

Endangered Hayu Culture in Nepal; Historical Legacy of Marginalization

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Abstract

This paper explores the rich cultural history of the Hayu people of Nepal, emphasizing the significant impact of their ongoing marginalization. Officially recognized by the Nepalese government as one of the most vulnerable ethnic groups, the Hayu face numerous social, economic, and political challenges. These issues are deeply rooted in systemic discrimination, notably the caste hierarchy formalized by the 1854 AD Civil Code, which labelled the Hayu as "Masinya Matawali" or enslaveable alcohol drinkers. This historical marginalization has contributed to restricted access to education, employment, and essential services for the Hayu community. Drawing from both historical and contemporary data, this paper examines the intersection of Hayu cultural identity, marginalization, and survival. It highlights briefly their unique language, traditions, and clan systems while stressing the urgent need for reforms to protect their cultural heritage and improve their living conditions. The study aims to provide a deeper understanding of ethnic marginalization in Nepal and advocate for inclusive policies for all indigenous minorities and endangered.

Keywords: cultural preservation, endangered, ethnic minority, Hayu culture, marginalization,

Introduction

The Hayu, along with other vulnerable communities such as Kusunda, Raute, Kisan, Meche, Bankariya, Surel, Raji, Lepcha, and Kuswadiya are classified as endangered by the Social Security Act of 2018. According to the National Foundation for the Upliftment of Aadibasi/Janjati (NFUAJ) Act of 2002, indigenous communities are recognized for their distinct languages, customs, and cultural identities. Ethnic identity, according to scholars like Smith (2000), is shaped by shared experiences, ancestry, and cultural practices such as language, religion, and social customs. Most scholars emphasize that although identity is deeply anchored in a society, thus leading to a strong emotional attachment to identity markers like language and language is not the only crucial aspect of minority group identity (Fishmann, 1999). Unfortunately, marginalized groups like the

Hayu are often denied these basic human rights, and their cultural heritage is slowly disappearing.

Despite the Hayu's unique characteristics and rich culture, they have faced severe challenges stemming from historical and systemic exclusion, particularly due to social hierarchies established by the 1854 Civil Code. Even today, the caste system has strong roots in Nepali society (Kafle, 2021). This marginalisation has restricted their access to education, economic opportunities, and essential services. To qualify the above-mentioned points the British scholar B. H. Hodgson (1858) highlights the dire conditions of the Hayu. Hodgson documented the Hayu's extreme poverty and warned of their gradual extinction (Hodgson, 1858). Further looking back at the historical legacy and evidence, a rigid caste system based on Hindu religious epics was imposed by Jayssthi Malla a medieval king (1382 to 1395 AD) of Nepal (Kafle, 2021). Since then it has continued and over time evolved its nature as socio-cultural norms and practices. Although caste-based discrimination was officially abolished in 1963 by the constitution, however, the caste-oriented society has continued to represent a strong foundation of social hierarchies and social division (Haug 2008). In addition to the strong hierarchical order, the feudalistic orientation of society perpetuated and further strengthened the authoritarian nature of the state over a long period. Which often causes the Hayu to feel pressure, unwarranted, unfair, overwhelming, and too often discrimination.

Methods and Materials

This article is predominately based on field-level primary qualitative data and takes into account secondary sources i.e., various academic dissertations, peer-reviewed journals and other relevant theories and literatures. An interpretive paradigm is characterised by a concern for the individual, where a person (the researcher) tries to understand the subjective world as experienced by another person (Cohen, Manion, & Morrison, 2018). In this article's methodology is built on a qualitative, interpretive framework that emphasizes understanding the subjective experiences of marginalized individuals through fieldwork and theoretical analysis. The interpretivism paradigm provides the theoretical lens through which the data is interpreted, while the researcher remains committed to a value-free analysis even though the researcher himself belongs to the Hayu community. This study is highly relevant at this point of time because, most of the available Hayu related literatures are largely generic in nature therefore, it tries to reveal in-depth historic analytical insider perspectives and unpacked new socio-cultural dimensions rather than general ones. Ultimately, the article seeks not only to document marginalization but also to provide academic recommendations for meaningful interventions aimed at addressing these deep-rooted socio-cultural historical issues.

