

Developing a culture of marginality: Nepal's current classificatory moment

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Abstract: This article examines the complex relationships between marginalized communities, the state, and nonstate actors such as development agencies and social scientists in crafting the classificatory regimes that undergird affirmative action policies. Focusing on the current dynamics of “ethnic restructuring” amid the broader political process of postconflict “state restructuring” in Nepal, I suggest that international actors often unwittingly encourage the hardening of ethnic boundaries through development projects that target “marginalized” populations defined in cultural terms. However, such interventions can also yield unexpected transformations in agentive ethnic consciousness. This ethnographic exploration of current classificatory processes in non-postcolonial Nepal provides an important counterpoint to material from the Indian context, where histories of colonial classification have debatably influenced contemporary categories—and their critique—to a significant extent.

Keywords: affirmative action, development, ethnicity, indigenous peoples, marginality, Nepal, political consciousness, state restructuring

This article conceptualizes affirmative action as a multilayered field of engagement between members of marginalized communities, state actors, and nonstate actors such as development workers and social scientists. I argue that such engagements can provide potential pathways for members of marginalized communities, variously defined, to develop strategies for negotiating the terms of their own recognition (Appadurai 2004). This is the case precisely because of the way in which the classificatory regimes of affirmative action require members of communities to appreciate for themselves the

“antithetical” nature of cultural identity as “both ascriptive and instrumental ... innate and constructed” (Comaroff and Comaroff 2009: 40) and forge their own forms of synthesis. For international development agencies and state planners, this dual nature of ethnicity may sit uneasily with the need for simplified policy formulations to recognize and rectify marginality. For many community members, however, ethnicity’s flexibility can serve as a productively multivalent resource.

These arguments emerge from an ethnographic exploration of ongoing attempts to clas-



sify ethnic populations in Nepal for affirmative action initiatives. In 2004, the Nepal Federation of Indigenous Nationalities (NEFIN) introduced a new five-tiered classification system to categorize fifty-six of Nepal's officially recognized ethnic groups as "endangered," "highly marginalized," "marginalized," "disadvantaged," and "advantaged" (Gellner 2007; Hangen 2007; Middleton and Shneiderman 2008; Onta 2006). NEFIN is a nongovernmental umbrella organization comprised of approximately fifty member groups representing constituent *adivasi janajati* (indigenous nationality) communities from across the country. From 2004 to 2008, NEFIN received £1.52 million from the United Kingdom's Department for International Development (DFID) Enabling State Programme (ESP) through the Janajati Empowerment Project (JEP). As part of this project, NEFIN introduced the 2004 rubric as the first comprehensive attempt to classify this sector of Nepal's population for the purposes of affirmative action planning.¹ Since then, bilateral and multilateral organizations have launched several major projects to provide targeted development assistance to Nepal's "endangered" and "highly marginalized" communities, a process that has accelerated in the so-called postconflict period after 2006. In this article, I explore the historical and political contexts surrounding the introduction of the NEFIN classification scheme. I also examine its effects as experienced by one community in the wake of its rapid uptake by international development actors.

The implementation of this classification scheme over the last several years is one of several mechanisms constituting Nepal's current "classificatory moment" (see Middleton, this issue). Another was the establishment of quotas for the proportional representation portion of the 2008 Constituent Assembly (CA) election.² Yet one more has been the divisive debate over the role of ethnic identity in defining the boundary lines of new federal units, which remained at the heart of the political impasse that resulted in the CA's May 2012 dissolution without promulgating a new constitution. This is not an exhaustive list, but these items intimate the di-

verse processes that are contributing to current processes of ethnic reimagining. In short, over the last decade, which began with the recognition of *adivasi janajati*, or "indigenous peoples," as a legal category with the 2002 passage of the National Foundation for Development of Indigenous Nationalities (NFDIN) Act, the Nepali state, international actors, and ethnic subjects themselves have developed a range of strategies to codify identities for political purposes. Such frameworks introduced in the postconflict period will shape processes of ethnicity formation, as well as policy responses to it from both the Nepali state and development agencies, for a long time to come. In this ongoing period of state restructuring, debates over the parallel process of "ethnic restructuring" have taken on an urgency heightened by the public perception that the transformative potential of such debate is inherently limited by the deadlines of the political processes that frame it.

