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# Cultural Politics of Community-Based Conservation in the Buffer Zone of Chitwan National Park, Nepal

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FLORIDA INTERNATIONAL UNIVERSITY

Miami, Florida

CULTURAL POLITICS OF COMMUNITY-BASED CONSERVATION IN THE  
BUFFER ZONE OF CHITWAN NATIONAL PARK, NEPAL

A dissertation submitted in partial fulfillment of

the requirements for the degree of

DOCTOR OF PHILOSOPHY

in

GLOBAL AND SOCIOCULTURAL STUDIES

by

Yogesh Dongol

2018

To: Dean John F. Stack, Jr.  
Steven J. Green School of International and Public Affairs

This dissertation, written by Yogesh Dongol, and entitled Cultural Politics of Community-Based Conservation in the Buffer Zone of Chitwan National Park, Nepal, having been approved in respect to style and intellectual content, is referred to you for judgement.

We have read this dissertation and recommend that it be approved.

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Date of Defense: June 29, 2018

The dissertation of Yogesh Dongol is approved.

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Andrés G. Gil  
Vice President for Research and Economic Development  
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Florida International University, 2018

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ABSTRACT OF THE DISSERTATION  
CULTURAL POLITICS OF COMMUNITY-BASED CONSERVATION IN THE  
BUFFER ZONE OF CHITWAN NATIONAL PARK, NEPAL.

by

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Florida International University, 2018

Miami, Florida

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The dissertation research examines the socio-economic and political effects of community-based conservation initiatives within the Bagmara buffer zone community forests of Chitwan National Park, Nepal. In particular, the study investigates the role of buffer zones creation in structuring the way rural property rights have been defined, negotiated, and contested, in reinforcing or reducing patterns of ethnic dominance and exclusion, and in influencing how cultural identities are constituted and renegotiated. Using a political ecology framework with a specific focus on theoretical concepts of environmentality and territorialization, I conducted 12 months ethnographic and quantitative survey field research in the buffer zone communities of Chitwan National Park. I focused on documenting socioeconomic conditions and livelihood practices, and interpreting the meanings of residents' lived experiences. In addition, I critically examined state and non-state conservation and development practices to understand how they work to produce identities, livelihoods, and landscapes in the park's buffer zone.

The ethnographic study documented diverse impacts of community-based conservation initiatives. One of the major effects is the distribution of costs and benefits, specifically elite capture of community forest and tourism benefits. Second is the existing conflict and potential conflict over the control of access, benefits, and territory based on social and cultural identities. Third is the reproduction of caste, ethnic, and class hierarchies. Fourth is the militarization of communities in and around the buffer zone and community forest. Fifth is the production of environmental and non-environmental subjects such as illegals and poachers. Finally, the sixth is the commodification of conservation spaces and subsequent ecological impacts. The research concludes that the discursive representation of humans and non-humans and the discourses and practices of economic development and biodiversity conservation produced and reproduced a number of negative social, political, and ecological consequences in the buffer zone of CNP. This dissertation concluded that the conservation and development practices are territorial projects to govern people and nature.

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## LIST OF ABBREVIATIONS AND ACRONYMS

BES	Bird Education Society
BZ	Buffer Zone
BZCF	Buffer Zone Community Forest
BZMC	Buffer Zone Management Council
BZUC	Buffer Zone Users Committee
CBC	Community Based Conservation
CNP	Chitwan National Park
CF	Community Forest
DNPWC	Department of National Parks and Wildlife Conservations
DOF	Department of Forests
FAO	Food and Agriculture Organization
FECOFUN	Federation of Community Forestry Users, Nepal
IUCN	International Union for Conservation of Nature
NTNC	National Trust for Nature Conservation
NEFIN	Nepal Federation of Indigenous Nationalities
NPC	National Planning Commission
RVDP	Rapti Valley Development Project
RHF	Resources Himalaya Foundation
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
WWF	World Wildlife Fund

## **Chapter One: Introduction**

Diverse forms of community-based conservation (CBC) projects have proliferated over the past three decades, effectively reorganizing land and resource access in thousands of rural communities worldwide (Brosius et al. 2005; Zimmerer 2006; Déry and Vanhooren 2011). Political ecologists have argued that territorialized CBCs such as buffer zones and community forests are structured by thinking that privileges the interests of the central state and private capital over those of local land users (Brockington et al. 2008; Peluso and Lund 2011; Büscher et al. 2012; Fairhead et al. 2012). Moreover, it is widely recognized that CBC efforts to control resource and land use and access by restructuring property regimes are often entangled with broader political struggles over national, ethnic, indigenous, gender, or caste identities (e.g. Brosius 1997; Li 2002; Peluso and Lund 2011; Yberra 2012). While the critique of CBCs has gained significant traction within political ecology, research into the specific social and political effects in place is inchoate and inconclusive (Neumann 2015). Questions of how and to what effect CBCs intersect with identity politics surrounding territorial claims and land rights are central, but unsettled. At one extreme, research has identified the displacement of indigenous peoples and ethnic minorities as a chief outcome (Brockington and Igoe 2006; Ojeda 2012). At the other extreme, some studies credited the introduction of CBCs with strengthening local community land rights and indigenous peoples' territorial claims (Lunstrum 2008; Gardner 2016).

Under what conditions do CBCs displace property and territorial claims or strengthen them? How are CBCs implicated in subject making and to what political-

ecological effects? Under what conditions is state territorial sovereignty being weakened or strengthened? The answers to such fundamental questions remain both debatable and increasingly urgent. Globally, conservation territory coverage has increased in the past three decades from less than 4 percent to 15.4 percent of total land. CBCs now account for 40 percent of this coverage (WCPA 2015; Pimm et al. 2015). This expansion has altered states' sovereignty claims and placed uncounted thousands of rural communities under new forms of institutional and regulatory authority (Brosius et al. 2005; Zimmerer 2006; Lemos and Agrawal 2006). What CBC expansion means for identity politics, subject making, property regimes, state making, and structural inequalities requires deeper investigation in particular places and historical moments.

The dissertation addresses these critical knowledge gaps through an ethnographic study of communities in Nepal's Chitwan National Park (CNP) buffer zone. Nepal is a particularly important case because of the state's strong commitment to biodiversity conservation within a context of a highly diverse citizenry riven by severe socioeconomic inequalities. State conservation territory coverage has grown from 0 to 23 percent of the total land base since 1974, including 13 new buffer zones. In the meantime, Nepal has experienced an armed Maoist insurgency in the countryside, numerous ethnically based struggles over land rights and national identity, and an emergent indigenous rights movement asserting territorial claims (Hangen 2007; Campbell 2007; Lawati and Hangen 2013; Jana 2007; Anaya 2009; Stevens 2014; NEFIN 2015). With attention to these dynamic and periodically violent political-ecological conditions in Nepal, this dissertation probe three key questions about CBCs. 1) What effects do CBC initiatives have on socioeconomic inequalities and vice versa? 2) How are CBC initiatives

implicated in state making and subject-making? 3) What effects do CBC initiatives have on rural property relations and indigenous territorial claims?

I conceptualize the research through an engagement with work encompassed within the field of political ecology (Peet and Watts 2004; Neumann 2005; Robbins 2011). Prominent lines of investigation in this literature include the relationship among representations of nature and people, the construction of scientific knowledge, contested property rights, and subject formation within conservation (Escobar 1998; Bryant 2001; Neumann 2004; Peet and Watts 2004; Peluso and Lund 2011). Yet the lack of politics in the political ecological analysis has surfaced time and again (Peet and Watts 1993; Paulson et al. 2003; Walker 2006). The study attempts to address this concern by focusing on the multiscale analysis of power relations operating among individuals and institutions (Zimmerer and Bassett 2003; Campbell 2007). More importantly, this study emphasizes the ways modern forms of government work by controlling and producing spaces and governable subjects (Vandergest and Peluso 1995; Peluso and Vandergest 2001; Neumann 2004; Foucault 2009). In addition, focusing on the emancipatory potential of new political ecology, Peet and Watts (2004) also have emphasized the importance of practical political engagement with new social movements, civil organizations and institutions and cultural mobilization and practices. Moore (2005) in particular has demonstrated the importance of everyday social and cultural practices in struggle over land and resources. This study extends such concern by analyzing the ways peoples of indigenous ethnicities negotiate and contest conservation practices and territories across multiple spatial scales and multiple levels of government.

The theoretical framework that informs this study integrates two important fields of inquiry within political ecology. The concept of environmentality highlights power/knowledge in the constitution and reproduction of environmental subjects in conservation policies and projects (Agrawal 2005). Territorialization investigates the constitution and reproduction of modern subjectivities such as nationality, race, gender and ethnicity through the scientific and legal framing, ordering, and identification of the spaces of nature (Peluso and Vandergeest 2001; Neumann 2005; Peluso and Lund 2011).

### **1.1. Becoming a political ecologist**

For my masters in Environmental Science in Tribhuvan University, Nepal, I started research related to community-based conservation in Bacchauli village at the end of 2006. The research was guided by “physical science”. My research, which was a part of a project of the Resources Himalaya Foundation, never questioned how power in diverse forms mediates the relationship between nature and society. Our<sup>1</sup> recruitment of respondents was based on the stratified random sampling technique. The stratification was based on landholdings, settlements, and population of respondents. We used to go and interview a respondent who was “randomly” selected from our lucky draw. We would find another respondent who has a similar landholding and from the same settlement when we could not find a selected respondent or if she or he was busy. We did random sampling if that counts as a random sample. During questionnaire interviews, we used to get frustrated when someone took more than 20-30 minutes and we never

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<sup>1</sup> Our indicates the group of MSC students (11 in number) doing similar research in different buffer zone villages of CNP in 2006.



collected more than what is needed in the questionnaire. We were just interested in getting a straight answer. For instance, how do you rank the performance of a current buffer zone community forest leader, please rank from 1, 2, 3, 4 - values indicate a rank from the best to worst. We rarely interacted with local people to try to get more information, although some students were more active. More importantly, we never questioned the power relations, scientific knowledge, or understanding of conservation and development, and we never sought to understand the role of historical, social, economic, political and cultural contexts in shaping community-based conservation and outcomes. Although we were doing research at a time of major political struggle between the King, political parties, and the Maoist party, we never asked the role of such contexts in shaping conservation and development activities in the buffer zone.

After completing my masters, as environmental science related jobs were limited and getting a job was difficult, I along with a few friends started to volunteer at the Environmental Graduates of Himalaya (EGH). We established the organization with the help of the late Pralad Yonzon. It was a sort of sister organization of the Resources Himalaya Foundation. Dr. Yonzon was my masters advisor. Besides formal programs and activities to learn new things, lunch breaks were an interesting time in the Resources Himalaya Foundation. As I was one of the few regular participants, Dr. Yonzon used to tell us his experiences and stories about diverse social and political contexts shaping biodiversity conservation in Nepal. He was a wildlife biologist trained in the USA, but he did both core wildlife biology and conservation biology research for more than three decades in Nepal and South Asia.

Practical knowledge about how power in different forms can influence and has influenced ecology, wildlife, science, conservation, and development used to be the topic of discussion (It was not really a discussion, we used to listen most of the time). He used to tell us that we should “strive for good science”. He also used to say us "sir haru ho knowledge is power hai". I used to understand his message as, “if you have good knowledge of something, for instance of wildlife biology, that is your power.” In other words, no other people can undermine you when it comes to wildlife biology if you have a good knowledge of the topic. Now I think that his messages and suggestions to us were more than “the knowledge is power”, but power/knowledge (Foucault 1980). His message was more political. That is, what he meant was not only to see scientific data, facts, and knowledge as complete truth but to question the validity of scientific findings and knowledge. He was fighting against the ways large national and international conservation organizations and government departments distorted scientific data and produced scientific facts to serve their narrow interests. Although people talk about science and science in conservation, the decisions, priorities and what counts as knowledge are mostly based on donors’ money and the narrow interest of government people and political leaders and the King. For instance, he told a story about how the 50,000 population of tigers became a scientific fact. The “scientific fact” was just a spontaneous response of a renowned bird expert Salim Ali to someone’s curiosity about the total population of tigers. In another instance, he was also very critical of the ways DNPWC, WWF and NTNC’s claim of the increase of adult tiger populations from 91 to 125 in the 2010 Tiger census within a single year and a population of 29 cubs. He found no satisfactory explanation of the increase through wildlife biology as Nepal’s

breeding tiger population had an average of 2.8 cubs (sub adults). He was not ready to accept that the increase was based on “more camera traps” used than previous census. He linked donor money and influence to the increase of the population. He also related this with Nepal’s 2009 commitment to the Global Tiger Initiatives and WWF initiatives to save the tiger from “the brink of extinction” and “doubling the tiger population” by 2022, the Tx2 initiatives. The Global Tiger Initiative is the World Bank funded wild tiger saving initiatives of many international conservation organizations. After hearing about WWF efforts to double the tiger population by the end of 2022 (Tx2) project, he told us, “Look how stupid they are, they assume a tiger as a sack of cement which can be manufactured and produced as much as they want.” Carey L Biron in *Himal South Asia* also wrote a similar piece after a conversation with Dr. Yonzon in 2010 (Biron 2010<sup>2</sup>; Biron 2012<sup>3</sup>).

But after a few frustrating years of unemployment, I decided to apply for graduate school in the US. Only classmates who had “*aaphno-manche*”<sup>4</sup> got a job and engaged in some form of a job. People who had *aaphno-manche* were not limited to certain ethnic groups but those who received jobs were primarily Bahun-Chetri and few Newar (most students were Bahun-Chetri and Newar). I do not mean that all my Bahun-Chetri friends and all Newar or any other ethnic group got a job. All guys with whom I used to hang out and often meet for “*chia*” (tea) after completing my masters were Bahun-Chetri and a

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<sup>2</sup> Biron, Carey L. 2010, Common Sense and the Tiger. *Himal SouthAsian*. Accessed on June 18, 2017

<sup>3</sup> Biron, Carey L. 2012, Common Sense and the Tiger. *Wildlife Times*.  
[https://cmsdata.iucn.org/downloads/w\\_times\\_feb\\_2011.pdf](https://cmsdata.iucn.org/downloads/w_times_feb_2011.pdf). Accessed on June 8, 2018

<sup>4</sup> Refers to social and political connection or social network

few Newar friends. Most Bahun-Chetri friends who did not get a stable job and with who I used to hang out later either came to the US or some other European countries.

## **1.2. Study site, research methods, and positionality**

As I have mentioned in the previous section, my interest in the subject and the sites are primarily guided by my interest and the familiarity of the field. My current dissertation research, however, builds on my previous studies but draws on a new range of social theory in order to ask a different set of questions. Through the fellowship from Resources Himalaya Foundation in Nepal, I completed my first MS degree research in the buffer zone of Bacchauli VDC in 2007. I interviewed 71 household heads to study the relationship between buffer zone conservation programs and local dependency on forest resources (Dongol 2007). For my second MA degree at Florida International University, I studied the policy gaps in the implementation of the Convention on International Trade in Endangered Wild Flora and Fauna in the CNP buffer zone communities. For that project, I interviewed key personnel from government agencies and non-governmental organizations and local conservation leaders from the buffer zones (Dongol and Heinen 2012).

### **1.2.1. Study area**

My study site is located in the Chitwan District of Nepal. It is part of the buffer zone of CNP and lies in the eastern sector. That is, it borders the Bharandabar corridor (Tikauli forest) in the west and is separated by the CNP northern border, which is the Rapti river. The eastern and northern sides are the parts of Janakauli BZCF and Chitrasen

BZCF. The Government of Nepal declared this area and other villages as part of Ratnanagar Municipality on December 2014. The site is now ward 17 and ward 18 of the municipality. Based on past administrative jurisdiction, it includes four wards of Bacchauli VDC and a part of the Ratnanagar Municipality. The four administrative wards of former VDC or two wards of the municipality are divided into nine settlements or tols. Each of the nine settlements of the site vary among each other. For instance, Sauraha, Odra, Malpur have high tourism activities (high to low in order). They are the main hub of tourism where most hotels and restaurants are located. Land value is extremely high in this area. These areas still have many Tharu populations, but hill migrants—mostly Bahun, Chetri and some Newars—have dominated the majority of restaurant, hotel and tourism related businesses. A few members of the Tharu population are gradually participating in tourism businesses from these settlements. These three settlements have high Tharu, Bahun and Chetri populations. Other major ethnic groups there are Tamang, Bote, Majhi and Musahar people. Majhi-Mushara is also categorized and treated as “untouchable caste”. Bodreni, Laukhani and Bagmara have few tourism activities. These settlements are located by the side of Bagmara BZCF and Khorser buffer zone forest. These settlements have a high percentage of Tamang population. They also have Tharu, Derai, Kumal, Magar, Bahun and Chetri population. Sisuwar, Mainaha and Paderiya have very little or negligible tourism activities; they are far from both the center of tourism and CF. The majority of the population are Tharu and other ethnic groups also reside in these areas.

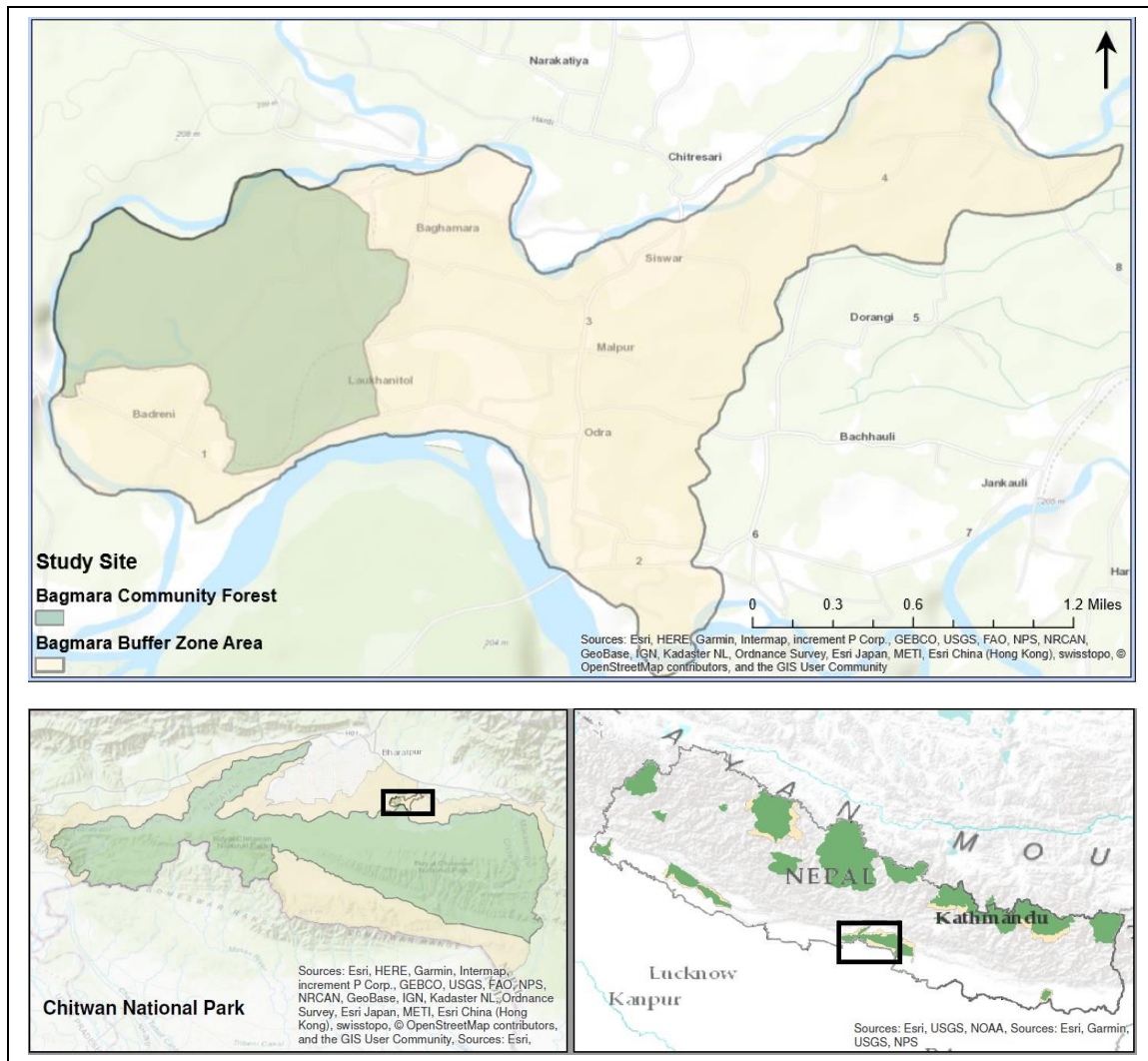


Figure 1.1. Map showing the location of study site (with four wards of former Bacchauli VDC of Chitwan) (Map by Yogesh Dongol)

In addition to human settlements, built-up areas, and agricultural lands, a forested area, which is popularly known as the Bagmara buffer zone community forest (Bagmara BZCF), covers 215 ha of the land area. The geographical area or boundaries of the study site were based on the users of Bagmara BZCF. All community forest users are distributed in the two wards of the municipality. The Bagmara forest, which was under the jurisdiction of the Department of Forest (DOF), was formally established as a

community forest around 1984. The “land mafia” and local elites tried to capture major sections of the forest around 1986. The court case of the ownership of the forest land continued until after a series of conflicts between the “land mafia” and the local Tharu population. It is also the first community forest of the Tarai region (plains) of Nepal. As the name suggests, Bagmara was the most popular hunting site of rulers. Bag-mara means the place where Bag (tiger) heads and hides were dried after the hunting and killing of tigers by rulers. Although the local indigenous Tharu populations have resided and farmed inside the community forest in the past, it was relatively intact until the systematic resettlement of the hill population and involuntary migration after 1950s. It was mostly initiated by the USAID and the Nepal government. The Tharu place was declared as the forest by Nepal government’s 1969 survey as the land was “non-agricultural land” during the survey. The forest gradually degraded as the forest became the only source of forest resources after the enclosure and restriction of access inside the national park forest. Later the community forest received financial and technical help from national and international conservation and development organizations such as KMTNC (NTNC), WWF and the Biodiversity Conservation Network (BCN). The forest area was mostly “*chur*” (an open and unused area) until KMTNC and BCN started their first conservation and development project in the early 1990s. The forest rebounded after the establishment of the community forest.

After the declaration of the buffer zone in Nepal, the Government of Nepal (*DNPWC*) handed over the community forest as a Bagmara buffer zone community forest to the local buffer zone community forest users committee—a local authority—in 2002. Bagmara BZCF has forest users numbering 1017 households and a total population of

5163. It is the most active, rich and nature conservation oriented buffer zone user group of Bacchauli village. The Bagmara BZCF is one of the 50 user groups of the Migrakunja buffer zone users committee (Migrakunja BZUC). Nineteen percent of residents are high caste hill migrants (Bahun and Chetri), 76 percent are *advisai-janajati* population and about five percent are "untouchables". The indigenous Tharu population is 52 percent of the total population. Indigenous peoples include Tharu, Tamang, Bote, Derai, Majhi and Musahar peoples. Although it has a proportionately large indigenous population, the hill migrants dominate all community forest institutions and initiatives; however, the current Bagmara BZCF has 52 percent representation of *advisai-janajati* people including the president of the Tharu people.

#### 1.2.2. Research design and methods

My dissertation employs a mixed methods design that integrates ethnographic and quantitative methods of data collection and analysis (Strauss and Corbin 1998; Creswell and Clark 2011). A mixed methods approach is required to address the complexities of the interactions of CBC practices and policies with state making, property regimes, subject making, identity politics, and socioeconomic inequalities. Specifically, I conducted participant observation, in-depth semi-structured interviews, and document analysis to investigate meanings and lived experiences of buffer zone residents, especially related to their senses of cultural identity and political agency. Published and unpublished documents and records are collected and analyzed to understand the ways knowledge and discourses of nature conservation and cultural identity are historically constructed and represented (Strauss and Corbin 1998; Bernard 2011). Quantitative



methods of data collection and statistical analysis provide documentation of the dynamics of socioeconomic conditions, social stratification, and livelihood strategies for buffer zone residents.