Finding and Discussion

Discourse on Marginalization

Nepal is a country of rich linguistic and ethnic diversity, with over 120 languages spoken across various ethnic groups (Regmi, 2021). Despite this cultural wealth, many indigenous

groups, such as the Hayu, have faced historical marginalization and exclusion from state support. This discriminatory classification reinforced the exclusion and marginalization of Indigenous and ethnic minority groups. The biases rooted in these caste-based divisions were further propagated through negative stereotypes that became entrenched in Nepali society. Songs, proverbs, and folklore perpetuated harmful images of ethnic minorities, describing them as "dumb," "incompetent," "lazy," and "problematic" (Thapa-Magar, 2000; Lawoti, 2008). These stereotypes not only dehumanized these groups but also legitimized their exclusion from state institutions and opportunities. The roots of this marginalization date back to the Malla Dynasty who ruled Nepal from 1382 to 1395 AD King of Kathmandu, Jaysstithi Malla. He was the first ruler who introduced the caste system in Nepal. The caste system was then continued by later Dynasties and rulers. The 1854 Civil Code (Legal Code) is the significant one in Nepalese history which institutionalized caste-based discrimination and entrenched social hierarchies, further pushing indigenous groups like the Hayu to the margins of society. The 1854 Civil Code classified Nepali society into rigid hierarchical groups, giving rise to deep-seated discrimination. The Hayu were classified as "Masinya Matawali," or "enslavable alcohol-drinking castes." This designation, along with other similar classifications, perpetuated their oppression and allowed for their enslavement, legally codifying their marginalized status in society. The caste-based hierarchy divided Nepali people into four categories (Hofer 2004):

- a. **Sacred Thread-Wearing Castes (tāgādhārī):** This group included the upper-caste Hindus such as Bahun (Brahmins) and Chhetris, as well as high-caste Newars. They occupied the highest social status.
- b. **Non-Enslavable Alcohol-Drinking Castes (namāsinyā matuwālī):** This group consisted of ethnic groups like Magars and Gurungs, who, while not being part of the upper caste, were still considered relatively privileged and eligible for military service.
- c. **Enslavable Alcohol-Drinking Castes (māsinyā matuwālī):** This category included many ethnic groups, such as the Hayu, Majhi, Danuwar, and others, who spoke Tibeto-Burmese languages. They were considered lower in the social hierarchy and were legally subject to enslavement.
- d. **Water-Unacceptable but Touchable Castes (pāni nacalnyā choi chiṭo hālnuna parnyā):** This group was made up of castes who dealt with impure substances by profession, such as leather workers, but who were not deemed untouchable.
- e. **Water-Unacceptable and Untouchable Castes (pāni nacalnyā choi chiṭo hālnuparnyā):** This group included the most marginalized people, who were considered so impure that their mere touch would require higher castes to purify themselves. This group also included Muslims and Westerners.

For the Hayu, this historical discrimination has had long-lasting consequences. For generations, they have faced social stigmatization, which continues to affect them today.

One of the most common and hurtful experiences the Hayu people endure is the questioning of their identity by others. Often, when introducing themselves, they are met with ignorance or dismissal, with people asking questions like, "What is Hayu? Are you similar to Rai?" Such questions reflect a lack of understanding and reinforce a discriminatory mindset that denies the distinct identity of the Hayu people, further isolating them socially.

In addition to these everyday humiliations, the Hayu community continues to experience exclusion from vital resources and opportunities, particularly in the areas of education and employment. While Nepal has adopted more than 7 constitutions since 1854, the recent ones in 1990, 2007, and 2015, which attempt to address issues of inequality, the practical implementation of these rights has been inconsistent, for this, it took almost 170 years to realise the reality of ethnicity, cultural and linguistic diversity. The 2015 constitution guarantees equal rights for all citizens, regardless of caste, culture, or religion, but for marginalized communities like the Hayu, these constitutional promises have not fully translated into real change. Discrimination remains pervasive, leaving them trapped in cycles of poverty and exclusion.

