

# **Decolonizing Development: An Indigenous Resistance to State Colonialism in Bojheni Nepal**

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## ABSTRACT

Hydropower development has been rampant in Nepal, given it is a prosperous country in the world regarding water resources. There are numerous hydro projects done and in the pipeline. These hydropower development projects are at the cost of indigenous people's land. This study focuses on the Hydroelectric Transmission Line and Power Station in Lapsipedi (Bojheni) village in Shankharapur municipality in the northeast Kathmandu valley, where indigenous communities such as Tamang people are impacted. This research explores the divergent meanings of development being mobilized in an ongoing conflict between an indigenous community and a national electricity infrastructure project supported in coordination with the government's electricity authority (NEA). This research considers this local resistance to an infrastructural project to understand how and why the Tamang community in Nepal contests the dominant, state-led development discourse.

**Keywords:** *Development, Prosperity, State, Indignity, Tamang people, Hydropower projects, Resistance, Decolonization*

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## **Abbreviations**

|          |  |
|----------|--|
| NEA      | Nepal Electricity Authority  |
| ADB      | Asian Development Bank   |
| CBS      | Central Bureau of Statistic  |
| NEFIN    | Nepal Federation of Indigenous Nationalities                             |
| NFDIN    | National Foundation for Development of Indigenous Nationalities          |
| IWGIA    | The International Work Group for Indigenous Affairs                      |
| LAHURNIP | The Lawyers' Association for Human Rights of Nepalese Indigenous Peoples |
| FPIC     | Free, Prior, and Informed Consent  |

## Introduction

Notions of ‘development’ (bikas) and ‘prosperity’ (samridi) occupy a prominent place in contemporary political life in Nepal. It not only regularly appears in development plans, policies, strategies, and project agreements, but is also a topic of discussion in public and political life. According to the National Planning Commission, Nepal has aimed to attain middle-income status through the fulfillment of sustainable development goals by 2030.<sup>1</sup> The Fifteen Development Plans of Nepal (2019/20-2023/24) have mentioned; “the hydropower sector as a driver of economic transformation”. The Fifteen Development Plans planned the openness of domestic and foreign direct investment to increase private sector investment for hydropower generation; increase in investment from the locals in hydropower projects thereby creating citizens' ownership; increase in domestic capacity for the development of hydropower projects; and unbundling of generation, transmission and distribution systems as well as clarity on the scope of work and responsibilities of the three levels of government. Nepal has visioned the prosperity of the nation through sustainable and reliable development of hydropower. (GON. 2020, p.291) <sup>2</sup> The managing director of the Nepal Electricity Authority (NEA)<sup>3</sup> emphasized the need for collaboration and urged the government and other agencies to prioritize the construction of transmission and distribution lines. It shows that the hydropower sector is seen as one of the ways for development and prosperity in Nepal. (International Hydropower Association, 2021; Sunwar, 2022; Bon, 2023).

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<sup>1</sup> National Planning Commission, 2017: Nepal's Sustainable Development Goals, Baseline Report, 2017. Government of Nepal, National Planning Commission, Kathmandu, Nepal

<sup>2</sup> The Fifteenth Plan (Fiscal Year 2019/20 – 2023/24) Government of Nepal National Planning Commission Singhadurbar, Kathmandu.

<sup>3</sup> Kulman Ghising, In his interview on Himalaya TV on 9 July 2023

Using the hydroelectric substation and transmission line construction project in *Bojheni* as an ethnographic study and borrowing literature to substantiate the argument. This thesis seeks to answer the following questions:

1. Why is this community resisting one of the indicators of the state's imaginary of 'prosperity'?
2. What are the different dimensions of power embedded in the conflict and how do they reinforce injustices?

It is considered that Nepal has a huge potential for hydropower 83,000MW with more than 6000 rivers crisscrossing the nation (Sharma & Awal, 2013).<sup>4</sup> Nepal signed a power trade agreement with India to export 10,000 megawatts of hydroelectricity to India over the following 10 years. Shristi Kafle reports on [thethirdpole.net](http://thethirdpole.net), Nepal produces almost all of its electricity from hydropower, and exporting electricity to neighbors is an important source of income for the country. It therefore plans to reach 15,000 megawatts of installed hydropower capacity by 2030. There are 123 large hydropower plants (with a capacity of more than 1 MW) operating in Nepal, with a total capacity of nearly 2,150 MW. Data from the Department of Electricity Development shows that projects with a combined capacity of 3,280 MW are being built. A further 100 projects with a total capacity of nearly 7,620 MW are waiting to be granted construction licenses, as of 3 March 2023. Hydropower contributes to 90% of Nepal's energy generation and is an important sector for the country's economic development (Rai, 2005). Therefore, the production of

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<sup>4</sup> The Ministry of Energy and Water Resources of Nepal has identified that the country has the capacity of hydroelectricity generation capacity of 83,000 Megawatts

hydropower is seen as an important component of infrastructure for economic development and is a perfect example of development in Nepal.

However, hydropower construction projects are not without questions and controversies. According to a report by the International Hydropower Association, hydro projects in different parts of Nepal have severely impacted the different indigenous groups of people.<sup>5</sup> The different Indigenous communities in Nepal affected by hydro projects hence claim that the Projects will result in the annihilation of their identity and livelihood.<sup>6</sup>

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<sup>5</sup> The resistance of the Majhi indigenous people in Sindhuli and Ramechhap district and Magar indigenous people in Tanahu districts are the exemplar of community pushback against hydro infrastructure projects. Minority Rights Groups report that the Majhi Indigenous people and the Sunkoshi-2 Hydropower Project Joint Struggle Committee submitted their letter demanding the cancellation of the Sunkoshi-2 Hydropower Project to the Chief District Officer of Ramechha and the Mayor of Manthali Municipality. The 978 MW storage type Sunkoshi-2 Hydropower Project planned by the Department of Electricity Development will construct a 168-meter-high dam on the Sunkoshi River flowing along the border of Ramechhap and Sindhuli districts. The Project will reportedly cause inundation up to at least 53 km from the dam in an area of 4,500 hectares, submerge the majority of settlements along the banks of the Sunkoshi and Tamakoshi rivers in the two districts, and displace around 6,000 households and impact 400,000 people. Their demand states that the hydro project will inundate the lands, sacred cremation, river and ancestral worship sites, *ghats*, and other collective properties of the Majhi communities in their ancestral lands and territories in Ramechhap and Sindhuli districts. [https://minorityrights.org/resources/treMinority Groups nds2023-water-justice-and-the-struggles-of-minorities-and-indigenous-peoples-for-water-rights-a-planetary-perspective-21/](https://minorityrights.org/resources/treMinority%20Groups%20ands2023-water-justice-and-the-struggles-of-minorities-and-indigenous-peoples-for-water-rights-a-planetary-perspective-21/)



Instances as such, highlight how the state prioritizes economic interests over indigenous rights and livelihood. The hydropower development in Nepal is one of the many examples of Indigenous people facing constant internal colonization from the state.

Nepal prides itself on its status as a multilingual, multicultural, multi-ethnic, and multi-religious country (Government of Nepal [GON], 2015). The country is home to 125 caste/ethnic groups (CBS, 2012) and recognized 59 indigenous nationalities (Adivasi-Janajati) (Bhattachen & Webster, 2005). However, the development of hydropower is deeply connected with Nepal's history of exclusion of indigenous peoples and the ongoing process of Indigenous Peoples's dispossession of and from their lands. (I have analyzed/ elaborated the issue of the history of exclusion of Indigenous peoples from state mechanisms in the section: State Formation of Nepal and Internal Colonization)

This thesis explores the divergent meanings of development being mobilized in the context of an ongoing conflict between the indigenous Tamang people of Bojheni Nepal and the Nepal Electricity Authority's (NEA) hydroelectric substation and transmission line construction project.<sup>7</sup>

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<sup>6</sup> Yara Bon writes The Tanahu Hydropower Project (THP) is about the development of a 140 MW hydroelectric dam on the Seti River, with a reservoir of around 25 kilometers long (ADB, 2020). Due to the construction of the THP, 47 households have to be resettled. For some affected families, not only their lands would be affected, but it would also no longer be possible to stay in their homes, as these are built on their lands. In 2016, the affected Indigenous Magars of Tanahun came together against the construction of the THP. In 2020, they filed complaints with the Office of Special Project Facilitator of the ADB (Bon, 2023) [https://minorityrights.org/resources/treMinority\\_Groups\\_nds2023-water-justice-and-the-struggles-of-minorities-and-indigenous-peoples-for-water-rights-a-planetary-perspective-21/](https://minorityrights.org/resources/treMinority_Groups_nds2023-water-justice-and-the-struggles-of-minorities-and-indigenous-peoples-for-water-rights-a-planetary-perspective-21/)

<sup>7</sup> The NEA plans to build a substation in Lapsipedi (Bojheni) for the distribution of three different high-voltage transmission lines of electricity—400 KV, 220 KV, and 132 KV—generated from hydroelectric projects built mainly on the Tamakoshi and Sunkoshi river basins (Sunuwar, 2023)

The Asian Development Bank financially supports this project in coordination with the government's electricity authority (NEA). The construction of the hydro hydroelectric substation and transmission has predominantly affected the homes, agricultural land, and historic sites belonging to the Tamang, a historically marginalized indigenous people. The locals of Bojheni have been protesting regarding the construction of a transmission line that will affect around 500 Tamang households (Sunuwar, 2023)<sup>8</sup> In response to these perceived injustices, the local community has established the Upper Tamakoshi Electricity Substation Project Victims Struggle Committee. Over the years, they have been actively engaged in a continuous effort to oppose the construction of the electricity substation. The coordinator of the struggle Committee assured that their only demand is to shift the substation construction project from their place.<sup>9</sup>

The thesis considers this local resistance to an infrastructural project to understand how and why the Tamang community in Nepal contests the dominant, state-led development discourse. Critical studies on development have highlighted how state-led development institutions employ discursive power to encroach on local sovereignty while obscuring or depoliticizing social and material realities that lead to inequalities (Ferguson 1995, Yeh 2013). Further, Quijano (2010) claims 'colonizers also imposed a mystified image of their patterns of producing knowledge and meaning.' Yet whereas Indigenous studies scholars have largely explored these issues in contexts of recognized settler colonialism (Yeh, 2013) This thesis considers what development, indigeneity, and decolonization entail in a context of imperialist nation-building where internal colonialism has

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<sup>8</sup> Affected Indigenous Tamang people in the area have been opposing the construction of the substation and the transmission line in Lapsipedi (Bojheni) since 2015. On January 1, 2023, community members protested when the NEA initiated a survey of the land to install the substation and the transmission lines.

<sup>9</sup> In the interview I conducted on 8 July 2023.

not been acknowledged in state discourse; this is what Mary Des Chene (2007:18) has termed Nepal's 'condition of non-post coloniality'.

Critical studies of development and infrastructure in Nepal overlooked how historically unequal power relations among hierarchical ethnic groups have excluded indigenous people from the development discourse and; how these unequal power dynamics have perpetuated state colonialism that marginalizes the indigenous (Tamang ) people. Thus, this research will contribute to the wider anthropology of development literature that is relevant to understanding Indigenous perspectives and contestations of development discourses both within Nepal and beyond

## Theoretical and Conceptual Framework

This thesis will draw together theoretical, conceptual, and empirical insights, anthropology of development, post-colonial and decolonial theories Indigenous studies perspectives centering on Indigenous justice. Gow, D. D. (1996) argues, “The anthropology of development studies some of the endemic paradoxes and contradictions of Third World development.” Thus, a conceptual framework of anthropology of development could be applied in my thesis to analyze the paradoxes of state-initiated development and the Indigenous approaches. Scholars of post-colonialism, Escobar (1992), Kothari (2005), Langdon (2013), and others refer to decoloniality as the questioning and unpacking of how colonial power structurally produces and reproduces inequalities and attempts to look at how these unequal power dynamics can be addressed. Thus, the theoretical framework of post-colonialism and post-colonial development will be significant in analyzing the impacts of state colonialism on Indigenous communities and its current legacies. Additionally, Pigg, S. (1993) elaborated on Development as Ideology which is part of everyday life not as an agency launches the program but as the ideology becomes compelling in the social imagination. I will employ this framework to analyze how development discourse has been shaped in Nepal by the government and to discuss its perpetuations.

