

## REVIEW ARTICLE

### *Nepal's Ongoing Political Transformation: A review of post-2006 literature on conflict, the state, identities, and environments\**

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### Abstract

This review article provides a reading guide to scholarly literature published in English about Nepal's political transformation since 2006, when Nepal's decade-long civil conflict between Maoist and state forces formally ended. The article is structured around four major themes: (1) the Maoist insurgency or 'People's War'; (2) state formation and transformation; (3) identity politics; and (4) territorial and ecological consciousness. We also address the dynamics of migration and mobility in relation to all of these themes. Ultimately, we consider the Maoist movement as one element in a much broader process of transformation, which with the benefit of hindsight we can situate in relation to several other contemporaneous trajectories, including: democratization, identity-based mobilization, constitutional nationalism, international intervention, territorial restructuring, migration and the remittance economy, and the emergence of ecological and other new forms of consciousness. By looking across the disciplines at scholarship published on all of these themes, we aim to connect the dots between long-standing disciplinary traditions of scholarship on Nepal and more recent approaches to understanding the country's transformation.

### Introduction

In 2006, Maoist insurgents and state representatives signed a Comprehensive Peace Agreement that ended Nepal's decade-long civil conflict. Brought about through a combination of democratic, communist, ethnic, diplomatic, and other forms of mobilization, the agreement set the stage for the interim constitution of 2007, which refigured the erstwhile Hindu kingdom as the secular Federal Democratic Republic of Nepal. The country's first-ever Constituent Assembly elections were held in 2008, and Gyanendra Shah was deposed, the last monarch in his nearly 240-year-old dynasty. The

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elections yielded the most inclusive governing body the country had ever seen, but the first Constituent Assembly was nonetheless riven by political difference and dissolved in 2012 without promulgating a new constitution. New elections in 2013 brought a second Constituent Assembly into being. In the wake of two major earthquakes in April and May 2015, this body promulgated a contentious constitution on 20 September 2015, which sparked a new wave of political uncertainty and polarization that continues at the time of publication.

These events signal extraordinary transformation not only on the ground in Nepal, but also in the scholarship that seeks to represent the country's dynamics. Newer fields of inquiry like conflict studies, constitutional law, and political ecology increasingly mingle with the 'traditional' domains of anthropology, environmental studies, geography, history, linguistics, political science, and religious studies in producing knowledge about the country. Scholars writing on Nepal are ever more engaged in broader regional and global debates, whether on topics like transitional justice, identity politics, or climate change. This review article seeks to provide an entrée into the burgeoning literatures in these fields and beyond. Never has the research on Nepal's political dynamics been richer, but in its ever-increasing diversity and disciplinary specificity, it is also ever more challenging to come to terms with these literatures as a whole. We argue, however, that such a holistic approach is necessary in order to understand the broader implications of the specific analytical frames that authors deploy to interpret individual elements of transformation.

In this article, we take stock of literature published primarily since 2006, aligning our inquiry with the so-called 'post-conflict' era that began with the Comprehensive Peace Agreement.<sup>1</sup> What we can now call the seminal early literature on the Maoist insurgency was published before this date.<sup>2</sup> We consider

<sup>1</sup> For an overview of the conceptual issues raised by the term 'post-conflict', see S. Shneiderman and A. Snellinger, 'Framing the issues: the politics of "post-conflict"', *Fieldsights—Hot Spots, Cultural Anthropology Online*, 24 March 2014, <http://www.culanth.org/fieldsights/500-framing-the-issues-the-politics-of-post-conflict>, [accessed 2 July 2016].

<sup>2</sup> D. N. Gellner (ed.), *Resistance and the State: Nepalese Experiences*, Social Science Press, Delhi, 2003; 2nd edition: Berghahn, Oxford, 2007; M. Hutt (ed.), *Himalayan People's War: Nepal's Maoist Rebellion*, Hurst and Company, London, 2004; A. Karki and D. Seddon (eds), *The People's War in Nepal: Left Perspectives*, Adroit, Delhi, 2003; M. Lecomte-Tilouine, 'Utopia and ideology among the Magars: Laxhan Thapa versus Mao Dzedong?', *European Bulletin of Himalayan Research*, vol. 19, no. 3, 2000, pp. 73–100; K. Ogura, 'Realities and images of Nepal's Maoists after the attack on Beni', *European*

the ‘revolution’<sup>3</sup> itself as one element in a much broader process of political transformation, which with the benefit of greater hindsight we can situate in relation to several other contemporaneous trajectories, including: democratization,<sup>4</sup> identity-based mobilization,<sup>5</sup> constitutional nationalism,<sup>6</sup> international intervention,<sup>7</sup> territorial restructuring,<sup>8</sup> migration and the remittance economy,<sup>9</sup> and the emergence of ecological and other new forms of

*Bulletin of Himalayan Research*, vol. 27, 2004, pp. 67–125; J. Pettigrew, ‘Observations during the State-of-Emergency: Kathmandu, December 2001’, *European Bulletin of Himalayan Research*, vols 20 and 21, no. 6., 2001, pp. 125–131; J. Pettigrew, S. Shneiderman, and I. Harper, ‘Relationships, complicity and representation: conducting research in Nepal during the Maoist insurgency’, *Anthropology Today*, vol. 20, no. 1, 2004, pp. 20–25; A. de Sales, ‘The Kham-Magar country, Nepal: between ethnic claims and Maoism’, *European Bulletin of Himalayan Research*, vol. 19, 2000, pp. 41–72; D. Thapa (ed.), *Understanding the Maoist Movement of Nepal*, Martin Chautari, Kathmandu, 2003; D. Thapa with B. Sijapati, *A Kingdom Under Siege: Nepal’s Maoist Insurgency 1996–2004*, Martin Chautari, Kathmandu, 2003.

<sup>3</sup> M. Lawoti and A. K. Pahari (eds), *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Routledge, New York, 2010; M. Lecomte-Tilouine (ed.), *Revolution in Nepal: An Anthropological and Historical Approach to the People’s War*, Oxford University Press, New Delhi, 2013.

<sup>4</sup> M. Lawoti, *Towards a Democratic Nepal: Inclusive Political Institutions for a Multicultural Society*, Sage Publications, London, 2005.

<sup>5</sup> S. Hangen, *The Rise of Ethnic Politics in Nepal: Democracy in the Margins*, Routledge, Abingdon, 2010; M. Lawoti and S. Hangen (eds), *Nationalism and Ethnic Conflict in Nepal: Identities and Mobilization after 1990*, Routledge, London, 2013.

<sup>6</sup> M. Malagodi, *Constitutional Nationalism and Legal Exclusion: Equality, Identity Politics, and Democracy in Nepal (1990–2007)*, Oxford University Press, New Delhi, 2013.

<sup>7</sup> S. von Einsiedel, D. M. Malone, and S. Pradhan (eds), *Nepal in Transition: From People’s War to Fragile Peace*, Cambridge University Press, New York, 2012.

<sup>8</sup> J. Smadja (ed.), *Territorial Changes and Territorial Restructuring in the Himalayas*, Adroit Publishers, New Delhi, 2014.

<sup>9</sup> J. Adhikari and M. Hobbey, *Everyone Is Leaving, Who Will Sow Our Fields?: The Effects of Migration from Khotang District to the Gulf and Malaysia*, Swiss Agency for Development and Cooperation (SDC), Kathmandu, 2011; P. Bohra-Mishra, ‘Labour migration and investments by remaining households in rural Nepal’, *Journal of Population Research*, vol. 30, no. 2, pp. 171–192; P. Bohra and D. Massey, ‘Processes of internal and international migration from Chitwan, Nepal’, *International Migration Review*, vol. 43, no. 3, 2009, pp. 621–651; T. Bruslé, ‘From home to abroad, and back again: the expanding territories of Nepalese migrants’, in *Territorial Changes and Territorial Restructuring in the Himalayas*, Smadja (ed.), pp. 335–352; G. Childs, S. Craig, C. M. Beall, and B. Basnyat, ‘Depopulating the Himalayan highlands: education and outmigration from ethnically Tibetan communities of Nepal’, *Mountain Research and Development*, vol. 34, no. 2, 2014, pp. 85–94; S. Hausner and J. Sharma, ‘On the way to India: Nepali rituals of border crossing’, in *Borderland Lives in Northern South Asia*, D. N. Gellner (ed.), Duke University Press, Durham, 2013, pp. 94–116; J. Sharma, ‘Migration, marginality and modernity: hill men’s journey to Mumbai’, in *Facing Globalization in the Himalayas: Belonging and the Politics of the Self*, G. Toffin and

consciousness.<sup>10</sup> This is in no way an exhaustive list, but the point we wish to make is that existing and emerging literatures on the conflict itself must not be seen as definitive of the period on their own, but rather read in conjunction with other works that demonstrate the multi-dimensional nature of processual change. As a collective of five authors with backgrounds in anthropology, development studies, environmental studies, and sociology, we seek in this review to identify and challenge some of the disciplinary divides that have characterized work on Nepal, and to propose avenues for synthetic analysis that may prove productive in the future.

This review article emerged out of a year-long graduate seminar at Yale University in 2013–2014, in which all authors met bi-weekly to review and discuss readings. As is necessary when confronting any vast, multidisciplinary domain of scholarly production, we were compelled to make choices that influenced the shape of the final review. Given the sheer volume of literature produced about Nepal in both Nepali and English, published both in Nepal and elsewhere, it was not feasible to address every publication in this review. We chose to focus our reading around book-length works, either single-authored monographs or multi-authored edited volumes in English.<sup>11</sup> We complemented these book-length works with additional topical journal articles, but we make no claim to be comprehensive in this regard.<sup>12</sup> The focus on books may have privileged certain disciplines, such as anthropology,

J. Pfaff-Czarnecka (eds), Sage Publications, New Delhi, 2014, pp. 119–133; B. Sijapati and A. Limbu, *Governing Labour Migration in Nepal: An Analysis of Existing Policies and Institutional Mechanisms*, Centre for the Study of Labour and Mobility (CESLAM), Himal Books, Kathmandu, 2012.

<sup>10</sup> B. Campbell, *Living Between Juniper and Palm: Nature, Culture, and Power in the Himalayas*, Vajra Books, Kathmandu, 2013; A. Guneratne (ed.), *Culture and the Environment in the Himalaya*, Routledge, Abingdon, 2009; A. J. Nightingale and H. R. Ojha, 'Rethinking power and authority: symbolic violence and subjectivity in Nepal's Terai forests', *Development and Change*, vol. 44, 2013, pp. 29–51; A. Rademacher, *Reigning the River: Urban Ecologies and Political Transformation in Kathmandu*, Duke University Press, Durham, 2011.

<sup>11</sup> There is a proliferation of edited volumes on recent dynamics in Nepal, in fact many more than single-authored monographs, which we attribute to the desire to publish quickly on a set of politically relevant issues before research matures into monographic form. Many of the monographs published in this period are ethnographies based upon long-standing research, which pre-dates or begins early in the conflict years.

<sup>12</sup> In addition to disciplinary journals, the key area-specific journals with English content that readers interested in contemporary research on Nepal should consult (in alphabetical order) are: *Contributions to Nepalese Studies* (published by the Centre for Nepal and Asian Studies at Tribhuvan University), *The European Bulletin of Himalayan*

that are more likely to encourage monographic production. The focus on English-language materials of course presents an incomplete view. A complementary review of Nepali sources, as well as new thematically based analyses that bring key works in both linguistic domains together would be very productive. Finally, we cite some policy reports, or ‘grey literature’, since many important contributions to understanding political transformation have been made in such forums, but again we cannot provide a systematic overview of this domain. Therefore this article should be approached as a ‘reading guide’ to scholarly books on Nepal published in English, primarily between 2006 and 2014, complemented by issue-specific discussion of other materials.<sup>13</sup> Despite these limitations, we hope that this review will be of use to a wide range of readers seeking an entry point into knowledge production in the English-language scholarly domain about the dynamics of political change in Nepal. We also hope that it will demonstrate how the particularities of Nepal’s experience may yield insights for global multidisciplinary debates over political transformation.

This review article is structured around four major themes: (1) the Maoist insurgency or ‘People’s War’; (2) state formation and transformation; (3) identity politics; and (4) territorial and ecological consciousness. Additional cross-cutting topics that are central to any analysis of Nepal today are migration and remittances, gender, and development. We have sought to demonstrate the interplay of mobility and migration with each of our four key themes as appropriate throughout the article, rather than treating these topics in a separate section. All of the domains of political transformation about which we write are gendered (although some of the relevant literatures address this vector of difference better than others), so we also consider scholarship on gender across all sections rather than calling it out as a separate category. Many of the works we engage with in some way address discourses and/or practices of ‘development’, but we refrain from framing our analysis around that concept precisely because its

*Research* (EBHR), *Himalaya: the Journal of the Association of Nepal and Himalayan Studies* (ANHS), and *Studies in Nepali History and Society* (SINHAS).

<sup>13</sup> Three books by journalists on Nepal’s conflict and transition were making their debut in mid 2014 just as this article was submitted for review: A. Adhikari’s *The Bullet and the Ballot Box*, T. Bell’s *Kathmandu*, and P. Jha’s *Battles of the New Republic*. We cannot provide further details here, but readers are encouraged to treat this trilogy as an essential complement to the scholarly literature under review.

meaning varies so greatly across disciplines and political frameworks, in a manner to which we cannot do justice here.

The discussion of mobility flags up another important dimension of recent work on Nepal: an increasingly productive cross-border conversation with scholars working elsewhere in the region, which has yielded several volumes of scholarship that cover relevant dynamics in Nepal in conjunction with other countries in the Himalayas, South Asia, and East Asia.<sup>14</sup> Expanding multidisciplinary interest in the country's political transformation has in many ways brought scholarship on Nepal into closer articulation with that emerging from India, particularly around the theme of Maoist insurgency, while an expanding interest in environmental transformation also highlights the cross-border connections between the resource dynamics of Nepal and its neighbours.

These relatively recent developments may signal a new era of better integration between Nepal-specific research and expertise, and broader regional and global scholarly agendas. This trend is also evident within recent literature that identifies Nepal as a site for imaginaries about globalization. While Liechty shows how urban young Nepalis may consider themselves 'out here in Kathmandu',<sup>15</sup> far from global centres, Hindman's exploration of expatriate lives in the same city demonstrates how it plays different, but equally influential, roles in shaping the subjectivities of those who consider themselves 'global citizens'.<sup>16</sup> Fisher's memoir also serves as a history of the Peace Corps in Nepal—a prominent path through which many Americans first

<sup>14</sup> M. Carrin, P. Kanungo, and G. Toffin (eds), *The Politics of Ethnicity in India, Nepal and China*, Indian Council of Social Science Research/Primus Books, Delhi, 2014; D. N. Gellner (ed.), *Ethnic Activism and Civil Society in South Asia*, Sage Publications, New Delhi, 2009; D. N. Gellner (ed.), *Varieties of Activist Experience: Civil Society in South Asia*, Sage Publications, New Delhi 2010; D. N. Gellner and K. Hachhethu (eds), *Local Democracy in South Asia: Microprocesses of Democratization in Nepal and Its Neighbors*, Sage Publications, New Delhi, 2008; H. Ishii, D. N. Gellner, and K. Nawa (eds), *Social Dynamics in Northern South Asia*, Manohar (Volumes I and II), Delhi, 2007; J. Pfaff-Czarnecka and G. Toffin (eds), *The Politics of Belonging in the Himalayas: Local Attachments and Boundary Dynamics*, Sage Publications, New Delhi, 2012; A. Shah and J. Pettigrew (eds), *Windows into a Revolution: Ethnographies of Maoism in India and Nepal*, Social Science Press, New Delhi, 2012; Smadja, *Territorial Changes*; Toffin and Pfaff-Czarnecka (eds), *Facing Globalization in the Himalayas: Belonging and the Politics of the Self*.

<sup>15</sup> M. Liechty, *Out Here in Kathmandu: Modernity on the Global Periphery*, Martin Chautari Press, Kathmandu, 2010.

<sup>16</sup> H. Hindman, *Mediating the Global: Expatria's Forms and Consequences in Kathmandu*, Stanford University Press, Stanford, 2013.



arrived in the country.<sup>17</sup> Our intention in listing these recent works in the introduction to this review article is to demonstrate that Nepal's conflict and nationally specific processes of political transformation are situated within a global context, and have been shaped by the flows of ideas and people in and out of the country, as well as by internal political events themselves.

In terms of scale, the number of Nepalis flowing out of the country is much more significant than the number of non-Nepalis flowing in. We contend here that the emergent scholarly focus on migration and mobility *out* of Nepal<sup>18</sup> must be understood in conjunction with the literature on its internal political dynamics that we review here, as well as with that on flows of people and ideas *into* Nepal and its associated role in global imaginaries as described in the previous paragraph. With nearly one third of Nepal's working population abroad,<sup>19</sup> understanding the social, political, and economic effects of mobility is crucial to understanding Nepal's political transformation. This applies to all forms of mobility: within the country; across regional borders to India and China; and globally to sites like the Gulf states, Malaysia, Korea, and the United States. Ultimately, our focus on political transformation in the wake of conflict fuses an interest in what are often perceived as 'internal' political dynamics—the rise and fall of the Maoist movement, the end of the monarchy, the crescendo of identity politics—with a focus on the international engagements of Nepal's people, the financial networks that enable these connections, and the context of high transnational mobility in which such networks have emerged.

<sup>17</sup> J. F. Fisher, *At Home in the World: Globalization and the Peace Corps in Nepal*, Orchid Press, Bangkok, 2013.

<sup>18</sup> Adhikari and Hobbey, *Everyone is Leaving*; T. Bruslé, 'Choosing a destination and work migration: strategies of Nepalese workers in Uttarakhand, northern India', *Mountain Research and Development*, vol. 28, nos 3/4, 2008, pp. 240–247; T. Bruslé, 'Nepalese migrations: introduction', *European Bulletin of Himalayan Research*, vols 35–36, 2009–2010, pp. 16–23; E. Graner and G. Gurung, 'Arabko lahures: Nepalese labour migration to Arabian countries', *Contributions to Nepalese Studies*, vol. 28, 2003, pp. 295–325; Sijapati and Limbu, *Governing Labour Migration*; S. Thieme, *Social Networks and Migration: Far West Nepalese Migrants in Delhi*, LIT Verlag Münster, Münster, 2006. For up-to-date policy briefs and working papers on this topic, readers may consult the website of the Centre for the Study of Labour and Mobility based in Kathmandu: <http://www.ceslam.org/>, [accessed 2 July 2016].

