

# **Dominant Groups Have Right to Live?<sup>1</sup>**

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*“timi afnai gharma (afain baas namaga)”*  
((“you don’t ask for a shelter) in your own home”)  
-- Bhupal Rai (2000:4)

## **1. Introduction**

I have divided this paper into four sections: (1) Bio- and socio-cultural diversity, (2) Definition and identification of “tribals” in Nepal, (3) Tribals and Forests, and (4) Common issues of sustainable livelihood. Tribals and Forests are divided into two sub-sections: (i) Forest dwellers (nomads and settled forest dwellers) and (ii) Tribals who have been dispossessed from their forests and lands and now become forest dependent. I have identified four common issues of sustainable livelihood: (I) land alienation, (ii) displacement and deforestation, (iii) loss or exploitation of indigenous knowledge system, and (iv) lack of resistance, organized movements and insurgency.

## **2. Bio- and Socio-Cultural Diversity**

Perhaps there is no country in the world where one can find tremendous amount of bio- and socio-cultural diversity in a small space like Nepal. Nepal’s bio-diversity is characterized by both ecosystem diversity and species diversity. According to the Master Plan for Forestry Sector there are five physiographic regions: (1) High Himalayas, (2) High Mountains, (3) Middle Mountains, (4) Siwalik, and (5) Terai and J. D. A. Stainton had identified 35 forest types, including 6 minor temperate and alpine associations (see Shrestha and Gupta 1993:3). According to Shrestha and Gupta (1993:3),

“In Nepal itself various explorations reveal that over 5,400 species of higher plants claim 2.2 percent of the world figure, and by the same token Nepal’s known species of 850 birds claim about 9.4 per cent of Nepal’s share of world’s record. Thus Nepal’s biodiversity per unit area is very high and the share of conservation benefit would justify substantive economic investment in the sector. Nepal’s fish fauna amount to 170 species, mammals 175 species, dragon fly 180 species, moths 50 species, and the butterflies over 600 species.”

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According to Sherchan (1999:40) “a present reported numbers are 7,000 vascular plants, Lichen 500 and Fungi 1,700.”

Similarly, Nepal’s socio-cultural diversity is characterized by racial, caste/ethnic, linguistic, religious and regional diversity. Nepalese people belong to four racial groups: Caucasian, Mongoloid, Dravidian and Proto-Australoid. Terai castes such as Brahman, Kshatriya, Vaishya, and so-called “untouchables,” Hill castes such as Bahun, Chhetri and Dalit, and Muslims belong to Caucasian race. Similarly, 61 nationalities or indigenous ethnic or tribal groups belong to Mongoloid, Dravidian and Proto-Australoid races. Nepalese people speak more than 125 languages and dialects that belongs to four language families, namely, Indo-Aryan, Tibeto-Burman, Dravidian and Munda. One indigenous ethnic group called Khambu or Rai have about 38 languages and dialects. In terms of religion, Nepalese people have faith in diverse regions including Animism, Buddhism, Lamaism, Kirant, Hindu, Jain, Islam, and Christianity. In terms of region, traditionally there were 12 ethnic clusters, namely, *Khasan, Jadan, Tharuwan, Awadhi, Kochil, Maithil, Nepal, Limbuan, Khambuan, Tamasaling, Tamuan and Magarat*. Also, the people of Terai identify themselves as *Madhesi* community.

In the last 230 years one caste (Bahun-Chhetri), one religion (Hindu), one culture (Hindu), one language (Khas Nepali) and one sex (male) has been dominant in a multi-caste and ethnic, multi-religious, multi-cultural and multi-lingual society. After regaining multi-party political system in 1990, the Constitution of the Kingdom of Nepal has declared Nepal as a Hindu country though there was popular demand for a secular state. Thus, in democracy also, Bahun-Chhetris continue to dominate the public sphere, including executive, legislative, judiciary and media.

Fortunately Nepal is a country characterized by bio-diversity and socio-cultural diversity but unfortunately tribals or indigenous peoples are marginalized, displaced and suppressed by the ruling, dominant group for the last two and half centuries. Also, fortunately, many anthropological, particularly ethnographic works have been done about many tribal communities of Nepal and also many social scientific works have been done about forest, particularly community forest, protection and management but unfortunately indigenous peoples have been displaced or alienated from the forests. Most of the literature on forest, according to Dahal (1994:4-9), there are three types of literature: (a) severe depletion of forests with urgent need of protection and management, (b) indigenous system of forest management, and (3) forest user’s groups. Although thematically indigenous system of forest management has been one of the main focus of the social scientists but these literature have least to do with indigenous people’s indigenous system because their analysis is more directed to “traditional systems.” Lack of connection between these two works or between tribals and forests is one of the biggest tragedies of Nepal. What is amazing indeed is a conspicuous lack of portrait of tribals in the first ever published **Nepal Human development Report 1998** (NESAC 1998).