Coulthard (2014) insists that colonization be framed as an ongoing phenomenon that could “rely as much on the productive character of colonial power as it does on the coercive authority of the settler state”. This insight will be helpful to analyze the forceful land acquisition, displacement, or the imposition of colonial subjectivities amongst Indigenous Tamang people are shaped by forcing them to accept social, political, and economic “forms of life” that are fundamentally favorable to the power structure of settler-colonialism.

## Methodology

Qualitative research is ideally suited for uncovering emic understandings of the local perspective of development and world view about the state's imaginary of ‘prosperity’ relating the infrastructure development. Thus, this thesis is based on two methodologies: ethnographic

fieldwork and critical discourse analysis (CDA). I conducted ethnographic fieldwork in June and July 2023 in Bojheni village of Shakarapur Municipality in central Nepal. Developing rapport facilitates communication and information elicitation.<sup>10</sup> Thus, I visited Bojheni twice in June 2023. I, a non-Tamang person and a new person to the Bojheni met with suspicious looks and cautious ears from the locals on my first visit to Bojheni. However, my second rapport-building visit to Bojheni, facilitated by a Tamang scholar, was warmly welcomed.

In July 2023 I conducted ethnographic fieldwork involving participant observation and interviews, adhering to all relevant ethical guidelines and procedures. (O'Reilly, 2019) argues that ethnography should be informed by a theory of practice that: understands social life as the outcome of the interaction of structure and agency through the practice of everyday life; and examines social life as it unfolds, including looking at how people feel, in the context of their communities, and with some analysis of wider structures, over time; that also examines, reflexively, one's role in the construction of social life as ethnography unfolds. Thus, I conducted semi-structured interviews with 13 people from Bojheni, who were residents of Bojheni, members of the Upper Tamakoshi hydroelectric sub-station and transmission lines, and indigenous activists. All of the research participants were the Indigenous Tamang people including six women.

I conducted participant observation with impacted households, i.e., observing the mundane of local people's life regarding the hydro project and its resistance, attending public meetings and protests will reveal philosophies and perspectives of particular development and the power relations within it. Case studies will add ethnographic depth by focusing on a clash between the police force and local people, about analyze how the state uses its coercive power to achieve its imperialism.

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<sup>10</sup> <https://crestresearch.ac.uk/resources/the-effectiveness-of-a-rapport-building-training-programme/>

Ethnography involving interviews, participant observation, case studies, and surveys of the community and its different organizations will center indigenous knowledge, perspectives, and experiences. While interpreting the data from the field, I have anonymized the research participants with pseudonyms.

I also have done critical discourse analysis (CDA) of development discourses in Nepal. According to Locke (2004:1), critical discourse analysis aims to systematically explore often opaque relationships of causality and determination between discursive practices, events and texts, and wider social and cultural structures, relations, and processes; to investigate how such practices, events, and texts arise out of and are ideologically shaped by relations of power and struggles over power. It aims to reveal the motivation and politics involved in arguing for or against a specific research method, statement, or value. Critical discourse analysis has been crucial to explore two different discourses encountered in the hydro project in Bojheni. CDA provided the framework to explore the historical relations of power and struggles over the power of the two different discourses.

The thesis contains six chapters including the introduction and conclusion chapters. After the introductory chapter, Chapter One delves into the historical analysis of the Nation-State Building of Nepal and its Internal Colonization, thereafter, and the Legacy of Nation Building and the Ongoing Struggle for Equality in Nepal. This chapter also talks about how indigenous people in Nepal are Defending Indignity in Inclusive Democracy. Thereafter, Chapter Two analyzes two different development discourses encountered in the development project in Bojheni. This chapter explores how the state-led development discourse conflicts with the indigenous development discourse. Chapter Three analyzes the injustices to the Indigenous Tamang people reinforced by

the state-led development discourse. Chapter four is dedicated to the empirical discussion of the resistance of the state-initiated infrastructural development to initiate decolonizing the development discourse from an indigenous perspective.

# Chapter: One

## 1.1 Nation-State Building of Nepal and Internal Colonization

This section attempts to explore the concept of ‘colonial conditions’ in Nepal, arguing that despite never being formally colonized, Nepal's history was shaped by the colonial ambitions of its rulers. Specifically, the formation of Nepal as a modern nation-state resulted from the conquests of Gorkha emperor Prithvi Narayan Shah. Therefore, it is crucial to recognize the 'colonial' contexts within Nepal's history, which have significantly influenced the current structures of inequality and power dynamics. Nepal prides itself on its status as a multilingual, multicultural, multi-ethnic, and multi-religious country (Government of Nepal [GON], 2015). The country is home to 125 caste/ethnic groups (CBS, 2012) and recognized 59 indigenous people (Indigenous people) (Bhattachen & Webster, 2005).

Ethnic diversity in Nepal is complex, reflecting a particular historical relationship with the Nepali state-making process. Indigenous people in Nepal, similar to Indigenous peoples worldwide, have endured years of internal colonization, since establishment as the modern-day nation-state of Nepal<sup>11</sup>. This includes the Rana regime of 104 years<sup>12</sup> and the absolute monarchy with the Panchayat system for 30 years<sup>13</sup>.

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<sup>11</sup> Prithvi Narayan Shah, the Hindu king of the Gorkha launched a military campaign between 1743 and 1768 to invade weaker states and merge them with his kingdom, it is also referred to by the state as the unification of Nepal. Using Hindu logic, Shah also classified Nepal's residents into four *varnas* and 36 *jāts*.

<sup>12</sup> The Rana dynasty, imposed authoritarian rule in the Kingdom of Nepal reducing the Shah monarchs to mere figureheads and redefining the position of Prime Minister of Nepal as a hereditary role. This allowed the Ranas to maintain control over Nepal for 104 years as the Prime Minister and administrators from 1846 to 1951. The *Muluki Ain*, a legal code issued by Rana Prime Minister Junga Bahadur Rana, legalized the caste system and placed Indigenous people under the *Vaishya* caste, the third rank in the four-tiered caste hierarchy of *Brahman*, *Kshetri*, *Vaishya*, and *Sudra*.

<sup>13</sup> From 1961 to 1990, political parties were banned, and King Mahendra took control of the Executive, Legislative, and Judiciary. Under the agenda of “national integration,” he rejected cultural and religious pluralism, imposing a



The imaginings of the Gorkha emperor were to establish a ‘unified’ Nepali state transcending regional, ethnic, and linguistic differences. However, this vision of a ‘unified’ Nepal and the subsequent creation of the ‘Nepali national identity’ perpetuated the myth of ‘national uniformity’, resulting in the alienation and marginalization of numerous ethnic groups and identities (Hangen, 2007). The beginning of the modern nation-state of Nepal resulted from the process of ‘unification’ following a series of conquests led by King Prithvi Narayan Shah. In 1768 AD, the forces of the Gorkha kingdom achieved conquest by defeating the three Malla Kingdoms in the Kathmandu valley (Regmi, 1999). Before this, Gorkhali forces had been gradually annexing and assimilating smaller territories around the Kathmandu Valley, collectively known as the Baise and Chaubaise Rajya. (Uprety, 2011) Each of these autonomous principalities was inhabited and controlled by different ethnic groups with their own culture and languages (Toffin, 2009). This led to the establishment of a centralized authority under Prithvi Narayan Shah and the Shah Kingdom that lasted for 240 years (1768-2008). Thus, the foundation of modern Nepal was established through a combination of overt military conquest and the submission of over fifty formerly independent states across the region.

After geographically unifying the nation-state of Nepal Prithvi Narayan Shah aspired to create *aslee* Hindustan (“real Hindustan” – pure land of the Hindus) in Nepal imposing an isolationist form of governance to effectively close it to any outside influence (Regmi, 1978, 1999). Using Hindu logic, Prithvi Narayan Shah also classified Nepal’s residents into four *varnas* and 36 *jāts*. By four *varnas* he referred to the classical four-fold Hindu caste system of Brahmin (*Bahun*), Kshatriya (*Chhetri*), *Vaisya*, and *Sudra*, and by 36 *jāts* he symbolically signified a multitude of

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monolithic concept of one nation (Nepal), one language (Nepali—primarily spoken by Hindus of the hills), one culture (the Hindu-based caste system), one religion (Hinduism), and one national identity (Hindu identity)

groups within these four varna groups (Hofer, 1979; Kansakar, 1977). As a Hindu monarch, Prithvi Narayan Shah facilitated the migration of Hindu caste communities, strategically filling the topography of the newly conquered territories. The state encouraged high-caste Hindus to settle in eastern Nepal. Lands previously under state ownership were assigned as Birta (grants) to Brahmins and Kshatriyas. (Crew, 2018). E.g.- attempts were made to erase Indigenous Madhesi groups from the Terai, replacing them with Pahadi migrants. (Tamang 1999). Prithvi Narayan Shah and his descendants ruled Nepal under Absolute Monarchical (Shah) Rule from 1769 to 1845 by unifying territories and dividing identities as per the Hindu caste system in *Asalee Hindustan* united pure lands of the Hindus. This political initiative by Prithvi Naran Shah laid the foundation for the historical legitimacy of the divine right to rule, drawing from Hindu religious philosophy and its affiliation with a specific caste and ethnicity (*Kshetriya* high caste Hindu)

However, an unexpected bloody coup in 1846, through which Jung Bahadur Rana<sup>14</sup> achieved the status of Prime Minister marked the end of direct Shah monarchical rule. Reducing the Shah monarch to a titular figurehead only. The Rana regime took the state power, and Prime Minister Junga Bahadur Rana launched the *Muluki Ain* of 1954,<sup>15</sup> a legal code, that legalized the caste system in Nepal. This code adapted Hindu scripture Manu Smriti and categorized the population into different castes in the order of ranks (Hofer, 1979). The Muluki Ain (National Code 1854) imposed “uniformity,” and in the name of “unity” organized all of the Nepalese society under one Hindu ideology and placed non-Hindu Indigenous people as the *Vaishya* caste group. (Pradhan, 2002). The logic behind this division was ritual/caste purity. The non-Hindu ethnic groups were classified as castes (*jati*) of ‘pure status’ but relegated to a low rank within the overall hierarchical

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<sup>14</sup> The prime minister and virtual ruler of Nepal from 1846 to 1877, established the powerful Rana dynasty of hereditary prime ministers, an office that remained in his family until 1951.

