

## **BREAKING OPEN 'CIVIL SOCIETY': SUKUMBASI AND THE CITY**

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This article is an ethnographic account of strategies mobilised by *sukumbasi* (squatter communities) in Kathmandu to meet basic needs such as water and electricity and for claiming landownership rights and citizenship. Particular attention is paid to their organising practices, the building of solidarity and establishing of linkages which, the author finds, are not dissimilar to those of 'mainstream' civil society groups. This observation, in turn, allow the author to highlight the conceptual binaries (such as formal-informal, professional-unprofessional, with the first element of the pair associated with civil society) serving to define 'civil society' in Nepal and their exclusionary character. It is suggested that the concept of civil society be broadened so as to include groups, such as the *sukumbasi*, which do not currently fit neatly into civil society definitions in Nepal.

### **INTRODUCTION**

As the fabled Bagmati river makes its way into the Kathmandu valley from its origin in the northern hills and towards the hills in the southern end from which it exits the valley, it cuts the valley into two cities - Kathmandu and Patan. Sitting atop the Bagmati bridge that links the two cities, a plethora of shacks made out of mud, bamboo, wooden planks, tin and cement stretch as far back as the eye can see along both sides of the river. The riverbank is home to a large number of rapidly growing populations of *sukumbasi* in the Kathmandu valley. This article traces the *sukumbasi*'s everyday practices of livelihood and governance as they struggle to make claims about the right to live in the city. Critically examining such practices has important

implications for reconfiguring the theoretical landscape of 'civil society' as it has gained credence and currency within Nepali mainstream discourse. Doing so is important to expand the political horizons of civil society to encapsulate a broader and deeper range of practices.

In the first section of this paper, I discuss ethnographic findings on how *sukumbasi* communities self-organise in order to meet basic service needs such as water and electricity, and to claim the right to live in the city by demanding landownership rights and citizenship status. I will revisit a one-day international conference jointly organised by 'Society for Preservation of Shelter and Habitation - Nepal' (SPOSH-Nepal)<sup>1</sup>, Society

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<sup>1</sup> SPOSH-Nepal is a national-level organisation of *sukumbasi* that lead squatter populations' federated networks spread over 44 districts in Nepal.

of Women's Unity – Nepal (SWU-Nepal)<sup>2</sup>, and LUMANTI<sup>3</sup> in 2009 in Kathmandu to shed light on the non-local and transnational nature of solidarity and organising prevalent in the *sukumbasi* communities. It is important to highlight this because it goes against a common assumption of *sukumbasi* as being place-based and confined to marginal places in Kathmandu such as the riverbanks. In reality, they have a discursive and relational presence through the networks that extend outside Kathmandu to other cities and town in Nepal and beyond, as well as other spheres of governance. In the second section, I discuss how the ethnography raises conceptual challenges and moral ambiguities in relation to understanding civil society in the Nepali context particularly as the challenges and ambiguities are set against Nepal's theoretical debates on civil society. As a concluding thought, I show that casting aside *sukumbasi* communities and their practices as 'illegitimate', 'illegal' and 'uncivilized'<sup>4</sup> offers only a cursory understanding of *sukumbasi* communities' self-organising. Instead, I argue that moving beyond a dystopian trope of 'slum' and 'slum-dweller' can create openings for understanding *sukumbasi* communities' relationality and similarity with 'civil society'. As it is, practices of self-organising among the *sukumbasi*, rather than being opposite or antithetical to civil society, are reflective of and reflected in civil society.

## BUILDING 'SOLIDARITY' AND FORMING 'LINKAGE'

In July 2009, SPOSH-Nepal, SWU-Nepal, and LUMANTI jointly organised a three-day

international workshop at a hotel in Kathmandu. The conference was attended by representatives of squatters and slumdwellers' organisations from India, Bangladesh, Pakistan, Sri Lanka, Philippines and Nepal. For the participants, the annual conference serve as a platform for exchanging livelihood experiences and the strategies they devise to make their neighborhoods more functional and livable by way of accessing basic services; entrepreneurial identities and subjectivities they enact and mobilise through savings and credits programs; and the alliances that they form with international communities to put pressure on the respective states for land ownership rights. In this section, I will revisit the conference as a way of shedding further light on two key concepts, namely, 'linkage' and 'solidarity'. These concepts came up quite frequently during conference presentations and interactions, and are also widely used in everyday conversation within the *sukumbasi* communities.