### 3. Definition And Identification Of “Tribals” In Nepal

Lionel Caplan (1970:10) has defined ‘tribe’ thus: “In the south Asian context the tribes are regarded as synonymous with the backward, the exploited and the dispossessed...” The term ‘tribe’ has been, according to him (Caplan 1990:133), applied “to a considerable diversity of groups- diverse in terms of size, habitat and economy: to semi-nomadic Chepangs and Kusundas, wealthy trading communities of Thakalis, high altitude farming and mountaineering Sherpas, as well as mid-Mountain-dwelling Gurungs, Tamangs, Magars, Rais and Limbus who grow cereal crops and herd animals, and even the Newar inhabitants of the culturally and agriculturally rich Kathmandu Valley.” Although Dilli Ram Dahal (1978:217) is of the view that the use of the term ‘tribe’ in Nepal is “hopelessly confusing and meaningless in the present context of Nepal,” I use the term “tribal,” following Caplan to refer to most of the indigenous ethnic groups or Nationalities of Nepal.

A task force on the establishment of an academy for upliftment of the Nationalities in Nepal formed by His Majesty’s Government of Nepal (2052) defined Nationalities as that:

“Community who has its own mother tongue and traditional culture and yet do not fall under the conventional four-fold Varna of Hindu Varna system or Hindu hierarchical caste structure.

Nationality has the following characteristics:

- A distinct collective identity;
- Own language, religion, tradition, culture and civilization;
- Own traditional egalitarian social structure;
- Traditional homeland or geographical area;
- Written or oral history;
- Having ‘We-Feeling’;
- Have had no decisive role in politics and government in modern Nepal;
- Who declare themselves as ‘Janajati’; and
- Who are indigenous peoples of Nepal.”

The Task force has identified 61 Nationalities or indigenous ethnic groups or tribals of Nepal and these are:

#### **MOUNTAIN**

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|----------------|----------------------|---------------|
| 1. Bara Gaunle | 8. Lhomi (Shingsawa) | 15. Syangtan  |
| 2. Bhutia      | 9. Lhopa             | 16. Tangbe    |
| 3. Byansi      | 10. Manange          | 17. Thakali   |
| 4. Chhairrotan | 11. Marphali         | 18. Thintan   |
| 5. Chimtan     | 12. Mugali           | 19. Thudam    |
| 6. Dolpo       | 13. Siyar            | 20. Topkegola |
| 7. Larke       | 14. Sherpa           | 21. Wallung   |

#### **HILL**

- |                  |               |             |
|------------------|---------------|-------------|
| 1. Bankaria      | 9. Hayu       | 17. Newar   |
| 2. Baramo        | 10. Hyolmo    | 18. Pahari  |
| 3. Bhujel/Gharti | 11. Jirel     | 19. Rai     |
| 4. Chepang       | 12. Kushbadia | 20. Sunuwar |
| 5. Chhantyal     | 13. Kusunda   | 21. Surel   |
| 6. Dura          | 14. Lepcha    | 22. Tamang  |
| 7. Fri           | 15. Limbu     | 23. Thami   |
| 8. Gurung        | 16. Magar     |             |

## INNER TARAI

- |            |          |          |
|------------|----------|----------|
| 1. Bote    | 4. Kumal | 7. Raute |
| 2. Danuwar | 5. Majhi |          |
| 3. Darai   | 6. Raji  |          |

## TARAI

- |                          |                     |                     |
|--------------------------|---------------------|---------------------|
| 1. Dhanuk<br>(Rajbanshi) | 4. Jhangad          | 8. Star/<br>Santhal |
| 2. Dhimal                | 5. Kisan            | 9. Tajpuria         |
| 3. Gangai                | 6. Meche            | 10. Tharu           |
|                          | 7. Rajbanshi (Koch) |                     |

Mountain tribes rely primarily on pastoralism and/or long distance trade. Among the Hill and Terai tribes, many of them were dispossessed from their forest and land in the last 230 years due to the predatory<sup>2</sup> Nepalese state run under the ideology of *Bahunbad* (Bahunism). Although Prof. Dor Bahadur Bista (1993:3) has used the term *Bahunbad* to mean “the syndrome of cultural configurations along with the principles of caste system introduced by the Brahmans arriving in the Kathmandu Valley and in the Karnali basin during the medieval period, it does not imply that it has anything to do with the bulk of the Nepali population bearing Bahun family names today,” I use the term to refer to domination of one caste (Bahun-Chetri), one religion (Hindu), one culture (Hindu), one language (Khas Nepali), one sex (male), one dress (*daura-suruwal* and *Nepali Topi*) and one region (central or Hill) in a country characterized by pluralism in caste/ethnicity, religion, language, culture and region. Among the tribals who have been dispossessed and displaced from their forests and communally owned lands, some tribals still rely significantly on the forest for their livelihood and others have become *sukumbasi* (landless) who move to urban areas or India in search of labor works. However, among the Hill tribals Rautye, Kusunda, Chepang and Bankaria are still totally dependent on forest for their livelihood. Similarly, among the Terai tribals, Bote, Tharu and Rajbanshi some are still in the forests but many of them have adopted agriculture but still dependent on forests for their livelihood.

