own mother tongue for imparting education to its children.” Communities are not allowed to operate schools in their own mother tongue beyond the primary level which promotes the ‘one language policy.’ This has discouraged the reduction of drop out rates of indigenous nationalities whose first language is not Khas Nepali. The lower literacy rate among indigenous nationalities has disadvantaged them as it “lowered their ability to articulate and demand rights, compete for administrative and political positions, and be effective supporters of ethnic movements and parties among other things” (Lawoti 2007).

Table 1. Janajatis represented under various political parties in the Constituent Assembly, 2008.

Nepali Congress (NC)	United Marxist Leninist (UML)	Communist Party of Nepal (Maoist)
Bhujel Lepcha Sherpa	Bharaugaule Byansi Chepang Hyolmo Jirel Kumal Lepcha Mugal Sherpa Yakkha	Bhujel Chepang Dura Jhangad Majhi Marfali Thakali Mugal Santhal Sherpa Thami

Source: NEFIN 2009 <http://www.nefin.org.np/news--update/janajatis-in-pr-system/316>

Although “the issue related to the formation of a Constituent Assembly has been raised since 1951,” the first election for a Constituent Assembly was held in April of 2008 (NEFIN 2008). In order to ensure the rights of Madhesi (people from the Southern plains) people through people’s participation in drafting the constitution, southern leaders raised their voice

and protested against royal government's move to nationalize Hill culture and language in the 1950s (Gaige 1975).

Out of 601 members of the Constituent Assembly, 575 members were directly elected and 26 members were appointed by the Cabinet after the election. Directly elected members of the Constituent Assembly consists of 335 members elected through Proportional Representation and 240 members elected through First-Past-the-Post. Following is a table that shows indigenous peoples' representation in the Constituent Assembly either through Proportional Representation or through First-Past-the Post and the affiliated political parties.

According to the 20 point agreement reached between the government and the janajatis (indigenous nationalities) of Nepal in 2007, "While nominating candidates for the first-past-the-post electoral system arranged for the constituent assembly election in the present constitution, the candidacy will be determined so as to ensure proportional representation of all castes and janajatis." However, there are still 20 janajatis who are not represented in the Constituent Assembly. They are Bankariya, Bhote, Bote, Chhairrotan, Chhantyal, Darai, Hayu, Kisan, Kusbadiya, Kusunda, Larke, Lhopa, Phree, Singsha, Raute, Raji, Surel, Tajpuriya, Thakali, Thudam, and Tingaunle.

CHAPTER THREE

DEFINITIONS

Nepal Federation of Indigenous Nationalities, NEFIN

The Nepal Federation of Indigenous Nationalities (NEFIN) is an umbrella organization of indigenous nationalities in Nepal. NEFIN identifies itself as an autonomous and politically non-partisan, national level common organization. It was formed with the goal of documenting, preserving and promoting cultures, languages, religion, customs, and traditions of the indigenous nationalities of Nepal and to assist them in developing and obtaining equal rights (NEFIN 2009). It was established after the promulgation of the Constitution of Nepal, 1990 with 8 member organizations. In 2009, there were 54 member organizations representing different nationalities. NEFIN supports its member organizations in leadership development, and organizational development to empower them in exercising their rights to development with identity (NEFIN 2009). Their mission is to acquire social equality and justice for indigenous nationalities by preserving their distinct social, political, cultural and linguistic identities and by promoting their representation in the national life. Their vision as they state is the establishment of a multicultural democratic state where diverse ethnic, linguistic, cultural, religious and territorial groups are treated equally; indigenous people's rights are recognized and respected; and indigenous nationalities enjoy ethnic autonomy on the basis of the principle of right to self-determination.

The people's movement of 1990 to restore democracy in Nepal provided indigenous nationalities with an opportunity to unite and organize themselves. During the initial stage, indigenous nationalities organized to raise cultural awareness and to strengthen the ethnic and

cultural identities of the diverse peoples of Nepal. The focus on strengthening ethnic and cultural identity was particularly essential during this time because they had been damaged, and any effort to restore them had been suppressed by the monolithic policy of “one (Hindu) culture” (Hangen 2005). NEFIN has been instrumental in representing indigenous nationalities by acting as a unified voice in presenting indigenous concerns to the state. In the past, they have held talks with the state, organized public meetings and cultural events to promote indigenous nationalities and their rights.

Figure 2. Kirati Peoples’ Movement



Source: <http://www.ngofonin.org.np/>

Indigenous Nationalities of Nepal

Indigenous nationality or Janajati as defined by the report prepared by the Task Force formed by Nepal Government for the establishment of the foundation for the promotion of nationalities, is “that community who has its own mother tongue and traditional culture and yet does not fall under the conventional fourfold Varna of the Hindu Varna system or the Hindu

hierarchical caste structure” (NEFIN 2009). This definition of indigenous nationalities is based on the values and traditions that are the opposite of Hindu groups (Gurung 2006). Nation or nationality refers to peoples who have settled in a certain territory, who have their own language and culture, and desire to self-determination, have trade relationships with each other and are independent and sovereign (Gurung 2006). According to NEFIN (2009), each indigenous nationality or Janajati has the following characteristics:

- A distinct collective identity;
- Own language, religion, tradition, culture and civilization;
- Own traditional egalitarian social structure;
- Traditional homeland or geographical area;
- Written or oral history;
- Having "We" feeling—a sense of self-identity
- Has had no decisive role in the politics and government of modern Nepal;
- Who are the indigenous or native peoples of Nepal; and
- Who declares itself as "Janajati"

According to the Gender and Social Exclusion Assessment Team (GSEA) of the World Bank, approximately 45 % of the total population of Nepal identify themselves as indigenous nationalities. Indigenous nationalities have identified themselves as belonging to minorities of Nepal, which has been defined by Bhattachan (1999) and Lawoti (2002) as a criteria of “domination” and “discrimination” (Bhattachan 2002 a).

The Task Force had identified 61 different indigenous nationalities in 1996. But, the National Foundation for Development of Indigenous Nationalities Act, 2002 AD identifies 59 different indigenous nationalities in Nepal. These indigenous nationalities are spread throughout the country. The distribution of the 59 indigenous nationalities is listed as 18 in the

Himalayan region, 24 in the Hills, 7 in the Inner Terai and 10 in the Terai (The World Bank 2006).

Table 2. Ethnic Groups in the 2001 Census

Ethnic Groups	Percentage
Chettri	15.5 %
Brahman-Hill	12.5 %
Magar	7 %
Tharu	6.6 %
Tamang	5.5 %
Newar	5.4 %
Muslim	4.2 %
Kami	3.9 %
Yadav	3.9 %
Other	32.7 %
Unspecified	2.8 %

Source: The CIA World Factbook

Considering the socio-economic and political disparities among different indigenous nationalities, National Federation of Indigenous Nationalities, NEFIN has defined 10 indigenous nationalities as endangered groups, 12 as highly marginalized groups, 20 as marginalized groups, 15 as disadvantaged groups and 2 as advantaged groups (see table 2).

Based on the governmental Human Development Index (Literacy rate, residence, land ownership, business, language, population, and the situation of intermediate level and higher education recipients), NEFIN, under the leadership of NEFIN's advisor Dr. Om Gurung,

classified indigenous nationalities of Nepal into different categories. The total number of indigenous groups in Nepal in the list is 59.