'Linkage' refers to the building of relationships with the staff and representatives of local and municipal states, mostly for accessing basic services, while 'solidarity' involves forming alliances with squatter communities spread across several cities and towns in and outside of Nepal. Discussing these terms at length is important because they are quite central to *sukumbasi* everyday life which is managed around addressing urgent short-term needs such as access to basic services, and strategic long-term demands such as obtaining citizenship and landownership.

<sup>2</sup> SWU-Nepal is a national-level organisation of *sukumbasi* women that champion *sukumbasi* women's rights.

<sup>3</sup> LUMANTI is a national level working on urban poverty in Nepal, and is the only NGO to strongly advocate and provide material support for *sukumbasi* demands for housing.

<sup>4</sup> Planners and government officials intimated this to me during interviews.

Many *sukumbasi* members from Nepal emphasise the need to form a better relation of solidarity with Slum Dwellers International (SDI) in order to gain stronger institutional recognition from the Nepali state. SDI is a NGO with a global outreach that connects slum dwellers organisations from the Global South. They work with squatter communities championing and promoting grassroots-based and people driven housing initiatives. *Sukumbasi* communities believe that building solidarity with SDI can give them the political capital necessary to successfully resist potential eviction threats. Such solidarity is also expected to help them gain more legitimacy in the eyes of the State, as one participant expressed "membership of SPOSH-Nepal at the SDI executive board is important for obtaining international support, international presence, and international focus". In the next section, I will discuss how the solidarity invoked here is mobilised discursively to provide pillars to the 'house'.<sup>5</sup> But first, I want to shed some light on the concept of 'linkage'.

## Linkage

Land and citizenship are intimately tied to one another in Nepal. One needs one of the two to be able to obtain the second i.e., to be able to achieve citizenship status, one needs to produce landownership right and vice versa. This contentious relationship between land and citizenship blocks *sukumbasi* communities' formal access to basic services like water and electricity. Access to these basic services falls under municipal citizenship rights, however, a majority of *sukumbasi* communities have no citizenship status and none own land legally. This section therefore charts tactics that the communities mobilise to find access to such services, which is done largely by bypassing municipal laws.

Until not too long ago, *sukumbasi* communities would use the language of "belonging to Nepal as a Nepali" as a way to claim basic services. This language finds common expression, for example:

"The government should declare us Chinese, Indians or Sikkimese and we will happily stop bothering them. But as long as they say that we are Nepali, and not from China or India, we have every right to have land ownership, just like rest of Nepali". (Interview, executive member of SPOSH-Nepal).

It is only recently that squatter communities have found the material basis for claiming basic services. In the last few years, the municipal and local governments have started accepting family ID as evidence of legitimate residence, in lieu of citizenship or landownership documents, for providing basic services. SPOSH-Nepal issued the ID after conducting a survey of *sukumbasi* settlements in the city. Although the local municipality office's recognition of the ID is indicative of growing institutional legitimacy of SPOSH-Nepal, acceptance of the ID as valid evidence is not a straight forward process. It follows a long and sustained struggle for gaining recognition, largely by investing time and effort in building 'linkages' as a way of forming relationships with the local and municipal state.

Locally based neighborhood associations and unit committees (SPOSH-Nepal's local level body) actively pursue 'linkage' by organising blood donation camps, interaction programs and other such events. Well-known and locally powerful government officials and politicians along with journalists are invited to such events. The events are usually a few hours long in which state representatives and politicians speak as

<sup>5</sup> 'House' is a metaphorical reference that *sukumbasi* make to solidarity.

chief guests while *sukumbasi* communities listen and applaud in approval. It is also customary to provide refreshments and sometimes remuneration to the speakers. Such expenses are generally covered by LUMANTI. Journalists have a specific role to play: they are asked to provide adequate media coverage of the events. The events are usually held at SPOSH-Nepal's rented office space in Kathmandu or at LUMANTI's office. The international conferences are held in bigger hotels in the city. Unlike anti-eviction protests and campaigns, these events are collegial and non-confrontational as they are specifically geared toward building good relationship with the state. Such relationships ensures short-term benefits as they help in gaining services at lesser costs. The long-term goal is to obtain legal recognition. As a member of SPOSH-Nepal said:

"If we have a linkage with them, then we easily get those facilities. Else, for basic services, we should have land certificate, or we pay as deposit money more than what is required. Like if the required amount is 1000 rupees, we have to put 5000 rupees, as we do not have linkage. But if we get a good linkage, their only one signature can solve all our problems".