<sup>15</sup> The law code with constitutional features and, traditional Hindu jurisprudence.

system. This was designed to integrate various non-Hindu ethnic groups who did not conform to the traditional categories of the Hindu Varna model and different punishments for the same crime as per the caste hierarchies from imprisonment to the death penalty. (Geiser, 2005). The *Muluki Ain* also stated that if somebody knowingly used a weapon on a cow but did not kill it, then his wealth would be taken away if he was from a higher caste, and he would face the death penalty if he were from a lower caste. The same code also stated that the murder of a cow slaughterer was not punishable.<sup>16</sup>

| Hierarchy   | Traditional Habitat | Belief/Religion  |
|---|---------------------|------------------|
| <b>Water acceptable (pure)</b>                              |                     |                  |
| <b>1. Wearers of the sacred thread/Tagadhari (Superior)</b> |                     |                  |
| Upper Caste (Parbatiya)                                     | Hill                | Hinduism         |
| Upper Caste (Madhise)                                       | Tarai               | Hinduism         |
| Upper Caste (Newar)   | Kathmandu Valley    | Hinduism         |
| <b>2. Matwali Alcohol Drinkers (Not enslavable)</b>         |                     |                  |
| Gurung, Magar, Sunuwar, Thakali, Rai, Limbu                 | Hill                | Tribal/Shamanism |
| Newar   | Kathmandu Valley    | Buddhism         |
| <b>3. Matawali Alcohol Drinkers (Enslavable)</b>            |                     |                  |
| Bhote (Including Tamang)                                    | Mountain/Hill       | Buddhism         |
| Chepang, Gharti, Hayu                                       | Hill                |                  |
| Kumal, Tharu  | Inner Tarai/Tarai   | Animism          |
| <b>Water unacceptable/ Pani Nachalne (Impure)</b>           |                     |                  |
| <b>4. Touchable</b>   |                     |                  |
| Dhobi, Kasai, Kusale, Kulu                                  | Kathmandu Valley    | Hinduism         |
| Musalman  | Tarai               | Islam            |
| Mlechha (White Man)   | Europe              | Christianity     |
| <b>5. Untouchable (Achhut)</b>                              |                     |                  |
| Badi, Damai, Gaine, Kadara, Kami, Sarki (Parabatiya)        | Hill                | Hinduism         |
| Chyame, Poda  | Kathmandu Valley    | Hinduism         |

Figure 1. Hindu caste hierarchy adapted by ‘*The Muluki Ain of Nepal 1854*’ (Gurung, 2002)

This code adapted Hindu scripture Manu Smriti, and likewise, legitimized and categorized the population into different castes in the order of ranks (Hofer, 1979). The logic behind this division was ritual/caste purity. The non-Hindu ethnic groups were classified as castes (jati) of ‘pure status’ but relegated to a low rank within the overall hierarchical system. This was designed to integrate

<sup>16</sup> Shivahari Gyawali, <https://www.recordnepal.com/criminalization-of-cow-slaughter-is-a-tool-of-caste-terror>

various non-Hindu ethnic groups who did not conform to the traditional categories of the Hindu Varna model. (Gurung, 2002, p.9)

This propagated the concept of a unified nation, portraying Nepali society as inherently Hindu and laying the foundation for the uniformity of Nepali nation and nationality. (Hofer, 1979) As a result, the "other" or the 'real-life anomalies', as stated by Anderson were reductively concealed within the hierarchies of the caste system. (Anderson, 2016). One's ranking in the hierarchy of the *Muluki Ain* had political and economic significance, formalizing further the hill-high caste Hindus to take over dominant and powerful positions in the palace, administrations/bureaucracy, and politics. (Lawoti, 2005). In this context, Mahendra Lawoti a prominent Political Scientist from Nepal writes:

“The Nepali elite attempted to form a nation-state after the conquest but it was not based on political inclusion, equality, and justice among various people and nations living within the territory. It was rather through the assimilation of various groups under the hill Hindu values and norms. It resulted in an increase in Chhetris (Caste hill Hindu elite) power as the state consolidated while other groups were excluded and marginalized.” (Lawoti, 2005)

Consequently, the *Muluki Ain* and the Rana regime legally restructured the cultural and political marginalization of non-Hindu ethnic groups reinforcing the dominance of high-caste *Hindus*. This further set the stage for the exclusion of the Indigenous people such as Tamang from the state power and influence.

Conversely, in 1962 the Absolute Monarchy returned with the Panchayat system led by King Mahendra descendent of Prithvi Narayan Shah. The Panchayat system of governance differed little

from the previous despotic Rana and Shah rulers, as Mahendra placed himself at the helm of the Executive, the Legislative, and the Judiciary. (Rai, 2017) Mahendra achieved this not through the interpretation of Hindu texts as his ancestors had, but by invoking the more modern tool of a constitution – the Nepal Constitution of 1962. During the Panchayat era, the state reinforced the notion of Nepal as a Hindu society, promoting Hinduism, monarchy, and the Nepali language as symbols of national cohesion. This emphasis on cultural homogeneity is epitomized by the Panchayat-era slogan "One language, one form of dress, one country" (*Ek bhasa, ek bhesh, ek desh*), which encapsulated the push for a singular national culture in Nepal. (Onta, 1996) Consequently, the Nepali language has become the primary mode of communication for formal education and government correspondences at the expense of hundreds of other languages locally spoken (Onta, 1996, 1997).

In this period, the idea of ‘unification’ gradually evolved from territorial expansion to encompass efforts for totalizing language, culture, and nations within, becoming a groundwork for the homogenizing Nepali ‘national identity’. The pursuit for a ‘unified’ national identity was further materialized through state endeavors aimed at fostering mono-ethnic, mono-cultural, and monolingual identity. (Guragain, 2023). The geographical unification, cultural homogenization and assimilation policies pursued by the rulers act as a frontier, not only defining politically significant ruler caste groups but also identifying the other subjects of colonization based on their lower position in the caste hierarchies. Thus, Nepali state-making through ‘unification’ and ‘homogenization’ is also the process of colonizing different indigenous identities, perspectives, and knowledge systems under the ruling majoritarian Hindu ideological system.

## 1.2 Legacy of Nation Building and Ongoing Struggle for Indigenous Equality

The new constitution was promulgated- the Constitution of Nepal 1990- for the first time recognized Nepali peoples' cultural heterogeneity by acknowledging that Nepal was a “multi-ethnic” and “multi-lingual” nation (GON, 1990). After re-establishing a multiparty system, Nepal has experienced various political changes. The country endured the Civil War<sup>17</sup> in search of civil and political rights for marginalized people. Consequently, in 2006 the last monarch of the Shah dynasty King Gyanendra was dethroned by a second people's movement<sup>18</sup>, the peace agreement between Maoist insurgents and the government of Nepal. Two consecutive elections were held in 2008 and 2013 to draft the long-fought, the Constitution of Nepal in 2015. It acknowledges that Nepal is a “sovereign, secular, inclusive and fully democratic State” having a character that is a “multiethnic, multilingual, multi-religious and multicultural federal democratic republic state.”<sup>19</sup>

Nepal has come a long way since it was ruled by one person on absolute terms, embracing inclusive multi-culturalism with more democratic egalitarian values (Hachhethu & Gellner, 2010). Some provisions of the newly launched constitution grant special protection to Hinduism and its way of life. For, instance the article (article 9) declares the cow as Nepal's national animal.<sup>20</sup>

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<sup>17</sup> In 1996-2006 The Communist Party of Nepal (Maoists) declared *Jana Yudha* (People's War) with arms and ammunition against the state (constitutional monarch), the Maoist ideological movement promised a society devoid of exploitation and assured “land to the tiller.” This attracted massive numbers of the poor, the landless, and the marginalized.

<sup>18</sup> The 19-day-long *Jana Andolan II* (People's Movement II) ended direct rule by Gyanendra, forced him to return power to the reinstated parliament, and created a conducive environment for the signing of the Comprehensive Peace Agreement (CPA) between the government and the rebel Maoists in November 2006.

<sup>19</sup> The Constitution of Nepal 2015

<sup>20</sup> The Constitution of Nepal 2015

Pursuing the path of the first *Muluki Ain* (civil code), the 1990 and 2015 constitutions have persistently recognized Hindu religious symbols as national symbols. The criminalization of cow slaughter is an example of discriminatory legal provisions, because *Janajati* (*Indigenous nationalities*, *Dalit*, *Muslims*, and other groups do not perceive cow slaughter to be a crime, and for many of these groups, beef consumption is part of their cultural practices (Bennett, L., Tamang, S., Onta, P., & Thapa, M. 2006). Non-Hindu indigenous people, such as Tamang and other marginalized communities have faced the consequences of this by spending years in prison for their alleged crimes of consuming beef even in private spaces.<sup>21</sup> Thus, the state continues to use the cow as a tool of caste and religious terror in constitutionally secular Nepal.

The Constitution of Nepal 2015 also recognizes the rights of indigenous communities and aims to ensure their active participation in decision-making processes at all three levels of government. In the recent General Election for the Elected House of Representatives 2022, out of the total number of elected parliamentarians, only 25% were Indigenous people despite their population of 35.82% of the country's total population. (Chaudhary, 2023). However, there are voices against the Constitution for failing to secure the rights of marginalized groups of people. Indigenous people and Madhesi have responded to the promulgation of the new constitution. These groups contend that the document discriminates against them in the areas of federal demarcation, electoral representation, citizenship, and the privileged position of Hinduism (Bell 2015).

To reflect the ethnic and religious diversity of the country in its governance system and policies; the Constitution of Nepal 2015 assures the reservation for the different marginalized groups

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<sup>21</sup> Tashi Tewa Dolpo, <https://english.indigenousvoice.com/news/the-politics-of-cow-in-a-secular-republic-nepal>

including the Indigenous in civil services across different government bodies.<sup>22</sup> However, civil service officials and marginalized rights groups have acknowledged the rising presence of marginalized communities in state organs, but their share is still lower than the percentage of the population. The Hill high castes such as *Brahmin and Chhetris* continue to be disproportionately dominant in the bureaucracy and governance of the country.<sup>23</sup> Consequently, Indigenous people are still underrepresented in the bureaucracy and policy-making process.

The right to education in the first language- is assured by a provision in the Constitution of Nepal 2015. Similarly, the National Curriculum Plan 2019 mandates localized curricula and recommends multilingual instruction to facilitate learning for non-Nepali-speaking students is failed in practice. Given this context, students from Indigenous groups, with different mother tongues face challenges to attend school and other education institutes. Prem Phyak, a prominent applied linguist from Nepal notes the legacy of state-making in the education policy of Nepal that, founded on the ideology of nationalism as an imagined community of homogenous language speakers, the state's education policies had an integrationist approach to linguistically, ethnically, and culturally diverse communities; aiming to produce 'ideal' Nepali persons who

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<sup>22</sup> The Civil Service Act of 2064 has ensured fulfill the vacant post of civil service through open competition, 55% was provisioned to open category and the remaining 45% was considered as 100%, it was allocated into different 6 categories—33% to women, 27% to indigenous nationalities, 22% to Madhesi, 9% to Dalit, 5% to differently-abled and 4% to the remote area.

<sup>23</sup> Prithvi Man Shrestha, <https://kathmandupost.com/national/2019/11/12/brahmins-and-chhetris-continue-to-dominate-entry-into-civil-service>



speaking one language (Nepali). (Phyak, 2021, 7) Therefore, Nepal as a constitutionally secular and federal democratic republic state still upholds linguistics colonialism undermining the linguistic and cultural diversity in the country and the students.

Ever since the formation of the nation-state called Nepal, social identities such as caste and ethnicity have been constructed and reconstructed by state actors to relegate “the other” to subjugated positions, to legitimize their authority to rule. (Rai, 2017) The dominance of the “high castes” of Hindus in leadership positions of important institutions such as political parties, parliament, civil bureaucracy, judiciary, universities, and the armed forces. This access to ‘power’ has given these groups the privileged opportunity to shape and structure state mechanisms in their favor (Gurung, 1997, 2003, 2005; Gurung, 2012; Lawoti, 2010c, 2012). Consequently, Indigenous groups such as Indigenous Tamang and other communities were systematically marginalized from the state power structure even in the inclusive, secular, and federal republic of Nepal. In Nepal, the Hindu system has historically been intertwined with social and political power. Thus, the high-caste Hindu value system continues to dominate the country's structural functioning and is reinforced through the education system, the media, and the political and economic ideologies.