Table 3. Indigenous Nationalities of Nepal

<p>Endangered groups:</p> <ol style="list-style-type: none"> 1. Kusunda 2. Bankariya 3. Raute 4. Surel 5. Hayu 6. Raji 7. Kisan 8. Lepcha 9. Meche 10. Kushbadiya <p>Marginalized groups:</p> <ol style="list-style-type: none"> 1. Sunuwar 2. Tharu 3. Tamang 4. Bhujel 5. Kumal 6. Rajbanshi 7. Gangai 8. Dhimal 9. Bhote 10. Darai 11. Tajpuriya 12. Pahari 13. Topkegola 14. Dolpo 15. Fri 16. Mugal 17. Larke 18. Lhopa 19. Dura 20. Walung 	<p>Highly marginalized groups:</p> <ol style="list-style-type: none"> 1. Majhi 2. Siyar 3. Lhomi 4. Thudam 5. Dhanuk 6. Chepang 7. Satar (Santhal) 8. Jhangad 9. Thami 10. Bote 11. Danuwar 12. Baramu <p>Disadvantaged groups:</p> <ol style="list-style-type: none"> 1. Gurung 2. Magar 3. Rai 4. Limbu 5. Chairotan 6. Tangbe 7. Teengaule Thakali 8. Bharagaule 9. Marfali Thakali 10. Sherpa 11. Yakkha 12. Chantyaal 13. Jirel 14. Byansi 15. Hyolmo <p>Advantaged groups:</p> <ol style="list-style-type: none"> 1. Newar 2. Thakali
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Source: www.nefin.org.np, accessed September 25, 2008

Among Janajatis, Newars have relatively better living conditions and political influence.

Thakalis are also listed as an advantaged or well-off group but their representation in the

government is minimal. The GSEA of the World Bank examined poverty outcomes among the excluded population in Nepal using indicators of economic well being, human development levels and voice and political influence (The World Bank 2006). GSEA shows that in 2003/'04, the Brahman/ Chhetri group (19%) and the Newars (14%) had the fewest households below the poverty line, whereas the Hill Janajatis (44%) and the Terai Janajatis (36%) had a significantly higher number of households under the national poverty line at 31%.

Table 4. Representation of ethnic groups in the government, 1999

	Brahman/Chhetri	Janajati without Newar	Newar only
House of Representatives and National Assembly	159	36	20
Cabinet	20	4	3
Public Administration	190	3	43
Constitutional bodies	14	2	6
Court judges and officials	181	4	32
DDC/ municipality chairpersons	106	23	30

Source: World Bank & DFID 2006, GSEA

In the 1999 parliamentary elections, out of 1167 contested Janajati members, only 78 were elected. Table 2 shows the ethnic representation in the government in 1999. These figures show that the Bahun/ Chhetri and the Newar groups have better living conditions than Janajatis who have less economic well being, human development levels and political influence. The Brahman/ Chhetri group and the Newars have higher health indicators and life expectancy. Rural women of these groups also have the highest access to trained assistance during child delivery than other groups (The World Bank 2006). The GSEA also shows that 45 % of Hill Janajati and 47 % of Terai Janajati have never attended school and only 3 % and 4.5% respectively have education higher than 10th grade compared to 32 % of Hill Brahman/ Chhetri and 28.5% of Newars who have never attended school and 10.1 % and 23 % respectively who have education higher than 10th grade.

CHAPTER FOUR

METHODS

DATA COLLECTION AND THE METHODOLOGY

Data Collection

The background research and the preparation of my fieldwork officially began with my graduate program in 2007. Unofficially, I had been studying the history, the politics and the portrayal of the country in the media since 2005. The use of media as a means of communication has served an important role in shaping the national politics and international image of the country. The growth of private TV and radio stations and the newspapers in the recent years have acted as catalysts in increasing public interest in national politics. However, it is important to note that the information provided through any media is filtered to some extent. The background research conducted prior to my fieldwork was useful to identify key informants and formulate questions for interviews.

In the field, snowball sampling served as the best way to approach informants. It helped in identifying informants and also gaining their trust, making the progress of the research smooth. Daily newspapers and the media are convenient sources of information on national discussions of indigenous issues. It was useful in understanding national sentiments toward indigenous issues and locating public events relevant to the research. Public events are beneficial as they provide opportunities to observe the interaction between policy makers and the general public. Overall, making myself available to anyone and any event relevant to indigenous issues was the key to my success in the field.

Literary sources are useful in gathering background information on indigenous movement in Nepal and around the globe. While general literature is important in gaining an understanding of the situation of indigenous movement in Nepal, organizational documents like pamphlets and brochures contain important information vital to the research. Most of these documents published and distributed in Nepal are written in the Nepali language to maximize Nepali readership. Despite the availability of fine published and unpublished literature as well as archival data, there is still much to write about indigenous nationalities in Nepal. The necessity for public discourse on the topic has never been more important than today as the country of Nepal writes its new constitution.

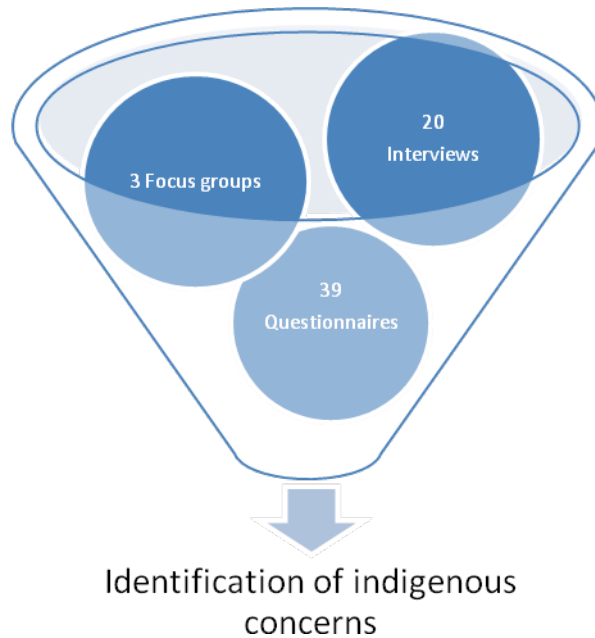
In this era of our growing dependence on technology, the World Wide Web serves as a source of all immense wealth of information. It has played a crucial role in the research for this thesis. The Internet has reduced geographic distance by making the information from around the globe accessible with a click of a button. It has allowed me to connect with institutions and people involved in indigenous issues from around the world and to learn about their movements. As millions of indigenous peoples reside in several geographic regions and many have been displaced or have migrated, the Internet serves as a tool to connect with each other. In order to increase the possibilities of communication, for transparency purposes and to reach interest groups, usually, if the funds are available, indigenous organizations create websites.

Fieldwork

Fieldwork for the thesis was conducted in Nepal, in the summer of 2008. Most of the data collection occurred in Kathmandu, Nepal. During my fieldwork, I conducted 20 interviews, 39 questionnaires and 3 focus groups. The interviews, the questionnaires and 2 focus groups were conducted in Kathmandu. Focus group # 2 was conducted in Namche,

Solukhumbu among the Sherpa people. My informants represent active members of indigenous movement with affiliation to different institutions and the general public who are not directly involved with indigenous issues.

Figure 3. Fieldwork



For confidentiality purpose, names of my informants have been altered in this thesis but the gender has been kept to show the gender gap in the movement. The informants were in the age group of 18-75. Interviews and focus groups were conducted in Nepali language and the questionnaires were conducted in English.