<sup>19</sup> World Bank, 'Large-scale migration and remittance in Nepal: issues, challenges, and opportunities', Report No. 44390-NP, Poverty Reduction and Economic Management Sector Unit, South Asia Region, 2011.



## Historical background

In many ways, Nepal's ongoing political transformation can be seen as the continuation of processes that began in the middle of the twentieth century.<sup>20</sup> Drawing on inspiration and support from the Indian independence movement, Nepali democracy activists allied with the exiled king, Tribhuvan Shah, and in 1951 led a successful revolution against the autocratic Rana regime, which had ruled Nepal for the previous century.<sup>21</sup> Shortly thereafter, King Tribhuvan issued a royal proclamation calling for the election of a Constituent Assembly and the establishment of multi-party democracy. The manoeuvrings of those opposed, as well as inter- and intra-party disputes, led to the postponement of parliamentary elections until 1959, and plans for a Constituent Assembly were scuttled. Instead, a commission appointed by King Mahendra,<sup>22</sup> Tribhuvan's son, drafted Nepal's first constitution, which he promulgated prior to the parliamentary elections in 1959.

The Nepali Congress (NC), which had led the anti-Rana movement ten years prior, won more than two thirds of the seats in the 1959 elections. The Communist Party of Nepal (CPN), founded by Pushpa Lal Shrestha in 1949, was already an important opposition party, along with other monarchist groups. Despite its majority, the Nepali Congress-led government struggled to secure political stability. Under the pretext of restoring law and order, King Mahendra removed the Nepali Congress government, arrested its leaders, and used his authority under the constitution to employ direct rule in December of 1960. Two years later, Mahendra promulgated a new constitution, which ushered into existence Nepal's '*panchayat* democracy'.<sup>23</sup>

<sup>20</sup> For this synopsis of the historical background to Nepal's ongoing political transformation, we draw primarily on recent sources discussed later in this article. For a detailed account of Nepal's political transformation from 1950 to the mid 1960s, see B. L. Joshi and L. E. Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, University of California Press, Berkeley, 1966 [reprinted by Mandala Publications, Kathmandu, 2004].

<sup>21</sup> Jang Bahadur Kunwar established the regime in 1846 when he seized power after being appointed prime minister by the queen in the wake of a palace massacre. He adopted the surname Rana, made the prime minister's office hereditary, and reduced the monarchy to a symbolic role.

<sup>22</sup> Mahendra ascended to the throne after his father's death in 1955.

<sup>23</sup> J. Whelpton, *A History of Nepal*, Cambridge University Press, Cambridge, 2005, p. 101.

In brief, this ‘*panchayat*’ (committee) system was a ‘guided’ form of democracy based on a tiered system in which direct elections were held at the village or town level. Representatives at the district and most at the national level were drawn from these village *panchayats*.<sup>24</sup> In practice, however, the system operated as an authoritarian government, as the king held supreme power, political parties were banned, and public opposition was tightly controlled.<sup>25</sup> The national *panchayat* served only an advisory role.

The *panchayat* system was promoted by the monarchy as a ‘uniquely Nepalese’ form of governance and ‘served the king of Nepal as a means of legitimating—before other governments as well as his own citizens—the continuing political autonomy of his kingdom and the perpetuation of his pre-eminent role’.<sup>26</sup> Of particular importance for contemporary political debates in Nepal is the centrality of the state’s conception of Nepali national identity. That is, the 1962 constitution codified three principles as normative national ideals: Hinduism, the monarchy, and the Nepali language.<sup>27</sup> Each of these elements increasingly became a point of contention for opposition forces and they have remained at the centre of debates about how the ‘new Nepal’ should be defined.

The *panchayat* system was undone by the ‘People’s Movement’ (*jana andolan*) of 1990, which was led by a coalition of political parties—including both the Nepali Congress and various communist parties, especially the centre-left Communist Party of Nepal (Unified Marxist Leninist) (CPN-UML)—whose central shared demand was the restoration of multi-party democracy. Although demands made by far-left parties to finally elect a Constituent Assembly were ignored, the movement resulted in the promulgation of a new multi-party, democratic constitution. The central features of Nepali national identity, however, were retained: the state continued to be defined as Hindu, though it recognized Nepal’s multi-ethnic character; the monarchy remained in place, though within a constitutional

<sup>24</sup> The national *panchayat* also included members directly elected by the king as well as 15 members selected from five ‘class organizations’: peasants, youth, women, workers, and ex-servicemen; Hangen, *Rise of Ethnic Politics*, p. 22. See also Joshi and Rose, *Democratic Innovations in Nepal*, pp. 406–410, wherein they detail the formation of class organizations.

<sup>25</sup> Hangen, *Rise of Ethnic Politics*, p. 22.

<sup>26</sup> R. Burghart, ‘The formation of the concept of nation-state in Nepal’, *The Journal of Asian Studies*, vol. 44, no. 1, 1984, pp. 101–125, quote p. 102.

<sup>27</sup> Malagodi, *Constitutional Nationalism*.

framework; and Nepali remained the official language, though the constitution formally recognized Nepal as multilingual.

Although the first People's Movement generated the conditions for the promulgation of a democratic constitution, there was widespread discontent with the 1990 democratic reforms. At the administrative level, the reforms actually led to increased exclusion from representation in the structures of the state for most historically marginalized ethnic, caste, and religious groups, and even led to the decline in representation of some groups that had been relatively well represented during the *panchayat* era.<sup>28</sup> The reforms did, however, also open a space for the public expression of dissent and the organization of disaffected communities, both of which had been actively suppressed during the *panchayat* era.

Thus, the democratic opening in 1990 created space for public critique of the state, and the disjuncture between the ideal and real state was exposed. For example, this opening allowed for the public expression and circulation of the term *bahunvad* ('Brahmanocracy'), which encapsulated the critique of the prevailing caste-based order, but also illustrated the void between political economic realities and the egalitarian facade of the *panchayat*.<sup>29</sup> These conditions allowed for what Hangen refers to as 'the rise of ethnic politics in Nepal',<sup>30</sup> which comprised a number of social movements and political organizations, including the indigenous nationalities movement and the Madheshi movement in Nepal's southern plains.<sup>31</sup>

The most radical public critique of the 1990 reforms came from the Communist Party of Nepal-Maoist (CPN-M), a far-left splinter group of the Communist Party of Nepal.<sup>32</sup> The party formally registered its objections to the state through a 40-point demand

<sup>28</sup> Groups whose exclusion has increased include indigenous nationalities, Madheshi peoples from the southern plains, and Muslims. The elite ethnic/caste groups that saw representation decline included the Chhetri and Newar. For the Dalit—the traditionally 'untouchable' caste—'near total exclusion still continues'; Lawoti, *Towards a Democratic Nepal*, p. 19.

<sup>29</sup> M. Lecomte-Tilouine, *Hindu Kingship, Ethnic Revival, and Maoist Rebellion in Nepal*, Oxford University Press, New Delhi, 2009; M. Lecomte-Tilouine, 'Introduction', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 1–26.

<sup>30</sup> Hangen, *Rise of Ethnic Politics*.

<sup>31</sup> The term 'Madhesh' is a socio-political referent to Nepal's southern plains, the geographic term for which is Tarai. 'Madheshi' refers to peoples from this geographic region who claim a distinct ethnicity.

<sup>32</sup> The Communist Party of Nepal began to split into competing factions in the 1960s. For a chart of splits in the Communist Party of Nepal through the mid 1990s,

delivered by its political front and threatened to launch an armed struggle if the government did not take steps to address the demands. The government did not respond, and on 13 February 1996, Maoists attacked a police post in the mid-western district of Rolpa, initiating the decade-long 'People's War'. By 2005, the insurgency had effectively reached a stalemate with the state: the government had control of the headquarters of every district, but the Maoists dominated the surrounding rural areas, and neither side was in a position to achieve military victory over the other.

Over the course of their campaign, the Maoists garnered (and coerced) significant support from excluded socio-cultural groups. Maoist demands for agrarian reform, land redistribution, and economic empowerment resonated with ethnic activists, and the Maoists declared support for ethnic agendas of self-determination, as well as the establishment of a secular state. As part of the effort to gain support from marginalized groups, the Maoists established a number of ethnic/caste and regional fronts (the Tamang National Liberation Front, Madheshi Liberation Front, among others), a move that no mainstream political party made.<sup>33</sup> The fact that the marginalized groups had failed to secure any significant concessions from the state, despite the breadth of their independent movements, made the radical transformation that the Maoists promised all the more appealing to such constituencies.<sup>34</sup>

In the midst of the insurgency, King Gyanendra<sup>35</sup> dissolved parliament in 2002 and seized full power in February 2005 after declaring a state of emergency. To many inside and outside Nepal, this was interpreted as a move to not only reassert the enduring power of the monarchy, but to return the country to its autocratic, *panchayat* days.<sup>36</sup> Gyanendra's move backfired, and instead galvanized an alliance between the Maoists and mainstream political parties.

see M. Hofstun, W. Raeper, and J. Whelpton, *People, Politics and Ideology: Democracy and Social Change in Nepal*, Mandala Book Point, Kathmandu, 1999, p. 392.

<sup>33</sup> The Maoists also established a Dalit Liberation Front. Other parties, however, had established Dalit fronts as well.

<sup>34</sup> Lawoti, *Towards a Democratic Nepal*, pp. 65–66.

<sup>35</sup> Gyanendra ascended to the throne in 2001 after his elder brother, Birendra, along with most of the royal family, was killed in a palace massacre by Crown Prince Dipendra.

<sup>36</sup> M. Hutt, 'Nepal and Bhutan in 2005: monarchy and democracy, can they co-exist?', *Asian Survey*, vol. 46, no. 1, 2006, pp. 120–124.

In November 2005, Maoist and party leaders met in Delhi to release a Twelve-Point Agreement, the first of which declared that the 'autocratic monarchy' was the primary obstacle to democracy, peace, and prosperity in Nepal. The document went on to call for joint agitation against the monarchy. It also noted that the Maoists agreed to participate in a multi-party democratic system and that elections should be held to form the country's first ever Constituent Assembly—long-awaited since 1951—which would be responsible for drafting a new constitution.

The joint agitation began in earnest on 6 April 2006. After 19 days of protest, King Gyanendra backed down and agreed to restore parliament, which swiftly moved to curtail royal authority. On 18 May, parliament passed a sweeping bill that stripped virtually all of the king's power and dismantled the symbols of royal authority—parliament declared itself sovereign and the king subject to it, eliminated the king's position as supreme commander of the armed forces, and removed the word 'royal' from all important public institutions. In addition, the bill declared Nepal a secular state, overriding the 1990 constitution that officially described the state as Hindu.

The Comprehensive Peace Agreement, signed in November 2006, brought a formal end to the war and paved the way for the Maoists to join the government. The new government promulgated an interim constitution on 15 January 2007, copies of which were promptly burned in protest by Madheshi activists in Kathmandu. The protestors objected to the constitution primarily on the grounds that it omitted any reference to federalism, which was a long-standing demand of both Madheshi and indigenous activists.<sup>37</sup> The arrest of the activists in Kathmandu led to strikes in the Tarai, which quickly escalated after the killing of a 16-year-old boy, igniting a three-week long movement that came to be known as the Madhesh Uprising. Leaders of the movement agreed to suspend the protests after the prime minister agreed to the demands for federalism. This was paralleled by an agreement with the indigenous umbrella organization, the Nepal Federation for Indigenous Nationalities (NEFIN), in which a commitment to electoral proportional representation on the basis of ethnicity was made. Together, these agreements established the

<sup>37</sup> Political campaigns for autonomy in the Tarai date to at least the 1950s, which at the time were led by the Tarai National Congress; Jha, *Battles of the New Republic*, pp. 168–176. For additional background on the Tarai and Madheshi politics, see F. H. Gaige, *Regionalism and National Unity in Nepal*, Himal Books, Kathmandu, 2009 [1975].

conditions for restructuring the Nepali state.<sup>38</sup> They were followed by two elections, in 2008 and 2013 (discussed in detail in the next section of this article), the spring 2015 earthquakes, and ultimately the promulgation of the new constitution on 20 September 2015. As this article goes to press, Nepal remains in a state of uncertainty, characterized by unrest and polarization over the content of the constitution, and shifting geopolitical relations with both India and China, after a months-long blockade along the border with India in late 2015 to early 2016.

Against this backdrop, we can see that the recent dynamics on which this review focuses are situated within a much longer trajectory of political transformation. Since the 1950s, democratic aspirations have been as much part of the picture as have communist mobilizations, and both have been significantly influenced by the simultaneous pull of ethnic and regional organizations.<sup>39</sup> In this context, the Maoist insurgency must be understood as one component of a much broader set of political forces. In the ensuing pages, we consider how literature published largely between the formal end of the conflict in 2006 and 2014 has addressed all of these intertwined circumstances to provide the big picture—if in a somewhat disciplinarily compartmentalized manner—of historically situated transformation over time.<sup>40</sup>

### Conflict literatures

Whether referred to as an insurgency, a rebellion, a revolution, a movement, a conflict, or a civil war, the decade-long Maoist-led ‘People’s War’ dramatically altered the social and political landscape in Nepal. Its outbreak and effects present social scientists with two main empirical puzzles. First, the Maoists launched the war in February 1996—six years *after* the re-establishment of multi-party

<sup>38</sup> Madhesi leaders signed a 22-point agreement with the government of Nepal on 30 August 2007, but dissatisfaction with government efforts led to renewed protests in February 2008. This second round of protests led to the signing of an 8-point agreement, reiterating the state’s commitment to federalism.

<sup>39</sup> K. Hachhethu and D. N. Gellner, ‘Nepal: trajectories of democracy and restructuring of the state’, in *Routledge Handbook of South Asian Politics*, P. Brass (ed.), Routledge, New York, 2010, pp. 131–146.

<sup>40</sup> We are unable to address literature published after mid 2014 in a comprehensive manner, due to the timeframe of our review project. We therefore do not address in detail the topic of post-earthquake politics, or other more recent events.

democracy and in the wake of a period of economic growth. Second, at the beginning of the war the Maoists were a relatively small group with few resources, little material or ideological support, and were more or less confined to a peripheral rural stronghold. Ten years later, they controlled much of the country outside of urban areas and district headquarters, and in alliance with democratically inclined political parties transformed the 250-year-old Hindu kingdom into the secular Federal Democratic Republic of Nepal and emerged as the most successful party in Nepal's 2008 Constituent Assembly elections.

Several books offer insight into the crucial questions of why and how Nepal's Maoists were able to accomplish all of this. In their volume, Lawoti and Pahari bring together a wide range of disciplinary perspectives and offer a view of the war accessible to non-specialists.<sup>41</sup> The volume covers the war's causes and outcomes, the Maoists' recruitment strategies and ideology, revolutionary governance, and the manner in which ethnic politics, the Nepali state, and external actors influenced Maoist tactics and the trajectory of the war. The volumes edited by Shah and Pettigrew, and Lecomte-Tilouine, on the other hand, are grounded in anthropological and historical approaches to understanding the war that range from a history of political violence in Nepal, to intra-elite conflict at the village level, to the emotional appeals of Maoist music.<sup>42</sup> Lecomte-Tilouine's collection of essays grounds the war in the history of caste and ethnic politics,<sup>43</sup> and Pettigrew's monograph provides a rich ethnographic account of the everyday experiences of one village during the war, offering a narrative of continuity amid what otherwise appears to be dramatic change.<sup>44</sup> In addition, both Manandhar and Seddon's edited volume, and J. Adhikari's memoir provide ground-level accounts from various locales that detail how Nepalis in different settings coped with new-found challenges.<sup>45</sup>

<sup>41</sup> Lawoti and Pahari, *Maoist Insurgency in Nepal*.

<sup>42</sup> Lecomte-Tilouine, *Revolution in Nepal*; Shah and Pettigrew, *Windows into a Revolution*.

<sup>43</sup> Lecomte-Tilouine, *Hindu Kingship*.

<sup>44</sup> J. Pettigrew, *Maoists at the Hearth: Everyday Life in Nepal's Civil War*, University of Pennsylvania Press, Philadelphia, 2013.

<sup>45</sup> J. Adhikari, *Under the Shadow of the Red Flag: Travels During Nepal's Armed Conflict*, Martin Chautari, Kathmandu, 2014; P. Manandhar and D. Seddon (eds), *In Hope and in Fear: Living through the People's War in Nepal*, Adroit, New Delhi, 2010.



*The causes of the war and the appeal of the Maoists*

The books described above must be read in conjunction with a broader range of articles that seek to identify the causes of Nepal's conflict. These can be roughly divided between quantitative and qualitative approaches. In general, the quantitative approaches focus on the structural, economic, and geographic factors that either fuelled the grievances that facilitated the rise of the Maoists or conditioned the opportunity for insurgency. The qualitative approaches, on the other hand, favour local histories, politics, networks, and the visceral appeal of the Maoists.

The quantitative approaches to understanding the onset and spread of the war come to somewhat contradictory conclusions, though the differences are largely a matter of disagreement over which variables should be considered causal (as opposed to conditioning), and on which variables explanatory weight ought to be placed. A number of studies conclude that the conflict can best be understood as the result of grievances generated by state-sanctioned political and economic marginalization, especially caste-based discrimination that mapped onto ever-widening structural economic inequalities between the landed elite and the landless, exploited masses.<sup>46</sup> Others, however, insist that there is no robust statistical evidence for the argument that grievances were the wellspring of the conflict, maintaining instead that radical leftist political activism and the opportunities afforded by geography and weak state infrastructure—especially poorly developed road infrastructure—were far stronger predictors of violence.<sup>47</sup> As Tiwari illustrates, however, the statistical evidence for either side of the debate may be as much a matter of how the dependent variables

<sup>46</sup> M. Joshi, 'Between clientelistic dependency and liberal market economy: rural support for the Maoist insurgency in Nepal', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-First Century*, Lawoti and Pahari (eds), pp. 92–111; M. Lawoti, 'Ethnic dimensions of the Maoist insurgencies: indigenous groups' participation and insurgency trajectories in Nepal, Peru, and India', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 135–155; K. Macours, 'Increasing inequality and civil conflict in Nepal', *Oxford Economic Papers*, vol. 63, no. 1, 2011, pp. 1–26; M. Murshed and S. Gates, 'Spatial–horizontal inequality and the Maoist insurgency in Nepal', *Review of Development Economics*, vol. 9, no. 1, 2005, pp. 121–134.