### 1.3 Defending Indignity in Inclusive Democracy

After the reinstatement of multi-party democracy in 1990, Nepali people obtained political freedoms, including freedom of expression and association. Post-1990 there was an upsurge in the politics of recognition (Taylor, 1994) and the politics of difference (Young, 1990) The indigenous people also took this opportunity to establish their demands as political issues with the Indigenous people’s Movement (*Aadibasi Aandolan*). The indigenous movement is one of the effective

projects that speaks out against abuses of state power by the culturally hegemonic minority elite. As a social movement, it attempts to chart an alternative course and vision for social change in the contexts where formal democratic institutions have failed to effectively address the profound structural problems of inequality and injustice. (Tamang, 2001) A prominent Anthropologist and Indigenous activist Om Gurung argues,

*After 1990, various cultural groups started asserting their self-created identities and discarding categories imposed on them by the erstwhile Hindu elite. The so-called matawaaali (alcohol drinking) peoples rejected this state-given derogatory identity which had placed them in second and third positions in traditional Hindu hierarchical ranking. The activists and intellectuals amongst them began giving themselves a new identity: the Janajati (nationalities) (Gurung, 2005)*

The Indigenous movement had a strong emphasis on Indigenous identity with cultural or group rights issues. It effectively challenged culturally hegemonic, structural inequalities and injustices asserting self-created identity. The (*Janajati*) indigenous movement is also credited for shaping a broader social movement critical for democracy in the country. One of the striking features of the *Janajati* indigenous movement is that it is not led by one organization. The organizations involved in the movement come from an established network of associations carrying out cultural, political, quasi-political, and developmental activities. More than 50 ethnic organizations working on cultural promotion existed in 1999. (Tamang, 2001) The Indigenous Nationalities movement is considered one of Nepal's prominent and successful movements. It has enabled ethnic activists and organizations to emphasize the issues of social justice cultural rights and, collective identities to the wider public, and the state. The Indigenous nationalities also established their umbrella

organization Nepal Federation of Indigenous Nationalities (NEFIN) in 1991, an autonomous and the one and only representative umbrella organization of the 59 Indigenous nationalities or peoples, recognized by the government of Nepal. The organization aims to fight for Indigenous Peoples' rights and identity.<sup>24</sup> Ethnic organizations such as (NEFIN) have popularized the notion of discovering cultural roots.

Furthermore, the government also instituted, the National Foundation for Development of Indigenous Nationalities (NFDIN), affiliated with the Ministry of Local Development, Government of Nepal, was established under the incumbent Prime Minister's Chairmanship in 2002 through an Act. NFDIN aims to work for the overall development of the Indigenous nationalities by formulating and implementing programs relating to the social, educational, economic, and cultural development and elevation of the Indigenous nationalities.<sup>25</sup> The 2007 Interim Constitution and the 2015 Constitution of Nepal acknowledge the nation's diversity and provide certain rights and protections to indigenous peoples. The National Foundation for Development of Indigenous Nationalities (NFDIN) Act, 2002, established a government body to promote the interests of indigenous nationalities. Nepal also ratified The United Nations Declaration on the Rights of Indigenous Peoples. ILO 169 has also given the right to all indigenous peoples to celebrate their customs and cultures and perform their religious rituals. This indicates that the government of Nepal has taken significant steps to recognize and support the rights of Indigenous Nationalities from domestic policy and even adapting international policies. Despite

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<sup>24</sup> Nepal Federation of Indigenous Nationalities <https://nefin.org.np/about-us>

<sup>25</sup> National Foundation for Development of Indigenous Nationalities <https://nfdin.gov.np/eng>

these efforts, critics argue that these policies often fall short of addressing the deep-rooted issues faced by Indigenous communities and may sometimes reinforce existing hierarchies or stereotypes. (Chaudhary, 2023)

The politics of difference and recognition that arose with the 1990 democracy only intensified with the secular republicanism of 2006. And so various *Janajati* and *Madhesi* groups began asserting their different social identities and claims of indigeneity (Gellner, 2016). Multiple social and cultural groups, have rejected the social identities the state gave and have striven to provide themselves with new names and identities that they feel are more dignified. Many caste or ethnic groups now carry these newly created identities with pride and dignity, not shame. Hence, the former *Matwalis* are now (*Adibasi Janajatis*), the former *Achhyut* (untouchables) are the *Dalits* and the former *Madhises* are now Madhesi. But the former “high castes” *Bahun-Chhetri* group have also retaliated by forging the new identity of *Khas-Arya*, thereby preserving their distinction while simultaneously laying claim to indigeneity (Gellner, 2016).

involving top-down and bottom-up approaches. While the government provides a formal framework for recognizing and supporting Indigenous identities, Indigenous people through constitutional laws and regulations. However, the status quo, between the upper caste Hindus and *Janajatis* (indigenous people) remained (Gellner 2008). Therefore, Indigenous people are still actively trying to shape and define their identities through resistance, advocacy, and cultural practices. This interaction is marked by negotiation, contestation, and sometimes conflict, as both the state and Indigenous peoples navigate the complexities of identity, representation, and rights in a multi-ethnic, multi-religious nation-state. (Chaudhary, 2023) Consequently, Indigenous people have obtained equality in political terms but are still struggling to attain social equality shaped by the historical legacy of the national building process of Nepal.

## Chapter: Two

### Perspectives on Development in Nepal: State-led and Indigenous Approaches

After the peace agreement between the government and Maoist insurgents and the promulgation of the Constitution of Nepal- 2015, it was argued that all the political issues had been settled and that it was now time to work for the ‘Development’ of the country.<sup>26</sup> Nevertheless, there is growing recognition among scholars and the public that the meanings of these terms are multiple and diverse – and sometimes even contradictory. In this section, I will explore the conflicting development discourses in Bojheni Nepal, based on the case of the construction of hydroelectric substations and transmission lines and resistance by Indigenous Tamang people.

Anthropologists Suresh Dhakal and Sanjiv Pokharel write with critical insight about the development discourse in Nepal and its implications,

*Development is a concept of transformation created by certain interests of certain countries or countries in a certain environment of the world system. Much time and money has been spent establishing it as a global ideal. However, its results are not positive. An example of this is Nepal itself. Most of our problems today are not being developed, but problems created by implementing the development discourse.*<sup>27</sup> (Dhakal & Pokharel, 2018)

*(Translated from Nepali language)*

<sup>26</sup> The Fifteenth Plan (Fiscal Year 2019/20 – 2023/24)

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[https://ekantipur.com/bibidha/2018/01/23/20180123071535.html?fbclid=IwZXh0bgNhZW0CMTEAAR3XC2V27hazMJhmSCE7UZx5pGa17DCU13CTJ6RtvcChELPHmn06KvkyFpQ\\_aem\\_ATwQCpizBhrCbxyHTWCHd42FOb3FpCoi3FLL3LsSXNxYXx3a9S4OAGCXsvAYV47Y6SPrzVnQfv8msXo7jBhCqhaC](https://ekantipur.com/bibidha/2018/01/23/20180123071535.html?fbclid=IwZXh0bgNhZW0CMTEAAR3XC2V27hazMJhmSCE7UZx5pGa17DCU13CTJ6RtvcChELPHmn06KvkyFpQ_aem_ATwQCpizBhrCbxyHTWCHd42FOb3FpCoi3FLL3LsSXNxYXx3a9S4OAGCXsvAYV47Y6SPrzVnQfv8msXo7jBhCqhaC)

Kobus Marais (20017:21) argues, ‘development is irrevocably entangled with systems of meaning or processes of making and taking meaning ‘, and; Mignolo (2018:35) states that ‘what matters is not economics, or politics, or history, but Knowledge.’ These insights highlight the importance of critically analyzing the processes by which knowledge is created, shared, and utilized, as well as recognizing the influence and consequences of this knowledge within the context of development discourse. Anthropologist Stacey Lee Pigg has traced that buzzwords are institutionalized in Nepali public culture, to construct development ideologically. (Pigg, 1992)

To examine how buzzwords related to development are constructed shared and utilized by the state, the analytical approach of Multimodal Critical Discourse Analysis (MCDA) will be employed. Critical Discourse Analysis (CDA) deals with long-term analysis of fundamental causes and consequences of issues. “Discourse is socially constructive as well as socially conditioned; it constitutes situations, objects of knowledge, and the social identities of and relationships between people and groups of people” (Wodak, 2009, p.3). According to Locke (2004:1), critical discourse analysis aims to systematically explore often opaque relationships of causality and determination between discursive practices, events and texts, and wider social and cultural structures, relations, and processes; to investigate how such practices, events, and texts arise out of and are ideologically shaped by relations of power and struggles over power. (cited in Mogashoa, 2014, p.105 Thus, to discuss development discourses in Bojheni Nepal, this section will examine the words and sentences used in The Fifteenth Plan (Fiscal Year 2019/20 – 2023/24) and Nepal's long-term vision 2043.<sup>28</sup> and the arguments of the participants, I interviewed in June/ July 2023 to discuss development discourse in Bojheni Nepal. The analysis will focus on development ideologies, and

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<sup>28</sup> This long-term vision foresees the graduation from the least developed country (LDC) to a developing country by 2022 by achieving income growth, formation of quality of human capital, and reducing economic vulnerabilities. It also envisages graduating to an upper middle-income country by 2030 by achieving the SDGs.

strategic contexts, that interact in a meaning-making process based on specific ideological functions.

Fairclough and Wodak argue that CDA reveals the underlying power relations and ideological assumptions present in language use. It examines how language constructs social identities, reproduces dominant ideologies, and perpetuates social inequalities (Fairclough & Wodak, 1997). The introduction chapter of The Fifteenth Plan (Fiscal Year 2019/20 – 2023/24) presents a comprehensive vision for Nepal's development in three phases, emphasizing good governance, development, and prosperity. It contextualizes the current development agenda within the framework of the 2015 Constitution, which institutionalized a federal democratic republic governance system, thereby opening the avenue for achieving economic prosperity.

## 2.1 Discourse of Prosperity and Economic Growth

Nepal's journey towards planned development started 70 years ago and continues even today. After liberation from the autocratic Rana regime, Nepal started the '*Sajilo*' (easy) process of economic and social transformation through planned development.<sup>29</sup> The notion of considering development as the last and only means of transformation has given a certain shape and character to the country's economy, bureaucracy, politics, and social-cultural behavior in Nepal. In Nepal's Federal, Provincial, and Local level elections of 2018, one of the major political parties in Nepal the United Marxist Leninists unveiled its election manifesto with the title of "*Samridhda Nepal Sukhi Nepali*"

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<sup>29</sup> Krishna Bahadur Bhattachan, Chaitanya Mishra (1997) Developmental Practices in Nepal

(Prosperous Nepal Happy Nepali). It was the first time, the word “*Samridhdi*” (prosperity) was introduced as the planned policy in Nepali politics and governance. The government led by the United Marxist Leninists commenced The Fifteen Plan, (Fiscal Year 2019/20 – 2023/24) in 2019. The introduction chapter of The Fifteen Plan (Fiscal Year 2019/20 – 2023/24) presents a comprehensive vision for Nepal's development in three phases. It contextualizes the current development agenda within the framework of the Constitution of Nepal 2015,

*The current Constitution of Nepal 2015 drafted by the historical constituent assembly established by the People's Movement of 2006 has institutionalized a federal democratic republic governance system and thereby opened the avenue for achieving economic prosperity.*

*(The Fifteen Plan, (Fiscal Year 2019/20 – 2023/24))*

This plan also includes the long-term development vision of Nepal elaborately, which aims to graduate to a middle-income country by 2030 and a developed country by 2043.<sup>30</sup>

*a Long-Term Vision of taking Nepal to the level of advanced countries by 2043 AD. The plan has been prepared with the objective of implementing the development policy to cause massive economic and social transformation to address the citizens' expectations of development and prosperity, to achieve rapid and high economic growth, and to ensure equitable distribution and redistribution.*

*(The Fifteen Plan, (Fiscal Year 2019/20 – 2023/24))*

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<sup>30</sup> The 25-year Vision has been formulated to make Nepal a developing country within the first three years; to attain the SDGs by ending absolute and multidimensional poverty by 2030 and graduate to a middle-income country and to reach the level of developed countries by 2043.