The composition of the informants based on sex was interesting because there were no female informants who represent active membership within the movement. However, I should clarify that this does not mean there are no women in the movement at all, but the point here is that there are very few of them. This is ironic as the movement puts gender equality in the forefront of their concerns. The informants representing the general public are however mixed;

men and women. But, women nonetheless, seemed to be shy and men seemed to take control of the discussions and interactions.

An exploratory research strategy was employed as the primary focus of the research design. “Exploratory approaches are used to develop hypotheses and more generally to make probes for circumscription, description and interpretation of less well-understood topics” (Johnson 2000). The exploratory research strategy appears to be suitable for research problems that have had less discourse. Identifying indigenous demands and recording the status of indigenous movement in Nepal are certainly examples of these research problems that require more exploration.

Like regular anthropological fieldworks, this thesis research involved methods of data collection such as participant observation, and formal and informal interviewing. Following Dewalt et al (2000), I describe participant observation as “a method in which an observer takes part in the daily activities, rituals, interactions, and events of the people being studied as one of the means of learning the explicit and tacit aspects of their culture.” Public events and meetings are considered to be venues for participant observation in this particular research. These events provided an opportunity for me to observe policy making at an organizational level and to understand the roles and relationships of various indigenous organizations, the people and the state.

Formal and informal interviews enable researchers to gain a broad understanding of the people being studied through questions in a relatively short span of time. Although I used formal interviews especially while meeting policy makers, I found open ended questions and informal interviews to be more effective. Prepared questions were generally used to start the conversation but open ended questions were those used to continue them. During informal

interviews, informants tended to be more relaxed and comfortable with sharing the information. Reservation in sharing information was not noticed from any of the active members of the indigenous movement. Many general informants seemed to be uncomfortable discussing indigenous issues as they mentioned they were not really sure about the issues or who indigenous peoples were.

Focus group and questionnaires were also employed to get a broader understanding of the people's perception of the indigenous movement in the country. Focus groups were composed of members from the general public who did not have official affiliation with any indigenous institution. Focus group 1 was composed of 6 people, focus group 2 was composed of 20 people and focus group 3 was composed of 5 people. Although, ideally, it would have been better to have focus group of 6 to 10 people, the number of participants were difficult to control depending on the availability of the informants. Focus groups 1 and 3 were conducted to understand the impression of indigenous movement on youths, both indigenous and non-indigenous, whereas focus group 2 was conducted to identify the status of Sherpa indigenous culture and its relationship to the national and international movement.

The Ethical Dilemma

As a Nepali woman and a member of an indigenous group, the pursuit of this research has been particularly difficult. During my preparation for fieldwork, I was aware of the potential risk of not being able to analyze the field situation completely from an etic perspective. This is a risk I still face while examining data of indigenous peoples in Nepal but I find myself in a better situation by being outside of the country and not getting too "personal." In the field, at times, I found it difficult to disassociate myself from the indigenous movement for two reasons. First of all, my identity as an indigenous woman naturally drew me into the

movement and encouraged me to get actively involved and not just be the participant observer. Secondly, I was constantly reminded of the lack of involvement of indigenous peoples in the movement especially by my informants. As a researcher of indigenous issues, my active participation in the movement was described as a duty and responsibility that I should undertake. Obviously, this created an ethical dilemma for me as I had entered the field as an observing anthropologist.

In order to do the right thing and to become an objective researcher, I have tried to not put myself in the research. Instead, I have used my association to understand the data and my distance to analyze and examine them. I hope to be able to continue this approach but I am aware that as a native researcher, an ethical dilemma will nonetheless arise.

CHAPTER FIVE

THE FINDINGS

Analysis of the data gathered from interviews and literature identified the concerns raised by leaders of the movement and the data collected through the questionnaires and focus group revealed an impression of the general public about the indigenous movements in Nepal. These two avenues of analysis have been employed in order to gain an understanding of the movement from the perspective of movement leaders and an impression of the public in general.

The Questionnaire

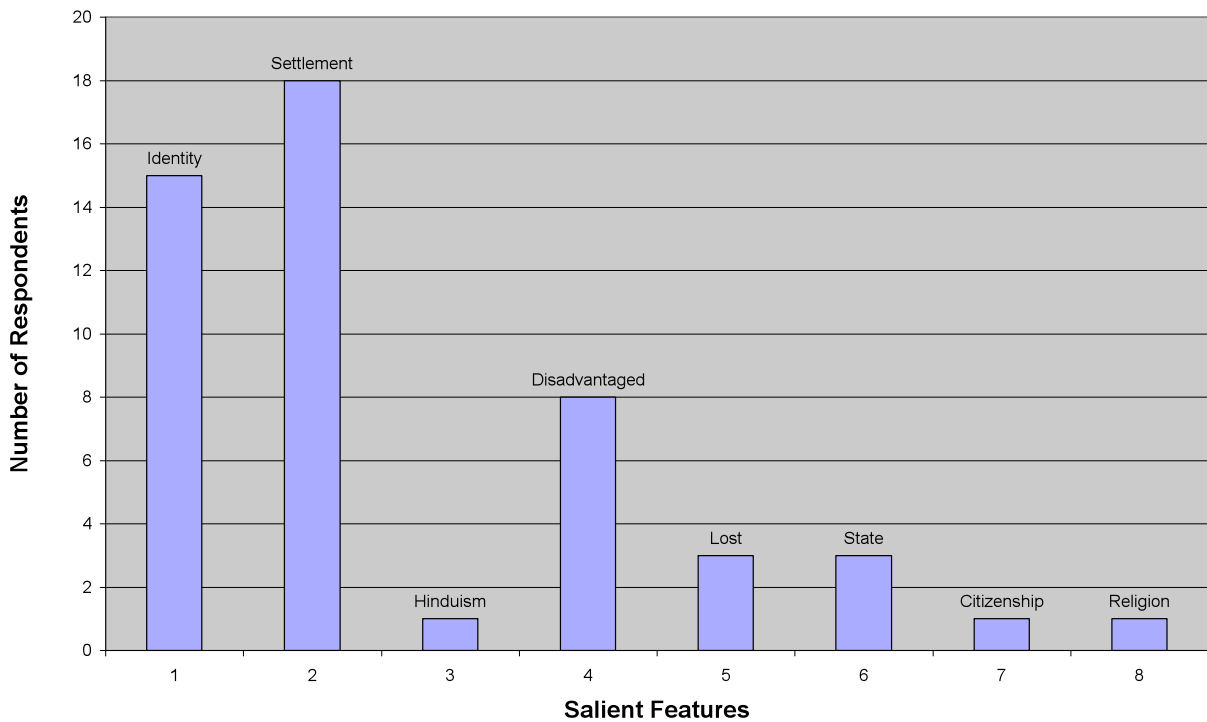
The aim of the questionnaire was to explore ways in which indigenous nationalities and indigenous movements were being perceived by Nepali people. Questions such as: Who are indigenous peoples; is social inclusion of indigenous peoples necessary; and what resources can be developed to benefit indigenous peoples, were asked in the questionnaire. (Please refer to Appendix A) A set of 20 questions were given to thirty-nine individuals between the age group of 18 and 45. These individuals were identified through snowball sampling. This was a mixed group indigenous and non-indigenous persons. The ratio of indigenous to non-indigenous was not controlled. There was significantly more indigenous representation in the questionnaire. (Please refer to Appendix B)

These individuals are not indigenous activists. They represent general Nepali citizens who are not directly involved in the movements. Their participation provides impressions and perceptions of the people about indigenous movements in the country.