The role of the Unified Communist Party of Nepal (Maoist)—popularly known as the Maoists—in processes of both ethnic and state restructuring is one of the most intriguing features of Nepal's current political transition. The initial forty-point list of demands with which the Maoists launched the People's War (1996–2006) emphasized the need to overturn centuries of ethnic- and caste-based marginalization as a core component of their agenda. Many early Maoist activists were members of *janajati* groups, for whom the processes of ethnic and class consciousness formation were deeply intertwined through historical experiences with communism dating back at least half a century (Tamang 2006; Lecomte-Tilouine 2009; de Sales 2010; Shneiderman 2010a). As the conflict progressed, the Maoists engaged strategically with a range of ethnic actors across the country, using locally specific tactics to align their ideological agenda with the content of existing ethnic grievances (Shneiderman and Turin 2004; Shneiderman 2009). It was in fact the Maoists who first proposed "identity-based federalism" (earlier referred to as "ethnic federalism")—an idea that both generated much of the initial popular enthusiasm for the Constituent Assem-

bly, and contributed to its demise. In the Nepali context, Maoism has contributed to, rather than countered, an increased emphasis on ethnic identities over the past few decades.

The state, ethnic actors, and social science in Nepal's classificatory history

The current processes of classification in Nepal demonstrate important parallels with those of the colonial era in India, which are nonetheless still being struggled over (see Middleton and Moodie, this issue). Nepal's lack of direct colonial history, which has generated what Mary Des Chene (2007) calls a "non-postcolonial modernity," means that the historical conditions that shape Nepal's current classificatory moment are substantially different from those that have shaped both Indian processes of classification and their well-established critiques. Yet long-standing cross-border flows of people and ideas between Nepal and India have ensured that contemporary Nepali political actors are keenly aware of India's historical experience with affirmative action, and view it by turns as a model and a cautionary tale for their own proposals. On the one hand, knowledge of the critical discourse surrounding affirmative action in India is a helpful foil for Nepali scholars and activists as they seek to avoid obvious pitfalls (see the introduction to this special section); on the other hand, it also sharpens their awareness of the different historical and political conditions shaping their own agendas. As one Nepali scholar from a *janajati* background recently lamented to me, the fact that there was never a comprehensive ethnographic survey of Nepal—comparable to the Anthropological Survey of India—in the colonial era means that the onus falls on contemporary *janajati* scholars to establish the empirical basis for the terms of their own recognition. This can be a challenging proposition within the context of dominant scholarly and activist discourses in South Asia that emerge in reference to India's colonial past. However, Nepali scholars do not shoulder this responsibility alone. Rather, they are often sup-

ported—or co-opted, depending on whom you ask—by development agencies who seek to classify Nepal's marginalized populations for their own purposes, and in this way can be seen to play a similar role in Nepal's current classificatory moment as colonial administrators did historically elsewhere in the subcontinent.

This is not to say that past incarnations of the Nepali state did not engage in projects of classification. Indeed, state recognition of ethnic categories has been a strong feature of governmentality in Nepal for a very long time. Consider, for instance, the late eighteenth century definition of ancestral territory in the form of *kipat* land tenure through royal decrees soon after Prithvi Narayan Shah's "unification" of the country (Forbes 1999; Regmi 1976), and the 1854 promulgation of the Muluki Ain. This legal code rationalized the unequal status of individual ethnic communities through the Hindu ideology of caste (cf. Höfer [1979] 2004), recognizing inequality as the legal "basis of the state" (Onta 2006: 305). Such historical moments in the dialectical process of state and ethnicity formation in Nepal have been well documented (Burg-hart 1984; Gellner, Pfaff-Czarnecka, and Whelpton 1997; Höfer [1979] 2004; Levine 1987), as have more recent transformations of ethnic consciousness (Fisher 2001; Guneratne 2002) and the emergence of ethnic politics (Hangen 2010), so I will not repeat those details here.

What distinguishes these earlier classificatory moments from the one that Nepal is presently experiencing is that in the past, such projects were implemented by the state for its own purposes. These were primarily to codify hierarchy within a Hindu ideological frame that enabled exploitation of certain groups by others. In the present, however, classification projects such as the NEFIN scheme described above are led by *janajati* actors themselves, working from advocacy positions located outside the structure of the state (albeit sometimes in close relationship to it). These are not, therefore, at least in the standard sense, hegemonic classification projects, but rather projects of self-definition.