All three tiers of government are regarded as the responsible stakeholders for implementing the Fifteen Plan, and the long-term development plan to achieve the plans' goals.

*Based on constitutional mandate and responsibilities, the three levels of government are responsible for making Nepal prosperous and advanced by promoting freedom, sovereignty, geographical integrity, and independence. It remains essential to formulate a long-term vision to realize the goal of 'Prosperous Nepal, Happy Nepali'”*

*(The Fifteen Plan, (Fiscal Year 2019/20 – 2023/24)*

The analysis of The Fifteen Plan (Fiscal Year 2019/20 – 2023/24) and Nepal's long-term vision for 2043, shows that Nepal's government is emphasizing ‘prosperity’ and ‘economic growth’ as the major agenda to achieve the goal of graduating to a middle-income country by 2030 and developed country by 2043. Additionally, The Fifteen Plan (Fiscal Year 2019/20 – 2023/24) and Nepal's long-term vision for 2043 institutionalized buzzwords such as ‘prosperity’ and ‘economic growth’ making it appealing in political rhetoric. However, both the Plan and Vision stress ‘prosperity’ and ‘economic’ growth, they have not defined the terms. The development plan led by the Marxist-Leninist Party prioritizing the neoliberal economic policy looks contradictory. However, After the restoration of democracy in 1990 Nepal, Political parties and their agencies have established the notion that development is the last and only means of transformation of the economic situation of the people and the nation.

Fairclough and Wodak (1989) argue that analyzing the relationship between text and society is necessary. Critical Discourse Analysis (CDA) reveals the underlying power relations and ideological assumptions present in language use. Based on the method of Critical Discourse

Analysis (CDA), it is arguable that the government of Nepal perceives the construction of large infrastructure as a source of employment, revenue generation, and service provider. The hydroelectric trade agreements with neighboring countries, India and Bangladesh escalated the eagerness of the government. Despite Nepal initiating its first development plan in the 1950s, the frequent political changes hindered the state from investing adequate time, policy, and capital in the construction of development infrastructure. As a result, even today, essential infrastructure such as uninterrupted electricity and roads remain an aspiration for a significant portion of Nepal's population. There is widespread discourse in Nepali public spaces regarding the perceived lag in infrastructural development by both the political leadership and the people. Thus, The Fifteenth Plan (Fiscal Year 2019/20 – 2023/24) argues to put all the Nation's effort into the 'development' and 'prosperity' of Nepal.

In the name of development, the government of Nepal has defined physical infrastructure construction and economic growth as modernity in the 20th century. For this, the word *Samridhdi* has been established in the public mind by the government and its agencies in Nepal through various policy documents, public statements, media, etc. Locke (2004) argues that discourse is shaped and constrained by social structure (class, age, ethnicity, and gender) and by culture. Understanding the infrastructural shortfall, and social structure of Nepal, the government promotes building large infrastructures that indicate economic prosperity to the policymakers. Consequently, terms such as 'prosperity' and 'economic growth' are used as buzzwords to perpetuate neoliberal development ideology and convey the state-led development discourse of Nepal. Dhakal and Pokharel (2018)

argue that prosperity is a new form of the old and failed modernization discourse, which stands on the theoretical foundation of making the world modern like Western countries.<sup>31</sup>

‘Economic growth’, is another state-institutionalized buzzword in development discourse in Nepal. Nepal's long-term vision for 2043, the preliminary target of 10.5 percent average annual economic growth has been estimated for this period.<sup>32</sup> This long-term vision aims for development typically based on economic indicators. Mandip Rai (2017) notes that the democratic governments newly formed after the downfall of the Panchayat system in 1990 promised to deliver *bikas* (development) led by the hand of the neoliberal market. Devid Harvey defines, “Neoliberalism is in the first instance a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade”. (Harvey, 2005, p.2) When the government provided all sorts of political and civil freedoms, it started de-regulating the economy by privatizing many previously government-owned companies and corporations and loosening barriers to trade and commerce (Shakya, 2012 as cited in Rai, 2017, p.72).

Sectors such as airlines, finance companies, banking, insurance, and hydro-power were partially or fully privatized, and several private companies began to compete in these economic sectors like never before (Shakya, 2002, 2012 cited in Rai 2017, p.72)

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<sup>31</sup> <https://ekantipur.com/opinion/2021/09/21/16321902838169666.html>

<sup>32</sup> The Fifteenth Plan (Fiscal Year 2019/20 – 2023/24)

Another example of The Eighth Plan (1992-1997) adapting the neoliberal policy was inviting domestic and foreign private investment in hydropower development. It has mentioned developing hydropower projects by attracting investment from the internal and international private sector as well as from the governmental sector, as necessary, and through joint ventures of government and private sector to promote hydropower development.<sup>33</sup> Achieving economic growth through incrementing per capita income is considered the primary prerequisite for development. Consequently, Long Term Vision 2043 aims for a preliminary target of 10.5 percent average annual economic growth for this period. The state's emphasis on growth in hydroelectricity production, economic growth, and competitiveness, reflects that the state-initiated development discourse is aligned with the neoliberal idea of profit-making through investment in infrastructures.

## 2.2 Discourse of Cultural Identity and Right to Self- Self-Determination

The state-initiated development discourse of 'economic growth' and 'prosperity' is not unquestioned. The hydroelectric substation and transmission lines construction project in Bojheni Nepal, identified by the state as one of the major driving forces for achieving 'economic growth' to achieve 'prosperity' through hydroelectricity production, is a state-led development initiative facing resistance from the Tamang Indigenous people. Dev Kumar Sunuwar introduces the project and its impact on the local people,

*“Lapsiphedhi (Bojheni) is of strategic importance to Nepal's electricity infrastructure development. The NEA plans to build a substation in Lapsiphedhi (Bojheni) for the distribution of three different high-voltage transmission lines*

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<sup>33</sup> The Hydropower Development Policy, 2001

*of electricity—400 KV, 220 KV, and 132 KV—generated from hydroelectric projects built mainly on the Tamakoshi and Sunkoshiriver. The proposed transmission lines will go through the middle of the Tamang settlement, creating a web of transmission lines in the area. The Nepal Electricity Authority never disclosed these plans to the public, which has been a major concern of the affected communities many say the planned purpose of this design is to displace Indigenous Tamang people, as the line will pose a danger to the entire village” (Sunuwar, 2023, p.1)*

Dev Kumar Sunuwar further mentions, confirming their higher dependence on natural resources, the Project Affected Tamang has a higher economic reliance on agro-pastoralism, in particular, livestock herding. Agriculture with animal husbandry is the main source of livelihood for 89% of households. (Sunuwar, 2023) Harimaya, a resident of Bojheni, mentioned the impact of the substation and transmission line and she stated,

*‘The electricity authority is trying to solve this conflict with higher compensation, but our concern is not the amount of compensation. Our concern is about our land. The Tamang people's livelihood and way of life connected with their ancestral land and community.’*

The given arguments show that the land is an essential and basic source for the livelihood of the Indigenous Tamang people in Bojheni. The construction of the substation and transmission lines risk the land, settlement, and livelihood leading to potential displacement from their ancestral land and the loss of their culture.

Dev Kumar Sunuwar reports the voice of, a resident of Bojheni, “The hydropower project has caused more suffering to the locals when compensation was sought for our private

lands, we were threatened and we were forced to give our land up,” (Sunuwar, 2023, p.3) Similarly, Y Tamang, a member of the Upper Tamakoshi hydroelectric sub-station and transmission lines struggle committee emphasizes the local people’s right to decide the project, says “even if the physical infrastructure to be built, decisions like should be made according to the needs of the local people. The main decision-makers regarding physical construction projects should be the locals, not the state or the investors” The Lawyers’ Association for Human Rights of Nepalese Indigenous Peoples, has reported the question asked by the local people, of Bojheni “Why can't we continue living according to our culture and society as we were? Why this hydro should come to our village? Don't we have the right to continue our lifestyle as we have for generations”? (LAHURNIP, 2023, p.7)

Sujit, a member of the struggle committee talks about the development project and its nature,

*We also need and want infrastructural facilities, roads must be built, and electricity must be produced, but due to this kind of infrastructure construction, our lands should not be forcibly acquired by the government, and our lifestyle and culture should not be affected.*

The argument by the Sujit suggests that the Indigenous Tamang people’s prioritization for their ancestral and potentially forced location due to the project and the loss of their cultural heritage made them resist the state-initiated development project. The arguments show that the Indigenous Tamang people of Bojheni are not against the development, but the development process and the approach. They are resisting the top-down approach and economic profit-driven nature of the state-initiated development projects.

Fulcher R, argues that “discourse is a coherent way of making sense of the world as reflected in human sign systems including verbal language. He further describes discourse as a concept that is in an active relation to reality.” (Fulcher 2010:2, cited in Locke, 2004, p.5). Based on the given method of critical discourse analysis and the arguments of three different people from Bojheni, it can be argued that the Tamang people's resistance to infrastructural projects is an alternative approach to development where land is not just an economic resource but a core of the Tamang identity. The Tamang people in Bojheni are more concerned about their cultural rights and sense of community rather than infrastructural facilities. Sujit’s statement, "We should have the right to determine what kind of infrastructure to build on our land or not," conveys this resistance, advocating for a more inclusive and participatory approach to development.

To conclude, the conflict in the Upper Tamakoshi hydroelectric substation and transmission lines is about the discourse of development between state-led development initiatives and indigenous Tamang people. In this way, state-initiated development discourse in Nepal is a top-down approach from centralized economic planning agencies. “Discourse is shaped and constrained by social structure (class, age, ethnicity, and gender) and by culture.” (Locke, 2004, p.7) As I have mentioned in Chapter 2.1, it creates favorable conditions for neoliberalism-oriented infrastructural development to achieve economic growth and ‘prosperity’ defined by the power influential high-caste Hindu elites of the nation. On the contrary, the Tamang people's resistance emphasizes considering local perspectives, cultural values, and the right to self-determination in development projects.

## 2.3 Systemic Hierarchies

There is a deep-rooted belief in the importance of physical infrastructure driven by a top-down, state-led, economic-growth-focused, and technocratic development approach, in Nepal Hydroelectric production is considered one of the prominent foundations of this approach. when the discourse of modernization and development was spreading worldwide, the Panchayat system came into force in 1961 in Nepal. Panchayats institutionalized autocratic monarchical and centralized governance under the guise of stability and development. Nepal had to spend three decades to get rid of it. After the promulgation of the 1990s constitution, the modernization 'ready-made' sense of development was adopted in Nepal. (Dhakal and Pokharel, 2018) In these, three decades-plus periods, the character of the structure and system connected with the concept of development is always political. (Dhakal & Pokharel, 2018) It is more political when a state sets and implements those goals. Therefore, the national project of *bikas* (development) encourages the formation of an imagined national community. Therefore, the historical legacy of state-building of Asali Hindustan and cultural homogeneity epitomized by the Panchayat era with the vision and slogan of "One language, one form of dress, one country" (*Ek bhasa, ek bhash, ek desh*), which encapsulated the push for a singular Hindu national culture in Nepal. (Onta, 1996) Moreover, development programs are implemented by the burgeoning ranks of civil servants who leave their home villages behind to work in delivering development to other Nepalis.