Three questions that provided insights of the respondents on the situation of indigenous peoples were selected from the questionnaires. These questions include respectively: Who are indigenous peoples for you? ; Is social inclusion of indigenous peoples necessary? ; Given the current circumstances, how does the future of indigenous peoples in Nepal look?

Following are the findings based on the answers provided. These interpretations are not reflective of the perceptions of the whole Nepali population but it does provide us with an important outlook on Nepali indigenous peoples and indigenous movements.

Chart 1. Defining Indigenous Peoples



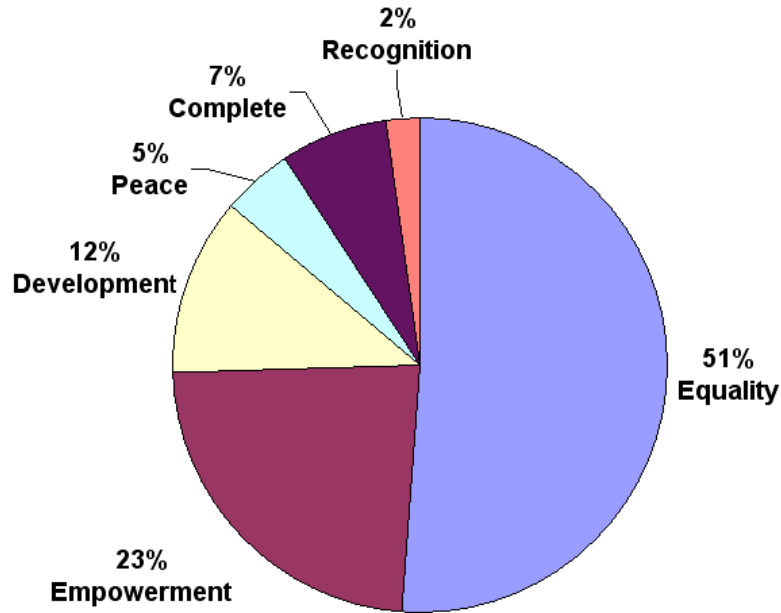
1) Indigenous nationalities' were mostly identified as those who are the first settlers of a particular land. Cultural and linguistic identity was seen as an indicator of indigenous identification. The disadvantaged social and economic position of indigenous nationalities was also seen as an identifying feature. Based on the questionnaires, I found that while defining indigenous peoples in Nepal, association is made with eight different dominant features.

Possessing own culture, language and religion is one of the salient features. Fifteen people defined indigenous peoples as those possessing a cultural identity. Eighteen respondents identified indigenous peoples as the first settlers. Eight of them mentioned the disadvantaged position as a criterion to identify indigenous peoples. Disadvantaged position was defined as less political representation, lack of educational opportunities and the inaccessibility of health care. Three people defined indigenous peoples as those whose culture has been lost and who have been dominated for a long time. Three people mentioned the need of recognition and identification as the criterion to define indigenous peoples. While non-Hindu peoples were seen as indigenous peoples by one person, another person defined indigenous peoples as those who followed some form of religion. One person identified indigenous peoples as those who reside in the country but do not have citizenship. These features provide interesting comparison with the criteria of identifying indigenous nationalities as suggested by Nepal Federation of Indigenous Nationalities, NEFIN. A significant feature associated with indigenous peoples by the respondents that do not appear as a criterion presented by NEFIN is their disadvantaged position. The lack of political representation, educational opportunities and the inaccessibility of health care are seen as quite an important characteristic of indigenous peoples.

2) Social inclusion of indigenous peoples is considered to be necessary for several reasons. 51 % of the respondents pointed out that indigenous peoples' inclusion is necessary to ensure equal rights. 23 % of the respondents said that social inclusion is necessary for empowerment so that indigenous peoples can practice their own culture and have the right to self-determination. 12 % pointed out that social inclusion is necessary to develop the country. While 5 % of the people said that social inclusion is necessary to create a peaceful society, 7 % said that the country can become a just and a complete society through social inclusion. 2% of the

people mentioned that social inclusion is necessary to recognize and address indigenous issues by the state.

Chart 2. Why is social inclusion of indigenous peoples necessary?

