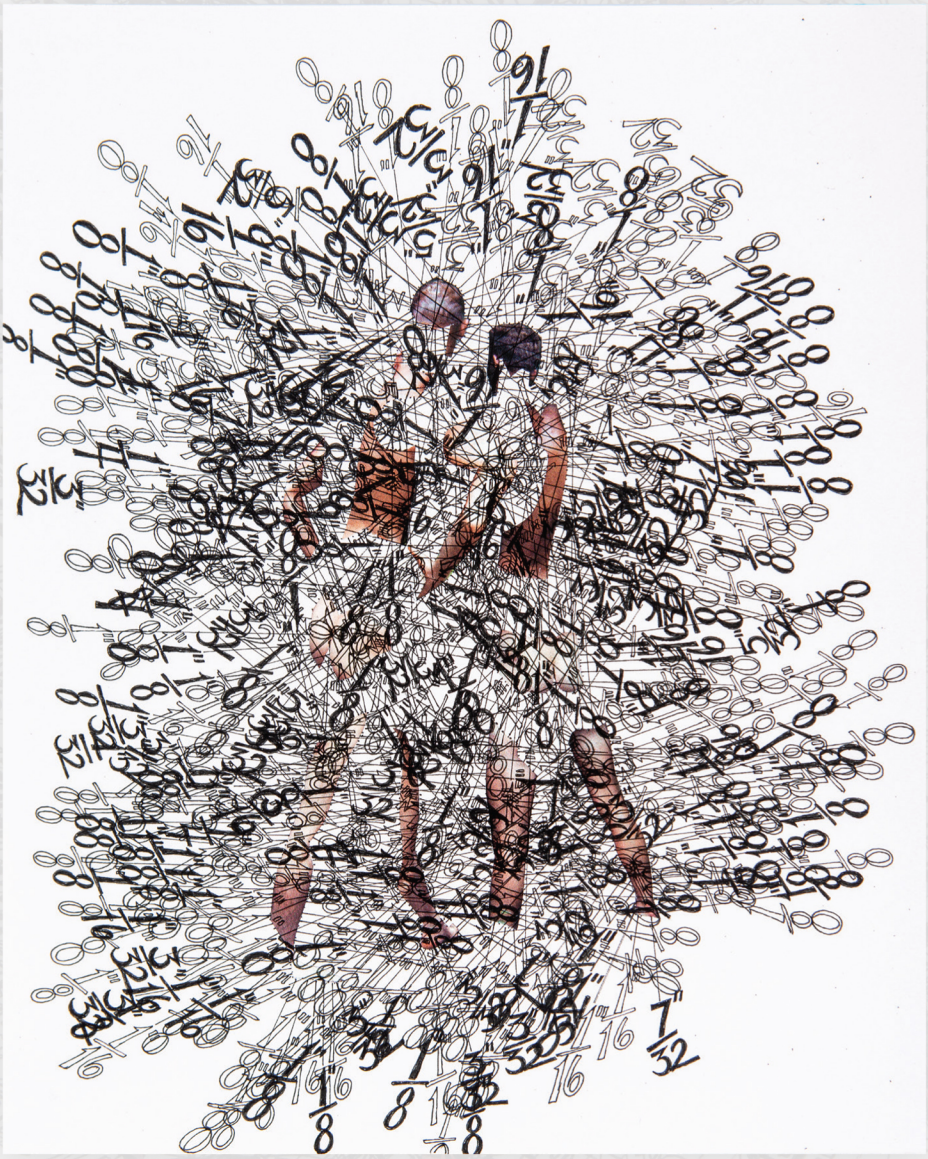
ETHNICITY, COMMODITY, IN/CORPORATION



Edited by George Paul Meiu, Jean Comaroff, and John L. Comaroff

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THE AFFECTIVE POTENTIALITIES AND POLITICS OF ETHNICITY, INC. IN RESTRUCTURING NEPAL

Social Science, Sovereignty, and Signification

SARA SHNEIDERMAN

WHY IS ETHNICITY, INC., PERCEIVED as a tool of hegemonic state power in some contexts and a tool of resistance in others? How do we understand it as both at once? Can we actually see the paradigm itself as a site of contestation between the state and its own margins, which can be manipulated by a range of political actors with divergent ideological and material objectives? Does control over the affective potentialities of ethnicity, inc., understood as the multifaceted nexus between state/market/society/subjectivity, become a deciding factor in larger political outcomes? How are social scientists complicit in such processes? Finally, what compels some groups to frame their struggles in the terms of ethnicity, inc., at certain spatiotemporal junctures, while others do not—even within the same nation-state context?

I consider these questions through a comparative ethnohistorical exploration of two social movements in Nepal over the last half century, and the different ways in which the relationship between ethnicity and territory has figured within both struggles. Although the Dalit movement and other rights-based campaigns are also crucial to understanding Nepal's ongoing political transformation (Darnal 2009), here I focus on the Adivasi Janajati (hereafter Janajati), or indigenous nationalities movement, and the Madhesi movement that has sought full political integration for the Madhesi population who live in the southern plains along the long open border with India. The architects of each of these movements, as well as their cadres, have sustained different relationships to the potentialities of ethnicity, inc., over time.

A careful consideration of these cases helps us understand better how, on the one hand, ethnicity, inc., may be deployed as a state-supported strategy

to co-opt more radical agendas for structural transformation while, on the other hand, it may be mobilized from below as a response to the limits of state inclusion. Exploring how actors on all sides of this equation marshal social scientific knowledge in the service of their own agendas additionally reveals the depth of entanglement between scholarship, politics, and the affective production of ethnic consciousness. Recognizing that the paradigm of ethnicity, inc., fuses all of these intentionalities helps mediate overdeterministic arguments about the relative liberatory potential of identity-based versus class-based struggles. Taking a cold, hard look at how political elites may marshal the rhetoric of Marxist modernism to block collective mobilization on the basis of ethnicity is particularly important in political contexts like Nepal's, where communist parties (of various persuasions) set the terms of debate in a context where arguments about the influence of "external actors" on the formation of ethnic consciousness abound.

Consider a September 25, 2015, media interview with Jhalanath Khanal, a prominent leader of the country's "mainstream" Communist Party of Nepal–Unified Marxist-Leninist (CPN-UML, hereafter UML).[1] Providing a window into the polarizing discourse that emerged around ethnicity in Nepal during the process of postconflict federal state restructuring, Khanal described as "meaningless" a wave of violent protests led by Tharu and Madhesi activists from the country's southern plains over the failure of Nepal's new constitution to address long-standing ethnic demands.[2] Khanal's compatriot in the UML, Khadga Prasad Oli, who would soon thereafter become prime minister, similarly dismissed the activists' complaints by stating that the government would only address "genuine demands."[3] In his view, the demands that lay at the heart of the previous month of protest in which nearly fifty people had died (due to both protestor and state violence) did not qualify: demands for constitutional recognition of the deep relationship between a particular category of ethnicized bodies and particular pieces of territory within the nation-state of Nepal's borders.[4]

This chapter makes three interlinked arguments that emerge out of my ongoing research surrounding Nepal's political transformation yet speak to a larger set of questions about the varied potentialities of ethnicity, inc. First, I explore how social scientific debates over the nature of ethnicity, territory, and sovereignty in scholarly contexts may intersect with invocations of meaning and authenticity—and their opposites—in the "realpolitik"[5] of politicians like Khanal and Oli in Nepal or, indeed, anywhere in the world. I suggest that we may want to focus on how the relationship *between* ethnicity and territory is differentially objectified by various actors rather than only on the

commodification of ethnicity itself. Second, I consider how specific historical trajectories of territorial integration into the nation-state shape contemporary ideologies of sovereignty among different groups, even within the boundaries of a single contemporary country. These histories in turn shape the specific national and transnational frames in relation to which ethnic claims may be made, a point that leads to an overarching third argument: that the affective and political outcomes of participation in ethnicity, inc. for individual actors are differentially shaped by the range of signifying repertoires available to them. Ethnicity, inc. may mean many things to many people, serving diverse purposes and yielding equally diverse results depending on both *who* controls the terms of ethnicity's objectification and on *behalf of whom* they do that work: the state, their own community, or other organizational forms like political parties or ethnic associations.