In a process similar to that described by Anderson (1983) for the native functionaries of colonial administration, these civil servants come to identify with a national society. (Pigg, 1992) Critical discourse analysis aims to uncover the ideological assumptions hidden in the worlds of our written text or oral speech to resist and that we are exercising power unbeknownst to us (McGregor 2010:) Therefore, development discourse of 'prosperity' and 'economic growth' promoted by the state do



not only refer neoliberalism but also colonization, of the Hindu ideology to the land and lives of Indigenous people such as in Bojheni.

In a secular state in Nepal, standing on the foundation of centuries-long political, social, and administrative power dominance of upper caste Hindus. Even though, the recent Constitution of Nepal, 2015 provides protection and promotion of Indigenous Peoples' knowledge, traditions, and culture. Because, Nepal's government is guided by the Hindu Caste system, which was institutionalized in the General Code of 1857, also known as *Muluki Ain*. (Indigenous Peoples Rights International., 2021) Consequently, "The acts (*ain*), regulations (*niyam*), directives (*nirdeshika*), standard procedures (*maapdanda karyabidhi*), and other institutionalized legal instruments in Nepal that relate to protected areas do not recognize Indigenous Peoples' communal land tenure and other customary rights. Therefore, the law criminalizes the conduct of their traditional practices". (Indigenous Peoples Rights International., 2021, p.1) This reflects that, Hindu ideologies and the Caste hierarchies still prevail in the principle of Hinduism and Caste hierarchies even in in secular Nepal through laws and directives. Consequently, state regulations criminalize their traditional livelihood practices, such as making homebrew alcohol, cutting timber and firewood, slaughtering female buffaloes, and consuming beef.<sup>34</sup> This manifests in the different policies, procedures, and governance systems such as planning the infrastructural development, education system, and bureaucracy.

The constitution guarantees the inclusion of Indigenous peoples in the state mechanism, but it has not been implemented in practice. According, to clauses 38(4), 40(1) and 42(1) of the Constitution of Nepal, 2015, women, Dalits, Madhesi, Tharu, Janjati, Muslims, and other marginalized groups

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<sup>34</sup> Shradha Ghale, <https://www.recordnepal.com/the-wrong-side-of-the-thin-blue-line>

need to be represented in the judiciary, including in the Supreme Court. In addition, clause 5(1) of the Judicial Council Act also specifies that judicial appointments need to be inclusive of various communities. Almost, 100% of senior bureaucrats in the legal profession are Bahun-Chhetri men.<sup>35</sup> Nepali monolithic language policy in bureaucracy and education system, Hindu religion-based legal principles still hinder the non-Hindu Tamang Indigenous people, who speak their mother tongue from obtaining an education, bureaucratic, and decision-making positions.

LAHURNIP<sup>36</sup>, reports about the Nepal government's insensitivity and unjust towards the Indigenous land and their sacred places.

*“In 2020, a man named Krishnadas Devacharya (a Hindu priest) occupied 22 bighas (13.63 acres) of land in Sunsari to establish an ayurvedic treatment center devoted to promoting Hindu religious practices. This project was funded by a two-million-rupee investment from the government of Nepal. A wall was erected and an iron gate was built to enclose the land that had been used as a cemetery by the Indigenous Rai and Limbu communities.” (Rai, S. K., Ghale, D. K., Limbu, S., Rai, B., & Thami, T. (Eds.). (2022).*

However, “the deeply entrenched discrimination and hierarchical society have kept ownership and access to natural resources within the elites of the higher caste. Approximately 80 percent of

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<sup>35</sup> <https://www.recordnepal.com/caste-apartheid-in-the-judiciary>

<sup>36</sup> Lawyers' Association for Human Rights of Nepalese Indigenous Peoples

Nepal's indigenous population has less than 0.4 hectares of landholding.” (Indigenous Peoples Rights International., 2021, p.1) Shradha Ghale additionally notes that,

*since Nepal was declared a secular state, many people from Tamang, Rai, Magar, and other Indigenous groups (Janajatis) have been arrested for alleged cow slaughter in districts across the country. The officers on duty and district court lawyers demanding action against them belonged to high-caste groups.*<sup>37</sup>

Therefore, in the constitutionally, inclusive, secular state of Nepal, the legacy of 204 years of Hindu rulers,<sup>38</sup> structurally prevails continuously in all the aspects of the state. Even after the end of the Panchayat system Nepali state policies, cultural, and social practices are ideologically dominated by high-caste Hindus.

Given that high-caste Hindus have been persistently holding the policy and decision-making power and positions. This has perpetuated the prevalence of unequal power relations between the high-caste Hindus to the Indigenous Tamang people. These hierarchical and unequal power relations among ethnic groups, combined with the neoliberal policies implemented by the state, operate hand in hand within the Nepali state system. Consequently, the discourse of prosperity devalues the social justice and equitable development approaches of marginalized Indigenous groups such as the Tamangs portraying economic growth and physical infrastructures as the state's sole goals.

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<sup>37</sup> Shradha Ghale, <https://www.recordnepal.com/the-wrong-side-of-the-thin-blue-line>

<sup>38</sup> Establishment of the Kingdom of Nepal as Asalee Hindustan (Pure kingdom of Hindus) in 1769 to End of Hindu Monarch 2008.

## Chapter Three: Reinforcement of Injustices

This Chapter analyzes the injustices against the Indigenous Tamang people from the state-initiated development project in Bojheni Nepal. This analysis is informed by ethnographic interviews with the Tamang Indigenous and other concerns and stakeholders and the conceptual framework of critical development studies and Indigenous studies. In this chapter, my focus will be on how state-initiated development projects reinforce the injustices to the Indigenous Tamang people.

### 3.1 Reinforcement of Economic Injustice

The land grabbed for the substation and transmission lines construction used to be the *Birta land*<sup>39</sup> of Rana administrator Ananda Sumsher. During the Rana regime, the state granted the ancestral land of Tamang to Anand Sumser as the *Birta*. Tamangs of Bojheni paid the land tax of their ancestral land. After the abolition of the Birta system in 1957, the land was registered to the local Tamangs.<sup>40</sup> Anthropologists David Holmberg and Kathryn March have noted how historically Indigenous Tamang people have been treated by the state and rulers,

*“Tamangs are a historically marginalized indigenous group that has faced widespread exploitation at the hands of the ruling elite. Since the formation of the Nepali state, the high-caste rulers at the center subjected the Tamang to forced labor, appropriated their*

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<sup>39</sup> The Birta system in Nepal was a feudal land tenure system. Under this system, land was granted by the state to individuals, typically high-ranking officials, members of the royal family, or other elites. These land grants were often tax-exempt and were hereditary, passing down through generations within the recipient's family. The Birta holders had rights to collect rent and taxes from peasants who cultivated the land Birta Land Abolition Act was promulgated in 1957.

<sup>40</sup> B Tamang shared the history of the land in Bojheni in an interview on July 2023- This area used to be one of the kingdoms among the 18 Tamang tribal kingdoms. There was no land registration system in Nepal back then. During the Rana period, Ananda Sumsher, a Rana administrator, was granted this land as Birta by the Rana Prime Minister Mohan Sumsher. After the Birta system was introduced, the Tamangs paid taxes on their ancestral land to Ananda Sumsher until 1957. After the abolition of the Birta system, the land was registered in our names with ownership.

*land, suppressed their language and culture, and violently quelled their attempts at resistance.” (Holmberg, 1999, p.19)*

During the planning and implementation of the hydropower substation and transmission line construction project, the state and its agencies’ attitude towards the Indigenous Tamang people in Bojheni is not much different than what Holmberg and March noted 25 years ago. On the same land that was taken as the Birta during the Rana regime, the state initiated the project to construct the hydropower substation and transmission line in 2015. The International Work Group for Indigenous Affairs (IWGIA) has reported how the Nepal Electricity Authority, a government body for electricity grabbed the land from the locals,

*The Indigenous and local communities in Bojheni village of Shankharapur municipality were not informed about the Project and no consultation was held with the communities. The authorities began implementing the project by acquiring communities’ lands through threats and intimidation. The Ward Chair of Shankarapur Municipality-3, Mr Surya Bahadur Tamang, also confirmed that even the local government is not aware of the ongoing survey process of the Project, and no permission was taken from the local government in violation of legal provisions of Nepal. (IWGIA 2023)*

Dev Kumar Sunuwar has also noted that the state or the Nepal Electricity Authority did not clearly communicate with the locals about the land acquisition, he has reported the voice of Indra Kumari Waiba, a local woman “The authorities did not tell us that they will build electricity transmission lines and substations. Rather, they told us that a big office will come for the development of this area. But now we are forced not only to leave our land but to leave our ancestral village. We were threatened to take compensation. They said if we were ready to take compensation now, we would get it, but if not, we

would never get it for the rest of our lives. Thus, we took a minimal compensation without any further thought. (Sunuwar, 2023) S Tamang, an active member of the struggle committee interprets the construction of the hydro project as a tool of the state's encroachment on their land, he argues that the "state is not here just to make the profit from electricity, it wants to encroach our land and culture like the King did in the past."

These statements reflect that NAE did not inform all the concerned and impacted people about the nature and the scope of the infrastructural project nor involve all in the decision-making process for the project implementation.

RK Tamang and Simone Galimberti report the voice of the locals, "the affected Indigenous people said that they had been living in the area for generations, cultivating their land for subsistence. The project's impact on the land would worsen their situation." (Tamang & Galimberti, 2023) Similarly, Dev Kumar Sunuwar reports "Those impacted are worried that the substation's construction in the center of their community area, with power lines crossing their homes, lands, and cultural and religious sites, will have a significant negative impact on their livelihood by depreciating their properties and land and negatively affecting their well-being." (Sunuwar, 2023) A resident of Bojheni, Raveen expressed concern about the economic benefits accrued from hydroelectric power stations and transmission lines, "NEA officials claim the substation will bring employment and development to the village, but no one here is an engineer to work on the project, the most we can get is for construction workers. The profit goes to the electricity authority, so how does it benefit us?"

The following arguments show that land acquisition has caused people to lose their major source of livelihood, which is agriculture. The transmission line possesses an additional risk of further

loss of agricultural land and production due to the high voltage wires passing over the agricultural land of the people. Raveen's question about the economic benefit of the project also resonates that, the electricity distributed from the land of Indigenous Tamang People only benefits the NEA and ADB, while Indigenous Tamang People, themselves gain no benefit. This state-initiated big infrastructural development project is no less injustice that mirrors the injustices Tamangs had to face having to pay land tax to the Rana regime for their ancestral land.