<sup>47</sup> A. Acharya, 'The Maoist insurgency and the political economy of violence', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 263–283; A. K. Bohara, N. J. Mitchell, and M. Nepal, 'Opportunity, democracy, and the exchange of political violence: a subnational analysis of conflict in Nepal', *Journal of Conflict Resolution*, vol. 50, no. 1, 2006, pp. 108–128.

are constructed in any given model, and the take-away is that a combination of grievances and opportunity set the structural stage for the conflict.<sup>48</sup>

In support of the grievance-based perspective, Joshi offers a compelling solution to the question of why the conflict emerged after the re-establishment of multi-party democracy and during a period of economic growth by illustrating the manner in which these macro-structural changes actually exacerbated existing inequalities—especially in rural areas—by strengthening the hand of landed elites.<sup>49</sup> That is, Joshi argues that landed elites controlled the votes of the peasants living and working on their land, and political parties and elected officials became dependent on these elites for votes. By way of their influence over these political actors, landed elites gained greater influence over the state. In turn, these elites were able to translate this influence into even greater control over the rural peasantry by capturing the lion's share of the benefits of market liberalization and economic growth.<sup>50</sup> When the Maoists targeted landowners, they demonstrated the possibility of the kind of structural changes that had hitherto been but empty promises from the state. By disrupting rural economic dependencies, moreover, the Maoists also significantly lowered the cost of joining the insurgency for the rural peasantry.<sup>51</sup>

As P. Adhikari and Samford emphasize, however, the war ought to be considered in two phases in order to distinguish between its outbreak and spread, which are not necessarily explained by the same variables.<sup>52</sup> During the first phase (1996–2000), the conflict was largely constrained to mid-western districts and produced relatively low levels of physical violence (in terms of deaths, at least), whereas the second phase (2001–2006) was characterized by high levels of violence and spread across the country. The authors argue that both phases can be understood in terms of a combination of grievances and opportunity, but that the particularities are different. According to this account, Maoist organization was the critical causal factor

<sup>48</sup> B. N. Tiwari, 'An assessment of the causes of conflict in Nepal', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 241–262.

<sup>49</sup> Joshi, 'Between clientelistic dependency and liberal market economy'.

<sup>50</sup> On the latter point, see also Macours, 'Increasing inequality and civil conflict in Nepal'.

<sup>51</sup> Joshi, 'Between clientelistic dependency and liberal market economy', p. 105.

<sup>52</sup> P. Adhikari and S. Samford, 'The Nepali state and the dynamics of the Maoist insurgency', *Studies in Comparative International Development*, vol. 48, 2013, pp. 457–481.

of insurgency at the district level during the first phase, but only when such organization took place in districts that had ‘high levels of economic disempowerment or the presence of a high tribal or Dalit concentration, as well as low levels of road density and low levels of central government development spending’.<sup>53</sup> The same variables mattered as the war spread during the second phase, but state-sanctioned violence perpetrated by the Royal Nepal Army became far more important in attracting sympathizers to the revolution, whether motivated by promises of protection from the Royal Nepal Army or by providing the opportunity to seek revenge. Thus, the Nepali state looms large in the causal explanation of the war—through its malignant neglect leading up to and during the first phase and through the ire generated by its armed forces during the second phase.<sup>54</sup>

Such quantitative approaches offer theoretical frameworks for sketching an understanding of the conflict and the variations in levels of violence across the country. Although most construct their models based on localized qualitative accounts, they inevitably miss the nuances that qualitative approaches can capture. Perhaps most importantly, they are unable to engage with the collective memories and cultural contexts that conditioned political critique and consciousness during the period.

Shneiderman, for example, challenges the notion that rural support for the Maoists should be understood to have been orchestrated by external political elites. She details how the collective memory of the 1984 Piskar massacre in Sindhupalchok—in which villagers were killed by police forces during an annual *jatra* (festival)—contributed to a rural political consciousness keenly aware of Nepal’s violent history of state formation and oppression.<sup>55</sup> This accords with other accounts of memories of similar atrocities, such as the ‘Chintang Incident’ of 1979, in which 15 residents suspected of anti-state activities were

<sup>53</sup> *Ibid.*, p. 471.

<sup>54</sup> For additional evidence of the disproportionate and at times indiscriminate violence employed by the Royal Nepal Army, readers should refer to a 2008 report by the United Nations Office of the High Commissioner for Human Rights (OHCHR), which documents arbitrary arrests, torture, and enforced disappearances in Nepal’s south-western district of Bardiya; United Nations Office of the High Commissioner for Human Rights, ‘Conflict-related disappearances in Bardiya district’, 2008, [http://nepal.ohchr.org/en/resources/Documents/English/reports/HCR/2008\\_12\\_19\\_Bardiya\\_Report\\_Final\\_E.pdf](http://nepal.ohchr.org/en/resources/Documents/English/reports/HCR/2008_12_19_Bardiya_Report_Final_E.pdf), [accessed 25 July 2016].

<sup>55</sup> S. Shneiderman, ‘The formation of political consciousness in rural Nepal’, in *Windows into a Revolution: Ethnographies of Maoism in India and Nepal*, Shah and Pettigrew (eds), pp. 60–88.

killed,<sup>56</sup> and the radicalization of political consciousness in the wake of acts of state repression in areas that emerged as Maoist strongholds.<sup>57</sup> Taking these historical experiences and memories thereof seriously allows for an understanding of rural support for, or participation in, the Maoist movement 'as a logical reaction to earlier experiences of state violence and oppression rather than as an anomalous break precipitated by outside forces'.<sup>58</sup>

Furthermore, the fact that the Maoist movement emerged in the wake of the democratic opening in 1990 becomes less theoretically puzzling when considered in light of the fact that the period offered new opportunities for discursive critique of the state and the emergence of new vocabularies of resentment and resistance. As Lecomte-Tilouine notes, the term *bahunvad*, which began to circulate in the 1980s, allowed for a sustained critique of the prevailing caste-based order, but also illustrated the gap between political-economic realities and the 'egalitarian facade' of the *panchayat*.<sup>59</sup> This term was subsumed within the notion of *samantavad* ('feudalism') that the Maoists effectively circulated. In the meantime, many rural communities were exposed to the notion of 'empowerment' through internationally funded aid programmes during both the *panchayat* and democratic periods, a shift in consciousness that worked to the Maoists' advantage when they pointed out the discrepancies between decades of developmentalist promises and the reality of barely improved livelihoods by the mid 1990s.<sup>60</sup>

There are, moreover, important historical antecedents to the Maoist movement. In a survey of the historical record of political violence from

<sup>56</sup> M. Gaenzsle, I. P. Rai, J. Pettigrew, M. Rai, B. Bickel, G. Banjade, T. N. Bhatta, E. Lieven, N. P. Paudyal, and S. Stoll, 'Resisting the state in east Nepal: the "Chintang Incident" of 1979 and the politics of commemoration', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 97–113.

<sup>57</sup> A. de Sales, 'Thabang: the crucible of revolution', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 164–211.

<sup>58</sup> Shneiderman, 'The formation of political consciousness', p. 66.

<sup>59</sup> Lecomte-Tilouine, 'Introduction', pp. 5–6.

<sup>60</sup> T. Fujikura, *Discourses of Awareness: Development, Social Movements, and the Practice of Freedom in Nepal*, Martin Chautari, Kathmandu, 2013; L. Leve, 'Women's empowerment and rural revolution: rethinking "failed development"', in *Windows into a Revolution: Ethnographies of Maoism in India and Nepal*, Shah and Pettigrew (eds), pp. 160–184; S. Shah, 'Revolution and reaction in the Himalayas: cultural resistance and the Maoist "New Regime" in western Nepal', *American Ethnologist*, vol. 35, no. 3, 2008, pp. 481–499.

the Gorkhali conquests that led to the foundation of the state through the first People's Movement of 1990, Whelpton illustrates that the Maoists inherited a legacy of resistance, rhetoric, and repertoires of action that they were able to leverage in their campaigns.<sup>61</sup> The clearest ideological parallels can be seen in the failed 'Jhapeli *andolan*' that emerged in the 1960s and was heavily influenced by the Naxalite movement in West Bengal, India, and the clearest rhetorical and tactical parallels can be located in the 1950–1951 democratic movement that established the possibility of multi-party politics in Nepal. Likewise, individual figures, such as Ramraja Prasad Singh—one of Nepal's earliest republicans and the author of a series of bomb blasts in 1985, who later became the Maoists' (unsuccessful) presidential candidate in 2008—were important exemplars for Maoist insurgents.<sup>62</sup>

It would be remiss to suggest that the emergence and appeal of the Maoist movement can or should be understood as the result of historical inevitabilities or psychological conditions alone. On the contrary, Maoist activists in the mid-western districts of Rolpa, Rukum, and Jajarkot engaged in campaigns to propagate their ideology starting in 1995, a year before the military campaign began.<sup>63</sup> As the conflict unfolded and escalated, they attracted recruits and gained supporters through a number of means, including indoctrination and political education—which relied upon tactics like forced mass gatherings, the deployment of 'individual motivators' who recruited door-to-door, and the kidnapping of groups of school children for the purposes of indoctrination.<sup>64</sup> Cultural troupes active in all 75

<sup>61</sup> J. Whelpton, 'Political violence in Nepal from unification to *janandolan* I', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 27–74.

<sup>62</sup> C. K. Lal, 'Ramraja Prasad Singh: the warrior revolutionary', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 75–96.

<sup>63</sup> These campaigns themselves were based on much longer histories of mobilization. On long-term historical dynamics in Thabang, Rolpa in particular, see V. Gidwani and D. Paudel, 'Gramsci at the margins. A prehistory of the Maoist movement in Nepal', in *Gramsci: Space, Nature, Politics*, M. Ekers, G. Hart, S. Kipfer, and A. Loftus (eds), Wiley-Blackwell, Malden, Massachusetts, 2012, pp. 261–278; I. Zharkevich, 'De-mythologizing "the Village of Resistance": how rebellious were the peasants in the Maoist base area of Nepal?', *Dialectical Anthropology*, vol. 29, no. 4, 2015, pp. 353–379.

<sup>64</sup> K. Eck, 'Recruiting rebels: indoctrination and political education in Nepal', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 33–51.

districts of Nepal by the end of the conflict performed skits and songs to communicate the party's ideology and galvanize emotional ties to the movement.<sup>65</sup> The party also employed the artistic medium of opera to regenerate an affective sense of commitment and unity among its war torn cadres as the conflict moved through its most violent phases.<sup>66</sup> As Lecomte-Tilouine argues, 'The Party thus combined the two extremes of the political register: abstract thought and pure emotion, rationality and enchantment.'<sup>67</sup>

### *The dynamics of the war*

The literature detailing the dynamics of the war offers views from two general perspectives: experiences at the village level<sup>68</sup> and the organizational cultures and military tactics of both the People's Liberation Army and the Royal Nepal Army.<sup>69</sup> Taken together, the

<sup>65</sup> M. Mottin, 'Catchy melodies and clenched fists: performance as politics in Maoist cultural programs', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 52–72; see also A. de Sales, 'Remarks on revolutionary songs and iconography', *European Bulletin on Himalayan Research*, vol. 24, 2003, pp. 5–24.

<sup>66</sup> A. Stirr, 'Tears for the revolution', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 367–392.

<sup>67</sup> Lecomte-Tilouine, 'Introduction', p. 6.

<sup>68</sup> J. Adhikari, *Under the Shadow of the Red Flag*; A. de Sales, 'From ancestral conflicts to local empowerment: two narratives from a Nepalese community', in *Windows into a Revolution: Ethnographies of Maoism in India and Nepal*, Shah and Pettigrew (eds), pp. 185–206; M. Lecomte-Tilouine, 'Political change and cultural revolution in a Maoist model village, mid-western Nepal', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 115–131; M. Lecomte-Tilouine, 'Terror in a Maoist village in mid-western Nepal', in *Windows into a Revolution: Ethnographies of Maoism in India and Nepal*, Shah and Pettigrew (eds), pp. 185–206; Leve, 'Women's empowerment and rural revolution'; Manandhar and Seddon, *In Hope and in Fear*; K. Ogura, 'Maoist People's Governments, 2001–05: the power in wartime', in *Local Democracy in South Asia: Microprocesses of Democratization in Nepal and its Neighbours*, Gellner and Hachhethu (eds), pp. 175–231; Pettigrew, *Maoists at the Hearth*; J. Pettigrew and K. Adhikari, 'Fear and everyday life in rural Nepal', in *Windows into a Revolution: Ethnographies of Maoism in India and Nepal*, Shah and Pettigrew (eds), pp. 233–258.

<sup>69</sup> S. Cowan, 'Inside the People's Liberation Army: a military perspective', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 301–332; A. Mehta and M. Lawoti, 'Military dimensions of the "People's War"', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 175–194; K. Ogura, *Seeking State Power: The Communist Party of Nepal (Maoist)*, Berghof Research Centre for Constructive Conflict Management, Berlin, 2008; A. K. Pahari, 'The continuum of "People's War" in Nepal and India', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 195–215.

literature offers insights into the manner in which Maoist efforts to re-organize moral and political cultures were received—and often resisted—at the village level, and how their selective deployment of political violence shaped the trajectory of the war.

As part of their campaign, the Maoists instituted policies at the village level designed to restructure social, cultural, and spatial arrangements. Maoist policies in some areas included prohibitions on the sale and consumption of alcohol, early marriage, polygamy, and social discrimination (especially discrimination against women and Dalits). Perhaps more surprisingly, they went so far as to require the transgression of cultural and religious taboos by forcing inter-caste marriages, prohibiting animal sacrifices and the celebration of religious festivals, and forcing the closure of temples and destruction of shrines.<sup>70</sup> In some areas, such policies contributed to what Lecomte-Tilouine calls a ‘climate of terror’ which she argues characterized a ‘model village’ in mid-western Nepal. However, terror came in both ‘red’ forms (at the hands of Maoist rebels) and ‘white’ (at the hands of the Royal Nepal Army).<sup>71</sup> Likewise, we are told that a climate of fear gripped a Tamu (Gurung) village in central Nepal, where villagers often coped with the introduction of these new forms of terror by contextualizing them through indigenous theories about fear and sources of terror.<sup>72</sup> Some commentators have noted that such approaches do not always fully situate discussions of ‘fear’ and ‘terror’ vis-à-vis local frameworks for political action, creating an incomplete impression that village experiences of the conflict were predominantly affective rather than political.<sup>73</sup> This picture is productively complemented by other writing that explores political dynamics on local scales—in both rural and urban

<sup>70</sup> Lecomte-Tilouine, ‘Political change and cultural revolution’; Lecomte-Tilouine, ‘Terror in a Maoist village’; S. Shrestha-Schipper, ‘The political context and influence of the People’s War in Jumla’, in *Revolution in Nepal: An Anthropological and Historical Approach to the People’s War*, Lecomte-Tilouine (ed.), pp. 258–300.

<sup>71</sup> Lecomte-Tilouine, ‘Terror in a Maoist village’.

<sup>72</sup> Pettigrew, *Maoists at the Hearth*; Pettigrew and Adhikari, ‘Fear and everyday life’; D. Thapa, K. Ogura, and J. Pettigrew, ‘The social fabric of the Jelbang killings’, in *Windows into a Revolution: Ethnographies of Maoism in India and Nepal*, Shah and Pettigrew (eds), pp. 309–333.

<sup>73</sup> M. Shakya, ‘Ethnicity in Nepal’s new constitution: From politics of culture to politics of justice’, 28 September 2015, <http://www.focallblog.com/2015/09/28/mallika-shakya-ethnicity-in-nepals-new-constitution/>, [accessed 2 July 2016].



contexts—and the articulation of those dynamics with regional and national trajectories.<sup>74</sup>

The Maoists' agenda of moral re-ordering was not simply projected onto village landscapes and social worlds, but was embodied within the movement itself. Gayer, for example, analyses the dynamics of sex and gender in the People's Liberation Army and highlights the manner in which the Maoist leadership promoted love marriages, especially inter-caste marriages, within the party itself.<sup>75</sup> This strategy, he argues, was designed not only to prevent 'libidinal withdrawal' from the movement, but was accompanied by strict expectations that the 'correct' order of love, then marriage, *then* sex would be followed by party cadres as part of a broader strategy to prescribe and control their fighters' emotions. Ultimately, moreover, such policies 'should be related to a larger and more controversial project of social engineering, the objective of which was nothing less than the annihilation of the family'.<sup>76</sup> Such arguments build upon an earlier literature that addressed gendered dimensions of the Maoist movement,<sup>77</sup> and bridge to more recent work that considers women's role in 'post-conflict' governance and peace-building processes.<sup>78</sup>

<sup>74</sup> Gidwani and Paudel, 'Gramsci at the margins'; M. Hoffman, 'In the shadows of the Maoist revolution: on the role of the "People's War" in facilitating the occupation of symbolic space in Western Nepal', *Critique of Anthropology*, vol. 35, no. 4, 2015, pp. 389–406; de Sales, 'Thabang'; Shneiderman, 'Formation of political consciousness'; Zharkevich, 'De-mythologizing "the Village of Resistance"'.  
<sup>75</sup> L. Gayer, "Love-marriage-sex" in the People's Liberation Army: the libidinal economy of a greedy institution', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 333–366.

<sup>76</sup> *Ibid.*, p. 352.

<sup>77</sup> S. Gautam, A. Banskota, and R. Manchanda, 'Where there are no men: women in the Maoist insurgency in Nepal', in *Women, War and Peace in South Asia*, R. Manchanda (ed.), Sage, New Delhi, 2001, pp. 214–248; Parvati (H. Yami), 'Women's participation in People's War', in *The People's War in Nepal: Left Perspectives*, Karki and Seddon (eds), pp. 171–173; J. Pettigrew and S. Shneiderman, 'Women and the Maobadi: ideology and agency in Nepal's Maoist movement', *Himal South Asian*, 2004, pp. 19–29; S. Shakya, 'The Maoist movement in Nepal: an analysis from the women's perspective', in *The People's War in Nepal: Left Perspectives*, Karki and Seddon (eds); M. Sharma and D. Prasain, 'Gender dimensions of the People's War: some reflections on the experiences of rural women', in *Himalayan People's War: Nepal's Maoist Rebellion*, Hutt (ed.), pp. 152–164.