I knew Gokarna dai<sup>5</sup> from the Resources Himalaya Foundation. He worked on a wildlife and social survey project conducted by the Resources Himalaya Foundation in different occasions. He is a tour guide and bird expert by profession, and in his initial days, he worked in Sauraha hotels. Sauraha is considered as a “tourist place”. As I knew about him before, I contacted him and met him in Kathmandu. He assured me that he would find a room for me and helped to connect me with local people. In the second week of August, I traveled from Kathmandu to Chitwan on my motorcycle through Mugling to Narayanghat route. I was so mad with the condition of the road that I cursed the politicians and Nepali economic experts during the whole trip. The government has been trying to renovate and extend the road for the past three years and the slow progress has not only added to the hardship of commuters but the impact of the bad road condition is devastating to Sauraha tourism because most national and foreign tourists travel on this road.

During my travels, although I was wearing black half-pants, a blue jacket, and a black backpack, I was totally white because of the dust all over my body. I stopped at Gaida Chowk and after staying few minutes I called Gokarna dai to see if he knows of any hotel. He gave me information about a hotel in Sauraha. I later went outside Sauraha just to visit the main happening area and to have a dinner. I came back to the hotel at 8:30

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<sup>5</sup> Older brother

pm. I decided to eat dinner the next day in the same hotel because the road at night is completely dark with no streetlights (and the possibility of an encounter with wild animals). After eating dinner, the next day in the hotel, I met with a son of the hotel owner. Since he was also in the hotel business and the hotel association of Sauraha, I took an opportunity to ask about Sauraha tourism. He was open to talking with me because of his connection with Gokarna dai. They were both from the same Maoist party and he thought that I was also affiliated with the same party. We talked about an hour mainly about the Sauraha tourism, which became the stepping-stone or a framework to understand the tourism industry of Sauraha as I continued my research throughout the year. Actually, the informal conversation with him became one of the most important talks about tourism in Sauraha.

In the third day, Gokarna dai also came to Sauraha. He helped me find a room in Sauraha in his friend's house. He also helped me connect with many other local people. Some of them were Bagmara BZCF committee members and some were local leaders. I later found that all but two guys were affiliated with the Maoist party. Actually, the house I rented also belonged to a staunch Maoist party supporter, Sanichara Mahato (Sanichara dai). Two other adjoining houses also belonged to Maoist supporters and both house members were committee members of Bagmara BZCF. I had a few important talks with them but I did not get good support from them later. Gokarna dai also introduced me to Thagu dai, who is the current president of the Bird Education Society (BES). BES is the only functioning and most active organization in the Sauraha area. BES was established by bird experts and local nature guides. Thagu dai shared information about nature guide and tourism, and his pasal (snack shop) became a place to eat. I also had an

opportunity to reconnect with Rupendra dai, who worked for NTNC (KMTNC) during the 1990s and worked closely with the Resources Himalaya Foundation in the past. His relationship with some local hotel owners became valuable. He also helped me to locate a detailed study of the buffer zone residents conducted during the early 1990s. In the later days, I stopped going with Gokarna dai because I thought that his affiliation with the Maoist party will limit my connections with other people, and some people started to think that I was also affiliated with the Maoist party.

I conducted twelve months of fieldwork in Nepal from June, 2016 to May, 2017. During the first phase, I primarily focused on getting permission from DNPWC to conduct my research in the buffer zone of CNP. I submitted my application and a proposal to get a permission which took about a week to get the permission. At the same time, I tried to make connections with DNPWC staffs. As one of my friends used to work as a head of South Asian Wildlife Enforcement Network (SAWEN) secretariat, which was located inside the DNPWC building, I used to visit him frequently to get familiar with what is going on within DNPWC. As the library of DNPWC and Department of Forest (DOF) was also located in the same place, I visited the place frequently.

In the second phase of my search, I resided in Sauraha, a village in the buffer zone of CNP where I rented a room. I participated in public activities and meetings, such as community clean-up programs, conservation rallies, tol-bhela (area/settlement gatherings), general assemblies of Bagmara BZCF and the Bird Education Society (BES). I also became a life member of BES and regularly visited and met with BES leaders. I attended a few sessions of the conservation week in Sauraha held during the first week of a new year. I attended seminars conducted by the NTNC on different occasion especially

in the training of new nature guides, tiger conservation, and forest fire awareness sessions in the conservation week. I also participated in a meeting organized by the Migrakunja buffer zone user Committee (MBZUC) held to talk about future strategies that need to be taken by all interested parties after a wild elephant killed a young foreigner during a tour in Khorser forest (Barandabhar corridor forest). I also participated in their meeting about wildlife crop damage of nearby community forest users. I also visited gatherings such as the “Elephant Festival” and the “Phugwa Festival” where high ranking political leaders and the Ministry of Culture, Tourism and Civil Aviation participated and spoke about conservation, development and tourism of Sauraha. Likewise, I attended a formal building inauguration program where the Ministry of Forest and Soil Conservation and other tourism leaders gave speeches about conservation and tourism. I visited formal and informal gatherings related to community conservation and development and indigenous activities within the buffer zone project.

I think I participated in many and also missed many formal gatherings sometimes because I was in another field site and sometimes I already had another appointment; however, I tried to get information from those who participated in events. I particularly missed two programs. The first one was related with the conflicts between parks and local people regarding the translocation of rhinos from CNP to Suklaphanta National Park. The second one was the presentation of an army colonel about the army’s effort in CNP conservation programs conducted NTNC. I did not attend formal meetings of the BZCF because most of the time I did not know and the sources that I believed would inform me never did, and more importantly on one occasion, a responsible community forest committee leader did not allow me to stay in a

committee meeting. Although the president already granted me permission, and other community leaders seemed okay with me sitting in the meeting, the Maoist leader opposed me by saying “they don’t allow their forest users to sit in the committee meeting, how should they allow an outsider” (Field notes, September 1, 2016).

I accompanied government and community patrols within the buffer zone on at least five occasions. For four of those times I went with the community forest's forest guards and on one occasion I briefly traveled for a few miles with two army men and a National Park staff. In one occasion I accompanied buffer zone leaders to observe the ongoing construction of tourism infrastructures (a 6-8 bed viewing and sleeping tower inside the forest) inside the Bharandabar corridor. Patrolling helped me to document peoples' daily livelihood strategies, practices and resource use, struggles and conflicts. It also allowed me to examine everyday activities and perceptions of state and non-state patrolling teams. I documented how poor and marginal groups (ethnic/indigenous groups, women, caste groups) negotiate their daily practices of conservation and resource needs.

I administered a survey questionnaire to randomly selected buffer zone residents. A sample size of 96 respondents for the Bagmara BZCF users was determined by using a standard statistical method at 95 percent confidence interval and 10 percent standard error (Rea and Parker 2014, 171). In the Bacchauli VDC, I received a list of community forest users from Bagmara BZCF. As all users were divided into 9 different “tols” (settlement area), I used users of each settlement one by one to randomly select respondents with a lucky draw. I selected 10 respondents from each 9 settlements and 2 each from Bodreni, Bagmara and Laukhani settlement. When a respondent disagreed to give an interview or if a respondent is not available, new respondents were selected with a new lucky draw.

According to the forest users list provided by the Bagmara BZCF the total number of forest users is only 1017, but according to many committee leaders, the actual users should be much higher than 1200. One hotel owner was surprised to see only 1017 forest users households and told me that this less number of total households should be the tactics of “Saurahas’ big people” to not to update the list but informally recognize the number. In questionnaire survey I asked questions related to household socioeconomic and livelihood information; community forest rules and regulations; user group's information; land use, tenure and ownership; forest resources rights; household resource use and dependency; participation in community forest management and forest associations; and knowledge of forest conditions and governance. I prepared questionnaire sets and I just filled the information in each heading (detail in Chapter five).

I used in-depth semi-structured interviews with three major groups of respondents - buffer zone residents, government officials, NGO officials and conservation experts. In addition to semi-structured interviews with randomly selected buffer zone community forest users, I conducted numerous open-ended interviews with buffer zone residents. I tried to talk with many people of different ages, genders, ethnicities and with people working in BZ and CF etc. I also expanded my range of respondents and included additional questions when I found that I did not have a single respondent from Bote, Musher and people from Sukumbasi settlements (landless area) on my interview list and in my random samples.

My house owner, Sunichara dai helped tremendously in this regard. In my initial days, he helped me in finding randomly selected respondent’s houses. After hearing

different questions about forests, livelihoods, and land, and access to different respondents, he used to tell me that I should also visit with an active Bote dai, Sukumbasi tol's dai and a Musher family. Their information became very valuable so as to understand more issues, which I will discuss in the following chapters. In another instance, in one evening, I was staying in my room and Sunichara dia knocked on my door, I opened the door and asked him to come inside the room. He refused and told me that he came just to find out whether I have visited with a guy who was arrested at his home by the army for hitting a rhino yesterday from Sauraha area. I said no, but I told him that I wanted to visit him. He took me to his house and we sat there and had a very interesting conversation about rhinos, crop damage, compensation, tourism and other social issues. As I had no intention to talk with him that evening because it was already dark (around 8:30) and just wanted to meet him so that I can come later, I was not prepared to take notes and did not have a recorder. He and his wife started describing the incident, and later, in Tharu language, his wife asked Sanichara dai in Tharu language, who was sitting by my side, if I am actually including their story in my book. He said yes to her. I visited their home a few more times during my research. I think Sunichara dai believed in me and helped me only because I was a Newar from Kathmandu. He used to tell me how he was duped and also helped by Bahun friends and leaders a number of times. He used to tell me very often that "*bigranu cha bhenay Bahun sanga sangat garnu*", which means if you want to degrade your life and property, you should make friends with Bahun people.

In contrast, almost all formal conversation with local leaders, NP people and organizations were arranged by phone beforehand. I interviewed local leaders, Buffer-

zone user committee leaders, past presidents of buffer zone community forests, the present president of community forest, other committee members, forest guards, hotel owners, elephant owners, restaurant owners and workers, nature guides, tour operators, elephant drivers, souvenir shop owners, foreign tourists and leaders of labor organizations.

Before any scheduled meeting, I used to prepare questionnaire topics and write them down in a notebook. I used to ask them but never directed the conversation. Most of the time I let them take the topic where they wanted to, but I usually tried to bring them into local issues. The most difficulty in getting a formal meeting is to schedule the time and sometimes there were repeated postponements of scheduled meetings. Although these things are nothing new to me, it happened very little. In the case of informal conversations, I cannot recall how many times I have visited the Bagmara BZCF office and talked with forest guards, staffs and CF committee members. On a number of occasions, I had a conversation with the president, vice-president, secretary and with numerous "*parisad* members" (sub-committee or members of a community forest representing a particular *tol*<sup>6</sup> from where the main forest committee members are selected). The majority of conversations were not preplanned. I also shared my preliminary findings with local leaders and community forest leaders during formal and informal conversations.

I also conducted semi-structured interviews with NGO officials and experts. I talked with the personnel of conservation and development organizations such as NTNC,

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<sup>6</sup> Tol in Nepali language refers to place, area or settlement



WWF-Nepal, the Bird Education Society (BES), the Nature Guide Association, the United Elephant Association, the Hotel Association, the Resources Himalaya Foundation (RHF), the Nepal Federation of Indigenous Nationalities (NEFIN), the Federation of Community Forest Users, Nepal (FECOFUN), the National Planning Council (NPC) and *Tharu Kalynakari Sabha* (Tharu Welfare Council). Among the government officials, I conducted interviews with two game scouts, wardens, sub-wardens, an army chief of Sauraha Shree Jung Gun, and a brief conversation with an Army Colonel. I did not talk with many persons with whom I made a previous connection. For the most part, I did not speak with professors and experts who were related to indigenous issues because after residing in the field site I did not find many indigenous issues. Although I found later that indigenous issues were more pronounced in the buffer zone of the western CNP, I did not see and hear much in my research sites. I found few incidents and issues related with indigeneity, but the analogous issues of ethnicity are not invisible in Bagmara CF area.

I used open-ended questions to understand different forms of conflict, livelihood strategies related to conservation practices, the effects of development initiatives on rural households, and indigenous political activities. I tried to obtain respondents' perceptions of and experiences with forest resource access rights, conservation governance, and community relations with international and national NGOs. However, I did not clearly mention to all people that I was also looking at claims and struggles of different *Adivasi-janajati* people, assuming that that will obviously put me in a category of one who speaks of identity issues. Many Bahun-Chetri people that I met in Sauraha frowned upon people who talk about the rights of minorities.

I think getting social data depends on blending with people and society and gaining the trust of people. To blend with people, to gain the trust of many people and to diversify information from respondents, I always tried to eat in different places. During my initial months, I ate dinner at a local Tharu house cum restaurant which was near to my rented house and the restaurant owner was my house owner's cousin. Later I started eating in Thagu dia's *pasal* (a snack shop). After a few months, I started eating in a local restaurant. My main aim of going to different places and locations for lunch, dinner, and snacks was to hear different conversations and meet with different people. My strategy became valuable in learning about Sauraha tourism in general. In particular, I knew labor conditions and exploitation, sexual exploitation of woman workers, and rampant prostitution in Sauraha. I would never have gained such information without going to different restaurants and making connections with local staffs and owners. Blending, however, will not ensure the quality and quantity of data. I had a good relationship with a respectable local nature guide, but I did not get much information although I spent many hours of time with him. Despite spending time and blending, he was not a particularly helpful source of information because he believed that talking about social issues is talking about other people and talking about other people is, in his words, "backbiting." He does not want to backbite others.

More importantly, I frequently changed the way of asking a question with local people and became very careful in choosing words when asking questions. Since Nepali is not the first language of many local people, some people had difficulty in understanding my questions. For instance, some people have a hard time understanding a question when I use the Nepali word "*rarstriya nikuna*" for National Park. People

commonly use the English word “Park” or “National Park”. People usually called it “*Rapti pari*” or “*pari*” or “*Chure*”<sup>7</sup> when they have to refer indirectly to CNP. Similarly, people had hard time understanding me when I use the Nepali word “*madhyaworti chhetra*” for buffer zone. Most people understood the English word “buffer zone” rather than the Nepali word. In addition, older people still use the word “demarcation line” when they have to tell a story about how the National Park was initially started. They say demarcation line as a “barbed wire line with a pole spacing in certain distance to separate forest and settlement”. I usually asked people what they say or name any forest before asking a question. They also had difficulty in understanding the question which is too long and not too straight, for example, when I ask people what they think about CF rules and penalties. They just give a brief answer- *thikai* (not good, not bad). When I put it in a familiar way, for instance, when I asked them to tell me what happens if you go to CF without taking a ticket or what do forest guards do if they arrest you? Then they will start giving you answers.

I recorded many interviews without any intent to harm interviewees, and I asked for permission to record in most interviews. I recorded every public event. I also recorded public conversations and public meetings such as meetings about compensation and human-wildlife conflicts. My experience of asking to record a conversation was not helpful in getting better information. When respondents agreed to being recorded they usually did not openly tell their stories or the whole conversation became a performance or most usually they gave me more information after stopping the recorder. For instance,

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<sup>7</sup> Mostly used the word “chure” or “pari” in Sunachuri area

I went in Bodreni village looking at my random sample household. Since I did not know about them, I was with Sunichar dai. Both wife and husband were very busy preparing a concrete bed for their newly purchased buffalo. After convincing them to interview I asked if I could record the conversation, with hesitation they agreed. After the conversation was over I stopped the recorder and started other conversations. Later the wife told me that they did not tell me all the information about conservation issues and community leaders because I was recording the conversation and they were afraid that I might put that on the internet.

In addition to the collection of social data, I also completed a vegetation survey of Bagmara BZCF, but I have not included results in the dissertation. During the course of my in-depth and survey interviews with Bagmara BZCF users, I heard about the debate on the status of the community forest. Some users claimed that the forest looks dense only from outside, but it is wide open if someone goes inside. They argued that large herds of private elephants go inside every day for a number of times, and as a result, the forest has been trampled and degraded impacting underground vegetation and the structure of the forest. Other users who were mostly in the hotel and elephant business, on the other hand, claimed that elephants have much less impact because each elephant travels in a “specified route” and as a result the forest has not been affected by the elephants. They further argued that the access of local users’ needs to be controlled for the survival of the CF. Although I had already visited the forest for a day to see the effects of private elephant safaris and the claims of "the elephant route" with two forest guards, later I decided to find out the status of the forest with standard vegetation survey on both sites.

As it is not allowed to enter the forest alone and as it is also dangerous to go alone, I contacted Bali dai who is one of the very experienced nature guides of the Sauraha to go with me inside the forest. I contacted him because he is more familiar with the forest vegetation and has worked with some other students in a vegetation survey. Rather than on randomly selected points, we decided to conduct vegetation surveys every 200m from the North to South and from the East to West. We started from one corner in the north and traveled straight south up to 200 m and completed the survey. We repeated the same process until we covered the whole Bagmara BZCF forest.

In order to estimate changes in land ownership, I collected land plots that have been sold by locals to outsiders. I considered “sold” land as the land which is fenced, often with barbed wire, by the owner and the land which has on it hotels or restaurants. Although land which does not have barbed wire and which has crops growing on it could also have been sold, which I found on several occasions, I did not include such lands as “sold” land for analysis. I collected GPS points of each land parcel that appeared to be sold to prepare a map in GIS showing changes in land ownership. In addition, I collected GPS points of the visible marker in the boundary of the BZCF to map a conflict between access of forest resources.

I also collected data related to tourism in Sauraha. I collected data on a number of hotels and restaurants of different categories. I visited one-third of the total hotels and restaurants of different locations to find how many jobs the tourist industry has provided to local people. I also collected the average salary of different categories of hotel employees to find out why local do not prefer jobs in Sauraha hotels. I interviewed a number of female and male employees to see why local women prefer going to the forest

for cash income rather than getting easily available jobs in Sauraha. I observed how local tourism functions in Sauraha and the labor conditions. In addition, I tried to find out the quality of hotels and type of tourists coming to Sauraha to see why Sauraha is considered as a "foreigners' place" or "tourists' place" given that most hotels and restaurants and Sauraha tourism in general depends on Nepali tourists.

I also collected and examined documents from government and non-governmental offices working on conservation and development. I mostly collected documents from the DNPWC library, the NTNC office Sauraha and the Migrakunja buffer zone user's committee. I tried to find prevailing and divergent conservation and development discourses within state policy documents, conservation-NGOs, political activists, and mass-media publications. In my analysis, I emphasized the representations of indigenous people, the spaces of nature conservation, and wildlife in these texts. This helped me to document how nature, society and their relationships have been framed and represented through scientific, technological and legal knowledge and practices. Getting information from government offices, NTNC and community forests was the most difficult task during my field work. I found that information is strongly guarded in offices, and the access depends on the identity of a person and a connection with an insider. I had similar experiences in many offices.

For instance, getting information from the NTNC became both difficult and easy depending on people. I was looking for documents which were not published, such as audit reports, audit letters and meeting minutes and others. I met with the administrative chief a number of times but he showed an unwillingness to provide such materials. He, however, gave me all the published materials such as leaflets and brochures, which may

have been carefully selected by their staff after many consultations. He also gave me more than an hour to talk about conservation history and different issues of Sauraha tourism and Bagmara. As he is also the owner of a big hotel and the owner of a number of elephants, his information became valuable. Later, I got help from a lower level staff member. He was very helpful and provided much information which I think I would never imagine I would get from the higher level staff. I collected audit reports, court cases and many financial documents of Bagmara BZCF from the office. I strategically used my connection with past heads of the NTNC on both occasions.

In another instance, I met a friend in the department of the forest because the department lost their office's documents. He is an officer at a big hydropower company. He told me he came to the forest office because he needed a permit to cut trees at their field site. As he was there with a Newar district forest officer, he connected me with him and told me he might be able to help me. The forest officer recommended another Newar guy in another forest department. He told me "if you want to find any information in the forest department, you will have to get help from anyone who you know, otherwise it will be very difficult because data and information are not well managed and most are strongly guarded by each section and each officer" (field notes). He further told me that you will not get anything in the library and the library is the place where you can go to read the daily newspaper. I thought that should be true because they did not even have their own flagship journal publication at the library.

Later I decided not to follow his recommendation because the process of making the connection and asking for a favor was a long and tedious task. So I decided to go by myself. I went inside the office and asked an office assistant. He pointed me to another

man sitting right in front of me. I told him that I was looking for information about scientific forest management. He started explaining basic information about scientific management. He again asked me if I was a forestry student. I told him that I was doing forest related work by the side of CNP, but I am a social science PhD student studying in Miami, USA. Then he told me that he just came back from the USA a few months ago and visited Miami and went to Key West. His son-in-law is doing a post-doc and his son was recently admitted to a graduate school in the USA. I asked more about them and the post-doc he mentioned turned out to be one of my friends. After that, he started to talk more about scientific management and he took me inside his office room. He ordered a tea and also gave me some information that he currently had. He also suggested that I visit the office after 4 days so that I could meet with his boss who has been handling the project and who is currently in Canada for an excursion visit.

I conducted most interviews in Nepali, digitally recorded, and transcribed for further analysis. Using N-vivo qualitative data analysis software and based on the grounded-theory approach, I carefully open coded (which is based on N-vivo coding) and analyzed all interview and document content line-by-line to create categories of themes and subthemes (Strauss and Corbin 1998; Bernard 2011). In particular, I looked for repetition, changes, similarities and differences of words, ideas, actions/interactions, events, acts, happenings, and consequences to find patterns in interactions among conservation practices, development initiatives, and indigenous politics in the buffer zone (Strauss and Corbin 1998). Furthermore, by using axial coding technique (reducing data by linking or relating different categories and subcategories based on similarities or difference in properties and dimensions) I organized or grouped categories and



subcategories into central explanatory concepts or into higher order concepts to understand phenomenon such as social and political movements and conflicts and resource struggles (Strauss and Corbin 1998). Similarly, memos and field notes prepared during and after interviews are coded and analyzed. In addition, all public, NGO, and media documents including images and texts are coded using N-vivo. Also, quantitative data from the questionnaire survey are simultaneously coded by assigning numeric values to produce descriptive statistics.

### 1.2.3. Negotiating my role and positionality

I was born in a Newari farmer family. The only difference from other farmer families was my father had a high paying intermediate government job. Although my mother and father were both involved in farming, none of my generation had to work on our farmlands. I was raised in the suburban village of Kathmandu valley, which is about 6 miles southwest from the downtown New-road. Living in and growing up in a suburban part of Kathmandu is an interesting place because one sees and visits "developed" areas every day and at the same time one will feel and live in an "under-developed" suburb of the city. People growing up in a suburban area need to constantly act as modern subjects when someone meets a friend from urban areas and feels sad for not having a paved blacktopped road, lots of vehicles and shops. I grew up with these mixed feelings. Although clear distinctions have been blurred in terms of modern facilities between urban and suburban within the last two decades, sub-urban areas are not a downtown or an urban area. Local residents still know each other and have some degree of self-sustenance. For instance, my family still grows about 50 percent of

vegetables for our daily consumption. We used to grow 90 percent of the thing that we consume at home until at least 10 years ago. But markets have proliferated and are still expanding in every nook and corner of villages in Nepal, disrupting the self-sustaining life of people.

I spent a few years of my childhood in a typical Newari settlement but later moved to a mixed tol (a settlement or a village) about a mile away. Most Newar households were of different jaats (caste), unlike mostly Maharjan (Dongol) and few Shrestha jaats in my previous tol (both Newari caste or jaat). Within a quarter mile radius from my current home, there are many Bahun, Chetri, Magar, "untouchable" jaats (Biswokarma, Mijar) and other diverse Newari jaat's households. I grew up with friends from all jaats and never knew about different jaats until I was in 7-8th grade. I distinctly remember going with my younger brother for lunch in an "untouchable" caste neighbor's house during some festivals. It gradually changed when I became older. I stopped going after I found that they were "untouchable" jaat. In the later years, I grew up mostly with Chetri, Bahun and Newar friends. Many things drastically changed in the past 10-15 years. Behavior towards "untouchables" have changed. People cannot be forced to do something and behave badly or discriminatory based on their caste, although news of discrimination can be heard and seen in the media very often. At the same time when I thought that much has changed with time in Nepal many people still have a stronger opinion of "untouchables". For instance, some Bahun - Chetri friends who are more educated and have advanced academic education have kept the discourses and practices of "untouchable" alive in my own place and also in my

research sites, which are no different than the conversation of many Ph.D. students of Nepal who are currently studying in Miami.