The historical marginalization of the Hayu people highlights the significant gap between constitutional ideals and the lived realities of Nepal's ethnic minorities. While efforts have been made to address inequality on paper, the systemic and cultural discrimination that indigenous groups like the Hayu continue to face underscores the need for deeper social change and meaningful implementation of legal protections. Until such changes are made, the Hayu and other marginalized groups will continue to struggle against the enduring legacies of Nepal's caste-based discrimination and societal prejudices.

Hayu Population and Distribution

The Hayu community is concentrated in eastern Nepal, particularly in the districts of Ramechhap and Sindhuli. According to the 2021 census, their population stands at a mere 3,059 individuals, representing 0.01% of the country's total population. Many Hayu people have been forced to leave their traditional homelands not only due to extreme poverty and difficult living conditions but also the oppressive environment at their origin places by ruling class families, they have migrated to other areas like Bhojpur, Udayapur, Siraha, Sarlahi, Mahottari, and Kavre. Though scattered across different regions, the Hayu people continue to strive to maintain their cultural identity and traditions, but the threat of losing their language and customs remains a pressing concern due to their vulnerable situation.

Population distribution by geography and Hayu language speakers:

SN	District	Total Population	Male	Female	Language speakers
1	Bhojpur	15	6	9	-
2	Sunsari	13	8	5	-
3	Udayapur	45	21	24	-
4	Siraha	16	8	8	-
5	Mahottari	41	22	19	-
6	Sarlahi	160	76	82	-
7	Kathmandu	92	47	45	-
8	Bhaktpur	23	10	13	-
9	Lalitpur	48	23	25	-
10	Kavre	71	28	43	-
11	Sindhuli	1771	841	930	-
12	Ramechhap	719	358	361	-
Total		3069	1486	1583	1133

Source: National Population and Housing Census, 2021.

Hayu Clans and Social Structure

The Hayu people maintain a unique clan system that plays a significant role in their social structure and cultural practices. The term "Hayu" refers both to the people and their language, which they call 'Wayu da: bu'. Their society is organized into clans, each with distinct roles and responsibilities, particularly in marriage and ritual ceremonies. The major clans include Dophom, Yakhkum, Balung, Kamalescho, Dinticho, Bagalescho and Kosino among others, with sub-clans linked to these larger groups. Further detail is presented in below. A clan is a social group that consists of people who share a common ancestry or kinship. It is a form of extended family structure where members are connected through blood relations or marriage. Clans are typically larger than nuclear families and are often based on lineage or descent. These clans and their traditions are vital to the preservation of Hayu culture, but their continuity is under threat due to the community's marginalization and decreasing population.

Major Clans

1. Dophunm
2. Yakhkum
3. Balung

Sub-clans

- 1.1 Becherescho 1.2 Bagalescho 1.3 Roschinge,
1.4 Kharapunche, 1.5 Pung Puncho, 1.6 Sohorbhaiya
1.7 Bhedabare
- 2.1 Isowre, 2.2 Guhare 2.3 Phunka, 2.4 Bahundhoko
- 3.1 Rime, 3.2 Mathe 3.3 Machhane 3.4 Swajati

4. Kamalescho	4.1 Mahbo, 4.2 Relinge
5. Dinticho	-
6. Konsino	-

(Source: Field data)

Overview of Hayu Culture

The Hayu have a rich cultural heritage characterized by unique customs, festivals, and religious practices. Their language, part of the Kiranti language group, is critically endangered. The first linguistic data on Kiranti languages were collected by orientalist and British Resident in Kathmandu, Brian Houghton Hodgson, (1857, 1858) who published word lists of 18 Kiranti languages, including Hayu. According to Michailovsky, (1973), “Hayu language appears to be closely related to some of the language called ‘Rai’”. The Hayu language belongs to the Trans-Himalayan (Tibeto-Burman or Sino-Tibetan) family and is part of the Kirati language group. Regarding Hayu festivals, such as Ongchhimi Rani Puja and Bhume Puja, are deeply connected to their agricultural practices and spiritual beliefs, reflecting their harmonious relationship with nature. Other major cultural festivals' names are presented below. However, with the declining number of Hayu language speakers, these cultural practices are also at risk of being lost.