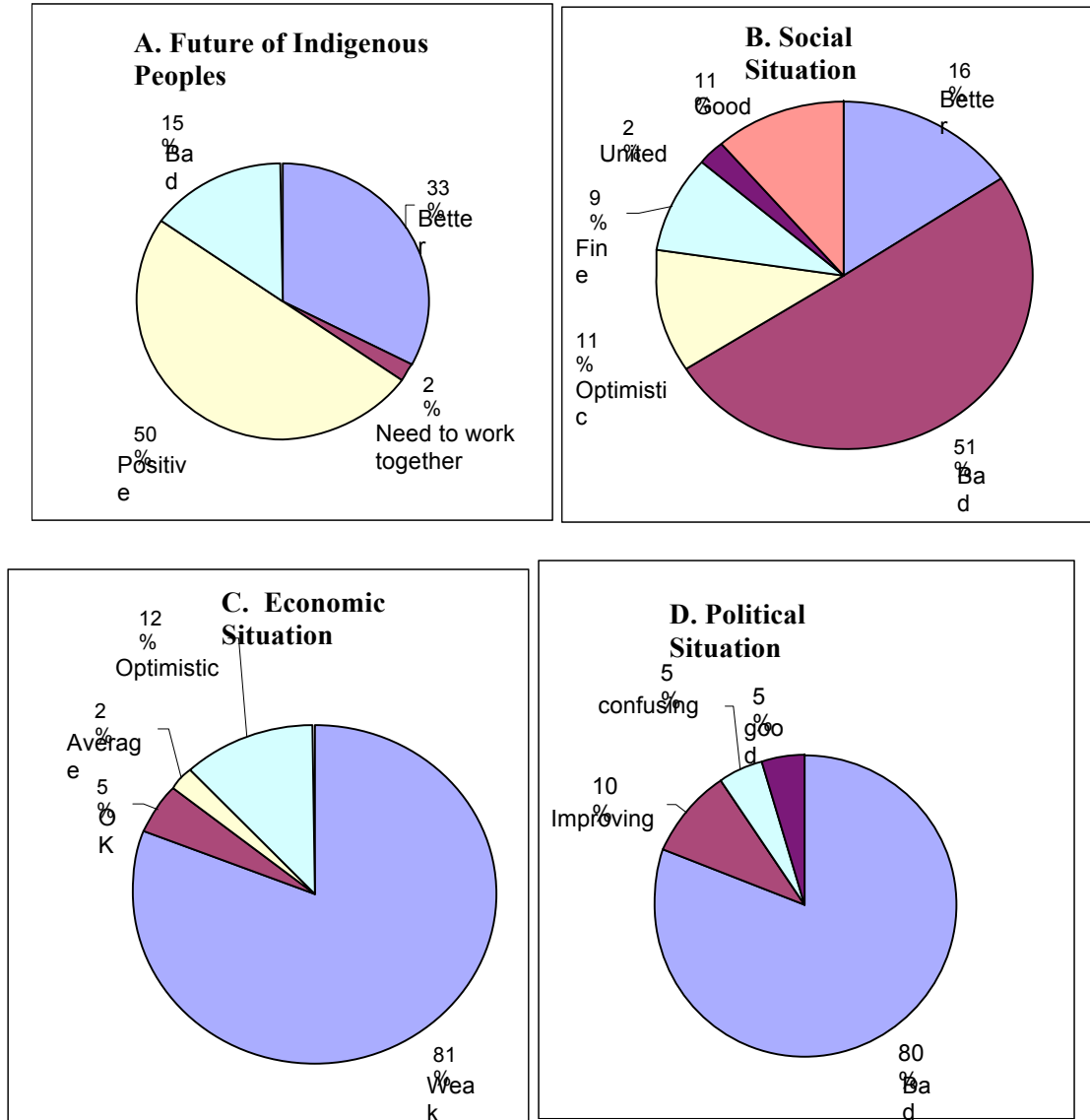


3) Most of the people find the future outlook for indigenous nationalities to be either positive or better. The answer to the question “How does the future of indigenous peoples in Nepal look?” was vague and dispersed. Since the respondents were not asked to define for example what is good, bad or bright, it is difficult to truly reflect their perception of the future for indigenous peoples. Geeta wrote, “The future is certainly bright for indigenous people,” Shyam wrote, “The future for indigenous person now is bright. It means the gates are opened in all sectors,” and Keshav wrote, “Good if issues of indigenous people solved scientifically.”

Regarding the future of indigenous peoples, 2% mentioned that both indigenous and non-indigenous need to work together in order to make the future for them better. 33 % saw the future of indigenous peoples as bright. They were satisfied with indigenous movements in the country and their role in securing equal rights for indigenous peoples. 50 % of the respondents

saw the future as being positive for indigenous peoples. They mentioned that the present efforts of indigenous movements will lead the country to becoming more inclusive. 15 % of the respondents however, thought that indigenous movements in the country would not be successful under an unstable and a corrupt government.

Chart 3. Participant’s Perception



The economic and political situation of the country is seen to be poor by 80% of the people who participated in the questionnaire. The unstable government, corruption and the

rising cost of petroleum (in the summer of 2008) could have contributed to the diminishing faith of the people towards the government's ability to strengthen the economy and function effectively. The social situation on the other hand, seems to be better, with 16% finding it to be better than in the past, 11% being optimistic about the future, 11 % finding it to be good, 9% finding the situation to be fine and 2 % of them thinking that people in Nepal are united and share many commonalities. Although, 51 % of the people mentioned that the social situation in Nepal is bad.

The Nepali Indigenous Movement

Figure 4. United Limbuwan Front Awareness Program



Courtesy of DB Angbung, United Limbuwan Front

Ethnographic analysis of the political transformation of the country and indigenous movements has shown that historically indigenous nationalities were deprived of their citizenship rights and treated as second class citizens. Ethnic groups have now been recognized as indigenous nationalities by the government which has set the stage for them to voice their concerns (Hangen 2007).

Why Address Indigenous Concerns?

An incentive for the state to address indigenous concerns is the cultural richness of indigenous peoples that has the potential for revenue generation as tourism products. By recognizing and ensuring their rights to education, health, well-being and political representation, the government of Nepal can enable indigenous nationalities to contribute effectively to the development of the country. This statement runs counter to the indigenous movement as it suggests that indigenous peoples can be reduced to tourism products which can be manipulated by the state for the sake of its economy. However, such a statement is luring and probably necessary in the present state of the government and the position of indigenous movement to gain attention.

Indigenous nationalities who make up a significant percentage of the population are considered to be rich in cultural and ethnic resources, importantly, they can be a source of human power for the country that can be utilized to lift the country's ailing economy. The government of Nepal and national and international development agencies have identified, developed and promoted the cultural and ethnic diversity in Nepal as rich tourism products. In recent years, national policies in line with international goals to alleviate poverty have encouraged the promotion and development of such ethnic tourism products in order to create opportunities for income generation at the local level with the goal of poverty alleviation (TRPAP 2007). Policies focused on rural tourism are an example of government's acknowledgement of the significance of indigenous nationalities in the growth of its tourism industry. The Ministry of Culture, Tourism and Civil Aviation, MoCTCA (2008) describes the aim of rural tourism as "to link Village Development and Sustainable Tourism through the generation of income, employment and local markets for agricultural products and handicrafts.

Other objectives include the provision of incentives for forestation and nature conservation and the creation of a global family through the encounter between rural Nepalese people and foreign tourists during village home stays, resulting in mutual understanding and learning.” In this case, it is safe to say that majority of rural Nepalese are the indigenous nationalities of the Hills and the mountain regions of Nepal who practice ‘traditional’ ways of life.

Granted that indigenous peoples fall below the national and international poverty line, and that the tourism industry seems to be a promising and a comparatively fast rescue, but what needs to be realized is that the tourism market is vulnerable. The abandonment of the tourism industry is not being advocated here but rather, the need to look for an alternative sustainable economic activity to assist indigenous peoples in the continuance of their way of life is being highlighted.

Indigenous Concerns

In August of 2007, an agreement between the government represented by Ram Chandra Poudel and the janajatis represented by Dr. Om Gurung, advisor of NEFIN and KB Gurung from the Indigenous Nationalities Joint Struggle Committee was reached. This 20 points agreement was an effort by the newly formed government to address indigenous concerns. This agreement represents concerns raised by several indigenous peoples and organizations. Based on my interviews with indigenous nationalities’ activists, organizational documents, Bhattachan’s (2002 a) recommendations and the 20 point agreement, I have identified the following seven common and highly pressed indigenous demands. The thesis is by no means arguing that these demands are more important than the others. This list consists of the most recurring and common demands of various indigenous nationalities and their organizations to the state.

1. Self determination and restructuring of the state

Establishment of states for different nationalities will assist in their liberation. The development of different nationalities will be possible through these states.

[Dipak, informant 2008]

Self-determination is crucial in addressing and solving the problems of indigenous nationalities. According to Article 4 of the UN Declaration on the Rights of Indigenous Peoples, indigenous peoples have the right to self-determination, the right to autonomy or self-government in matters relating to their internal and local affairs. Different organizations of indigenous nationalities including NEFIN have demanded creation of ethnic states that allow them to have autonomy over the use of their culture, religion and language. These ethnic states would promote self-rule and allow self-determination as has been discussed extensively in international covenants and declarations (UN Declaration of Indigenous Rights 2007; ILO 169). However, there is no consensus among these indigenous organizations on how the state should be restructured due to the differences in their interests and also the diversity they represent.

2. Political representation

Political leadership of indigenous nationalities has remained very poor thus far. The lack of indigenous nationalities in policy making levels, and civil services have prevented them from effectively putting forward their issues and problems (Lawoti 2007; Tamang 2006). Wangche Sherpa, chair of the Himali Loktantrik Ganatantrik Nagarik Manch mentioned that, “one of the main challenges faced by the Sherpa people is the lack of political representation. Lack of political awareness has caused lack of political representation of the Sherpa people.” Indigenous nationalities of Nepal have

been demanding that the government create opportunities and the atmosphere to encourage political leadership for indigenous nationalities. Political representation has been claimed to allow stronger articulation of indigenous issues and overall development of indigenous nationalities.

