

## The Bonded Agricultural Labourers' Freedom Movement in Western Nepal

TATSURO FUJIKURA

The Kamaiya Freedom Movement emerged in the midst of the gloom and frustration pervading the ten year anniversary of democracy ... The kamaiya movement is in a sense a civil society campaign, but it is interesting to note that few kamaiyas have citizenship papers. They are struggling from the bottom up to make basic structures work for them. It seems clear that democracy, like freedom, is not simply created by government decree, but claimed through ongoing struggle.

Tim Whyte, 'Afterword', in P. Lowe, *Kamaiya: Slavery and Freedom in Nepal*

### INTRODUCTION

The bonded labourers' freedom movement that began on 1 May 2000 prompted the Nepali government to declare, on 17 July 2000, the emancipation of at least 16,000 bonded labourers or '*kamaiyas*' in western Nepal. This was a unique movement, which came at a unique moment in Nepali history. The year 2000 was the tenth anniversary of the restoration of multiparty democracy in Nepal. As Tim Whyte's text in the epigraph indicates, there was a popular sense of disillusionment with the democratically elected government and political leaders, including a sense that the Nepali government had become even more inefficient and corrupt than it had been under the authoritarian Panchayat regime. Many analysts regarded the Maoists' violent uprising as a result of the failure of both development *and* democracy in Nepal. The Maoists claimed their movement was aimed at replacing the current oligarchic 'democracy' with a real people's rule and building a truly progressive Nepal. By the year 2000, the Maoists had already declared four western hill districts as their 'base area'.<sup>1</sup>

<sup>1</sup>Namely, Rolpa, Rukum, Salyan, and Jajarkot districts. See Sharma (2057 v.s.).

The bonded labourers' liberation movement also emerged from rural western Nepal. The movement involved a group of people who were among the poorest and most exploited in Nepal. However, unlike the Maoists' 'People's War', it was a non-violent movement. The movement also was not led by any political party, and indeed transcended party divisions in a post-1990 Nepal where party affiliation seemed to exert decisive influences on many areas of life. There was a strong ethnic dimension to the movement, the overwhelming majority of kamaiyas being Tharus, the ethnic group indigenous to the Tarai plains. However, I shall argue that the movement also went beyond being purely an ethnic movement pursuing group rights. The movement, as we shall see, would not have emerged without its history of engagements with the transnational networks of institutions, ideas, and practices of development as well as of human rights, and the movement's demands were articulated in universalist terms. The leaders of the movement, as we shall also see, were highly critical of existing development organizations. However, they never disengaged themselves either from the institutional spaces of development or from the Nepali state. What I try to do in this paper then is to describe the politics of the kamaiya freedom movement and BASE, the organization which led the movement, as a politics of engagement which gained momentum by building heterogeneous alliances and networks and whose strength resided precisely in its hybridity, a politics that contrasts with other, more radical forms of mobilization.

I should state at the beginning, however, that this is a preliminary account of an ongoing and highly complicated social, economic, and political process; my account cannot but be partial. I believe a note on how I personally became interested in and in some ways involved in the kamaiya issue may help clarify for the readers some of the limitations and partiality of this paper. In 1994 in Chicago, I met Dilli Bahadur Chaudhari, the founder and president of the grassroots organization BASE, which I will describe in more detail later. My interest in the activities of BASE was one of the reasons why I decided to conduct my extended field research on ideologies and practices of development in western Nepal. However, at the time I began my fieldwork, in 1996, I was more interested in the conditions of life in the hills than those in the Tarai plains. Accordingly I selected Salyan district as my main fieldwork location. Salyan was the only hill district in which BASE was active, and since the district traditionally had no Tharu residents, the BASE members there consisted exclusively of non-Tharus. Although I often visited the Dang valley, south of Salyan, and had close contacts with BASE leaders and staff members, the majority of whom were Tharu, I did not make any systematic effort to explore Tharu culture and society, nor was I focused primarily on the issues of kamaiya labour during the course of my fieldwork between 1996 and 1999. It was during

my return visit to Nepal from June to August of 2000 that my attention was clearly focused on the kamaiya issue. As already noted, the kamaiya freedom movement began in western Nepal at the beginning of May 2000. The movement involved not only BASE activists from western Nepal, but also intellectuals and human rights activists in Kathmandu, whom I had also known for years by then. I participated in meetings of those activists involved in the movement and participated in demonstrations in Kathmandu and in western Nepal. Subsequently, I have also made efforts to help in the rehabilitation process of the freed kamaiyas. This is why some of the passages in this paper assume the form of personal testimony. The way I approached the kamaiya issue also explains my heavy focus at this point on some of the leaders of BASE, rather than on other actors in the process, for example, other human rights and development organizations and activists who have also been involved in the kamaiya issue, political parties and politicians, and indeed kamaiyas themselves. I am currently in the process of expanding my research to include those other actors and other aspects of the process. However, I do believe that it is worthwhile, at this point, to foreground the actions of a limited set of actors, primarily the BASE leaders, focusing particularly on how they have constructed the meaning of their actions. For the purposes of this paper, when dealing with such topics as the history of the western Tarai and the characteristics of kamaiya labour, I rely largely on the works of others.

## THE MEANINGS OF KAMAIYA

### *Kamaiya as a Human Rights Problem*

The 'kamaiya system' in western Nepal, which included a form of bonded labour,<sup>2</sup> became a prominent issue, especially after the restoration of multiparty democracy in 1990 resulted in a dramatic increase in the activities of human rights organizations in Nepal. A Kathmandu based human rights NGO called INSEC, for example, conducted and published a research on kamaiya practices in 1992, which in their words, "shocked the nation" by showing that "slavery still existed in the form of bonded-labor

<sup>2</sup>A detailed account of kamaiya practices is given in the next section. When I state here that "the kamaiya system ... included a form of bonded labour", I am simply maintaining that some of those who were known as kamaiyas in western Nepal worked under the conditions of labour bondage as defined by international law. The most relevant international instrument here is the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956) to which Nepal is a signatory. Section I, Article 1 (a) of the Convention reads, in part, "Debt bondage [is] the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt if the value of those services as reasonably assessed is not applied towards the liquidation of the debt."

in western Nepal" (INSEC 2003). In that report, INSEC described the kamaiya system as involving "virtual buying and selling of individuals for work in agriculture and whole families may remain bonded in the system across generations" (INSEC 2003). With the help of the London-based Anti-Slavery International, INSEC continued research and advocacy work over the 1990s, making policy recommendations to the Nepali government and international organizations, including the United Nations' Economic and Social Council. The Nepali government, for its part, also began to publish reports on kamaiyas in the mid 1990s with funding from the International Labor Organization (ILO). In one such report, the Ministry of Land Reform and Management (MLRM), based on a census it conducted from January to February 1996, reported that there were 15,152 kamaiya households in the five western Tarai districts of Dang, Banke, Bardiya, Kailali, and Kanchanpur.<sup>3</sup> The Ministry of Land Reform and Management, in its report, claimed that the kamaiya system, which has come "under the spotlight of global and national media", not only represented a clear violation of human rights, but was also "an outcome of socio-economic and cultural conditions" that Nepal shared with many other developing countries (MLRM 1999). Thus, the kamaiya system was not just a legal problem, it was simultaneously a sign of Nepal's backwardness.

The historian, Gyan Prakash, in his study of the British colonial construction of '*kamaiyas*' in northern India as bonded labourers, argued that the colonial officers made use of what he called a 'discourse of freedom' (Prakash 1990). Colonial records from the nineteenth century on, represented "history as a progression from unfreedom to freedom, as a process of restoring the loss of natural rights to liberty" (Prakash 1990: 2). Prakash argued further that:

In post-colonial India ... the abolition of debt-bondage remains one of the issues around which the government struts and swaggers as an agent of modern progress in a land of feudal backwardness. It continues to be a question whose importance is owed, above all, to the fact that it allows modernity and tradition to appear in perpetual combat, with tradition now defined as a combination of sources of backwardness – social, economic, and cultural. (Prakash 1990: 225)

<sup>3</sup>In addition to the problems associated with any large-scale census, enumeration of kamaiyas is complicated by their diversity, as discussed in the next section. Besides the Ministry of Land Reform and Management, the government's Sukumbasi Samasya Samadhan Ayog (Commission for the Solution of Landless Squatter Problem) reported in 1995 that there were 17,435 kamaiya households and 25,762 individual kamaiyas in the same five districts (SSSA 1995). Backward Society Education enumerated 35,874 individual kamaiyas in 1995 (BASE 1995). Comparing different reports, Shiva Sharma and Manasa Thakurathi estimated the number of individual kamaiyas to be about 26,000 (Sharma & Thakurathi 1998: 25). For further discussions of the quantitative data on kamaiyas during the 1990s, see Sharma & Thakurathi (1998) and Chapagain (1998: Part D).

Building on Prakash's work, anthropologist Katharine Rankin, in her 1999 article, criticized the discourse surrounding the kamaiya issue in Nepal in a similar manner. In particular, Rankin argued that, with the global ascendance of a neo-liberal ideology, bonded labour in Nepal has come to serve as an example of "anachronistic negation of freedom against which the causal relationship between the market and democracy can be asserted and legitimated" (1999: 28). Rankin saw two major problems with this formulation. First, like so many other practices in the so-called Third World societies, kamaiya practices were explained as the result of a premodern and irrational organization of society – in this case, the absence of a viable labour market. This mode of explanation, Rankin argued, failed to appreciate the "diversity and historical specificity of kamaiya practices that have emerged" in Nepal's western plains (Rankin 1999: 28). The second problem that Rankin identified was that by defining emancipation through wage labour as the only real solution to kamaiya domination, the discourse of freedom masked the scope for domination inherent in 'free' labour. Thus Rankin argued that the discourse of freedom employed by human rights advocates and development policy makers was inadequate both as a representation of the reality of kamaiya practices and as a guide towards their political solution.

I agree with Rankin's observations as far as they go. However, the story I want to convey in this paper involves the moment in 2000 when kamaiyas themselves seized hold of the language of freedom in their struggle to transform their own conditions. During the kamaiya movement they represented their hopes and demands in terms of emancipation (*mukti*) and human rights (*manav adhikar*), the very vocabulary that both Prakash and Rankin find so inadequate and ultimately oppressive. Thus, we are faced with a challenge very different from that which preoccupied Prakash and Rankin. In other words, the challenge is not simply to expose the ways in which 'rights discourse' misrepresents a complex local practice. Nor is it our task to judge whether the discourse, taken by itself, represents a 'liberating' political programme. Instead, we need to start, it seems to me, with an exploration of the *pragmatics* of the language of freedom in a particular socio-historical context. I will argue that the way the kamaiya freedom movement unfolded makes clear that the transition suggested by Rankin's argument – i.e. from a locally and historically specific structure of subjugation and exploitation towards subjugation and exploitation through the 'free' market under a neo-liberal regime – is not the only possible consequence of the use of the vocabulary of human rights. In the next section, I will try to sketch what constituted kamaiya practices in western Nepal. Then I will describe the history of the grassroots organization, BASE, which led the kamaiya liberation movement, and the process of kamaiya mobilization in 2000, which led to the government's 'emancipation of the kamaiyas'.