Until 1996 His Majesty's Government had no plans, policies and programs for tribals or indigenous peoples of Nepal. A National Committee for Development of Nationalities was established in 1996 and the Nepalese planners have introduced **Indigenous and Ethnic Groups in Development Programme** in the Ninth Five Year Plan (1997-2002) (NPC-HMG/N 1998). What is historical is that it was done for the first time in the five decades long history of planning in the country but what is disappointing is it has not yet been able to come out of the plan document.

### 4. Tribals and Forests

Before the territorial “unification” by King Prithvi Narayan in 1768, indigenous peoples had their own autonomous “principalities.” After 1768 until 1950s, including 104 years old autocratic Rana rule, the rulers made fortunes by implementing *Birta* and *Jagir* land tenure system that allowed them to own or transfer land on their discretion. Obviously power yielded land and land yielded

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<sup>2</sup> I use the term “predatory” not as defined by Deepak Lal (1988) and Margaret Levi (1988) to refer to a “revenue maximizng” states but the way Peter Evans (1989:502) has defined it, that is, “Those who control the state apparatus ... without any more regard for the welfare of the citizenry than a predator has for the welfare of its society.” I have used the term “welfare” to include caste/ethnicity, language, culture, religion and region as well.

power and the cycle continued. These land tenure systems were abolished in the fifties. Economic historian Mahesh Chandra Regmi writes,

*“The Kipat system may have been a relic of the customary form of land control which communities of Mongoloid or autochthonous tribal origin established in areas occupied by them before the immigration of racial groups of Indo-Aryan origin. The general view is that racial groups of Caucasian origin, which are the most important numerically, socially, and politically in much of Nepal, immigrated from northern India. The newcomers acquired landownership rights under a statutory form of landownership, such as Birta or Jagir, whereas the Mongoloid or autochthonous communities retained their customary occupation of lands under a form of ownership that eventually came to be known as Kipat. Prominent among the Kipat-owning communities of Nepal were the Limbus of Pallokirant, a term traditionally used to denote the present districts of Ilam, Dhankuta, Panchthar, Terhathum, Taplejung, and Sankhuwa-Sabha. Other Kipat-owning communities, which included Rai, Majhiya, Bhote, Yakha, Tamang, Hayu, Chepang, Baramu, Danuwar, Sunuwar, Kumhal, Pahari, Thami, Sherpa, Majhi, and Lepcha, were scattered throughout the eastern and western midlands” (Regmi 19987-88).*

*Kipat* land tenure system was finally “abolished” through the backdoor in late sixties in the name of land reform program. Since then the Limbus began to lose their land very rapidly and by now many of them are either landless who migrate to various parts in Nepal and India in search of work for making their livelihood.

Table 1. Percent of forested land with crown cover between 10 and 40 percent.

<b>Physiographic region</b>	<b>Percent of forest land with 10-40% crown cover</b>
High Himal	35.0
High Mountains	25.3
Middle Mountains	44.7
Siwaliks	11.2
Terai	7.2

Source: Gilmour and Fisher (1991:23) from Land Resource Mapping Project (LRMP 1986d)

Table 2. Number of Users' Groups Formed and the Area Under Community Forestry.

<b>Region</b>	<b>Number of Forest Users Groups Formed by December 1994</b>	<b>Area Under Community Forest (ha)</b>
Mountain and Hills	2,489	93,491
Terai	267	19,135
Total	2,756	112,626

Source: K. C. (1997:228)

Until 1950, His Majesty's Government of Nepal (HMG-N) had no policy related to forest protection and management. The Private Forest Nationalization Act was passed in 1957 to "prevent the destruction of forest wealth and to ensure the adequate protection, maintenance, and utilization of privately owned forests" (Regmi 1978:348 cited by Gilmour and Fisher 1991:11). During the partyless Panchayat period (1960-1990), the Forest Act of 1961, the Forest Preservation Act of 1967 and the National Forestry Plan, 1976 was enacted/implemented. In 1988, Master Plan for Forest Sector for 21 years was introduced by the government. A new Forest Act was passed in 1992 that abolished the previous Forest Acts. The percent of forest land with crown cover is lowest in Terai (7.2%) and highest in the middle mountains (44.7%) (Table 1). The total forest area is about 29 percent and it has been decreasing continuously since the fifties but recently it has increased to some extent in the Hills. In 1995 the government introduced rules and regulations with focus on maintaining ecosystem and fulfilling the basic needs of the people through forest user's groups. By now, the government has given highest priority to community forest. By December 1994, the total number of community forest user's groups was 2,756 and the area under it was 112,626 ha. (see Table 2).

There are two types of forests in Nepal: (1) National forest and (2) Private forest. National forest is further divided into 5 types: (I) Protected forest (it comprise about 14% of the total forest), (ii) Religious forest, (iii) Community forest (it comprise about 11% of the total forest), (iv) Leasehold forest, and (v) government managed forest, that is, residual forest managed by the Department of Forestry of His Majesty's Government of Nepal. Similarly private forest is divided into two categories: (i) private forest registered with the government and (ii) private forest not registered with government.