- a) Ongchhimi Rani Puja
- b) House's God Puja / Pitri Puja (Ghar Devata Puja)
- c) Sikari Puja
- d) Bhume Puja
- e) Others

A key part of the Hayu culture is the Chabai folklore or Chabai culture, which guides their entire cultural practices and traditions. More importantly, Chabai narrates the history of the Hayu people, including their origins and ancestry or kinship as well as their other stories. There hasn't been research yet on the Chabai culture. While in its very simplest sense, the Hayu worships natural deities and spirits, with rituals often performed by spiritual leaders known as “Phoncho” or Priest.

Subsistence farming remains the primary livelihood for many Hayu families, though they often lack sufficient land. They traditionally cultivate crops like maize, millet, buckwheat, Sorghum, horse gram and legumes but their reliance on outdated farming practices has exacerbated their economic struggles. Despite these challenges, the Hayu people continue to practice their rituals and uphold their cultural identity, even as they face increasing pressure to assimilate into mainstream Nepalese society.

An interesting aspect of their culture is the significance of Kaguno (foxtail millet), which holds deep cultural value and is essential for major rituals such as House's God Puja/Pitri Puja (worship to ancestors) and other ceremonial practices. The oldest evidence of foxtail millet cultivation was found along the ancient Yellow River in China (Houyuan Lu et al., 2009), suggesting that the Hayu might be among Nepal's oldest settlers. Their festivals also seem to be of ancient origin, often functioning as rituals aimed at securing their

territory. For instance, during the Ongchhimi festival, which lasts more than a week, both the Hayu and surrounding communities are forbidden from performing any agricultural activities, including digging and ploughing the fields.

A major Festival

Among the many festivals celebrated by the Hayu people, the Wonchhimi festival stands as the most significant and revered. This grand festival occurs annually, typically alternating between the months of Magh or Falgun (January or February), and spans a full eight days. It begins on the first Tuesday following the new moon and concludes on the following Friday, just before sunset. The entire community comes together in vibrant celebration, making this a time of deep cultural and spiritual significance.

The first four days of the Wonchhimi festival are filled with exuberant dancing and Chabai (singing), centred around a particular house that holds the sacred instruments a drum known as the "Dhol" and cymbals called "Jhyamta." These instruments are essential to the rituals and celebrations, and their presence in a specific house highlights that family's special role during the festival. The dancing and singing are not merely entertainment; they are acts of devotion and cultural expression, passed down through generations.

On the fifth day, which again falls on a Tuesday, the focus of the festival shifts to a shrine dedicated to a vegetarian goddess, who is considered quite particular in her demands. This day marks a special moment of reverence and worship, as the festival is often referred to as the "worship of the goddess." The rituals performed on this day are aimed at honoring her and seeking her blessings for the community's prosperity and well-being. The goddess is vegetarian, which suggests that offerings made to her are free from animal sacrifice and likely include grains, fruits, and other plant-based items.

The final two days of the festival, the seventh and eighth days, bring a spectacular climax to the event. A group of musicians, consisting of three Chabai singers, two drummers, and a cymbalist, along with a group of dancers, tours the village. Their entourage is followed by spectators who eagerly accompany them from house to house. At each stop, the musicians play and sing, while the dancers perform with energy and devotion, all while invoking the blessings of the goddess for each household.

In keeping with the tradition of hospitality and religious offering, the lady of each house they visit serves homemade beer, known as "Jand" in Nepali, to both the performers and the gathered spectators. This act of sharing beer as *prasad* (a sacred offering) is a gesture of communal unity, generosity, and spiritual connection, as it is believed to carry the blessings of the goddess herself. After two days of this lively procession, the festival concludes with the musicians and dancers returning the sacred instruments to their designated place. The festival culminates with the ritual sacrifice of chickens, marking the end of the celebration. This final act serves as a powerful offering, symbolizing the community's gratitude to the gods and spirits that they believe have blessed them during the festival.