*Kamaiya Practices in Western Nepal*

As I have already indicated, kamaiya practices were found in the five western Tarai districts of Dang, Banke, Bardiya, Kailali, and Kanchanpur.<sup>4</sup> An overwhelming majority of the kamaiyas were Tharus, an ethnic group indigenous to the Tarai.<sup>5</sup> There is no agreement among the locals regarding the origins of kamaiya practices. However, it is commonly pointed out that the word 'kamaiya' derives from the Tharu verb *kamaina*, which means 'to earn'. The word 'kamaiya' traditionally meant a 'hardworking man'. The feminine form of the word is 'kamalahari', a 'hardworking woman'.<sup>6</sup>

As already indicated, a wide variety of arrangements were called 'kamaiya' in modern-day western Tarai. Several people in the western Tarai told me that there could be as many kinds of arrangements with kamaiyas as there were landlords. However, as existing studies show, one can speak of recurring types, categories, distinctions, or characteristic arrangements within the diverse field of kamaiya practices (Sharma & Thakurathi 1998; Dhakal et al. 2000; Rankin 1999). Let me begin with the type which could most easily fall under the scope of 'bonded labour'. This type of kamaiya contract involved a person taking a loan, called *saunki*, from another farmer or a landlord and, in exchange, agreeing to work exclusively for the latter as a kamaiya (or sending his son to work as a kamaiya, as we shall see later in the case of Yagyaraj Chaudhari). The landlord in turn agreed to provide the kamaiya with a fixed amount of grain or money every year. The landlord also gave the kamaiya one set of clothes every year and guaranteed to provide shelter for those kamaiyas who were landless. Moreover, kamaiyas also had the right to demand additional credits for basic and emergency needs from their employers. These additional loans were added to the *saunki*. The term of contract was renegotiated annually on the first day of the month of Magh (January-February). At this negotiation, called *samjhauta*, the landlord asked the kamaiya whether he wanted to stay. In order to leave the landlord, kamaiya had to pay back the *saunki* or find a new employer to do so.

<sup>4</sup>Sharma and Thakurathi (1998) also include Kapilvastu, Rupandehi, and Nawalparasi as districts with kamaiya practices. However, the kamaiya mobilization I relate here, as well as most of the official and non-government programmes aimed at kamaiyas and former kamaiyas, have concentrated on the five districts listed above.

<sup>5</sup>Based on a field survey done in 1997, INSEC reports that the proportion of Tharus among kamaiyas was 95.9 per cent in Kanchanpur, 98.7 per cent in Kailali, 84.8 per cent in Bardiya, 77.9 per cent in Banke, and 93.8 per cent in Dang (the sample size of kamaiyas surveyed range from 353 in Banke to 604 in Bardiya: Sharma & Thakurathi 1998). When speaking of 'Tharus' in this area, we are mainly referring to Dangaura Tharus and Rana Tharus. On the construction of Tharu identity in Nepal, see Guneratne (2002).

<sup>6</sup>See Dhakal et al. (2000) on the ways in which the appellations 'kamaiya', 'kamalahari', and others originally referred to different roles in the division of labour in the extended Tharu household.

To turn now to a discussion of the diversity of kamaiyas, there were cases where a person worked as a kamaiya for a few years and managed to pay back the *saunki* either by himself or with help from his family members. There were also families who worked as kamaiya for the same landlord for two or three generations. There were kamaiyas who were hired as individuals by a landlord (*ek saro kamaiya*) but there were also many kept by the landlord along with their family (*bukrahi kamaiya*). Moreover, there could be two kamaiyas within the same family working for a landlord. For instance, the father and one of his sons could be working as kamaiyas for a landlord while other sons did not. There were kamaiyas with large debts, and those without any. There were landless and homeless kamaiyas who depended totally on the landlord for their shelter, and those with their own house who commuted to work. While most kamaiyas were provided fixed amounts of grain or cash each year, some received a specified share of the crop.<sup>7</sup>

Rankin has pointed out that kamaiyas were explicitly counted as part of the landlord's wealth and patrimony; and brothers fought over the allocation of kamaiyas when they divided up joint family property (1999: 31). Kamaiyas did not participate in village meetings called by the *bhclamansa* (or *mahatou*), the locally elected traditional leaders. They therefore had "no voice in the political, economic, and juridical matters of concern to the village as a whole", although they did participate in the village *ritual* activities suggesting that they shared with their owners "the responsibilities and benefits of residing in the domain of village divinities" (Rankin 1999: 31). As Rankin also points out, the relation between the landlord and the kamaiya was constructed in terms of patronage and dependence (Rankin 1999: 31-4). When the employer gave a set of clothes to the kamaiya, it was presented as an act of generosity. When an agreement was reached at the annual renegotiation, the landlord offered alcohol to the kamaiya and they exchanged garlands of flowers. The construction of the relation as one of patronage and dependence gave rise to a particular form of everyday power-negotiation wherein the kamaiya could demand that the landlord act as a moral and generous caretaker, and the landlord could demand that the

<sup>7</sup>There were cases where payments were based *solely* on sharecropping (usually one third to one fourth of the output going to the kamaiya) or combined with a pre-fixed amount of in-kind-or-cash payment. Thus, in a practice reported by SPACE from Bardiya, each kamaiya family was paid 8 quintals of paddy as *mashaura* (the food provided to a kamaiya family for daily consumption) plus *chaumali*. *Chaumali* was a sharecropping arrangement where, for example, if there were seven kamaiya families working for a landlord on a single tract of land, they would collectively complete all the cropping and harvesting related activities. After the harvest, the produce would be divided into four parts, three parts of which would go to the landlord, and the rest would get divided equally among the kamaiyas (Dhakal et al. 2000: 52-3).

kamaiya act as a grateful and faithful dependent.<sup>8</sup> In more narrowly economic terms, by keeping a kamaiya, the landlord was guaranteed a supply of labour during the peak agricultural season. From the perspective of a kamaiya, by the annual contract, he was guaranteed his minimum subsistence needs even in times when there were low demands for labour. There were indeed cases in which kamaiya arrangements appeared to be experienced as mutually beneficial. Even some of the local Tharu activists, whom I discuss below, found some cases of kamaiya-landlord relations reasonably equitable.

I referred earlier to Rankin's argument that human rights discourse embodied liberal ideology, and hence was inadequate both as a representation of the complexity of kamaiya practices and as a guide towards their political solution. As I shall argue below, the Tharu activists who led the kamaiya movement did not take 'free labour' as a necessary and sufficient solution to the problems of the kamaiyas. Yet, neither were they concerned with opposing liberal ideology and capitalist relations *as such*. In order to understand better what kamaiya practices and their 'abolition' meant for the Tharu activists – or the pragmatics of their invocations of 'human rights' and 'freedom' – in addition to the typologies of kamaiya practices discussed above, we need to locate them within the wider historical experience of Tharus in western Nepal in the twentieth century.

#### THE HISTORICAL TRANSFORMATION OF THE WESTERN TARAI

Until the implementation of the malaria eradication programmes in the early 1960s, Tharus were the only year-round residents of western Tarai. Although many parts of the western Tarai came under the suzerainty of different powers from at least the fourteenth century, Tharus were mostly left to themselves to conduct their local affairs (Krauskopff 1999, 2000). The last century, however, saw a progressive decline of Tharu autonomy. Under the explicit policy of the Nepali state to expand its administrative apparatus into the Tarai, high-caste Hindus of hill origin, collectively called Pahari (or 'people of the hills') by the Tharu, increasingly replaced local Tharu authorities.<sup>9</sup> This replacement of authorities was accompanied by

<sup>8</sup> For a classic ethnographic description of the relationship between the landlord and the 'attached labourer' under arrangements similar to the kamaiya system, see Breman (1993).

<sup>9</sup> As McDonough writes, from "the late nineteenth century on, the central government sought to undermine the position of the powerful Tharu Chaudharis, who were responsible for the administration of revenues and other duties" for the large administrative units called *praganna*. To this end, the government introduced the position of *jamindar*, and appointed Paharis to the position to be responsible for the collection of taxes at a *mauja* (one or more villages), which

Pahari encroachment of Tharu-held lands. With reference to the Dang valley, Christian McDonough reports (citing in part a survey done by McDougal) that:

whereas in the 1912 revenue settlement most of the landlords were Tharus, by the late 1960s McDougal's survey found that the great majority of landlords were Pahari ([McDougal] 1968: 86-7). In Dang by this date some 80% of the Tharu were tenants and the great majority of these tenants had little or no land of their own. Around 90% of the land cultivated by Tharus belonged to Paharis.

(McDonough 1997: 281)

The rate of immigration by hill people into the Tarai accelerated rapidly after the malaria eradication programme of the early 1960s.<sup>10</sup> Most of the Pahari migrants were able to obtain and register land in the Tarai, and many of the Tharus lost their land. Many contemporary residents of the Tarai (both Tharu and Pahari) speak of cheating and coercion involved in this process – as many Paharis used their literacy and close connections with government officers to their advantage. It is important to note that there was differentiation among the Tharus themselves: some were large landlords and others worked as tenant farmers and agricultural labourers. However, for much of its history, the Tarai was characterized by an abundance of potentially cultivable land, and tenant farmers could keep a large share of the produce. However, as McDonough describes in detail (1997: 281-2), the balance of power has radically shifted against the tenant farmers over the course of twentieth century.<sup>11</sup>

The pressure from Paharis also resulted in a dramatic increase in the emigration of Tharus from the Dang valley, which peaked in the late 1960s but continued into the 1980s. In some cases whole village communities migrated, and those sites became Pahari villages in a matter of a few years (McDonough 1997: 282). Those emigrating from Dang moved 'west', primarily towards Bardiya and Kailali, where, it was thought at that time, there were more unclaimed or unused patches of land and fewer Paharis than in Dang.

McDonough also recalls a prevalent Tharu attitude towards outsiders from his fieldwork at the end of 1970s:

In many of the villages I visited I was struck by the quiet, even withdrawn, though dignified attitude of the Tharu ... A fundamen-

thereby progressively replaced the much larger *praganna* as the key unit of local administration (McDonough 1997: 280-1). See also Krauskopff (1999, 2000).

<sup>10</sup> On the beliefs and debates about the Tharu genetic and/or culturally acquired resistance to malaria, see Guneratne 2002: 24.

<sup>11</sup> On the Tharu experiences regarding land in modern times, see also Guneratne (2002: 91-124) and works cited therein.

tal notion ... was that outsiders meant trouble. During the last few decades ... [the] settlers from the hills ... only brought trouble to the Tharu ... Another significant factor here is the value the Tharu place on their own forms of manners and social etiquette. These were contrasted with the customary behaviour of the Pahari, who appeared to the Tharu as loud, intrusive, vociferous – and devious.