The Royal Chitwan National Park (RCNP), the first national park in Nepal, was established in 1973. By now 8 national parks, 5 wildlife reserve and 3 conservation areas cover about 20 percent of the total land of the country. The 8 National Parks are: (1) Khaptad National Park in the Far-Western Hill, (2) Rara National Park in the Far Western Hill, (3) Shey-Phoksundo National Park in the Mid-Western Mountain and Hill, (4) Royal Bardiya National Park in the Mid-Western

Terai, (5) Royal Chitwan National Park in the Central Terai, (6) Langtang National Park in the Central Mountain and Hill, (7) Sagarmatha National Park in the Eastern Mountain, (13) and Makalu-Barun National Park in Eastern Hill. The 5 wildlife reserves are : (1) Royal Shukla Phant Wildlife Reserve in the Far Western Terai, (2) Parsa Wildlife Reserve in the Central Terai (3) Shivapuri Watershed and Wildlife Reserve in the Central Hill, (4) Dhorpatan Hunting Reserve in the Western Hill, and (5) Koshi Tappu Wildlife Reserve in the Eastern Terai. The 3 Conservation Areas are: (1) Annapurna Conservation Area (ACAP) in the Western Mountain and Hill, (2) Makalu-Barun National Park and Conservation Area in the Eastern Hill, and (3) Manaslu Conservation Area in Hill. The Tharus have been affected by Shukla Phant Wildlife Reserve, Royal Bardiya National Park, Royal Chitwan National Park and Parsa Wildlife Reserve. Magar and Dolpo people are affected by Shey-Phoksundo National Park. Gurungs, Magars, Thakalis, Panchgaunles and Baragaunles are affected by ACAP. Tamangs are affected by Langtang National Park. Sherpas and Rais are affected by Sagarmatha National Park. Rais and Limbus are affected by Makalu-Barun National Park and Conservation Area. Bajracharya and Thapa (2000:280) have noted, "... early conservation efforts resembled the western system wherein national parks were demarcated, the people forfeited their traditional rights to use the resources within the boundaries, neither were they provided with other alternatives. In other words, the concerns of people living in the park periphery were ignored. This raised an intense park-people conflict, thereby negating the achievements in terms of conservation. The strict conservation policy, incorporating only flora and fauna conservation, added further pressure and increased conflict between the park and the people."

#### **4.1 Forest Dwellers**

There are still few indigenous peoples, namely, Rautye, Chepang, Kusunda, Bankaria, Tharu, Raji and Bote/Majhi who make their living in the forest. These forest dwellers can be divided into groups: (1) Nomad: Till now Rautye is the only tribal group who do not stay in one camp for more than few days; they keep moving from one place to another throughout the year; and (2) Settled forest Dwellers: Other forest dwellers, namely Chepang, Kusunda, Bankaria, Tharu, Raji and Bote/Majhi, do not move like Rautye; instead they are more or less settled in one place and practice not only slash-and-burn agriculture but also hunting and gathering in the forest.

#### **4.2 Nomad**

Rautye, following Prof. Dor Bahadur Bista, is the last "nomad" of Nepal. Their total population has been estimated to be less than 200 (Luintel 1998:25). They rely on hunting-gathering and partially food bartering community who moves around the forests of mid- and far-western parts of Nepal covering Pyuthan and Jajarkot districts in the east, Accham and Doti districts in the west, Jumla and Dolpa districts in the north and Dang-Deukhuri and Banke districts in the south (Bista 1987:194a). Rautyes go for hunting in groups, each group comprising 5 to 60 members, and they use nets but not bows and arrows. They hunt monkey only (and love rhesus and langur) by using net. They do not kill other animals. They collect about 29 variety of fruits, 10 variety of vegetables and 12 variety of roots and tubers (Singh 1997). Rautye are very skillful in making wooden products, including utensils. They barter these wooden products with paddy or wheat in the nearby villages from their camp. In the past they used to do "silence barter" but now the leaders of the community interact with the villagers, if they should barter goods (Luintel 1998:27-41).

Bista (1987: 194) writes, the Rautyes traditionally lived by hunting and food gathering "but recently their food gathering style of life have been severely threatened by the increasing population, expansion of cultivated lands and the depletion of the forest areas" and "they have been more exposed and forced to come to contacts [with outsiders] than ever before." Due to

expanding community forestry in the last two decades, community forestry user's groups have demanded Rautyes not to live in "their" forests and not to cut trees by claiming newly gained ownership from the government. Rautyes, who actually are the owners of those forests are increasingly becoming helpless and facing hardships in making their living in a traditional way. They, therefore, wonder whether they or the dominant castes have the right to live.

### 4.3 Settled Forest Dwellers

Among the settled forest dwellers, Chepangs live in the Central and Western Hill, Bankaria in the Central Hill, Kusunda in the Western Hill, Raji in the mid-Western Hills, Tharu in the whole Terai region, and Bote/Majhi in the Central Inner Terai. The conditions of livelihood of all these tribals do not differ much as they suffer from the same predatory state policies of past and present. In the past they were dispossessed from their own land through land tenure systems like *Birta* and *Jagir*, and development programs like malaria eradication that induced Hill to Terai and cross-border migration. Nowadays they are dispossessed through National Parks, Wildlife Reserve, Protected Areas, hydropower projects and dams such as Kulekhani, Community Forestry and Leasehold Forestry. According to Sherchan (1999:43), "Many ethnic and marginalized people like Majhis, Meches, Danuwars and Tharus have traditional skill of fishing in rivers, ponds and ditches. Because of the prohibition imposed by the state, these people are indeed facing vulnerable situation."