The Wonchhimi festival is not just a celebration but a deep expression of the Hayu people's spirituality, culture, and connection to their ancestors and deities. It is a time when the entire community comes together in a harmonious blend of music, dance, worship, and shared ritual, ensuring that the traditions of their forebears continue to thrive in the present day.

Marriages tradition

Though the Hayu claim that cross-cousin marriages are not permitted in their community, marriages are generally arranged either by the families involved or through mutual consent between the bride and groom. Regardless of whether it is a traditional arrangement or a more modern choice by the couple, specific ceremonial offerings are integral to the marriage process. Local beer, local whisky, fish, meat, and a sum of money (cones) are all essential components of the ceremony, symbolizing the sharing of resources and mutual respect between families. One of the key and unique steps in the Hayu marriage process is the brewing of homemade beer at the groom's house. This brewing process takes around 2 to 3 days, during which the family carefully prepares the beer. Once it is ready, the quality and taste are evaluated. If the beer has a sweet aroma and a pleasant taste, it is considered a good sign. Only then does the groom's family feel confident enough to visit the bride's house and formally propose the marriage. The quality of the beer plays a decisive role in moving forward with the marriage proposal. It is considered that convivial use of alcohol and drinks demonstrates their socio-culture significance for people. Homemade beer is also equally important for religious purposes and refreshment for guests in ceremonial functions and families.

Historically, the Hayu practiced the payment of a bride price during marriage rituals. This tradition reinforced the importance of the bride's role within the community and was an acknowledgment of the union's significance. Today, while the bride price is symbolic as prevalent, many of the old customs remain deeply rooted in the culture.

The marriage ceremonies among the Hayu are elaborate, with various steps and procedures meticulously observed to ensure the sanctity and success of the union. One particularly significant aspect is the special attention and respect shown by the groom's family toward the bride's mother. This respect is demonstrated through specific gestures and offerings throughout the marriage rituals, symbolizing honour and gratitude toward the bride's family for their role in raising her and entrusting her to a new family.

Birth tradition

Hayu has a rich set of rituals surrounding the birth of a child, which reflect their deep cultural beliefs and familial ties. One of the most important rituals following the birth of a child is the christening ceremony, which serves not only to welcome the newborn into the family but also to invoke blessings and protection for the child's future. In Hayu culture, the christening process is gender-specific and involves symbolic items that are closely tied to the child's gender. For a baby girl, the ritual requires a hen, while for a baby boy, a cock is used. The use of these animals might be linked to the traditional beliefs in fertility,

strength, and prosperity, which the child is hoped to embody as they grow. The gender distinction in the use of animals highlights the cultural significance placed on gender roles and identity from the very beginning of the child's life.

In addition to the cock, a boy's christening involves a bow and arrow, which carries further symbolic meaning. The bow and arrow likely represent qualities such as strength, courage, and the potential to protect the family and community qualities traditionally associated with men in many indigenous cultures. These items are probably used to convey hopes for the boy's future as a strong and capable protector of his family, and their presence in the ritual imbues the christening with deeper cultural and symbolic resonance.

The ceremony itself is carried out by close relatives, with a particularly important role played by the father's sister, known in Nepali as "Phupu," or sometimes the father's female cousin. This highlights the special position that the father's sister holds within the family structure in Hayu culture. Phupu is seen as a key figure in the child's life, her involvement in the christening symbolizing the close familial bonds that are cherished within the community. Her role also underscores the importance of extended family in the upbringing and support of the child, reflecting the collective nature of child-rearing in Hayu society.

Through these rituals, the Hayu not only celebrate the birth of a new family member but also ensure that the child is anchored within a network of relationships that include both immediate and extended family members. These practices also embody the community's hopes and prayers for the child's health, happiness, and future success. While some of the material aspects of the rituals might have evolved due to changing economic or social conditions, the underlying values of family unity, gender identity, and the symbolic imparting of strength and protection continue to play a central role in the way the Hayu approach the birth of a new child.