<sup>78</sup> R. Lohani-Chase, 'Protesting women in the People's war movement in Nepal', *Signs*, vol. 40, no. 1, 2014, pp. 29–36; S. Ramnarain, 'Universalized categories, dissonant realities: gendering postconflict reconstruction in Nepal', *Gender, Place and Culture*, vol. 22, no. 9, 2015, pp. 1305–1322; S. Tamang, 'The politics of conflict and difference or the difference of conflict in politics: the women's movement in Nepal', *Feminist Review*, vol. 91, 2009, pp. 61–80.

Whatever the true intent of the Maoist leadership may have been in regards to its cadres, they were remarkably successful in inspiring a high level of commitment to the cause. In seeking to explain why the far larger, professionally trained, and well-equipped Royal Nepal Army was unable to contain an insurgency conducted by the poorly trained and ill-equipped People's Liberation Army, for example, Mehta and Lawoti contrast the 'ceremonial' Royal Nepal Army with the 'motivated' People's Liberation Army.<sup>79</sup> Similarly, in his assessment based on an analysis of Maoist videos produced in 2005, Cowan concludes that the People's Liberation Army fighters were highly motivated and had a strong sense of purpose and commitment. Again pointing to the Maoist use of cultural forms to inspire loyalty, he notes that the revolutionary songs that accompany the videos as background music emphasize 'a strong ideological drive centred on notions of sacrifice, violence, and contempt for death', which may be indicative of broader morale.<sup>80</sup>

### *The 2008 elections and looking forward*

The war formally came to a close in November 2006 when the Maoists signed a peace agreement with the government of Nepal. One of the most important elements of the agreement was a commitment to hold elections for a Constituent Assembly, which came to pass in April 2008. In defiance of virtually all expectations, the now renamed Unified Communist Party of Nepal-Maoist (UCPN-M) won 220 of the 601 contested seats—twice the number secured by the Nepali Congress, which won the second largest number of seats.

The most thorough account of the 2008 elections is contained in *Nepal Votes for Peace*, co-authored by Bhojraj Pokharel, who served as the chief election commissioner, and Shristi Rana.<sup>81</sup> The book presents a detailed story of the elections and the role of all of the major actors involved—from the political parties contesting seats to international actors seeking to facilitate the process. That the elections were seen as a necessity for securing peace—even if at the expense of some electoral technicalities and international standards—is readily admitted, and it

<sup>79</sup> Mehta and Lawoti, 'Military dimensions'.

<sup>80</sup> Cowan, 'Inside the People's Liberation Army', p. 303.

<sup>81</sup> B. Pokharel and S. Rana, *Nepal Votes for Peace*, Cambridge University Press, Cambridge, 2013.

offers a compelling story of how the election was pulled off, seemingly against all odds.

In accounting for the success of the Maoists in the elections, analysts point to a number of factors. Lawoti argues that, historically, Nepalis have tended to vote for the party perceived to be on the winning side after periods of political transformation and that the Maoists benefited from this trend in 2008.<sup>82</sup> He highlights, however, that a number of indicators support claims that there were some areas where the elections were not contested freely and fairly—such as correlations between the large margins of victory in constituencies where the Maoists won and high levels of violence prior to the elections, at least 51 per cent of which was attributable to Maoist cadres.

Others argue that villagers' accounts of the elections tell a different story. Ghimire suggests that while some Dalits and impoverished villagers voted for the change promised by the Maoists, others voted for them so that the Maoists would leave their district and go to Kathmandu.<sup>83</sup> Likewise, Lecomte-Tilouine suggests that villagers voted for the Maoists to minimize conflict in their localities,<sup>84</sup> while Pettigrew counters the notion that villagers voted for Maoists for their novelty and imagined potential, noting that villagers had co-existed with Maoists for years in most places and the Maoists had been 'tested' at the local level throughout the conflict.<sup>85</sup> Tamang echoes this sentiment, describing how village interactions with Maoists in Kavre district informed voting behaviours, which were collectively deliberated at village council meetings.<sup>86</sup> Any analysis of electoral trends, however, must keep in mind that 'all politics are local', as Holmberg illustrates in his account of the elections from Manegau, Nuwakot district, where considering the elections from a historical

<sup>82</sup> M. Lawoti, 'Bullets, ballots, and bounty', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 287–303.

<sup>83</sup> P. Ghimire, 'The Maoists in eastern Nepal: the example of Khotang', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 114–140.

<sup>84</sup> M. Lecomte-Tilouine, 'Maoists despite themselves: amid the People's War in a Maoist model village, northern Gulmi', in *Revolution in Nepal: An Anthropological and Historical Approach to the People's War*, Lecomte-Tilouine (ed.), pp. 212–257.

<sup>85</sup> J. Pettigrew, 'Observing the elections in central Nepal', in *Views from the Field: Anthropological Perspectives on the Constituent Assembly Elections*, D. Holmberg, J. Pettigrew, and M. S. Tamang, Himal Books, Kathmandu, 2009, pp. 23–34.

<sup>86</sup> M. S. Tamang, 'A fiesta at the polls: participant-observation notes', in *Views from the Field: Anthropological Perspectives on the Constituent Assembly Elections*, Holmberg, Pettigrew, and Tamang, pp. 35–47.

perspective reveals that voting behaviour remains best understood as a negotiated process involving kinship ties and long-standing party affiliations.<sup>87</sup> The latter three articles appear in a booklet entitled *Views from the Field: Anthropological Perspectives on the Constituent Assembly Elections*, which also includes an introduction by David Gellner.

Moving beyond the conflict and the 2008 elections, Lawoti and Pahari provide an overview of change since the 2007 mainstreaming of the Maoists, noting that the effects of the conflict move in opposite directions at the same time. There was an increase in human rights violations and a disregard for democratic principles during the conflict that established an unhealthy trajectory, but the Maoists advanced ethnic, caste, and gender issues along with a federalist agenda. These efforts instituted structural changes that, in principle at least, could serve to make democratic structures more inclusive in the long-run.<sup>88</sup>

The Constituent Assembly elected in 2008 was dissolved in May 2012, after having failed to produce a constitution despite four extensions to its tenure. Much of the impasse centred on questions of federal demarcation.<sup>89</sup> Elections for a second Constituent Assembly were held in November 2013.<sup>90</sup> The Maoists fared poorly, securing only 80 seats. This placed them in a distant third position in terms of party size in the Constituent Assembly, falling behind the Nepali Congress, which won 196 seats, and Communist Party of Nepal (Unified Marxist Leninist), which won 175. In part, the Maoists suffered from a failure to resolve intra-party disputes. A radical faction led by Mohan Vaidya split from the Unified Communist Party of Nepal-Maoist in June 2012 and formed the Communist Party of Nepal-Maoist (CPN-M). The Communist Party of Nepal-Maoist not only boycotted the 2013 elections, but also is rumoured to have actively campaigned *against*

<sup>87</sup> D. Holmberg, 'All politics is local', in *Views from the Field: Anthropological Perspectives on the Constituent Assembly Elections*, Holmberg, Pettigrew, and Tamang, pp. 9–22.

<sup>88</sup> M. Lawoti and A. K. Pahari, 'Violent conflict and change', in *The Maoist Insurgency in Nepal: Revolution in the Twenty-first Century*, Lawoti and Pahari (eds), pp. 304–326.

<sup>89</sup> K. Adhikari and D. N. Gellner, 'New identity politics and the 2012 collapse of Nepal's Constituent Assembly: when the dominant becomes other', *Modern Asian Studies*, FirstView 2016, doi:10.1017/S0026749X15000438, accessed 17 February 2016; S. Shneiderman and L. Tillin, 'Restructuring states, restructuring ethnicity: looking across disciplinary boundaries at federal futures in India and Nepal', *Modern Asian Studies*, vol. 49, no. 1, 2015, pp. 1–39.

<sup>90</sup> For an in-depth account of the 2013 elections, see D. N. Gellner, 'The 2013 elections in Nepal', *Asian Affairs*, vol. 45, no. 2, 2014, pp. 243–261.

the Unified Communist Party of Nepal-Maoist.<sup>91</sup> Nevertheless, the outcome was viewed by many as a shift in the electorate to the political right and away from the radical reforms that drove the Maoist agenda through the conflict period.<sup>92</sup>

One of the most important questions that remains under-researched is the role of migration during the conflict period, and how this affected political mobilization. Two studies address the question of conflict-induced displacement directly through quantitative analysis. Focusing on the southern district of Chitwan, Bohra-Mishra and Massey find that violence produced by the conflict had a curvilinear effect on migration decisions. That is, low levels of violence lowered the probability that an individual would migrate, but the probability of migration rose at higher levels of violence.<sup>93</sup> In a national-level study, P. Adhikari concludes that high levels of violence were the most significant factor influencing displacement, but that the effects of violence were mitigated in areas where economic opportunity remained viable; where social networks (mothers' groups, community forest user groups, and small farmer programmes) deterred land confiscation and property damage; and in areas in which there were high levels of Maoist party affiliation.<sup>94</sup> While this tells us that people may have left their home villages to escape the conflict, it does not tell us what happened to their political aspirations once they arrived elsewhere. Whether settling in the increasingly overcrowded capital of Kathmandu, where their lives might have become intertwined with environmental or other forms of politics,<sup>95</sup> or further afield in other countries for long-term wage labour, the impact of such mobility on political consciousness remains to be fully investigated.

<sup>91</sup> Ibid., p. 255.

<sup>92</sup> Ibid., pp. 255–260.

<sup>93</sup> P. Bohra-Mishra and D. S. Massey, 'Individual decisions to migrate during conflict', *Demography*, vol. 48, no. 2, 2011, pp. 401–424. The authors test the probability of three different migration outcomes in their model: migration within Chitwan; migration to a different district in Nepal; and migration to an international destination. Interestingly, they find that violence suppresses the probability of long-distance migration (to a different district or to an international destination), even at higher levels of violence. Only the probability of migration within Chitwan rose with increased violence. For clarification, see Fig. 2, p. 420 of their article.

<sup>94</sup> P. Adhikari, 'Conflict-induced displacement, understanding the causes of flight', *American Journal of Political Science*, vol. 57, no. 1, 2013, pp. 82–89.

<sup>95</sup> Rademacher, *Reigning the River*.

### State formation and transformation

Recent publications focusing on the transformation of Nepal's state and politics after the conclusion of the conflict fall into two broad categories. First, those that measure developments in Nepal against general academic theories and/or normative benchmarks of postwar transition, and second, those that attempt to understand the logics of political practice in Nepal on their own terms.

#### *Peace-building*

Einsiedel, Pradhan, and Malone's edited volume *Nepal in Transition* is a prominent example of the first approach. Aiming 'to contribute to a wider understanding and public awareness of the upheavals that have marked Nepal's trajectory over the past decade, focusing on the country's critical transition from 2005–2011 and the international role in those developments',<sup>96</sup> the volume contains 12 chapters, mostly by journalists, public intellectuals, and practitioners. Analyses of the peace process take up the bulk of the book. Several chapters are mainly concerned with Western and international involvement, focusing on the dynamics around the United Nations Mission in Nepal (UNMIN) and the UN's Office of the High Commissioner of Human Rights (OHCHR) in particular. Others focus on the role of India, and to a lesser extent China. These sections are rich in detail and together provide a thorough overview of the international and regional dimension of the peace process, with references to national level Nepali political dynamics, and plenty of interesting background on Indian neighbourhood politics.

While the first-person accounts of *Nepal in Transition's* authors constitute a notable improvement upon earlier works that cast Nepal flatly as a 'failed state',<sup>97</sup> as one reviewer noted, the book's most disappointing aspect remains its limited engagement with the Nepali state and politics on its own terms.<sup>98</sup> There are a number of exceptions. Chalmers' exploration of the Nepal Army's perspectives and their

<sup>96</sup> von Einsiedel et al., *Nepal in Transition*, p. 2.

<sup>97</sup> For example, A. Riaz and S. Basu, *Paradise Lost?: State Failure in Nepal*, Lexington Books, Lanham, 2007.

<sup>98</sup> J. Sharrock, 'Review of: von Einsiedel, Sebastian, David M. Malone and Suman Pradhan, eds. 2012. *Nepal in Transition: From People's War to Fragile Peace*', *Studies in Nepali History and Society*, vol. 17, no. 2, 2013, pp. 379–388.

genesis offers valuable historical depth.<sup>99</sup> Panday's chapter on failed development provides an impressive overview of developmental dynamics, and points to connections between questions of economy and political culture,<sup>100</sup> as do parts of Rawski and Sharma's chapter, which situates efforts to promote human rights (and their failure) within more complex analyses of the Nepali state and politics.<sup>101</sup> A. Adhikari's chapter on the postwar transformation of the Maoists stands out among others in the last two sections for its detailed attention to political ground realities.<sup>102</sup> But elsewhere, outcomes entirely commensurate with Nepali political logics—which frustrated international projects (as well as those of the Maoists)—are brushed off with shorthand explanations such as a 'lack of political will'. This shortcoming of the book renders it useful in a different way, bringing into relief the discourses that shape international perspectives on Nepal.

### *Transitional justice*

Justice for wartime crimes constituted a central formal component of Nepal's peace process, and recent years have seen an increased number of publications on transitional justice in Nepal. Some of these are indeed critical of the global transitional justice discourse, but for the most part these belong to the genre of prescriptive policy literature. The only book-length study in this field so far is Sajjad's *Transitional Justice in South Asia: A Study of Afghanistan and Nepal*.<sup>103</sup> Here, Sajjad argues that transitional justice as a 'toolkit'—generally accepted by the international community as a necessary means of addressing

<sup>99</sup> R. Chalmers, 'State power and the security sector: ideologies and interests', in *Nepal in Transition: From People's War to Fragile Peace*, von Einsiedel, Malone, and Pradhan (eds), pp. 58–80.

<sup>100</sup> D. R. Panday, 'The legacy of Nepal's failed development', in *Nepal in Transition: From People's War to Fragile Peace*, von Einsiedel, Malone, and Pradhan (eds), pp. 81–99.

<sup>101</sup> F. Rawski and M. Sharma, 'A comprehensive peace? Lessons from human rights monitoring in Nepal', in *Nepal in Transition: From People's War to Fragile Peace*, von Einsiedel, Malone, and Pradhan (eds), pp. 175–200.

<sup>102</sup> A. Adhikari, 'Revolution by other means: the transformation of Nepal's Maoists in a time of peace', in *Nepal in Transition: From People's War to Fragile Peace*, von Einsiedel, Malone, and Pradhan (eds), pp. 265–285.

<sup>103</sup> T. Sajjad, *Transitional Justice in South Asia: A Study of Afghanistan and Nepal*, Routledge, London, 2013. A review copy of S. Robins' *Families of the Missing: A Test for Contemporary Approaches to Transitional Justice*, Routledge, Abingdon, 2013, was not available at the time of writing, but his earlier articles are referenced below.



extraordinary crimes committed during conflict—ultimately fails to facilitate either transition or secure justice, largely because it relies on established elites as gatekeepers to local communities.

While *Transitional Justice in South Asia* represents a welcome contribution to the international policy discourse on transitional justice, it adds little to the Nepal-specific literature. That the exclusive mainstream transitional justice focus on civil and political rights and prosecutions often serves conflict victims ill had been noted earlier, by Simon Robins and others. Robins had described a marked disparity between conflict victims' priorities, which are indeed centred on economic security and certainty about the fate of missing relatives, and the portrayal of these priorities in transitional justice advocacy publications, where prosecutions are highlighted.<sup>104</sup> Pasipanodya argues further that, since socio-economic inequalities were both drivers and consequences of the conflict, these too should be addressed through a transitional justice mechanism.<sup>105</sup>

Perhaps as a corollary of its policy-oriented nature, with the exception of Robins,<sup>106</sup> the transitional justice literature reviewed here makes little reference to longstanding debates on the relationship between law and politics in general, and transitional justice and constitutive power in particular.<sup>107</sup> The role that debates about the law play in the renegotiation of state formation remains an important theme for future exploration.<sup>108</sup>

### *Constitutionalism*

Mara Malagodi's *Constitutional Nationalism and Legal Exclusion* begins to take up this challenge, providing a new cornerstone for research on the relationship between law and politics in Nepal.<sup>109</sup> Drawing on oral

<sup>104</sup> S. Robins, 'Towards victim-centred transitional justice: understanding the needs of families of the disappeared in postconflict Nepal', *International Journal of Transitional Justice*, vol. 5, no. 1, 2011, pp. 75–98.

<sup>105</sup> T. Pasipanodya, 'A deeper justice: economic and social justice as transitional justice in Nepal', *International Journal of Transitional Justice*, vol. 2, no. 3, 2008, pp. 378–397.

<sup>106</sup> S. Robins, 'Transitional justice as an elite discourse', *Critical Asian Studies*, vol. 44, no. 1, 2012, pp. 3–30.

<sup>107</sup> R. Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State*, Cambridge University Press, Cambridge, 2001.

<sup>108</sup> Adhikari, *The Bullet and the Ballot Box*.

<sup>109</sup> Malagodi, *Constitutional Nationalism*.

histories, archival research, and case law, *Constitutional Nationalism* examines both how a particular definition of national identity—focusing on Hinduism, the monarchy, and the Nepali language—became enshrined in the 1990 constitution, and what the legal implications of this institutional choice were over the course of the following decade. Malagodi answers this first question with reference to a process of institutional path dependency, viewing the 1990 constitution-making process as fundamentally continuous with institutional patterns established during the foundation and consolidation of Nepal as a modern nation-state. She then analyses Supreme Court decisions and legislation, finding that the supposedly ‘soft’ constitutional provisions of the preamble were widely used to justify discriminatory legal interpretations. By exploring in detail the processes through which identity-based discrimination takes place in the legal arena, Malagodi contributes important material to the literatures on both the state and identity politics.