3. Positive discrimination

In order to overcome the socio-economic and political gap between janajatis and the dominant group, positive discrimination has been put forward by indigenous activists and intellectuals as a crucial need to ensure that the country becomes truly inclusive. This is especially emphasized by the movement, as indigenous peoples have not received as many governmental opportunities in education, politics and governance as their High Caste Hindu counterparts from the hills of Nepal. It has been argued that inclusive government policies are vital to securing indigenous rights.

4. Recognition of locally spoken mother tongues

By recognizing the Khas language spoken by the High Caste Hindu groups from the Hills of Nepal as the national language, the state has been discriminatory towards other local mother tongues (Gaige 1975; Lawoti 2007; Tamang 2006). In order to reduce the drop-out rates among indigenous nationalities and to make possible the exercise of true citizenship for the indigenous nationalities, locally spoken mother tongues should be recognized by the government. Nima Thendup, a prominent Sherpa indigenous leader explained that “When the curriculum is made by the scholars of the capital city, they are not aware of the situation in different parts of the country. They try to make curriculum in such a way that it will include information about all parts of the county. But, while doing so, students in the Himali region will have to study about rice and ocean which is

not very relevant to their environment whereas the students of the Terai region will study about high mountains and snow which is not that relevant to them as to studying about what is around them” (personal communication 2008).

5. Indigenous rights on natural and cultural resources

The government of Nepal should provide recognition of the traditional rights to the resources of indigenous nationalities. Natural resources are intimately tied to the livelihoods of indigenous nationalities, and because they have been maintaining and managing these resources, indigenous nationalities should have the continuing right to protect, maintain and manage these resources.

6. Research about the status of indigenous nationalities in Nepal

Information about the status and condition of several indigenous nationalities is still not known. A substantial amount of information about indigenous nationalities has been lost due to the lack of sufficient study and research about them. Therefore, adequate assistance and support have not been available to them. Indigenous nationalities continue to suffer from their already weak representation and voice that disempowers them from improving their living condition.

7. Ratification and implementation of international instruments of human rights for indigenous nationalities

Although several declarations and covenants have been ratified by the government of Nepal in the past including the UN Declaration on the Rights of Indigenous Peoples, 2007 and the famous ILO 169 of 1989, the implementation part is lacking (Bhattachan 2002 a). A stronger mechanism for checks and balances on the execution and

implementation of international instruments of human rights is required to eliminate any false or misleading information about the progress or their implementation.

As shown above, indigenous peoples and indigenous movements can be associated with many features. This has led to an unclear image of the indigenous movement. Furthermore, the list of demands raised by various indigenous organizations, the NEFIN and the concerns raised by other minority groups have contributed to the poor identification of indigenous peoples and their concerns resulting in the state's avoidance and lack of address of indigenous demands.

CHAPTER SIX

ON NATIONALISM

The goal of the first focus group conducted in Kathmandu was to define Nepali-ness. There were seven participants between the age of 22 and 26, with two females and five males. Sarita, Nanu, Abhishek, Dev, and Kumar identified themselves as a member of indigenous groups. Raju and Ankit identified themselves as a member of high class Hindu groups. In the focus group, indigenous movements and its impact on Nepali-ness was discussed. Participants responded as follows when asked about the current increased representation of indigenous nationalities in the Constituent Assembly:

Dev: “It is not a good thing for people to wear different costumes when attending the CA meeting. It looks like a zoo. When CA members do that it seems that Nepal is being divided and broken and there is no one-ness or Nepali-ness.”

Ankit: “Since Nepal already has *Daura Suruwal* and *Dhaka Topi* as the national costume for men and *Chaubandi Cholo* for women and speak Nepali language and follow Hinduism (to be a true Nepali), it is ok for us to continue it. We will not be broken when we continue this. When we follow this, we feel like one people and a true Nepali.”

Kumar: “Nepal is a country with unity in diversity which is the characteristic/ specialty of the country. Situation of Nepal is really bad. Nepali people are not concerned about Nepal and the situation is getting worse. They are forgetting about Nepali-ness and are being fragmented.”

Dev: “Nepali-ness is the devotion and dedication of Nepali people where they sacrifice their own identity for the sake of national identity (or oneness). Nepali-ness is something that shows us as one people and not as fragments.”

This focus group showed that indigenous movements were seen as means to fragment the country. Wearing indigenous costumes and speaking in local languages over the use of Nepali national costume and Nepali language was seen as an act of disrespect to the country.

On the other hand, Tashi [informant 2008] later, in an interview pointed out that “the country will not fragment if the peoples are guaranteed equal rights. In fact, it will strengthen the country by recognizing everyone.” This has revealed an interesting aspect of the movement. Whereas indigenous leaders see themselves as promoting the use of their culture and language, some people may see this as a threat to the national integrity and Nepali-ness. This also suggests that the participants equate the use of Nepali language and culture with nationalism and Nepali-ness. This leads to the question of when and why do we, as indigenous peoples sacrifice our cultural autonomy for the unity and the greater good of the country. Moreover, by doing this, are we really strengthening nationalism and who defines nationalism?

In the case of Nepal, analysis of the historic marginalization of indigenous peoples shows that nationalism has been defined by the high class Hindu rulers to protect their status at the expense of indigenous rights. According to Dipak [informant 2008], “Nepali-ness is an illusion. This is criteria of patriotism put forward by the country. This underestimates the value of other language, culture and religion. For several decades, Khas language has been regarded as the Nepali language and Hindu culture as the Nepali culture.”

On Nationalism and Nepali-ness

The most intolerant groups have always been the Bahuns and the Chhetris. If they have to lose a little bit of their monopoly over power, privilege and authority, then democracy becomes endangered, "communal harmony" suddenly turns into "communalism," and the country comes to a verge of disintegration. The country's national sovereignty remains intact, "communal harmony" remains strong and feeling of "nationalism" heightens, if Bahuns and Chhetris continue to monopolize power. What a shame! What logic!

[Bhattachan 2000]

The two and a half century old process of Hinduization has been deeply rooted in Nepali society. The expansion of the Gorkha state by Prithivi Narayan Shah, the legalization of

discriminatory laws and policies like “One King, One Country; One Language, One Dress” have played significant roles in equating the unitary Hindu state with nationalism (Gaige 1975; Gurung 2006). In Nepal, nationalism has come to mean the use of the language, culture and religion of the High Caste Hindu groups from the Hills over the use of local language, culture and religion. Nationalism has been constructed by the dominant group and hence reflects their culture, tradition and values. The Hindu elite labeled efforts to use local language, culture and religion over the use of the “Nepali” language, culture and religion as “anti-King” and “communal” in the past. Om Gurung, a prominent Nepali indigenous leader and an anthropologist stated that, “Unity in diversity was popular where it meant the unity in following Hindu religion or religious views. People who did not follow this were either seen as anti-nationals or were blamed to profess communalism” (personal communication 2008).

Indigenous cultures were considered to be incompetent and ‘less’ to the Hindu civilization. This has further enabled the exploitation of Hindu language, religion and socio-cultural practices as dominant and “official.” This process of diminishing the value of indigenous cultures induced by dominant culture is not unique to the case of Nepal. In fact, this is one of the common experiences faced by indigenous peoples worldwide that has resulted in their marginalization and exclusion from the political arena.