Although high-profile ethnic activists may in some contexts be easily critiqued as members

of the elite (Shah 2010), my ethnographic research over the course of fifteen years (Shneiderman n.d.) complements other recent work (Hangen 2010; Rai 2012) to demonstrate that intracommunity debates over the nature of ethnic classification, as well as the content of ethnic consciousness, are widespread at the grassroots level in Nepal. Here, ethnic communities have long been engaged in projects of self-definition rooted in specific cultural practices, which can later come to articulate with, and influence, broader national agendas expressed in explicitly political terms. Just as Maoist framings of nationalism offered an alternative hegemony to that of the Nepali state in an idiom that made sense to many common people (Shneiderman 2009), here ethnic assertions may similarly represent an alternative hegemony in the Gramscian sense by challenging existing structures of marginalization, while potentially replicating aspects of the hierarchies on which they were built.

There are several publicly visible projects of ethnic classification currently ongoing in Nepal. Most prominent recently has been the High Level Taskforce for Revision of the Official List of Indigenous Nationalities. This taskforce submitted a report to the government in May 2010 recommending that the official list of indigenous nationalities be revised to include eighty-five *janajati* groups, rather than the fifty-nine listed in the 2002 NFDIN Act. Members of the high-caste Bahun (Brahmin) and Chetri (Kshatriya) communities contested the exclusive claim of *janajati* communities to indigeneity through a series of protests. These culminated in a successful challenge to their categorization as "Others" in a 2012 Inclusion Bill, which, in a highly contested move, the government subsequently agreed to revise to include these high-caste groups as indigenous. (However, at the time of writing the revised bill has not yet been passed.) A coalition of Tarai-based groups have also demanded recognition as Other Backwards Classes (OBC), borrowing India's legal term for those who perceive themselves to be marginalized, yet do not easily fit within the constitutional categories of Scheduled Caste or Tribe

(see Michelutti and Heath, this issue, on the OBC category in India).

The standing legal definition of *janajati* is "a tribe or community as mentioned in the schedule having its own mother language and traditional rites and customs, distinct cultural identity, distinct social structure and written or unwritten history" (NFDIN 2003: 32). The 2010 taskforce report was based upon ten months of field research, during which researchers sought to verify these features for each group they encountered.³ As is well-known from comparable Indian efforts at ethnic classification through the Anthropological Survey of India, the criteria for recognition in such projects may be as political as they are scientific (see the articles by Karlsson, Middleton, and Moodie in this special section). However, such political criteria are often expressed in cultural terms, so that groups seeking recognition feel compelled to manipulate their day-to-day cultural, linguistic, and religious practices in order to fit the perceived image of an ideal indigenous group. Such processes currently unfolding in Nepal reveal ethnization as a dialectical process that takes place at the social level between state policy and grassroots cultural practice, as mediated by the supposedly objective endeavor of social scientific research.

It is indeed social scientists who are called upon by both the state and development agencies to validate the specific formulations of ethnic groups and their boundaries that will serve as the basis of positive discrimination measures. One current example of this development-social science nexus is the recently launched Rs.60 million Social Inclusion Atlas project, commissioned by the Norwegian Embassy in Nepal and SNV, the Dutch development agency, via the Social Inclusion Research Fund. The key social scientists engaged in such projects are often the same individuals who served as architects of classification schemes like the NEFIN rubric and members of the taskforce described above. These Nepali scholar-activists, largely from *janajati* backgrounds, know full well from their social scientific training that ethnicity is a fluid and constructed set of relations. From

their point of view, that is precisely what makes it such a good resource with which to construct a national political identity—the larger objective at stake.

The role of international actors

The strong presence of bilateral and multilateral development agencies on the ground in Nepal has meant that international actors are intimately engaged in the process of crafting ethnic categories in postconflict Nepal. Their financial and political investment in the peace process over the past several years since the official end of the conflict between Maoist and state forces in 2006, and the perception that “ethnic violence” is a potential risk to peace, further fuels these engagements.