Malagodi’s book also stands out because, unlike much other literature on identity politics, it does not conclude that liberal individual rights necessarily fail to address forms of group-based discrimination. Rather, she argues that it was the particular view of the nation enshrined in the preamble to the 1990 constitution that allowed a conservative judiciary to interpret individual rights provisions in a discriminatory manner. The implication of her argument is that, with a different framing of nationalism, individual rights provisions could be much more effective. While this perspective leaves unaddressed the question of precisely how great the influence of the legal sphere on broader social and political processes is in Nepal, this is an important point that deserves sustained consideration. Finally, the meticulous analysis of the relationship between law and politics put forward in *Constitutional Nationalism* exposes two additional blind spots in the transitional justice literature. First, its prescriptive mode ignores questions about the (political) processes through which these prescriptions might be implemented; second, it lacks an analysis of the legal and political context with which the proposed measures would interact if implemented.

Given the central role that the drawn out constitution writing process has played in Nepali politics since the first Constituent Assembly elections in 2008, the lack of sustained academic engagement with it is surprising. An extensive body of policy reports deals with the complex interactions between the peace process (especially the integration of the two armies), short-term

political calculations, and substantive differences especially on Nepal's federalization, which bedevilled the first Constituent Assembly between 2008 and 2012.<sup>110</sup> However, many avenues of analysis remain to be explored in greater depth, with some important entrées indicated by K. Adhikari and Gellner on ethnic dynamics in the collapse of the first Constituent Assembly,<sup>111</sup> Snellinger on consensus as a political value in the first Constituent Assembly,<sup>112</sup> and Vollan on the dynamics of electoral quotas.<sup>113</sup>

*The state on its own terms*

If Einsiedel et al. (with the exception of several chapters), and the transitional justice literature take up one end of the spectrum of writing on the Nepali state, and Malagodi occupies a middle position, then at the other end we find a body of largely anthropological works that view Nepali political practice as fundamentally distinctive. A striking example is Marie Lecomte-Tilouine's collection of essays, *Hindu Kingship, Ethnic Revival, and Maoist Rebellion in Nepal*.<sup>114</sup> Based on a mix of archival sources and ethnographic field research, Lecomte-Tilouine finds fundamental ritual continuities to underlie historical trajectories of Hindu-ethnic relations, as well as the relationship between the contemporary Maoist rebellion and the Shah monarchy. Although not explicitly acknowledged, Lecomte-Tilouine appears to be following established anthropological traditions by asserting that ritual power and ritually established hierarchies appear constitutive

<sup>110</sup> For example: International Crisis Group, *Nepal's Constitution (I): Evolution Not Revolution*, International Crisis Group Asia Report, Kathmandu/Brussels, 2012; International Crisis Group, *Nepal's Constitution (II): The Expanding Political Matrix*, International Crisis Group Asia Report, Kathmandu/Brussels, 2012; Martin Chautari, *The Debilitating Dynamics of Nepal's Constituent Assembly (2008–2012)*, Martin Chautari Policy Brief, Kathmandu, 2013.

<sup>111</sup> Adhikari and Gellner, 'New identity politics'.

<sup>112</sup> A. Snellinger, 'The production of possibility through an impossible ideal: consensus as a political value in Nepal's Constituent Assembly', *Constellations*, vol. 22, 2015, pp. 233–245.

<sup>113</sup> K. Vollan, 'Group representation and the system of representation in the Constituent Assembly and future parliaments of Nepal', *International Journal on Minority and Group Rights*, vol. 18, 2011, pp. 343–368.

<sup>114</sup> Lecomte-Tilouine, *Hindu Kingship*, 2009.

of worldly political authority;<sup>115</sup> in other words, the state is essentially produced through ritual, and so is its contestation.<sup>116</sup>

*Hindu Kingship* is a sophisticated, nuanced, and important contribution, yet the ritual state perspective that it exemplifies maintains two problematic tendencies: first, its perception of Nepal as a timeless entity in which new cultural content simply comes to fill the given ritual slots; and second, as a corollary of this fundamentally structural approach, its vision of Nepal as a bounded and closed cultural unit. Burghart, examining the congruence between royal body and realm in particular, had already introduced the notion that the efficacy of ritual action, far from being timeless, depended on its interaction with changing political economies,<sup>117</sup> and in fact, Lecomte-Tilouine elsewhere focuses to a much greater extent on historical change. In the introduction to *Revolution in Nepal*, for example, she draws attention to the importance of understanding change and ferment during the *panchayat* era, including longer-term ideological developments within the political left, for analysing contemporary political history. Simultaneously, Lecomte-Tilouine makes several perceptive arguments about Nepal's particular political culture, for example conceptualizing Maoist mobilization as the formation of

<sup>115</sup> A. M. Hocart, *Caste: A Comparative Study*, Methuen, London, 1950; C. Geertz, *Negara: the Theatre State in Nineteenth-Century Bali*, Princeton University Press, Princeton, 1980.

<sup>116</sup> Although we could not fully incorporate a reading of this work into the present review due to its late 2015 publication date, we note here that Mocko's historical anthropology, *Demoting Vishnu* (2015) offers an important contribution to the literature on the role of public rituals in the reproduction of state authority in Nepal. Mocko demonstrates how rituals performed by the Shah monarchs came to be appropriated by secular state officials following the establishment of the interim government in 2007. Arguing that public rituals create a framework for acting out and consolidating social relationships, including state ideologies, Mocko suggests that replacing the King as the apex ritual actor in Nepal enabled secular forces to disrupt the logic of monarchy, and hence perform a new type of state authority centered on the person of the official. She thereby argues that the decline of the kingly succession ritual and changes to the performance of reinforcement rituals was critical to Nepal's transition from monarchy to secular republic. A. Mocko, *Demoting Vishnu: Ritual, Politics, and the Unraveling of Nepal's Hindu Monarchy*, Oxford University Press, Oxford, 2015. For an equally recent counterpoint to Mocko's continuation of the ritual state theme, see Sanjog Rupakheti's argument for a juridical, rather than ritual, reading of the historical Nepali state in S. Rupakheti, 'Reconsidering state-society relations in South Asia: a Himalayan case study', *Himalaya, the Journal of the Association for Nepal and Himalayan Studies*, vol. 35, no. 2, 2016, pp. 73–86.

<sup>117</sup> R. Burghart, 'Gift to the gods: power, property, and ceremonial in Nepal', in *Rituals of Royalty: Power and Ceremonial in Traditional Societies*, D. Cannadine and S. Price (eds), Cambridge University Press, Cambridge, 1987, pp. 237–270.

solidarity networks analogous to, as well as opposed to, those of traditional *thulo manchhe* ('big men'), with the resilience of both against state authority as a common feature. This observation raises provocative questions about the scope and nature of the transition Nepal is undergoing.

These questions of continuity and change in local politics have to date been raised most directly by Philippe Ramirez's French-language ethnography of district- and village-level politics in Arghakanchi, which chronicled both the historical continuity of elite lineages, and the extent to which political affiliations were shaped by local, often longstanding conflicts and rivalries.<sup>118</sup> The kind of political anthropology Ramirez represents was somewhat more prominent in the past, with detailed ethnographic studies of local politics and administration,<sup>119</sup> but the overtly modernist focus on corruption and personalism that characterized this body of work has since fallen out of fashion.<sup>120</sup>

The point that Nepal's postwar transition may mark less of a transformation than is often assumed is made forcefully by an International Crisis Group report titled *Nepal's Political Rites of Passage*.<sup>121</sup> It proposes that political practice is structured on the one hand by strongly institutionalized informal distributive processes, which, in their interdependency with one another as well as formal state structures, assume a high degree of stability, and on the other by pervasive informal rules of conduct. The upshot of this argument is that much of the contentious politics of the post-2006 period, including its violent forms, constituted much less a challenge to the system than attempts at negotiating larger shares of the resources distributed through it.

The Crisis Group report offers an interesting perspective from an unexpected direction, and there are indications that it has had a nuancing impact both on academic and policy analysis since its

<sup>118</sup> P. Ramirez, *De la Disparition des Chefs: une Anthropologie Politique Népalaise*, CNRS Éditions, Paris, 2000.

<sup>119</sup> B. E. Borgström, *The Patron and the Panca: Village Values and Pancayat Democracy in Nepal*, Department of Social Anthropology, University of Stockholm, Stockholm, 1976; L. Caplan, *Administration and Politics in a Nepalese Town: The Study of a District Capital and its Environs*, Oxford University Press, London, 1975.

<sup>120</sup> G. Lakier, 'The myth of the state is real: notes on the study of the state in Nepal', *Studies in Nepali History and Society*, vol. 10, no. 1, 2005, pp. 135–170.

<sup>121</sup> International Crisis Group, *Nepal's Political Rites of Passage*, International Crisis Group Asia Report, Kathmandu/Brussels, 2006.

publication.<sup>122</sup> Nonetheless, in its attempt to explain resilience and underlying continuities, like the 'state as ritual authority' literature from anthropology described above, *Rites of Passage* may in fact underestimate long-term processes of social and political change. The juxtaposition of distinctive political-economic logics with a distinctive political culture—framed as unwritten rules of the game—ultimately raises more questions than it answers about the relationship between the two.

The turn to history that is evident in Lecomte-Tilouine's introduction and many of the contributions in the volume *Revolution in Nepal* is not entirely new. In an immediate sense, it follows a number of earlier local political histories exploring the backgrounds of Maoist mobilization.<sup>123</sup> But a broader historiographical re-engagement with nineteenth- and twentieth-century state formation in Nepal is also underway. Raj offers a historical account of peasant mobilization through an extended life-history interview—minimally edited and sparsely juxtaposed with additional archival material—with Krishnabhakta Caguthi, an octogenarian peasant leader from Bhaktapur, as well as a theory of history as a series of 'ruptures and repairs' articulated in an edited volume by that name.<sup>124</sup> Addressing an altogether different scale, Michael's study of the 1814–1816 Anglo-Gorkha war relies on rich archival material to situate the formation of the Nepalese state within broader colonial dynamics of the subcontinent.<sup>125</sup> He nuances Burghart's seminal account<sup>126</sup> by drawing attention to the fluidity and fragmentation of contemporary political authority. Fujikura's fine, historically informed ethnography of community development draws attention to the crucial importance of international development for post-1950 processes of state formation.<sup>127</sup> Taken together, this scholarship re-emphasizes the importance of considering processes of state transformation in Nepal

<sup>122</sup> Sharrock, 'Review'.

<sup>123</sup> K. Ogura, 'Maoists, people, and the state as seen from Rolpa and Rukum', in *Social Dynamics in Northern South Asia*, Ishii, Gellner and Nawa (eds); Shneiderman, 'The formation of political consciousness'.

<sup>124</sup> Y. Raj, *History as Mindscapes: A Memory of the Peasants' Movement of Nepal*, Martin Chautari, Kathmandu, 2010; Y. Raj (ed.), *Ruptures and Repairs in South Asia: Historical Perspectives*, Martin Chautari, Kathmandu, 2013.

<sup>125</sup> B. A. Michael, *Statemaking and Territory in South Asia: Lessons from the Anglo-Gorkha War (1814–1816)*, Anthem Press, New York, 2012.

<sup>126</sup> Burghart, 'The formation of the concept of nation-state in Nepal'.

<sup>127</sup> Fujikura, *Discourses of Awareness*.

—past and present—in their subcontinental and world-historical context.<sup>128</sup>

A different kind of historical engagement emerges from a number of recent re-publications of works from and on two earlier transitions—those of 1950 and 1960. Particularly important among these is a collection of political scientist L.S. Baral's essays on the early *panchayat* state, published mostly in the 1960s and 1970s.<sup>129</sup> Eugene Mihaly offers what is still the most comprehensive account of the first decade of foreign aid in Nepal.<sup>130</sup> Together with Joshi and Rose's account of political developments in the 1950s,<sup>131</sup> Mihaly's book also highlights the extent to which an earlier generation of 'transitologist' literature on Nepal was concerned with questions of state legitimacy, security, and stability, then in the context of the cold war.

Recent historiographical work, however, also represents an important departure, in the sense that there was previously very limited attention to political economy in the analysis of the Nepali state. We refer particularly to approaches associated with historical and fiscal sociology, which pay close attention to the dynamic interaction between state practices, including the extraction and distribution of resources, and forms of production and class structures.<sup>132</sup> A focus on the relationship between political and economic processes had been prominent in the work of earlier historians, in particular in Stiller and Regmi's work on land reform, but has been less evident since the 1970s.<sup>133</sup>

<sup>128</sup> A point made forcefully in M. Des Chene, 'Is Nepal in South Asia? The condition of non-postcoloniality', *Studies in Nepali History and Society*, vol. 12, no. 2, 2007, pp. 207–223. Recent work on Nepal's borderlands contribute to addressing this gap in the literature. See for example Gellner (ed.), *Borderland Lives in Northern South Asia*.

<sup>129</sup> L. S. Baral, *Autocratic Monarchy: Politics in Panchayat Nepal*, Martin Chautari, Kathmandu, 2012.

<sup>130</sup> E. B. Mihaly, *Foreign Aid and Politics in Nepal, a Case Study*, Himal Books, Kathmandu, 2002 [1965].

<sup>131</sup> Joshi and Rose, *Democratic Innovations in Nepal*.

<sup>132</sup> Classical exponents were B. Moore, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World*, Penguin Press, London, 1967; J. A. Schumpeter, 'The crisis of the tax state', *International Economic Papers*, vol. 4, 1918, pp. 5–38; T. Skocpol, *States and Social Revolutions: A Comparative Analysis of France, Russia, and China*, Cambridge University Press, Cambridge, 1979; C. Tilly, *Coercion, Capital, and European States, AD 990–1990*, B. Blackwell, Cambridge, Massachusetts, 1990.

<sup>133</sup> M. C. Regmi, *Landownership in Nepal*, University of California Press, Berkeley, 1976; L. F. Stiller, *The Rise of the House of Gorkha: A Study in the Unification of Nepal, 1768–1816*, Manjusri Publishing House, New Delhi, 1973.



Beyond historical works, a small number of recent publications address particular aspects of Nepal's broader political economy. Examples include Mishra's essays on the sociology of Nepal;<sup>134</sup> Panday's collection of essays on foreign development efforts, which provide an excellent historical overview, and highlight the importance of development aid for financing the Nepali state;<sup>135</sup> and M. Shakya on changing historical relationships between business elites and the state.<sup>136</sup> Sugden's articles on land relations in the eastern Tarai fill an important gap in research on changing land relations in a still overwhelmingly agrarian country, even though his neo-Marxist emphasis on semi-feudalism perhaps leads to an over-emphasis on continuities over politically relevant transformations in the rural class structure.<sup>137</sup> His work in many ways follows earlier Marxist perspectives, which sought causes for Nepal's poverty in a vision of the state stuck at an 'earlier' stage of development.<sup>138</sup>

A recent ethnographic application of such Marxian theory can be found in Fitzpatrick's *Cardamom and Class*.<sup>139</sup> The author uses historical and ethnographic analysis to describe how changes in production processes have generated certain patterns of economic differentiation in a Limbu village in East Nepal. Fitzpatrick details how the introduction and development of cardamom as a cash crop, the arrival and integration of non-Limbu migrants, and the increased participation of villagers in international circuits of labour migration produced the current landscape of inequality in the village of Mamangkhe. Fitzpatrick's account demonstrates the role of resource

<sup>134</sup> C. Mishra, *Essays on the Sociology of Nepal*, FinePrint Books, Kathmandu, Nepal, 2007.

<sup>135</sup> D. R. Panday, *Looking at Development and Donors: Essays from Nepal*, Martin Chautari, Kathmandu, 2011.

<sup>136</sup> M. Shakya, 'Nepali economic history through the ethnic lens: changing state relationships with entrepreneurial elites', in *Nationalism and Ethnic Conflict in Nepal: Identities and Mobilization after 1990*, Lawoti and Hangen (eds), pp. 58–82.

<sup>137</sup> F. Sugden, 'Neo-liberalism, markets and class structures on the Nepali lowlands: the political economy of agrarian change', *Geoforum*, vol. 40, no. 4, 2009, pp. 634–644; F. Sugden, 'Pre-capitalist reproduction on the Nepal Tarai: semi-feudal agriculture in an era of globalisation', *Journal of Contemporary Asia*, vol. 43, no. 3, 2013, pp. 519–545.

<sup>138</sup> P. Blaikie, J. Cameron, and D. Seddon, *Nepal in Crisis: Growth and Stagnation at the Periphery*, Adroit Publishers, New Delhi, 2005 [1980]; P. Blaikie, J. Cameron, and D. Seddon, *Centre, Periphery, and Access in West Central Nepal: Approaches to Social and Spatial Relations of Inequality*, School of Development Studies, University of East Anglia, Norwich, 1983; D. Seddon, P. Blaikie, and J. Cameron, *Peasants and Workers in Nepal*, Aris and Phillips, Warminster, 1979.

<sup>139</sup> I. C. Fitzpatrick, *Cardamom and Class: A Limbu Village and its Extensions in East Nepal*, Vajra Publications, Kathmandu, 2011.

distribution and production processes in establishing a class-based identity affiliation that complicates apolitical notions of Limbu-ness and neatly structured economic hierarchies. And finally, like other recent studies of migration and mobility, Fitzpatrick's findings of shifting and agentic mobilities challenge tropes that would place eastern Nepal at globalism's periphery.

Still barely addressed, however, is the elephant in the room: the effect of Nepal's rapidly expanding remittance economy on not only livelihoods and economic organization, but on political processes both at the local and the national level. Remittances from foreign employment have consistently contributed over 15 per cent of Nepal's GDP for over half a decade, reaching 25 per cent in financial year 2012/13. But with the exception of Sapkota's analysis of the impact of remittances on economic competitiveness,<sup>140</sup> there has been little analysis of what this drastic change in resource flows means for political incentive systems. Likewise, there is seldom analysis that addresses the role of remittances and foreign capital in financing broader social movements taking place in Nepal today, particularly the apparent eruption of identity-based politics in the wake of the civil conflict.<sup>141</sup>

### The politics of identity

As a focus on the politics of identity becomes normalized in academic writing about Nepal it is crucial to ask how this subject became so strongly foregrounded in contemporary Nepal studies. A dominant narrative presumes that we owe this academic turn to the deep socio-economic inequalities revealed through the 1996–2006 civil conflict. In a manner that may seem counter-intuitive to outside observers who identify Maoism with 'class struggle', it was in fact the Maoists who brought the concerns of what we might call 'identity-based inequality' to the fore through their 1996 40-point demand. Indeed, much literature that seeks to unravel the causes of the conflict focuses on identity politics, indicating the wide salience of

<sup>140</sup> C. Sapkota, 'Remittances in Nepal: boon or bane?', *The Journal of Development Studies*, vol. 49, no. 10, 2013, pp. 1316–1331.