In considering these questions, I build on several important interventions made by John Comaroff and Jean Comaroff in their book *Ethnicity, Inc.* (2009): (1) analytically disentangling "the deployment of ethnicity as a tactical claim to entitlement, and as a means of mobilization for instrumental ends, with the substantive content of ethnic consciousness" (2009, 44); (2) revisiting the relationship between "sovereign existence" and antistate assertion; and (3) revisiting how we might consider the role of territory as a key element of ethnic assertion beyond the "ethnic corporation" (2009, 82). In other words, while acknowledging that "the terrain of politics is changing" so that "the notion that culture, politics, and economy might subsist in distinct institutional and ideational domains . . . is a thing of the past" (2009, 45), I suggest that constraining our consideration of the political purchase of the ethnicity-territory nexus to market-based concepts of commodification may fall short of the full range of objectifying possibilities, especially in parts of the world that depart from presumed trajectories of postcolonial neoliberalism.

Finally, I suggest that academic critiques of global capitalism grounded in Marxian analysis face particular challenges of interpretation in political contexts that continue to be actively shaped by Marxist ideologies themselves, such as Nepal's post-Maoist, communist-led current moment. In such cases, the confluence of scholarly and political approaches creates a recursive field of fused action and analysis that requires special care if we wish to address this question: do violent, repressive responses from communist governments to the ethnicity-based mobilizations of marginalized communities—as Nepal has seen in recent years—represent a bottoming out of communist ideology's commitment to equality, or a legitimate counternarrative to the global hegemony of neoliberal multiculturalism and its attendant mobilizations of culture (see

Hale 2005)? Ultimately, I argue that we can only answer this question through careful multilayered attention to the question of who controls the terms of ethnicity, inc. in its locationally specific avatars as both instrument and affect.

My own work on these themes to date (Shneiderman 2013a, 2015; Shneiderman and Tillin 2015) has focused on ethnic movements emerging from Janajati communities, not Madhesi movements. While my empirical engagement with the Madhesi movement is limited, some of the analytical approaches emerging from analyses of Janajati contexts, such as the Thangmi community with whom I work, may offer clues toward understanding the affective politics of ethnicity arising in Madhesi contexts and the challenges of signification that they face.

In brief, *Madhes* is a locational term that refers to the long swath of territory inside Nepal that adjoins the open border with India. *Madhesi* refers to the inhabitants of this territory. As such, *Madhesi* literally means "plains-dweller" and is set in binary opposition to *Pahadi*, or "hill-dweller," which is equally a culturally constructed category despite the geographical terminology it deploys. While *Janajati* and *Madhesi* are often seen as distinct supra-ethnicities (see Adhikari and Gellner 2016), in fact their current political mobilizations draw on a shared vocabulary to objectify an embodied relationship between ethnicity and territory. But their divergent locations—in both the geographical and social sense—mean that the implications of their mobilizations for received Nepali nationalist notions of sovereignty are vastly different. It is this difference, coupled with an important set of symbolic variations in self-representational styles, that constitutes the gap between meaningful and meaningless ethnic claims as perceived at the national center, as well as by global political actors. Social scientists are also differentially engaged by each set of actors. Such analysis helps us understand the variegated potentialities of ethnicity, inc. and its relationships with nationality, inc. Even within a single nation-state frame, the conditions of possibility vary between groups, depending on their location, in both geographical and sociopolitical senses. Controlling the affective outcomes of ethnicity, inc. is a constitutive element of larger political arsenals and, therefore, a key site of contestation.

HISTORICAL AND POLITICAL BACKGROUND

On September 20, 2015, Nepal promulgated its seventh constitution. Achieving this took seven years and two constituent assemblies (CAs). The first was elected in 2008 but dissolved in 2012 without achieving its objective while the second, elected in 2013, served as the ratifying body for the eventual document. Devastating earthquakes in the spring of 2015 killed nearly ten thousand

and left over six hundred thousand families homeless, with many more experiencing some damage. The subsequent billions of dollars of reconstruction funding provided the immediate impetus for the so-called fast-tracking of the final constitutional promulgation: the earthquakes offered an opportunity for reconsolidation of a conservative infrastructural state, which conveniently also appeared to meet donor demands for political stability.[6] However, the constitutional process itself was part of a broader "postconflict"[7] state restructuring process. This was initiated in 2006, when a Comprehensive Peace Agreement marked the formal end of a decade-long civil conflict between Maoist and state forces. In this context, the 2015 constitution was supposed to signal the shift to an inclusive polity that would address inequalities through a new federal structure whose territorial boundaries would recognize both historical claims to territory and, perhaps more importantly, the validity of contemporary ethnic blocs as a basis for the demarcation of new political constituencies.

Instead, the seven federal provinces mandated by the 2015 constitution did not build on the recommendations of either the 2010 State Restructuring Committee for fourteen states or the 2012 High Level State Restructuring Commission for ten territorial states (plus a nonterritorial Dalit state to make a total of eleven states).[8] Both of these bodies were composed of lawmakers and experts reporting to the first CA. While both reports proposed provincial names and boundaries that would in different ways recognize historical ethnic claims and establish new political constituencies focused around ethnic and regional blocs, they did not accord "prior rights" to particular groups or offer de jure ethnic autonomy. As such, both the 2010 and 2012 maps seemed to be compromise solutions, which on the one hand symbolically acknowledged ethnic claims but on the other stopped short of offering substantive self-determination. Nonetheless, both of these proposals were ignored in designing the boundaries of the federal map as promulgated in the 2015 constitution, which instead ensured that historically dominant high-caste hill Hindu electoral majorities were maintained in most of the new provinces.[9]

The boundaries as promulgated were of particular concern to members of the Tharu and Madhesi communities living in the Tarai belt along Nepal's southern border with India.[10] The Tarai is home to approximately 50 percent of Nepal's population, but these groups with historical claims to its territory constitute about 30 percent of the country's total population. The rest of the Tarai's population are Pahadi, who migrated south for the most part after 1950.[11] This mass population shift meant that over the last half century, Nepali political elites from hill backgrounds were able to establish dominance over traditional property holders in the Tarai from both Tharu and Madhesi

backgrounds. Across both groups, there were both small-scale agriculturalists and wealthy landlords whose success in the agrarian economy was based on exploitative labour practices, but even dominant members of these communities were challenged by growing Pahadi strategies of land appropriation from the 1950s onward. It was this trajectory that Tharu and Madhesi activists—as well as their Janajati counterparts elsewhere in the country—sought to overcome through the vehicle of the new constitution.