(McDonaugh 1999: 225)

McDonaugh describes Tharu villages, at least up to 1980, as characterized by a tendency towards isolation from the outside world, and their identity as constructed primarily through its contrast with the Paharis. However, there were also signs of change. Thus, around the same period in Dang, Gisèle Krauskopff observed that the “younger generation” were abandoning the isolationist attitude and were beginning to identify themselves also as “Nepalis” (Krauskopff 1989: 56; cited in McDonaugh 1999: 224-5). In his detailed account of how some of the Tharu villagers began to regain control over the land (taking advantage of tenancy rights provisions and new agricultural technologies) through the 1980s, McDonaugh also notes the rapid rise in the number of Tharu children attending local schools, passing the SLC, and even going on to higher education: “Engagement with the wider world [was] also reflected in the encroachment of Nepali language along with new styles of dress” (McDonaugh 1999: 232; see also McDonaugh 1997).

Thus, it is with reference to the history of disempowerment and dispossession of the Tharus, as well as to the more recent history of Tharus’ new modes of engagement with the wider world, that the contemporary significance of kamaiya practices, as well as the emergence of the grassroots organization, BASE, needs to be understood.

#### BACKWARD SOCIETY EDUCATION (BASE)

My grandfather lost his land by putting a mark on a paper. So my father had to work as a kamaiya for some years. My mother was also a bonded labourer for 16 years. At school I was beaten for being a Tharu. This had an effect on my mind – I began to ask: Why do so many Tharu people become kamaiyas? Many Tharus have no education: they don’t know the laws and rules of the country or the value of land. When we realized these facts we started BASE.

Dilli Bahadur Chaudhari, President of BASE  
(P. Lowe, *Kamaiya: Slavery and Freedom in Nepal*, p. 81)

The origin of BASE goes back to the mid 1980s in the Dang valley. As described, there were signs of major social and cultural changes in the

valley in the 1980s. One of the major events that contributed to changing the outlook of the valley was the opening of the motor road that linked the valley to Nepal’s main East-West highway, which was fully opened in 1985. At the same time, USAID initiated a multi-million dollar ‘integrated rural development project’ in the Rapti zone, which included Dang along with three other hill districts to its north. The small town of Tulsipur, the headquarters of Rapti Zone, also became the headquarters of the USAID’s Rapti project and rapidly turned into a major bazaar.<sup>12</sup>

Dilli Bahadur Chaudhari, the founder of BASE, was born in the late 1960s in Dumrigaun, a village lying just outside Tulsipur bazaar. As stated in the epigraph to this section, Dilli’s grandfather had lost all his land to a Pahari by putting his thumbprint on a paper. Dilli’s father, who engaged in electoral politics under the Panchayat system and served as a Pradhan Panch, tried all his life to have the document declared void, but was unsuccessful (cf. Ødegaard 1999: 67). After his father died, Dilli decided to start an organization with his friends. The creation of this organization for the improvement of the condition of poor Tharus was proposed and approved at the annual *khyala* (or *khel*, a traditional Tharu village meeting) at the beginning of Magh in 2042 v.s., i.e. January 1986 (BASE 2055 v.s.: 3). This action reflected, according to Dilli, his understanding of the failure of his father’s efforts. Unlike his father, who tried to work through the formal political system set up by the Panchayat regime, Dilli decided to create an informal group, and had it sanctioned at the *khyala* meeting continuing outside a system of local governance installed by the state.

The organization, which began with thirty-four members, raised money in Tulsipur and the surrounding villages by forming a ‘singing and dancing’ troupe, as well as by working in the construction of houses. The first thing that the organization did was to run non-formal literacy classes at night for poor and mostly female Tharu workers, reflecting their views that the plight of many Tharus derived from their lack of education.<sup>13</sup> As I have mentioned, Tulsipur was the headquarters for the USAID’s Rapti Integrated Development Project. In July 1986, Dilli and the Dumrigaun organization were approached by staff members of No-Frills, a consulting firm which was implementing USAID’s Vegetable, Fruit and Cash Crop Program

<sup>12</sup>The Rapti Integrated Development Program “aimed to fulfill the basic needs of the poor majority, the farmers of the mid-hills” (Mainali 2003: 125). The planning document stated that the programme aimed at “improving household food production and consumption, improved income generating opportunities for poor farmers, landless labourers, occupational castes and women” (ibid.). It spent about fifty million dollars over the fifteen years (1980-95) of its operation. As Mainali points out, only a month and a half after the conclusion of the programme, the Maoist People’s War was launched in the hills of the Rapti Zone (Mainali 2003, 2055 v.s.).

<sup>13</sup>For discussions of the notion of education as the key to personal and collective welfare and development in Nepal see, among others, Ahearn (2001) and Fujikura (2001).

(VFC). They asked Dilli to organize a 4-H club under the VFC's rural extension scheme, where Tharu farmers could learn new agricultural skills. Dilli accepted the offer and established the Dumrigaun Misrit Charpatte Yuba Club ('Dumrigaun Mixed 4-Leaves Youth Club'). Most of the members of the Dumrigaun organization hence doubled as members of the 4-H club (Cox n.d.: 13). In addition to implementing programmes for introducing a variety of new crops and livestock (including improved vegetables, corn, potatoes, rabbits, and pigs) into the Tharu villages in the valley through the youth club, No-Frills staff members also supported literacy classes with donations of pens, notebooks, and kerosene lamps. This allowed the organization's activities to expand into additional villages outside Dumrigaun.

In August 1988, Dilli attended a tribal rights conference in Thailand, with help from the director of No-Frills, who obtained funding for his trip from the Asian Adivasi Committee, a pan-Asian tribal rights organization. After the conference, Dilli spent six weeks in Bombay learning about tribal rights activism (Cox n.d.: 14-15). This was Dilli's first international exposure which also enabled him to establish connections with activists outside Nepal. In particular, he kept close contacts with activists in Maharashtra, some of whom would later play important roles in the kamaiya liberation movement in 2000. Through this trip, according to Dilli, he learnt to understand the problems of Tharus within the framework of global indigenous struggles against dispossession, exploitation, and domination.

By 1988, within three years of its establishment, the Dumrigaun organization membership had grown from 34 to 350. For the rapid expansion of the organization, Dilli credits the Tharu institution of *khyala*. As I have already mentioned, *khyala* is a traditional Tharu village council, which is attended by the male household heads of the village. The *mahatou*, or village headman, is elected at the *khyala* meeting at the beginning of the Magh month every year, ideally by unanimous consent. The *mahatou* and his house are then sanctified through ritual procedures presided over by a *guruwa* or priest. As Gisèle Krauskopff writes, the institutions of *khyala* and *mahatou* represent elements of the sociocultural tradition of the Tharu characterized by "the strong and centralized organization of villages and households" (2003: 215). The tradition emphasizes respect for the elders and the headman and encourages solidarity among the villagers (*ibid.*). According to Dilli, the rapid expansion of the Dumrigaun organization should be credited to the efficient indigenous institutions of *khyala* and *mahatou*.<sup>14</sup>

<sup>14</sup>The book published by the NGO, SPACE, dealing with a community of resettled Tharus in Bardiya, contains an oral history of the 'Kanara Movement' of 1992, which credits the efficient, large-scale movement out of the villages towards 'capturing' government forest land by the landless Tharus to the institutions of *khel* and *badghar* (or *mahatou*) (Dhakal et al. 2000: 65-6).

At the organization's general assembly in the year 2046 v.s. (1989/90), its name was changed to Shramik Mukti Sangathan (Organization for Labourers' Liberation) and an office was established in Tulsipur. The organization also applied to be officially registered as a social service organization, but the Chief District Officer of Dang refused. Instead, government officials variously accused the organization of being an organ of a political party, a Christian missionary group, a caste/ethnic organization, all of which were banned under the Panchayat regime. Around the same time, No-Frills, the group that gave the first institutional support to the Dumrigaun organization and facilitated its transnational networking, grew increasingly worried about the 'politicization' of the 4-H Club. In December of 1989, No-Frills completely withdrew its support for the Dumrigaun Club (Cox n.d.: 15). The Chief District Officer (CDO), on his part, mobilized Parashu Narayan Chaudhari, a Tharu and, at the time, the Minister of Education, to persuade Dilli to stop his activities.<sup>15</sup> When this did not work, the CDO had Dilli thrown in jail twice under the Public Security Act, accusing him of being a 'threat to national security' (Cox n.d.: 15).

Hence, at the time of the restoration of multiparty democracy in April 1990, the organization had no external institutional support and no official recognition as a non-governmental organization. The organization was finding it difficult to purchase kerosene for the lanterns used during night classes. Official registration was crucial for receiving financial support from development aid donors. Yet, even after the restoration of multiparty democracy, the CDO refused to register the organization as an NGO. Around this time, Dilli came to know Arjun Guneratne, then a Ph.D. candidate at the University of Chicago, working on his dissertation on the construction of Tharu identity in Nepal.<sup>16</sup> Guneratne put Dilli in touch with Ramanand Prasad Singh, a Tharu and Nepal's attorney general at the time. Ramanand Prasad Singh immediately called up the CDO and persuaded him, and the organization was formally registered with the district administrative office on 30 January 1991 (16 Magh 2047 v.s.) under the name Backward Society Education (BASE).

As noted earlier, by the end of the 1980s the organization was calling itself Shramik Mukti Sangathan or Organization for Labourers' Liberation. However, Dilli and other leaders of the organization felt that they would

<sup>15</sup>Parashu Narayan Chaudhari has been one of the most prominent Tharu politicians in Nepal. For his place in Tharu and national politics, see Guneratne (2002).

<sup>16</sup>Arjun Guneratne has told me that he was introduced to Dilli Chaudhari by Thomas Cox. Cox, in turn, had gone to Tulsipur in 1989 as a consultant to monitor and evaluate the Vegetable, Fruit and Cash Crop Project when he met Dilli Chaudhari (Cox n.d.: 1). Later, Cox, among other things, wrote the report on BASE (Cox n.d.), which I have been citing.

not be allowed to register under that name, because it sounded too much like a communist organization (which it was not), and unlike an NGO, which are supposed to be non-political. When foreigners, including anthropologists, hear the name Backward Society Education, they often cringe, because the name doesn't sound very 'politically correct'. In fact, the word 'backward' (or *pichadieko*) is used very commonly by local Nepalis. In this particular case, it was the Tharus themselves who were adopting the label of backwardness, and with it indeed the discursive framework of progress and development that designated some groups as lacking in progress, and hence in need of pedagogic intervention and transformation. Another point to note about this name is that it is English. By adopting an English name, BASE leaders were trying to be visible to an international audience. The hope was that international visibility would to some extent deter the Nepali government, or any political leaders, from persecuting BASE members.