After reflecting on fieldwork, I think that conducting successful fieldwork is about performing yourself sometimes as a staunch conservationist and sometimes as a social justice activist, sometimes as indigenous advocate and sometimes as rich or poor. Since I know that the majority of Nepali people think that if you are returning from the USA and are a Ph.D. student, you already are in the higher class. You have money and your life is secure. In addition, if you are from Kathmandu and a Newar, you are already considered as rich and in a higher class, although there are more nuances and complexity between caste groups and within the Newar caste. I strategically used or performed my diverse identities to make a connection with people to get authentic information and insider views.

When I tried to become clear about my identity as a returning Ph.D. student studying in the USA and doing conservation related research, Gokarna dai, who helped me to connect with people in the field, told me to be humble. He told me that if I use the word "Ph.D." to introduce myself then that is not considered humble behavior. Karna dia's reading, however, is not incorrect. In Nepal, the level of academic qualification is considered as a marker of your social order. Most people do not want to know how much people know about a certain topic or whether certain people are fit for the job or not, but most people only care about literate or illiterate and what class they have passed. If someone boasts, then respondents might not think of that as humble. He told me that I need to perform or act as someone who is in a lower social order such as by saying 'dai' - meaning you subscribe to a lower position, which means saying someone is

an elder brother. In addition, PhD is an English word, which resembles big and better. Similar to the words "national parks" "buffer zone", "demarcation line", "tourists", "guests", these English words have powerful force just by being an English word. He instead suggested that I use the Nepali word "*Bidhyabaradi*", which I never used. I continued to use the word "PhD" with people who I think will understand. I rarely used the word with local people. I used to say that I am a student trying to learn about forest resources, livestock, and agriculture.

Sometimes I had to perform class identity- a rich person with modern sunglasses, nice deodorant, and nice clothing. With that performance, I got better responses from hoteliers, workers and other residents. If you look rich, you are powerful, you can invest, you can spend more money and there is always a potential of helping someone. Stories of rich foreign white people helping local are widespread in Sauraha. In addition, many Nepali people wanted to make connections with someone rich and powerful.

My non-Bahun identity also helped me to get more information about how indigenous or *janajati* or ethnic minority members think about social issues. When I asked any question related with Bahun-Chetri they used to ask me what jaat or jaati I am or they would make sure that I am not Bahun-Chetri before they start talking about Bahun-Chetri. Some people can easily guess that I am not Bahun-Chetri by my phenotypic characteristics, but unlike many Newars of Kathmandu my command of the Nepali language is indistinguishable. Most Tamang people and Thaur people were very open with me when they talked or criticized about Bahun-Chetri leaders in Sauraha, and most Tamang people in Sunachuri rarely criticized Newar leaders because of my Newar identity.

### **1.3. Summary of dissertation chapters**

In this chapter, I have provided an introduction to my major research problem. I presented three major questions. After presenting a brief description of the research site, I presented methods that I used to carry out the research. In addition, I presented how my position as a Nepali Newar student from the US university facilitated or hindered fieldwork and further analysis. In Chapter Two, I review the relevant literature to present current gaps in the political ecological analysis of territorialized community-based conservation. I primarily focus on four major areas of political ecological scholarship that are related to contested property rights, construction of scientific knowledge, subject formation within conservation and the representation of human and non-humans. More importantly, I discuss two interrelated concepts including environmentality and territorialization to understand how and with what strategies the state and non-state institutions have attempted to control people and spaces, and simultaneously how local people who are dependent on resources are challenging dominant meaning and practices of conservation and development in the buffer zone space of the CNP. I tried to look at the co-constitutions of space and identities through the place-based study in Bagmara buffer zone areas of CNP. In Chapter Three, I review the socioeconomic and political history of Nepal in different phases to provide a broader political economic and cultural context for my dissertation research. I divided Nepal's history in different phases based on the major political and social changes in Nepal: before the 1950s, between 1950 and the 1990s and after the 1990s. In the first phase, I show the ways Rana rulers exploited labor and controlled land and resources for about 100 years. International engagement and social development started after the 1950s but was largely hindered by the panchayat

political system and social hierarchies. I describe increasing democratization, economic liberalism and the simultaneous emergence of Maoist violence and identity politics after 1990s.

In Chapter Four, I look at the history of the production of the conservation and development landscape in the Chitwan Valley of Nepal. This chapter is a critical review of nature conservation and early development efforts of in the Chitwan Valley to understand the ways these have shaped the production of state and non-state spaces and institutions in the Chitwan Valley. I started with royal hunting practices as a strategy of British-Indian rulers to control frontier spaces through Rana rulers. The practices established the Rana regime and exploitation of spaces and resources. Furthermore, I present international development assistances that expanded after the 1950s and the ways these prompted the transformation of the Chitwan Valley landscape and identities of people and the relationship between nature and society. More importantly, I show how local and global political economy and scientific knowledge are intertwined in the production of CNP in particular. I highlight the ways discourses of economic development, environmental crisis and wildlife extinction shaped the lives and livelihoods of rural indigenous people and the landscape of the Chitwan Valley. I intentionally left the material and discursive practices related to the landscape level conservation for future research. Chapter Five is one of my two place-based empirical chapters from the Bagmara buffer zone community forest area. This chapter provides the analysis and discussion of the political-ecological effects of territorialized community based conservation. In particular, in the chapter I show how a legally designated “impact zone” to benefit local buffer zone users resulted in the further territorialization of buffer

zone spaces and the marginalization of forest and agriculture dependent populations. I discuss the differential distribution of access, costs and benefits from tourism and Bagmara CF. More importantly, I show how discursive representation of human-wildlife conflict, development discourses and spatial and legal practices have enabled the control and commodification of the forest and water commons. In Chapter Six, I present the complex interrelations of conservation spaces, subject formation and the state's efforts of governing people and nature. I described conservation violence and militarization in the buffer zone spaces of CNP. I noted the discourses of security and zero poaching years and the ways they have prompted ongoing militarization and violence. I explore the production of state-spaces and non-environmental subjects. In addition, I show how such practices are productive of environmental subjects, ethnic identities and touristic spaces. In addition, I discuss how state and non-state attempts to "improve" the life of people and practices, and the ways these helping practices rest on the reproduction or construction of new social hierarchies and identities such as caste, ethnicity and class. Finally, I describe the ways spatial practices shape resource access and contestation over meaning and practices of conservation.

## **Chapter Two: Theoretical Framework**

My research builds on and contributes to two key areas of emerging research in the field, which are 1) critical approaches to understanding the complex interrelations of conservation territories, subject formation, and state goals for governing people and nature: and 2) the political-ecological effects resulting from the rapid increase in territorialized community-based conservation (CBCs), such as buffer zones, that seek to integrate socio-economic development goals with biodiversity protection. I review the relevant literature to present current lacunae in the political ecological analysis of territorialized community-based conservation and present the specific contribution that my research makes to the rapidly expanding literature on the political ecology of nature conservation.

### **2.1. Environmentality and territorialization**

Prominent lines of inquiry within the political ecology of nature conservation include the relationship among representations of nature and people, the construction of scientific knowledge, contested property rights, and subject formation within conservation (Blaikie and Brookfield 1987; Escobar 1998; Bryant 2001; Neumann 2004; Peet and Watts 2004; Agrawal 2005; Peluso and Lund 2011). Yet the lack of politics in the political ecological analysis has surfaced time and again (Peet and Watts 1993; Paulson et al. 2003; Walker 2006). The study attempts to address this concern by focusing on the multiscale analysis of power relations operating among individuals and institutions (Zimmerer and Bassett 2003; Campbell 2007). More importantly, this study



emphasizes the ways modern forms of government work by controlling and producing spaces and governable subjects (Vandergeest and Peluso 1995; Peluso and Vandergeest 2001; Neumann 2004; Foucault 2009). In addition, focusing on the emancipatory potential of new political ecology, Peet and Watts (2004) also have emphasized the importance of practical political engagement with new social movements, civil organizations and institutions and cultural mobilization and practices. Moore (2005), in particular, has demonstrated the importance of everyday social and cultural practices in the struggle over land and resources. This study extends such concerns by analyzing the ways peoples of indigenous ethnicities negotiate and contest conservation practices and territories across multiple spatial scales and multiple levels of government.

The theoretical framework that informs this study integrates two important fields of inquiry within political ecology. The concept of environmentality highlights power/knowledge in the constitution and reproduction of environmental subjects in conservation policies and projects (Agrawal 2005). Territorialization investigates the constitution and reproduction of modern subjectivities such as nationality, race, gender, and ethnicity through the scientific and legal framing, ordering, and identification of the spaces of nature (Peluso and Vandergeest 2001; Neumann 2005; Peluso and Lund 2011).

Drawing from Foucault's notion of governmentality (Foucault 1977, 2009), this study views CBC projects and territories in Nepal as the technologies of government that aim to produce self-regulating subjects and governable spaces. Governmentality is broadly defined as an ensemble of calculated attempts or practices carried out by institutions that aim to shape, guide or fabricate the conduct of self or individuals or groups by working through the agency of subjects (Rabinow 1991; Moore 2005; Rose et

al. 2006; Foucault 2009) or by "educating desires, configuring habits, aspirations and belief" (Li 2007: 5). Foucault argued that expert knowledge and rationalities, as a form of power, mediate all facets of life including the fundamental nature of populations, disciplinary technologies, and the legal and judicial mechanisms of the state. His particular focus was on understanding the role of power/knowledge in creating new subjectivities and disciplining societies for economy and order (Foucault 1977, 2009; Rose et al. 2006). Expanding the concept around nature conservation, Agrawal (2005) proposed the concept of environmentality, which relates environmental regulatory practices to the internalization of such practices in the formation of environmental subjects. Since CBC projects and territories, which are based on a participatory conservation model, are productive of new subjectivities, knowledge, and new regulatory rules and regulations, they necessarily engender questions of who governs, using what logics and technologies, and towards what ends (Agrawal 2001a, 2005; Rose et al. 2006). My research attempts to explore these questions in the communities of CNP's buffer zone.

The fundamental practice of CBC around CNP is to protect the park by constructing and maintaining other layers of social and physical boundaries within the buffer zone (Bajimaya 2005). That is, CBC practices include the creation of fixed buffer zone territories and the formation of community forestry and institutions and scientific, legal and political practices within their boundaries. Therefore, I understand CBCs as territorial projects of state actors and institutions—assisted by non-state actors and institutions—for controlling and containing nature and people. To critically examine CBC territories, this study further builds on the concept of territorialization (Sack 1983;

Vandergeest and Peluso 1995). The concept of internal territorialization is, in particular, a spatial strategy through which an individual, collectivity, or a state regulates and governs the behavior or action or activities of other individuals or groups (Vandergeest and Peluso 1995; Peluso and Vandergeest 2001; Neumann 2004). A major theme of territorialization relates to the constitution and reproduction of modern subjectivities such as nationality, race, gender, and ethnicity through the scientific and legal framing, ordering, and identification of the spaces of nature (Peluso and Vandergeest 2001; Neumann 2005; Peluso and Lund 2011; Nightingale 2011). In particular, as boundary making and maintenance are fundamental processes that involve the transformation of property rights, they produce and sustain power relations among governed environmental subjects and between subjects and the state (Peluso and Lund 2011). Such processes may include state-led violence and physical coercion as means through which to implement territorializations. Thus Nepal's territorialized CBCs are contested spaces where diverse spatial strategies, claims over territorial authority and resource rights, and meanings are negotiated and performed.

## **2.2. Political-ecological effects of CBC**

Western ideas and values of nature and society relationship have shaped the establishment of strict national parks for the conservation of nature and biological diversity worldwide. Diverse interests, social relations and contexts at multiple scales have also structured the policies and practices related to national parks. The protection of nature within fixed and territorially bounded spaces, however, have been associated with diverse negative effects on lives, livelihood and landscapes. On the one hand, it is

associated with the curtailment of rural people's access to land and resources and the violent eviction of less powerful rural people. On the other hand, the establishment of national parks is related to the creation of new access to and control over land and resources by powerful individual and groups. As a result, many studies have documented struggles and conflicts over access and control of land and resources between rural people and state authorities (Neumann 1998; Brockington et al. 2008; West et al. 2006). States and non-state agencies have sought efficient, effective and people friendly ways to deflect or reduce conflicts and protect biological diversity within and outside national parks. Different forms of participatory community-based conservation initiatives have been employed and are ongoing over the last few decades worldwide.

A primary strategy in CBC governance is the decentralization of property rights to address both the protection of nature or resources and the socioeconomic development of communities. In particular, state authorities restructure existing resource use arrangements by devolving rights and responsibilities of resources management to local authorities or local communities. In other words, state and non-state authorities allocate rights to use and access forest resources to local communities of a specified geographic area such as a buffer zone. It is based on the idea that local communities and authorities are more efficient than the centralized government. Underlying the assumption of the claim is the efficient allocation of resource rights. That is, if people and communities have legal rights to property or resources they will use it efficiently, effectively, and democratically without degrading the resources. Therefore, increasingly the participatory governance of natural resources has sought the more efficient allocation of property rights for the benefit of communities and for the sustainable protection of resources.

Many attempts at the participatory governance of nature and resources have embraced the logic of the market as an effective way to protect and use resources in the contemporary period. In other words, the enterprises based on market-based conservation or management consider nature as a commodity and oriented towards the market as a solution for the long-term protection of nature and the socioeconomic development of communities. Logically, the approach establishes a sort of private property on the commons that facilitates the commodification of natural resources and at the same time helps to bring the commodity into market exchange. It further assumes that the commercialization of natural resources will bring more incentives for rational individuals or groups to protect natural resources from exploitation by others. In addition, market based conservation assumes that the surplus from the selling of the commodity in the market will provide resources for socio-economic development and conservation of resources.

Despite the rhetoric of the decentralization of resources and management rights to local communities or local authorities and the win-win logic of market-based conservation, many studies have shown that the seemingly benign and novel approach has generated new social and political effects related to the access to and control over land and resources (Neumann 1998; Brosius et al. 2005; Holmes and Cavanagh 2016; Roth and Dressler 2012). New conservation territories such as buffer zones, which reallocate or restructure preexisting property rights among heterogeneous populations outside the national parks, have become a contested space where numerous interest groups including state, non-states, the private sectors, and heterogeneous local communities struggle to assert claims over property rights, responsibilities, and

authorities (Walley 2004; Li 2007). Therefore, in the next section I briefly review the literature concerning tenure arrangements to further discuss how different interest groups or agencies struggle to gain control over land and resources.

### 2.2.1. Property and access

Land and resources which are traditionally used and managed by individuals, families or groups for rural subsistence have been increasingly transformed and understood in terms of legal access or property rights. The common property literature, in particular, has provided important contributions to understanding tenure arrangements in the different forms of participatory governance of nature and natural resources. Arguing against the ‘tragedy of commons’ concept, the common property framework claims that rational local users have effectively managed common property resources for a long time through diverse institutional arrangements. Specifically, it argues that local communities in different settings have effectively governed common property resources through regulatory institutions and regulatory rules (formal and informal rules). It assumes that local users who depend on and live close to resources have more local knowledge about resources and communities and hence can sustain resources more democratically and efficiently than state and private agencies (Ostrom 1990).

The common property literature classifies land and resources into four different ownership categories, namely private property, common property, public property and open property. Also, property has been conceptualized as a bundle of rights. These rights are classified into different broad categories: access rights, usufruct/withdrawal rights, management rights, exclusion rights and alienation rights (Schlager and Ostrom 1992;

Neumann 2005). Access rights are the rights granted by an authority to enter in a defined physical space. Withdrawal rights are the rights to obtain or use the products of resources. Management rights are the rights to regulate use of resources and rights to improve the condition of resources. These rights grant authorities the power to manage the use of resources and the access of individuals. In exclusion rights, authorities are granted rights to determine who will have an access right and authorities can exclude individuals or groups from entering or using certain spaces or use of resources. Authorities and members can exclude non-members from taking and accessing spaces and resources. Alienation rights has to do with the rights to sell or lease either or both of the above collective choice rights or management and exclusion rights (Schelger and Ostrom 1992; Neumann 2005). There are specific rights associated with the type of ownership of property. For instance, common property holders usually have all rights including use, access, management rights, exclusion right, and alienation rights in some instance. In the case of private property, private owners will have all forms of rights including alienation rights. These types of ownership and rights are broadly studied or understood as tenure arrangements or tenure regimes. More importantly, unlike neatly divided modern and legal property rights, everyday access and use of land and resources on which rural livelihoods depend may be overlapping and complex, which vary across time, space, scale, and the type and biophysical characteristics of resources (Schroeder 1993; Rocheleau and Edmunds 1997).

The common definition of a property is a formal access to land and resources or rights based on customary laws or statutory laws. Formal access to resources from authorities can be a title or permit or license such as a fishing license to certain groups or

permits to enter territorially bounded forest. Scholars, however, have defined property as more than the bundle of rights over land and resources. It is a complex social relationship between individuals or groups who have rights to resources, individuals and groups who do not have same rights, and political-legal or socially legitimate authorities that recognize, secure or guarantee such claims of property through existing formal laws or informal cultural norms or values or social understandings (Sikor and Lund 2009). As property rights are socially produced, endorsed, and sanctioned, these rights are a reflection of power relations embedded in individual and group identities and their social relationship, performance of authorities, regulatory rules, and material and discursive practices and processes. Related studies have also shown that historical, sociocultural, political and economic contexts shape people's and groups' right of land and resources (Schroeder 1997; Ribot and Peluso 2003; Nightingale 2011; Peluso 2009; Neumann and Hirsch 2000). Therefore, the way property rights are defined, controlled and contested among heterogeneous individuals, communities and authorities and the social and ecological consequences have been the central concern of political ecological studies because resource tenure not only influence people's lives, livelihood, and landscape, but also it shapes the relationship between nature and society (Robbins 2011; Neumann 2005; Peet and Watts 1996, 2004). More importantly, political ecological scholars have shown that access to land and resources depends on more than formal access. Rather than a limited definition of access as formal rights, Ribot and Peluso (2003) have defined access as "the ability to benefit from things" (2003, 153). By definition, it includes both legal or illegal access to resources and is shaped by "technology, capital, markets, labor, knowledge, authority, identities, and social relations" (Ribot and Peluso 2003, 162).



Access is a type of a bundle of power rather than a bundle of rights. Thus, the ways access to resources or property rights are defined, controlled and contested among heterogeneous individuals and stratified communities have been the central concern of political ecological studies.

### 2.2.2. The state and property rights

Studies have pointed out that CBC initiatives strengthen state power because the state and communities are never a separate domain as presupposed in the decentralized approach (Heinen and Mehta 2000; Neumann 1998). In other words, studies have shown that CBC initiatives, which are primarily initiated, imposed or supported by external donors and organizations, have helped to strengthen state authority and expand state control over rural areas rather than the purported rolling back of the state in decentralized governance (Neumann 1997; Schroeder 2005; Li 2002). In describing the processes of state expansion around community forestry in India, Agrawal (2001b) argues that activities that formalize and systematize social action including the creation of new rules, organizational structures that ensure the enforcement of the rules, and the discrediting and incorporation of alternative loci (or rules) that influence the exercise of power are fundamental in shaping the relationships between state and societies. Thus, CBC is a vehicle of realigning past relationships between the state and people into new relationships to make it more compatible with changing socioeconomic and political contexts and to continue its dominance over people and resources in different forms and strategies (Peluso and Lund 2011; Li 2002; Brosius et al. 2005; Neumann 1997).

An important strand of research has focused on the ways political-legal authority shapes formal access to land and resources. Related studies have pointed out that a primary outcome of the restructuring of resource rights in CBC initiatives is the deepening of state power and authority (Heinen and Mehta 2000; Neumann 1997). For instance, Li (2002) examined CBC practices carried out with the financial and technical support of foreign organizations in upland Philippines and Indonesia and documented how the state intensifies the control of resources, lives, and livelihoods through institutional and bureaucratic practices such as the legal recognition of people, property rights, and ancestral domain. The recognition of customary forest in Indonesia through the forest act helped to bring the forest under the state-controlled forestry department. It made the customary forest liable to official licensing, monitoring and identification by the state forestry department. Likewise, Ribot et al. (2006) and others focus on institutional changes in six countries around forestry to examine how the state uses legal ambiguities to obstruct the democratic decentralization of forest management. They state that the central government in general restricts decentralization by exploiting ambiguities or loopholes or creates ambiguities in legal reforms to establish resource control. Schroeder (2005) explored decentralized governance in community forestry in the Gambia and focused on the formal responsibilities of local committees. In particular, he examines contracts, conditionality, contexts of community forestry handover, and management processes and practices and shows that the authorities granted limited or partial rights of forest reserves to communities after a formal contract between the forest department, foreign authorities and communities, without losing the control of forest authorities, which he called a “graduated sovereignty”. The contract also includes

conditionalities on the rights and responsibilities related with forest management, use and access. Communities had to perform according to the stipulated obligation that are listed in the management plan and formal contracts.

Alternatively, state authorities not only grant rights and authority but also expand their power by consolidating discretionary legal rights in resource management and decision making (Heinen and Mehta 2000; Walley 2004). For instance, in Nepal, Heinen and Mehta (2000) review the buffer zone regulations and argues that regulations “expand the authority of the state by imposing restrictions in populated areas formerly not under the control of park officials” (2000,12). It is because the regulations provided additional power to a national park warden to control community forests, forest council’s activities and activities with the buffer zone. In particular, the park warden has the power to form or dissolve forest councils, forest user groups and retain community forests if councils fail to fulfill duties and responsibilities according to the approved community forest management plan. Wardens can fine and punish forest councils and committee members, resolve conflicts between buffer zone council and groups, design projects and activities, prepare local constitutions and management plans, conduct periodic inspections, audits accounts and allocate funds in installments. Buffer zone councils and forest committees are also required to submit periodic reports.

### 2.2.3. Territorialization, violence, and repression

The focus on the spatial dimension of property provides a more nuanced understanding of how authorities operationalized regulatory rules governing property on the ground and its differential consequences on people’s access to resources or property.

In addition to regulatory rules, the rearrangement and reordering of spaces and people have been the key practices of the state to control land and resources (Vandergest and Peluso 1995; Peluso and Vandergest 2001; Neumann 2001; Corson 2011; Holmes 2014). Vandergest and Peluso (1995) used “internal territorialization” to examine how states use spatial strategies to control internal land and resources. They claim that the modern state divides complex and overlapping spaces into simplified abstract spaces, uses cartographic and scientific techniques to classify land and resources, rearranges people and resources, regulates by laws and policies, and administers by agencies or institutions. Theorizing state-building processes through conservation practice, Neumann (2004) argues that “proprietary claims and the process of mapping, bounding, containing and controlling nature and citizenry are what make a state a state. States come into being through these claims and the assertion of control over territory, resources, and people” (2004, 185). Similarly, Li (2002) argues that the state intensified control over people and place primarily through spatial strategies such as the legal demarcation and mapping of forest reserves. The central government also controls decentralization of the forest by inscribing spatial limitations and the supervision of resource use and access (Ribot et al. 2006). Similarly, Neumann (2004) pointed out that state and non-state surveyed, classified and demarcated buffer zone boundaries, and local councils and forest guards were employed in monitoring and enforcement of bounded territories to control communities access of wild animals in the buffer zone of the Selous Game reserve.

Spatial strategies partition complex landscapes into zones of differential access and use. In addition, authorities strictly protected resources that are within off-limit zones from non-members or certain people or groups represented as unfit to use. That is, spatial

strategies determine who has access, when and where people have access, and under what conditions people have access to land and resources. In other words, territorial practices and boundaries create zones of exclusion and inclusion in a broad sense, where only some are allowed to get access for a particular activity or to get certain types of resources. Most frequently, access to and exclusion from bounded land and resources are guided by certain ideas, social relations, identities, and material and discursive practices. Thus territorialization not only shapes access to and control over resources, but creates subject categories such as environmental and non-environmental subjects (Peluso and Lund 2011; Neumann 2001; Peluso and Vandeergest 2001; Ybarra; 2012; Mahli 2012).