Therefore family ID coupled with already established 'linkage' is a guarantor of access to services like water and electricity at a minimum cost of installation. Here, forming 'linkage' and getting access to services becomes a stage in the movement from temporariness to gaining 'permanence' (Sengupta and Sharma, 2011) in a physical sense. They save the monthly invoice after paying for services fees as 'evidence' of legal residence. The receipts come handy in the future, for example, adding legitimacy to their

demands for land ownership, and during anti-eviction campaigns. It is important to note here that forming 'linkage' becomes a political moment when *sukumbasi* communities create and mobilise relationships with the state representatives to meet their service needs by bypassing municipal laws, albeit through direct endorsement of the state.

### 'House with three pillars'

Members of *sukumbasi* communities that I interviewed often make metaphorical reference to a 'house with three pillars' for solidarity among organisations within the community. Child Development Youth Network (CDYN), SWU-Nepal, and cooperatives led by *sukumbasi* women – 'Gyan Jyoti', 'Nava Deep' and 'Pragati', are the three pillars that provide foundational support to the 'house', which is SPOSH-Nepal, the federated central organisation. A few notes on solidarity are therefore in order here.

### Future leaders

CDYN was initially formed by *sukumbasi* youth as SPOSH-Nepal's "sister organisation" to provide 'informal classes'<sup>6</sup> to children in the *sukumbasi* settlements in Kathmandu. It is, however, not registered as a separate organisation so as to maintain close association and affiliation with SPOSH-Nepal. One member of CDYN is "glad that we (CDYN) are not differently registered because if so we would have lost our identity" (field interview). According to members, forming CDYN is important because the majority of *sukumbasi* children go to state schools that are under-funded and poorly managed. They believe that children's access to quality education is further compromised as most of the parents lack adequate literacy to help their children with school 'homework' while private tuition classes

<sup>6</sup> CDYN members refer education services they provide 'informal classes'.

are hard to afford. It is to address the need of quality education that CDYN started to provide free after-school tuition classes for children. However, over time, this reactive measure has gradually added a proactive layer to its practice. Awareness workshops are now run in conjunction with tuition classes on a regular basis. These workshops aim to add and reinforce 'critical consciousness' among children, youth, and adult *sukumbasi* about the material conditions of their livelihood. As a youth leader/executive committee member of CDYN describes:

"Formal education we get through school/institution – what does right mean, we understand it through learning texts. We only understand the meaning but its application is done here in the community [...] Informal education informed us that education has become a medium through which to connect with each other and share our experiences".

Such workshops serve a dual purpose. First, they have become a space to gather and talk about "what does 'right' mean, what are fundamental rights, what does the new constitution hold" (field interview). Moti Lal, a CDYN founding member, further illustrates the importance of such space in the everyday life of *sukumbasi* communities:

"Whenever our parents go to meetings, they can't understand. Whatever is written in minute book, they don't understand, they just sign and come back. They don't know what is going on inside the hall. I meant to say that if we could create awareness among youth, then they would be able to fight for their own rights. If all are educated, well trained, and are mobilised really well, we can do better than the past".

Second, workshops as a physical space and a political sphere serve as a 'platform' for building future leaders of SPOSH-Nepal. For example, one of the founding members of CDYN, Smita KC, is now a central committee member of SPOSH-Nepal. Many in CDYN cite this as a successful example of leadership building from below; one that helps strengthen their organisational solidarity with SPOSH-Nepal. Transition from CDYN membership to SPOSH-Nepal committee membership follows a procedure. One has to serve as an executive member of CDYN for a minimum of two years before being eligible to hold SPOSH-Nepal executive membership. For Moti Lal, becoming a member of SPOSH-Nepal is like a "dream come true". Many consider themselves as "second generation *sukumbasi*" and CDYN as a breeding ground for producing leaders for SPOSH-Nepal from within the generation.