The legitimacy of Madhesi claims to historical injustice, and the need for reparation, was acknowledged in a 2007 political agreement made between the interim government and the then-leadership of the Madhesi parties as part of the peace process. It is worth citing several of this agreement's points in full, as they help to demonstrate why activists might feel betrayed by the new constitution and also provide context for discussing the broader relationship between ethnicity and territory in Nepal's state restructuring process. The 2007 agreement included the following points:

4. To ensure balanced proportional representation and partnership of Madhesis, indigenous peoples/janajatis, dalits, women, backward classes, disabled people, minority communities and Muslims who have been excluded for generations, in all organs and levels of government and in power structures, mechanisms and resources.
5. To immediately establish a commission for state restructuring and ensure that it comprises of experts in an inclusive manner.
6. Arrangements will be made for a federal state with regional autonomy while the sovereignty, national unity and integrity of Nepal will be kept intact during the restructuring of the state. The rights, nature and limits of regional autonomy will be as decided by the constituent assembly.
7. To accord national recognition to the identity, language and culture of the Madhesis.[12]

The tenor of this agreement, and a subsequent 2008 one with a broader range of Madhesi parties, reflects public discourse in the years immediately after the conflict came to its formal end in 2006. There was a euphoric sense of possibility about building a "Naya Nepal," or "New Nepal," that would finally overcome long-standing caste, ethnic, and religious inequalities by restructuring the state in a more inclusive manner. Similar agreements were made with Janajati organizations, whose demands also focused on securing proportional representation and a commitment to a state restructuring process that would

recognize "ethnicity, language, geographic region, economic indicators and cultural distinctiveness while keeping national unity, integrity and sovereignty of Nepal at the forefront."[13]

In this context, the concept of inclusion was strongly promoted by international development actors from 2006 to 2012 (Shneiderman 2013a). By 2012, a growing backlash challenged the very idea of recognizing ethnicity as a basis for political constituency, affirmative action benefits, or "meaningful" political mobilization. That backlash contributed to the dissolution of the CA by creating political obstacles to the ratification of the 2012 draft constitution (Adhikhari and Gellner 2016) and gained further traction after the 2013 election, which brought in a more conservative body of lawmakers (Gellner 2014).

SOCIAL SCIENTIFIC ARGUMENTS

Social scientists, both Nepali and non-Nepali, have been keenly involved in both sides of this debate in Nepal. One group, comprised largely of scholars who themselves identify as Janajati, builds on in-depth empirical research with specific communities to argue that ethnic as well as "territorial consciousness" (Tamang 2009) is substantively real and must be recognized as such by political boundaries and administrative arrangements. Several of these scholars contributed to the forty-two-volume "Social Inclusion Atlas—Ethnographic Profiles" publication project from 2010 to 2014 funded by the Dutch organization SNV, the government of Norway, and others through the Social Inclusion Research Fund (SIRF), as established in 2005.[14] This was conceptualized as Nepal's answer to the Anthropological Survey of India, necessary to establish a baseline for future affirmative action benefits and projects of territorial recognition. Without a colonial legacy of ethnic classification, that material had never been produced for never-colonized Nepal, as it had been in an earlier era for much of the rest of the subcontinent (Shneiderman 2013a).

The other group of social scientists, largely composed of scholar members of high-caste Pahadi background, has drawn on trajectories of modernist and Marxian social theory to argue against the validity of ethnicity as a political category, emphasizing instead a focus on class-based inequality (e.g., Mishra 2012). Both kinds of arguments have been taken up by members of various communist parties over time.

My point in reviewing these details is to show how seemingly academic debates over ethnicity can have very concrete effects in the real world, especially in a place like Nepal, where the nexus between scholarship, activism, and politics is very tight. As I have described elsewhere (Shneiderman 2015, chap. 1),

these two opposed arguments about ethnicity, and the tensions between them (intellectual and interpersonal), were very much on show at a high-profile 2011 Kathmandu conference, "Ethnicity and Federalisation," sponsored by SIRF, at a political moment when the rhetoric of inclusion was still ascendant. Sociologist Chaitanya Mishra, now emeritus faculty at Nepal's national Tribhuvan University, invoked Fredrik Barth to argue, "If ethnicity is not a thing, a set of specific, fixed and distinctive attributes and distinctive blood and semen, the case for separate homelands ceases to hold water. If ethnicity, instead, is a fluid and potentially malleable social relationship, the provision of separate homelands may well be unnecessary at best and counterproductive at worst" (Mishra 2012, 84). Although Mishra's paper is complex and analytically nuanced, these particular claims were simplified and amplified in media coverage of the conference. For instance, a widely circulated *Kathmandu Post* piece a few days later was titled, "Scholars Divided on Federation Model: Some Say Ethnicity Not a Magic Bullet."[15]

The next summer, in July 2012, I coconvened a conference, "Inequality and Affirmative Action: Situating Nepal in Global Debates," which emerged out of a British Academy Partnership grant. In addition to the closed conference sessions, we held a series of public roundtables to which CA members and other political leaders were invited to interact with scholarly participants. One high-ranking UML CA member quickly hijacked the proceedings with what became a filibuster about the nature of caste and ethnic identity in Nepal. He repeated almost verbatim Mishra's arguments from the previous year's conference (which had by then been published in Mishra and Gurung 2012), albeit without any of Mishra's sociological sophistication. At the same time, he invoked several derisive stereotypes of "Janajati" and "Madhesi" communities, highlighting the inconsistency in his position.

On the one hand, the speaker argued that due to the social-scientifically demonstrated fluidity of ethnic boundaries, ethnicity could not be considered as a basis for either territorial boundary demarcation or affirmative action measures. On the other hand, he was not shy about identifying different ethnic "types," to whom he accorded certain characteristics, using their shortcomings to argue that it would not be possible to draw territorial boundaries along ethnic lines: how could certain Janajati groups, for instance, become "self-reliant" when they did not have such inborn "capacity" (to use his terms in English)?

* * *

The latter argument drew on the notion of "capacity" from economist Amartya Sen, a concept that moderate Janajati activist-scholars had introduced to the federalism debate to complement the concept of identity. By 2012, their

preferred terminology had shifted from "ethnic federalism" to "identity-based federalism,"[16] to a twin emphasis on "identity and capacity." By 2012, this shift in strategy on the part of many Janajati scholars and political leaders was evident: they recognized the need to move away from a focus on individual ethnic claims to "prior rights" in specific territories and toward a shared commitment to recognizing the broader concept of identity as a basis for territorial demarcation, political mobilization, and alliance (Shneiderman and Tillin 2015, 37); however, this had to be complemented by a discussion of "capacity"—meaning human and economic resources that would make territorial units economically sustainable.

Broadening out from the focus on ethnicity to that of "identity and capacity" made it possible for Janajati and Madhesi political actors to begin forming alliances, because it moved away from the rhetoric of indigeneity, which had undergirded previous Janajati claims to "ethnic territory." Indigeneity was not an available trope for Madhesi activists for a range of reasons that I go on to discuss. Indeed, in a 2012 interview, Madhesi leader Upendra Yadav explained, "Firstly states will be made on the basis of identity and capacity, not ethnicity. Secondly, ethnic states are not possible in Nepal . . . everyone living in the Madhes, regardless of whether they are Pahadis or Madhesis will have equal rights. No group will have special rights over the other."[17] Here, the concept of "ethnic state" is equated with that of prior or special rights, while a state "made on the basis of identity and capacity" is seen to have broader appeal. In June 2015, Upendra Yadav's Madhesi Janadhikar Forum (MJF) Party joined forces with a Janajati party, the Federal Socialist Party Nepal (FSPN) to create the Federal Socialist Forum Nepal party.[18] This Janajati-Madhesi political alliance around the shared categories of "identity and capacity" enabled a new round of joint protest that began in May 2016. As political scientist Krishna Hacchethu described the compromise solution that the backers of this party promoted, "identity-based non-ethnic federalism entertains ethnicity at a limited level in naming and the territorial delineation of provinces, but it certainly rejects ethnicity as a constituency for political prime rights, first rights on natural resources, and preferential rights on provincial administrative [*sic*—read 'administration']."[19]

* * *

Back at that 2012 conference, however, the concept of "capacity" had been twisted to refer to old-fashioned essentialist tropes of high-caste hill prejudice vis-à-vis both Janajatis and Madhesis. The CA member invoked folkloristic stereotypes about Janajatis being "hot-blooded" and Madhesis being resistant to education to suggest that both would be "incapable" of running

"their own" states. Yet this was coupled with a discussion of shifting ethnic boundaries to argue that even if they might be capable, "giving" such groups their own states would be "scientifically" incorrect since it would reify boundaries that did not "actually" exist.