Once registered as an NGO, BASE was indeed successful. In the fall of 1991, with the assistance of Inge Kirstine Sagild (of Norwegian Church Service, working in Dang) and Save the Children US (who wrote the grant proposal), BASE succeeded in obtaining

a 113,000 dollar grant from the Danish Agency for International Development (DANIDA) to expand [its] literacy classes, income generating activities, health education, and other development activities. (Cox n.d.: 16)

With Danish funding, BASE was able, within three years, to expand its activities to five additional districts and to more than three hundred villages, running 700 night-classes. The five additional districts were Banke, Bardiya, Kailali, Kanchanpur, and Salyan. The last of these, Salyan, is a hill district and traditionally has no Tharu residents. In fact, even within the Tarai districts, the expanded BASE membership included a significant number of non-Tharus. This is in accordance with BASE's self-definition, not as an ethnic organization, but as an organization working for a general good, namely, for "the creation of exploitation-free society", the motto printed in many of its publications as the "vision" of BASE (e.g. BASE 2056 v.s.). BASE encouraged all those who were involved in the night classes, either as students or as volunteer teachers, to become members of BASE. A member of BASE paid an annual membership fee (1 rupee at the beginning of the 1990s) and participated in all decision-making processes, including voting to elect village, area, district, and central-level BASE committee members. Dilli and other leaders of BASE defined it as a 'membership organization' and saw it as fundamentally different from other prominent NGOs elsewhere; for example, Grameen Bank and BRAC in Bangladesh, which were organized around the activities of micro-finance.

By the spring of 2000, BASE had around 30,000 members.<sup>17</sup> According to the BASE constitution, general elections for its committee members should be held every five years. Up to this date (2004), the general election of BASE committee members has been held twice: during the 2052 v.s. (1995/6) general convention in Kanchanpur, and during the 2057 v.s. (2000/1) general convention, again in Kanchanpur. In both general elections, Dilli Bahadur Chaudhari was re-elected unopposed as the president.

Several long-term members of BASE have told me that there has been tension in the organization between a preference for informal negotiation and unanimous decision, on the one hand, and preference for open debates and decision by vote, on the other. Those who prefer open debate and votes in relation to one issue or another, appear to have often labelled the preference for consensus and unanimity as a sign of backwardness, or an outcome of a history of oppression. One BASE member told me: "There are people who prefer to simply obey, rather than speak up. There is still a problem of 'culture of silence' [he used the English phrase]. This is not just a problem among us Tharus. This is also a problem for the Nepali society as a whole. But in this time and age, everyone should be able to express their own opinion even if they are in the minority."

Those who have participated in BASE since its early days also told me about the attempts by different political parties to capture the organization, and the BASE responses against them. From the very beginning political parties attempted to use BASE for their own purposes and, if possible, put under their complete control. During its early years, BASE leaders guarded their organization against political takeover by prohibiting BASE officials from being active in any political party. If a political officeholder, such as a Village Development Committee chairperson, wanted to play an active role in BASE, the person was asked first to resign the position of VDC chair. A person active since the early days of BASE told me about an incident in the early 1990s wherein he took part in a general convention of the UML as a representative of his district, and was subsequently told by other BASE officials to provide 'clarification' at its general assembly. At the general meeting, he reminded other BASE members that the organization's strategies for social change included that of increasing the number of Tharus holding political positions as well as working in government agencies. He told them that the practices of asking people to resign their political positions before becoming active in BASE contradicted this strategy. He argued that politicians and political parties made important decisions for society, and Tharus should be present where those decisions were made. After this 'clarification', he told me, no further action was taken against

<sup>17</sup> According to BASE's annual report of 2057 v.s. Magh (2001), for example, there were 27,868 general members (BASE 2057 v.s.: 48) constituting over 800 village committees in 6 districts.



him by the organization. He also observed that in the early years after the restoration of multiparty democracy, with the fierce and sometimes violent competition among different political parties, it was natural that BASE members needed to be very vigilant against undue influences from any political party. But, he further observed, as years went by and the situation became more normalized as people grew more used to the multiparty system, most BASE members also felt that it was a good thing to have your friends in different political parties. In the latter half of the 1990s, in Salyan district, I knew BASE members who were also active in the Nepali Congress Party, the UML, the United People's Front, and the Rashtriya Prajatantra Party. Some Congress supporters did still speak about the UML trying to 'take over' BASE-Salyan. Some UML supporters similarly spoke of the possibilities of a Congress 'takeover' of BASE-Salyan. Meanwhile, some key positions of the BASE-Salyan district committee were held by Rashtriya Prajatantra Party supporters. In all the districts where the organization was active in the late 1990s, it seemed to me that BASE provided a unique forum where supporters of different political parties could come together and participate in common activities with major social and political significance.

During the 1990s, the amount of external funding and the number of donors for BASE increased; they were apparently impressed by its enormous local popularity. In addition to literacy classes, it was running programmes encouraging women's savings groups, environmental protection, skill-training for income generation, family planning, and HIV/AIDS prevention. In 1994 Dilli Chaudhari received the Reebok Human Rights Award for his efforts to improve the situation of the kamaiyas. This international recognition led to the decision by King Birendra to confer a medal of honour on him, thereby making it more difficult for government officials and other politicians to persecute him directly. As already mentioned, BASE leaders were themselves keenly aware of the importance of international (or royal) recognition. Since receiving the Human Rights Award, Dilli has often repeated in his public speeches that his friends and supporters included the former US president Jimmy Carter, a member of the Board of Advisors to the Reebok Award.

Throughout the 1990s, however, external criticism mounted that BASE was turning into just another 'regular' NGO, one that simply implemented projects dictated by international donors. BASE leaders themselves were conscious of this. They also felt that what they called the 'project approach', which involved seminars, workshops, saving-and-credit schemes, and income-generating activities, was not creating radical changes in the key areas of their concerns. Foremost among these concerns was the situation of the kamaiyas. In the next section, we will look at what BASE was doing during the 1990s regarding kamaiya issues, and how it started

something very different in 2000. Before that, however, something should be said about BASE activities during its 'project-oriented' phase.

As we have seen, non-formal literacy education has been at the core of BASE activities. BASE gained many loyal members from those who studied in its literacy classes. Many of the literacy class students were non-Tharus and included a significant number from high-caste Hindu families as well. BASE thus cut across ethnic/caste divisions and gained many loyal non-Tharu members. This was possible because it defined its mission broadly as social progress through education – rather than defining it more exclusively as socio-economic advancement of the Tharus or the liberation of bonded kamaiyas.

In its adult literacy classes, BASE used textbooks published by the Ministry of Education of His Majesty's Government of Nepal. Laura Ahearn (2001) has observed that, unlike the school textbooks, the adult literacy textbooks had virtually no reference to nationalism. The adult literacy textbooks exhorted their intended audience, mainly rural women, to be hard-working, provident, self-sufficient, sanitation-conscious, non-alcohol-drinking, non-tobacco-smoking, and to practise family planning. However, unlike in the school textbooks, these exhortations were not tied to the project of nation-building. In the literacy classes run by BASE that I observed, the connection was made between the practices of learning and service to society (*samaj sewa*), but not to nationalism. This is also clear from a letter written by Parvati Adhikari (2057 v.s.), a non-Tharu graduate of the BASE literacy course, which was published in a BASE newsletter. In the letter, she wrote that literacy education enabled her to engage in *samaj sewa*. Parvati Adhikari begins her letter by saying that she always "wanted to serve the society" but due to economic problems at home, and because she had "just never heard of the idea that one should act for the betterment of society" (*samaj ko sewa garnu parne chetana ko bare thaha nahunale*), she did not know what to do. However, when she became a member of BASE, "they taught her how to spread to other people an awareness of the need to light education's lamp" (*siksha ko jyoti balna chetana ko bikas garauna siksha dinu bhayo*) (Adhikari 2057 v.s.). She also wrote that she felt BASE was like her maternal home, that its members were her own brothers and sisters, and that she was ready to accomplish any work that BASE might give her to do (*ibid.*).

In this connection, Dilli Chaudhari often repeated, both to BASE members and to me, that the organization had to be 'social' (in his case more often using the English word than the Nepali, *samajik*). By this he meant that BASE was a social organization engaged in social improvements and social movements. But he also meant that the organization and its members ought to be sociable, convivial, and gregarious. He wanted BASE members to be always talking with one another and with outsiders,

including visiting foreigners. This insistence on being social went together with Dilli Chaudhari's view that if an individual or a group aims to work for social change, they need to have many networks and be connected with a variety of people, high and low, locally and internationally.

In describing BASE in this way I do not deny the Tharu-ness of the organization. The organization was initiated by young Tharus concerned mainly with improving the conditions of poor Tharus. The organization is still led mostly by those Tharus who initiated the organization, but now includes significant numbers of non-Tharus within its central committee as well as among its paid staff members. This situation has given rise to at least two forms of criticism of BASE which are mutually incompatible. On the one hand, BASE, and especially its top leaders, have been criticized of straying away from their 'essential' commitments, which the critics define as the advancements of Tharu causes. On the other hand, other critics have accused BASE of being 'too Tharu', disproportionately benefiting Tharus through its activities, whereas as a development organization BASE should be concerned with the welfare of all, and not just Tharus. For my part, I am trying to call attention to the ability that BASE has exhibited, to be either one or the other, or both at the same time, depending on the contexts and perspectives of its various participants. I insist on this point because the massive mobilization from 1 May 2000 would not have been possible if BASE had been an exclusively Tharu organization, and not the hybrid and inclusive one that it is.<sup>18</sup>

Even though BASE workers defined their activities as 'social' in nature, they were not apolitical either, even during the late 1990s. Let me illustrate this point by briefly describing scenes from BASE's general assembly held in 1999. It was held that year in Bardiya district and several thousand members from six BASE districts gathered. (BASE officially declared that there were ten thousand people.) On the morning of the first day, all members participated in a rally along the main highway, carrying placards and shouting slogans such as 'Send kamaiya children to school!', 'Saunki is void!', 'End to kamaiya system!', and 'Long live BASE!' The organizers and participants explicitly conceived of this mass rally as a *shakti pradarshan* (show of strength) by BASE. The mass rally was followed by an

<sup>18</sup>See Guneratne (2002: 91-124) and Krauskopff (2003) for accounts of BASE as a Tharu ethnic movement. For instance, Guneratne writes, "BASE is, in effect, an example of ethnicized politics ... ; it aims to alter the balance of power in Dang between Parbatiyas and Tharus, a profoundly political goal but one couched in the rhetoric of development" (2002: 124). It should be clear from my discussion above that I do not intend to deny Tharu ethnicity as a key dimension of BASE as a movement and an organization. However, its assumption of a form of development NGO has added novel dimensions to the organization. These new (not exclusively Tharu-focused) dimensions of the organization have also become part of the reality, not 'mere rhetoric', as many thousands of Pahari BASE members engaged in development and social service activities would testify.

open-air inaugural meeting. The main guest at that year's inaugural meeting was former Prime Minister Sher Bahadur Deuba.<sup>19</sup> He and other distinguished invitees, including politicians, journalists, and social activists, made speeches on the value of education, democracy, human rights, and NGOs. BASE members, including young women (both Tharu and non-Tharu) and a kamaiya, also made speeches. In front of the former Prime Minister and other distinguished guests, they criticized the government, police, and politicians for being corrupt and 'anti-people'.

At night there was a 'Let's Preserve Our Culture' programme in which groups from different districts danced, sang, and performed plays on the stage. All the groups wore elaborate dresses and staged well-rehearsed performances. Some of these groups put on traditional songs and dances. Others performed songs and dances with the underlying modern messages of the virtues of education, development, equality, and human rights. The cultural programme went on until dawn the next day. It was one of the most popular parts of the general assembly, and it seemed to me to embody the ideal pursued by the BASE leadership, for it to be a lively 'social' organization.