Death tradition

The Hayu have a distinctive culture with unique traditions surrounding death and burial. In their traditional burial customs, the dead are interred on their own land in a designated area called 'Khum.' This practice reflects their deep connection to the land and their ancestors. Upon death, the body was traditionally prepared in a sitting position, with the knees drawn up to the chest. This posture might symbolize a return to the fetal position, reflecting beliefs about the cyclical nature of life and death. The body was then transported to the burial site by the son, emphasizing the role of the eldest male child in continuing familial and cultural responsibilities.

Once at the burial site, the body was placed in a five-foot-deep pit, along with essentials like rice and water. These offerings are typical in many cultures and likely served both practical and spiritual purposes: sustaining the deceased in the afterlife and fulfilling ritual obligations to ensure a peaceful transition to the spiritual realm. The grave was then sealed with stones, which functioned as markers and protections for the deceased's resting place.

The mourning and remembrance rituals continued with the killing of a pig the following day, which would have had both symbolic and practical implications, as food and sacrifice are common elements in death rituals across cultures. On the third day, a communal feast was held for the family. During this gathering, special honour was given to the deceased's married daughter, who was fed first and received gifts. This reflects the Hayu's emphasis on kinship ties, particularly the bond between the deceased and their married daughters. The daughter was also escorted back to her own home, perhaps as a way of ceremonially concluding her mourning period and reaffirming her connection to both her family of origin and her marital household.

Additionally, specific rituals were carried out depending on the gender of the deceased. If a man passed away, his son-in-law received a set of clothes, a gesture that likely symbolized inheritance or a passing of responsibility. If a woman died, her daughter received the clothes, perhaps symbolizing continuity and the transmission of the deceased's essence or identity.

One year after the death, another feast was traditionally held, reflecting a long-term process of mourning and remembrance. However, many of these practices have declined due to economic hardship. The killing of pigs, hosting of feasts, and the giving of gifts all require substantial resources, and in more recent times, it has become difficult for many Hayu families to maintain these traditions in their original form. Despite these changes, these rituals underscore the Hayu's reverence for their ancestors and their strong ties to family, land, and community.

All these festivals and rituals are deeply intertwined with the daily lives and traditional values of the Hayu people. Their rituals for birth, marriage, and death are unique, involving distinct cultural terminologies and the adoration of Sikari deities, such as Thokre Sikari, Namrung Sikari and many more. It is also common for them to invoke the names of various kings and queens during these rituals, such as Golma Raja and Golma Rani, or Kalang Raja and Kalang Rani. The reason behind these invocations remains a mystery, raising questions about who these figures were, why their names are repeated, and what significance they hold within Hayu culture and their history.

Conclusion

The Hayu people of Nepal are facing a critical moment in their history. Their culture, language, and traditions are under threat due to centuries of marginalization and systemic discrimination. While recent constitutional reforms promise greater inclusivity, much work remains to be done to ensure that the Hayu and other indigenous groups are granted the rights and opportunities they deserve. Targeted governmental interventions and societal awareness are urgently needed to preserve the rich cultural heritage of the Hayu and improve their socio-economic conditions.

Despite prevailing numerous challenges, the Hayu culture remains a vibrant and essential part of Nepal's cultural diversity. Their resilience and efforts to preserve their heritage

contribute to the richness of the country's multicultural landscape. Policy measures should consider the following points:

- Address issues of humanity and human rights for marginalized groups.
- Implement multidimensional responsive approaches to address complex and intersectional issues.
- Take concrete actions to prevent the loss of historical assets (language and culture) through preventive measures and promotional interventions.
- Securing legal and social rights for marginalized ethnic communities in line with Nepal's international commitments and obligations.
- Improving economic status through targeted income-generating activities.
- Implementing educational programs tailored to the needs of ethnic groups like the Hayu.

By recognizing and addressing the unique challenges faced by the Hayu, Nepal can foster a more inclusive and equitable society for all its citizens.

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