<sup>141</sup> Gendered aspects of state transformation deserve further attention; see Lohani-Chase, 'Protesting women'; Ramnarain, 'Universalized categories'; and S. Tamang, 'The politics of conflict'. Also deserving of further attention are the gendered dynamics of migration and the remittance economy; see J. Adhikari and Hobley, 'Everyone is leaving'; and J. Sharma, 'Migration, marginality and modernity'.

identity politics as a category of political life by 2006.<sup>142</sup> Some scholars have reframed the problem of 'identity politics' around the concepts of inclusion, exclusion, and citizenship,<sup>143</sup> while others promote the 'politics of belonging' as a broader, more effective rubric for considering the political consequences of social difference.<sup>144</sup> Another group emphasizes a spatial approach to demography and population indicators as a key methodology for understanding and managing the country's diversity.<sup>145</sup>

### *Periodizing scholarship on identity*

While literature on these themes has burgeoned in recent years, Krishna Bhattachan reveals in his retrospective, 'Ethnopolitics and Development', that scholars of Nepal have interrogated the uneven experiences of identity in Nepal, as well as its attachment to privilege and poverty, since at least the 1970s.<sup>146</sup> Republished in Lawoti and Hangen's edited volume, *Nationalism and Ethnic Conflict in Nepal*, Bhattachan's 1995 contribution describes a period between the 1970s and 1990s (labelled the 'Conflict Phase') when scholars of Nepal shifted focus from descriptions of the social worlds of isolated groups towards inquiry into the types of social relations transpiring between groups.<sup>147</sup> The academic concern with hierarchical, as well

<sup>142</sup> Lawoti and Pahari, *Maoist Insurgency in Nepal*; Lawoti and Hangen, *Nationalism and Ethnic Conflict*; Lecomte-Tilouine, *Hindu Kingship*.

<sup>143</sup> L. Bennett and D. Parajuli, *The Nepal Multidimensional Exclusion Index: Making Smaller Social Groups Visible for Tracking Results on Social Inclusion*, Himal Books, Kathmandu, 2013; O. Gurung, M. S. Tamang, and M. Turin (eds), *Perspectives on Social Inclusion and Exclusion in Nepal*, Central Department of Sociology and Anthropology, Tribhuvan University, Kathmandu, 2014; World Bank/DFID, *Unequal Citizens: Gender, Caste and Ethnic Exclusion in Nepal—Summary*, World Bank and DFID, Kathmandu, 2006.

<sup>144</sup> Pfaff-Czarnecka and Toffin, *The Politics of Belonging in the Himalayas*; Toffin and Pfaff-Czarnecka, *Facing Globalization in the Himalayas*.

<sup>145</sup> P. Sharma, *Unravelling the Mosaic: Spatial Aspects of Ethnicity in Nepal*, Himal Books, Kathmandu, 2008. See also the 42-volume *Social Inclusion Atlas-Ethnographic Profiles (SIA-EP)* published by Tribhuvan University's Central Department of Sociology and Anthropology in 2014, with support from the Social Inclusion Research Fund.

<sup>146</sup> K. Bhattachan, 'Ethnopolitics and ethnodevelopment: an emerging paradigm in Nepal—with a postscript', in *Nationalism and Ethnic Conflict: Identities and Mobilization after 1990*, Lawoti and Hangen (eds), pp. 35–57.

<sup>147</sup> One of the earliest examples is Lionel Caplan's *Land and Social Change in East Nepal: A Study of Hindu-Tribal Relations* (republished by Himal Books, Kathmandu, 2000).

as reciprocal, social relationships crossed into popular conversation following the events of the 1990 ‘People’s Movement’, to the extent that the very terms of what counts as ‘authentic identity’, and for whom, became open to public debate. The ‘Public Debate Phase’, as Bhattachan characterizes the post-1990 era, remains a relevant designation for current preoccupations with identity-based claims for federalism, reservations (affirmative action), equal opportunity, and access.<sup>148</sup>

After the conflict ended in 2006, studies of identity in Nepal have begun to move beyond debates about the validity of a politics of identity to explore the content and impact of such politics in Nepal today. This transition is itself a reflection of the burgeoning implementation of policies, such as affirmative action, which give empirical traction to the study of a politics of identity.<sup>149</sup> We could ask if the practice of identity politics is evidence of a change in the general relationship between persons and the state—a switch from governing subjects to managing rights-bearing citizens. As the state shifts toward provisioning basic services, granting citizenship, delivering pensions, and creating policy explicitly upon the merits of identity, there is much to be explored regarding the historical centrality of the definition of ‘person’ to the operation of the Nepal state.<sup>150</sup> That scholarship has responded to these changes within the art of governance through the study of identity politics is therefore a welcome recognition of the dynamism of political practices within the Nepali state.

<sup>148</sup> On affirmative action, see A. Shah and S. Shneiderman, ‘The practices, policies and politics of transforming inequality in South Asia: ethnographies of affirmative action’, *Focaal—Journal of Global and Historical Anthropology*, vol. 65, 2013, pp. 3–12.

<sup>149</sup> P. Onta, ‘The growth of the Adivasi Janajati Movement in Nepal after 1990: the non-political institutional agents’, *Studies in Nepali History and Society*, vol. 11, no. 2, 2006, pp. 303–354; P. Onta, ‘Expansion of the public sphere amidst market challenges: Janajati magazines in Nepal in the 1990s’, in *The Politics of Ethnicity in India, Nepal and China*, Carrin, Kanungo, and Toffin (eds), pp. 255–278; S. Shneiderman, ‘Developing a culture of marginality: Nepal’s current classificatory moment’, *Focaal—Journal of Global and Historical Anthropology*, vol. 65, 2013, pp. 42–55.

<sup>150</sup> See also L. Kunreuther, *Voicing Subjects: Public Intimacy and Mediation in Kathmandu*, University of California Press, Berkeley, 2014, on shifting notions of subjecthood; M. Lecomte-Tilouine, ‘Ruling social groups, from species to nations: reflections on changing conceptualizations of caste and ethnicity in Nepal’, in *Ethnic Activism and Civil Society in South Asia*, Gellner (ed.), pp. 291–336; L. Leve, ‘Subjects, selves, and the politics of personhood in Theravada Buddhism in Nepal’, *The Journal of Asian Studies*, vol. 61, no. 3, 2002, pp. 833–860; D. Skinner, A. I. Pach III, and D. Holland (eds), *Selves in Time and Place: Identities, Experience and History in Nepal*, Rowman and Littlefield, Lanham, 1998.

Current studies of identity politics are in many ways grounded in the scholarship on ethnicity that emerged after the return of multi-party democracy in the 1990s. Bhattachan's piece on ethnopolitics, for example, was first published in 1995.<sup>151</sup> Gellner, Pfaff-Czarnecka, and Whelpton's seminal edited volume, *Nationalism and Ethnicity in Nepal* first appeared in 1997 as *Nationalism and Ethnicity in a Hindu Kingdom*.<sup>152</sup> Both these works helped to frame academic discussions on the relationship between group identity and the Nepali state, and in the case of Bhattachan, the engagement of international development practices with the rise of ethnic consciousness in Nepal.

### *Identity and conflict*

During the early years of the conflict, anthropologists such as de Sales and Lecomte-Tilouine investigated the relationship between ethnic identity and the establishment of Maoist strongholds in rural mid-west Nepal.<sup>153</sup> Others expanded such inquiries and moved them further east.<sup>154</sup> M. S. Tamang and Lawoti each contributed to the elaboration of this theme by linking Maoist demands, such as the call for the end of caste-based oppression, to the ethnic activism emergent in the 1990s, although it had yet earlier historical roots.<sup>155</sup> Much of the pioneering literature written early in the conflict on these topics was published in

<sup>151</sup> K. Bhattachan, 'Ethnopolitics and ethnodevelopment: an emerging paradigm in Nepal', in *State, Leadership and Politics in Nepal*, D. Kumar (ed), Centre for Nepal and Asian Studies, Tribhuvan University, Kathmandu, 1995.

<sup>152</sup> D. N. Gellner, J. Pfaff-Czarnecka, and J. Whelpton (eds), *Nationalism and Ethnicity in Nepal*, Vajra Publications, Kathmandu, 2008 [1997].

<sup>153</sup> Lecomte-Tilouine, 'Utopia and ideology'; de Sales, 'The Kham-Magar country'.

<sup>154</sup> Gaenszle et al., 'Resisting the state in east Nepal'; Pettigrew and Adhikari, 'Fear and everyday life'; Shneiderman, 'The formation of political consciousness'; and Thapa, Ogura, and Pettigrew, 'The social fabric of the Jelbang killings'.

<sup>155</sup> M. S. Tamang, 'Culture, caste and ethnicity in the Maoist movement', *Studies in Nepali History and Society*, vol. 11, no. 2, 2006; M. Lawoti, 'The Maoists and minorities: overlap of interests or a case of exploitation?', *Studies in Nepalese History and Society*, vol. 8, 2003, pp. 67–97. Two recent publications that carry this discussion further are: F. Ismail and A. Shah, 'Class struggle, the Maoists, and the indigenous question in Nepal and India', *Economic and Political Weekly*, vol. 50, no. 35, 2015, pp. 112–123; and D. Thapa, 'Promissory note: Nepal's left movement and the Janajatis', in *The Politics of Ethnicity in India, Nepal and China*, Carrin, Kanungo, and Toffin (eds), pp. 169–186.

academic journals, but many have since found a second life as chapters in edited volumes.<sup>156</sup>

Only one ethnographic monograph published during our review period substantively addresses the relationship between ethnic identity and Maoist politicization: Judith Pettigrew's *Maoists at the Hearth*. As described above in the *Conflict literatures* section of this review, Pettigrew's ethnography is notable for its analysis of the everyday lifeworlds constructed in a Tamu (Gurung) village of Western Nepal during, before, and after the arrival of the People's Liberation Army and state security forces to the region, and provides both depth and detail to the study of identity in the conflict period. As noted above, a large literature addresses the relationship between gendered dimensions of identity and Maoist mobilization (see footnotes 77 and 78).

The theme of 'conflict'—although perhaps differently figured—remains at the centre of scholarship on identity published after the 2006 formal end of the war. Several scholars have argued that lasting peace in Nepal will only be possible if the state heeds the demands of ethnic activists for equal representation in government, the civil service, and security forces; implements affirmative action policies; and ensures legal status for customary governance in traditional territories as mandated by the International Labour Organization's Convention 169 on the rights of indigenous peoples, which Nepal signed in 2007.<sup>157</sup> As such demands began to receive public attention, Hangen's 2007 open access publication, *Creating a 'New Nepal': The Ethnic Dimension*, served as a handbook for understanding the historicity of ethnicity-based social mobilizations and subsequent demands for social change following the second People's Movement.<sup>158</sup> In *The Rise of Ethnic Politics in Nepal: Democracy in the Margins*, Hangen further argues that the challenges ethnic activists raised for the state disrupted normalized narratives of 'social harmony' between ethnic and caste groups, thereby promoting what Hangen views as a positive

<sup>156</sup> See especially Gellner, *Ethnic Activism and Civil Society in South Asia*; Gellner, *Varieties of Activist Experience*; Lawoti and Hangen, *Nationalism and Ethnic Conflict*; Lecomte-Tilouine, *Revolution in Nepal*; Shah and Pettigrew, *Windows into a Revolution*.

<sup>157</sup> O. Gurung, 'Evolution of indigeneity, identity and autonomy in federal Nepal', in *Ethnicity and Federalisation in Nepal*, C. Mishra and O. Gurung (eds), Central Department of Sociology and Anthropology, Tribhuvan University, Kathmandu, 2012, pp. 193–209; Lawoti and Hangen, *Nationalism and Ethnic Conflict*.

<sup>158</sup> S. Hangen, *Creating a 'New Nepal': The Ethnic Dimension*, East-West Center, Washington, DC Policy Studies, no. 34, 2007.

process of democratization at the 'margins' of the Nepali polity. Such arguments that seek to recuperate the positive elements of processes of ethnicization run the risk of echoing the structural functionalist arguments typical of *panchayat* and pre-*panchayat* era Nepal scholarship: by representing ethnic groups as totalized social components in a plurinational Nepal, the conceptual, and consequently the material-territorial, integrity of the Nepali state remains an unchallenged whole.

This tendency, however, may be understood better in light of the project of deconstructing such totalizing narratives that dominated scholarship on ethnicity in Nepal post-1980. The ethnographic monographs of Fisher and Guneratne, for example, applied deconstructivist analyses to the study of ethnicity.<sup>159</sup> More recent monographs such as those by Hangen and Shneiderman may be understood in part as a response to that earlier analytical turn. While these authors study identity formation practices on a regional and national scale, Leve's 2011 article 'Identity' follows Bhattachan by turning to the phenomenon of global neoliberalism to explain the appearance of identity politics in Nepal.<sup>160</sup> Shneiderman redirects attention to the emergence of identity politics in the mobilities of persons labouring in transnational economies, in her case Thangmi traversing bureaucracies in India, Nepal, and China's Tibetan Autonomous Region (TAR).<sup>161</sup> Mishra and Gurung provide a good overview of the diverse scholarly opinions on the questions of ethnicity and federalization that dogged the constitution writing process, and remain highly relevant in understanding the aftermath of the 2015 constitutional promulgation.<sup>162</sup>

<sup>159</sup> W. F. Fisher, *Fluid Boundaries: Forming and Transforming Identity in Nepal*, Columbia University Press, New York, 2001; A. Guneratne, *Many Tongues, One People: The Making of Tharu Identity in Nepal*, Cornell University Press, Ithaca, 2002. While Fisher and Guneratne represent landmark monographic treatments of the production of ethnicity in Nepal, this topic had been explored previously in N. Levine, 'Caste, state, and ethnic boundaries in Nepal', *Journal of Asian Studies*, vol. 46, no. 1, 1987, pp. 71–88, and is introduced in D. Holmberg, *Order in Paradox: Myth and Ritual Among Nepal's Tamang*, Cornell University Press, Ithaca, 1989, Chapter 2.

<sup>160</sup> L. Leve, 'Identity', *Current Anthropology*, vol. 52, no. 4, 2011, pp. 513–535; Bhattachan, 'Ethnopolitics and ethnodevelopment'.

<sup>161</sup> S. Shneiderman, *Rituals of Ethnicity: Thangmi Identities Between Nepal and India*, University of Pennsylvania Press, Philadelphia, 2015.

<sup>162</sup> Mishra and Gurung (eds), *Ethnicity and Federalisation in Nepal*.



*Identity beyond indigeneity*

It is perhaps unfortunate that the scholarship on ethnic and indigenous identities has largely eclipsed other forms of identity prevalent and relevant to contemporary Nepali political life. Studies of the gendered dynamics of Nepali politics and statecraft, for example, have not received extensive book-length attention in scholarship published post-2006, although gender is an undoubtedly crucial dimension of social life in Nepal which has been overtly affected by the changing political environment.<sup>163</sup> The experience of Dalits (formerly ‘untouchables’) in the post-conflict wave of identity politics has also only begun to be explored in scholarly terms.<sup>164</sup> These authors have contributed to complicating our understanding of the practice of

<sup>163</sup> In the context of a constitution that grants citizenship to third-gendered persons, we expect to see a rise of scholarly publications on the topic of all forms of gendered identity. Among other publications, the special issue of *Studies in Nepali History and Society*: ‘New Research on Gender and Contemporary Experience in Nepal’, edited by B. H. Grossman-Thompson, vol. 18, no. 2, 2013, is evidence of this. For important contributions to the study of queerness in Nepal, see K. Knight, ‘Outliers: Sunil Babu Pant, the Blue Diamond Society, and queer organizing in Nepal’, *Studies in Nepali History and Society*, vol. 19, no. 1, 2014. S. Tamang’s 2009 article remains a critical source for understanding the history and current challenges of the women’s movement in Nepal. C. Davis’ *Maithil Women’s Tales* (2014) is one of the most recent monographs to address women’s life histories from an anthropological perspective, while case studies from J. Rothchild (2006) and E. Herzog (2011) address gendered dimensions of education. Pettigrew’s *Maoists at the Hearth* offers a largely female-gendered portrait of political and social change during the conflict period, but is not framed as a gender study. The work of J. Sharma (2014) and S. Hausner and J. Sharma (2013) gives a generative account of the male-gendered dimensions of migration. For discussions of the ‘sexual politics of poverty’ in Nepal, see D. Richardson, M. Poudel, and N. Laurie, ‘Sexual trafficking in Nepal: constructing citizenship and livelihoods’, *Gender, Place and Culture*, vol. 16, no. 3, 2009, pp. 259–278; and for a consideration of the role of feminist scholarship in understanding Nepal’s political transition, see A. J. Nightingale and K. Rankin, ‘Political transformations: collaborative feminist scholarship in Nepal’, *Himalaya, the Journal of the Association for Nepal and Himalayan Studies*, vol. 34, no. 1, 2014, pp. 105–117.