Even during the late 1990s, as just described, BASE was organizing lively activities imbued with potent social, cultural, and political messages. However, this situation was not satisfactory for many of the BASE leaders because none of these activities were able to bring about major changes in the main area of their concern, i.e. the situation of the kamaiyas.

#### KAMAIYA PROGRAMMES BEFORE 2000

As BASE leaders have often reminded themselves and others, more than half of their twelve central committee members either were themselves kamaiyas, or had a parent who was a kamaiya. They also understood the diverse situations of kamaiyas. Reflecting this recognition, in designing its programmes for kamaiyas, BASE divided them into three groups and gave top priority to the kind of kamaiyas it described as "Those who are born Kamaiya and might be second or third generation, still in debt and landless, living in a house provided by the landlord, and where all the family members work for the landlord" (BASE 1994: 15).

BASE programmes for these kamaiyas included conducting meetings with them. There was a programme for the children of the kamaiyas,

<sup>19</sup>Sher Bahadur Deuba of the Nepali Congress Party served as prime minister of Nepal from September 1995 to March 1997, again from July 2001 to October 2002, when he was dismissed by King Gyanendra, and again from June 2004 to February 2005, when he was put under house arrest by King Gyanendra.

helping them to attend either non-formal education classes run by BASE, or public schools, by providing financial assistance for school fees, uniforms, and stationery. BASE built a hostel for the children of kamaiyas in Dang, to separate them from the exploitative environment under the landlord. BASE also provided skill-training courses in hair-cutting, weaving, welding, and electrical wiring. It also distributed potato and onion seeds to kamaiya families free of charge (BASE 1994: 16-18).

In a 'Kamaiya Saving Programme', BASE asked kamaiya families to save a little bowl of rice each day. At the end of the month, BASE staff would collect the rice, turn it into money, and put it into a bank account. For 'regular savers', BASE provided 300 per cent matching funds at the end of the year. According to the BASE annual report for the year 1993/4, 221 kamaiya households participated in the saving programme. With the help of this programme, among the 221 households, 50 pairs of bullocks, 15 goats or sheep, 14 ducks, and 12 pigs were bought and 30 households were able to purchase land (BASE 1994: 17). However, by 1998 the kamaiya saving programme had been discontinued in favour of a 'kamaiya rehabilitation programme' involving grant assistance for "such Kamaiyas who want to leave their landlord's house but cannot due to lack of initial capital" (BASE 1998: 11).<sup>20</sup> The "poorest Kamaiya families" were identified by BASE committees and local kamaiya groups formed by BASE, and received up to 10,000 rupees. Of the 43 kamaiyas who received the assistance in 1999, for example, BASE reported that "8 bought land, 16 bought an oxcart, 12 bought oxen, 6 invested in a shop, and 1 bought a rickshaw" (Nørmose 2000: 69). As this list shows, the kind of life that the person was expected to lead after he stopped being a kamaiya was not confined to being a 'free labourer'. The possible paths included becoming a small merchant as well as tenant farmer or eventually an owner-cultivator. Of course, there could be a combination of any of the above.<sup>21</sup> I will return to this point later in my discussion of the kamaiya liberation movement.

As already indicated, BASE was not the only organization working on kamaiya issues. By the mid 1990s, there were dozens of large and small development and human rights organizations working on it as well. With millions of dollars in foreign aid flowing into Nepal for kamaiya-related projects, the kamaiya issue was becoming a virtual industry. Both govern-

<sup>20</sup> Vivek Pandit, a tribal rights activist discussed below, has been a vocal critic of savings programmes. According to him, you 'save' what is still left after spending on your basic necessities, and it may well be a good idea. But if you are speaking about those who are starving, what are they going to 'save'?

<sup>21</sup> Notice also that 'paying back the loan (*saunki*) to the landlord' is not included in this list. Assistance for paying back *saunki* was against the policy of BASE, because it regarded the *saunki* itself as illegal. However, Nørmose reports that out of her nineteen interviewees who had received Rs.10,000 through the rehabilitation programme, two reported that they used the money to pay back the *saunki* (2000: 69-70)

mental and non-governmental agents were producing reports on kamaiyas, running 'awareness raising' campaigns, conducting literacy, skill-training, health and family planning classes, and offering micro-credit and income-generation programmes.

Of course, some of these programmes provided some tangible benefits to kamaiyas themselves. With reference to BASE programmes, by the end of the 1990s, hundreds of kamaiya families had received assistance through the kamaiya saving or kamaiya rehabilitation support programme for obtaining some form of capital.<sup>22</sup> More than a thousand kamaiya children had received support for their education.<sup>23</sup> However, BASE leaders knew that these initiatives were far from sufficient given that there were tens of thousands of kamaiyas.

#### *Yagyraj Chaudhari*

One of the BASE leaders who was most frustrated by this situation was Yagyraj Chaudhari. Yagyraj's father, Tikaram Chaudhari, was born, in Dang, into a family of landless labourers. Tikaram Chaudhari told me that, in Dang, he spent most of his time carrying loads up from the valley to the hills for his master. In the year 2007 v.s. (1950/1), Tikaram moved to Kailali in search of a better life. He eventually managed to buy a patch of land near Dhangadhi bazaar. Yagyraj was born in 2015 v.s. (1958/9) as Tikaram's first son. When Yagyraj was sixteen his father took a loan from a landlord because his family did not have enough to eat. In exchange for the loan Yagyraj was sent to work for the landlord as a kamaiya. He had to leave school and work all day and night. The *saunki* was Rs.5,000, and his pay was Rs.600 a year. Under such terms Yagyraj felt that he would never be able to pay back the loan. So he tried very hard to negotiate with the landlord, and eventually, after two years, was successful in persuading the landlord to let him work elsewhere so as to pay back what he owed. According to Yagyraj, it was during the time he was working as a kamaiya that he began to think about how to get rid of the kamaiya system *as a whole*. Yagyraj recalls that he thought many times that, "if only there were someone who would help me and support me, I would have raised my voice against the system" (Tharu 2057: 40).

After freeing himself from the landlord, he decided to engage in 'social work' (*samajik karya*). For him 'social work' included running for and serving as the ward chairman of Geti (the ward number 2 of Geta VDC in Kailali District), as well as serving as the chairman of the management

<sup>22</sup> The cumulative number of kamaiyas who received assistance through the savings or the rehabilitation programmes is unavailable since neither myself, BASE staff, nor others (e.g. Nørmose 2000: 69 n.58) could locate BASE annual reports from 1995 to 1997.

<sup>23</sup> Based on BASE annual reports. The remark made in the previous note also applies here.

committee of a local primary school. From these positions he along with his father helped sixty-five landless kamaiya families to obtain land from the Sukumbasi Samasya Samadhan Ayog (Commission for the Solution of Landless Problem) on the edge of a jungle in Krishnapur village. He and his father also borrowed Rs.36,000 from a merchant and lent the money to kamaiyas without interest, to help them buy bulls or pigs, or to build small houses (cf. Lowe 2002: 75). He also assisted groups of kamaiya families to move in and cultivate unregistered land in various locations (cf. Tharu 2057: 40).

In an interview for a BASE report, responding to the question why he became active in social work and kamaiya liberation, Yagyaraj replied:

Because I had myself been fighting with the [kamaiya] problem and had been a victim of exploitation by the landlords, there was a sour feeling in my heart that it is not right (*uchit*) for a human being to be a slave to, or under oppression from, another human being. So I felt I had to raise my voice. (Tharu 2057: 40)<sup>24</sup>

In the early 1990s Yagyaraj heard about BASE from Inge Sagild (mentioned earlier as a Norwegian Church Service member who helped BASE obtain its first major funding from DANIDA), and decided to join the organization. He served as the treasurer of the BASE Kailali district committee for five years before he was elected to the BASE central committee. When running for a seat on the central committee in 1996 Yagyaraj argued that, rather than running educational and income-generation programmes, BASE should just start freeing the kamaiyas, one by one. After all, the Nepali constitution and civil code included articles prohibiting forced and bonded labour. Nepal was also a signatory to international conventions banning slavery and 'practices similar to slavery'.<sup>25</sup> Hence, according to Yagyaraj, BASE should persuade kamaiyas themselves to file petitions asking the government to guarantee their rights. At a meeting in the Land Reform Office in Kailali with various organizations working on

<sup>24</sup>The Nepali original reads: *ma pahiledEKhi samasyasanga jUhdai aeko ra jamindarharu-sanga sosit pidit bhai aekole manav bhaera manavko das tatha dabavna rahanu uchit hoina bhanne kura manmani paglirahanthyo jasle yasprati awaj uthamai parcha bhani*. The word *uchit*, which I translated as 'right', above, could also be translated as 'proper' or 'suitable'.

<sup>25</sup>Article 20 (1) of the 1990 Constitution of Nepal states that "Traffic in human beings, slavery, serfdom or forced labor in any form is prohibited. Any contravention of this provision shall be punishable by law." Muluki Ain ('Civil Code') (part 4, section 11, sub-section 3) prohibits slavery-like practices and prescribes 3 to 10 years of imprisonment against offenders. Nepal also ratified the Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institution and Practices Similar to Slavery (1956) in 1963. See fn. 2 for the definition of debt bondage given in the Supplementary Convention on the Abolition of Slavery, Section I, Article 1 (a). For more details on legal provisions see: Ojha (2057 v.s., 2000), Pandit (2000).

kamaiya issues, including BASE, INSEC, and other members of the Kamaiya Concern Group,<sup>26</sup> Yagyaraj even said:

You are just filling your belly! You are working for kamaiyas for your salary. The kamaiya problem will not be solved in this way! ... Now we should file cases. (Lowe 2002: 76)

Yagyaraj decided to take personal action and targeted kamaiyas working for a single landlord, Shiva Raj Pant. Shiva Raj had migrated from the hills into Kailali around 1970, and once had "eighty kamaiyas in three villages" (Lowe 2002: 77). A professed Gandhian and a Nepali Congress Party leader, he had served as a minister in the year 2015 (1958/9). According to the locals, until around 1990, Shiva Raj owned about 300 *bighas* of land (Shrestha 2057: 21). Although by 2000, his landholding had decreased to about 150 *bighas*, and the number of kamaiyas to twenty, he was still considered the "most powerful person" and was still referred to as *Mantri* (minister) in the area (Lowe 2002: 76). Yagyaraj began to contact Shiva Raj's kamaiyas at night to persuade them to work towards their own freedom. After several meetings he convinced them to participate in a night class to be organized by BASE, and secured permission from the landlord, Shiva Raj, to let his kamaiyas "study in the evening" (Lowe 2002: 75). The night class continued for two years. In the class, Yagyaraj talked about how they could stop being kamaiyas. In the beginning the kamaiyas were sceptical of Yagyaraj's motives. However, things finally turned around and the kamaiyas began to believe in him, according to Yagyaraj, after he personally intervened in a dispute between a landlord and a young kamaiya who had eloped with a girl to another village.