Later that same summer, I gave a talk at the UNDP-funded Support to Participatory Constitution Building in Nepal office. Attended by the then UN resident coordinator, as well as several scholars and program officers responsible for carrying out a nationwide consultation process about the state restructuring process, the discussion I presented was an early version of "Restructuring States, Restructuring Ethnicity" (Shneiderman and Tillin 2015). At the conclusion of my talk, a professor of political science from Tribhuvan University raised his hand. Instead of a question, I received a tirade about how foreign anthropologists were responsible for the rise of "ethnicity" in Nepal, because people like me had published work describing individual Janajati communities as distinctive, falsely promoting the idea that cultural difference existed in Nepal while actually all "Nepalis" were the same. The emergence of "ethnicity" as a category of self-identification was the fault of anthropologists and other "external actors," he stated stridently. One of the program officers from a Janajati background responded by stating that this seminar was the first time that he had ever encountered a foreign anthropologist and that nonetheless he had a strong feeling of ethnic affinity with his community. Laughter at this parlay helped relieve the tension in the room, and a serious discussion about how ethnic consciousness might serve as a positive "capacity-building" resource at the local level during the process of state restructuring ensued. The political scientist left the room before long, and I registered the unsettling fact that *both* constructivist arguments about ethnic fluidity *and* ethnographic "community-based studies" that could be read as primordialist were being marshaled to assail the validity of ethnicity as a political category or, even more troubling, as an affective one. Regardless of intentions, social science had clearly become complicit in shaping the potentialities of ethnicity, inc. in multiple political directions.

The broader category of "external actors" that the political scientist had invoked is a common scapegoat used to explain the "real" reasons behind Nepal's instability. In a widely circulated example of such thinking, prominent journalist Kanak Mani Dixit blamed Nepal's ongoing development challenges on "interventionist anthropology-backed social engineering projects during the decade of state restructuring and constitution writing."[20] In addition to anthropologists, commonly demonized external actors included other governments, notably India, and also the full range of international development

agencies that, like SIRF, had been involved in promoting the notion of inclusion, in some cases publishing data that provided empirical evidence for historical inequality. The problem with such arguments is that they deny entirely the affectively real basis of ethnic consciousness, as if social scientific attention to such productions calls them into being, rather than the other way around.

One case in point was the long-running World Bank/DFID (the UK's Department for International Development) Gender and Social Exclusion Assessment. After publishing the 2006 *Unequal Citizens*, which summarized earlier data, an even larger 2011 dataset highlighted significant disparities between seventy-eight different ethnic and caste groups on the basis of multidimensional human development indicators such as access to economic, political, educational, and health resources. Hill high-caste males "remained overwhelmingly dominant in all branches of elected and administrative government—either unaware of or failing to take seriously, the resentment of other groups," read the summary of a chapter focusing on access to political participation, which was paralleled by the conclusions of chapters on all other sectors as well (Bennett, Sijapati, and Thapa 2013).

Due for publication in 2011, by summer 2012, when the other events I have described took place, it became clear that the publication of this report had been blocked by an alliance of high-caste activist groups. An August 2012 news article explained:

> The delegation of the Joint Struggle Committee for National Sovereignty and Ethnic Harmony, a front comprising 11 different organizations of Brahmin, Chhetri and Dashnami [high-caste groups] met with head of DFID Nepal Dominic O'Neill in May this year and told the latter not to interfere in Nepal's internal affairs by providing funds to various NGOs, thereby promoting the cause of indigenous Janajatis. The delegation told DFID that it was not right for them to lobby for federalism based on ethnic identity, according to Om Sharma, secretary of Brahman Samaj, one of the members of the struggle committee. "We told them that the international organizations should instead focus on investing for the backward people in general which includes people from different caste, ethnicity and backward regions," Sharma told *Republica*. This even led those in DFID to re-think about using the term 'socially excluded' in their reports.[21]

An independent Nepali trade press finally published a heavily edited version of the report (Bennett, Sijapati and Thapa 2013), composed primarily of tables and figures shorn of political context. The fact that an "external actor" had been intimidated into stopping press on social scientific data that recognized

ethnicity as the basis for assessing inequality was notable. Not only had the affective reality of "substantive ethnic consciousness" been subverted through the manipulation of existing scholarship, but new empirical data that demonstrated the materiality of ethnic difference was also actively suppressed.

All this was part of the broader trend that Krishna Adhikari and David Gellner (2016) identify as the pivotal moment "when dominant becomes other," which they assert was the dynamic that led to the dissolution of Nepal's first constituent assembly in mid-2012. In short, as writer Dovan Rai put it, "This is what happens when the dominant group is insecure and uses the dominated group to alleviate their fears."[22] As in discussions about the production of whiteness in the United States, in Nepal dominant high-caste groups began to inhabit the chameleon skin of the ethnic, even in some cases the indigenous. They mobilized social scientific work to argue that since scholars had recognized the constructedness of ethnicity, it could not be a valid basis for demarcating new federal boundaries or political constituency. Yet they also failed to recognize that they themselves were asserting a hegemonic ethnic identity, the reproduction of which was the primary concern behind the territorial boundary lines they promoted (Lawoti 2016). In the classic terms of the unmarked dominant, they argued against the marking of others as distinctive on cultural or linguistic grounds through any legal regime of recognition, while asserting their own entitlement to such recognition. So much so that in the 2015 constitution, a new ethnic group is named, that of the "Khas-Arya," which is an ethnolinguistic term for high-caste Hindus. As anthropologist Mukta Tamang wrote, "The list of the groups is so exhaustive—more than 20 groups—that virtually everyone now qualifies as a marginalised. And to say everyone is marginalised is equivalent to saying that no one is marginalised."[23]

TERRITORIAL CATEGORIES AND ETHNIC CONSCIOUSNESS

Ethnicity as a relational system of social classification then undoubtedly has significant new capital in Nepal, but why? Is this one of the outcomes of constitutional "lawfare" (Comaroff and Comaroff 2009, 56), with everyone seeking entry to "the ethnic" in what I have elsewhere called the "classificatory moment" (Shneiderman 2013a) of constitution crafting, even—perhaps especially—those dominant elites who would have previously distanced themselves from any invocation of "ethnic identity"?