As the establishment of conservation territories includes the legal and material classification of space into zones of exclusion and inclusion and the enclosure of land and resources within a bounded space, the spatial practices are associated with the violent act of evicting people from the place of belonging and curtailment of resource access and control, and subjugation of local practices, knowledge and history. Furthermore, the maintenance of boundaries and claiming of land and resources within the bounded space requires continuous monitoring, surveillance and enforcement by authorities. More important, memories and ongoing fear of violence are vital for the efficient enforcement of boundaries and the control of resources. Thus, violence and memories of violence are also related with the constitution of subject, spaces, property and authorities (Peluso and Lund 2011; Neumann 2001).

Vandeergest and Peluso (1995) claim that there are always misfits between abstract space and lived space, which contribute to the instability of the modern state's territorial strategies. Therefore, as this lack of fit generates local resistance,

territorialization always involves second order state practices such as violence and subtle forces to establish or maintain territorial claims. Similarly, Holmes (2014) points out that the state along with non-state agencies used territorial strategies such as mapping, demarcation of boundaries and monitoring and enforcement of boundaries and further used conservation discourses to legitimate state and non-state physical violence and violent control of access of resources. Likewise, Mahli (2012) shows how territorial strategies that limited the use of and access to land and land control was vigorously contested through a discourse of resistance that draws from Muslim moral land use practices and resource entitlement. Local communities used global Islamic discourses of moral land use, law and authority to resist against colonial land enclosure. She describes the ways colonial enclosure has also produced "radical anti-enclosure politics" including violent uprisings and also violent colonial suppression.

Although the state has a monopoly on violence, the use of violence to control people and resources also requires justification or rationalization. Scholars argue that discourse and the representation of people, nature and practices play an important role in the rationalization of violence and violent control of people and spaces (Peluso 1993; Li 2007). For instance, Neumann (2004) examines popular media representation of people as "Others" and claims that their discursive production of the African people represents them as different and morally and culturally inferior to white Europeans and wild animals. For instance, the media represents African people's practices and culture as violent, cruel and uncivilized based on the comparative treatment of wild animals by brutal and uncivilized Others and civilized European. In addition, this representation discursively humanized wild animals that placed poachers on the lower rung below wild

animals on a moral hierarchy. These discursive practices, he argued, normalized and justified war, violence and militarization in conservation in Africa. Similarly, Ybarra (2012) argues that the military counterinsurgency campaigns, which aligned with conservation practices, controlled people and spaces not only through spatial strategies of dividing, delineating and enforcing forest boundaries, but they also used discursive representations of nature and people. The jungle - a base of guerilla fighters - was represented as “wild and savage” and a “guerilla haven” with a binary representation of society as safe and civilized and nature as a dangerous jungle. She further writes most military from the east view Petans as an "unhealthy place populated by dangerous Indians" and the Maya indigenous people were looked at as suspect citizens.

Likewise, scholars have also emphasized the ways Western ideas about non-Western Others, their place, and practices in CBC projects' conceptualizations continued to shape outcomes related to CBC initiatives including the access to and control of resources, conservation outcomes and state expansion (Peet and Watts 1996). For instance, Neumann (1997) emphasizes the ways the Western non-state agencies and donors have conceptualized the integrated conservation and development projects (ICDP) in Africa. He shows that the new conservation practices backed by Western authorities include similar representations of non-western people as primitive Others and their places as full of "danger, darkness, and irrationality" (1997, 567). In particular, he argues that despite its rhetoric of local participation and empowerment, the involvement of people is limited by authorities' assumptions of the idea of primitive Other. The traditional indigenous people living in harmony with nature who are thus uneducated and incapable, and the representations of local people and practices as destructive and backward enable

or legitimate authorities to intervene and expand their role and power. Likewise, Schroeder (2005) reported dismissive and condescending attitude towards rural Gambian people in the report and plans of the German forest projects (GGFP) of the Gambia. The project documents also represented community people as ignorant and inept in environmental management and in need of guidance and training by the state and forest experts. It established the authority and hierarchy of state and non-state agencies and hindered participatory governance. Similarly, Sundberg (2006) examined participatory conservation in Guatemala and asserted that the emphasis on democratization and institutional reform in natural governance without social change would have little effect because daily practices and cultural imaginaries may present barriers to the inclusion, participation, and empowerment specific social groups. More specifically, she notes that the presence of structural inequalities among groups and the state and NGOs narrows visions or their deep-seated cultural imaginaries of groups such as indigenous people as backward, inferior, culturally incapable of making a decision, and illiterate limit or hinder active participation of peoples. As a result, she points out the persistence of centralized decision making, the exclusion of people and the lack of democratic practice in Guatemala. She says that these perceptions and cultural imaginaries in conservation not only limited the success of community conservation but reproduced long-standing racial and cultural hierarchies in Guatemala.

#### 2.2.4. Scientific and local knowledge

CBC practices are related to the growing role of non-state conservation and development organizations, so the ideas, values, and interests they embody shape the



design of projects including problem identification and the solutions they prescribe. In the processes, they not only simplify or redefine the complexity of problems but disregard existing local understandings and knowledge related to issues and interventions. These practices strengthen existing power relations, establish the authority of techno-scientific agencies and control people's access and use of resources. For instance, Goldman (2003) shows the persistence of top-down conservation practices despite the rhetoric of devolution and decentralization of power. As a result, it limited local participation. She claims that CBC policy and practices not only discounted local Maasai knowledge and practices, but the policy also pointed out that local people need to be educated, trained and advised about the western scientific understanding of land use and management. Unlike the static, rigid, manageable and legible landscape of new conservation territories, she documented the dynamic nature of the local ecological system and the fluid and adaptive nature of local knowledge and practices. She further claims that privileged western knowledge (western zone-based planning) fails to incorporate the complexity and uncertainty of the social and natural system. For instance, she highlights the migratory behavior of wildlife in the landscape which fits with a fluid land management regime, but rigid and partitioned land use does not address local complexity. However, community-based conservation territories around the national park in Tanzania controlled Maasai land use and practices by introducing new regulatory rules such as restrictions on forest use and banning hunting to control and regulate primitive peoples' destructive habits and practices. Similarly, Walley (2004) examines community-based marine conservation initiatives in Tanzania and shows how the central state continues to dominate through specific bureaucratic and scientific practices despite the

claim of community participation and decentralization. The centralized bureaucratic structures focus on techno-centric and managerial solutions and discredit and exclude local popular knowledge because the social hierarchy of experts and male political elites still influences decision making. As a result, it restricted the participation of rural residents and women in decision making. Furthermore, invoking the modernization discourses; authorities considered rural residents as illiterate, uneducated and lacking scientific knowledge, so they are unfit for participation in decision making related to conservation.

#### 2.2.5. Property rights under capitalism

Political ecological research in nature conservation has focused on the relationship between the growing influence of market-based policies including changing property rights, dispossession of people, and the private accumulation of surplus from nature and society. This trend, in general, is increasingly studied under the process of "accumulation by dispossession" (Harvey 2005). Recognizing the globally emerging private appropriation of land and resources by restricting resource access and the dispossession of people in the name of environmental ends, scholars have named such resource control tactics in general as "green grabbing" (Fairhead et al. 2012). Scholars argue that nature conservation policies and territories provide an enabling environment for the commercial appropriation of nature and land or for producing new nature or the conditions for capital accumulation (Brockington and Duffy 2011; Corson 2011). Studies have also shown that such conservation practices including enclosure, dispossession and associated extraction of benefits from nature and society produce both winners and losers

with many consequences for the sustainability of nature, access to land and resources and the marginalization of less powerful communities (Fairhead et al. 2012; Dressler et al. 2013; Brockington et al. 2008).

At the same time, there has been some shift in the structure and function of institutions and the ways such institutions have embraced the logic of capitalism in nature conservation (Brockington et al. 2008). Institutions with divergent interests have come together in nature conservation enterprises, and they are involved in diverse processes and practices including deregulation and regulation, privatization and commodification, marketization and financialization of nature (Fairhead et al. 2012; Castree 2008; Harvey 2005). In addition, new practices also include the discursive representation and spectacularizing of nature for private capital accumulation and expansion. Some scholars have called such trends in conservation as neoliberal conservation (Brockington and Duffy 2011; Buscher et al. 2012). In sum, neoliberal conservation is a form of governmentalities that produces its suitable space of accumulation by displacing, commodifying, enclosing, and spectacularising these spaces. More importantly, as it intervenes around biophysical and social systems, it seeks to extend, police and profit by separating nature (non-human) and human (Brockington et al. 2010). The intensified idea of "selling nature to save it" defines neoliberal conservation in brief (Mcafee 1998). Similar to market-based conservation, neoliberal conservation also contains economic and extra-economic forces (cultural, political, scientific and non-violent processes) for capital accumulations (Prudham 2014,433).

Scholars have used the concept of green grabbing and neoliberal conservation to show how diverse strategies are involved in the appropriation of land and resources,

asserting authority in conservation practices and shaping conservation and social outcomes. For instance, Benjaminsen and Bryceson (2012) argue that community-based conservation is a form of green and blue grabbing - a gradual and piecemeal process, which involved violence on some occasions but largely employed a gradual form of capital accumulation by more powerful actors such as state officials, INGO, and tourist companies. In particular, they show how new regulatory rules, the establishment of wildlife conservation areas, narratives of environmental degradation (overgrazing), decreasing benefits from tourism and loss of crops and the associated lack of transparency of earnings all led to the dispossession of locals' rights of tourism benefits (earnings). Here the privatization is not the land and labor per se, but the accumulation of benefits by the powerful at the expense of locals. Institutions such as state agencies, NGOs, corporations, and businesses accumulated most benefits. That is, rent-seeking state officials and politicians benefitted from fees collected from tourism, transnational conservation organizations benefitted from donors and private fund-raising by presenting conservation success stories, and commercial tourism operators generated profits from tourism industries. Similarly, Young (2003) explores the commercialization of recreational whale watching - a form of ecotourism- for marine conservation and development in Mexico. She argues that only a few economic benefits trickle down to local coastal communities and a large sum of tourism revenues and benefits were appropriated by foreign tourist companies. Moreover, she asserts that following the change in the Mexican constitution, the state allowed the privatization and sale of *ejido land* (communal land). It encouraged commercialization and the sale of the lands, which benefitted powerful interests and prompted land tenure disputes and local conflicts in

Laguna San Ignacio. Likewise, Dressler et al. (2013) show how market-based conservation in Vietnam fueled conflicts and struggles over forest land and resource control and at the same time produced social differentiation among villagers. In particular, local actors through their political connections and power allied with state park authorities to control additional land and valuable resources. Local powerful actors obtained contracts from the state (park) through political patronage. Landowners received 50 years contracts and additional cash in exchange with an obligation and responsibilities to protect forest land. Local elites further extracted benefits from park resources and local fellow villagers prompting conflicts as well as social differentiation among local people.

The new mode of appropriation of benefits as frequently linked to the neoliberalism of nature does not mean that older modes of appropriation of land and resources such as legalization, territorialization, enclosure, and violence do not play a role in shaping property rights and access. They are still the central practices in the production of conservation spaces and private capital accumulation by dispossession (Peluso and Lund 2011; Fairhead et al. 2012). For instance, Ojeda (2012) shows how the different forms of violence by institutions, territorialization, and environmental narratives and discursive representation of space and people are the powerful strategies of capital accumulation by dispossession in an ecotourism project. She also shows how the projects have produced and reproduced distinct environmental and non-environmental subjects and produced tourist spaces such as beaches and buffer zones to further neoliberal goals of capital accumulation, capital investment, and tourism promotion. Similarly, Corson (2011) analyzes the interrelationship between state territorialization of natural resources through conservation enclosure under neoliberalism. She argues against the popular

notion of the state as the primary actors in territorialization. She posits that the state acts as a vehicle in the processes of territorialization practices carried out by non-state actors. She claims that contemporary territorialization practices not only entail the enclosure of local lands and resources, but it also erects social boundaries of authority to determine who can and who cannot claim to decide socially acceptable resource use and practices. NGO's actively participates in the process of state territorialization such as mapping boundaries and producing maps using GIS mapping and formal maps, classifying forests with mapping, and establishing and enforcing boundaries. These practices provide authorities opportunities and information to determine who has access to and control over resources. Since state authorities have limited funding and resource capacity, they seek support from organizations and private companies in all sectors of park governance. Thus non-state agencies have greater influence in state practices and decision making related to who gets access and how. As a result, the state provides opportunities for private capital accumulation through the private park, biodiversity offsets, accommodating mining and timber interests. Buscher and Dressler (2012) also make a similar claim related to the production of new authorities within neoliberal conservation discourses and practices. They examine conservation in South Africa and the Philippines and argue that as the result of growing neoliberal pressures and the hybridization of community and neoliberal conservation, there is an increasing shift of decision making about "nature" from communities to others (here alliance of non-state institutions) on commodity resources and capitalist markets leading to dispossession from resources. Through their case studies, they show that devolved conservation governance, in reality, entails alliances and a convergence of actors across scales to further neoliberal goals.

Although many have documented negative impacts of a market-based conservation approach, some have also pointed out that local people favor private investors in nature conservation in certain contexts. Gardner (2012), for instance, examines tourism and conservation as a neoliberal site where struggle takes place. He argues that the Maasai retain faith in market-based relationships in spite of difficulties from both forms of foreign investors (public and private partnership, and community and private partnership) in the tourism business in Loliondo of Tanzania. He highlights this by showing the persistent mistrust of Massai peoples with state and NGO practices because of the experience of loss of land and eviction in the name of conservation and development. They see land grabbing as the outcome of the state's approach to consolidate power, control land and affect their livelihood practices. In addition, Massai leaders and activists use new spaces to challenge state efforts to control land and resources. Also, they consider NGOs as allies of the state that play a role in controlling Massai land in the name of conservation. When the state along with conservation organizations attempted to start a buffer zone program in the Loliondo territory, they aligned with a tourism joint venture to secure land rights. In addition, they see foreign investors as spaces of recognition and appropriation, most promising space to legitimate and secure land rights and access to resources. Furthermore, they expect foreign tourism companies will bring jobs, development, reduce border insecurity (to reduce the stealing of Massai cattle), and establish territorial control near the Serengeti. In another, Lunstrum (2008) similarly argues that although fortress style conservation displaced people from their land and resource, CBC has a potential to strengthen land claims. She describes how neoliberal land reform (the 1997 land law) in Mozambique shaped Limpopo national park

(LNP). She argues that LNP as a "neoliberal state space" played a role in attracting foreign investment by promoting the decentralization of land rights for economic development in adjoining villages. Lundstrum (2008) highlights this by showing how land reform (the 1997 land law) produced spaces both favorable for conservation inside the national park and development outside the park. In particular, she states that land reform promoted semi-privatization of land. This protected land rights of local communities, which was also favorable for the promotion of decentralized CBC projects. Similarly, these projects initiated with the help of NGOs helped in social development by establishing a community run tourist lodge, which later promoted schooling and health care. They also helped local communities to protect and establish community land rights.

More recently, political ecological studies have focused on the increasing use of modern scientific and technological methods in defining, classifying and territorialization of spaces, land, and resources. Studies are used to determine the conservation status of resources and decide about the appropriate scale of resource conservation, management, use, and access. Cartographic methods such as remote sensing and GIS are increasingly used in the classification, categorization, and redefinition of complex spaces. For instance, Turner (2006) examined current modes of environmental monitoring through remote sensing and ongoing community-based conservation practices. He asserts that although the current upscaling of environmental monitoring through remote sensing has provided information on changes in large spatial extents, it does not contain mechanisms of change, and it is more difficult to detect the causal information of change. Besides, he says that some poor spatial resolution cannot provide accurate information about a human signature. More importantly, spectral heterogeneity offers technological difficulties in



classification that inhibit providing precise details of land use change. It also gives limited knowledge of human activities and management and little information about the causes behind changes in vegetative cover such as localized drought, wood collection, over-grazing, and over farming. He says that Sahel livelihood practices go way beyond the village boundary. For instance, Sahel farming and herding depend on ecological factors such as rainfall and grassland conditions and are facilitated by the social networks among other local villages, which are impossible to detect with remote sensing technologies. Thus, he argues that such simplifications reflect a complicated politics of scale and these practices have shaped the material lives and livelihoods of people.

Similarly, Campbell and Godfrey (2010) examine the genetic analysis of sea turtle migration and population distribution to understand how ecological knowledge and experts' analysis plays a role in the decision making about the appropriate scale at which conservation needs to be carried out. In addition, they consider how the ecological knowledge of sea turtle genetics shaped the property rights of individuals and nation states. They argue that the genetic analysis and identification of sea turtle's nesting beaches and sea turtle distribution and migration have substantiated the claim of sea turtle conservationists and NGOs at regional or international scales as shared resources. This rescaling, however, contradicts with Cuba's claims of resources based on territorial sovereignty, long-term investment in sea turtle conservation, geographical proximity and history of use. The production of genetic information is not only related to the delineation of conservation spaces but also determines the type of governance structure and resource rights. Thus "molecular nature" influences regional conservation politics, which indicates the interrelationship between science, scale, and rights.

### 2.2.6. Local rights

Numerous studies have also shown that local communities are highly heterogeneous and stratified based on their identities, status, and interests. Heterogeneous people are simultaneously interlinked, and they establish or exist in particular social relations in a society. As a result, CBC initiatives and practices provide differential benefits to local people or local people have differential capabilities to benefit from the initiatives and resources (Ribot and Peluso 2003). Some have critiqued the CBC framing of the image of local peoples as traditional or indigenous, living in harmony with nature in a way that precludes multiple social stratifications. It homogenizes unequal power relations among people at multiple scales and obscures the ways social power relations shape and are shaped by access and control of resources (Li 2002; Neumann 1997; Nightingale 2003, 2006; Schroeder 1997).

For instance, Paudel (2005) examines distributive justice associated with the ICDP around CNP in Nepal. He argues that historical structural forces such as caste and wealth disparity continue to shape the distribution of cost and benefits and access and use of resource from community forests and parks in the protected area buffer zone of Nepal. He shows how poor people, who are also usually from low caste groups and who often live near forest and park boundaries suffered the most because they are highly dependent on forest resources which were restricted in the park by park officials and in the community forest by local elites and high caste groups. More specifically, he points out that Musahar, Bote and Tharus who are considered "naïve" and "introverted" were exploited by "clever" upper caste hill migrants (my highlights). High caste and local elite further restrict local poor people from access and use of community forest resources as

they control buffer zone forest activities. In addition, forest user group committees are mostly occupied by upper caste males who are less dependent on forest resources, and they impose restrictions on the use and access of forest resources from park and buffer zone forests. He also highlighted the influence of local leaders and the park warden and the uneven distribution of infrastructural development such as biogas, school, and road construction, which were all biased toward the powerful. Likewise, Thoms (2008) examines community forests and Waylen et al. (2013) study community-based conservation in the hills of Nepal, and both found a similar effect of caste and class identities on use and access and the reproduction of social hierarchy.

In addition to identity-based discrimination on the use and access of resources by local elites and state agencies, Sundar (2001) shows how participatory forest management generated violence toward less powerful and “low” caste groups. She argues that the ideology and practices of scientific forestry and the associated spatial arrangements, demarcations, and legal restrictions of forest boundaries from non-users have generated conflicts and violence over control of access and forest resources in India. The local Forest Protection Committee (FPC) was established to control forest encroachment under JFM in India, but their monitoring and policing activities were targeted towards migrants. Although all villagers practice the swidden cultivation of Podu in encroached forest land in Paderu, Andhra Pradesh, the dominant castes (Bhagats) mostly blame migrants (Samanthas). In other villages of Raighar, hundreds of Podu cultivators were evicted and attacked by the local FPC. In Madhya Pradesh, the forest department formed a forest committee in a village for the protection of forest encroachment by other villagers,

resulting in a violent conflict between two villages. She claims that the "JFM has territorially empowered some groups against others" (Sundar 2001,341).

Furthermore, Malla (2001) explores the historical development of forestry in Nepal and argues that patron-client relationships arising from different class, caste, and status of people and the "chakri system"<sup>8</sup> (sycophancy) shape or are shaped by the access of forest resources of poor people in Nepal. In the contexts of community forests, despite the government's decision to devolve rights and authorities to communities, the forest department continued to ally with the local elites to protect their authority and control community forest and resources from local access and use. In return, the alliance helped in maintaining the patronage network for local elites. Local elites and elected leaders are large landholders and act as gatekeepers. As a leader of forest user groups, they have access to donor funds, manage accounts, conduct seminars and study tours, and exert control over access. He further claims that in Nepal all these groups (the forest department, landlords, government officials, and local elites) have understood the power of controlling land and forest. He asserts that "since Nepal's period of unification (1743-1846), these elites have tried to capture as much good quality land and forest as possible. In doing so, they have made dependents of peasant farmers, who exchanged crops, harvest labor, and political support for access to the forests" (Malla 2001, 301).

Nightingale (2003) focuses on the western scientific knowledge around forestry and forest conservation in Nepal and argues ideas of professional scientific forestry constrain or undermine community forest program's ability to promote democratic access

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<sup>8</sup> Institutionalized sycophancy system during Rana regime

to forest management processes, undermine local knowledge and reproduce or constitute a social hierarchy, social relations, and authorities. She shows how such knowledge is used by local literate high caste men to control user groups and to strengthen and reproduce their social hierarchy, assert authority and simultaneously marginalize forest knowledge associated with illiterate, lower caste women in communities. In particular, high caste men consider that they need to teach /educate the low caste or make them "aware" because they think they lack appropriate knowledge or professional knowledge such as the ability to understand forest maps or to read community forest operational plans, which function as a legal document. A high caste person can read and understand maps after they get training from donors and forest departments, which becomes a source of power that is not available to illiterate lower caste men. Second, as they considered scientific knowledge and written legal documents and maps as the higher form of knowledge, they undermined and devalued verbal consensus building and flexible, democratic practices. For these reasons, she says that the community forests are the site of the reproduction of social relations. The consequences of this are not only limited to the reproduction of hierarchy and marginalization of poor, but also the production of a particular type of scientific forest. That is, in the training session conducted by DFO and donors provided instructions in how to maintain an even-aged, regularly spaced monocultural forest stand.

Some scholars have pointed out the ways local communities strategically deploy certain cultural identities or accept externally imposed identities to cement claims over and access to resources. For instance, Doolittle (2010) argues that indigenous leaders strategically deployed the image of their identities as the authentic caretakers of the

world, marginalized in the global arena, and striving for political recognition and legitimacy. She shows how indigenous leaders showed differential understandings and conceptions of earth and nature and a particular sense of belonging to nature. Similarly, Perreault and Green (2013) compared two indigenous movements in Bolivia's lowland and highlands and argued that both movements are ethnoterritorial projects that mobilize essentialized understandings of indigenous identity to legitimize their claims to territorial rights. In particular, they note the discursive production and mobilization of a romanticized idea of indigenous people as the guardians of the country's resources for the benefit of the whole county. Similarly, Sundberg (2004) examines NGO practices that implemented the conservation program around the Maya Biosphere Reserve. She argues that local land users represent themselves as authentic and legitimate caretakers and change their land use practices to meet the demand of NGOs to get access to project resources. Furthermore, Ybarra (2012) examines the working relationship between local people and transnational conservation organizations in the buffer zone of the national park. She shows how the organizations uncritically accepted the representation of some Peternos people as traditional indigenous people practicing harmonious and sustainable forestry in contrast to other Peternos people living inside the national park, who were immigrants and seen as destructive of the forest. Thus, organizations reproduced inequalities and resource conflicts between park and people. Likewise, Brosius (1997) argues that environmentalists and indigenous activists represented indigenous knowledge as sacred and ineffable to make it more appealing, valuable and narratable. In the process of representation and transformation of knowledge, they not only created new knowledge but also imposed their way of seeing or their meanings (western meanings).