It is now commonly accepted that the global discourse on indigeneity substantially influenced the early phases of the *janajati* movement in the 1990s, for example, through the launch of the United Nations (UN) Decade of Indigenous Peoples in 1994 (Hangen 2007, 2010; Onta 2006). In 1995, Nepali sociologist Krishna Bhattachan wrote that the then nascent *janajati* movement was part “of the process of localization of the global phenomenon of ethnopolitics” (1995: 124). However, it is not just through global discourse circulating at the policy level that international concepts have shaped Nepali ideas of ethnicity, but also through the actual practice of international actors on the ground at the programmatic level. NEFIN’s introduction of the five-tiered system to classify indigenous groups according to cultural and economic “strength” for the immediate purpose of allocating DFID funding is one example of such engagements.

The creation of the new category of “highly marginalized *janajati*” (HMJ, or *ati simantikrit janajati* in Nepali), on which I focus in a brief case study below, is just one example of how ethnic categories may be created in the context of development projects that target marginalized groups. The HMJ category merges the concepts of “indigeneity” and “marginality” to suggest that the two statuses are linked, and must

be addressed simultaneously as such. In other words, HMJs are not simply poor people; they are people who are poor because they are marginalized due to their indigeneity. Other international actors in Nepal, such as the World Bank, have taken alternative approaches, which seek to avoid linking poverty alleviation to cultural difference by focusing on primarily economic indicators of exclusion. Such differences in approach among international actors raise the long-standing question, central to affirmative action debates the world over, of whether marginality should be defined in economic or cultural terms. Regardless of their preferred definitions, it is clear that over the last decade, the rapidly increasing interest of international agencies in the problems of marginality and exclusion in Nepal, and the financial resources that accompany it, have contributed to an accelerated process of ethnicization.

JANSEEP: Promoting “strong” ethnic identities

In 2005–2006, JEP/NEFIN commissioned two baseline reports that detailed the cultural and economic situations of twenty-four HMJ groups. Each authored by a six-person team, including *janajati* scholar-activists like those described above, these reports became the basis on which NEFIN sought additional funding to target specific communities. The Janajati Social and Economic Empowerment Project (JANSEEP) was the result of one of these endeavors, through a successful proposal to the European Commission that established NEFIN and CARE Nepal as partners in a €1 million project.

The project targets three HMJ communities for development intervention over a five-year period that began in 2007. The three communities are the Dhanuk of Dhanusha district, and the Surel and Thangmi, or Thami, of Dolakha district.⁴ The Thangmi have by far the largest population of the three groups, and so have received the most funding and technical assistance through the project. I will only speak about the Thangmi component of the project here.⁵

My intention is not to single this program out for critique. I have chosen it simply because it targeted the Thangmi community, with whom I had already been conducting research for over a decade (Shneiderman n.d.). I could therefore see how the project engaged with existing community dynamics and concepts of ethnic identity.

As stated on the project website, JANSEEP's objectives are "empowering the highly marginalized Janajatis (HMJs) through improved livelihoods, strengthening the capacity of their Indigenous People's Organizations (IPO) and through increased awareness of their own cultural and political rights."⁶ The project identifies its beneficiaries as members of discrete, "highly marginalized" ethnic communities. These groups are selected as aid recipients due to their cultural marginalization, rather than as "disadvantaged" or "poor" individuals targeted for aid due to their economic marginalization. In the discourse of development aid, the cultural, economic, and political aspects of marginality are conflated, and projects like JANSEEP prescribe an intriguing mix of economic and cultural cures for HMJ woes. The JANSEEP website states that its work in helping HMJs "assert their rights to identity" is "in line with the government policy of social inclusion and poverty reduction."⁷ A link is therefore established between strong ethnic claims and poverty reduction.

I first learned about JANSEEP in mid-2007, when a young man who was extensively involved in the Nepal Thami Samaj (NTS) knocked on my door in Kathmandu in a state of agitation. Founded in 1981, NTS is the representative organization of the Thangmi community within NEFIN. With branch offices in many Thangmi villages, where much of the organization's agenda is shaped, NTS is not limited only to urban elite participation, but facilitates discussion (often contentious) across a broad cross-section of the Thangmi populace. My visitor explained that he had just learned about a major new project to support the Thangmi community to be administered by CARE Nepal. He was both excited, since he had long dreamed of having this sort of aid and visibility, and dis-

traught, since the project had been launched already, but he and most other active members of NTS had not been aware of the proposal, which he had brought to share with me.