This is part of the story, but there are other key elements as well. These dynamics cannot be fully explained as a one-way process of ethnocommodification driven by a neoliberal shift from the production of labor to the

production of culture. Understanding how groups have differentially sought to objectify the relationship *between* ethnicity and territory that Nepal's new constitution was meant to acknowledge will demonstrate how we might view ethnicity, inc. as a multilayered paradigm through which hierarchical relations of power are negotiated. This requires an exploration of both the categories of land tenure through which the state historically recognized the embodied relationship between ethnic and territorial belonging and the political histories that produced Nepal's contemporary borders vis-à-vis India and China. These narratives depart from the emphasis of postcolonial scholarship on the 1947 partition of the subcontinent as the genesis of all contemporary South Asian borders (see Shneiderman 2013b). Instead, they highlight the particular condition of "non-postcoloniality," a term I borrow from Mary Des Chene (2007), surrounding Nepal's sovereignty. Just as the historical administrative categories for land tenure within Nepal's putative boundaries set the stage for contemporary Janajati claims to territorial recognition, the historical condition of nonpostcoloniality, its boundary effects, and its implications for assertions of sovereignty set the stage for contemporary Madhesi ethnic mobilizations. What the two forms of ethnic mobilization have in common, I suggest, is a reliance on demonstrating embodied forms of ethnic distinctiveness, not through the objectification of culture per se, but rather the objectification of a particular set of relationships between ethnic bodies and territory. Where they diverge, however, is in their implications for Nepal's sovereignty, which leads to a difference in their signifying power.

State recognition of ethnic categories has been a strong feature of governmentality in Nepal for a very long time.[24] Consider, for instance, the late eighteenth-century definition of ancestral territory in the form of *kipat* land tenure through royal decrees soon after King Prithvi Narayan Shah's unification of the country (Forbes 1999; Regmi 1976), and the 1854 promulgation of the Muluki Ain. This legal code rationalized the unequal status of individual ethnic communities through the Hindu ideology of caste (cf. Höfer [1979] 2004), recognizing inequality as the legal "basis of the state" (Onta 2006, 305). Such historical moments in the dialectical process of state and ethnicity formation in Nepal have been well documented (Burghart 1984; Gellner, Pfaff-Czarnecka, and Whelpton 1997; Höfer [1979] 2004; Levine 1987), so I will not explore these further here.

The Nepali term *kipat* is most concisely glossed as a "customary system of land tenure" (Forbes 1999, 115); however, its full meaning in Nepal's contemporary political context is more complex. It has become shorthand for "indigenous territory" through a series of ideological and symbolic moves. The quest for historical evidence of territorial rights under the system of customary

land tenure known as kipat occupies a central place in contemporary ethnic activist projects in Nepal (Limbu n.d.; Shneiderman 2015, chap. 6). The economic historian Mahesh Chandra Regmi explains that "rights under *Kipat* tenure emerged not because of a royal grant, but because the owner, as a member of a particular ethnic community, was in customary occupation of lands situated in a particular geographical area" (1976, 87). Beginning in 1774, a series of royal decrees issued by Nepal's Shah kings formalized these rights for several groups who now identify as Janajati. With this move, the fledgling Nepali state reified in legal terms what was until then a circumstantial link between ethnicity and ancestral territory. Over time, however, as the state sought to exploit both the natural resources embedded in kipat lands and the labor of its inhabitants, kipat rights were gradually undermined through a series of land confiscations. By 1968, all legal distinctions between kipat and *raikar*, the generic form of state land ownership, had disappeared (Regmi 1976, 16), but kipat was only legally abolished through the cadastral survey of 1994 (Forbes 1999, 116).

The term *indigenous* was rapidly adopted by ethnic activists in Nepal in the wake of the UN Declaration of the Year of Indigenous Peoples in 1993 and the ensuing 1994 Declaration of the Decade of Indigenous Peoples (Gellner 2007; Hangen 2010; Onta 2006). This temporal convergence with the abolition of kipat highlights how the diminishing recognition of a legal relationship between ethnic individuals and territory, as defined by the Nepali state through the concept of kipat, was paralleled by an increasing recognition of an embodied relationship between ethnic individuals and their territory, as defined through the international discourse of indigeneity. Indeed, the documents of global discourse—most notably the UN Declaration on the Rights of Indigenous Peoples and the ILO Convention 169 on Indigenous and Tribal Peoples—conceptualize indigeneity as an essential quality that inheres in indigenous bodies. Possession of this quality in contemporary Nepal is expressed in essentialized, embodied terms—"we are indigenous"—rather than in the territorial terms that might have characterized such assertions of distinctiveness in the past: "we have kipat." The now widespread use of the term *indigenous* in political discourse, as well as in legislation like the 2002 Nepal Foundation for the Development of Indigenous Nationalities (NFDIN) Act that legally recognizes indigeneity, has inscribed the relationship between ethnicity and territory in the bodies of indigenous people themselves. This puts the onus on such individuals to develop a new set of techniques to objectify that relationship and make it recognizable to others, in the absence of state policies that objectify the relationship between ethnicity and territory in the

legal terms that kipat once did. In the age of indigeneity, the concept of kipat has become refigured as shorthand for evidence of ancestral rights to territory. Although that legal system no longer exists, use of the term kipat now expresses the historical consciousness of having once held such territorial rights, as in the simple Nepali phrase, *yo hamro kipat ho* (this is our kipat). Even groups who do not possess historical evidence of actual kipat grants often use this terminology to describe their relationship to the territories on which they live.

In all these ways, contemporary invocations of kipat must be understood as an assertion of ethnic consciousness on the one hand while, on the other, that assertion is achieved in a manner that implicitly validates the sovereignty of the Nepali state in its role as recognizing agent. Although the historical claim to kipat enables contemporary indigenous territorial claims, it does so within a framework wherein the central Nepali state is recognized as the bestower of an autonomy within its borders that stops short of full self-determination. It also glosses over the interceding decades of state appropriation of kipat through the awarding of land rights to high-caste state officials through the system of *jagir*, which rewarded service with appropriated lands (see Shneiderman 2015, 111–13). Ultimately, Janajati renditions of the ethnicity-territory relationship that emphasize kipat recognize the Nepali state as the key arbiter of recognition, so it recognizes them back: theirs is an ethnic consciousness with signifying power within the existing nation-state frame.

Janajati livelihoods have generally been composed by a combination of subsistence agriculture on small-holdings in rugged hill areas, tenant labor for high-caste landowners, and migrant wage labor. Without adequate land to survive as exclusively agrarian subjects, members of most Janajati communities have had to supplement their resources through mobile trade or labor in various directions including northward to what is now China's Tibetan Autonomous Region, eastward and westward to Indian Himalayan regions, and southward to India's larger cities. Perhaps their best-known and highest-status route of labor migration has been through the British army's Gurkha regiments; however, this is an exclusive opportunity that has led to relatively high incomes (often reinvested in land back in hill areas of Nepal) for a privileged few, which stands in contrast to uncompensated corvée labor for the Nepali state, which characterized the historical experiences of many more (Holmberg, March, and Tamang 1999). Although this is a broad generalization, we might say that Janajatis have existed in a hybrid space where they are not fully alienated from their land yet are also not fully in control of it or able to rely on its material resources for all of their needs. They have long supplemented territorially based livelihoods and identities with other forms of income and identity production

that entangle them intextricably with others—particularly high-caste denizens of the Nepali state.

Janajati claims to difference have therefore historically mobilized a symbolic repertoire through which they situate themselves fully within the Pahadi-dominated nationalist vision of what it is to be the ideal type "Nepali." These include items like the *khukuri* knife, made famous as the symbol of the Gurkha regiments, as well as the *madal* (two-sided drum). With their expert objectification of these pan-Himalayan cultural tropes, Janajatis are Pahadis with a difference (from the dominant high-caste norm), but they are still Pahadi—hill-dwellers whose claim to territory at once asserts distinction and validates the central Nepali state's power by recognizing it as the key arbiter of both ethnic classification and property ownership.