<sup>164</sup> S. Darnal, *A Land of Our Own: Conversations with Dalit Members of Constituent Assembly*, Samata Foundation and Jagaran Media Center, Kathmandu, 2009; S. Folmar, ‘Problems of identity for hill Dalits and Nepal’s nationalist project’, in *Nationalism and Ethnic Conflict in Nepal: Identities and Mobilizations after 1990*, Lawoti and Hangen, pp. 85–101; A. Guneratne (ed), *Dalits of Nepal: Towards Dignity, Citizenship, and Justice*, Himal Books, Kathmandu, 2010; U. P. Pyakurel, ‘A debate on Dalits and affirmative action in Nepal’, *Economic and Political Weekly*, vol. 46, no. 40, 2011, pp. 71–78; L. A. Vasily, ‘Struggles against domination: forms of Nepali Dalit activism’, in *Ethnic Activism and Civil Society in South Asia*, Gellner (ed), pp. 215–239. These join M. Cameron’s monograph, *On the Edge of the Auspicious: Gender and Caste in Nepal*, University of Illinois Press, Urbana, Illinois, 1998.

identity politics—dependent primarily on a politics of recognition vis-à-vis the government of Nepal—among groups reliant on a ‘politics of anonymity’ such as the Dalits who make up 12 per cent of Nepal’s population.<sup>165</sup>

Given the prominent role that Madheshi parties played in catalysing the second People’s Movement in 2006, it is surprising and somewhat disheartening that scholarly analysis of Madheshi identities remains relatively sparse.<sup>166</sup> The relationship between emerging forms of Muslim identity mobilizations and Nepal’s political transition is one area in which scholars have engaged substantively with the dynamics of identity in the Tarai.<sup>167</sup> Muslim leaders have been engaged in efforts to mobilize a pan-Nepali Muslim identity and promote the concerns of Nepal’s Muslims since at least the middle of the twentieth century, but such efforts tended to be restricted to the sub-national level and focused on issues within and between various Muslim communities in Nepal until the early 2000s.<sup>168</sup> Since 2005, however, Muslim organizations in Nepal have increasingly mobilized to establish the legitimacy of a pan-Nepali Muslim identity and the national-level political demands associated with such an identity—namely, the recognition and certification of madrasas as legitimate educational institutions, the protection and promotion of the Urdu language, and national-level committees to promote the development of Muslim communities and the protection and management of Islamic institutions and properties.<sup>169</sup> There are several emergent scholarly accounts of how other religious identities have figured in Nepal’s transformation.<sup>170</sup> The broader question of

<sup>165</sup> P. M. Devkota (ed.), *Dalits of Nepal: Issues and Challenges*, Feminist Dalit Organization, Lalitpur, 2002; Folmar, ‘Problems of identity’; Y. B. Kisan, *The Nepal Dalit Social Movement*, L. Vasily (trans.), Legal Rights Protection Society, Kathmandu, 2005.

<sup>166</sup> For notable exceptions, see Jha, *Battles of the New Republic*; K. B. Mathema, *Madheshi Uprising: The Resurgence of Ethnicity*, Mandala Book Point, Kathmandu, 2011; and B. Sijapati, ‘In pursuit of recognition: regionalism, Madhesi identity and the Madhes Andolan’, in *Nationalism and Ethnic Conflict: Identities and Mobilization after 1990*, Lawoti and Hangen (eds), pp. 145–172.

<sup>167</sup> M. Dastider, *Understanding Nepal: Muslims in a Plural Society*, Har Anand Publications, 2007; M. A. Sijapati, *Islamic Revival in Nepal: Religion and a New Nation*, Routledge, London, 2011.

<sup>168</sup> Dastider, *Understanding Nepal*.

<sup>169</sup> Sijapati, *Islamic Revival in Nepal*, pp. 71–98.

<sup>170</sup> On Buddhism, see C. Letizia, ‘Buddhist activism, new sanghas, and the politics of belonging among some Tharu and Magar communities of southern Nepal’, in *Facing Globalisation in the Himalayas: Belonging and the Politics of*

how Nepal's constitutional shift from Hindu kingdom to secular democratic republic has affected identity formation remains largely unexplored.<sup>171</sup>

Underscoring the present phase of writing on identity and politics in Nepal studies are concerns with how identity becomes represented to the state, and conversely, how the state comes to recognize identity as a basis for claims made on it. Arguably for the nation-state, the most contentious claims are those that impact the control of territory. Mobilizations for federal provinces with boundaries determined by and/or named for ethnic or regional identities derailed the Constituent Assembly in 2012, and this spectre still haunts the constitution as promulgated in September 2015. The allocation of natural resource management to the care of specific identity-based groups remains a prominent unresolved issue. It is through debates over rights to land that identity-based groups receive the most attention from the state, and consequently from scholars studying the state. This observation may help explain why non-territorially based forms of identity—religious, Dalit, and others—are only beginning to be explored in the scholarship on Nepal's political transformation and deserve further study.<sup>172</sup>

### The politics of environment and territory

While debate over the role of identity in shaping federal boundaries continues, the Nepali state and other actors have been engaged

*the Self*, Toffin and Pfaff-Czarnecka (eds), pp. 286–322; S. Levine and D. N. Gellner, *Rebuilding Buddhism: The Theravada Movement in Twentieth Century Nepal*, Harvard University Press, Cambridge, Massachusetts, 2005; and on Christianity, see L. Leve, 'Cruel optimism, Christianity, and the post-conflict optic', *Fieldsights - Hot Spots, Cultural Anthropology Online*, 24 March 2014, <http://www.culanth.org/fieldsights/509-cruel-optimism-christianity-and-the-post-conflict-optic>, [accessed 2 July 2016]; T. Fricke, 'Tamang conversions: culture, politics, and the Christian conversion narrative in Nepal', *Contributions to Nepalese Studies*, vol. 35, no. 1, 2008, pp. 35–62; and B. Ripert, 'Improbable globalization: individualization and Christianization among the Tamangs', in *Facing Globalization in the Himalayas: Belonging and the Politics of the Self*, Toffin and Pfaff-Czarnecka (eds), pp. 45–62.

<sup>171</sup> For initial considerations, see C. Letizia, 'Shaping secularism in Nepal', *European Bulletin of Himalayan Research*, vol. 39, 2012, pp. 66–104; and C. Letizia, 'The goddess Kumari at the Supreme Court: divine kinship and secularism in Nepal', *Focaal—Journal of Global and Historical Anthropology*, vol. 67, 2013, pp. 32–46.

<sup>172</sup> See also Shneiderman and Tillin, 'Restructuring states'.

in diverse forms of territorial restructuring linked to the politics of environment. This section draws connections between recently published work on Nepal that is concerned with environmental conflict and change, shifting regimes of natural resource management, and the intersection of social and environmental problems. Here we concentrate largely on political-environmental change in the context of development projects and natural resource management, while also addressing work on the political economy of agrarian relations that clarifies the relationship between political change and environmental change in important ways.<sup>173</sup>

### *Territory*

*Territorial Changes and Territorial Restructuring in the Himalayas*, edited by Joëlle Smadja, offers several accounts of how political transitions effect different kinds of territorial restructuring, and vice versa.<sup>174</sup> This volume also productively expands the political discourse on territory to include environmental change and changing patterns of mobility and migration.

In her introduction, Smadja argues that the solidity of territory as a concept is undermined when political stability unravels, creating space for new kinds of territorial claims and new processes of territorialization which overlap in the same spaces—such as identity politics or the social and spatial claims of development projects. Khanal's contribution defines 'territory' as a space of belonging, which is characterized as 'defensible' and articulated as a site of a particular activity.<sup>175</sup> Building on these assertions, several other authors discuss

<sup>173</sup> A. Nightingale, for example, shows how practices of land management in Mugu district reflect overlapping relations of power, using ethnographic analysis of embodied environmental practices 'to understand the intersectionality of social difference, material space and resources in (re)producing hierarchies and power relations'. Using a lens of feminist political ecology, Nightingale proposes that everyday practices within 'embodied/ecological spaces' constitute an additional dimension of intersectionality that colours different kinds of gendered subjectivities (p. 161). A. J. Nightingale, 'Bounding difference: intersectionality and the material production of gender, caste, class and environment in Nepal', *Geoforum*, vol. 42, no. 2, 2011, pp. 153–162.

<sup>174</sup> Smadja, *Territorial Changes*, p. 14

<sup>175</sup> N. R. Khanal, 'Territorial changes in Nepal: proposals for a federal state', in *Territorial Changes and Territorial Restructuring in the Himalayas*, Smadja (ed.), pp. 107–120.

how conceptions of environment, place, and territory are mutually and interdependently changing as political transitions are accompanied by shifting socialities and mobilities.<sup>176</sup> These contributors foreground changing patterns of mobility, from the evacuation of land during conflict, to the occupancy of urban frontiers, to the social history of foreign employment, which shapes new relationships and tensions between ‘localities’ and broader global networks. Discussing these changes, Smadja revisits the concept of ‘Zomia’<sup>177</sup> and its attention to jurisdiction, legibility, and resistance as a means to investigate the changing nature of Himalayan territorialities defined by a more engaged periphery that is increasingly enmeshed in global systems of labour and capital.

In a similar vein, Campbell’s monograph, *Living Between Juniper and Palm*, describes how the lived environments and cultural territories of Tamang communities in Rasuwa district contrast with environmental projects that seek to delineate, protect, and benefit from environmental resources at the national and regional scale. A recent addition to the literature on conservation and enclosure in Nepal,<sup>178</sup> this ethnography describes the ways in which the living landscape of Tamang communities is altered by the enclosure of Langtang National Park, an environmental territory that limits transhumant livelihoods. Projects like Langtang National Park introduce an array of official new subjectivities to this part of Rasuwa, whereas communities living here previously ‘maintained a state of semi-detachment to the state’ that resembles the territorial sovereignty of other communities theorized as Zomian.<sup>179</sup> Paralleling some of his chapter on the opening of the Kyirong Road in the Smadja volume,<sup>180</sup> Campbell demonstrates how both development

<sup>176</sup> See chapters by Ripert, Bruslé, and others on contemporary migration patterns and the territorial effects of foreign employment in Smadja, *Territorial Changes*.

<sup>177</sup> J. C. Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia*, Yale University Press, New Haven, 2009; S. Shneiderman, ‘Are the Central Himalayas in Zomia? Some scholarly and political considerations across time and space’, *Journal of Global History*, vol. 5, no. 2, 2010, pp. 289–312.

<sup>178</sup> See for example, J. Adhikari and H. Dhungana, ‘The state and forest resources: an historical analysis of policies affecting forest management in the Nepalese Tarai’, *Himalaya, the Journal of the Association for Nepal and Himalayan Studies*, vol. 29, no. 1–2, 2009, pp. 43–56; A. Guneratne (ed), *The Tarai: History, Society, Environment*, Kathmandu, Himal Books, 2011.

<sup>179</sup> Campbell, *Living Between Juniper and Palm*, p. 39.

<sup>180</sup> B. Campbell, ‘From remote area to thoroughfare of globalisation: shifting territorialisations of development and border peasantry in Nepal’, in *Territorial Changes and Territorial Restructuring in the Himalayas*, Smadja (ed.), pp. 269–288.

and conservation result in territorial restructuring that affects the lives of rural communities in ways akin to political restructuring.

These observations can be put in conversation with M. S. Tamang's earlier work on an emergent 'territorial consciousness' within Tamang communities seeking political recognition,<sup>181</sup> and B. Sijapati's recent analysis of Madheshi identity politics and territoriality in the Tarai.<sup>182</sup> The latter describes how ongoing social and political exclusion in an area characterized by dense geographic concentrations of population and resources created a crucible for political transformation. Both Tamang and Madheshi territories may be formally inscribed in the political transition of Nepal through the conversation about the creation of identity-based subnational states—Tamsaling in the former case, and the various iterations of Tarai states in the latter. Collectively, these works demonstrate how new territorialities and identity claims emerge in parallel and in response to new political, geographic, and environmental claims to territory and resources. In both cases, patterns of territorial restructuring initiated by state and non-state actors are changing territorial and identity-based claims to land and resources.<sup>183</sup>

### *Forest resources*

Scholarship on Nepal's forest management practices, particularly the decentralized system of community forestry user groups (CFUGs), is robust, but has often seemed detached from broader political considerations.<sup>184</sup> Recent works by Ojha, along with Bushley and

<sup>181</sup> M. S. Tamang, 'Tamang activism, history, and territorial consciousness', in *Ethnic Activism and Civil Society in South Asia*, Gellner (ed.), pp. 269–289.

<sup>182</sup> Sijapati, 'In pursuit of recognition'.

<sup>183</sup> The Tarai has been understood as an important economic territory contested by the hill state and its plains competitors for centuries (see Michael, *Statemaking and Territory in South Asia*). In the Cold War era, the Nepali state initiated programmes to increase the economic productivity of the Tarai by eradicating endemic malaria that limited habitation and resource development, which opened the door to mass resettlement and attendant problems of deforestation (see Guneratne, *The Tarai*; and H. Ojha, *Reframing Governance: Understanding Deliberative Politics in Nepal's Terai Forestry*, Adroit Publishers, New Delhi, 2008).

<sup>184</sup> The seminal text being D. Gilmour and R. Fisher, *Villagers, Forests, and Foresters: The Philosophy, Process and Practice of Community Forestry in Nepal*, Sahayogi Press, Kathmandu, 1991. For a history of the development of forest policy in the Tarai throughout Nepal's history as a nation-state, see also Adhikari and Dhungana, 'The state and forest resources'.

Khatri, refreshingly analyse contemporary developments in Nepal's forest policy by looking at the institutional architecture of forest governance.<sup>185</sup> Ojha compares different existing models of forest governance using a framework centred on 'deliberative politics' and social equity, while Bushley and Khatri discuss the ways in which forest governance in Nepal is engaged by larger models of climate mitigation and carbon finance, in the context of Nepal's emerging 'REDD+ readiness' programmes.<sup>186</sup> Both grapple with themes of recentralization and the subtle ways in which power continues to shape forest policies despite the acknowledged successes of community forestry in Nepal.

Employing Bourdieu, Ojha offers a historical analysis of the institutions of forest management in Nepal, focusing on the management model and *habitus* that each produces. Describing the development of feudalistic, techno-bureaucratic, and developmentalist *doxa* that seek to instrumentalize participatory development and forest users, Ojha details how opportunistic forest policy and techno-bureaucratic *habitus* have entrenched elite domination over forest resources. These models contrast with the 'deliberative activism' (a term Ojha borrows from Habermas) of community forestry, yet they also shape one another.<sup>187</sup> Unpacking the 'successes' of community forestry by highlighting the unevenness of forest governance, this text offers a helpful framework that can be read alongside other texts focused on the micropolitics of resource user groups and the ways that patterns of social exclusion are reproduced.<sup>188</sup>

<sup>185</sup> Ojha, *Reframing Governance*; B. Bushley and D. B. Khatri, 'REDD+: Reversing, reinforcing or reconfiguring decentralized forest governance in Nepal?', *ForestAction Nepal*, Discussion Paper Series, vol. 11, no. 3, 2011.

<sup>186</sup> The UNFCCC programme of Reducing Emissions Deforestation and Degradation + (REDD+) defines this as: 'an effort to create a financial value for the carbon stored in forests, offering incentives for developing countries to reduce emissions from forested lands and invest in low-carbon paths to sustainable development. REDD+ goes beyond deforestation and forest degradation, and includes the role of conservation, sustainable management of forests and enhancement of forest carbon stocks' (<http://www.un-redd.org/aboutredd>, [accessed 2 July 2016]).

<sup>187</sup> Ojha, *Reframing Governance*.

<sup>188</sup> H. Ahlborg and A. J. Nightingale, 'Mismatch between scales of knowledge in Nepalese forestry: epistemology, power, and policy implications', *Ecology and Society*, vol. 17, no. 4, 2012, art. 16; A. J. Nightingale, 'The experts taught us all we know: professionalisation and knowledge in Nepalese community forestry', *Antipode*, vol. 34, no. 3, 2005, pp. 581–604.



Importantly, Ojha argues that resource governance failures that reproduce symbolic violence have political outcomes: 'such a failure of open and active deliberation in governance should be seen as the antecedent condition for the recent (and indeed ongoing) violent Maoist political movement'.<sup>189</sup> Struggles between dominant and activist *habitus* that compete to reformulate and justify new forest regulations structure social and political space and 'correspond with the structural regularities of the national political field'.<sup>190</sup> Thus, he argues, civil society movements and new deliberative forms of politics are needed to combat patterns of 'symbolic violence' and failed governance that continue to trouble Nepal. These theoretical insights, which are further developed by Nightingale and Ojha,<sup>191</sup> are crucial in understanding how localized strategies of resource governance and community decision making intersect with broader political transformation.

Bushley and Khatri describe how Nepal's initiatives toward participation in 'REDD+ readiness programmes' represent both opportunities and risks for the current decentralized model of forest governance. In the context of REDD+ participation, Nepal's forest governance will be shaped by international negotiations on carbon policy as well as ambiguities within existing frameworks and funding mechanisms. REDD+ represents an attempt (and a revision of the earlier programmes) to include forest users and stakeholders and to devise socially sustainable practices, yet the scale of the programme and the formal assemblage of calculative and political processes required, risk social exclusion and dilution of the landmark Forest Act of 1991. Bushley and Khatri argue that 'the influence of existing institutions, their interaction with the emerging REDD+ architecture, and recent efforts by the government to reassert control over forests through both legal and policy mechanisms, suggest a recentralization of forest governance, and a corresponding loss of local autonomy'.<sup>192</sup> As global policy engages Nepal, and as Nepal seeks to be accounted for within global programmes of environmental finance, care should be taken to counter problems of socio-structural inequality and elite capture—the dynamics that frequently lead to destabilizing conflict.

<sup>189</sup> Ojha, *Reframing Governance*, p. 275.

<sup>190</sup> *Ibid.*, p. 30.

<sup>191</sup> Nightingale and Ojha, 'Rethinking power and authority'.

<sup>192</sup> Bushley and Khatri, 'REDD+', p. 22.

*Water resources*

Though water resource management has long been an important topic in Nepal, a variety of new pressures—debates over hydropower development and rising energy needs, pollution and water quality, the uncertain hydrologic effects of climate change—have increased attention to the topic and fostered a great deal of scholarly and public debate. This section highlights a sampling of recent publications as water issues in Nepal gain greater critical academic attention.

In the current political moment, hydropower development is a central topic within discourse focused on economic growth, energy security, geopolitical relations, and the creation of economically viable administrative territories under a federalist model. The volume of these debates has risen in part due to the increasing intensity of power shortages in Kathmandu. For many years, analyses of hydropower development in Nepal have provided strong critiques focused on the cultures of water resource management,<sup>193</sup> the production of scientific knowledge (and confusion) about water in Nepal,<sup>194</sup> and the multiscale relationships between centres and peripheries that shape hydropower discourse.<sup>195</sup> Gyawali's 2001 *Water in Nepal* remains the authoritative monograph on the topic.<sup>196</sup> More recent work has analysed the relationship between hydropower development and social inequality,<sup>197</sup> the ways in which global changes in hydropower policy have begun to effect changes in the political process of hydropower development in Nepal,<sup>198</sup> and the application of larger rights frameworks such as ILO 169 or UNDRIP to the development

<sup>193</sup> D. Gyawali and A. Dixit, 'Water and science: hydrological uncertainties, developmental aspirations and uningrained scientific culture', *Futures*, vol. 33, no. 8, 2001, pp. 689–708.