How forest dwellers have been victimized by the predatory state, let me give an example of the Chepangs (called Praja by the government officials) whose traditional homeland is southern part of Dhading and Gorkha districts, northern part of Chitwan district, and western part of Makwanpur district. These areas lie in the Mahabharat range in West of the Kathmandu Valley falling in two development regions, one central and the other western development regions. In the past Chepangs lived in the caves or temporary huts in the forests and made their living by gathering wild food and wood, and hunting in the forest. Many of them still continue it but some of them have settled down in agriculture and some do labor works in nearby development projects for making their living. Chepangs like other forest dwellers collect *taruls/vyakurs* (*Discorea* sp.), taro (*Colocasia esculenta*) and bamboo shoots (*Bambusa* sp.) (see Sherchan 1999:40). They are the experts in extracting oil and nectar from a fruit tree called *Chiuri* (*Bassica butyracea*). They practice slash and burn (*khoriya*) agriculture method. If soil is good and harvest is good, they follow annual cycle but if harvest is bad they follow tri-annual cycle of slash-and-burn. Although their main source of livelihood is *khoriya*, these lands are not registered in their names. Customarily these lands are owned by the Chepangs but legally it is owned by His Majesty's Government of Nepal. They lost their land ownership because of their ignorance of law, bureaucratic procedures and marginalization by the rulers. As they do not own land, they do not get citizenship certificate from the local district office and they can not buy or sell land without citizenship certificates. An assistant district forest officer working in the Chepang area states, "Since the nationalization of forest in 1955 . . . Praja community lost interest in protecting forest because they lost the ownership" but subsequently he blames the victims thus: "Their slash and burn practice expanded over forest to feed the increased population. This resulted in environmental degradation and triggered vicious circle of poverty" (SECAOW and PCDDP/SNV1999:31). Realizing a need for a separate policy for the indigenous peoples like Chepang he writes, "... the community forest failed to address Chepangs' immediate needs. Government formulated the concept of Leasehold Forestry considering community forestry unsuitable for forest-based communities. His Majesty's Government's forest policy is not suitable for indigenous communities. It needs to formulate a separate forest policy for indigenous communities" (SECAOW and PCDDP/SNV1999:31). Recently, HMG-Nepal have decided to make some changes in forest policies and accordingly such *khoriya* shall be turned into lease-hold



forestry that requires at least 5 members to use it. What is good about the plan is that income generating activities can be done but what is bad is that crops can not be cultivated in such forest lands. This means, overwhelming majority of Chepangs will be negatively affected in their livelihood. They feel very insecure about their life and livelihood.

Similar story is of the Bote/Majhi of Chitwan. They live in the forest near the bank of the Narayani river. They make their living by collecting roots and tubers in the forest and fishing in the Narayani river. Bote/Majhi like Chepangs and other forest dwellers collect *taruls/vyakurs* (*Discorea sp.*), taro (*Colocasia esculenta*) and bamboo shoots (*Bambusa sp.*) (see Sherchan 1999:40). Bote's livelihood is badly affected by the rules and regulation of the Royal Chitwan National Park because they have lost their customary land rights and lost their livelihood due to Park policies that prevents these people from their traditional rights of collecting roots and tubers, fodder and firewood from the forest and fishing in the Narayani river (Chemjong 2000:10). Almost all Botes are landless from their own land as they were the true owners of the jungle in the past. What is worst is that they get punishment if something goes wrong with wild animals and alligators in the Narayani river. They, therefore, wonder whether they or the animals and the dominant castes have the right to live.

Some NGOs are helping forest dwellers like Chepangs and Bote/Majhi to be organized and fight for their due rights. The demands made by forest dwellers are as follows:

- customary rights over their forest, water, land, and pasture,
- registration of their forest and land in their names,
- access and control to and benefit from national parks and conservation areas,
- use of indigenous knowledge in the management of Parks and conservation areas,
- amend all the Acts, laws, by-laws, rules and regulation which are insensitive or are against the interest of all forest dwellers, and
- citizenship certificates.

**Tribals who have been Dispossessed from their Forests and Lands and Now become Forest Dependent.** In the last 230 years, many forest dwellers have been displaced from the forest and their traditional homeland. By now they have become either forest dependent or landless. As there are many such groups, I will discuss how it happened with illustration from the Limbus of eastern Hills, the Tamangs of the central Hills and the Sherpas of the central mountain.