Madhesi assertions of territorial belonging do none of these things.[25] The trope of kipat is not available to Madhesi Nepalis because they were never historically recognized as the rightful holders of communal land title by the central Nepali state as many Janajati groups were. Moreover, "the area of today's eastern and central Tarai had been subject to constantly shifting and overlapping claims to political control, tenurial regulation and taxation until the demarcation of Nepal's southern border after the 1814–1816 war with the British East-India Company" (Rinck 2015, following Michael 2012). Parts of the Western Tarai remained under British control until the 1860s, an anomaly in Nepal's nationalist narrative of noncolonization (Gill 2017).[26]

When Nepal's Prime Minister Jang Bahadur finally gained control of these regions in exchange for his complicity in helping the British subdue the 1857 Sepoy Mutiny, he bestowed the label "Naya Muluk"—or "new possessions"—on the area. This term, which is still used today, highlights the historical lack of integration into the central polity that the region has always experienced, and also points to its status as an uncomfortable reminder of what journalist Prashant Jha (2014) has called Nepal's "partial sovereignty." Indeed, the Naya Muluk and its adjacent Tarai regions were always seen as "other," a site suitable for exploitative resource extraction—just as former Janajati kipat areas were—but without the close integration into state mechanisms (such as the army, palace court, etc.) from which Janajatis benefited. At the same time, the lack of integration into central processes of the Nepali state also left the Tarai open to significant Indian political influence.

Following the accession of Naya Muluk, in 1861 Jang Bahadur's administration established the *jimidari* system across much of the Tarai. Revenue officials responsible to the central state "were sent to settle in strategic locations across the Tarai in exchange for collecting a fixed amount of taxes, and providing

agricultural inputs. In return, they received a plot of tax-free land for themselves."[27] This established a multitiered system for land extraction from "traditional elites"—Tharus and several middle- and high-caste Madhesi descent groups—as well as from those at the bottom of the pyramid who served as tenant sharecroppers. As Rinck quotes the descendant of an influential local politician from the 1940s–1950s, "Land was the true basis of power at the time" (Rinck 2015).

But this power was not free of identity markers. Those who are now leading mobilizations in the Tarai—Tharus and Yadavs (as well as Jhas)—were traditional landed elites whose power diminished as the central state deployed its own administrators and gradually stripped them of their power. As Arjun Guneratne poignantly sums it up, "The Tharu elite went from being 'little kings' to servants of the state and then to being quite marginal to the state's administration of the Tarai" (Guneratne 2010, 23). We may then begin to see how nested levels of hierarchy situate marginality as relative. The need to objectify the relationship between ethnicity and territory becomes more pressing at certain historical conjunctures. In this case, when a group who was once dominant becomes subjugated to another, the promise of ethnicity, inc. as a means of reasserting past hegemony at the local level begins to look like a possible bulwark against the vagaries of an unpredictably restructuring nation-state at the center.

FROM TERRITORIAL TO CULTURAL PROPERTY

From this brief summary, we can begin to understand the existence of an embodied relation between ethnicity and territory for those who assert Tharu and Madhesi political identities and the powerful, affectively real dimensions of ethnic consciousness that it encodes. However, a significant problem for these groups has long been that, unlike the hill and mountain Janajati groups, their symbolic repertoire for asserting cultural difference appears (at least to a high-caste Nepali Pahadi observer—such as most officials of the state bureaucracy) to be "Indian" rather than distinctively "Nepali" in the way that Janajati cultural displays do. Without distinctive expressive or material cultures, items of dress, or food that are recognizable within the Nepali nationalist imaginary, it has been challenging for Madhesis to secure recognition within Nepali state paradigms for acknowledging difference and inequality. Instead, popular discourse often portrays them as outsiders or noncitizens with an affinity for India who are attempting to co-opt the Nepali polity.

Yet it is participation in the polity that most Madhesi activists want, not secession or overthrow of the system itself.[28] As columnist Apoorva Lal wrote,

"To many of these protesters, their Nepal has never existed; it has merely stood for what they have been deprived of, both legally and emotionally. That they are angry is evidence that they want in."[29] Or, in Guneratne's (2010, 28) account, "the Tharu (and the Madhesi) are Nepali and not Indian, but they seek to be Nepali on their own terms, not those historically imposed on them by the state." In other words, all of these authors concur that rather than seeking a recognition of their own "sovereign existence" in order to "assert it against the state" (Comaroff and Comaroff 2009, 82), Madhesi activists seek to parlay their own stigma as embodied reminders of Nepal's "partial sovereignty" (Jha 2014) into access to the center. Territorial recognition of their historical dominion through the new constitution would not have been a precursor to secession or further ethnocorporatization. Rather, it would have been a stepping-stone to the desired full integration in the state that they have so long been denied and would have likely worked to diminish further development of a culturalist ethnocorporate identity. Here we see how territorial recognition of ethnic claims through the paradigm of ethnicity, inc. may not lead toward greater assertion of difference, ethnic sovereignty, or antistate mobilization but rather diminish the desire or felt need for such hardening of boundaries.

Unfortunately, what I have just described remains the path not taken in Nepal. With the 2015 constitution failing to offer adequate territorial recognition, activists began exploring other avenues for mobilization. Madhesi movements have often been understood at the center to be undergirded by political, rather than cultural, motivations. For instance, Chaitanya Mishra (2012, 82) wrote, "The Madhesi protest, thus, was far more political and economic than cultural. The Tarai-Madhesh had acquired a much higher level of economic and financial clout than it was given political and cultural credit for. . . . There had been building, in a sense, a serious dissonance between the demographic, economic, financial . . . clout of the Tarai-Madhesh on the one hand and its lowly political and cultural status on the other."

In talking with a Madhesi interlocutor in late 2015, I commented that I had indeed not previously noticed much of what we might call "objectification of culture" within Madhesi self-representational strategies. "No," he confirmed, "how could we try that when anything we do is seen to be Indian?" But after a moment's reflection, he described how his father insisted on wearing a *dhoti* to political meetings in the capital. A *dhoti* is the long sarong that constitutes "traditional" men's dress across much of the Tarai on both sides of the border. It's also a derogatory term used by Pahadis to refer to Madhesis. My friend, about my own age, in his early forties said, "My father could just about get away with it, but I never could. In my father's era there was still a sense of legitimate

ethnic difference even within the political sphere, while by the time I was coming of age the nationalist idea of 'Nepali' was hardened and I never wanted to emphasize my 'Madhesi' identity."

The next day, a mutual friend of both of ours posted a photo on Facebook showing Madhesi protestors, dressed in dhoti, holding signs demanding a *dhoti pradesh*, or a "dhoti state."[30] I asked the same interlocutor whether he had seen this form of protest before. "Never," he said. "It's only now that we have been rejected as Nepali by this constitution that we are freely claiming our own culture." In other words, after trying for so long to "fit in" as Nepali, but finding that every effort to do so was not reciprocated by the state, there was no longer any logic in trying to downplay the Indian-like elements of Madhesi identity. A self-conscious shift in representational strategy was underway, with a turn toward the culturalist strategies of objectification that Janajati groups had long employed in making claims to indigeneity. Perhaps the dhoti pradesh protestors were bolstered by new political alliances with Janajati groups, as evidenced by the Federal Socialist Forum party described earlier—a confluence of factors that were for the first time encouraging Madhesis to appropriate strategies of ethnicity to make territorial claims, without deploying the trope of indigeneity per se. A widely circulated social media post during the early May 2016 joint Madhesi-Janajati protests showed Madhesis dancing in the streets to Janajati drum beats. Perhaps they were dancing toward meaningful ethnic signification within the nation-state frame, drawing on the existing Janajati repertoire.