## Savings

From a reactive group formed to meet emergency needs such as buying groceries and paying for kids' tuition fees, to a network of groups providing loan services, three women's cooperative groups in the *sukumbasi* settlements have gone through a major transition since their formation in 2003. These have been providing loans to their members for running businesses such as street vending, or purchasing land (done largely through informal 'communal' agreement), for traveling abroad (as migrant labors to India, Malaysia and the Middle East) and so on with varying interest rates. In addition, they have extended their services to fund administrative and logistic costs associated with rallies and workshops organised by SPOSH-Nepal, which were mostly intended to put pressure on the constituent assembly writing the constitution at the time of research. But more importantly, sitting on top of a

collective balance of 60 million Nepali Rupees (approximately 1 million Canadian dollars), *sukumbasi* women strategically enact/mobilise this newly acquired entrepreneurial/financial position during meetings and workshops with NGOs and government representatives, as well as during street protests and exhibitions. They cash in on the opportunity such events provide to send out a clear message to the attending representatives:

"It is say to the world that if we are given land tomorrow, we have the savings to work on the land, we have the savings to pay land taxes if need be, it is to say that we are prepared. – Member of a savings and credits groups". The savings and credits groups also gain credibility from a sense that they have contributed towards the education the *sukumbasi* youth. One member of CDYN had this to say about the savings and credits group:

If my mum weren't in savings and credit programs, I wouldn't have passed my class 10 (SLC) also [...] At that time, in my school, I had to pay my school fee, which was around 2500 rupees per year. And I didn't have money. They told me to bring it within a week, if not; they would suspend me and de-list me. She took the loan from savings and credits and I paid the money. I finally passed SLC in first division.

These practices of solidarity as a way to self-manage extends to other spheres of self-organising as well.

## Women's unity

'Saving' is crucial for the *sukumbasi* woman to step out of a 'double subjectivisation' as "a woman with specific roles to play at home [...]

and a *sukumbasi* who is already treated as second class". As indicated in the preceding section, saving allows women to enact empowered entrepreneurial and financial subjectivities, for example, when they display their wealth to state representatives during meetings. Smita KC points to *sukumbasi* women's organised initiative of handing out public punishment to drunk men in the settlements as another instance in which such empowered subjectivities are enacted. SWU-Nepal's role in this is important because it is through the members of SWU-Nepal that the idea of 'saving' was put to work. SWU-Nepal was formed with a goal to build solidarity among *sukumbasi* women, addressing women's rights and issues pertaining to urban poverty "because SPOSH-Nepal's sole focus on demanding for landownership and citizenship status put women's issues on the backburner".<sup>7</sup> 'Saving' in this way was strongly mobilised as a tool for building solidarity. SWU-Nepal, with LUMANTI's support, first put the idea to work in the mid-1990s by visiting different *sukumbasi* settlements in the city. Such visits involved organising women, sharing dialogue and inculcating the value of 'saving' and later creating institutions. After providing initial training to women who were already involved, albeit informally, in savings and credits groups, SWU-Nepal helped turn these groups into registered cooperatives in the city.

Supported by LUMANTI, members of the cooperatives make regular visits to Mumbai, India, for sharing learning with *Mahila Milan*. *Mahila Milan* is an organisation of poor women in India affiliated with SDI. Based in Mumbai, *Mahila Milan* works on issues of urban poverty with a focus on self-managed saving schemes. 'Saving' for *Mahila Milan* has a profound

<sup>7</sup> Smita KC, interview.

"ideological" and "salvational" status; it's like "breathing" (Appadurai, 2002). *Sukumbasi* women from Nepal build on this idea of 'saving' to instill more professionalism in their practice. This practice of sharing is fundamental not only to the effective investment of financial capital, but also to the strategic mobilisation of social and political capital. SDI initiatives and SWU-Nepal added yet another layer to their international solidarity when a new joint national fund was established during the 2009 conference as 'emergency funding' for cooperatives in Nepal.