According to Regmi (1999), *Kipat* lands of all indigenous ethnic groups, except of the Limbus, were abolished by the 1940s because most of them lived in less strategic regions and they were not unified against the central rule. Limbus lost their *Kipat* land in the late sixties immediately after the introduction of land reform program by King Mahendra under the partyless Panchayat political system. Caplan (1990:138-9) writes, "I was told that after the abolition of *kipat* the 'Limbus has no name. We became beggars- with no place, no land. How can there be Limbus without *kipat*?'". Caplan (1990:135-6) writes, "It is likely that until the 18th century the Limbus, like many 'indigenous' groups of hill dwellers, practiced a form of slash and burn, or shifting cultivation, but even with the adoption of plough agriculture, probably as a result of contact with non-Limbu migrants entering their territories, the Limbus retained this clan-based system of land holding (frequently referred to, inappropriately, as communal tenure)." In his book **Land and Social Change in East Nepal A Study of Hindu-Tribal Interface** Caplan has analyzed in detail how Limbus, the tribals of eastern Nepal were forced to lose their land by the Hindu Bahun-Chetris with support of the state machinery. Caplan writes,

*"The economic interdependence of Limbus and Brahmans arises, like the cleavage dividing them, out of the confrontation over land. Since the turn of the century the*

*majority of Limbus have found it impossible to maintain their level of consumption and meet minimal social obligations without resort to borrowing from Brahamans and, to a lesser extent, other non-Limbus. The creditors, whose numbers have increased, are in need of additional areas to cultivate and demand, as security for their loans, that the kiptat lands of the Limbus be given them under usufructuary mortgage. In other words, the creditors assume the rights of usufruct pending repayment of the loan. The circle is as cumulative as it is vicious. As they go further into debt, the Limbus are forced to mortgage more and more land; and as they lose access to their lands, they cannot earn enough to repay the mortgages."*

Like the Limbus, the Tamangs also owned *kiptat* land but it was abolished long time back. During the 104 years of Rana rule, the Tamangs were neither permitted to join in the British army nor to work in the government offices, except as *Pipa* (porter). In the recent times, the National Parks and conservation areas have negatively affected them. The Tamangs, who live in the Langtang National Park, live in poverty since they lost their traditional rights on their land, pasture, and forest after the establishment of the Park. Although natural resources are abundant in the Park but access to and controls of those resources by the indigenous peoples are unjustifiably restricted if the villages are inside the Park. Tribals or indigenous peoples had no problem of food before the Park came into existence because they had full access and control over their forest, pasture, land and water. After the establishment of the Park, park officials care more about birds, animals and tress but not the tribals. They, therefore, are helpless to do anything against the birds and animals so as to prevent their farming from destruction. Many villagers have left cultivating their land because animals and birds of the Park destroy crops. If animals somehow die in the park, the park officials suspect the villagers, detain, harass and punish them. On the contrary, if villagers die without food no one really cares. Thus the livelihood of these Tamangs is very much threatened. Tribals, both men and women, are often abused by the park officials, including the forest guards. Tamang (2000:42) writes, "The park officials confiscate their tools such as *Bancharo* (axes), *Aansi*, *Khukuri*, *namlo* and *doko* (basket); paying fines in cash; imprisonment for a few days; and in the past, men were striped off and dip their head in cold water as punishment. When the villagers hear such story of abuses, they send their women family members to collect freeloads and fodder from the forest. Although, forest guards and other park officials do not physically abuse them, they usually confiscate their tools as well." The tribals express their anger against the Park officials because police make inquiries if animals are killed but not if the villagers are killed by wild animals. They, for very good reason, ask: "Who has right to live? Animals or the tribals?" It is in this scenario that the Tamangs, who live in the Langtang National Park, asked King Birendra during his visit in the village, whether they or the animals have right to live?. The villagers say that the King never gave any reply. it should be recalled that many Tamangs still live inside and outside the Park.

The story of livelihood of the Sherpas is not different from other tribals. Sagarmatha National Park was established in 1976. Brower (1991) writes, "When rumors of impending park status began to circulate in Khumbu, people started to worry. Some expected to find themselves forcibly evicted from their homeland, which had been the fate of residents of Royal Chitwan National Park . . . Sherpas went into their forests, disregarded their own traditional proscriptions on indiscriminate felling, and stockpiled fuel wood and building timbers that today are stacked, rotting, in dozens of front yards" (Brower 1992:178). Brower further writes, "Although most Sherpas were ready enough to get rid of goats, the process caused some misgivings. "Today the park takes goats -- next time maybe the *zopkio* [crossed yak-cow males]." That was a common sentiment in the aftermath of goat removal, which helped contribute to a lingering climate of distrust about the institution and administration of the national park. Many Sherpas see the park as intrusive, arbitrary, insensitive, even stupid. "Why worry about those goats," some Sherpas

wondered, "when it is *zopkio* that eat the young fir trees?" (Brower 1992:179). Cochester (1997:128) writes, "resentment among Sherpas at the imposition of the Sagarmatha National Park (Mt Everest) and the undermining of traditional commons management practices led to an acceleration of forest loss. Local elders estimated that more forest was lost in the first four years after the park's creation than in the previous two decades."

The forest dependent tribals have made the following demands:

- ethnic autonomy and right to self-determination,
- customary rights over their land, water, forest, pasture, mines and indigenous knowledge system,
- preserve and promote intangible cultural heritage,
- secular state,
- stop the process of globalization and liberalization and promote the process of indigenization, and
- end the domination of one caste, one religion, one, culture, one language, and one dress.