The proposal stated that one of its main objectives was to "strengthen" indigenous people's organizations representing HMJs targeted for aid. But it did not mention the Nepal Thami Samaj by name, and the project planners apparently had not carried out consultations with the organization that was one of its primary beneficiaries before developing the proposal. If they had, said the young man, he certainly would have known about it. Moreover, it was clear from some of the activities and budget items in the proposal that its authors did not know about the existing NTS agenda and activities. Why, for instance, my visitor asked, did the proposal allocate money to develop an entirely new Thangmi language radio show, when he himself was already broadcasting in the Thangmi language on a community radio station and simply needed a small amount of funding to continue? And why did it propose curriculum development for primary education in the Thangmi language when this project was already well underway in the hands of a Thangmi-run nongovernmental organization (NGO) based locally in Dolakha?⁸ My visitor complained that the proposal made it sound as if the Thangmi community was a blank slate that required outsiders to do everything for them, rather than recognizing that there were already several relevant community-initiated projects underway and then supporting those initiatives with funding and technical assistance. Indeed, many scholars have shown how development projects must frame their targets as "generic" subjects, stripped of specific historical experience, in order to legitimize intervention (Pigg 1992: 505). Mismatches between donor intention and community need may therefore not be news to anthropological critics of development, but this locally based ethnic activist was genuinely shocked and troubled by his first personal experience with such disjunctures. He asked if I could use my status as a foreign researcher to contact CARE Nepal and inquire about the origins and intentions of the project.

I met with the recently appointed project manager, a well-educated Nepali woman, herself from a *janajati* (although non-Thangmi) background. She told me that, in fact, the authors of the proposal had never visited the areas of Thangmi residence in Dolakha district where the project proposed to work. It had been assumed, she said, that since the Thangmi were “highly marginalized,” they would not have any existing organizations or community-initiated activities. They also would not have been “touched” (to use her English phrasing in an otherwise Nepalese conversation) by other development organizations, she continued, so anything that CARE Nepal could provide would help.⁹ The meaning of “highly marginalized” had been taken at face value, with results quite different from what those who coined it may have expected.

As the meeting with the project manager wrapped up, she asked if I could help answer a question. “Our proposal says that we are supposed to help strengthen HMJ identity. But I

don’t really understand what identity means. Can you explain?” I was at once impressed with her candor, and concerned that the individual at the helm of this project was not entirely clear on some of its core concepts.

That was June 2007. To date, JANSEEP has carried out several activities with the Thangmi community in both Dolakha and Kathmandu. Some have been well received and successful, others less so. Some of the most popular activities have been the contribution of funds to construct a temple building around the rock that represents the most important Thangmi deity, Bhume (see figure 1), and the eventual allocation of funds to the existing initiatives to broadcast community radio in the Thangmi language. Both of these activities were not in the original proposal, and have been seen as responsive to Thangmi-specific needs. Less popular have been more “typical” development initiatives such as the formation of women’s groups and livestock breeding. These were both in the proposal, but had already been introduced to the



FIGURE 1. Bhume temple renovation underway in 2010, funded by JANSEEP. Photo by Bir Bahadur Thami

Thangmi target population multiple times by other development agents, and were seen as responding to the generic economic needs of poverty rather than the Thangmi-specific cultural needs that JANSEEP was supposed to address. Most controversially, JANSEEP has funded and provided training and “technical support” to the political campaign for an autonomous Thangmi territory within the new federal republic of Nepal.

Let us return to the confusion voiced by the project manager about the nature of identity. As Dia Da Costa has noted, in the development context, “not all meanings of culture and value are equally valued, circulated or traded” (2010: 502). The same may be said about the meanings of “identity,” which the authors of the JANSEEP proposal define as one of several quantifiable resources that may help marginalized peoples improve their standing, in turn leading to reduced poverty and social and political stability for the country as a whole. In this formulation, the resource of identity can be “strengthened,” or “rendered technical,” to use Tania Li’s term (2007: 7) in the same way that economic resources may be built up through microcredit, or infrastructure may be improved through road building. Indeed, the concept of “identity strengthening” may be in part an attempt to repackage and thereby salvage the much-critiqued notion of “social capital” (Harriss 2001) for development purposes. In the desire to help those who are marginalized, both NEFIN, in its promotion of the classificatory rubric that has created “highly marginalized *janajatis*,” and development agencies, in their reaction to it, reify certain identities as marginal ones, and link those to specific cultural content in an essentialized manner. It is only those sorts of identities—highly marginalized, objectified ones that can be understood as quantifiable resources—that can be augmented through the technical tools of development.