While the metaphorical reference to the three walls implies 'solidarity' for SPOSH-Nepal, the metaphor itself is not far from the material: the pillars, the walls, and the house together form a spatial imagery of the *sukumbasi* demand for a home. Like a labyrinth that meanders through the scattered houses marking a settlement, solidarity, as it is carefully formed and mobilised materially and discursively, connects seemingly diverse politics across multiple spaces and subject positions to add strength and voice to the central demand of landownership and citizenship status. Such solidarity when traced carefully gives the lie to *sukumbasi* as being place-based identities, spaces, and practices and instead lays bare how they are relationally constituted with identities, spaces, and practices from different spheres, such as LUMANTI and SDI.

## CIVIL SOCIETY IN NEPAL: CONCEPTUAL CHALLENGES

The metaphor of "house with three pillars" is indicative of *sukumbasi* communities' quest for a home, both in a material and discursive sense, as a way to claim space and legitimacy. The formalised procedure evident in self-organising

and self-management resonate with how 'civil society' is, and functions. However, mainstream studies of informal society, large parts of which constitutes the 'slum', and 'civil society' pit the two worlds against each other. As a result, these studies sometimes run into conceptual difficulties and produce an incomplete representation and portrayal of either of the two worlds. One of the ways to broaden the conceptual frontiers of how 'civil society' can be understood in a more fulsome manner is by erasing the imaginary marker that separates binaries of formal and informal, and civil and uncivil. However, mainstream studies of the 'slum' rarely focus on the way practices in the slums overlap as well as mirror those in the more formal spheres of governance, and in the process muddying the water. The Kathmandu case attempts to reveal this relational constitution<sup>8</sup> by discussing the formalised practices on the 'informal' and 'uncivil' terrain of governance in which 'slum' is situated in most of the mainstream urban studies. More critical urban studies that are built on an alternative epistemological foundation for studying slums foreground formalised practices that take place in the 'informal' and 'uncivil' brilliantly, albeit drawing a separated neat and clean sphere in which a 'slum' is placed (e.g. Chatterjee's 'political society' (2004), Appadurai's 'deep democracy' (2002), or Mirafab's 'invented spaces' (2004)). However, I argue that while binaries provide a scope for the analysis, they are also problematic as they end up creating boundaries and in the process reinforcing the imaginary binaries. The ethnographic account of *sukumbasi* communities raises conceptual challenges and generate moral ambiguities as it runs into theoretical formulations of 'slum', or its bourgeois counterpart of 'civil society'. This is due

<sup>8</sup> Conversation with Andrea Nightingale.

to the fact that, while *sukumbasi* communities' self-organising and self-management practices find a place in 'slum' theory, they are also not 'out of place' when one is consciously situated within what is known as 'mainstream' civil society. I now turn to this debate.

In much of the planning and development literature, civil society is construed as a sphere that is separate from the state and the market and a crucial force for building democratic societies (Douglass, 2003; Friedmann, 1998). The origins of this interpretation lie in the Tocquevillian conception of civil society as a social space separated both from the (liberal-democratic) state and the (capitalist) economy, comprised largely of 'voluntary associations', such as 'families, churches and neighborhoods' (Ninglekhu and Rankin, 2006).

It would be fair to suggest that such liberal interpretations have found resonance in the mainstream works that have endeavored to define civil society in Nepal. In trying to understand civil society better, much of the effort is invested on the role they play in strengthening processes of instituting development and democracy (Dahal, 2001). Thus, groups, organisations and associations that promote trust and reciprocity by the virtue of 'associational life' normally find credence in debates about civil society in Nepal. Dahal (2001), for example, sheds light on myriad groups and organisations that fall under civil society albeit belonging to different 'societies'; self-help groups and NGOs for example are categorised under 'development', while groups such as *Guthi* and Tharu Welfare Society fall under social and cultural associations. There are more.