## **5. Common Issues of Sustainable Livelihood**

Some issues of tribals in Nepal and South Asia that has direct bearing on sustainable livelihood are common and some issues are typical of Nepal but within Nepal some are common of all tribals and some are different with different tribals. Four common issues of sustainable livelihood that I believe more significant are land alienation, displacement and deforestation, loss or exploitation of indigenous knowledge system, and lack of resistance, organized movements and insurgency.

### **5.1 Predatory State and Market or the Processes of Globalization and Liberalization**

In Nepal the nature of both state and market or the processes of globalization and liberalization have been predatory. I believe that the tribals of other South Asian countries find themselves in similar situation. The Nepalese state has been predatory since 1768 and market has been predatory since the fifties but with more intensified effect since the mid eighties. The Nepalese *Bahunbadi* state is weak but as far as destroying the tribals' livelihood is concerned, unfortunately, it appears to be very strong. Similarly, the powerful process of globalization and liberalization has affected negatively to all the Nepalese people but more so to the tribals. I believe that other problems facing the tribals of Nepal are just the offshoot of this problem.

### **5.2 Land Alienation**

The process of tribal land alienation is common in the South Asia region; Nepal is no exception. In Nepal the process of land alienation began since 1768 with introduction of *Birta* (assignment of income from the land by the state in favor of Bahun-Chhetris to provide them with livelihood) and *Jagir* (land assignments to government employees, who mostly happened to be Bahun-Chhetris, as remuneration) and abolition of *kipat* land tenure systems. Many tribals, including Baramu, Bhote, Chepang, Danuwar, Gurung, Hayu, Jirel, Kumhal, Lepcha, Majhi, Majhiya, Pahari, Rai, Raji, Sunuwar, Tamang, Thakali, Thami, and Yakha had customary occupation of land under a communal ownership called *kipat* but all of them, except, Limbus, lost it from 1768 to 1950 (Regmi 1999:88). Limbus were the last survivor of *kipat* as they also lost it in the late sixties in the name of land reform program implemented by the partyless Panchayat rulers.

The process of land alienation of tribals in Nepal was historically different from that of other South Asian countries. For example Indian tribals' land alienation process began with the British rule and it was accelerated due to Green Revolution and expanding industrialization (see Bhengra, Bijoy and Luithui 1998; Gain 1995; MRG 1999a; 1999b; and Timm 1991). Nancy Peluso has rightly noted, "the conventional conservation approach alienates lands to the state, and the state may then go on to legitimize serious human rights abuses against those who resist state control in the name of an internationally sanctioned conservation ethic" (see Cochester 1997: 111).

In Nepal neither we have seen any Green Revolution nor any noticeable expansion of industries. One can, however, anticipate that if the predatory state continues its predatory policy against the Nepalese tribals, both possible Green Revolution and expansion of industrialization would further alienate tribals' land. Such a negative process could be stopped through proper legislation and policies if there is enough political will power to do so for the sustainable livelihood of the tribals.

### **Displacement and Deforestation**

The similar processes of displacement and deforestation have affected the livelihood of many tribals in Nepal (an in other South Asian countries). MRG (1999a:19) has rightly noted that displacement "pushes tribal and indigenous peoples out of their community without any

preparation and without any resources," whereas deforestation "deprives them of their livelihood but some resources, i.e. forests, remain." For the tribals of Nepal, whether it is autocracy of the Ranas and the partyless Panchas or the newly regained multi-party political system or democracy it has not spared tribals from displacement.

For the tribals of Nepal and other South Asia, increasing democracy, "development," development projects and high-tech, including big dams and hydro-power projects, industrialization, protected areas, including national parks, conservation areas and wildlife reserves, and in the case of other South Asian countries, independence mean more displacement of tribals from their land. They, like tribals of elsewhere become, following Bodley (1982), "Victims of progress." The impact of displacement and deforestation is so severe that many tribals in desperation of making livelihood migrate to urban areas of Nepal or to India in search of cheap labor works and many unlucky ones end up as *Kamaiya* (bonded laborer) and many tribal girls/women are trafficked in Indian brothels. Similarly, Rautyes, the last nomad of Nepal, are facing severe problem in making their livelihood due to rapid deforestation and rules and regulations of both protected areas and community forestry.

### **Loss or Exploitation of Indigenous Knowledge System**

Tribals are rich in indigenous knowledge system. They possess very precious tangible and intangible cultural heritage that has been passed from one generation to another.

Different tribal communities have their own mother tongue, folk culture, including folk literature, folk beliefs and practices, folk dance and music, folk art and artifacts, folk tools, folk games, folk food, clothing and housing, fair and festivals, and life cycle rituals, and traditional healing practices. Some of these were already lost. For example, the last speaker of the Kusunda language died in 1986. Many such tangible and intangible cultural heritage are very much threatened, many others are potentially threatened and very few are relatively secured but that too may be potentially threatened if nothing is done for its preservation and promotion. It is now realized by all, including UNESCO, that intangible cultural heritage has direct bearing on human security and sustainable livelihood. If such heritage is tribals, the custodians of such heritage, lose human security. Similarly, if such heritage is threatened or potentially threatened then obviously the human security of tribals, that is, the custodians of such heritage, is threatened or potentially threatened. For example, Sherchan (1999:43) has noted, "Well known in the country and abroad is the knowledge of Honey Hunting by Gurung and Magar community in the western Nepal. These communities have cherished a long history of the art of honey hunting from wild bee hives in the most difficult hill slopes which is comparable to hunting swallows' nest in Thailand. The Tamangs of Rasuwa also had the honey hunting, but because of the prohibition by National Park and Conservation Project, the system no longer existing."