CONCLUSION: FROM COMMODIFICATION TO OBJECTIFICATION

What I have described demonstrates an intense affective politics of self-objectification—both on the part of the Janajati and high-caste scholars described in the first part of the chapter and on the part of the Madhesi activists described in the second part—but how do we understand them as processes of commodification that deepen our understanding of ethnicity, inc?

Some scholars have argued that neoliberalism invited identity to take shape as a major political category in Nepal (Leve 2011), but in such discussions, neoliberalism itself remains underdefined. While Nepal has experienced significant neoliberal influences through the international development apparatus present since the 1950s, which has, indeed, in recent years often pushed toward the understanding of identity as "brand" (Shneiderman 2013a), that apparatus has not encompassed all groups equally. As the Madhesi interlocutor cited earlier put it, "Those NGOs are what has pushed Janajati toward using cultural

demonstrations—we have never had those NGOs in the Madhes." Moreover, although development actors may have significantly influenced processes on the ground in specific locations through their programmatic engagement, they seem to have ultimately had relatively little influence on the outcome of the political process at the center. After millions of dollars invested in "postconflict" "good governance" and "inclusive state-building," these key words have left relatively little imprint on the 2015 constitution as actually promulgated. As was already clear by 2012, key political actors were not only disregarding the international community's steer in these domains but also actively thwarting their ability to operate, as in the case of the World Bank/DFID Gender and Social Exclusion Assessment described.

In addition, in Nepal there seems to be little connection in most cases between the production of ethnocommodities for tourist consumption and the kind of political-economic transformation that most ethnic actors, both Janajati and Madhesi, have sought. This is not to say that ethnocommodities do not exist but rather that it is difficult to trace their relationship to political mobilization. Apart from the body of literature on Sherpas that addresses the interplay between tourism and self-representation (Adams 1996, Ortner 2001), there is very little anthropological work in Nepal that explicitly describes the sort of relationships that seem common in African contexts. In the Sherpa context, it is not clear how the economic gains made through engagement with tourism and mountaineering are parlayed into political ones, if at all. Indeed, much recent Sherpa political activity—as in recent highly publicized fights with climbers on the face of Mount Everest—seems to have been directed at undoing the ethnic image of compliant mountain guide that was generated in an earlier era, in favor of forging a newly political identity, critical of both foreign tourists and the central Nepali state.[31] In other words, Nepali ethnic actors may engage with ethnicity, inc., not primarily to produce material objects as ethnocommodities for direct economic benefit through tourist sale, but rather to focus on objectifying the relationship between their own ethnic bodies and the territories they claim in terms recognizable to the state so as to prompt political recognition. Here, we can see ethnicity, inc. as a multifaceted site of contestation between the state and its own margins—one interpellated by external forces but not inherently produced by them.

Guneratne's (2001) description of Tharu encounters with tourists provides a further illustrative example. He emphasized how these experiences of the other are mediated by high-caste guides, resulting not in the increased conversion of labor to culture by members of the Tharu community but rather the conversion of the high-caste guides' labor into exclusive nationalist representations that

compel Tharu to retreat ever further from the tourist encounter. As Guneratne put it: "The foreign tourist cannot distinguish between Nepalese unless the differences are pointed out; one native is much like another. The task of differentiation falls to the tourist guide. The Tharus are not only the 'other' in relation to the guides . . . but are also defined by the guides as the 'other' in relation to the tourist" (2001, 535). Ultimately, "While the presence of foreign tourists . . . helps to demarcate ethnic boundaries . . . the discourse this presence engenders also serves to call attention to the relative lack of success in the state's project of creating a sense of common peoplehood among Nepalese. . . . The idea of a Nepali nation thus becomes problematized in this encounter with tourism" (538). I cite this at length to demonstrate how tourism may not always serve as a driver for increased self-commodification, leading to economic income controlled by ethnic communities themselves, but may also reveal incomplete nationalisms and partial sovereignties. It is here that we can begin to see the disjuncture between ethnicity, inc. and nationality, inc. that may exist in many cases. Both may be understood as sets of affective potentialities differentially experienced by variegated actors, depending on the material circumstances that shape their relationship to territory and the signifying repertoires available to them to objectify that relationship.

Although external actors, such as development agencies and tourists, remain part of the story in Nepal, and the country is economically interconnected with global financial flows through the remittance economy—an important additional theme that I have not been able to explore in depth here—I think we will better understand the scenario by focusing on national and regional political histories and the discursive circulation of ideas that they have promoted. It is the Nepali state and its political elites who must provide meaningful recognition of ethnic consciousness in the current political moment, not the global market. It's further possible that the hegemonic communist presence in many Nepali political domains over the last half century has led to the lack of economically desirable mechanisms for producing ethnocommodities in Nepal. With some variation, communist actors of Maoist, UML, and other factional persuasions have understood ethnicity as an epiphenomenon that will disappear in the face of class struggle. Bolstered by the neo-Marxian modernist Nepali social scientific discourse detailed in this chapter that seeks to delegitimize ethnicity as a basis for political claims, it's hardly surprising that the production of saleable ethnocommodities has not been a key strategy for ethnoactivists who rely on political patronage from these communist parties.

At the same time, both the Maoists and UML have been known to promote folkloristic demonstrations of "culture" that demonstrate ethnic diversity in

the sense also familiar from China and Russia (cf. Mottin 2010; Stirr 2013). At least from the perspective of communist party leaders, these are "safe" deployments of the "currency of culture" (Cattelino 2008; see also Shneiderman 2015, chap. 5) and historically only ever included Janajati cultural forms, not Madhesi ones, for all of the reasons described.

It is such folkloristic objectifications of intangible culture that are acceptable as legitimate displays of ethnic content from the viewpoint of the central Nepali state, particularly its communist scions. The political objectification of the embodied relation between ethnicity and territory, particularly by Madhesis, is equally unpalatable. This is why the caption for the dhoti pradesh protest photo offered by the Madhesi social worker who posted it online is very apt: "Jhalanath Khanal: here is your worst nightmare come true: a Dhoti Pradesh." Not only is the territorial threat of a Madhesi state a nightmare for this UML leader, whose statement about Madhesi protests being "meaningless" began this chapter, but the notion that Madhesis might find ways to represent themselves in appropriately signifying cultural terms as part of the nation is also a bad dream for communist nationalists.

However, even if such mobilizations of ethnicity, inc. can be read as a powerful response from below to the failures of state inclusivity, the pragmatic pathways that link them to actual state transformation at the administrative level are complex and indeterminate. In early 2017, Nepal's Local Level Restructuring Commission submitted its report to the government. Charged with identifying potential special autonomous areas for marginalized groups within the new federal design, the commission failed to offer any concrete recommendations. A member of the commission told the press, "We needed the actual data and places where such people or communities reside. But we did not get them."[32]

For all of the work to visibly objectify relationships between ethnicity and territory on the part of diverse marginalized communities over the preceding ten years, decisions were ultimately made by bureaucrats who did not even bother to engage with the vast body of discursive and visual evidence in the public domain documenting such labor, let alone to read the wide range of social scientific literature available about these groups. Despite insinuations otherwise in all directions, for the moment it is not marginalized communities themselves, social scientists, or the market that controls the terms of ethnicity, inc. in Nepal but, rather, a resurgent state that at once seeks to ethnicize its own dominance and delegitimize the ethnic claims of its socioeconomically marginalized communities; however, the terms of control remain contested,

and the future of ethnicity, inc. may hold affective potentialities that transform both the consciousness of various actors and political structures themselves in ways as yet unknown.