Other scholars, however, have questioned the representation of local communities as a homogenous, territorially bounded people and the essentialized notion of traditional people living in harmony with nature CBC initiatives. They have argued against such simplified representations and have shown highly heterogeneous, stratified and mobile communities in the CBC territories (Li 2002; Neumann 1998). For instance, Li (2002) argues that residents, including indigenous groups and migrants, are highly complex and heterogeneous, which do not fit the model of CBC programs. Within the indigenous people of Indonesia, the idea of a well-defined territorially bounded community of indigenous people is not guaranteed. Indigenous people in Indonesia and the Philippines are highly mobile due to forced and voluntary migration. Also, in the Philippines CBC advocates presupposed local people a "forest-dependent people" despite the complexity of people's practices (Li 2002). Most indigenous people in the uplands do not live in forested land, and those who live in the forest do not necessarily wish to sustain forests. Some indigenous people convert forests for agricultural land, while some are involved in logging and rattan collection. In other instances, the loss of land among indigenous people has forced people to intensify forest conversion for farming. In Indonesia and the Philippines, indigenous people are also involved in the market exchange of local products such as tree crops, rubber or fruit trees, rattan, and vegetables. Neumann (1997) argues that the image of local peoples (e.g., "traditional" or "indigenous") living in harmony with nature precludes multiple social stratifications. It homogenizes unequal power relations among people and associated differential access and rights. More importantly, although the discourses and representation of traditional or customary practices has been able to secure rights and access, he argues that it runs the risk of dispossession when

peoples' changing beliefs and practices do not fit with the discourses of traditional nature-loving natives or they are unable to demonstrate stewardship qualities.

This brief review shows that interest groups employ diverse and multiple strategies in their struggles to control access over property. Similar to the governance of strict protected areas, in the participatory and decentralized governance of resources, the state employs diverse mechanisms to control land, resources, and benefits and asserts authority including regulations, spatial strategies, violence, scientific discourses, and representation of people and nature. However, the ways these strategies are employed vary depending on space and park authorities. In addition, frequent assumptions of the state and park authorities as a homogenous entity is difficult to defend in nature conservation in Chitwan National Park. In CBC governance, I provide descriptions of how and why state agencies play a role in structuring the land, forest and river resources and benefits, how other interest groups make alliance with state authorities to control land and resources and how contexts shape the control of resources, benefits and authorities. In the same way, I will show the conflicts and alliance between NGOs, the private sector and local forest users, including buffer zone committees and community forest committees, in the control of land, resources and benefits. In addition, I highlight differential access to resources, rights and responsibilities among heterogeneous people and the power relations that shape and are shaped by access to and use of resources. I show how issues related to property rights and strategies to control access and rights are related to heterogeneous environmental subjectivities, identities, spaces and authorities within society.



### **2.3. Discourse and subject formation in CBC**

I examine the production, circulation and the use of scientific knowledge and cultural representations of nature, society and their relationships through a post-structural perspective to analyze how authorities constructed the space bordering the CNP as a buffer zone—a problem space full of conflicts between parks and people (Li 2007). In other words, I look at how authorities defined, produced and represented the complex relationships between park and people as the “conflict” between park and people. I also examine the ways the conflict narrative changed over time and its consequences. As the conflict narrative was followed by a series of CBC initiatives including conservation territories and social development practices, I look at how the institutional arrangements and spatial strategies played a role in the reproduction of social identities and the construction of environmental and non-environmental subjectivities.

A post-structural perspective questions objective scientific truth claims about people, practices, and nature, and it considers that “truths are statements within socially produced discourses, rather than facts about reality” (Peet and Watts 1993, 228). That is, scientific knowledge and cultural representation of reality are historically produced discourses or narratives (Peet and Watts 1996; Forsyth 2008). Institutions such as the state, non-state actors, scientific, media, or local organizations and experts produce “careful, rationalized, organized statements” or the regime of representation for a certain purpose (Peet and Hartwick 2015, 230). Hall (1992) describes a discourse as “a way of talking about or representing something. It produces knowledge that shapes perceptions and practices” (Hall 1992, 317 quoted in Gardner 2016). In general, discourses are language and statements that are expressed through texts, images, and maps. More

importantly, underlying knowledge or truth discourses are the meanings, ideas, desire or interests of institutions that have the power to produce reality and subjectivity.

Discourses function to perpetuate the regimes of truth and to silence the undesired knowledge of Others. Therefore, Escobar (1996) claims that "the post-structural analysis of discourse is .... a theory of the production of social reality which includes the analysis of representations as social facts inseparable from what is commonly thought of as material reality" (Escobar 1996, 59).

In contrast to the debates concerning the location of power in institutions or social relations, Foucault locates power in practices and processes, primarily in the production of knowledge or truth, which have regulatory effects (Foucault 2007). The production of knowledge of the "complex of men and things" – fertility, relationships, wealth, climate, misfortunes or nature for instance - becomes the primary mechanism of power (Foucault 2007, 97). Foucault argues that authorities govern society not only through laws and punishment (sovereign power), but through the right manner of disposing things or "arranging things" in space for effective governance (disciplinary power). More importantly, a modern form of power is primarily exercised by ensuring the well-being of a population (Foucault 2009). The administration of the life processes of a population, what Foucault calls bio-power, requires the detailed calculation and legibility of "men and things" (Foucault 2009, 97; Scott 1998). For instance, the discursive transformation of meanings of nature or the classification of nature into "natural resources" or "environment" or "wilderness" is a form of power produced through new knowledge of nature. Such practices not only restructure existing access to resources but also produce new subjectivities and subjects (Luke 1995; Goldman 2001; Darier 1999). In

international development discourse, Escobar (1996) argues that power is exercised through the discursive production of knowledge of non-western space and populations as an undeveloped space and deficient poor people. The production of statistical facts and the categorization of countries based on per capita income labeled two thirds of countries as generically poor with populations riddled with poverty. That is, the internalization of such knowledge or discourses of society and nature produce specific subjectivities and social dominance.

### 2.3.1. Scientific knowledge and crisis narratives

In this section, I briefly review how authorities produced, circulated and used scientific knowledge and the cultural representation of nature, society, and their relationships in nature conservation. On the one hand, positivist scientists or realists, in particular, consider scientific practice as value-free and neutral. Data and information obtained from scientific practices are considered objective facts. For example, the scientific research of an environmental change or degradation generates objective truth and unbiased information of the phenomenon. On the other hand, social science scholars or relativists, in particular, are critical of the assumption of objective scientific truth and value-free scientific practices and knowledge. As political ecological works, however, do not entirely abandon the existence of reality of a material object and phenomenon, they argue that scientific knowledge is a representation of multiple realities. Thus scientific work only produces partial truth. Also, scholars argue that researchers do not produce scientific facts in a vacuum, but facts are shaped by or constructed in socioeconomic, political and historical contexts. Scholars argue that scientific practices are value-laden

social activities and thus the knowledge and understanding produced and circulated are not neutral (Sayer 2000; Kuhn 1996). In nature conservation, institutions and individuals with specific interests, ideologies, and identities define and produce knowledge related to resource use, change and problems. Moreover, the ways nature and environmental problems and changes are perceived and experienced depends on social difference, experience, and perceptions. Therefore, knowledge production, circulation, and representation of environmental realities shape or are shaped by social structure and contexts (Forsyth 2008).

A significant strand of research focuses on the politics of environmental knowledge. It is primarily related to the construction of environmental crisis narratives such as the Himalaya environmental degradation narrative (Eckholm 1975; Thompson and Warburton 2017; Guthman 1997) or the forest degradation and desertification narrative in Africa (Fairhead and Leach 1996; Rocheleau et al. 1995; Forsyth 2008). Critical scholars have questioned the simplified explanation of and causal links between degradation and human-induced environmental changes. Such simplified explanations mostly blame the victim and less powerful groups. Many political ecological studies, however, have provided complex historical and multiscale political economic arguments to debunk or explain degradation narratives. In addition, studies have documented the articulation of perceptions, ideologies and the production and circulation of the degradation narratives (Guthman 1997; Fairhead and leach 1996; Blaikie and Maldavin 2004). Also, many scholars have argued against the equilibrium model in understanding the social and ecological system and changes, and instead studies have based their arguments on the non-equilibrium dynamics of the system and changes (Turner 2016).

### 2.3.2 Regulatory knowledge and subject formation

More recently, scholars have drawn from Foucault's power/knowledge and discourses to examine the construction of environmental crisis or degradation narratives. Scholars have called such regulatory, environmental knowledge or truth discourses that govern people and spaces as "eco-governmentality" or "green governmentality." (Rutherford 2007; Darier 1999; Li 2007). For instance, Luke (1995) examines environmental degradation discourses of the Worldwatch Institute. The Institute simplified and represented nature as a vulnerable energy-conversion system, and they presented human population growth and increasing material consumption as the causes of environmental degradation. Also, he claims that the photographic image of the earth taken by the Apollo 8 astronauts helped to transform the idea of the earth as a fragile and tiny planet which needs protection and policing from degradation. The institution's bioeconomic calculations and panoptic practices produce "the environment" from nature. The environment thus is encircled with knowledge or enveloped within new disciplinary discourses.

Similarly, Goldman (2001) examines the World Bank's new global green regulatory practices including a global truth and rights regime for the management and use of the environment and natural resources within and between countries. He shows how the Bank claimed its authority and strengthened its power through sustainable development discourses in the Mekong hydropower project and produced new subjects. It employed green ideas and discourses such as the production of truth about nature. It produced new meanings, orderings, and values of people and spaces. Experts represented nature as degraded and in need of protection. Furthermore, experts categorized

undifferentiated nature into different eco-zones such as fisheries, watersheds, wetlands and extractive reserves. These newly constructed objects were administered by new governing bodies or institutions. They also described the mountainous rural population as ecologically destructive and backward and framed them as in need of improvement. In addition, they classified people into distinct categories such as forest users, wetland managers, forest laborers, and trespassers. This new knowledge of people and nature produced a new environmental state and a modern rational subject, and it constructed a new rights regime and evicted resource-dependent people from their place in the name of improvement and modernization.

Rather than the scientific explanation of resource crisis and degradation, scholars have focused on the ways different ideas, beliefs, and perceptions of people shape the understanding of degradation and decision making or policies related to resource and nature conservation. Zimmerer (1996) examines the alarming soil erosion crisis and its associated causal links in Bolivia. He examines perceptions of different interest groups and individuals related to the problem of soil erosion. He argues that people and institutions have divergent views or perceptions of the problem. Non-Bolivian development institutions blamed peasant farmers' and herders' ignorance and rural backwardness for unsustainable grazing, farming and deforestation and the resulting soil loss in Bolivia. As a result, different education initiatives were carried out for rural farmers including seminars, educational pamphlets, posters, and demonstration plots. For older peasants, soil erosion was related to the "earth deity's wrath" because of the widespread disrespect, animosity, inequality, and violence within society. Young peasants, however, related the problem to human-induced causes and for the local trade

union members, the problem was primarily related to local human-induced causes *and* state economic policies. In the same way, Brown (1998) focused on differential values, perceptions and interests to understand the narrative of resource degradation by local rural people and subsequent control of access within the buffer zone of Bardiya National Park, Nepal. She points out that rather than scientific knowledge it was the role of different conceptualizations, values and interests among groups that shaped biodiversity-related policies. She also found that tourism industries, conservation groups, and the state have a more significant role in the formulation of conservation and tourism policies. She claims that the strict protection of parks and the limits on resource access and use are related to the lack of historical information on resources as used by locals and the conventional belief that the local use of resources is inherently in conflict with wildlife conservation and tourism development. She states that the floodplain grazing lands of the national parks were not a pristine wilderness area, but rather rural people had been extensively using the space for agricultural land and livestock grazing until 1975.

The representation of people, nature, and practices, which are also related to culture and identities, influence how people think, understand, perceive, and contest. Scholars have also documented the significance of representation as a discursive tool to generate knowledge about reality and how this influences subject formation (Neumann 1997; Moore 1998). The role of foreign donors and conservationists have always played an essential role in nature conservation. External donor agencies and scientific organizations based in the Western countries not only provided financial and technical support in strict nature conservation but also exported and imposed the ideals of wilderness in the global south in the name of the protection of nature (Neumann 1998).

Political ecological studies that built on the post-structural perspective have focused on discourses, meanings, and representation of nature and society. The idea that nature and society are a separate domain where pristine nature needs to be protected and managed from ignorant rural people has been the primary ideology behind strict nature conservation such as national parks and the idea is still prevalent in other types of nature conservation (Neumann 1998). For instance, Braun (1997) analyzes the ways nature (wilderness) and rainforests have been represented as distinct from the culture in a different time by different powerful interest groups or actors to legitimate neocolonial relations in British Columbia. He traces the historical emergence of 'nature' as a discrete object of aesthetic reflection, scientific inquiry, and economic and political calculation. The production of abstract spaces plays a role in the transformation of forest to market and the state. In particular, he shows the ways current and historical representations consider nature as an empty space of economic and political calculation. He argues that such discursive representations legitimized the continuation of the binary between nature and society and further prompted displacement of resources from one group to other, more powerful interest groups. He argues that colonial ideas and practices are still dominant in the management of landscape and resources such as in sustainable development, biodiversity management, and ecosystem restoration.

This brief overview demonstrates that institutions produce scientific knowledge and representations of people, nature, and their relationships in specific historical times and spaces as truth discourses. These truth discourses or regimes of representation and their underlying meanings, however, can function as a regulatory rule or norms guiding practices that can produce new authorities, subjects, and subjectivities for the effective



governance of nature and society. In nature conservation in Nepal, I examine how historically produced scientific knowledge and representation of the relationship between nature and society established the authority of foreign techno-scientific authority, conservation spaces and environmental and non-environmental subjects. Also, I examine a series of conservation interventions and their consequences for lives, livelihoods, and the landscape of CNP.

### 2.3.3. Regulatory rules and subject formation in CBC

Recent political ecological studies have also focused on the ways individual and group subjectivities and environmental subjects are produced or not within participatory nature conservation. They have primarily considered institutional arrangements and participatory mechanisms and socioeconomic incentives as regulatory practices that shape environmental subjects and subjectivities (Li 2007; Agrawal 2005). For instance, Agrawal (2005) examines the transformation in environmental subjectivity with the introduction of new participatory forest governance in India. He claims that rural villagers and leaders who were previously engaged or complicit in forest-related criminal activities changed into the new environmental subject, the subject who acts and thinks and cares about the forest. Agarwal argues that the degree of people's involvement in regulatory practices such as engagement and participation in monitoring and enforcement shapes environmental subjects and subjectivities. He described the term "environmentality" and pointed out that the emphasis on institutional arrangements and participation in regulatory rules and practices are central to the analysis of environmental subject formation. Similarly, Li (2007) argues that international conservation and

development institutions that introduced regulatory rules and promoted the engagement of people in conservation were introduced to produce new environmental subjects. The negative effects of a national park in access to and control of land and resources, and the failure of improvement projects to ensure the welfare of rural people's lives and livelihoods generated a political response. The failures were related to the experts' simplification of local socioeconomic and political realities and their reliance on technical, non-political solutions. The introduction of participatory projects that followed a previous improvement project in highland Indonesia aimed to reduce the political response and transform the belief and aspirations of local people. In her book, Li (2007) argues that the forest conservation rules were made flexible as a compromise or to accommodate peoples' challenges. In particular, the rules included flexibility in time and space of resource collection and uses inside the park. The park spaces were divided into different use zones (buffer zone where the activity is allowed) and non-use zones (a wilderness zone). Spatial strategies included the monitoring and enforcement of the park area. That is, the non-use zone was policed and enforced. The conservation project also included participation of local communities in techno-scientific practices such as mapping the zones and other spatial activities. It also included joint monitoring activities and education programs.

Disciplinary practices of institutions or authorities are, however, not totalizing in their effect. Not all populations are disciplined or become subject to discursive practices and regulatory rules. That is, the practices differentially impact the heterogeneous people situated in diverse spaces and times. However, contrary to many political ecological findings of the importance of identities and agencies of people, Agrawal (2005) puts less

emphasis on the role of preexisting subject categories such as gender, caste, or ethnicity as the primary mechanism of the changed beliefs and thoughts. Many scholars have documented the role of preexisting identities and the ways they shape subjectivities in general. For instance, Nightingale (2011) shows the ways preexisting multiple social identities—intersectionality—(re)produce social difference, hierarchy, and subjectivities. She highlights the embodied performance of difference (movement of bodies, work practices), agro-forestry practice (forest harvesting, agricultural work), food consumption, and ritual practices, and the ways these social practices are manifested in material spaces (Nightingale 2012). These everyday embodied symbolic performances and spatial practices shape subjectivities and hierarchy. Similarly, Birkenholtz (2009) documented the ways preexisting identities such as caste, class, and ethnicity and political, economic contexts shape environmental subjectivities in decentralized groundwater governance in India. Also, Nightingale pointed out the dynamic nature of subjectivities and the ways subjectivities change according to the changing context and power relations (Nightingale 2011a, 2011b).

Describing the role of socioeconomic and political contexts and social power relations, scholars have also enriched the concept of environmentality in particular and post-structural understandings of subject formation in general. Scholars have shown how regulatory norms and social and political-economic contexts and social power relations shape the formation of subjects and subjectivities (Nightingale 2011; Birkenholtz 2009). Robbins and Sharpe (2003) studied subject formation in the residential yard of the United States. They examine the formation of a "lawn people," the people who use chemical fertilizers, herbicides, and insecticides in their residential yards, despite the knowledge of

its harmful effects. They argue that the increasing use of pesticides is related to socioeconomic and cultural contexts at multiple scales, beginning with the restructuring of the chemical industry and new marketing strategies by the lawn chemical industry at the global scale. Second, increasing lawn inputs are related to residential class structure and the identity of the community. Lawn maintenance has become the symbol of pride, status and class identity and a symbol of family values. It reflects the authentic experiences of community, family, and connection to nature. Third, they argue that the growth of the moral economy of lawn management expands the growth of harmful chemical use. The formation of community and fear of alienation from community and family intensified local demand. Lawn management has become an activity or practice to maintain positive neighborhood cohesion, playing a role in the production of community.

Other scholars have looked at the ways spatial strategies—territorialization—plays a role in the production of a new subject. As territorialization practices produce new spaces with the demarcation of fixed boundaries and the maintenance of boundaries by authorities through regular monitoring and enforcement of rules, such practices control people and resources inside and outside the boundary. Authorities monitor and regulate people's movements, activities, and practices within the boundary. Besides, authorities teach or educate people about things and practices allowed and restricted within the boundary. Furthermore, signposts or any communication tools are used to communicate rules and policies. Authorities also record people's behavior related to boundary crossing. Fines and punishment are used as enforcement of rules. Neumann (2001), for instance, looked at the Selous Conservation Program carried out by the state and non-state organizations at the community wildlife management area of Tanzania. The

GTZ – Germany's bilateral organization—started integrated conservation and development activities in the buffer zone of the game reserve. The key intervention was the partitioning of land through surveying and titling, which facilitated the monitoring and surveillance of local people in the wildlife management area and the game reserve. Game scouts were appointed and provided with training in monitoring and surveillance. Thus he argues that the failure of conservation agencies (central government and non-state) to control illegal hunting and poaching of wild animals through violence and the non-cooperation of local communities in sharing information about illegal activities was surmounted through the design of more-subtle ways of self-surveillance by communities at the village level. This was achieved when the people entering the spatial demarcation of the village wildlife management area had to be conscious of the presence of game scouts and their presence inside the management area. Thus, he claims that the buffer zone plan serves as the "disciplinary mechanism to create a different kind of peasant consciousness toward wildlife based on a schema of generalized surveillance" (Neumann 1979,209). Highlighting more discursive aspects associated with the concept of the "internal territorialization," Peluso and Vandergeest (2001) examine genealogies of "political forests." This particular idea of state forest illustrates the constructed nature or political nature of a forest. They argue that these political forests, associated with colonial forest practices including "scientific forestry" and "customary forests" are particular discourses of land declared as forest, which had played a role in colonial state-making, and in the constitution of racialized landscapes and distinct subjects. They further claim that "the ways colonial governments resolved the question of native or "minority" rights to land and forest resources contributed to the creation of people (as "natives, "Foreign

Oriental, " "primitives, " or "minorities") and frequently territorialized these identities as well as patterns of resource access" (2001, 800). These all served to extend colonial power and territorial control, helped in transforming landscapes and property relations and played a role in the constitution of new subject categories

In a similar fashion, Ybarra (2012) examines a territorial project and the ways it produces non-environmental subjects. The military counterinsurgency campaigns, which aligned with conservation practices, is a spatial strategy to control the jungle and people. It used spatial strategies of dividing and delineating the jungle into nature and agriculture and enforcing the boundary. They represented the jungle, which was a base of guerrilla fighters, as "wild and savage" and a "guerilla haven," utilizing a binary representation of society as safe civilization and nature as a dangerous jungle full of narco-peasants. Also, she writes most of the military from the east saw Petans as "an unhealthy place populated by dangerous Indians," and the Maya indigenous people were looked at like suspect citizens. The discourse of space (ungovernable), people (narco-peasants) and forest condition (crisis narrative) by foreigners and local elite helped to produce territorial projects to save the place and save the forest from migrants and displaced people. Consequently, the conservation projects, similar to military practice, celebrated the identity of some "traditional indigenous" groups as forest conservationists and sustainable and immigrants as destructive and reproduced racialized landscape and identities shaping access to and eviction from the territory.

Ojeda (2012) examines the ecotourism project around Tayrano National Park in Colombia. She argues that people living and working in Tayrano National Park who opposed neoliberal goals were considered not-green-enough subjects and considered as

bodies out of place – the eco-threats. Social and spatial demarcation and representation of people and practices play a role in criminalization. For instance, Colons peasants and fisherman living and working inside Tayrano National Park were considered invaders, illegal occupants, and environmental destroyers. Conservationist and development organizations represented fishermen’s practices as improper environmental behavior because of a lack of consciousness with respect to coral reefs and fish shortages and represented the men as para-militaries and narco allies, not as real fishermen. These organizations also represented peasants as coca growers and coca pickers and framed their illicit crops as the cause of forest depletion. On the other hand, other Colons peasants living in the buffer zone of Tayrano National Park were represented as eco-guardians. This was because they participated in a tourist lodge project, which was a combination of conservation, illicit crop eradication, community building and ecotourism development. They not only learned to conduct touristic businesses but committed themselves to maintaining conservation and tourism development by starting sustainable economic activities such as beekeeping, organic farming and other “green” projects. They complied to be transformed from coca growers and pickers to tourist hosts and became green peasants, neoliberal entrepreneurial subjects involved in the commodification of nature through ecotourism business practice. She claims that the representation of some people and practices as eco-guardians and others as eco-threats have produced distinct environmental and non-environmental subjects, tourist spaces such as beaches and buffer zones to further the neoliberal goals of capital accumulation, and tourism promotion.

## 2.4 Conclusion

Many studies have considered how regulatory knowledge, rules, and practices are hegemonic practices which provided no room for resistance. Scholars, however, have documented numerous examples of the ways rural populations have resisted efforts to become governmentalized people and resources. In the process of resistance and struggle to control land, resources, and benefits, rural people have embraced particular subjectivities. For instance, Tania Li argues that the limitations of the improvement projects of the state and foreign NGOs and donors to address lives and livelihood of rural people produced the critical positionality of local individuals as indigenous people (Li 2007). Similarly, Malhi (2011) argues that the struggle to gain control over territory through enclosure and territorialization practices produces a discrete Malay landscape and Malayan subject, the Malay Muslim peasant. The territorial strategies that limited the use and access of land and control by the colonial government were vigorously contested through the discourse of resistance that draws from Muslim moral land use, practices, and resource entitlement. They used global Islamic discourses of moral land use, law, and authority to resist colonial land enclosure. She describes the ways colonial enclosure have also produced "radical anti-enclosure politics" including violent uprisings and also violent colonial suppression.