This approach presumes both a unity of identity and a fixity of cultural practice among HMJs that such groups often do not possess. Thangmi individuals, for example, must be seen as “the Thangmi,” who are ready to engage in

development and advocacy activities in a uniform manner. The JANSEEP proposal authors justified their lack of consultation with the Nepal Thami Samaj as an existing organization in this manner: they had met with one politically active Thangmi, so he was presumed to represent them all. The individual in question told me this himself, as he reflected later with some disquiet that he had not really understood the implications of his involvement with the project. To put it another way, the JANSEEP approach presumes that a “strong” identity is a unified one based on codified, recognizable forms of cultural practice. It is in fact often precisely the complex, nonstandardized forms of cultural content that both give “marginal” groups their specific identity *and* keep them outside the mainstream. To codify such forms of practice may help concretize an identity that is more recognizable to national and international actors, therefore beginning the slow shift away from marginality, but in the process it transforms the content on which such identities are based. This may be perfectly acceptable to all involved, but the question is, then, when do such groups no longer maintain the characteristics that made them “highly marginalized” in the first place? In addition, doesn’t the notion that identities must be strengthened—i.e., made more uniform and recognizable to a broader national and international public—replicate the very hegemonic discourse that ethnic activists are keen to distance themselves from?

To give an example, an ongoing point of debate within the Thangmi community is whether a script should be developed to represent the Thangmi language. Writing is a fundamental form of objectification, and as such the desire for a script is potent among many people who feel that they do not have this most important marker of the strength of their identity. However, from linguistic and educational perspectives, developing a new script is not the most efficient way to make Thangmi language materials available, since the Thangmi language is easily represented in the Devanagari script in which Nepali is written (Turin with Thami 2004). Almost all Thangmi children now learn

to read and write Nepali, so writing Thangmi in the same orthography would be highly effective. JANSEEP, however, is now engaged in developing a script for the Thangmi language and is currently investing funds to support meetings on this issue. Similarly, the project is funding consultations with Thangmi *guru*, or shamans, about how to best standardize their oral traditions in written form (Shneiderman 2010b).

Should development managers be in the business of developing a script or textualizing oral traditions? These are serious cultural agendas that require as much expertise as improving agricultural production or building a bridge, and that may yield results that are as long-lasting, if not more so, in terms of solidifying certain aspects of ethnic identities. JANSEEP's answer to this question seems to be "yes", with the rationale that their staff have extensive experience in management and public advocacy. I maintain that the aspects of cultural practice that constitute the identity that both Thangmi and JANSEEP wish to promote as "unique" can not be thoroughly understood—or strengthened—through such managerial frameworks. Instead, such expertise may work to homogenize and politicize disparate cultural content in the name of strengthening identity.

Striking forms of empowerment

There is an important paradox here. On the one hand, donors are heavily invested, both financially and strategically, in supporting the peace process and defusing potential for ethnic conflict in Nepal. On the other hand, through projects like JANSEEP, the same actors support agendas that have the potential to rigidify and politicize ethnic boundaries, with the stated objective of empowering indigenous and marginalized peoples.

The international community's ambivalent relationship with processes of ethnicization became evident in a highly publicized spat between NEFIN and DFID in 2010. NEFIN had called a *band* (national strike) in order to demand increased attention to indigenous issues

in the constitutional process. DFID sent a confidential letter to NEFIN (which was subsequently leaked to the press) threatening to cut off financial assistance if the indigenous organization continued using strikes as a method of political protest (Ghimire 2010). The irony is that, as described above, DFID had almost single-handedly funded NEFIN for four years through the Janajati Empowerment Project (JEP), a key objective of which was to increase the capacity of indigenous organizations for political advocacy and public expression at the national level (Subba, Rai, and Gurung 2009). Indeed, one of the desired outcomes of DFID's Enabling State Programme, which managed the JEP project, is "Nepalese reformers in key areas of governance identified encouraged and strengthened."¹⁰ Given the fact that the *band* is a popular instrument of protest across the ideological spectrum in Nepal that consistently yields the desired political results (Lakier 2007), one could argue that NEFIN's successful deployment of the technique demonstrates that JEP, as funded by DFID, had achieved its objectives. The conflict between NEFIN and DFID reemerged in May 2011 with more substantive consequences: NEFIN organized yet another *band*, and DFID responded by "discontinuing funding with immediate effect" (Parajuli 2011). A year later, it was clear that the discontinuation of donor funding had enabled a radicalization of NEFIN's agenda and given the *janajati* movement in general greater political momentum (Adhikari 2012).