National and global homogenization, growing assimilation and the exclusion of indigenous peoples in national policy making levels have caused many observers to predict the extinction of indigenous peoples. However, Bodley (2008) argues that although many observers have confidently predicted the impending extinction of all self-sufficient indigenous peoples, such a judgment would be premature. The advocacy of indigenous peoples for cultural survival and the role of international agencies for development and human rights have made the

continuance of the practices and promotion of indigenous cultures possible. However, their ability to self identify and to gain self determination like their counterparts has been jeopardized. In Nepal, indigenous concerns are seen as threats to the highly celebrated unity of the country's diverse population and the nationalism. One culture policy or "Hinduization" was propagated as an essential tool to "unite" the diverse population so as to protect the country from fragmenting and disintegrating. This reasoning has been able to promote nationalism as defined by the ruling class and to 'mask' the negative impacts of "Hinduization" to some extent but it has certainly not been able to stop people from witnessing the consequences.

Indigenous leaders in Nepal have emphasized their status as citizens of a democratic country where every people should be treated as equals to present legitimacy to their demands. They also highlight their contributions in the democratization process of the country during the peoples' movement of 1990 and 2006, through different avenues and often citing scholars in the field. The declaration of the Himali Autonomous State (2008) starts with a sentence highlighting the Himali peoples' involvement and contribution to the success of the peoples' movement of 2006. Hangen (2007) notes the substantial contributions of the indigenous movement to the democratization process since 1990 as she discusses the New Nepal.

The Urgency—for the creation of an inclusive and a fully democratic "new Nepal"

"Ethnic insurgency is inevitable if the unitary predatory Hindu state should continue."

[Bhattachan 2000]

The new Republic of Nepal means hope for better future and promises of a secure and a stable Nepal to millions of Nepalese living inside and outside the country. For indigenous nationalities, this hope includes their liberation from poverty, injustice and centuries old

discrimination and domination by the high class Hindu groups from the Hills of Nepal.

According to Nima Thendup, “Special provisions are needed to bring disadvantaged indigenous peoples to the front. The right and appropriate time to raise the issues of indigenous peoples is now, when Federalism and Restructuring of the country is being discussed” (personal communication 2008).

A series of political events have led to this transition phase of the country from an authoritarian Nepal to the creation of a “new Nepal.” The People’s War led by the Communist Party of Nepal (Maoist) played a major role in bringing about a revolutionary change in the country ruled by centuries old monarchs. Bhattachan in 2000 observed that the “People's War is primarily a class-based war. However, given the social structure of the Nepali society and the collective memory of different groups of people, the Maoist insurgents have invited various indigenous ethnic groups to join in and support the people's war.” Bhattachan (2000) argues that the success of People’s War is due because of the willingness and the possibility of indigenous nationalities and other minorities to fight for their liberation and an end to the segregation and exclusion that has persisted for centuries. Analysis of the historical markers of discrimination and domination towards indigenous nationalities, study of several literature and documents published on indigenous issues of Nepal and various activities organized by indigenous nationalities shows that indigenous nationalities will continue to fight for their liberation and inclusion until their demands are met. If indigenous issues are further ignored, the Nepal Federation of Indigenous Nationalities (NEFIN) has stated its intentions to come to the streets and take violent actions if necessary (NEFIN 2008). Several Liberation Fronts based on ethnic groups, and organizations working on indigenous issues have regularly protested the discrimination towards indigenous nationalities. According to Tashi, whereas Sherpa Sangh

functions to unite Sherpa people, Sherpa National Liberation Front was formed for political activism.

Several incidences of ethnic violence have already occurred. The People's War has shown that ethnic violence is possible and several incidences of violence have proven that ethnic violence can occur in the future if the demands of indigenous nationalities are not met.

Bhattachan (2000) writes,

In the recent past two possible bloody confrontations between the indigenous ethnic groups and the Bahun-Chhetris were averted. Once it was when the *Shiva Sena*, the Hindu fundamentalist group announced a first ever Nepal *Bandh* ("Nepal shut down") against the human rights activists Padma Ratna Tuladhar who had opined that some indigenous ethnic groups who have a tradition of eating beef has a right to practice their religion. The Nepal Federation of Nationalities (NEFEN) challenged their call and later the *Shiva Sena* pulled out the *Bandh* and the possible ethnic confrontation was averted. The second time was when the *Pashupati Chetra Bikas Samiti* (Pashupati Area development Committee) demolished the moratorium of the Rais, Limbus, Yakkhas and Sunuwars, located at the *Sleshmantak* forest in the Pashupati area. Later, the Samiti officially regretted for the incidence and promised to rebuild the demolished moratorium. Thus the possible ethnic clash was averted.

Bhattachan (2000) warned that the dominance by Bahuns and Chhetris would continue as long as there was no revolutionary transformation of our society. In 2006, there was a revolutionary transformation of our society that marked the end of a two and a half centuries old monarchy and the formation of the Constituent Assembly. However, the end of dominance by Bahuns and Chhetris is still dependant on individual political actors and political parties that influence the current national politics. Therefore, indigenous movements are active in pursuing their rights and pressuring these actors and the parties that make the government, in abolishing discriminatory laws and policies.

CHAPTER SEVEN

CONCLUSION

“Some can tell you about the past, many will tell you about the present but only few are able to talk about the future.”

[Wangchhe Sherpa 2008]

The primary objective of this research is to identify the common concerns of indigenous nationalities in Nepal. Based on my interviews with indigenous nationalities' activists, organizational documents, Bhattachan's (2002 a) and the 20 point agreement between the government and Nepal Federation of Indigenous Nationalities, NEFIN, I have identified the following seven common and highly pressed indigenous demands. These demands are the most recurring and the common demands of various indigenous nationalities and their organizations to the state. These demands include: 1) self determination and restructuring of the state; 2) political representation; 3) positive discrimination; 4) recognition of locally spoken mother tongues; 5) indigenous rights to natural and cultural resources; 6) research on the status of indigenous nationalities in Nepal; and 7) the ratification and implementation of international instruments of human rights for indigenous nationalities.

An objective of this research was also to examine the impression of the general public of indigenous movements in Nepal. The questionnaires and the focus groups conducted in Kathmandu have been used to understand the perception of the people. This revealed that the indigenous nationalities' identification is closely associated to their relationship with their land and their cultural identity. They are also seen as the disadvantaged groups of Nepal. Social inclusion of indigenous peoples is considered to be necessary to ensure equal rights for indigenous nationalities, to empower them and to develop the country. The future of indigenous

movement was seen to be mostly positive. This is particularly interesting because the perception of the political, social and economic outlook of the country was mostly bad or weak.

In the thesis, I examine the identification of indigenous nationalities in Nepal. Although it is only indigenous peoples who can define indigenous peoples, working definitions have been adopted by governments and institutions. With over 300 million people worldwide, indigenous peoples have been mainly identified by their relationship to the land and their minimal political presence. In Nepal, NEFIN identifies indigenous peoples as indigenous nationalities or janajatis, who fall under their definitional criteria that includes a distinct collective identity.

The historical and political developments of the indigenous movement have also been examined in the thesis. The Early Shah rule, the Rana rule and the Partyless Panchayat system have played a significant role in legalizing the process of Hinduization. Hinduization refers to the process by which the country of Nepal was turned into a “Hindu state” disregarding the diverse cultural, religious and linguistic nature of the people and often replacing their culture, religion and language with that of dominant Bahuns’ and Chhetris’ from the Hills of Nepal through political, legal and constitutional measures (Gaige 1975).