Other scholars have pushed the frontiers of civil society further to highlight its contentious nature. For example, Hachhethu<sup>9</sup> highlights the sporadic nature of civil society when it becomes alive only during specific political moments (such as the 2006 peoples' movement) while remaining dormant at other times. Also to note in his work is the institutional alliance of civil society organisations with political parties. Such alliance, Hachhethu cautions, tends to restrict the political potentials of civil society by defining its goals and aspirations along partisan lines. Because of such tendencies, Hachhethu argues, civil society is more equipped to influence macro-scalar changes as opposed to transition at an everyday level. While such distinctions such as those presented by Dahal and Hachhethu might help add some clarity when imagining civil society, as it actually exists, the tendency to focus on a narrowly defined portion of civil society only highlights some of its 'benign' or 'formal political' qualities. This invites us to ask questions about the exclusion of groups, organisations, and communities that do not fall under the ambit of 'formal governance' but are somehow co-constituted with such formal spheres. It is on this problematic that some critical theorists have focused their attention, to which I now turn.

Tamang (2003) highlights the problematic conflation of civil society with NGOs by first emphasising that NGOs (including civic groups), rather than fostering reciprocity and trust among groups, promote competitive behavior between different organisations and groups. Second, because NGOs are generally devoid of the emancipatory democratic potential expected of civil society, conflating NGOs with civil society casts our focus away from other

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<sup>9</sup> n.d.

myriad forms of civil society that have such potential and our ability as ordinary people to imagine ways to participate in democratic processes through spheres beyond civil society. In Tamang's call, there is also an emphasis on integrating ethnographic findings to critically engage with our obsession with civil society. Tamang's call for integrating ethnography is in line with Shah's (2008) emphasis on "messy but rich descriptive analysis" informed by ethnography in order to reconceptualise civil society. While the calls these scholars make are conveniently in line with this paper's focus, which is to bring ethnographic findings to bear on civil society in order to expand the conceptual frontier, this is where the convenience ends because expanding the frontiers is taking place from within the sphere of what defines 'civil' or 'formal'. These scholars have certainly added new insights for understanding and critically questioning Nepal's civil society. However, they do not unpack the idea sufficiently to understand the particular ways in which civil society as a formal sphere of democracy and governance is related to what is known as the 'informal sphere'. Focusing on such particularities can reveal how civil society is relationally constitutive of other 'informal' and 'uncivil' political spheres and how, through this, civil society produces its institutional identity. In fact, the two cannot be cleanly separated. For example, while civil society/NGOs such as LUMANTI provides a material basis for building the 'house of pillars' that is central to *sukumbasi* communities' self-organising and identity, LUMANTI's involvement in such organising also reproduces its institutional identity as an NGO working in the urban poverty sector. There is therefore that relational co-constitution that needs foregrounding.

When one looks into 'slum' as an analytical entry point to understand 'society', a few key terms emerge from literatures that engage with the 'urban' in the Global South in contemporary times: 'political society', 'deep democracy', insurgent citizenship, and invented spaces.

Chatterjee's (2004) 'political society' and Appadurai's (2002) 'deep democracy' emerge from a similar empirical landscapes and present alternative viewpoints of 'slum' as an urban theory. They offer a framework of analysis that treats the slum other than as a dystopia or in romantic terms, although both authors speak of slums in glorifying terms, highlighting their democratic potential. 'Political society' is a terrain of popular politics for the poor who are left out by civil society or whose practice becomes marginalised due to civil society's dominant mainstream politics (Chatterjee, 2004). However, while being a sphere of politics for the poor, it is not insular. In fact, its political efficiency relies heavily on forming strategic relations with actors or agents that are not part of 'political society'; either representatives of political parties for squatters or local teachers in a village. These actors constantly oscillate (squatters case only forms part of Chatterjee's empirical content) between the realms of political society and civil society to make claims on behalf of the poor. In other words, Chatterjee's (2004) political society makes visible "the entanglement of elite and subaltern politics" (p.40). Similarly, Appadurai (2002) carefully charts the politics of slumdwellers in Mumbai and frames these in the language of 'deep democracy'. 'Deep democracy' entails getting anchored to a place by building concrete access to basic services, as well as forming international networks horizontally with slumdwellers/ squatters organisations elsewhere through the horizontal sharing of knowledge and experience.