The point here is that agencies that have invested heavily in "empowering" marginalized communities cannot then hope to put the cat back in the bag when members of such communities begin behaving like other political actors. The Madhesi Janadhikar Forum (MJF), one of the primary organizations responsible for promoting the controversial notion of a singular "Madhesi" ethnic identity that encompasses all inhabitants of Nepal's Tarai, is another example of an identity-based political entity that was funded by DFID as an NGO early on (Ghimire 2010).

Such relationships between donors and activist organizations exist not only at the national

level, but also at the district and local levels through organizations like the Nepal Thami Samaj as funded by JANSEEP. As described above, one of JANSEEP's major activities since its inception in 2007 has been to generate support for the campaign for a Thangmi autonomous region within Nepal's newly proposed federal structure. With an office in Charikot, the Dolakha district headquarters, JANSEEP has worked closely with the district branch of the Nepal Thami Samaj to hold community meetings about the need for a Thangmi autonomous region. In a manner that resonates with a wide range of community members, Thangmi activists have linked this demand to long-standing ritual practices that supplicate deities to recognize Thangmi dominion over sacred territory (see figure 2). In this way, JANSEEP does indeed seem to be achieving its objective of "strengthening" Thangmi identity, in that many individuals now have new means of articulating

existing desires for recognition—previously oriented toward territorial deities—within the dominant national discourse of state restructuring. This is in many ways a positive development, but it also has some potential dark sides. Thangmi activists now believe they should be entitled to an autonomous region, and although they are on the list of twenty-two "special" sub-regions to be included in the final federal plan, it remains unclear how this will be administratively achieved.

Will the European Commission one day threaten to cut off assistance to CARE Nepal when the activists that it has cultivated through JANSEEP call *bands* (or engage in other forms of large-scale political action) when their demand for an autonomous region is not met? Such action would indeed be a sign of a "stronger" identity in JANSEEP's terms. However, it remains unclear exactly what the implications of developing such a "strong" identity



FIGURE 2. Participants at a JANSEEP-funded workshop outline Thangmi sacred territory on the administrative map. Photo by Sara Shneiderman

are for the community's long-term objectives of achieving cultural and linguistic rights and better livelihoods, or for the broader national agenda of making a restructured Nepal a more "inclusive" place.

Conclusion

These experiences from Nepal are good examples of the potential tensions engendered in encounters between globally circulating neoliberal notions of identity as an economic resource, and potent local formulations of identity as a political and psychological resource. Comaroff and Comaroff write that "[i]dentity is increasingly claimed as *property* by its living heirs, who proceed to manage it by palpably corporate means: to brand it and sell it ... in self-consciously consumable forms" (2009: 29). This market-oriented idiom of identity as personal—or community—brand appears to have infused the international community's response to the problem of marginality in Nepal (see figure 3). In turn, the objective of "strengthening Janajati organizations" (Onta 2006: 329) as institutional agents for change—as articulated in the original JEP document of 2004—has in the ensuing years been conflated with the concept of strengthening *janajati* identity itself through projects like JANSEEP.

The material presented here demonstrates that there are multiple possible responses to the concept of "identity strengthening". In the case of JANSEEP, it has led to frustration (on the part of the young Thangmi activist who first alerted me to the project's existence), confusion (on the part of the project manager), skepticism (on the part of many Thangmi villagers unsure of what it promised), resistance (on the part of the NEFIN leadership who kept calling *bands* despite the threat and eventual reality of curtailed funding), and possibly even empowerment (on the part of Thangmi and other *janajati* individuals who have come to understand more about the nature of their relationships with both national and international institutions). All of this suggests that while neo-



Figure 3. A member of the Thangmi community wears a backpack distributed by JANSEEP, bearing the "brands" of the partner organizations: the European Union, the Nepal Federation of Indigenous Nationalities (NEFIN), and CARE Nepal. Photo by Sara Shneiderman

liberal notions of identity as a highly commodified resource may become internalized and exert a powerful influence on ethnic actors (Leve 2011), these interpretations of identity are hardly the only ones at work. Rather, they come to articulate with existing expressions of ethnic identity as enacted through a range of cultural practices on the ground, and shaped by specific historical experiences of state formation. Development interventions that target individual "highly marginalized" groups for empowerment enter into an already well-developed sphere of ethnic discourse and practice. Recognition of this reality would, at the practical level, help improve the quality of such interventions and, at the scholarly level, help prevent overdeterministic analyses of the neoliberal fate of ethnic consciousness.