The Constitution of Nepal, 1990 recognized the multiethnic and multilingual nature of the population of Nepal and also allowed the formation of civil society based on caste and ethnic identity. Despite these positive changes, the Constitution of Nepal, 1990 still remained contradictory and ambiguous towards indigenous nationalities although they have made substantial contributions to the democratization process since 1990 (Hangen 2007). In May of 2008, the monarchy was abolished from Nepal and the country was declared a Federal Republic by the Constituent Assembly. The formation of the Constituent Assembly and the

representation of indigenous nationalities is a significant development for the indigenous movement. However, many indigenous groups have not yet been represented in the CA.

In examining the perception of the general public, I found that most of the participants, although indigenous themselves, saw indigenous movements as a means to fragment the country. This has revealed that whereas indigenous leaders see themselves as promoting the use of their culture and language, the general public may see this as a threat to the national integrity and Nepali-ness. This can be seen as a consequence of the promotion and equating of nationalism and Nepali-ness with that of Nepali language and culture by the High Caste Hindu rulers from the Hills of the country.

The Nepali tourism sector with the involvement of the government promotes indigenous nationalities in Nepal as rich tourism products. The uniqueness and the richness of indigenous cultures becomes an important source of income for the government of Nepal. Although, tourism industry has benefited some indigenous nationalities tremendously, it is necessary to find an alternative economic source of income as the industry is dependant on several factors and is vulnerable.

Recommendations

Based on the research and the concluding remarks, following recommendations are presented for consideration in the preparation of policies that impact indigenous nationalities.

- 1) International community should recognize indigenous peoples and their right to self determination.
- 2) Countries should ratify and implement international instruments of human rights.
- 3) Indigenous concerns should be addressed by the government of Nepal.

- 4) The new Constitution of Nepal should guarantee equal rights to every citizen of the country regardless of their background.
- 5) The new constitution of Nepal should guarantee equal access to development opportunities for every indigenous group.
- 6) The government of Nepal should conduct research and documentation for the identification, preservation and promotion of indigenous cultures in Nepal.
- 7) The government of Nepal should include indigenous nationalities while making policies that impact them.
- 8) Development projects and programs that affect indigenous nationalities should include them.
- 9) Sustainable economic activities to assist indigenous peoples in the continuance of their way of life should be identified and developed.
- 10) Schools should use locally spoken mother tongues and culture in their curriculum to equally promote local language and culture. Civil test should not be conducted solely in Nepali (Khas) language.

In the final analysis, further avoidance of indigenous issues and the continuation of their exclusion can result in ethnic insurgency. Study of documents published by indigenous organizations of Nepal and various activities organized by indigenous nationalities have shown that they have threatened to continue to fight for their liberation and inclusion until their demands are met. If indigenous issues are further ignored and if necessary, NEFIN has stated its intentions to come to the streets and take violent actions (NEFIN 2009). Inclusion and recognition of Indigenous peoples as equal citizens of Nepal will help in the creation of a ‘fully democratic’ new Nepal as suggested by the Interim Constitution of Nepal, 2006.

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APPENDIX A. QUESTIONNAIRE

Social Inclusion of Indigenous Peoples of Nepal
Washington State University
Pullman, WA
U.S.A.

What indigenous group do you belong to?

Form # _____

Date: _____

What district are you from?

What is your occupation?

1. Are you interested in issues that deal with indigenous peoples?

Yes ----

No ----

May be -----

I don't care/ know -----

2. Who are indigenous peoples for you?

3. Is social inclusion of indigenous peoples necessary?

Yes ----

No ----

May be -----

I don't know -----

If yes, why?

4. Is social inclusion of indigenous peoples in Nepal possible?

Yes ----

No ----

May be -----

I don't know -----

5. Do you think indigenous peoples in Nepal are socially excluded?

Yes ----

No ----

May be -----

I don't know -----

If yes, how are they excluded?

6. What resources (governmental, local, and international) are available for indigenous peoples? (Resources can be anything based on your perception)

7. How can these resources be used effectively?

8. What are the key resources that need to be developed to benefit indigenous peoples?

9. Did you vote during the Constituent Assembly election?

Yes ---- No --- I don't care ----

10. Do you know the results of the election?

Yes ---- No ---- May be ----- I don't care -----

11. How are indigenous groups represented in the current Constituent Assembly?

12. What was indigenous peoples' representation like before the CA election?

13. Is political representation of indigenous peoples enough for them to be socially included?

Yes ---- No ---- May be ----- I don't know -----

14. How does political representation of indigenous peoples help in their social inclusion?

15. What are other practical methods of social inclusion?

16. What role/s can a citizen of Nepal play to ensure social inclusion of indigenous peoples?

17. What do you think about the political situation in Nepal?

18. What do you think about the social situation of Nepal?

19. What do you think about the economic situation of Nepal?

20. Given the current circumstances, how does the future of indigenous peoples in Nepal look?

APPENDIX B. QUESTIONNAIRE RESPONDENT COMPOSITION

No.	Identified As	Occupation	District
B1		Student	Kapilvastu
B2		Student	Rupandehi
B3		Student	Kapilvastu
B4		Student	Kathmandu
C1	Chhetri	Teaching	Sindhuli
C2	Chhetri	Student	Gorkha
D1	Dalit	Job	Lalitpur
G1	Gurung/Ghale	Business	Manang
N1	Newar	Student	Palpa
N2	Newar	Business	Bagmati
N3	Newar	Student	Bagmati
N4	Newar	Job	Kathmandu
N5	Newar	Lecturer	Bhaktapur
N6	Newar	Student	Kathmandu
N7	Newar	Student	Kathmandu
N8	Newar	Student	Kathmandu
NP1	Nepalese	Student	Kathmandu
NP2	Nepalese	Student	Kathmandu
NP3	Nepalese	Student	Saptari
NP4	Nepalese	Student	Lalitpur

O1	Don't belong to any indigenous group	Student	Sindupalchok
R1	Rai	Student	Sunsari
R2	Rai	Student	Sunsari
R3	Rai	Student	Sunsari
R4	Rai	Student	Sunsari
R5	Rai	Unemployed	Morang
S1	Sherpa	Student	Solukhumbu
S2	Sherpa	Engineer	Dolakha
S3	Sherpa	Service	Solukhumbu
S4	Sherpa	Service	Solukhumbu
S5	Sherpa	Service	Solukhumbu
S6	Sherpa	Student	Solukhumbu
S7	Sherpa	Lecturer	Taplejung
S8	Sherpa	Lecturer	Solukhumbu
S9	Sherpa	Project Officer	Udayapur
S10	Sherpa	Student	Solukhumbu
T1	Tamang	Teaching	Kavre
T2	Tamang	Student	Kathmandu
T3	Tamang	Student	Nuwakot
T4	Tamang	Teaching	Sindupalchok

APENDIX C. FOCUS GROUP QUESTIONS

Focus Group 1

- How do you define Nepali-ness?
- How does indigenous movement impact nationalism and Nepali-ness?

Focus Group 2

- How do you define Sherpa culture?
- What is the situation of Sherpa culture in Khumbu?
- How do you see the future for Sherpa people?
- What is the role of Sherpa people in new Nepal?

Focus Group 3

- What is your opinion about indigenous movements?
- Do you think indigenous issues should?