In contrast to Agrawal's (2005) focus on regulatory rules and practices in the formation of subjectivities and subsequent environmental subjects, Cepek (2011), from his long-term study in a community-based conservation project in Ecuador, questions the theoretical and analytical use of environmentality as a concept in understanding the formation of subjectivities and environmental subjects. He argues that although



conservation projects in Cofan territory entail the constitution of new institutions, regulations, and practices, it does not transform the Cofan into "environmental subjects." In contrast, he says "Cofan conservationism is the result of a gradual and organic process of community-internal discussion in a specific historical, political, and ecological conjuncture" (Cepek 2011, 501). Giving importance to the capacity of human agency, he argues that the "people are capable of forging a critical, self-aware, and culturally framed perspective on collaborative projects for socioecological transformation." (Cepek 2011, 501).

The above examples illustrate that regulatory knowledge, rules, or incentives that structure or regulate human activities or desires or practices in general shape or are shaped by subjectivities and subject. In particular, scientific and cultural representation practices, institutional and spatial practices, improvement projects, cultural politics, struggles, and everyday livelihood practices play a role in shaping new meanings and ideas in participatory nature conservation. In a village of the CNP buffer zone, I examine how state and local elites have constructed and reproduced space, social, and environmental subjectivities.

## Chapter Three: Socioeconomic and political history of Nepal

In this chapter I present the social, economic and political history of Nepal. This chapter includes the history after the unification of Nepal and the rise of Shah dynasty. The chapter aims to provide a brief historical context to understand the emergence of territorial based nature conservation in Nepal. The chapter is divided into three distinct sections. The first section discusses briefly the socioeconomic and political context of Nepal before 1950. In the second and third sections, I present the socioeconomic and political context of the periods 1950 to 1990 and 1990 to the present, respectively.

### 3.1. Socioeconomic and Political History of Nepal before 1950

Two major historical events fixed the current territorial boundary of Nepal. First, Prithivi Narayan Shah, the Shah King of the *Gorkha* principality, conquered numerous small principalities and diverse societies and formed them into a unified Nepal after 1768. Second, in 1814-1816, Nepal fought a war<sup>9</sup> with British-India for the control of land taxes and revenue from the mid-western Tarai (*Butwal and Shivaraj*) and trans-Himalayan trade route between India and Tibet. The defeat in the Anglo-Nepal war and the subsequent treaty—the Treaty of Sugauli—reduced Nepal’s territorial control and fixed the current territorial boundary. In this treaty, Nepal agreed to provide able-bodied manpower as a mercenary army to British-India—the Gorkha soldiers—and agricultural crops from Tarai such as sugar, jute, and cotton as well as timber to ensure political

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<sup>9</sup> As the region was the primary source of revenue to the government and as the area had massive revenue generating potentials, the Shah Ruler attempted to annex the entire stretch of the Himalaya. They tried to control the trade routes between India and Tibet through Kathmandu (Gaige 1975).

support and the guarantee of non-interference in Nepal's internal affairs (Joshi and Rose 1966; Ghimire 1992). The treaty established the semi-colonial state of British-India.

### 3.1.1. The Rana regime and semi-colonial relationships

In 1846, Jung Bahadur Rana gained control of the state from the Shah rulers after the massacre of courtiers in Kathmandu and instituted a hereditary Prime minister from the Rana family. Through the support of British-India, the Rana family ruled Nepal for 104 years from 1846 to 1950. British-India indirectly ruled Nepal through Rana rulers and institutionalized the semi-colonial state (Bhattarai, 2003). For instance, Rana rulers helped British-India quell the Sepoy mutiny in 1857; in return, British-India returned some of the territories captured in the Anglo-Nepal war, specifically Naya Muluk, comprising the current four districts of western Tarai. Rana rulers not only established a strong external relationship with British-India by sending troops or allowing the British to recruit Nepali as mercenary soldiers, but also British rulers and dignitaries frequently visited Nepal for wildlife hunting. Jang Bahadur Rana also visited Britain and France in 1850 as a guest of the state. Following his return from Britain, Rana Prime Minister Jung Bahadur Rana enacted a *Muluki Ain*, that is, a national legal code. This legal code formalized the Hindu caste hierarchy and the code also became the basis of the first legal and administrative reform related to land, resources, and trade in Nepal. Rana rules completely put Nepali people in the darkness for 104 years, and they extracted resources from people and nature (Joshi and Rose 1966; Caplan 1970).

Following the unification of diverse principalities, King Prithivi Narayan Shah combined diverse communities and the heterogeneous population into a single Hindu

caste hierarchy. Broadly, on the top of the hierarchy were the high caste Hindu groups (*Bahun-Chettri*<sup>10</sup>) and on the lowest rank was the “untouchable” caste Hindu population. Rulers also ranked all non-Hindu mid-hill and mountain populations—mostly *Janajati*<sup>11</sup> or Indigenous groups—in a middle position. In particular, it reorganized the population into these distinct categories according to the “pure” caste (non-alcohol drinker) and “impure” caste (people drinking alcohol). Similarly, they subdivided the “impure” caste (*Bahun-Chettri*) into the “clean” caste (contemporary indigenous groups) and the “untouchables” Hindu caste. After 1851, the first Rana Prime Minister, Jung Bahadur Rana, legalized the expression of the real Hindu state and the Hindu caste hierarchy in the national legal code, *Muluki Ain* of 1854 (Joshi and Rose 1966; Bista 1991). It established the supremacy of the high caste Hindus, *Bahun and Chettri*, and inscribed differential social and spatial practices, privileges, fines, and punishments according to the hierarchy. As the king occupied the highest position in the state or was considered the *Bhupati* (master of the land or the state), the ownership of all land under the jurisdiction of the state belonged to the Hindu king and rulers (Regmi 1971,63; Burghart 1984).

Throughout much of the 19th and 20th centuries, the patrimonial state and the Hindu caste system rationalized feudal control and exploitation of land, labor and resources (Caplan 1967; Regmi 1976; Ghimire 1998; Guneratne 2002, 1998). For instance, peasant farmers had to pay one-half of crops to rulers and provide free labor for 70 days each year (Metz 1995). The Hindu aristocracy had the right to collect tribute and taxes and could lend money at high interest rates, a situation that often led to the

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<sup>10</sup> also used as Khas-Arya by some

<sup>11</sup> Janajati is also used in Nepal instead of Indigenous-Nationalities.

privatization of communal lands and forests and the dispossession of lower caste ethnic groups (Caplan 1967; Regmi 1976; Ghimire 1998). The state also encouraged Hindu communities to settle and cultivate in the mid-elevation highlands, which were already occupied by ethnic minorities under a system of communal land tenure. Rana rulers also strictly restricted any foreign visitors and any form of foreign interventions or the development of any social or physical infrastructure such as a state bureaucracy, an educational system, medical facilities, roads or a transportation system.

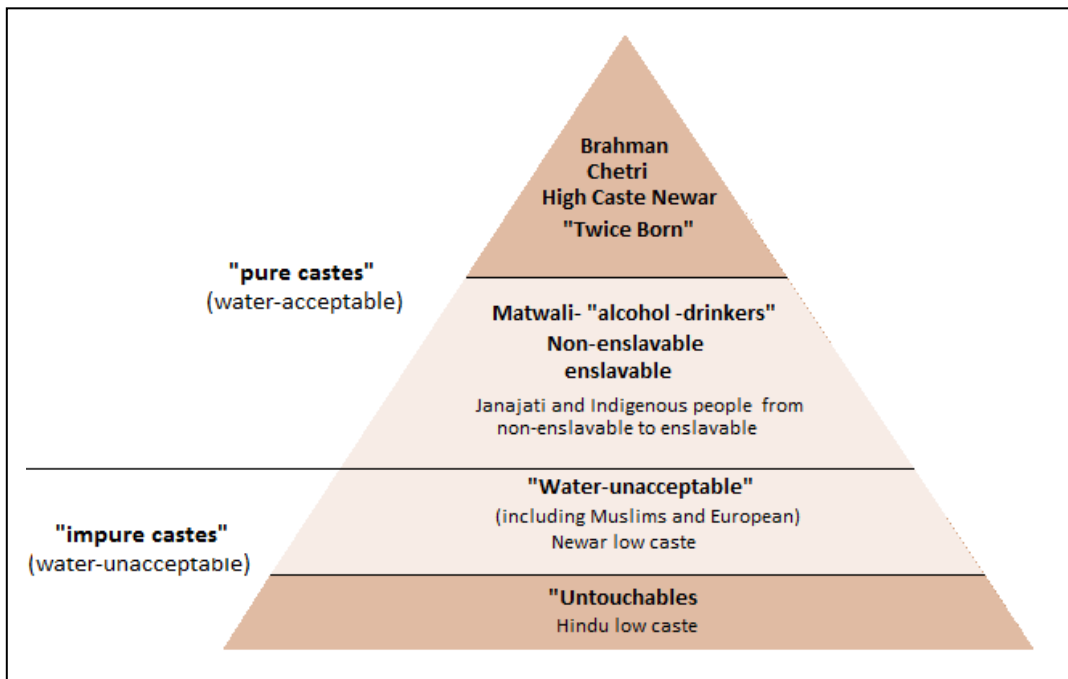


Figure 3.2 The Hindu caste hierarchy based on Hofer 1979, 45-46)

As the land and forest were the major sources of state revenue, various spatial strategies were also employed to control land and the revenue. The partitioning of state domain into distinct land types, assigning meanings and differential rights to land categories, enclosing or assigning access to some groups versus other groups and the

institutionalization of such practices in legal code intensified after the rise of Rana rulers. The use of violence and fear has rarely been discussed in published texts, although it is entirely safe to assume that the central mechanism of control of people and resources was legal and military violence. The first spatial arrangement, however, was the classification of land into state land and communal land. State land was called a *Raikar* land, which included forests, wasteland, river, and roads. Individuals or families did not have the private ownership of public land for any purpose including agricultural use. The state or the king had rights to sell, mortgage or bequest any types of *Raikar* land. Authorities categorized Raikar land into *Birta*, *Jagir*, or *Guthi* land based on the kind of land grants and land administration. Non-state land, which was called *Kipat* land, included community-owned lands such as paths, sources of water and pasture land. On *Kipat* land, a community had overriding authority over the state claims (Regmi 1976, 19).

*Birta* land, in particular, is a type of *Raikar* land. It is a form of private property, where individuals had defined rights. That is, landowners had rights to increase rents, evict tenants, and use, transfer, and sell *Birta* lands. *Birta* landholders<sup>12</sup> were exempted from state land tax, fines, and duties. However, they were required to provide men and material during the war and other emergencies (Regmi 1976, 36). *Birta* landholders also had other privileges such as the obligation of local inhabitants to provide unpaid labor services on *Birta* land. *Birta* land was granted "in favor of priests, religious teachers, soldiers, and members of the nobility and the royal family" (Regmi 1976, 19). That is, the

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<sup>12</sup> Some forms of tax were present but the taxes were very nominal, which *Birta* holders were satisfied with because the taxes provided more legitimacy with respect to their ownership of the land. In the Rana regime, in particular, taxes such as Chhap and Tiruwa were used to encroach over the privileges of *Birta* landowners (Regmi 1976, 35)

majority of the *Birta*-owning class were rulers, their families and high caste Hindu such as *Bahun*<sup>13</sup> Other *Birta*-owning people were individuals and groups who had close connection with ruling elites and royals such as some of the Newar<sup>14</sup>.

According to the *Muluki Ain*, rulers had rights to confiscate the land if the owner was guilty of an offense or the land was held without the valid documentary evidence, *Birta* title. Mahesh C. Regmi documented categories of *Birta* land and the cases of the confiscation and granting of *Birta* land before it was abolished (Regmi 1976, 28-34). For instance, Jung Bahadur Rana acquired the “waste or forest land” of the far-western Tarai regions, comprising the present districts of *Banke*, *Bardiya*, *Kailali*, and *Kanchapur*, as the *Birta* for his service to the king Surendra. His successors and other Rana rulers disregarded legal provisions and enacted new regulations to grant state’s land to their families and to confiscate land from others (Regmi 1976, 31-32.). In addition, rulers used land regulations to scrutinize “the valid documentary evidence of *Birta* title in the name of reigning king” and confiscated land from those who did not have sufficient documentation<sup>15</sup>. Regmi, however, reported that the primary reasons for the examination of valid documentary evidence of *Birta* land title were not to confiscate the land per se

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<sup>13</sup> Bahuns or Brahmans. Buhuns is a commonly used word in daily languages similar to Chetris, Newars, Gurungs, Tamangs, etc.

<sup>14</sup> Scholars and popular writing frequently elide heterogeneity and social differences within a Newari group.

<sup>15</sup> Based on Land Survey Regulations 1805-6, rulers accepted *Birta* land granted made by previous kings, queens, and princesses. Only the land granted by officials without royal authority and “the area in excess of the figure mentioned in the grant was confiscated.” In the condition when the valid documentary evidence of *Birta* title was not available, “lands were not confiscated if the adjoining landowners took an oath that the grant was authentic” (Regmi 1976, 29).

but to extract taxes from newly reclaimed land and to bring the land under the ruler's tax jurisdiction.

Jung Bahadur Rana also used various regulations and royal decrees to grant *Birta* lands in order to expand his authority at the beginning of the Rana regime. For instance, in 1846, Jang Bahadur Rana granted "wasteland" as a *Birta* land to armies in exchange for the cultivated land confiscated in 1805. Furthermore, the Hindu religious belief of rulers also motivated the land grants. In 1846, Jang Bahadur Rana granted *Birta* to the *Brahman* community "to safeguard the religion of the Hindus" and to maintain a military (Regmi 1976, 30-31). Thus, Regmi states that "the beneficiary of a *Birta* land grant was therefore not merely a landowner: in many respects, he resembled the lord of a manor in England during the middle Ages" and the system was the worst manifestation of "inequality and exploitation" (Regmi 1976, 33-38).

This practice of governing people and land by granting state lands to individuals who are loyal to rulers and the confiscation of the land from those who were disloyal not only reinforced the state's proprietary claims over land, but also strengthened the power, authority and social hierarchy of the rulers. On the other hand, as this system provided the social prestige and secured the economic bases of receivers, it also maintained personal loyalty to rulers because "disloyalty was punishable by confiscation of property." Therefore, the *Birta* land grants, in general, played a more significant role in class formation and the establishment of patron-client relationships (Regmi 1976, 25). Other land grants that served a similar purpose to rulers are called *Jagir* land and *Gutihi* land.



The *Jagir* land grant is another form of the land tenure system. State authorities granted the *Raikar* land to government employees and functionaries for their current services as *Jagir* land. A *Jagir* landholder (*Jagirdar*) had rights to use the land until “he remained in the service of the government” (Regmi 1976, 75). Rulers employed this land-grant system to encourage land reclamations and resettlement in previously "unclaimed wasteland" and to expand a military base in strategic locations. *Guthi*, on the other hand, is state land granted to religious and charitable institutions such as temples, monasteries, schools, hospitals, and orphanages. Institutions have ownership of *Guthi* land. Similar to the *Birta* system which had helped to expand the power and authority of granter and receiver, the *Guthi* system primarily “helped to satisfy the religious propensities of both the rulers and the common people” (Regmi 1976, 46). It helped to expand Hindu religion in non-Hindu places. Although a *Guthi* land grant can be either wasteland or cultivated land, the *Guthi* land granted by royals was primarily "wasteland".

In sum, rulers and their families, in particular, used various spatial and legal strategies of land classification and representation to control land, resources, and revenues from state land. More importantly, they used the strategy and land grants to maintain power and extract resources by cultivating and strengthening patron-client relationships<sup>16</sup> between rulers, administrators, and grant holders (Bista 1991; Regmi 1999). Consequently, it not only rationalized and established the extractive regime for more than 100 years, it institutionalized the Hindu religion and also established the

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<sup>16</sup> The Chakari system is a type of patron-client relationship. "Its most common form is in simply being close to or in the presence of the person [patron] whose favor is desired." The relationship becomes complex when there is a formal or informal gift or resources or information or favor exchange between people of unequal power relations such as class, caste, or status hierarchy (Bista 1991, 5).

dominance of some high caste hill *Khas-Arya* and *Newar* elites. In addition, it justified the exploitation of some ethnic groups in the form of compulsory labor.

### 3.1.2. Kipat, communal land

*Kipat land* is a community-owned land such as paths, sources of water and pasture land. *The Kipat* owning community had overriding authority over state claims. It is a land tenure arrangement based upon local custom and which recognized the person reclaiming the land (Regmi 1976, 87). In addition, indigenous or autochthonous communities retain their customary practices on land which are identified by communal authority or a state. Kinship, customary occupation, and their location (defined by particular geographical boundaries) determine the membership on the *Kipat* land. The *Kipat* land was inalienable outside the community, but members had rights to sell within groups. Besides, individual also had rights to cultivate their plot. In the condition of the vacancy of the plot, the community, not the state, had rights to decide on how to use the plot. In contrast to the tax based on the size of *Raikar* land, home determined the state tax on *Kipat* land. After the unification of modern Nepal and waves of migration, “newcomers (Indo-Aryan groups in particular) acquired land rights under a statutory form of landownership, such as *Birta* or *Jagir*,” (Regmi 1976, 88). On the other hand, indigenous people retained their customary rights on *Kipat* land through customary practices on land and forest. Most of the *Kipat* owning communities inhabited the eastern and western midlands of Nepal (Regmi 1976, 88). These communities include Limbu, "Rai, Majhiya, Bhote, Yakha, Tamang, Hayu, Chepang, Baramu, Danuwar, Sunuwar, Kumhal, Pahari, Thami, Sherpa, Majhi, and Lepcha" in. (Regmi 1976, 88).

The effective governance of indigenous people and their customary practices *on land* became a challenge to the newly unified state because it contradicted with the state's land tenure arrangements and the revenue demand of the period. The direct control of the land and people was not feasible for several reasons. First, it was politically undesirable for a newly unified state, and second, the state also lacked the capacity of complete control. Third, the chance of revolt and resistance by a "turbulent community" was higher (Caplan 1967; Regmi 1975, 93). Fourth, the labor and military power of indigenous communities, who could flee to neighboring states, were more critical than land per se to rulers for the expansion of the revenue, territory, and security<sup>17</sup> (Caplan 1967; Regmi 1975).

Therefore, Shah rulers recognized customary practices of some people as customary rights in their territories (Caplan 1967). For instance, in Pallokirat, Shah rulers, through royal decree, recognized the authority of local chiefs or headmen and guaranteed their customary practices and rights to their ancestral *Kipat* land. Following the conquest of Pallokirat in 1774, Prithivi Narayan Shah declared and assured the Limbu chief and the inhabitants that they would be permitted "to enjoy the land from generation to generation, as long as it remains in existence." (Regmi 1976, 93). These tactics not only integrated the newly unified principalities but also strengthened the administrative apparatus of the state. The arrangement made the state work more efficiently, as the state officially recognized and granted rights and responsibilities to the village headmen to maintain law and order, collect taxes, and impose fines and punishment (Caplan 1967).

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<sup>17</sup>. As Rulers were expanding their territory to the eastern region such as Sikkim following the conquer of Kathmandu valley, they needed the support of Mongoloid communities such as Limbu (Caplan 1967)

However, actions of the Indo-Aryan<sup>18</sup> immigrants who had settled in the hills of Nepal since the 11<sup>th</sup> and 12<sup>th</sup> century had political and economic effects on the *Kipat* owning communities in the hills (Regmi 1967). In particular, the loss of *Kipat* land to the “superior” Indo-Aryan migrants was the major problem (Ghimire 1998). In Pallokirat, as in other areas, the possessory mortgage of the land and outright sale was one of the major factors of *Kipat* land loss. Non-Limbus controlled large amounts of *Kipat* land through such mortgages even before rulers formalized rights and rules on the lands. Caplan (1967) noted that by the end of 19<sup>th</sup> century, “the rate of *Kipat* conversion into *Raikar* land reached alarming proportions” (Kaplan 1967, 110). Scholars have documented such mortgages in one area of Illam, where approximately 70 percent of *Kipat* land was under possessory mortgage by 1964-65 (Regmi 1967, Caplan 1967). These circumstances prompted the large-scale out-migration of Indigenous populations to Darjeeling, Sikkim, and Bhutan as laborers and as the Gurkha soldiers for Indian and British Army (Caplan 1967).

To reduce the effect of such land-alienation or dispossession from the land, rulers had also devised policies to control the problem by creating landholding collectives and inalienable rights, recognizing specific areas as *Kipat* land. In other words, rulers recognized customary practices as customary rights and spatially fixed the problem of dispossession and the potential loss of labor and military power by creating and

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<sup>18</sup> Following the Muslim invasion of India during the 11 and 12th centuries, many Indo-Aryan immigrants arrived and settled in the hill region of Nepal, they gradually displaced many communities from the region. In particular, many longtime inhabitants experienced a similar type of displacement from their land, and this continued after the unification period and intensified during the Rana regime (Kansakar 1973 in Ghimire 1998).

protecting the *Kipat* land. For instance, the royal order recognized that “Limbus were leaving their *Kipat* lands because of harassment by moneylenders and oppression by government officials” (Regmi 1975, 97). Regmi also noted that “royal orders confirming *Kipat* rights on ancestral lands usually were issued only when it was necessary to impress labor services from *Kipat* owners, or when it appeared that lack of tenure security was leading to depopulation” (Regmi 1975, 98). The order was also issued to stop out-migration by declaring a moratorium on the payment of a moneylender's loan for eight to ten years and a three-year remission on homestead taxes. Also, rulers attempted to resettle hill population in the Tarai plain to solve the problem of out-migration. In 1899, a royal order to the Limbus of Pallokirat requested that they clear the forest and resettle in the Tarai region of Nepal (Morang), rather than migrate to India. (Regmi 1975, 97). In Kathmandu Valley and other places, according to 1799 Land Administration Regulation for Kathmandu Valley, the selling of *Kipat* land was considered as an offense. Until 1901 and 1903, the government through royal order banned the selling<sup>19</sup> of cultivated *Kipat* lands, but not of the “waste” *Kipat* lands.

Rulers also initiated gradual and indirect strategies of transforming or appropriating *Kipat* land. Major strategies employed were the partial recognition and formalization of customary practices into customary rights. According to the royal orders, the *Kipat* holder had to maintain the documentary evidence of *Kipat* land. That is, when customary practices were recognized, the state's regulation inscribed only partial "rights," and when a royal order confirmed the *Kipat* holding, "the area and boundaries were

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<sup>19</sup> However underground mortgaging of *Kipat* land was very common.

seldom specified," and the documents rarely mentioned all customary and ancestral practices of inhabitants (Regmi 1975, 94). As a result, many *Kipat* holders were without documentary evidence. The government also imposed several other measures to control *Kipat* land such as the imposition of the ceiling, provisions of compulsory unpaid labor and taxation by *Kipat* holders (Regmi 1975, 99). Besides, in Pallokirat, the government encouraged non-Limbu immigration and settlements to break the hegemony of Limbu ownership of land by granting all "vacated" *Kipat* land as a *Birta* to non-Limbu communities. The government also refused to recognize *Kipat* landownership rights on the "wastelands." These wastelands were transferred into *Raikar* land and the state later granted the land for reclamations to non-limbus. Similar strategies were employed to control other indigenous people's *Kipat* land (Regmi 1976, 101).