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NOTES

1. The CPN-UML merged with the Communist Party of Nepal-Maoist Centre in May 2018 to re-create a single Nepal Communist Party, after this paper was drafted.

2. "Free Supply Nepal's Right, Says UML Leader Khanal," *Himalayan Times*, September 25, 2015, https://thehimalayantimes.com/kathmandu/free-supply-nepals-right-says-uml-leader-khanal/. The original article was later edited in the online version to use less inflammatory phrases.

3. "India Should End Its Blockade: Oil," *Kathmandu Post*, September 29, 2015, http://kathmandupost.ekantipur.com/news/2015-09-29/india-should-end-its-blockade-to-nepal-oli.html.

4. This chapter was drafted in October 2015 and focuses largely on dynamics up till that point.

5. Following anthropologist Mallika Shakya's comments in the Focaal journal blog, "Ethnicity in Nepal's New Constitution," Focaal, September 28, 2015, http://www.focaalblog.com/2015/09/28/mallika-shakya-ethnicity-in-nepals-new-constitution/.

6. The postearthquake political dynamics in Nepal are in many ways akin to what Edward Simpson (2013) describes for Gujarat, India, after the 2001 earthquake, including Narendra Modi's rise to power. See Paudel and Le Billon (2018) and Harrowell and Özerdem (2018) for further details.

7. See the Cultural Anthropology HotSpots collection that I edited with Amanda Snellinger for a problematization of the term *postconflict*. Shneiderman, Sara, and Amanda Snellinger, eds. 2014. "The Politics of 'Postconflict': On the Ground in South Asia." Hot Spots series, *Fieldsights*, March 24. https://culanth.org/fieldsights/series/the-politics-of-postconflict-on-the-ground-in-south-asia.

8. See Shneiderman and Tillin (2015), as well as Adhikari and Gellner (2016) and Shneiderman et al. (2016) for further context. For maps of the 2010 and 2012 proposals, see Shneiderman and Tillin 2015, p. 32–33. For the actual provincial map implemented by the 2015 constitution and currently in effect, see http://www.election.gov.np/uploads/Pages/1564381682_np.pdf.

9. A constitutional amendment to revise these boundaries in a manner more acceptable to Madhesi constituents was tabled in April 2017 but defeated in parliament in August of the same year.

10. Tharu are an indigenous Tarai community whose leadership has at times joined forces with the Janajati movement, at others with the Madhesi movement, and at others mobilized independently. From a Tharu perspective, Madhesis are also relatively recent immigrants to the area. See Guneratne (2001, 2002, 2010) for details of Tharu ethnolinguistic identities and Fujikura (2013) and Hoffman (2017) on Tharu political mobilization. Madhesi communities often have linguistic, cultural, and kinship ties to populations across the border in India's states of Bihar and Uttar Pradesh. For analyses of Madhesi identity formation, see Jha (2014) and Sijapati (2013).

11. See Guneratne (2010, 24–25). In Chitwan and areas farther west, USAID-funded initiatives cleared the region of malaria, and the Nepali government offered subsidies to Pahadis to settle there. Historian Tom Robertson outlines these dynamics in a lecture available online, "Developing International Development: DDT and US Environmental and Social Engineering in the Chitwan Valley, 1952–1965," Social Science Baha, May 20, 2014, https://soscbaha.org/lecture-series-lxxvi-2/.

12. "Agreement between the Government of Nepal and the Madhesi People's Right Forum, Nepal," August 30, 2017, https://www.scribd.com/document/281944949/2007-08-30-Agreement-spa-Govt-mjf-ENG.

13. "Agreement between the Government and Janajatis," August 7, 2017, http://www.constitutionnet.org/sites/default/files/2007-08-07-agreement_between_government_and_janajatis.pdf.

14. The Social Inclusion Research Fund website no longer exists. For a description of the project see https://cdsatu.edu.np/completion-of-research-project/.

15. "Debate over Federalism in Nepal," *Nepal in a Day's Work*, April 29, 2011, https://nepalinadayswork.wordpress.com/2011/04/29/debate-over-federalism-in-nepal/.

16. The former term was perceived as emphasizing prior rights and therefore potentially polarizing, while the latter was intended to emphasize the positive aspects of "identity" as something that everyone possesses.

17. "Ethnic States not Possible," *Nepali Times*, March 9, 2012, http://nepalitimes.com/news.php?id=19087#.Vhb88RNVhBc.

18. Roshan Sedhai, "Three Parties Merge to Become Sanghiya Samajbadi Forum—Nepal," *Kathmandu Post*, June 16, 2015, http://kathmandupost.ekantipur.com/news/2015-06-16/three-parties-merge-to-become-sanghiya-samajbadi-forum-nepal.html.

19. Krishna Hachhethu, "A Middle Way," *Kathmandu Post*, November 4, 2014, http://kathmandupost.ekantipur.com/news/2014-11-04/a-middle-way.html.

20. Kanak Mani Dixit, "Post-development Era," *Nepali Times*, March 24–30, 2017, http://nepalitimes.com/regular-columns/On-the-way-up/post-development-era,873.

21. Rup Sunar, "Pressure from 'Hill Elites' Halts DfID Exclusion Report," *Blogging My Passion*, August 28, 2012, http://roopsunar.blogspot.ca/2012/08/pressure-from-hill-elites-halts-dfid.html, accessed September 24, 2017. See also Drucza (2016) for a more detailed discussion of these dynamics.

22. Dovan Rai, "Madhesis among Us," *The Record*, October 5, 2015, http://www.recordnepal.com/perspective/madhesis-among-us#sthash.62gmjCQV.dpuf.

23. Mukta S. Lama Tamang, "[Constitution Special] Forgotten Promises," *Kathmandu Post*, September 20, 2015, http://kathmandupost.ekantipur.com/news/2015-09-20/forgotten-promises.html.

24. The remainder of this section draws from chapter 6 of my book (Shneiderman 2015) but takes those arguments further by relating them to the Madhesi movement.

25. This section builds on the work of my student Jacob Rinck, a PhD candidate in anthropology at Yale, especially in his 2015 conference paper "Land Reform, Social Change, and Political Cultures in Nepal's Tarai" and his forthcoming dissertation, "The Future of Political Economy: International Labor Migration, Agrarian Change and Shifting Visions of Development in Nepal."

26. See also CK Lal's article, "The Tharu Heartland," accessed September 24, 2017, https://www.facebook.com/archiveCKlal/posts/965774053443018.

27. For further historical detail about livelihoods and economies in the Tarai, see Gaige (1975) and Burghart (2016).

28. A notable exception was Dr. CK Raut, who was imprisoned for his advocacy of Madhesi secession until he signed an agreement with the government in March 2019, giving up his demands in exchange for having all charges dropped.

29. Apoorva Lal, "Cycle of Exclusion," *Kathmandu Post*, September 30, 2015, http://kathmandupost.ekantipur.com/news/2015-09-30/cycle-of-exclusion.html.

30. Indiana University Press declined to publish images of this or other social media posts due to copyright concerns.

31. Peter Hansen insightfully notes that the recent Everest debacles may have to do with Sherpa reassertion of territorial sovereignty within the context of Nepal's state restructuring process ("Have Sherpas Had It?," *Seeker*, May 2, 2013, https://www.seeker.com/have-sherpas-had-it-1767481767.html.

32. Binod Ghimire, "LLRC's Tenure Ends without Completing Task," *Kathmandu Post*, March 14, 2017, http://kathmandupost.ekantipur.com/news/2017-03-14/llrcs-tenure-ends-without-completing-task.html.

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