After gaining their trust, Yagyaraj told the kamaiyas to demand that Shiva Raj Pant raise their wages. Earlier in the year (2000), a minimum wage law had been passed fixing it at Rs.60 a day. Each kamaiya family working for Shiva Raj Pant received 15 quintals (1.5 tons) of paddy per year. According to one calculation this was the equivalent of about Rs.13 per day.<sup>27</sup> Their demands for a raise were refused by Shiva Raj. Yagyaraj told them to go again after fifteen days and tell the landlord that without the

<sup>26</sup>In 1997, a number of organizations concerned with kamaiya issues formed the Kamaiya Concern Group (KCG) with INSEC playing a coordinating role. According to Robertson and Mishra (1997: 67) the group included the Kamaiya Liberation Forum, BASE, INSEC, GRINSO, Rural Reconstruction Nepal, DANIDA, Lutheran World Service, Save the Children (US), UNICEF, ActionAid Nepal, South Asia Partnership Nepal, UNDP, Social Welfare Council, and Plan International.

<sup>27</sup>The calculation was done by the Kamaiya Freedom Movement Working Committee and publicized on <www.freedomnepal.org> during the movement. The kamaiya families working for Shiva Raj Pant ranged in size from five to fifteen members (I cite the number from the information reprinted in Informal 2000: 48). On the Kamaiya Freedom Movement Working Committee, see fn. 29.

raise they would stop working and leave him without paying back the *saunki*. Yagyaraj also called a women's meeting and they too went to ask Shiva Raj for a raise. The landlord became very angry and relations between him and the kamaiyas and Yagyaraj became very tense. But the kamaiyas and Yagyaraj were determined not to back down (Lowe 2002: 76).

#### THE KAMAIYA LIBERATION MOVEMENT OF 2000

In 2000 BASE and other NGOs organized a three-day meeting and festivities leading up to May Day. The programme included song and dance competitions and speeches by kamaiyas themselves. According to Yagyaraj, Shiva Raj Pant's kamaiyas, who also took part in the programmes, felt encouraged to see so many kamaiyas like themselves and to learn that there were many people who would fight on their side. On the third day of the meeting, on 1 May, nineteen kamaiyas working under Shiva Raj Pant filed their cases with the Geta VDC office. They requested four things: (1) the enforcement of the minimum wage law; (2) cancellation of their debts; (3) rehabilitation measures; and (4) guarantees of their personal security. On 10 May a meeting was held at the VDC office with about 100 participants, including the kamaiyas, journalists, and representatives of various organizations. However, Shiva Raj Pant did not attend the meeting and the kamaiyas and their supporters decided the case needed to be taken to the District Administrative Office (BASE 2057 v.s.: 10).

BASE members wrote up statements from each of the nineteen kamaiyas and took them to the Kailali District Administrative Office in Dhangadhi.<sup>28</sup> However, the CDO Tana Gautam refused to register the case and insulted the kamaiyas and supporting organizations, who in turn immediately began a sit-in in front of the CDO's office on 12 May. On 14 May thousands of people (7,000-8,000 according to BASE and the Kamaiya Freedom Movement Working Committee<sup>29</sup> [BASE 2057 v.s.; Informal 2000]) including many kamaiyas but also a large number of non-kamaiyas, as well as non-Tharus, from Dang, Banke, Bardiya, Kailali, and Kanchanpur, gathered in Dhangadhi to protest in front of the CDO office. Although various organizations were involved in this mobilization, the overwhelming majority of the protesters were BASE members, since no other organ-

<sup>28</sup> Five of the statements were subsequently put on <www.freedomnepal.org> by the Kamaiya Liberation Movement Working Committee and reprinted in Informal 2000.

<sup>29</sup> The Kamaiya Freedom Movement Working Committee or Kamaiya Andolan Parichalan Samiti was formed during the liberation movement by the supporters of the movement with Dilli Chaudhari as the coordinator while the Kamaiya Liberation Movement Committee was also created to represent the kamaiyas themselves with Raj Dev Chaudhari, one of Shiva Raj's kamaiyas, as its chairman.

ization had a comparable mass membership or ability for mass mobilization. On 15 May the demonstrators staged a silent demonstration tying black cloth over their mouths signifying that the government was not listening to its people. On the same day, the chairman of INSEC, Sushil Pyakurel, sent letters to the Prime Minister, the general secretary of the opposition, UML, and other major political figures to take up the kamaiya issue in parliament (BASE 2057 v.s.: 10).

The sit-in continued as meetings among the supporting organizations were held daily and continuous efforts were made to attract more media attention and to involve high-level politicians. On 18 May 2000, demonstrators with lit lanterns marched in Dhangadhi bazaar in broad daylight to signify that they were looking for justice. On other days the demonstrators beat drums, pots, and pans, proclaiming that they were trying to wake up the conscience of the government officials (BASE 2057 v.s.). After twelve days of the sit-in, the landlord, Shiva Raj Pant, said he had had enough. At a meeting at the district office, he said: "I might have borrowed money from these Kamaiyas in my previous life. I grant remission of their loans. They are free to go" (Lowe 2002: 76).

The news spread rapidly and BASE encouraged other kamaiyas to file similar cases with their district administrative offices. More than a thousand kamaiyas did so. BASE also continued to organize protest rallies and sit-ins at different district headquarters in the western Tarai districts. However, the district administrative officers began declaring that they had no authority to decide the cases. In early July BASE organized a two-day meeting of kamaiyas and organizations supporting them in the western Tarai town of Nepalganj.<sup>30</sup> They invited Vivek Pandit, a tribal rights activist from India and the winner of the 1999 Anti-Slavery International Award, to serve as a 'facilitator' of the meeting.<sup>31</sup> I mentioned earlier that the cases filed by the first nineteen kamaiyas involved demands for better wages, housing, personal security, as well as cancellation of their debts. However, at this meeting in Nepalganj, Vivek Pandit and others insisted that 'freedom' was the first and foremost issue for the kamaiyas. As long as the kamaiyas were under the domination of the landlords, they could not start to build their lives as dignified human beings. After freedom, other issues could be dealt with. The goal of the movement had to be clearly defined. And the goal was freedom. Vivek, as the facilitator of the meeting, encouraged the kamaiyas to compose and sing songs about the kamaiya struggle. It was, Vivek suggested, an epic fight between good and evil, as in

<sup>30</sup> The following account of the Nepalganj meeting is based on an oral presentation made at Martin Chautari (Thapathali, Kathmandu) in July 2000 by Ashutosh Tiwari who participated at that meeting. Later e-mail communication with Tiwari provided additional information.

<sup>31</sup> Dilli Chaudhari first came to know Vivek in 1988 through his trip supported by the Asian Adivasi Committee mentioned above.

Hindi movies. There were heroes and there were villains. The heroes, of course, were the kamaiyas who deserved freedom; the villains were the landlords and the chief district officers who denied them freedom. Nepali and International NGOs were cast as friends of the heroes, facilitators of the legitimate desire of the kamaiyas to be free.

At this point, Dilli Chaudhari and other leaders of BASE felt that they needed to take the movement to the capital, Kathmandu, since the district-level administrators appeared unwilling to act. Yet BASE did not have an office in Kathmandu. So Dilli first contacted INSEC, the largest Nepali human rights organization based in Kathmandu. However, following their own programme for the liberation of kamaiyas, the leaders of INSEC told Dilli not to come to Kathmandu. They argued that comprehensive legislation for kamaiya liberation and rehabilitation, the kind that they had already drafted, needed to be passed by the parliament before the liberation process could begin (cf. Ojha 2000, 2057 v.s.). The kind of activities that BASE had helped initiate, they said, was only going to create chaos.

However, the movement had already started, and more than a thousand kamaiyas had already taken clearly antagonistic stances towards their landlords by filing petitions. So the movement could not simply be called off. Dilli Chaudhari then contacted Martin Chautari, an informal discussion forum in Kathmandu run by a group of young intellectuals. Members of this group, including Ashutosh Tiwari who worked for BASE as a volunteer in the mid 1990s, had already visited Dhangadhi during the month of June to observe the kamaiyas' movement. Dilli told the organizers of Martin Chautari that he wanted to bring in 150 kamaiyas and kamalaharis to Kathmandu within a few days, to stage a sit-in in front of the parliament building, and he wanted Martin Chautari to look after the logistics. The Martin Chautari organizers agreed. ActionAid and Save the Children US quickly came up with financial aid for logistical support. I had returned to Kathmandu in mid June 2000 and had been following the kamaiya movement through communications with Dilli Chaudhari and other activists. Since I was also a regular participant in Martin Chautari, I naturally participated in the movement's operation in Kathmandu.

The members of Martin Chautari arranged for food, lodging, and medical support for the kamaiyas. They also wrote press statements, corresponded with international human rights organizations, and held meetings of NGOs in support of the kamaiya movement. In these meetings, many organizations argued that since the kamaiya issue was complex, the movement should make many demands, including even the implementation of sweeping land-reform measures. The BASE leaders and many of the Martin Chautari members disagreed. Ashutosh Tiwari in particular kept repeating that the demand had to be simple and clear, otherwise the movement would not produce any tangible results. Since the government could

not possibly deny that bonded labour was unconstitutional in Nepal as well as in violation of international human rights laws, this was the argument the movement should make.

Indeed, all the political parties, from royalists to social democrats to Marxist-Leninists to Maoists, came forward and expressed their support for the movement. Many political leaders came to Bhadrakali, across the street from the parliament, to give speeches in front of the kamaiyas. The human rights activist, Gopal Shivakoti 'Chintan', also made a speech at Bhadrakali and told the kamaiyas:

The Nepali government is sending armed police force to western Nepal, saying that the government is trying to make the Maoists obey the Constitution. Now you came all the way from western Nepal to Kathmandu, in order to make the government itself obey the Constitution.

Journalists also came to interview the kamaiyas. The kamaiyas told them stories of suffering, or *dukha*: one kamaiya told them how having been kicked by the landlord, he had once fallen from the stairs and broken his bones; a kamalahari said the landlord once tried to rape her; a *bukrahi* related how her infant baby died because the landlord was not giving them enough food. As an example of *dukha* stories, let me relate here what Jokhini Chaudhari told the reporter, Roshan Shrestha, in an interview around the time of the movement. Jokhini Chaudhari is the wife of one of the kamaiyas who was employed by Shiva Raj Pant. By 2000, she had worked for Shiva Raj for forty-one years. When asked by the reporter to describe the saddest experience of her life (*jindagima aphulai sabaibhanda dukha lageko kura*) she told the following story. From time to time, Jokhini and others had to apply mud on Shiva Raj's house walls. Once she had her two-month-old son with her when she had to do that work. Each time she tried to take a break to breastfeed her son, she was beaten on the head and told to return to work. "My son died because he couldn't drink milk!" (Shrestha 2057: 19). Shrestha's paper also describes cases of rape of girls of kamaiya households (ibid.: 18).<sup>32</sup>

Legally minded supporters such as Tiwari argued that there was no need for those *dukha* stories for the purpose of the movement – rather, they had to keep repeating the clear legal arguments. In Tiwari's argument, as well as in Vivek Pandit's insistence on viewing the movement as an epic battle between good and evil, we see a radical reduction of the complexity of kamaiya practices that Katherine Rankin, as we saw earlier, reacted against. But again, we are here not primarily concerned with the accuracy of a juridical discourse as a representation of a complex local practice.