In 1886, the government enacted legislation to transfer all the *Kipat* land that Limbus had sold to non-Limbus into *Raikar* land. As possession of the *Kipat* land through mortgage was not allowed to non-Limbus after the death of the Limbu mortgagor, the government later amended the law that allowed the non-Limbu creditor to cultivate on the mortgaged holding. These legal and spatial strategies helped in maximizing state revenue by gradually bringing *Kipat* land under the *Raikar* system, strengthening the security of the state's territory by recruiting armies from indigenous hill communities and providing the labor needed to reclaim land in the Tarai region. Some authors have even documented that in 1801, King Prithivi Narayan Shah granted the lands of Nagarkot and the eastern side of Kathmandu Valley as *Kipat* land to Tamang communities (Regmi 1976, 90). Furthermore, Regmi noted that the Revenue Regulation of Doti and Achham traditionally treated *Kipat* land as a form of *Birta* to a community

for their specific service, a *Sewa Birta* (Regmi 1976, 99). These cases indicate that the royal order and legal practices had not only recognized some customary practices as customary rights, but they played an active role in the construction of new customary land and rights. Rulers, however, did not grant land to all indigenous communities as a *Kipat* land nor did they always recognize customary practices. For instance, Rai people in Majhikirat, who were weak compared to Shah rulers, were not able to secure their *Kipat* land. As a result of the dispossession from their *Kipat* land, many Rai people resettled in the forested areas of the Tarai region. In addition, not a single indigenous people and group within the whole Tarai plains were ever recognized. Instead, rulers and scholars have represented the place as a "wasteland," "forested land," or "vacant land." Therefore, Rai (2013) asserts that until recently rulers and scholars represented Tarai as "a swampy, malaria-ridden, unhealthy, and wild place without history and civilization" (2013, 90). This constructed and political nature of *Kipat* land and the rulers' attempt to communal fix the indigenous communities in the hills contradict with an argument that the *Kipat* land and rights were given as "primordial" or natural land categories (Regmi 1975; Ghimire 1998). Therefore, the land categories or land rights reflect power relations between rulers, local authorities, and people.

### 3.1.3. Invisible Tarai land and the people of Tarai

Tarai was a dense forest and a major source of revenue for the state. In particular, high-value Sal forest and wild animals such as elephants and agricultural crops were the major sources of revenue from the Tarai. For instance, in 1793, the annual revenue from the wild elephant and timber sale was about 20 percent and 40 percent respectively of the

total revenue of the country (Kirkpatrick 1996 in Budhathki 2012). Therefore, Nepal fought a war with British-India in 1816 (Anglo-Nepal war) to control this major source of revenue to the government (Gaige 1975). The vast areas of Tarai land, which comprised about 21 percent of the total land area of Nepal and was the home of many indigenous people such as Tharu, Derai, Dhimal, Bote, and Musher were seldom discussed in the social, economic and political history of Nepal. Most communities and their practices were rendered invisible until recently. Rulers and other powerful people represented Tarai forest land as "unclaimed forest" or "wasteland" or Kala Banjar. These representations of Tarai land not only rationalized the control of Tarai's forest and resources but also justified the exploitation of indigenous inhabitants.

To increase laborers in Tarai and encourage permanent settlement in forested areas, Rana rulers also encouraged the migration of people from the hills and from India. They also provided free agricultural land and residential areas to migrants' families. Also, "criminals and runaway slaves who reclaimed wasteland in the Tarai were pardoned and given freedom" (Adhikar and Dhungana 2009, 47). Jung Bahadur Rana acquired the "waste or forest land" of the far-western Tarai regions, comprising the present districts of Banke, Bardiya, Kailali, and Kanchapur, as the *Birta* for his service to the king Surendra. In addition, until the fall of the Rana regime, the "unclaimed wasteland" in particular was granted as *Birta* land to expand cultivation in the Tarai region and to encourage settlements outside of urban areas (Regmi 1975). In the early 1940s, "regulations were enforced permitting any person who reclaimed wasteland in the Tarai region to acquire it as *Birta* on payment of the capital value of the yield at 5 percent" (1976, 24). Rana exploitation of indigenous Tharu of Tarai areas during a



hunting expedition has been well reported by scholars (e.g. Guneratne 2002). For instance, after the defeat in Anglo-Nepal, the Shah rulers encouraged the extraction of resources from the Tarai region and imposed heavy taxes on agriculture and trade of resources. Some scholars have even reported that rulers sold more than 200,000 people as slaves and bonded labor in the Tarai region (Rangan 2000, 29).

#### 3.1.4. The Jamindari system

Jung Bahadur Rana formalized the *Jamindari* system in 1861-62 mainly as a local state's revenue administration to maximize tax and agricultural expansion in the forested wasteland of the Tarai region. Rulers appointed local functionaries primarily to collect taxes and rents in the form of harvested crops or free labor service from *Raikar* land at the village level. The appointment of local state functionaries called *Jamindar* played an important role in the effective governance of rural tenants or laborers. Their major function was to create the enabling conditions to expand revenue by providing agricultural financing, promoting private enterprise, expanding cultivation, encouraging the reclamation of wasteland and forested land, and expanding and encouraging immigration, settlement, and labor management.

As the *Jamindar* operated at a village level and as they were primarily drawn from the local village administration such as village head or leader, they had a more significant connection with rulers and state administration on the one hand and the tenant subjects on the other hand. Their rights and responsibilities as a judge of absentee landlords and state's rulers were not limited to revenue collection. Rather, their role in the social, economic and political life of the village was much broader including such activities as

participation in and management of village rituals and festivals, conflict resolution, etc. Hence, they functioned as an agent to enhance the legibility of local reality for the security and economy of the state. They also played a significant role in the entrenchment of the state and state's power by ensuring the legibility and surveillance of tenant subjects.

The above-discussed extractive regime of the feudal relation of surplus extraction from peasants and ethnic people set up by the Rana and ruling elites completely transformed the southern landscape and the control of land and resources. Scholars have reported that the eastern and the central Tarai lost most of their forested areas by the early 19th century (Oldfield 1981). The Tarai forest used to extend from east to west of the entire stretch of Nepal in the past, but most forest that was proximate to towns and was important for commercial value was "more or less cleared away" by British companies for the commerce of timber. (Kirkpatrick 1996, 35). For instance, rulers cleared much of the eastern Tarai forest for timber. However, the Great Forest of the Chitwan Valley was intact until 1793. Some timbers from this area were traded to bordering Bihar and some went up to Calcutta in India (Kirkpatrick 1996, 33). Similarly, the resident wild elephant population of Nepal completely disappeared from the Tarai forest, which was one of the major sources of revenue during the pre-1950 period. The early decimation of the rhino and tiger population from the region is also associated with the royal hunting of the period (as discussed in chapter 4), which became the basis for the establishment of territorially bounded hunting reserves and national parks.

### **3.2. Socioeconomic and political history of Nepal, 1950-1990**

The 1950s marked a major shift in the social, economic, and political history of Nepal. Two major political leaders—BP Koirala (a Social Democrat and a main leader of the Nepali Congress Party) and Puspa Lal Shrestha (the first general secretary of the Communist Party)—led the first national political movement and civil disobedience against the Rana regime in 1950 to establish democracy and overthrow the Rana regime. In the global context of the 1950s<sup>20</sup> and with the support of international countries and leaders<sup>21</sup>, the political movement ousted the hereditary prime minister system of Rana rulers and reinstated the power of the Shah Dynasty in 1951. In addition, India mediated the power-sharing compromise between political parties, the Shah rulers and the Rana rulers (Ghimire 1998). As a result, the representative of the Nepali Congress Party and the Rana rulers formed a cabinet under the direct leadership of King Tribhuvan (Riaz and Basu 2010; Jha 2014; Joshi and Rose 1966).

Following internal conflict and the split of the Nepali Congress Party in 1952, King Tribhuvan directly appointed MP Koirala, a half-brother of BP Koirala, as a prime minister of Nepal, who was more conservative and had a strong supporter of Rana leaders. In 1954, king Tribhuvan held absolute power over parties (Riaz and Basu 2010: 44). In 1955, Mahendra Shah, a British educated son of King Tribhuvan, became the king

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<sup>20</sup> Cold War diplomacy at the end of WWII, China's control of Tibet and expansion of communism in 1951, and the end of British colonialism in India after 1947 together provided a favorable geopolitical context to protest against the Rana regime. British colonial rulers helped to sustain the Rana regime in Nepal. In addition, many Indian politicians and the Indian Congress Party helped and supported the movement (Hachhethu and Gellner, 2010) because many notable Nepali exile politicians had prior connections with Indian politicians and they also participated in protests against British-India. The Nepali Congress leaders also formed their party in India.

after the death of his father. He delayed the promised election but announced the first parliamentary election in 1959. Jha (2014) describes the prolonged political transition period as a struggle between fragmented parties and between factions within parties “for power and lobbying with the palace for patronage” (2014, 10). Eight different governments including direct rule by the king are the indication of the political instability and the strength of the palace in the 1950s (Hachhethu and Gellner 2010). Just a week before the election, King Mahendra, however, unilaterally declared the constitution of Nepal would circumvent the promise of constitutional assembly election in June 1959. A leading constitutional expert—Sir Ivor Jennings—from the UK and other Nepali experts helped to prepare the constitution. King Mahendra directly rewrote some parts of the constitution to control power. The new constitution empowered the king as the head of the state and granted power to dismiss the national assembly (Riaz and Basu 2010; Joshi and Rose 1966).

By this time, the Nepali Congress Party had already abandoned their socialist agenda and leftist principles and had embraced constitutional monarchy instead of constitutional assembly (Maskey and Deschene 2008). In the parliamentary election, BP Koirala secured a two-thirds majority and the communist party of Nepal<sup>22</sup> also won 4 constituencies (Gaige 1975). Although BP Koirala became the first democratically elected prime minister of Nepal and was popular both nationally and internationally, he

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<sup>22</sup> The Communist Party ran for 46 places out of 109 constituencies including in Kathmandu, Palpa, and Rautahat (Tarai district) (Gaige 1975). The Rayamajhi fraction of the party later supported the king after the Coup or King Mahendra’s direct rule. (Gaige 1975).

was not able to carry out any of the promised and intended land and forest reforms<sup>23</sup>, because of the opposition of national elites. Instead in 1960, King Mahendra, after his return from his visit to Britain, dismissed the first democratically elected prime minister citing the 1960's border conflicts between China and India and the expansion of China in Tibet (Riaz and Basu 2010; Joshi and Rose 1966). In 1962, King Mahendra promulgated a new constitution, suspended parliamentary democracy and introduced a party-less panchayat political system. In contrast to the Western form of democracy, he claimed the system as "grassroots democracy suited to the soil" of Nepal (Jha 2014, 11). The political system banned all political parties and political activities and granted the king control of all executive, judicial and legislative power.

In addition, the panchayat government introduced a new constitution in 1962. The constitution inscribed various forms of political and administrative reform, embraced participatory development, decentralization, and mobilization of organizations for social development. In particular, the panchayat system introduced a four-tier political structure and institutions. The village panchayat and municipal panchayat were the lower levels administrative institutions, followed by the district panchayat and at the top was the national panchayat. Similar to Rana rulers, the system (re)produced patron-client relationships between the king and local elites and administrators and between local elites and local leaders. This royal patronage expanded rampant administrative corruption, nepotism, and mismanagement of state resources and foreign development funds (Metz 1995; Bista 1991).

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<sup>23</sup> The landed class supported the king's move to dispossess BP Koirala's government because of Koirala's commitment to land reform and redistribution to tillers. He believed that "as long as land was not in the hands of the tiller... industrial development was infeasible" (Joshi and Rose 1966, 309).

In response to direct rule by the king, the Nepali Congress party along with communist parties started to organize a political movement and small-scale armed revolution against the king during 1960s and 1970s. For instance, communist revolt in Jhapa (eastern Nepal) attempted to fight against landlords in 1972. King Mahendra not only used state forces and violence to control political movements but also strategically used foreign socioeconomic development initiatives and aids to reduce the internal discontent of people. With the technical and financial support and pressure of bilateral and multilateral agencies, he initiated social and economic development policies and projects such as the land reform of 1964, the Village Development Project, the Rapti Valley Development Project, and, more generally, spatial reorganization which expanded state power without much benefits to local rural farmers (as discussed in another section). In response to the growing political movements of the late 1970s<sup>24</sup> and after the death of King Mahendra in 1980 during a hunting trip in Chitwan, his son Birendra became king and later proposed a referendum to decide on the future of panchayat system<sup>25</sup>. Political parties supporting the panchayat system secured the majority vote rather than those favoring multiparty democracy. As the political control was less stringent, the Nepali Congress and communist parties continued to organize violent and non-violent protests during the 1980s (Karki and Seddon 2003).

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<sup>24</sup> Political protest following the death of Bhutto's in Pakistan turned into political movement against autocratic government in Nepal

<sup>25</sup> After the hostile political situation in India and student-led political unrest within Nepal.

### 3.2.1. Nepali Nationalism and the nation building

The panchayat government also promoted a program of cultural assimilation of Nepal's multiethnic and heterogeneous groups into a single Hindu culture and caste hierarchy as part of its nation-building strategy (Gellner 2007; Hangen 2007; Hachhethu 2003; Bhattachan 2012; Pfaff-Czarnecka 1997). The constitution inscribed Nepal as a Hindu state for the first time (Hachhethu 2003). In particular, the panchayat government under absolute monarchy extensively promoted symbols and practices drawn from Hindu culture (Lawati 2007; Hachhethu 2003). For instance, Nepali language (which belongs to dominant high caste hill Hindu) was not only promoted as the national language, but also extensively and deliberately promoted in all sectors including in education, media, and communication (Gaige 1975; Hachhethu 2003;). In addition, they promoted high caste hill Hindu custom, dress and religion in all sectors (Hachhethu 2003). Scholars claim that the Panchayat era slogan 'one language, one dress, one country' (*ek bhasa, ek bhash, ek desh*) reflected the ruling elites' effort to create cultural uniformity and Hill nationalism (Hangen 2007; Lawati 2005).

Consequently, Bahun-Chetri groups have grabbed the majority of available opportunities because of their structural position and high literacy. For instance, Blaikie et al. (1980) have reported that high caste Hindus from hill groups along with the Newar occupied 92 percent of the high official positions in the bureaucracy in 1973. Although *Khas-Arya* comprised 31% of total population, they occupied two-third of all higher positions in the judiciary, civil service, trade unions, whereas other ethnic groups were relatively less represented (Gellner 2007). In particular, scholars reported that high caste hill Hindus comprised the majority of leadership positions in state and non-state

institutions including in the executive, administration, judiciary, parliament, science and technology, and education (Gellner 2007). The presence of women of any ethnicity remained negligible in every sector. Similarly, Nepali nationalism has been constructed from the culture of Hill people (mid-Hill) and way of life and sustained through the opposition with expansionist India, whereas the Tarai plain was mostly inhabited by people with cultural ties with India, many who had migrated at an earlier historical time and subsequently were looked at as suspect citizens more loyal to India than Nepal. As a result, the alienation of Tarai people from political opportunities and citizenship has been justified and ongoing in Nepal (Gaige 1975). More importantly, Dor Bahadur Bista pointed out that the increasing expansion of high caste Hindu cultural values—a fatalistic value and dependency that he called *Bahunis*—disrupted ethnic peoples' values and culture, which not only affected societal progress but discriminated against and colonized ethnic minority people and their ethnic values (Bista 1991).

By the 1950s foreign countries and donors started to have significant influence in the socioeconomic, cultural and political sphere in Nepal. At the beginning of the 1950s, Nepal signed a trade and transit agreement<sup>26</sup> with India which Bhattarai called a “semi-colonial treaty” (Bhattarai 2003, 124). The treaty and successive renewal of the treaty after every ten years produced and reproduced the semi-colonial status and economic dependency of Nepal to India. India had a monopoly on the industrial, financial and fiscal sectors in Nepal and maintained exploitative semi-colonial relations. Nepal’s trade deficit with India increased after the 1950s. In addition to its open border with India which made

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<sup>26</sup> Nepal also signed a trade agreement with India in 1923 to create a common market in India and Nepal (Bhattarai 124)



the exact trade between the two countries difficult to determine and control, the trade treaty also allowed Indian industries to operate in Nepal's territory without any restriction<sup>27</sup>. As a result, India-based companies controlled most of Nepal's industries. India also had the power to restrict Nepal's access to international transit facilities. Moreover, other foreign-owned multinational companies expanded their market into Nepal through Indian companies. Explaining the incorporation of Nepal in the world market, Bhattarai argued that "world imperialism enters Nepal riding an Indian expansionist horse" (2003, 127).

### 3.2.2. Planned development, land reform

Following the overthrow of the autocratic and patrimonial Rana regime and the reinstatement of the power of the Shah dynasty and royal families, and the change in the global political context in the early 1950s, foreign experts' committees helped to prepare the first systematic five-year economic development plan for Nepal. They provided the majority of the Nepal development budget or the majority of sources of finance dependent on foreign aid and debts. The US and Indian foreign aid to Nepal for planned development were amongst the highest in 1956 and following years. Russia, China, the UK, New Zealand, Canada, Switzerland, the Ford Foundation and the UN started to

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<sup>27</sup> Indian companies gradually colonized Nepal's domestic industries such as tea, shoes, biscuits, paper soap and others. Indian companies also controlled raw materials, capital, and trade of garment and carpets which flourished in Nepal after the 1980s. Similarly, in tourism, most star hotels are controlled by Indian companies. (Bhattarai 2001, 127). India unfairly benefitted from Nepal's natural resources such as water resources through unfair agreements that politicians made at various times. Bhattarai claims that the 1920 Sharada Dam agreement, the 1954 Koshi agreement, the 1959 Gandiki agreement, and the 1996 integrated Mahakali Development Project agreement and the Joint Communique of June 1990 were all part of a project to gain the monopoly of Nepal water resources.

provide foreign aid after 1959. The first five-year economic development plan for Nepal recognized three primary limitations of the implementation of the plan; the lack of statistical data, institutional capacity and sources of state's income. It aimed to invest 30 percent of the budget in infrastructure development and agriculture development as 85 percent population "eke out a precarious living from agriculture" (Malla 1961, 11). They recognized the potential revenue generation from forests and planned and immediately demarcated the<sup>28</sup> forest land and allocated 7 percent of the budget for geological, aerial and cadastral surveys to classify land use and facilitate the demarcation of forests and public areas. It also emphasized the need for the development of medium-sized, cottage and tourism industry. The plan and subsequent plans focus on economic growth or expanding state's revenue to address Nepal's underdevelopment and poverty.

Before 1956, the government lacked adequate knowledge about the status of existing land use, and forest resources and powerful landlords and rulers controlled most land and forest under various land tenure system. In 1952, Regmi (1987, 19) documented the distribution of 1,927,000 ha of cultivated land as follows; *Raikar* (50%), *Birta* (36.3%), *Guthi* (2-4%), *Kipat* (4%) and *Jagir* and *Rakam* and others (7.7%) (1987:19). As Rana and their rulers occupied most of the cultivatable land and forest, the post-Rana government attempted to restructure landownership through various land reform policies. By the end of Rana regime, rulers and elite families owned one-third of the forest, about 75 percent of which was controlled by Rana families (Blaikie 1980, 182). Thus, the government introduced the Private Forest Nationalization Act 1957, which provided the

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<sup>28</sup> Tarai as a part of the Gangetic plain. It lies on the southern border of Nepal. It occupies about 21 percent of land areas.

legal basis for the nationalization of *Birta* land on forest and wastelands. The Act also nationalized all forest land. That is, it removed all prior control and use of the forest under communal arrangements. It also empowered the forest department to control all forest land, to police it and oversee licensing. In addition, the government also abolished the *Birta* system.<sup>1</sup> The *Birta* Abolition Act 1958 did not formalize the ban on the sale and mortgage of *Birta* land, but only introduced a new taxation system on *Birta* lands. Reviewing the *Birta* system, Regmi argues that the *Birta* abolition act of 1959 was primarily aimed to abolish *Birta* system and widen the land-tax base rather than land reform.

Similar, geopolitical contexts, donor's pressure, and internal political discontents forced Mahendra for land reform in 1964 and compelled him to embrace administrative reforms and development initiatives to increase state revenue and bring more land under cultivation. The reform did not fundamentally alter the distribution of land ownership which was originally intended, it nonetheless nationalized all collectively managed land and forest under communal land tenure system and terminated associated customary institutions and practices (Ghimire 1998; Shrestha 2001). For instance, 9.9 percent of landowners continued to own 60.8 percent of total cultivated land in 1972. In 1962, 3.7 percent of the rich and feudal class used to own 39.7 percent of the land (Khanal et al. 2005, 21). These policies became the basis of the further control of all forested land under the Ministry of Forest. In addition, the Forest Preservation (Special Arrangement) Act of 1967 was introduced to increase the enforcement role of the Forest Department.

### 3.3. Socioeconomic and political history of Nepal, 1990s

In 1990, the pro-democracy movement ended the party-less panchayat political system and established the multi-party democratic system. Several communist parties under a single banner (the United Left Front), the Nepali Congress and international contexts<sup>29</sup> played a major role in the movement. Following the restoration of multi-party democracy, the new constitution was prepared which redefined Nepal as a “multi-ethnic, multi-lingual, democratic, independent, indivisible, sovereign, Hindu, and constitutional monarchical kingdom” (Gellner 2007, 13). It embraced the bicameral system of parliamentary democracy<sup>30</sup>. The constitution relegated the king’s role to constitutional monarchy. However, it continued to uphold the power of the king as a head of the state, the supreme commander in-chief of Nepal’s Royal Army. In addition, analyzing political institutions after 1990 to 2002, Lawati (2007) states that “over-centralization contributed to the abuse of power, corruption, erosion of democratic institutions, and governmental instability” (Lawati 2007, ix). In addition, the constitution continues to define Nepal as a Hindu kingdom and the Nepali language as the official government language (Lawati 2007; Hachhethu 2003). Nepal's governance structure and political culture that maintained the centralizing power of hill Hindu caste males continued to perpetuate their

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<sup>29</sup> International support including the role of Indian government and politicians, Western countries and international human rights organizations were significant. Some other important contexts that helped instigate internal and external environment include yearlong India's trade and transit blockade to landlocked Nepal in 1989. In response to the economic blockade, King Birendra also signed arms deal with China, which further distanced India against the establishment (Thapa, 2011). Similarly, people were frustrated with the scandals and open corruption of foreign aid money that was received for 1988 earthquake victims. The economic hardship that followed prompted middle-class urban youth against the government.

<sup>30</sup> It includes National Assembly (*Rastriya Sabha*) with 60 members (10 out of 60 positions are nominated by the king) and the House of Representatives (*Pratinidhi Sabha*) with 205 directly elected members.

socioeconomic and political dominance<sup>31</sup> and the exclusion of Hindu “untouchable” caste groups and non-Hindu ethnic groups (Lawati 2007; Bista 1991).

### 3.3.1. Maoist people’s war

Five years after the start of the multiparty democratic system, the Communist Party of Nepal (Maoist) started an armed revolution in April 1996. In the past, various communist parties and leaders have attempted to reform or challenge the feudal or semi-feudal system by participating in the election or covert communist movements. For instance, the United People's Front, union of communist parties, which started the 1996 Maoist movement, participated in elections after 1990 and became the third largest party with only nine out of 205 seats<sup>32</sup>. The Front, however, took the revolutionary path—the protracted people's war—with a systematic guerrilla war plan to establish a new democratic socio-economic system by ousting the semi-feudal and semi-colonial system (Bhattarai 2003). According to the top leader of the Maoist party Dr. Babu Ram Bhattarai, the people's war is the reflection of and an attempt to change the persistent structural problems associated with the socio-economic system of Nepal<sup>33</sup> including the

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<sup>31</sup> For instance, despite one-third of the Bahun-Chhetri population, the proportion of officer-level entry job in government service of the group increase from 69 percent in 1984 to 83 percent in 1996. The Newar population is 5.5 percent but occupied about 9% of the jobs. Similarly, caste and ethnic differences are reflected in life expectancy, per capita income, literacy and HDI (Thapa 2011, 7).

<sup>32</sup> Nepali Congress Party (NCP) and Communist Party of Nepal (UML) hold the first and second position with 109 and 78 seats respectively

<sup>33</sup> According to 1990s data, Nepal was the second poorest country with a poverty rate of about 70 percent population below the absolute poverty line. About 90 percent people live in rural areas, the majority of people are illiterate, and 81 percent of the population is based on agriculture. Food production is the lowest in 30 years.

growing unequal control and distribution of land and resources<sup>34</sup>, the failure of repeated planned development and increasing debt and foreign aid. Others also argue that the Hindu caste hierarchy and ethnicity-based social exclusion of *Janajati* and "untouchables" and discrimination and inequalities played an important role (Karki and Seddon 2003, Thapa and Sijapati 2004). In short, the people's war was the war against the ongoing political-economic system and the attempt to transform the system.