Additionally, to find the answer to Raven's next question about the job opportunities for the local Tamangs from the hydropower substation development, it is important to discuss the historical relation of Tamang with the state is important, Shradha Ghale (2015)<sup>41</sup> mentions it briefly,

*For centuries after the creation of the modern Nepali state in 1769, the Tamang were virtually enslaved by Kathmandu's high-caste rulers. In her study of the Tamang of central Nepal, March has shown how the Tamang people in present-day Rasuwa, Nuwakot, and Dhading—were compelled to work as laborers for the ruling elite during the Rana regime. The Tamang were classified as “enslavable alcohol drinkers” in the 1854 civil code. They were forced to collect fodder for royal herding operations; walk for several days to carry dairy products to Kathmandu; work at royal fruit plantations around the Trishuli River; grind charcoal at the gunpowder factory in Nuwakot district; produce paper for the administration, and serve as porters for the military and civil administrations as and when needed. Not only were these workers unpaid, but they also had to carry their own rations.*

As I have discussed in Chapters One and Two, the education system with the policy of only the *Khas-Nepali* language as a means of learning the disenchanted mother tongue speaker indigenous

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<sup>41</sup> <https://www.recordnepal.com/the-heart-of-the-matter>

people even today.<sup>42</sup> Thus, historical ethnic and structural discrimination further intensifies the Tamang Indigenous people's difficulties in educational attainment and eventually limits their prospects in the competitive job market, where different linguistic and technical skills are required. It is not necessary to be an engineer to be employed in development projects as Raveen mentioned. However, his argument about the job possibilities in the proposed development project for local Tamang people shows ethnic and societal prejudices and unequal power dynamics in the job reflects how capitalist production values the body power of different subjects unequally, influenced by societal values and hierarchies. (Rajaram 2021)

Anthropologist Ben Campbell (cited from Shradha Ghale, 2015) argues that the development ventures have failed to improve the lives of the indigenous Tamang population in any significant way. Because of poverty, illiteracy, and lack of access to state institutions, the Tamang cannot compete with outsiders in benefiting from these “enclave developments”<sup>43</sup>; Even from a state-initiated big infrastructural development project in Bojheni, Tamang people have less or no access to the benefits it produces. Thus, the nation’s imagined prosperity and economic growth may not necessarily translate into tangible gains for the Tamang indigenous people. Rather, the nation’s imagined vehicle of economic growth, the hydro project disrupts the agriculture-based livelihoods by grabbing their land with minimum compensation to perpetuate their economic marginalization. Therefore, in the pursuit of becoming a middle-income country, the state is doing economic marginalization and injustice to Indigenous Tamang people.

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<sup>42</sup> Bhakta Rai, 2015 Read more at: <https://english.indigenousvoice.com/news/why-indigenous-people-lag-behind-in-education-sector>

<sup>43</sup> <https://www.himalmag.com/archives/the-road-and-the-tamang-borderland>



### 3.2 Reinforcement of Legal and Cultural Injustices

The International Work Group for Indigenous Affairs (IWGIA) reports about the concerns of the people of Bojheni regarding the hydropower substation project, “The Project-affected communities are concerned about the construction of the substation in the middle of their settlement area, with transmission lines running over their houses, lands, and religious and cultural sites. Further, they fear that this may eventually result in displacing them from their ancestral lands and settlements.” (IWGIA 2023) Similarly, Dev Kumar Sunuwar accounts for the people of Bojheni village, their culture, and the potential impact of the hydropower substation on them,

*Bojheni is the ancestral land of Tamang Indigenous Peoples, who still practice customary cultural and ritual practices called Choho (which are almost extinct in other Tamang settlements). Tamba, Bonpo, Lama, and Lopen are also preserved through their traditional practices. If the current construction plan is carried out, Tamang Indigenous Peoples will be displaced, threatening their identity and cultural heritage. (Sunuwar 2023)*

The given statements present that, the Indigenous Tamang people in Bojheni practice their traditional culture and religion. The high-voltage transmission wires from the substation pass over local homes, fields, and sacred places, posing a potential danger to all these areas. The threat might be up to the displacement of the people from their ancestral land. If they have to be displaced from their ancestral land, they must live in various places, causing them to lose their community and cultural identity.

The Indigenous Tamang community's perceived exclusion from consultation and consent is a primary reason for resistance to development projects on their lands. Due to the absent of free prior

and informed consent, there is uncertainty about the impact of the construction project on local people and their properties. The Lawyers' Association for Human Rights of Nepalese Indigenous Peoples reports about the potential cultural impact of the construction of a hydropower substation, “the impact of the project to Tamang in Bojheni includes the potential loss of land and tangible sociocultural elements – an erosion of the role of self-governing customary institutions” (LAHURNIP, 2023). Tamang people of Bojheni also expressed concerns regarding the potential degradation of their culture, religion, and sacred sites as a result of the construction project of a hydroelectric substation and transmission lines. R Tamang, an Indigenous activist states that “we practice customary laws, which have held us as a community, that would not be possible if we are displaced from here.” Suman, an active member of the Upper Tamakoshi Sub-station and Transmission Lines struggle committee, states about the potential risk of the project, “If sub-station and transmission lines are made, 500 households have to move away from our ancestral land, due to the risk of living and working under the high-voltage electrical wires.” Forced relocations result in the erosion of traditional governance, cultural practices, and religious beliefs.<sup>44</sup> (Sunuwar, 2023) The Tamangs in Bojheni practice a customary justice system “Hyul Chhok” and shamanistic cultural practices called Tamba, Bonpo, Lama, and Lopen.<sup>45</sup> Based on the arguments, it is evident that the substation and transmission line might result in the displacement of the Tamangs destroying the community and the self-governing customary practices.

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<sup>44</sup> <https://www.weforum.org/agenda/2024/02/indigenous-challenges-displacement-climate-change/#:~:text=Climate%20change%2Dinduced%20displacement%20of,cultural%20practices%20and%20religious%20beliefs.>

<sup>45</sup> Based on the interview in July 2023 with S Tamang

Sociologist and Indigenous activist Krishna Bhattachan argues about the impact of strong state presence in the life and land of Indigenous people,

*When the state forcefully encroaches upon indigenous lands, it is essentially imposing the state's ideology and characteristics onto indigenous peoples through various rules, laws, and policies. In Nepal, the Hindu-centric state has been undermining the collective lifestyle of indigenous communities, replacing communal land stewardship with individual ownership, and facilitating the state's ability to seize land under the pretext of development whenever desired.*<sup>46</sup>

A strong state presence enforces the legal and systemic conduct of the state towards the Indigenous people, which also potentially marginalizes the indigenous cultural practice of Tamang people in Bojheni.

The sub-station and transmission construction project in Bojheni also appears culturally and religiously insensitive. R. Tamang one of the prominent members of the struggle committee interprets the state's emphasis on infrastructural projects as state colonialism to indigenous people, he argues that "the state does not accept cultural and political ideologies that are non-Hindu. Therefore, it aims to scatter us, but our generations of the Tamangs will fight against it." Dev Kumar Sunuwar reports the potential impact on the religious site of the Bojheni "One of the proposed transmission lines will go through the *Manes* (Buddist stupas). The NEA never disclosed these plans to the public, which has been a major concern of the

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<sup>46</sup> <https://dayitwabodh.com/news/detail/160062/>

affected communities; many say the planned purpose of this design is to displace Tamang Indigenous Peoples, as the line will pose a danger to the entire village.” (Sunuwar, 2023) The increased investments and the concession of the mega hydropower projects come at the cost of displaced Indigenous Peoples and local communities and the violation of their rights to lands and resources. Often their knowledge and traditions are discarded, (Baird, 2020)

The hydroelectric substation and transmission lines construction project in Bojheni came with the potential risk of, the safety and livelihoods of the Tamang indigenous people and their cultural marginalization. As I have discussed in Chapter One, the government's insensitivity to non-Hindu cultural and religious practices further perpetuates the systemic discrimination and exclusion of non-Hindu indigenous communities. Cultural exclusion and social hierarchies perpetuate the continuation of systemic discrimination and marginalization of Tamang people's access to state mechanisms. Thus, the state involvement, with its Hindu-centric ideology through the implementation of the hydropower project, poses cultural and social injustice to the Indigenous Tamang people.

## Chapter Four

### Indigenous Resistance to the State-initiated Development Project

This chapter analyzes the resistance by the Indigenous Tamang people to the state-initiated development project of the Upper Tamakoshi hydroelectric sub-station and transmission lines in Bojheni Nepal. The Tamang Indigenous people in Bojheni have been opposing the construction of the Upper Tamakoshi Substation and transmission lines in their place since it was decided to build in 2015. According to R. K Tamang, an Indigenous activist, “NEA has never consulted, obtained FPIC, or involved Indigenous Peoples and locals in decision-making; instead, it seized the land forcefully” (Galimberti, 2023)

As I have discussed in Chapter Three, the construction of the infrastructure will impact the economic and cultural lives of the Tamang Indigenous people, with a potential risk of displacement. On January 1, 2023, when the Nepal Electricity Authorities (NEA) forcefully initiated a survey of the land to install a substation and transmission, the community protested.<sup>47</sup> During the protest, at least seven protestors (including a woman and a minor) were arrested, Further, the police threatened the protestors at gunpoint and manhandled the Ward Chair, women, and other protestors causing injuries to at least a dozen people<sup>48</sup>. “The mobilization of armed police in the village has created an atmosphere of fear among the residents.” (Shimray G., 2023) Protest from the local people led by the Upper Tamakoshi Sub-station and Transmission Lines struggle Committee continues. (updated on 25 May, 2024)

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<sup>47</sup> <https://www.culturalsurvival.org/news/hydroelectric-transmission-line-and-power-station-likely-displace-500-tamang-households-nepa>

<sup>48</sup> <https://www.culturalsurvival.org/news/hydroelectric-transmission-line-and-power-station-likely-displace-500-tamang-households-nepa>

The development discourse of the government of Nepal and its agencies such as NEA overlooks other existing discourses of development. For instance, I mentioned in Chapter 2.2 those emphasizing cultural identity and the right to self-determination. Thus, the development discourse in Nepal, as identified by (Ferguson, 1995) ‘discourse of development’ remains colonial.

#### 4.1 Legal Resistance

The Indigenous Tamang people have been legally resisting the construction of the Upper Tamakoshi Sub-station and Transmission Lines. RK Tamang and Simone Galimbarti have noted the statement of Ranajit Tamang, coordinator of the Upper Tamakoshi Hydropower affected struggle committee: “Our land was captured in the past, and the new substation and high-tension project also came to capture our land. We are fighting for our land. If they want to take our land, they must have to take consent. (Tamang & Galimbarti, 2024) Similarly, the Lawyer’s Association for Human Rights of Nepalese Indigenous People urge the meaningful participation of historically marginalized communities in the planning process is inevitable to ensure equal development of all sections of society. (LAHURNIP, 2021, p.19). However, in the substation project of Bojheni, the Nepal Electricity Authority did not conduct the Free, Prior, and Informed Consent (FPIC) with the residents of Bojheni village.

For this reason, they have been filing legal complaints against the construction project to the various government and non-government authorities. Dev Kumar Sunuwar notes the legal resistance trajectories of the struggle committee.

*The Struggle Committee and the Ward office have jointly submitted their demands to concerned local and national authorities, including the NEA, the Ministry of Energy of the Government of Nepal, as well as the Asian Development Bank’s Nepal Resident Mission to urge them to relocate the*

*Lapsiphedi (Bojheni) substation to an alternative location and or removal of the project. (Sunuwar 2022)*

However, their demands have not been effectively heard or addressed. K Tamang, an active member of the struggle committee, said: “The conflict about the substation is between Singhdurbar<sup>49</sup> and the Tamang people of Bojheni.” He considers that the state is responsible for deciding this project on their land, which is why they are legally complaining against the state through its agencies.

As a result of legal complaints to various government and non-government authorities, the Nepal Electricity Authority coordinated the meeting with the struggle committee.<sup>50</sup> Anita, a member of the struggle committee argued that the government did not form the meeting team the struggle committee wanted to talk with. She mentioned: “We requested a meeting at least with the Ministry of Energy. However, the government sent a team of middle and lower-ranked bureaucrats, who were not authorized to decide on this project. Thus, they only talk about the bureaucratic procedures of the project trying to convince us of the increment of the amount of compensation for the land. But we wanted to discuss legal and political aspects of the project.” However, the meeting could not conclude any agreements. This state attitude towards the Indigenous Tamang people could be seen in Chandra Talpade Mohanty's (2003) critique of mainstream development literature, in which she argues that “there exists a veritable underdeveloped subjectivity endowed with features such as powerlessness, passivity, poverty, and ignorance, usually dark and lacking in the historical agency as if waiting for the (white) Western hand to help subjects.” (p.513) Thus, as I have mentioned in chapter one, due to its historical marginalization of the Tamang people from

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<sup>49</sup> The central office for the political parties and bureaucracy of Nepal.