While Chatterjee's and Appadurai's casting of popular politics of the urban poor in the language of 'political society' and 'deep democracy' provide analytical scope for better understanding such politics, it also tends to re-inscribe boundaries that mark one sphere as being neatly separate from the other. It is on this problematic that this article focuses, making explicit what both Chatterjee and Appadurai make implicit by drawing on the 'relationality' that they discuss in their work. The kind of horizontal sharing and vertical links through which squatters in the Indian cases in Appadurai's and Chatterjee's work reproduce their identities and spaces, speak of their co-constitution with other spheres and politics that are more or less formal, civil, or civic. Such relational constitution 'takes place' as squatters, or *sukumbasi* in Kathmandu's case, try to make sense of their living in a 'gray space' (Yiftachel, 2009).<sup>10</sup> By attending to practices and processes that take shape as the urban poor try to subvert 'gray spacing', useful learning can be harnessed for re-theorising political society's elite counterpart – 'civil society'. It is on this note that this article treats 'slum' not just as a 'settlement' bound by a physical territory, because that would mean setting limits to the unbound movement, practices and politics of the actors inhabiting the slums. Instead, it sees 'slum' as identities and subjectivities that spontaneously and strategically move across binaries and boundaries. Doing so is important to make visible the kind of relationality through which squatter communities in Kathmandu are constituted. I have shown in this paper how SPOSH-Nepal, SWU-Nepal, and CDYN form links with the state and non-state actors and institutions that are

'local' and 'international' to meet their urgent everyday needs, as well to form solidarity with longer term goals. It is through such relationality that other institutions that are more or less defined as 'civil society' such as LUMANTI and SDI also get re-constituted/reproduced.

Likewise, in Mirafab's formulation, *sukumbasi* communities' politics may be 'invented spaces' (Mirafab, 2004; Mirafab and Wills, 2005), in the sense that they create their own opportunities and terms of engagement (Mirafab and Wills, 2005) while they fall outside of the mainstream that is citizenship and formal governance. On the other hand, SPOSH-Nepal is formally registered with the municipal state, and is given legal recognition as a non-government organisation. Therefore, *sukumbasi* communities, both through their legally recognised status that also has corollary existence in 'gray space' belong to both invented and invited space, rendering the binaries unhelpful. In general, the categories are also unsuitable because they assume some kind of citizenship that the urban poor belong to. However, the majority of Nepali *sukumbasi* communities do not have citizenship as a legal liberal status to begin with.

As a concluding thought, I summarise two key points as a way of offering a critical summary to any endeavor that seeks to re-theorise civil society. One, civil society as a concept or a theory that gains credence in mainstream debate and discourse in Nepal does not encompass myriad spaces of governance and livelihood that exist in our society and everyday life. In other words, such theorisation fails to capture the way in which processes, relationships, and networks

<sup>10</sup> In Yiftachel's formulation, 'gray space' refers to "developments, enclaves, populations and transactions positioned between the 'lightness' of legality/approval/safety and the 'darkness' eviction/destruction/death" (p.250).

that occur in one domain are reflected in or reflective of another domain. As such, 'civil society' does not present a clean space neatly separate from whatever is commonly understood as 'informal' or 'uncivil' society/space. For example, professionalisation also takes place in what is understood as 'informal' or 'uncivil' spaces like the slums, such as in conducting meetings, workshops and conferences that give them legitimacy; a quest for creating a more functional space and institutions that provide them empowering conditions. Two, 'civil society', partly because of its conflation with NGOs and formal politics in Nepal, excludes a large number of urban poor, of which *sukumbasi* constitutes a majority in Kathmandu's case. Furthermore, a somewhat strange translation of 'civil society' into 'citizen

society' in the Nepali context adds to the 'mainstream' rationale for excluding *sukumbasi* from both the nation and society, materially, on legal grounds (because they have no citizenship status), as well as discursively. It is by critically attending to the contingent, contradictory and contextual spaces, spheres and identities and their relational constitution, that a richer understanding of 'civil society' as it actually exists, evolves, and is continually reproduced, can be attained. In other words, to reiterate, the similarities between *sukumbasi* organising and 'mainstream' civil society are more important than differences between them. Drawing boundaries and labeling certain practices as 'civil society' and others as something else is artificial.

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