<sup>32</sup>On the abuse of kamaiyas and their family members, see also Guneratne (2002: 96-8).

Rather, we are concerned with its pragmatics. The movement participants were reducing the complexity of the issues in order, among other things, to enable the government to *act*. I am sure that very few of the movement's participants doubted the necessity of systematic land-reform measures for the effective reduction of rural poverty. However, all knew that there was not much possibility in the short run of the government devising and actually implementing an effective land-reform programme. To demand such action as the first priority was to risk creating a situation where the movement did not produce any result at all.

On the evening of the third day of the sit-in, wanting to keep up the momentum, Dilli Chaudhari and others decided that the protesters should march towards the parliament building, stop traffic, and let a few among them, including Dilli himself, be arrested. On the fourth day of the sit-in, we began to march. When the police stopped the march from reaching the parliament, Dilli and others sat down in the middle of the road. The police decided to arrest Dilli, all the kamaiyas and kamalaharis, and many of the supporters marching with them, including me.<sup>33</sup> In the Mahendra Police Club where we were all detained, we heard on the 5 o'clock radio news that the government, based on a cabinet meeting held earlier that day, had declared that, effective immediately, all the kamaiyas were free, and any debts they owed to the landlords were void. The government also promised to implement rehabilitation measures for the freed kamaiyas. Kamaiyas and their supporters celebrated joyfully inside the Mahendra Police Club, rubbing *abir* (red powder) on each other's faces. The general secretary of the Communist Party of Nepal (UML), Madhav Kumar Nepal, came to the Police Club and made a speech telling the kamaiyas how UML had always supported kamaiya causes and this time had forced the government to declare the emancipation by stating at the beginning of the parliamentary session that the UML would block the proceedings from going forward unless the government addressed the kamaiya issue as the first order of business. (According to my information, the UML and Congress leaders had met the night before and agreed on the scenario, i.e. UML would first

<sup>33</sup> Before the beginning of the march, Dilli Chaudhari had given a strong warning to the police officers not to injure the protesting kamaiyas and kamalaharis, or let any of them 'disappear'. Since almost all of the kamaiyas and kamalaharis were visiting Kathmandu for the first time, it was perhaps a wise decision on the part of the police to arrest *all* of them, rather than, for example, arresting a few of them and lathi-charging and dispersing the rest in different directions - in which case, a number of them might well have got lost. For my part, I was not planning on being arrested. The night before the march, someone in the meeting suggested that the presence of a foreigner with a camera might deter the policemen from using excessive force in dealing with the protesters. I had that suggestion in my mind when I approached the front line of the protest with a camera, and was immediately grabbed by a policeman and pushed into a van. I suppose they were grabbing everyone near the front line without first checking whether the person was a journalist or a foreigner.

threaten a boycott, and then the government would declare the emancipation.) Then, former Prime Minister and Nepali Congress Party leader Sher Bahadur Deuba came to the Police Club and made a speech, and we were released.

The kamaiyas and their supporters walked back to Bhadrakali, and from there embarked on a "victory rally" around Tundikhel and Ratna Park in the middle of the city. Several kamalahari whom I spoke with told me that they were extremely happy because 'we won' - echoing Vivek Pandit's exhortation earlier to regard this movement as an epic fight between good and evil.

#### AFTER THE EMANCIPATION

Immediately after the government's declaration, BASE organized massive rallies in western Nepal celebrating kamaiya liberation, some of which I participated in. In the Dhangadhi bazaar in Kailali, the rally by a few thousand demonstrators was headed by a Tharu dancing troupe which intermittently threw clouds of red powder into the sky. Dilli Chaudhari characterized this celebration rally, as he did other massive BASE gatherings, as *shakti pradarshan*, or a show of strength. The purpose of the rally, in addition to celebrating the victory of the kamaiyas, was to exhibit their power to the people in the bazaar including the merchants, office workers, politicians, and government officials. On the day of the rally I also accompanied Dilli to the district administrative office and police office, where he explained to the concerned officials the purpose of the kamaiya movement and that it was a peaceful one, and asked them not to randomly arrest or otherwise persecute kamaiyas or their supporters.

A newspaper cartoon a few days after the declaration depicted a man whose left leg was freed from the fetters of the 'Kamaiya System' but whose right leg was still chained to the larger fetters of poverty (Spotlight 2000). Indeed, thousands of kamaiya families left their landlords, either of their own volition or because they were forced out. They began to live in makeshift camps on public lands around the bazaars, highways, and jungles. BASE, the Lutheran World Service, and other organizations were immediately faced with the task of assisting kamaiyas with their daily food, shelter, and medical needs. The government was very slow to come up with any rehabilitation measures.

Before the start of the kamaiya liberation movement, ILO's Nepal office had been granted 3.5 million dollars by the United States Department of Labor for kamaiya-related programmes. A couple of months after the declaration of emancipation, ILO announced that it was going to implement a programme of

direct action targeted at bonded labourers and their families to secure effective release from bondage, and sustainably reduce their poverty through training and education, livelihood improvements, and service provision. (as quoted in Chaudhari 2000)

Responding to this announcement, Dilli Chaudhari argued in his opinion article in *The Kathmandu Post* that the ILO programme represented another example of the flawed 'project mentality' in which Dilli himself and his organization had once been trapped. Dilli argued that the programme was destined to fail since it was conceived without consulting the former kamaiyas about their actual, urgent needs. Clearly, former kamaiyas needed to have housing and land issues reasonably settled before they felt like participating in a skill-training classes or a savings-and-credit group (Chaudhari 2000). Instead, the ex-kamaiya leaders and BASE demanded distribution of 10 *katthas* (1/3 hectare) of land to each kamaiya family (ibid.). Ten *katthas* of irrigated land was considered the minimum land-holding for a small farming family to be food sufficient. And every kamaiya already knew how to work on the land.

After the emancipation, the government conducted a survey and declared that there were 18,245 kamaiya households in the five western Tarai districts. In conducting this survey the government divided kamaiyas into four categories:

- A: Kamaiyas who possess no house or land
- B: Kamaiyas who possess a small hut on an unregistered land
- C: Kamaiyas who possess up to 2 *katthas* of registered land and a small shelter
- D: Kamaiyas who possess more than C.

(Devkota 2000: 3)

The government claimed that out of the total of 18,245 kamaiya households, there were 8,523 category A households. These households were going to be the primary beneficiaries of the government rehabilitation programmes. From the beginning of the government survey process, there were informal complaints heard that a significant number of kamaiyas were being left out (ibid.). The government's tendency towards leaving out a significant number of kamaiyas was more apparent in the actual procedure for distributing identification cards proving that the holder was really a landless former kamaiya and thus eligible to receive a land title and other rehabilitation support. The government required anyone asking for an identification card to obtain the landlord's signature certifying him as his former kamaiya. A significant number of landlords refused to sign. At the same time, there were a number of reported cases of non-kamaiyas receiving identification cards (Ban 2002; McNair 2003; Bhusal & Whyte 2001). On the whole, identification and the distribution of land became a lengthy process. Many

former kamaiyas who waited in long lines at the Land Reform Office were simply told to 'come again' at the end of the day (Bhusal & Whyte 2001). By December 2000 many thousands of kamaiya families had already gone through a very heavy rainy season and were now enduring the cold weather with only a plastic sheet over their heads.

Given this condition, in January 2001, exactly six months after the emancipation, BASE helped thousands of former kamaiyas living in camps in Bardiya, Kailali, and Kanchanpur districts, to begin 'land grab' actions – they occupied unregistered land around the forests, and distributed land among themselves, 10 *katthas* each. Some of the settlements on the captured land were burnt down by the government, including the settlement with 8,000 huts on a wide open space in Kalika in the Bardiya district which legally belonged to the government's Cotton Development Committee. However, most kamaiyas succeeded in holding on to the captured land and were able to begin cultivating. Around this time, proving the validity of Dilli Chaudhari's often repeated claim of friendship, Jimmy Carter at the request of the former sent letters with his delegates to the king and the prime minister of Nepal requesting prompt implementation of rehabilitation measures.

In their interviews in 2001 with MS Nepal,<sup>34</sup> many of the freed kamaiyas said that although life in the camp was hard, they felt better because they were free. They were free to get up at any time, to go and look for work if they wanted, or to meet with friends and sing and dance. Debi Lal Tharu, a kamaiya who participated in the protests in Kathmandu but was still living at the landlord's place at the time of the interview, told the interviewers:

When kamaiya movement organizers came to talk to us about our rights the landlord was angry, so we were afraid to talk to them. We feared that we would be beaten. But I decided to talk with them anyway. I used to travel with the landlord. My job was to carry his bags, clean his clothes and be the guard. So I had been outside and seen that others had freedom. I thought it could be good for us to have it here too. We are human beings and we need human rights [*hami manis haun ra manislai manav adhikar chahincha*]. After that, I sold a small goat and went to Kathmandu to join the kamaiya movement. Now I no longer feel shy about talking face-to-face with the landlord. I had to bow many times whenever I talked to him. Now once is enough. (Lowe 2002: 43-4)

Durgi Devi Chaudhari, a freed kamalahari, told interviewers:

<sup>34</sup> A Danish NGO (Mellempfolkeligt Samvirke/Danish Association for International Co-operation) working to support freed kamaiyas in Nepal.



The landlords say that we are lower people and they are higher. ... They kept us under their feet and looked down at us. So, we didn't like to live with them, and we left. Now it is different. We are free. We don't have to work for the landlord. Now we have been made higher. Now we have courage. (Lowe 2002: 44)

Sukdaya Chaudhari, another freed kamalahari, asked:

Shall we be led by others or lead ourselves? We should become leaders. Let us march forward for our rights. Let us go forward ourselves. Let us become leaders and teach others. Let me sing a song in Tharu ... (she sings) ... This song means that we were in darkness. Down there on the plain the paddy plants are dancing with the wind. Our eyes begin to open. Now my life is better. I can work however I want and go wherever I like. I have a small hut and even though it is not in good condition I manage to live comfortably, to make little improvements and be secure. The health of my children has improved and everybody respects me. Life goes on whatever the conditions may be. This is my own life and I have to be strong and make it myself. One should improve as far as possible one's own life. We have to solve our own problems. (Lowe 2002: 44)

After the declaration of an emergency by the government in November 2001, some additional kamaiya settlements were burnt down by government officials. BASE also came under increased pressure from both the Maoists and the government. The Maoists were extorting money from BASE workers, and looting and blowing up BASE offices. The Home Minister Khum Bahadur Khadka, on the other hand, accused BASE of collaborating with the Maoists and was threatening to revoke its NGO registration. Jimmy Carter again wrote a letter on behalf of BASE and, according to BASE leaders, the persecution from the government side stopped immediately after the latter received Carter's letter. However, the kamaiyas' ability to agitate for land was severely limited during the emergency, since the right to assemble, along with other fundamental rights, had been suspended.