Tribals have mastery over forest food products, medicinal herbs and sustainable environment. There are many individuals, groups and indigenous organizations who possess precious such precious knowledge. Due to the predatory nature of both the state and the market, particularly the powerful process of globalization and liberalization, many such knowledge continue to either disappear or exploited by the greedy outsiders, including pharmaceutical companies and other multinational companies. The state has been denying granting customary rights to tribals and promoting intellectual property rights in the forms of copy right, patent, trade mark, plant breeder's right and farmer's right. Such cold attitudes of the state towards the tribals have helped multinational companies to exploit the tribals or reap the harvest from tribals' indigenous knowledge but such practices have damaged the very sustainable livelihood of the tribals

themselves. It is very unfortunate that "indigenous peoples are denied of access to the genetic resources conserved *in-situ* and *ex-citu*" (Sherchan 1999:47).

### **5.5 Lack of Resistance, Organized Movements and Insurgency**

Given the nature and gravity of suppression, oppression, domination, subjugation, and exploitation of tribals by the *Bahunbadi* rulers in Nepal so long and so deep that the tribals should have already staged several insurgencies and revolutionary movements but so far powerful organized resistance has been absent. Among the tribals, forest dwellers are very passive as far as organized protest movement is concerned. Among such groups, recently, Chepangs have begun to organize themselves in various organizations such as the *Nepal Chepang Sangh* and *Nepal Chepang Chyoksana Sangh*, and the *Musahar Kalyan Samiti*, in the case of Botes/Majhis. The organizations of both Chepangs and Botes/Majhis are member of the Nepal Federation of Nationalities (NEFEN) with 31 affiliated member organizations. Most of the tribals who have been dispossessed from their forests and lands and who have now become forest dependents have their individual organizations and most of them are affiliated with the NEFEN. They all have been collectively demanding with His Majesty's Government of Nepal for ethnic autonomy and right to self-determination, language equality, abolition of compulsory Sanskrit curriculum in school education, positive discrimination, secularism, customary rights, transformation of the Upper House of the Parliament to the House of Nationalities, promotion and preservation of language and culture, Native Title Act, customary rights and so on.

Cochester (1997) has noted that most indigenous peoples themselves demand right to self-determination in accordance with the international human rights documents. This is true in Nepal also. Many organizations of tribals have made such demands. Although His Majesty's Government of Nepal has unconditionally signed on International Covenants on Civil and Political Rights and on Social, Cultural and Economic Rights on May 14, 1991, the official government position is against the right to self-determination.

Tribals have either waged or still waging insurgency activities, very strong organized movements and resistance in India and Bangladesh. Its examples include the movement of autonomy by the Mizo, Boro and Naga in the north-east region of India, Jharkhand and Uttarkhand movement in northern India, and insurgency and counter-insurgency movement in the Chitagong Hill Tracts in Bangladesh. In Nepal we have not yet seen any tribal movement of such magnitude. However, in the last four or five years, with the rise of Maoist People's War waged by the Nepal Communist Party (Maoist) led by Prachanda and Dr. Baburam Bhattarai many peoples of various tribal communities have personally joined in class war blended with caste/ethnicity, gender and region, many tribals have joined the insurgency movement because the Maoists have declared that they would grant ethnic autonomy and right to self-determination to the tribals.

## **6. Conclusion**

Tribals in Nepal, like their counterparts in other South Asian countries, have been continuously marginalized, exploited, suppressed, oppressed and dominated by state and market. Tribals are the custodians of precious bio- and soci-cultural diversities from time immemorial. In Nepal, the state policies of the past and present and development programs along with the process of globalization and liberalization both cultural and human security of tribals have been constantly threatened. The livelihoods of some tribal communities are seriously threatened and others are potentially threatened. Land alienation, displacement and deforestation, loss or exploitation of indigenous knowledge system, and lack of resistance, organized movements and insurgency have further exacerbated their problems of sustainable livelihood. There is an urgency to do something for the tribals of Nepal. The primary responsibility is of His Majesty's Government to stop ill

treatment to the tribals and act positively to fulfill their legitimate demands. Similarly, instead of imposing market related conditionalities by donors and ultimately doing nothing significant in helping tribals they should transform themselves into doers who can do every thing reasonably significant for the sustainable livelihood of the tribals. The Nepalese civil society also should be fully sensitive towards the problems facing the tribals. I, however, firmly believe that tribals themselves should be organized and united to struggle for reclaiming their rights. For this, conscious members of the community, who may be few, should raise awareness of fellow community members, and expand the movement at the grassroots level.

It is really an irony that tribals of Nepal who have been asking, whether tribals or animals and the dominant groups have right to live ? I believe that the government, donors, market and civil society should be able to answer it correctly in time. If not, neither it is good for the humanity nor for the country/society.

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