<sup>50</sup> Based on the Focus Group Discussion on July 2023 with the local Tamang people of Bojheni, coordinators, members of the struggle committee, and the Indigenous rights activists.

the state based on their ethnic categorization by the state as *Masinya Matawali* (enslavable). Referring to my argument in chapter two, in the ideologically Hindu-dominated state system Indigenous Tamang people are still at the bottom of the “colonial power matrix” (Quijano, 2000a) Nepali nation-state and its agencies such as bureaucracy see marginalized people as subjugated others.

Due to continuous legal struggle from the Indigenous Tamang people, the substation construction has been halted and has not proceeded further. Jefferess (2008) argues that “resistance is a process of liberating suppressed people from the social structure of unequal power relationships by transforming the material condition, social structure, and human relationship; and the discourse of exploitation.”(p.19) This legal resistance against a development project without local consent and participation in the decision-making process can be viewed as resistance against the government's oppressive nature against Indigenous Tamang people. In this way, the Indigenous Tamang people's legal resistance has challenged the unequal power relation between the state and the Indigenous Tamangs. This resistance has disrupted the state's oppressive strategy of imposing development projects.

## 4.2 Political Resistance

Despite years of continuous resistance from the Indigenous Tamang people to remove or relocate the construction project, the government, and Nepal Electricity Authority remain resolute in oppressing the affected communities instead of engaging in dialogue to seek a solution. Because, in contemporary Nepal "Development had achieved the status of a certainty in the social imaginary" (Escobar, 1994, p.28).



However, people like T Tamang, a member of the struggle committee are committed to establishing their issues and demands. He says, “We will politicize this ongoing injustice at national and international forums to remove this project from our place and secure our Indigenous rights.” Simultaneously, the mobilization of armed police in the village has further created an atmosphere of fear among the residents, leading to the issue of the joint press release. International organizations such as Asia Indigenous Peoples Pact, the International Working Group for Indigenous Affairs, and national Indigenous people’s right-based organizations such as the Nepal Federation of Indigenous Nationalities (NEFIN, 2), Struggle Against Marginalizations of Nationalities (SAMAN Nepal), and other 85 to issue a statement condemning the ongoing repression by security forces in Bojheni.(Sunuwar, 2023) The hundreds of individuals released joint press releases against the state brutality and solidarity of the Indigenous Tamang people in Bojheni.<sup>51</sup> The press release states that,

*We, the undersigned organizations and individuals, strongly condemn the ongoing repression by Nepal’s police and armed police forces of the Indigenous Tamang and other locals in Bojheni village, Shankharapur Municipality Ward no. 3 in the northeast of Kathmandu for the construction of the Tamakoshi-Kathmandu 200/400 kV transmission Line and its substation. Statement from the organizations (IWGIA, 2023)*

Additionally, Simone Galimberti reports “The National Human Rights Commission and Nepal Indigenous Commission have visited the area and expressed their concerns but no report has been issued so far.” (Galimberti, 2023) R Tamang, a member of the struggle committee also

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<sup>51</sup> Press release <https://aippnet.org/nepal-stop-state-brutality-against-tamang-indigenous-peoples-locals/>

mentioned, “LAHURNIP, Lawyer’s Association for Human Rights of Nepalese Indigenous Peoples is also with us, they have been providing legal support to us”

The struggle committee and the people of Bojheni have gained huge solidarity and support from organizations and individuals across the world. This political advocacy is important to establish the issues of state oppression of Indigenous people with the tool of development, and deployment of armed force to repress the protest at the national and international levels. This includes forming alliances with other Indigenous groups and Indigenous rights-based organizations to amplify their voices and demands. The commitment of the struggle committee to politicizing the issue of resistance could be viewed as the search for the legitimization of the resistance and validation of the issues to a broader audience.

### 4.3 Epistemic Resistance

The resistance to an infrastructure development project by the Tamang in Bojheni is not simply the rejection of the concrete infrastructure. It is the resistance of development epistemology employed by the state through the Upper Tamakoshi Hydroelectric transmission lines. K Tamang, a member of the struggle committee and an activist for Indigenous rights states that,

*“We also perceive social progress as a form of development, but we demand that progress should not be dictated by outsiders. It should be according to the needs and desires of the local Tamang people. We have been living here for centuries social and cultural change and progress has taken place according to time, circumstances, and necessity. We are not against the physical infrastructure but decisions about their, nature, type, and whether to build them or not should be made according to the needs and desires of the local people.*

*Our main demand is that decision-makers regarding physical construction projects should be the locals, not outsiders. Our main concern is not just related to infrastructural as such but is more about the knowledge and cultural aspects connected to infrastructure that oppress us culturally and economically in the form of development.”*

Simone Galimberti accounts the argument of RK Tamang, a representative of the Struggle Against Marginalization of Nationalities-Nepal [SAMAN–Nepal], an ally with the struggle committee,

*“Indigenous peoples have deep relationships with land, territories, and resources, so it’s not about compensation or corporate social responsibility (CSR) but rather about the respect of Indigenous People’s rights that the state has ratified internationally and judicially. It’s about making the state responsible and doing ethical development,” (Galimberti, 2023)*

This shows the critical perspective of the Tamang Indigenous people and the struggle committee regarding the approach, nature, and scope of the infrastructure being built on their land. Given statements reflect their concern and disagreement about the knowledge that decided the infrastructural development in Bojheni. Navin Rai notes about the resistance in Bojheni that “Tamangs in Bojheni are fighting for the equitable and culturally respectful development.” (Rai, 2023) R Tamang a member of the struggle committee questioned the development approach of the government, he asked: “Why does the government not think of development without forcibly grabbing land of Tamangs and destroying our livelihood?”. Simone Galimberti further argues about the position of indigenous people in the infrastructural development process, “the rights of Indigenous peoples that are, often, at the receiving hands of this hydropower frenzy. Often, locals,

deprived of key vital information, are pressured, in many cases even coerced and intimidated, to agree to give up their lands” (Galimberti, 2023)

The development approach of the government and its consequences have been a major concern for the Tamangs of Bojheni. Indigenous people are marginalized in the decision-making process for infrastructural development in Bojheni. As I have discussed in Chapter Two, due to its coercive and encroaching nature, Tamangs in Bojheni perceive the construction of this sub-station project in their village as state colonialism.

“Epistemology is an area of philosophy concerned with the nature and justification of knowledge.” (Hofer & Pintrich, 1997, p.1) The epistemology of development employed in substation construction in Bojheni is based on the discourse of “prosperity”. To discuss the development epistemology employed in the Upper Tamakoshi hydroelectric sub-station and transmission lines, two factors: development discourse based on *Samridhdi* (prosperity) and the marginalized position of the Tamang Indigenous people in the state are important to considerably discuss.

Referring to Chapter Two of this thesis, The Fifteen National Plan by the Government of Nepal aspires to achieve a 10.5 percent gross domestic production rate to graduate to a middle-income country by 2030 and to graduate as a developed country by 2042. To achieve this economic goal, the Nepal government has identified hydropower production and the supply of electricity to neighboring countries as one of the major sources of income. The Fifteen National Plan also invites domestic and foreign private investors to invest in the hydro projects. Thus, the epistemology employed in a substation construction project in Bojheni emphasizes the construction of large infrastructures aimed at rapid income generation, justified by economic growth, through private investment and the market, and achieving *Samridhda* “Prosperity” bearing neoliberal ideology.

However, the Tamang people are not anywhere to decide the rhetoric of “prosperity” due to their marginalized position in the state mechanism. Due to persistent Hindu ideological dominance in the Nepali state and governance system, caste and ethnic hierarchies and their consequences still prevail. Gurminder Bhamra’s argument gives a perspective to find, the continuous impact of Hindu ideologies and ethnic hierarchies in the secular and democratic state of Nepal. Bhamra argues that “coloniality of power, expressed through political and economic spheres strongly structured as a knowledge. (Bhamra, 2007, p.118) As noted in Chapter 2.2, Due to the unjust and unfair treatment of Indigenous people, their culture, and ancestral land, Tamang Indigenous people are critical that the state’s development epistemology could potentially destroy their culture, cultural identity, and livelihood. Referring to Chapter 2.2 one more time, Tamangs in Bojheni are demanding to their Cultural Identity and Right to Self-determination over economic growth and “prosperity”. Thus, the Indigenous Tamang people are resisting the idea of “prosperity”, i.e., state-initiated development epistemology.

Indigenous Tamang peoples in Bojheni are resisting this slippery discourse of “prosperity” and its epistemology. They are also trying to pursue legal and political justice for state colonialism of their land the livelihood. Belfi & Sandiford argue that “decolonization is about cultural, psychological, and economic freedom” (Belfi & Sandiford, 2021), Additionally, Walter Mingnolo claims that “epistemic disobedience is the decolonial option (. Mingnolo, 2011, p.45) The quest for cultural identity and self-determination for development over economic growth and prosperity, by Indigenous Tamang people in Bojheni can be viewed as the decolonizing state-led development discourse.

## Conclusion

The state-initiated development discourse of “prosperity” in Nepal, emphasizes the construction of large infrastructures, rapid economic growth with private investment, and the market-bearing neoliberal ideology. This discourse of development could not address the issues of social justice, and the political and social rights of marginalized people. Critical studies of development and infrastructure in Nepal overlooked how historically unequal power relations among hierarchical ethnic groups have excluded Indigenous people from the development discourse and; how these unequal power dynamics have perpetuated state colonialism that marginalizes the Indigenous (Tamang) people, this thesis aimed to void that gap.

Due to the 239 years of the Hindu Kingdom, Nepal’s state mechanisms such as law, bureaucracy, and education system are ideologically influenced by Hinduism and caste hierarchies. Shradha Ghale argues about the nature of the state of Nepal, “on one side, the Nepali state can be repressive with the use of security forces and multilateral donors; on the other side, the government and bureaucratic system are structured by ethnic hierarchies.” (Ghale, 2015) In the ethnically, hierarchical society, and the state mechanism the Tamang Indigenous people are in a marginalized position in the decision-making process. Therefore, state involvement in Indigenous people’s villages and land, through the hydropower project, perpetuates systemic discrimination and marginalization of the Tamangs, resulting in economic and socio-cultural injustice to the Indigenous Tamang people. An inevitable consequence of the discourse of prosperity is the further perpetuation of existing inequalities.

The Indigenous Tamang people have been resisting the state-led development discourse of prosperity in various forms. They have been doing, collective advocacy, protest, and the legal

struggle against state-initiated development discourse of prosperity to protect and establish their rights as well as interests in the development process. The Indigenous Tamang people's continuous resistance has challenged the unequal power relation between the state and the Indigenous Tamangs. This resistance has disrupted the state's oppressive strategy of imposing development projects.

Decolonization is about "cultural, psychological, and economic freedom" (Belfi, & Sandiford, 2021) Therefore, it is arguable that The Indigenous Tamang people in Bojheni are collectively, fighting to obtain their Indigenous development discourse. "Decolonization helps in the critical analysis of the historical, political, and cultural aspects of development processes. It emphasizes the interconnectedness of various forms of oppression. Since development initiatives have the potential to undermine cultural identities and uproot indigenous communities, the theory promotes the protection of cultural and indigenous rights." (Belfi, & Sandiford, 2021). As I have mentioned in chapter 2.1. and 3.2 the Tamang people of Bojheni, are critical of the historical relation and attitude of the state towards them. Therefore, ongoing protests against the construction of the Upper Tamakoshi Hydroelectric Sub-station and Transmission Lines from the Tamang Indigenous people led by the Upper Tamakoshi Hydroelectric Sub-station and Transmission Lines struggle committee can be viewed as the decolonization of the development discourse of the state from the Indigenous perspective.

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