Understanding the temporality of marginality is key to the success of such a turn, and in

imagining how affirmative action measures might or might not work in a future federal Nepal. At some point, NEFIN will need to drop the criteria, "Has had no decisive role in the politics and government of modern Nepal" from its definition of *janajati*.¹¹ One wonders as well how long the term "highly marginalized" will stick. As we have seen in India, concepts of marginality or "backwardness" can become self-replicating targets of aspiration in themselves (see articles by Karlsson, Middleton, and Moodie in this special section). This suggests that affirmative action policies may work best if they can take the concept of group identity seriously without reifying the cultural content that comprises it. Such policies would have to be based upon a historicized notion of past injustices—as in the United States, where one of the legal arguments for affirmative action has been its ability to counteract what Supreme Court Justice Sandra Day O'Connor called the "lingering effects of past injustices" (as cited in Cunningham, Loury, and Skrentny 2002: 837)—rather than on proof of cultural difference in the present, as in the Indian model.

It remains to be seen how affirmative action will be implemented in Nepal's still incomplete new constitution, although the concept papers from the Constituent Assembly committees for the Protection of Rights of Minorities and Marginalized Communities, Determining the Basis for Cultural and Social Solidarity, and Fundamental Rights and Directive Principles all assert that positive discrimination for marginalized groups must be constitutionally mandated. Projects like JANSEEP have certainly helped create high expectations in this domain, but they also contain within them the seeds of their own critique, since they have provided forums for communities to refine their priorities as they negotiate the terms of their own recognition with the future state. Once strengthened, such identities are not going to go away, nor should they. The question then becomes what sorts of policies the Nepali state and its foreign supporters can implement to address ethnic grievances in a manner that minimizes further reification of cultural and linguistic difference as a political

resource, and instead seeks to recognize indigenous and other historically marginalized communities as fully competent political actors at the national level.

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Notes

1. Past Nepali governments dating back to the mid-1990s had instituted piecemeal provisions for affirmative action, focusing largely on gender imbalances in education.
2. The CA comprised 601 members elected through a combination of first-past-the-post and proportional electoral systems. Originally elected to a two-year term, four extensions of

six months each kept the CA active for four years, from May 2008 through May 2012.

3. "Taskforce Comes Up With List of 85 Indigenous Nationalities; Brahmins and Chetris Also Seek Recognition," *Nepalnews.com*, 13 May 2010, <http://www.nepalnews.com/main/index.php/news-archive/2-political/6026-taskforce-comes-up-with-list-of-85-indigenous-nationalities-brahmins-and-chhetris-also-seek-recognition.html> (accessed 1 October 2010).
4. The indigenous ethnonym is "Thangmi", while the Nepali term that appears on official documents is "Thami". I use the term "Thangmi" in all cases except when citing other authors, or referring to entities that use the term "Thami" in their name.
5. I have not tried to anonymize the project or its agents, since I have on several occasions been requested by members of the community to discuss these issues with a broader public.
6. <http://www.care.org/careswork/projects/NPLO55.asp> (accessed 9 June 2011).
7. *Ibid.*
8. I have served as an advisor to Fashelung Samajik Seva, the organization in question.
9. The project proposal states that "[a]t present no other NGOs are working in Dhanusha and Dolakha with HMJ" (CARE Denmark 2006). However, a survey conducted by the District Development Committee of Dolakha at approximately the same time found twenty-four NGOs active in just one of the Village Development Committees with a majority Thangmi population where JANSEEP sought to work.
10. <http://projects.dfid.gov.uk/project.aspx?Project=108572> (accessed 7 June 2011).
11. NEFIN website, <http://www.nefin.org.np/component/content/article/115-information/347-indigenous-nationalities-of-nepal.html> (accessed 17 October 2011).

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