The relationship between the CPN (Maoist) and BASE has always been contentious. It is understandable given that the former preaches violent revolution as the only way forward for Nepal, while the latter is committed to pursuing non-violent paths towards social transformation. Towards the end of the 1990s in Salyan, for example, BASE workers were regularly harassed by Maoists, and BASE meetings and training sessions were occasionally hijacked by Maoists who turned those meetings into their own propaganda sessions. However, unlike most foreign-funded NGOs working in Salyan, which were forced to close down their projects

by 1998 by the Maoists, BASE remained quite active in the district beyond the close of the 1990s. Some BASE members in Salyan attributed this difference to the locally rooted nature of BASE. While the activities of most other foreign-funded NGOs were run by their staff sent in from Kathmandu, BASE activities were run by locals, so the Maoists could not just tell the BASE staff to 'leave' the district as they did other NGO personnel. Other BASE members in Salyan observed that since both BASE members and fieldworkers were from local villages (and mostly from households of medium to lower economic status) the Maoists would have risked antagonizing entire villages if they injured or killed any BASE activists.<sup>35</sup>

In recent years, however, Maoist attitudes towards BASE appear to have become much more antagonistic and aggressive. This is true, especially after the breakdown of the second ceasefire in August 2003 and the subsequent, dramatic escalation of military confrontation. In January 2004, the Maoists declared western Tarai as the 'Tharuwan Autonomous Region'. From the spring of 2004 the Tharuwan People's Council began to demand that NGOs and international organizations active in the region register formally with the council and pay tax to them. Around this time the Maoists also blew up the BASE office in Kailali and stepped up their propaganda campaign against BASE, accusing the organization of massive corruption. One of the reasons behind the intensified Maoist campaign against BASE at this juncture may have been that the former felt an urgent need for the consolidation of rural Tharu support for the revolutionary movement, and they saw BASE as an obstacle in this. This would be in line with a long-established Maoist tendency to expel or murder anyone who exhibits and exercises local leadership *and* does not agree with the Maoists, whether he or she belonged to Congress or Communist parties, or did not belong to any. As a result of Maoist actions, it has reportedly become very difficult to carry out many of BASE's activities in many rural areas, especially since 2003, although I have not had the opportunity to investigate systematically and measure the magnitude of Maoist control for myself.

Since early 2001 some members of international human rights organizations had made joint efforts to nominate Dilli Chaudhari and BASE for the Anti-Slavery International Award. The purpose was to raise the international profile of the kamaiya situation and BASE. The hope was that the international attention would contribute to quickening the rehabilitation processes of former kamaiyas, and to lowering the possibilities of persecu-

<sup>35</sup> Around 1998, in Salyan, local Maoist cadres told BASE members that BASE would be allowed to be active for another five years. At that time the local Maoists frequently said that in five years, with the progress of the revolutionary movement, there would no longer be any need for NGOs.

tion of BASE. Dilli Chaudhari and BASE were awarded the Anti-Slavery Award in December 2002 in London. During this period, BASE continued to receive assistance for programmes for freed kamaiyas from small and large donors. While many donor-assisted programmes have been helpful, especially for those kamaiyas who have already received official land titles, many BASE leaders including Yagyaraj Chaudhari have criticized the lack of international organizations that are willing to work directly on the issue of land rights.

In 2003, taking advantage of a period of ceasefire between the Maoists and the government, from 18 to 30 July, the kamaiyas organized another major campaign for land rights involving road blockades and the shutting down of district administrative offices. Through this campaign they were able to make the government reopen the identification process and distribute more land (BASE 2060). By spring 2004, according to a survey conducted by NGOs including BASE, there were 32,922 former-kamaiya families who were formally identified as such by the government. (Compare this number with 18,245, i.e. the number of kamaiya families identified by the government in its first survey after the declaration of emancipation.) According to that survey conducted by the NGOs, there were 2,789 former kamaiyas still to be identified as such by the government. The same survey reported that there were now 16,163 households classified by the government as Class A former kamaiyas. On the other hand, the number of those former kamaiyas who had actually obtained land from the government was given as 11,999. The government has given former kamaiyas between 1 and 5 *katthas* of land each, which is far less than the 10 *katthas* initially demanded by the kamaiya freedom movement. However, if we assume that all this land went to Class A former kamaiyas, then roughly 74 per cent of those identified as formerly landless and houseless kamaiyas have received land in their own names. Many of them have also managed to receive from the government a grant of Rs.10,000 and wood to build a house. Many of those officially settled have also received much support from international organizations. For example, the World Food Program, through German Technical Assistance (GTZ), implemented programmes for building infrastructures in freed kamaiya settlements and hired the freed kamaiyas for construction work and provided wages. Lutheran World Service and others have helped with house construction and other matters, so that one can see a number of kamaiya settlements lined with houses with cemented walls, tin roofs, and cemented and tin-roofed outhouses.

Based on the above, we can certainly observe that former kamaiyas, as a whole, have not received everything that they demanded. One of the most urgent issues remains to be the official recognition for those who are yet to be identified, so that they can also become eligible for a variety of assis-

tance programmes. On the other hand, we cannot say that the kamaiya freedom movement has resulted in total disaster. They were not simply thrown out into the realm of the 'free market', as it were, to fend for themselves. They are struggling instead in a space where there is the presence of numerous governmental and non-governmental agencies whose mandates are to increase the welfare of disadvantaged population groups. How one manages to establish a relationship with these agencies critically affects one's fortune.

Another, more recent development we should note is the emergence of kamaiya organizations that are determined to act independently from BASE. Many of them voice strong criticism of what they have perceived as a lack of effective leadership exhibited by BASE in the post-emancipation period. They also emphasize that the movement now has to be led by and for kamaiyas themselves, and not by NGOs, such as BASE, who, they say, are deriving financial benefits in the name of kamaiyas. The effects of the diversification of kamaiya organizations and leadership remain to be seen. However, at this point, I should like to note that the demands and strategies of these new organizations are not significantly different from those adopted by kamaiya organizations working with BASE. These new organizations are also demanding provisions of land and other facilities from the government, and they have captured a government-owned (and unused) airfield in Kailali and a cotton field in Bardiya.

## CONCLUSION

In conclusion, let me highlight some of the key features of this story and consider their theoretical and political implications. The success of BASE in leading the kamaiya freedom movement in 2000 ought to be attributed first of all to its strong and massive grassroots membership. The members participated in Backward Society Education, whose name, broadly construed, pointed to the need for those groups that were 'left behind' or were 'lower' to be uplifted through 'education'. I argued that the groups to be uplifted were not limited to Tharus. BASE leaders were also constantly trying to build up social networks. We saw that the BASE leadership actively sought to establish connections with international actors as well as local and national powerbrokers. This effort included involving non-Tharus (including local and national elites) in BASE activities. The nature of the associations that they built among diverse actors, however, was not simply based on utilitarian interests. The letter by Parvati Adhikari, a non-Tharu graduate from a BASE literacy class, referred to earlier, described feelings about BASE being like her maternal home, and its members her own brothers and sisters (2056 v.s.). In other words, she was saying that she had

emotional attachment to the organization. She wrote that she was ready to accomplish *any* work that BASE might give her to do. She was ready to accomplish such work because of her loyalty to the organization, without the need to deliberate on the merits of each assignment from BASE.

Earlier in the chapter, we saw Katherine Rankin arguing that what she called "discourse of freedom" was intimately tied with neo-liberal ideology, and hence was not genuinely liberatory. The kamaiya freedom movement seized upon the very juridical notion of freedom that Rankin and Gyan Prakash criticized. By focusing on legal rights, the movement was able to produce a radical disruption in local operations of power, enabling, among other things, kamaiyas who had previously lived in isolation from each other to settle together and organize themselves. The main kamaiya demand of the movement after gaining freedom was not for training to turn themselves into wage labourers but for land to enable them to produce at least part of their subsistence needs by themselves. In struggling to build their new lives, they constantly engaged with the government by repeatedly visiting its offices and by means of demonstrations, road blockages, and the unauthorized occupation of public lands. Through these actions, they were challenging the government to fulfil its responsibilities as the provider of minimum welfare to its population (cf. Chatterjee 2004).

This brings us back to Tim Whyte's observation, quoted in the epigraph, that the kamaiyas were trying 'from the bottom up' to make the government work for them. Here, I should like to highlight the fact that demands of the kamaiyas are aimed at His Majesty's Government of Nepal. This point is important, given that situation, and the prevalent forms of analyses of the current political situation, in Nepal. Immediately after the declaration of emancipation, many people were speaking of the possibility that the kamaiyas thus freed would join the Maoists *en masse*. Even members of BASE had observed that *if* the government did not promptly implement rehabilitation measures *then* many of the kamaiyas might join the Maoists. The government security forces, on their part, appear to have no qualms in *presuming* kamaiya sympathies towards the Maoists. They have conducted numerous 'search operations' in freed kamaiya camps. The representatives of freed kamaiya organizations claim that there have been at least twenty well-documented cases of extrajudicial killings of freed kamaiyas by the security forces. They also testify that there have been many more cases of rape by the security personnel of women in freed kamaiya settlements.

At the time of this writing (early 2005), more than four years have passed since the declaration of emancipation. Given the government's apparent lack of commitment towards proper and complete rehabilitation, and the crimes committed by government forces against the freed kamaiyas, it is indeed somewhat surprising that the overwhelming majority of former

kamaiyas have not joined the People's Liberation Army. Even those freed kamaiyas who parted with BASE, as we have seen, are still asking His Majesty's Government (HMG) to implement rehabilitation measures. Local Maoists, on their part, have been telling those still landless former kamaiyas to capture and occupy land belonging to large landlords. According to my information, kamaiyas have refused this order by the Maoists. One of the main reasons for the refusal is of course that the Maoists cannot guarantee the security of those kamaiyas who thus occupy the landlords' property. Kamaiyas who obey the order of the Maoists would become vulnerable to being killed by the government security forces. Hence the overwhelming majority of kamaiyas prefer land titles issued by the HMG. In this connection, we can also observe that Maoist actions have created obstacles against the fulfilment of kamaiya demands, as Maoists have banned government officials, including those with authority to issue land titles to former kamaiyas, from entering the rural areas that the former claim to be under their control (cf. Luintel 2061 v.s.).

I have already mentioned that one of the most recent and prominent organized actions by the freed kamaiya was the occupation of government-owned lands such as airfields. Those who occupied these lands have been demanding that the government either provide them with land titles or, if the former needs to keep those lands, provide alternative land. As to the reason why they decided to occupy government airfields and cotton fields rather than, for instance, unclaimed patches of land in the villages or near the forests, a number of freed kamaiyas told me that they were trying to 'awaken' the government. It should not be necessary to add that this is different from a revolutionary politics that aims to *replace* the current government. Those freed kamaiyas occupying the government lands are still engaged in a "politics of patience" (Appadurai 2002) and not a revolutionary politics of radical discontinuity and rapture (Onesto 2000). After more than four years since their 'emancipation', and even after the suspension of representative democracy in Nepal in October 2002, the freed kamaiyas, as Tim Whyte wrote, are engaged in democratic struggles.

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