<sup>194</sup> *Ibid.*

<sup>195</sup> B. Pandey, 'Because it is there: foreign money, foreign advice and Arun III', *Himal South Asia*, vol. 8, 1995, pp. 29–35; A. A. Forbes, 'The importance of being local: villagers, NGOs, and the World Bank in the Arun Valley, Nepal', *Identities: Global Studies in Culture and Power*, vol. 6, nos 2–3, 1999, pp. 319–344.

<sup>196</sup> D. Gyawali, *Water in Nepal*, Himal Books, Kathmandu, 2001.

<sup>197</sup> K. Rai, 'The dynamics of social inequality in the Kali Gandaki "A" Dam Project in Nepal: the politics of patronage', *Hydro Nepal: Journal of Water, Energy and Environment*, vol. 1, 2008, pp. 22–28.

<sup>198</sup> A. Dixit and D. Gyawali, 'Nepal's constructive dialogue on dams and development', *Water Alternatives*, vol. 3, no. 2, 2010, pp. 106–123.

context of Nepal.<sup>199</sup> Other significant topics of current research include the effects of climate change and seismic risk on hydropower, the relationship between environmental governance and corporate social responsibility, and the evolution of new modalities of project finance and benefit-sharing.

Discussing the absence of hydropower in the context of the infamous Arun-3 Project, Forbes and Rest both discuss the evolving social space of hydropower development (albeit over a decade apart) and the ways that development subjectivities and positionalities represent potent markers of social difference.<sup>200</sup> Following the infamous rise and fall of the Arun-3 hydropower project,<sup>201</sup> both papers use ethnography to call into question constructions of locality and beliefs about development.<sup>202</sup> Focusing on mobilizations for and against the Arun-3 in the 1990s, Forbes discusses the politics of representation, highlighting the ways that local needs and local voices are defined and delineated on multiple scales.<sup>203</sup> Years later, Rest contrasts the arc of project planning, non-local protest, and development failure with local 'desires' for progress and mobility that Arun residents openly express. Rest's analysis focuses on 'the desire for and imagination of development' within local ambitions, where local actors seek to become *bikasit*, or developed—describing communities who perceive their present situation as lacking.<sup>204</sup> In both accounts, information flows to local 'project-affected persons' of the Arun region are minimal, and hydropower continues to exist in the realm of the local and national imaginary.

<sup>199</sup> P. S. Jones, 'Powering up the people? The politics of indigenous rights implementation: International Labour Convention 169 and hydroelectric power in Nepal', *International Journal of Human Rights*, vol. 16, no. 4, 2012, pp. 624–627.

<sup>200</sup> Forbes, 'The importance of being local'; M. Rest, 'Generating power: debates on development around the Nepalese Arun-3 hydropower project', *Contemporary South Asia*, vol. 20, no. 1, 2012, pp. 105–111.

<sup>201</sup> The Arun-3 project was famously cancelled in 1995 after several rounds of national-level protest and the retraction of World Bank funding.

<sup>202</sup> S. L. Pigg, 'Inventing social categories through place: social representations and development in Nepal', *Comparative Studies in Society and History*, vol. 34, no. 3, 1992, pp. 491–513; S. L. Pigg, 'Unintended consequences: the ideological impact of development in Nepal', *Comparative Studies of South Asia, Africa and the Middle East*, vol. 13, nos 1–2, 1993, pp. 45–58.

<sup>203</sup> Forbes, 'The importance of being local'.

<sup>204</sup> Rest, 'Generating power', pp. 109–113.

Focused on urban water quality and socio-ecological health, Rademacher's *Reigning the River* analyses debates over the degradation and restoration of urban riverscapes in Kathmandu—the Bagmati and Bishnumati rivers—to demonstrate the interpenetrating nature of environmental and political change. Emphasizing urban ecology and environmental activism, Rademacher hopes to address 'how urban environmental improvement proceeds when state power is unsteady and volatile'.<sup>205</sup> As such, this book presents a narrative of riverine identity politics that flows from the dissolution of the monarchy through the first Constituent Assembly elections. Yet Rademacher also argues that environmental problems extend beyond political imbalance to fundamental issues of social inequality and long-term imbalances between consumption and sustainability.

Different groups strategically pull on 'local' and 'global' framings that are not pre-figured to 'confer legitimacy to certain constructions of ecological meaning' and to construct territories of political and social belonging.<sup>206</sup> The question 'restoration by whom?' is offset against the invisible question 'degradation by whom?'<sup>207</sup> Chapters focused on the role of the state-development complex in defining environmental problems and the thin relationship between knowledge production and actual interventions are particularly telling. Central to this book is a narrative focused on the ways that Kathmandu residents (limited mostly to Newars, but also landless populations) see the deterioration of the river as a metaphor for other problems, inequities, and instabilities, as well as the way that environmental aspirations and mobilizations interrelate with broader politics. Throughout these narratives, ideas about ecological responsibility are entangled with different ideas of belonging to the riverscape, leading to the construction of competing territoriality claims based on citizenship, heritage, stewardship, and environmental health.

A third major topic of water-related research focuses on the effects of climate change across Nepal's diverse hydrologic regimes. Though current literature remains largely confined to technical grey literature<sup>208</sup> or broader descriptions of climactic risk focused

<sup>205</sup> Rademacher, *Reigning the River*, 2011, p. 41.

<sup>206</sup> *Ibid.*, p. 155.

<sup>207</sup> *Ibid.*, p. 174.

<sup>208</sup> S. P. Singh, I. Bassignana-Khadka, B. S. Karky, and E. Sharma, *Climate change in the Hindu Kush-Himalayas: The State of Current Knowledge*, International Centre for

on 'the water towers of Asia',<sup>209</sup> a growing number of studies are currently underway regarding the effects of climate on the 'water-energy-food nexus'<sup>210</sup> (sustainable groundwater management and irrigation, viability of hydropower), changing patterns of water stress (new flood and drought regimes), and patterns of socio-ecological resilience among climate-stressed communities. Drawing connections between conflict, rapid urbanization, and environmental narratives of development such as 'climate adaptation', Nightingale and Rankin discuss the effects of Nepal's political transition, pointing to complex problems of urbanization in Kathmandu and the need to account for issues of social marginalization within climate adaptation programmes.<sup>211</sup> Reflecting a turn to social dimensions of climate stress, a few policy-oriented publications have focused on the relationships between climate change, water hazards, irrigation, and migration—establishing preliminary findings and frameworks that indicate the need for deeper interdisciplinary engagement with these topics.<sup>212</sup> Yet studies of this type must be both sufficiently empirical and situated within the broader discourse on adaptation, migration, and the idea of 'climate refugees'<sup>213</sup>—as Nepal has long been fertile ground for a range of crisis narratives.

Integrated Mountain Development, Kathmandu, 2011; X. Jianchu, A. Shrestha, R. Vaidya, M. Eriksson, and K. Hewitt, *The Melting Himalayas: Regional Challenges and Local Impacts of Climate Change on Mountain Ecosystems and Livelihoods*, International Centre for Integrated Mountain Development, Kathmandu, 2007.

<sup>209</sup> W. W. Immerzeel, L. P. H. Van Beek, and M. F. P. Bierkens, 'Climate change will affect the Asian water towers', *Science*, vol. 328, no. 5984, 2010, pp. 1382–1385.

<sup>210</sup> G. Rasul, 'Food, water, and energy security in South Asia: a nexus perspective from the Hindu Kush Himalayan region', *Environmental Science and Policy*, vol. 39, no. 1, 2014, pp. 35–48.

<sup>211</sup> A. Nightingale and K. N. Rankin, 'Politics of social marginalization and inclusion: the challenge of adapting to climate change', in *Inclusive Urbanization: Rethinking Policy, Practice and Research in the Age of Climate Change*, K. K. Shrestha, H. R. Ojha, P. McManus, A. Rubbo, and K. K. Dhote (eds), Routledge, Abingdon, 2014, pp. 53–63.

<sup>212</sup> S. Banerjee, J. Y. Gerlitz, and B. Hoermann, *Labour Migration as a Response Strategy to Water Hazards in the Hindu Kush-Himalayas*, International Centre for Integrated Mountain Development, Kathmandu, 2011; R. Bartlett, L. Bharati, D. Pant, H. Hosterman, and P. G. McCornick, 'Climate change impacts and adaptation in Nepal', *International Water Management Institute*, Working Paper 139, 2010.

<sup>213</sup> C. Tacoli, 'Crisis or adaptation? Migration and climate change in a context of high mobility', *Environment and Urbanization*, vol. 21, no. 2, 2009, pp. 513–525.

*Environmental knowledge and uncertainty*

The shape of environmental politics is often heavily determined by regimes of environmental knowledge production—long an important focus of study in the Nepal Himalaya, beginning with the landmark work of Blaikie, Cameron and Seddon, as well as Thomson, Warburton and Hatley in the early 1980s (both have recently been republished).<sup>214</sup> At that time, a heated debate over the rate and causes of erosion led to a discourse focused on the precarity of the Himalayan environment and socio-ecological relationships. Commonly framed as the ‘Theory of Himalayan Environmental Degradation (THED),’<sup>215</sup> this posited a series of environmental crises that would threaten social and political stability in the region. *Uncertainty on a Himalayan Scale* attempted to unravel the realities and fictions of an ecological crisis constructed by politically motivated claims about resource use—to modify incorrect assumptions about what was ecological fact, what was a scientific ‘finding’, and what was simply a strategic misattribution.<sup>216</sup> Critiquing the certainty of scientific-expert environmental knowledge, the authors refer to ‘a science of messes’ constituted of overlapping disciplines, claims, and theories of change, each subject to an array of uncertainties.

Several of these themes are productively revisited in *Culture and the Environment in the Himalaya*, where the authors seek to disaggregate discourse on the ‘Himalayan environment’ by presenting a range of variably ‘cognized environments’.<sup>217</sup> As editor, Guneratne asserts that environmental planning cannot afford to elide local knowledges, even when they are messy or in disagreement with project aims. He also acknowledges, however, that ‘local’ uses of the environment are changing as localities become more permeable, and in response to changing state narratives that implicate the environment in

<sup>214</sup> Blaikie, Cameron, and Seddon, *Nepal in Crisis*; M. Thompson, M. Warburton, and T. Hatley, *Uncertainty on a Himalayan Scale: An Institutional Theory of Environmental Perception and a Strategic Framework for the Sustainable Development of the Himalaya*, Himal Books, Kathmandu, 2012 [first published by Ethnographica, London, 1986].

<sup>215</sup> Typically used to refer to environmental discourse focused on crisis narratives and Malthusian views of natural resource limits.

<sup>216</sup> ‘The problem, all agree, is that the Himalaya are caught in a downward spiral. Yet, when we look at the key variables in current models that attempt to define this spiral, we find that the uncertainties are so vast that we cannot even be sure that there is a spiral.’ Thompson, Warburton, and Hatley, *Uncertainty on a Himalayan Scale*, p. 116.

<sup>217</sup> Guneratne (ed.), *Culture and the Environment in the Himalaya*.

the construction of new subjectivities. In the same volume, Metz analyses how the theory of Himalayan environmental degradation has both positioned Nepalis as subjects of a Western-dominated environmentalism and also led to hybrid forms of knowledge possessing their own validity.<sup>218</sup> Though critical of the scientific basis of the theory of Himalayan environmental degradation and the self-justifying ways in which it is cited, Metz questions the valorization of local knowledge for its own sake and reasserts the role of validated scientific inquiry, which he argues has led to helpful critique and correction of ill-advised policies based on the theory of Himalayan environmental degradation. By elaborating the critique of the theory, Metz reframes it as an artefact of a syncretic epistemological process that has been productive on its own terms, and considers how some scientific expertise is needed. Such themes are also addressed by Ahlborg and Nightingale through an analysis of what they call 'mismatches between scales of knowledge' in Nepal's forestry sector.<sup>219</sup>

Uncertainty remains central to contemporary questions of environmental change in Nepal, where environmental knowledge regarding the intricate and interrelated questions of Himalayan ecosystems and societies is produced and contested at a variety of scales. Yet when political claims to territories and resources are supported by strategic manipulation of particular kinds of scientific knowledge and frames of certainty, then the changing contours of knowledge production also reconfigure human relationships to territory and the environment. Thus the boundaries and political orientation of environmental questions are shifting both independently and in response to Nepal's ongoing political uncertainties. These entanglements have been clearly in evidence in the wake of the 2015 earthquakes: a seismic event catalysed reconfigurations of political power and created a new arena for considering the relationships between environmental uncertainty and social vulnerability.

<sup>218</sup> J.J. Metz, 'Downward spiral? Interrogating narratives of environmental change in the Himalaya', in *Culture and the Environment in the Himalaya*, Guneratne (ed.), pp. 17–39.

<sup>219</sup> Ahlborg and Nightingale, 'Mismatch between scales of knowledge'; Nightingale, 'The experts taught us all we know'.



### Conclusion: the uncertainties of livelihood and well-being

In the face of the political, social, and environmental uncertainties described in the literature considered in this review, everyday life continues for Nepalis across caste, ethnic, class, religious, regional, and gender lines. How do people actually live, today, in the wake of a conflict which itself was shaped by broader, longue durée processes of transformation? How are livelihoods secured, children fed, cultural worlds maintained, economic and political aspirations pursued? How do Nepalis of all persuasions envision and strive for well-being?

One body of literature that we have not addressed substantively above begins to address some of those questions. That is scholarship on public health, an emergent field of inquiry in Nepal which often bridges social and medical sciences. Harper's collection of essays provides a framework for investigating the role of health services and ideologies of well-being during a time of political and social transformation.<sup>220</sup> This monograph is complemented by several articles focusing specifically on conflict-related mental health issues, which also help to articulate varied Nepali world-views of what constitutes well-being and its lack.<sup>221</sup>

Still other scholarship focuses on women's well-being in relation to migration,<sup>222</sup> a concern shared by work on sex trafficking that emphasizes the psychosocial dynamics behind Nepali women's experiences.<sup>223</sup> Cross-border trafficking is also linked to debates over gender, citizenship, and mobility, showing how well-being must be

<sup>220</sup> I. Harper, *Development and Public Health in the Himalaya: Reflections on Healing in Contemporary Nepal*, Routledge, London, 2014.

<sup>221</sup> B. Kohrt and I. Harper, 'Navigating diagnoses: understanding mind-body relations, mental health, and stigma in Nepal', *Culture, Medicine and Psychiatry*, vol. 32, no. 4, 2008, pp. 462–491; B. Kohrt and D. Hruschka, 'Nepali concepts of psychological trauma: the role of idioms of distress, ethnopsychology, and ethnophysiology in alleviating suffering and preventing stigma', *Culture, Medicine and Psychiatry*, vol. 34, no. 2, 2010, pp. 322–352; N. P. Luitel, M. J. Jordans, R. P. Sapkota, W. A. Tol, B. A. Kohrt, S. B. Thapa, I. H. Komproe, and B. Sharma, 'Conflict and mental health: a cross-sectional epidemiological study in Nepal', *Social Psychiatry and Psychiatric Epidemiology*, vol. 48, no. 2, 2013, pp. 183–193; W. A. Tol, B. A. Kohrt, M. J. D. Jordans, S. B. Thapa, J. Pettigrew, N. Upadhaya, and J. T. V. M. de Jong, 'Political violence and mental health: a multi-disciplinary review of the literature on Nepal', *Social Science and Medicine*, vol. 70, no. 1, 2010, pp. 35–44.

<sup>222</sup> S. Craig, 'Migration, social change, health, and the realm of the possible: women's stories from Nepal to New York', *Anthropology and Humanism*, vol. 36, no. 2, 2011, pp. 193–214.

<sup>223</sup> M. Crawford, *Sex Trafficking in South Asia: Telling Maya's Story*, Routledge, London, 2010.

understood as an embodied—and often gendered—quality, which nuances approaches that over-emphasize the quantitative indicators of social progress without attending fully to the often less measurable phenomenological dimensions of successful livelihoods.<sup>224</sup> In the wake of the 2015 earthquakes and political crisis, new approaches to questions of well-being on all levels, in all parts of Nepal, seem necessary indeed. Engaging in depth with the ‘resilience’ concept, in a manner that critically explores both the opportunities and challenges that it presents in environmental, political, and other contexts seems a key foundational task for future scholarship.<sup>225</sup>

Looking forward, research that considers the multi-dimensional nature of livelihoods and well-being in relation to the political economy of migration, as some scholars have recently begun to do<sup>226</sup>—yet goes still further to situate such analyses in relation to political, economic, social, and environmental transformation at national, regional, and global scales—will prove productive. This may sound like a lofty goal, and surely no individual researcher can accomplish all of these objectives alone. However, we hope to have demonstrated in this review that a bird’s-eye view of scholarship on Nepal since 2006 reveals a rich body of data produced from multiple disciplinary perspectives. Connecting the dots between the literatures on conflict, state transformation, identity politics, environmental change, and many other facets of contemporary Nepali experience will yield a greater understanding of both the multi-dimensional uncertainties that Nepalis face, and the equally multifaceted resources upon which they draw to work towards future aspirations, as individuals and members of various collectivities.

<sup>224</sup> Richardson, Poudel, and Laurie, ‘Sexual trafficking in Nepal’, 2009.

<sup>225</sup> L. Leve, ‘Strength, security, resilience and Nepal’s great earthquake’, *Anthropology News*, vol. 56, no. 6, 2015, pp. e1-e7; A. J. Nightingale, ‘Challenging the romance with resilience’, in *Practising Feminist Political Ecologies*, W. Harcourt and I. Nelson (eds), Zed Books, London, 2015, pp. 182–208. On the earthquake and its initial aftermaths, see also C. Warner, H. Hindman, and A. Snellinger (eds), ‘Aftershocked: Reflections on the 2015 Earthquakes in Nepal’, *Fieldsights—Hot Spots, Cultural Anthropology Online*, 14 October 2015, <http://www.culanth.org/fieldsights/741-aftershocked-reflections-on-the-2015-earthquakes-in-nepal>, [accessed 2 July 2016].

<sup>226</sup> Childs et al., ‘Depopulating the Himalayan highlands’.

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