In 1996, the Maoist party started an armed revolution in the name of the socioeconomic transformation of the country by establishing a federal republic. The Front, which later become the Communist Party of Nepal (Maoist) submitted a 40 point memorandum<sup>35</sup> to the then government before the war. The Communist Party of Nepal (Maoist) adopted and raised ethnic issues more forcefully than any other political party after 1990. Their proclamation to end high caste Hindu's socioeconomic and political dominance, establish the secular nation, and promote federal autonomous regions appealed to many ethnic people (Lawati 2007; Karki and Seddon 2003). Such declarations gave them more momentum to recruit ethnic and marginal populations, and later they established ethnic liberation fronts. Other major issues that helped explain the rapid growth and success of the Maoist insurgency included structural inequalities

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<sup>34</sup> About 50 percent of national income controlled by 10 percent of the population.

<sup>35</sup> They wanted to establish a new democratic socio-economic system and demands were related to nationalism (abolishment of unfair trade and transit treaty with India, control of the monopoly of foreign investment and industries, restriction of activities of NGOs and INGOs, ), public activism (security forces under people's control, secular state, equal rights to women, elimination of "untouchables", equal status of all languages, free press, real decentralization, local right, autonomy and control over resources), and people's livelihood (land rights of tillers, minimum wages, free medical and education, drinking water, road and electricity and others). They also argued against privatization and liberalization policies and mentioned that these would only serve imperialists interests (Karki and Seddon 2003).

(poverty, illiteracy, and unemployment), economic inequality (land ownership, inclusion, exclusion- caste and ethnic groups), and the external role of India and the excessive brutality of the State (Bhattarai 2003; Thapa and Sijapati 2004). The force that they achieved through ethnic communities helped them wage armed rebellion or a “people’s war” for more than 10 years from 1996 to 2006, which killed more than 13, 347 people (8377 killed by the state and 4970 by the Maoists), 3347 people disappeared and at least 200, 000 people were displaced (Thapa 2011, 9). They were able to control more than 70 percent of territory before they came into the peace agreement, and subsequently, they became the significant political power after the peace process of 2006 (Thapa 2011).

Following the Royal Massacre of 2001, Ganendra became a new king. As he was unsatisfied with parliamentary democracy and the performances of political parties, he dismissed the Nepali Congress government led by Sher Bahadur Deuba in October 2002 on charges of incompetence, and he established a new government under popular leaders from the panchayat era. He further reinstated Sher Bahadur Deuba as prime minister in May 2004. In February 2005, King Gyanendra again dismissed the Deuba government, took control over executive power, and formed a new cabinet under his chair. Although he claimed to restore peace and solve the ongoing Maoist problem, the security situation deteriorated. All major political parties including the Maoist party allied with the seven-party alliance and signed the 12-point pact in New Delhi against the royal coup. Civil society including donors, NGOs, media, professional groups and other groups such as forest user groups not only played a critical and most influential role in the 2006 political movement but also played a role in providing legitimacy to the Maoist party by supporting and making alliances with the movement (Shah 2008).

As a result, the second People's movement started on April 6 in which eighteen people died in 19 days of the movement, and it forced the King to relinquish executive power after 15 months on April 25, 2006. Maoists came to competitive multiparty politics in 2006 following the success of the second People's Movement, which changed the whole dynamic of politics in Nepal. The comprehensive peace agreement was signed in November to end the decade-long Maoist war. Following the peace settlement, Nepal's interim government published an interim constitution in 2007 that declared the constituent assembly election. But the constitution was protested by most ethnic groups including Madhesi and Janajati activities. In particular, the violent Madesh movement emerged in the plains in 2007 demanding regional autonomy<sup>36</sup> of ethnic Madhesi people in Tarai and redelineation of electoral constituencies. The interim government signed at least six agreements with Madeshi and Janajati groups after the violent and non-violent protest ensuring groups that their demand of territorial autonomy would be included in federal restructuring (Thapa 2011, 12). The Constituent Assembly (CA) election was held on April 10, 2008, in which Maoists emerged as the major political force. The Maoist party chair, Pushpa K Dahal became the prime minister, and the government formally declared Nepal as a secular and federal republic country. They dissolved the monarchy. He later resigned over the conflict to dismiss the Nepal Army chief. The coalition government formed in May 2009. Since the government failed to promulgate the new constitution in 2011 and the constitutional assembly, the government extended the CA term for the fourth time. During this period, three new governments were formed. The

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<sup>36</sup> Madhesi people demanded all Tarai as one autonomous region. Madesh movement of 2007 and 2008, which lasted for 21 days, and 30 people died. Maoist purposed the issue of regional autonomy during people's war; they purposed nine identities (ethnicity-based) autonomous regions after the peace agreement.



latest prime minister of the first Constituent Assembly called for a fresh election in November 2012. The election relegated the Maoist party to the third position with less power and the Nepal Congress won a majority of CA seats. Nepali Congress's Sushil Koirala became prime minister. To address long-established ethnic grievances of ethnic groups and their demands, the State Restructuring Committee<sup>37</sup> of the CA and the High-Level State Restructuring Commission submitted their report with identity-based federalism but with different numbers of federal states in 2010 and 2012 respectively. But the proposed identity based federal model was opposed by all major parties and leaders, who argued that that the model would eventually lead to the disintegration of the state and would increase ethnic conflicts (Shneiderman and Tillian 2015). In 2013, after the dissolution of the constituent assembly in 2012 without a new constitution, a new constitutional assembly election was conducted. The following assembly promulgated a new constitution based on geographical federalism after the 2015 earthquake. Consequently, ethnic and regional interest groups protested against the model of federalism and the boundaries of federal states. In particular, Madeshi based parties and ethnic groups have been protesting against the government over territory and devolved rights. Around 30 people have died in the protest and conflicts.

### 3.3.2. Ethnic and indigenous movements

Although various ethnic organizations—in the name of *Janajati* (nationalities)—were active before 1990, identity politics became prominent and more visible only after

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<sup>37</sup> The Committee's dissenting minority also proposed a six state federal model.

Nepal's restoration of multiparty democracy and a higher international engagement (Pfaff-Czarnecka 1997; Hangen 2007; Lawati and Hangen 2013). Ethnic demands and issues such as a quest for social and political identity, reducing inequality and discrimination in the sharing of resources, and increasing representation in the political structure have been going on since then (Hachhethu 2003). The demand was taken to new heights after the interim constitution declared that the state would embrace a federal democratic republic model in 2008.

One of the major identity-based political demands and conflicts that are more visible and prominent in Nepal's politics focuses on indigenous people's rights. The Nepal Federation of Nationalities was established in 1991 to organize different ethnic organizations. They renamed it as the Federation of Indigenous Nationalities of Nepal (NEFIN) (*Nepal Adivasi Janajati Mahasang*) in 2004 with the support of foreign non-governmental organizations. The government also established an independent foundation—National Foundation for the Development of Indigenous Nationalities (NFDIN)—that works as a government unit after the passage of the 2002 National Foundation for Development of Indigenous Nationalities Act. The act has recognized 59 groups representing 38.8 percent of Nepal's population as "*adivasi janajati*" (indigenous nationalities) defined in the act as "a tribe or community as mentioned in the Schedule having its own mother language and traditional rites and customs, distinct cultural identity, distinct social structure and written or unwritten history." NEFIN, however, defines indigenous nationalities or *adivasi janajati* as 1) first settlers prior to the formation of Gorkha and Nepal state; 2) dominated groups with no representations in the state organs; 3) non-Hindu caste groups; 4) those who have a language, culture, and

religion different from the national elite; and 5) those listed by the 2002 National Foundation for Development of Indigenous Nationalities Act (NEFIN 2015).

Later, Nepal became a signatory to both the International Labor Organization's (ILO) 169 agreements and the UN Declaration of the Rights of Indigenous Peoples (UNDRIP) in 2007 and 2009, respectively. These international agreements have provided legal and political grounds to claim indigenous rights over ancestral territories, land, and resources (Hangen 2007; Rai 2013). Indigenous politics in Nepal have focused on the rights of self-determination, rights to land and resources within defined ancestral territories, and social and political representation and recognition (Hachhethu 2003; Lawati and Hangen 2013). These demands are intertwined with national politics. While Maoist national politics greatly politicized ethnic differences, they raised ethnic issues more forcefully than any other political movement after 1990 (Hangen 2007; Gellner 2007). These developments have provided a political climate favorable to the assertion of indigenous territorial claims. As a result, indigenous movements in Nepal are actively promoting cultural identities while rejecting the dominant culture and ideology associated with Hindu religion (Guneratne 2002; Hangen 2007; Krauskopff 2007; Thapa 2011). A UN Special Rapporteur on the rights of indigenous peoples recently observed that Nepal's conservation areas now cover most of the indigenous ancestral territories (Anaya 2009:23).

The Panchayat regime had banned political parties, and they look at any formal non-governmental organizations with suspicion. The regime only allowed NGOs that had an official connection and patronage with elites (Shrestha 2010). The democratic and economic opening has provided spaces for the growth and institutionalization of diverse

forms of national and international non-governmental organizations and donor agencies. Although differences are enormous, these different organizations including donors, INGOs, NGOs, media, professional groups and other groups such as forest user groups are usually discussed under civil society. Their presence has helped and challenged peoples, local organizations, and the state. Shah (2008) argues that their interest "centers around a new hegemonic desire for a global economic system that sets human rights, democracy, and free markets as its core principals" (Shah 2008, viii). He further states that civil society in Nepal "is intrinsically linked to the political process and its contestation over power and resources" and it has emerged as a "key node through which global political and economic powers act and react in Nepali society" (Shah 2008, 2). Furthermore, Shrestha (2006) argues that, in Nepal, NGOs, in particular, have a close relation with state and political parties, and they cannot be understood independent from the state. Likewise, their interest is more flexible, cost-effective and responsive to its donors. Thus, donors, neoliberals or any powerful actors may use this power to fulfill their interests.

Although Nepal started to receive foreign aid after the 1950s, after the 1990s, it was flooded with international development agencies and foreign aid. In addition, the nature of the agencies changed from mostly bilateral to multilateral and from grants to soft loans (Guthman 1997). Only around 40 bilateral donors and non-governmental organizations and 12 multilateral agencies were active in Nepal by the 1980s. Now, NGOs, in particular, have increased from 193 in 1990 to 33,000 in 2006 (Shah 2008). Furthermore, the amount of money provided to NGOs has also grown enormously. For instance, the British government began to help NGO/civil society through the Enabling

Sate Program (ESP) in 2001. Its objectives were to encourage programs related to social and economic development in general. Among many other influences, this foreign aid made a significant impact on a political movement that occurred after the 2006 movements. It funded several professional and identity-based national organizations and federations including NGOs Federation, Nepal Bar association (lawyers), Federation of Nepalese Journalists, Dalit federation and Nepal Federation of Indigenous Nationalities (NEFIN) (Shah 2008). This funding made them more visible and organized in the 2006 social movement. NEFIN, in particular, played a critical role in and after the 2006 movement. Their funding amounts and sources have expanded greatly and helped them to push their agendas (Hangen 2007, 25). In addition to financial assistance, foreign assistance in terms of recognition, visits, legitimation, and protection has become critical. National and local government bodies who are unsatisfied with the activities of NGOs have advised NGOs not to use terminology such as "empowerment" and "civil-society building" in their program. Moreover, the government in 2005 has released a draft code of conduct which suggested NGOs not to "get involved in activities that undermined social harmony". The Code also empowered the government to dissolve NGOs (quoted in Shrestha 2010, 208).

### 3.3.3. Economic liberalization

Despite decades of international support, foreign aid and a series of national development plans around infrastructure, agriculture, health, education, and industries, the social and economic conditions of Nepal remained unchanged (Boch-Isaacson et al. 2001; Bhattarai 2003). In response, Nepal adopted broad economic policies reform based

on neoliberal ideas<sup>38</sup> after 1990, which attributed Nepal's economic stasis to the lack of foreign exchange reserve<sup>39</sup>, marginal increase in GDP<sup>40</sup> and the rise in total government expenditure<sup>41</sup> and subsequent deficit in the balance of payment. Although Nepal's development expenditure was heavily funded by foreign aid (up to 40 percent), these macroeconomic situations led to a drastic reduction in total development expenditure during this period<sup>42</sup>. Scholars argue that these conditions were primarily related to the socioeconomic and political status of Nepal (Sharma 2016<sup>43</sup>). That is, Nepal has a centralized political and administrative structure (Boch-Isaacson et al. 2001). It continued to uphold its feudal structure because of the lack of political commitment to embrace land reform. This failure to initiate agrarian reform limited Nepal's opportunity to increase economic benefits from labor and agriculture sectors (Bhattarai 2003). Moreover, the finance minister of the panchayat government, Dr. Prakash Chandra Lohani, advocated for neoliberal economic reform since 1984 (Sharma 2016). International contexts such as the trade and transit problems, special trade treaties and open borders and dependency with India created an economic crisis in Nepal (Blaikie et al. 1980; Bhattarai 2003). More

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<sup>38</sup>This idea reflects the virtue of free market, private property (individual or community), personal freedom, liberty and voluntary participation as opposed to greater and coercive government, central planning, and welfare programs.

<sup>39</sup> Rs 675 million in 1983

<sup>40</sup> 8.1 percent to 8.4 percent

<sup>41</sup> total expenditure increased from 14.9 percent of GDP in 1980 to 20.7 percent in 1983

<sup>42</sup> 38.7 percent in 1980/81 to 17 percent in 1982/83

<sup>43</sup> Uneasy Questions – a speech by Dr. Pitamber Sharama in Literature Festival in Pokhara. Published in Setopati Daily. Accessed on February 16, 2016

importantly, wider acceptance of neoliberal economic policies and ideologies directly influenced economic reforms and policies in Nepal after the mid-1980s.

These internal crises and external contexts prompted the government to negotiate for an economic stabilization program with the IMF in 1985 (Khanal et al. 2005, 39). Nepal implemented a structural adjustment program with loan support of the IMF/World Bank in 1986/87. This imposed various conditionalities for national policies and institutional reforms. As a response, Nepal implemented various reforms including the devaluation of currency, deregulation in trade and emphasis on tax rationalization, reduction of government expenditure, liberalization in industrial licensing, export promotion and privatizing enterprises (basically both micro and macro level policy and institutional reform, creating an enabling environment for private sectors) (Khanal et al. 2005). These policy reforms focused on macroeconomic restructuring, public enterprises, agriculture and forestry, industry and trade and development administration (Boch-Isaacson et al. 2001).

After the 1990 political movement and restoration of multiparty democracy in 1990, Nepal embraced another round of economic liberalization and market-oriented economic reforms in the 1990s through the Bretton Wood Institutions Enhanced Structural Adjustment Facility (ESAF) (Khanal et al. 2005, 46). These policy reforms were reflected in Nepal's eight-year development plan and later plans. Besides, despite previous policy reforms "donors noted persistent project implementation problems, partly resulting from Nepal's rigid economic policy framework" (Boch-Isaacson et al. 2001, 307). This period is marked by donors' influence to comply with ESAF conditions and efforts to synchronize national economic policies with neighbor India. India's market-

oriented economic reform in the 1990s compelled Nepal to embrace similar economic liberalization policies as Nepal shares an open border and close economic ties with India (Boch-Isaacson et al. 2001). The ESAF put more emphasis on macroeconomic reform and sustainable economic growth and development. Subsequently, government introduced deregulation of trade and of industrial, monetary, financial and fiscal policies and the agricultural sector. New policies were introduced to attract private and foreign investment. Likewise, privatization of public enterprises and tax and tariff structure reform were carried out. The government also introduced other programs such as infrastructure development and reform of human resources. For example, the World Bank conditionalities specifically required Nepal to focus on agriculture, forestry, and natural resources management among other sectors. In particular, it also had a specification to include "legal and administrative steps to establish an effective community forest management system" to benefit farmers and maintain forests (Boch-Isaacson et al. 2001, 316).

Although macroeconomic reforms were given priority after the mid-1980s, Nepal continued to support basic needs programs included in the sixth five-year plan (1980-85) but with the input of diverse actors and different mechanisms. In particular, macroeconomic reforms emphasize regional development through decentralization of development processes from top-down to bottom-up planning and participation of people in the implementation of projects. Kathmandu centered planning in districts and villages in general. Two primary policy documents prepared after the reform inscribed the neoliberal policies around forestry and nature conservation. With the support of the Asian Development Bank (ADB) and FINNIDA (Finnish International Development Agency),



the government prepared the Forestry Master Plan (1989) that has the provision of the decentralization of power to user groups and the involvement of private sectors.

Similarly, policy reforms emphasized private and voluntary institutions rather than government agencies to promote employment generation and rural development.

In the foreword of the Nepal Conservation Strategy (NCS) 1988, which was prepared by HMG and IUCN with the grant support of USAID and the Canadian Aid agency, then prime minister Marich Man Singh Shrestha expresses his pleasure that NCS "has been careful to develop" a conservation agenda "that addresses the needs of the people and aims to link conservation with development" (HMG/IUCN 1988, xi). The document recognized the importance of water, land, and forest to achieve development objectives of Nepal in general and to provide "basic needs" of the people in particular. More importantly, it further emphasized the role of local, national and international actors including the private sector, donors, and nongovernmental organizations. The private sector was encouraged in the protection and management of forest through forest enterprises and industries. It also mentioned that "to improve forest land productivity, more of the responsibility for forest management and the production of forest crops will be transferred to the private sector through leasehold agreements and other agreements with user groups at the ward level" (HMG/IUCN 1988, 108). Besides, it recognized that "user groups, provided with necessary support, can be among the most effective implementers as well as direct beneficiaries of the National Conservation Strategy for Nepal" (HMG/IUCN 1988, xix).

After the mid-1980s, some policies and projects that reflect neoliberal ideas were introduced and implemented. For instance, KMTNC, a national NGO which was formed

under the protection of palace and royal patronage, launched the Annapurna Conservation Area Project in 1986 in the Himalayans area. Similarly, in 1988 the participatory Makalu Barun Conservation Area and the National Park was established with the financial support of the Global Environmental Facility and under the management of DNPWC and the Woodlands Mountain Institute, a US-based NGO. Likewise, the National Parks and Wildlife Conservation Act of 1973 was amended on several occasions to promote private sector tourism inside the National Park, to accommodate and permit NGOs in nature conservation and to introduce a participatory conservation approach in biodiversity conservation after the mid-1980s (Sharma and Wells 1998; DNPWC 1973).

Another sector that received more attention after the 1990s is tourism development for economic growth. Although tourism has always received attention in national development plans, tourism promotion as a site to expand foreign currency earnings and economic development became a priority after the 1990s (Sharma and Wells 1998). Tourism is one of the major sectors of foreign exchange earnings, and it has contributed to 18.5 percent of the earning in 1985. In 1987/88 unofficial foreign exchange earnings were around US \$ 113 million (Sharma and Wells 1998)<sup>44</sup>. By 1996, its contribution was 18 percent of total foreign exchange earnings (US \$ 117 million) and 3.8 percent of the country's GDP (Nepal 2000). As a result, the Eighth five-year plan (1992-1997) has greatly emphasized tourism development. More importantly, the Tourism Policy of 1995 emphasized monetary and financial incentives to encourage the private sector and foreign investments in tourism including infrastructure development

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<sup>44</sup> Official foreign exchange earnings from tourism was US \$ 76 million in FY 1987/88

such as hotels, resorts, and domestic air services. Hotels and resorts were included in the category of industries to facilitate growth and benefit from industrial economic policies (SAWTEE and AAN). For instance, The Industrial Enterprises Act of 1992 and the Foreign Investment and Technology Transfer Act of 1992 were enacted to promote private sector investment. These Acts included provisions of no license except in defense, health, and environment, provisions of repatriation of foreign investment and created a conducive environment for easy foreign investment. Furthermore, the Ninth five-year plan (1997-2002) extensively promoted the private sector and also dissolved the state-controlled Tourism Department and established the Nepal Tourism Board—a semi-government body—to encourage private-public sector partnership (SAWTEE and AAN<sup>45</sup>).

Donors' projects reflect not only their foreign policy interests and their idea of development, but also their strategic interests. For instance, in addition to Nepal's serious poverty, USAID's interest in Nepal was largely shaped by cold war diplomacy and Nepal's strategic location between India and China, relevant to the security of South Asia (Khadka 2000). Although US foreign policy to subdue growing communist influence was always a priority in Nepal (Bista 1991; Khadka 2000), interests and priorities of USAID's projects that were initiated in Nepal after the 1980s were largely influenced by neoliberal political, economic policies and ideologies (Boch-Isaacson et al. 2001). A few of USAID's projects are discussed below because USAID is the first major and the most experienced and influential bilateral donors' agency to Nepal. US policy objectives

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<sup>45</sup> <http://www.sawtee.org/> , Accessed June 9, 2018

developed after the 1980s as listed in the "Blueprint for Development" prioritized private sector and voluntary institutions through decentralization in development processes to achieve local development as they were considered more efficient than the public sector (Boch-Isaacson et al. 2001, 229). In particular, USAID initiated long-term "integrated development projects" to address "linked problems." It encouraged local participation, community-based management, institutional development and training and the promotion of national and international private and voluntary organization (Skerry et al. 1991, 263).

For instance, USAID Rapti Zone Rural Area Development project (RDP) Phase I began in 1980 for five years in Nepal. The project aimed to complement the government's "basic needs" plan. Its priority sectors included food and agriculture, rural development and rural works, forestry and natural resource management, employment and skill development, and institutional development. Rural works in particular focused on community-owned Panchayat forests to develop plant fodder and fuelwood species, establishing nurseries and promoting community forestry. The sectoral focus changed following the coordination problem in the large-scale integrated project and following the shift in focus of the Reagan administration in 1983. The revised integrated development project focuses on "resource conservation, household production systems, private sector incentives, devolution of power and responsibilities to district and panchayats and family planning" (Skerry et al. 1991, 297). The project led to the initiation of a community forestry program in the Rapti region in mid-western Nepal and the promulgation of the Decentralization Act, 1984. Phase II of the project began in 1987 for eight years. The project objective was "to increase household income and well-being through increased productivity and improved sustainable management of farm and forest resource systems."

It promoted participation of government line agencies, local farmer's organizations and private sectors (Skerry et al. 1991, 301). The project evaluation recommended an increasing focus on building capacity of local forest users group, establishing and expanding nurseries and strengthening government department's capacity. It also encouraged establishing local and small private enterprises in agriculture and forestry activities.

As a part of an integrated project, USAID funded WWF-Nepal "to supervise core staff of the Annapurna Conservation Area Project in techniques of protected area management, financial control, and program administration; and to create a permanent international conservation, training and research institute primarily focused on Chitwan National Park" (Skerry et al. 1991, 272). This helped King Mahendra's Trust for Nature Conservation (KMTNC) (now National Trust for Nature Conservation) to initiate the first experimental community-based plantation project in the Bagmara community forest in 1989, which later became part of the Bagmara buffer zone community forest in Bacchauli VDC after the establishment of a buffer zone in 1996.

After the 1990s USAID focused on four new initiatives around "Democracy, Business, Family and Environment" with major goals to strengthen competitive markets with minimum government, child survival and family planning services, supporting private groups and users to manage renewable natural resources, expanding market opportunities around agriculture, and increasing the role of non-governmental organizations. In agriculture, "the focus was on democratization, decentralization, local control of resources, and strengthening the private sector" (Boch-Isaacson et al. 2001, 314). Likewise, USAID, supported the implementation of the Forestry Sector Master plan

through forestry development projects from 1990 to 1995. It primarily focuses on strengthening the capacity of government lines agencies, user groups, and private firms by providing training to manage and conserve natural resources. It also encourages local production of forest resources, supports research in community resource conservation, and helps user groups in resource management in and around the national park including Chitwan National park.

### **3.4. Conclusion**

The policy reforms and donors' projects did not address the problem of fiscal deficit and deficit in the balance of payment. Moreover, the policy and projects did not contribute to economic growth, nor to changes in the feudal agrarian structure of Nepal, but it provided more opportunity for the few in the privileged class, affected efficiency, competitiveness, and performance of the economy and perpetuated a culture of dependency (Khanal et al. 2005, 26; Bista 1991). In particular, it failed to incorporate and address structural inequalities and institutional problems (highly centralized government administration and centralized and hierarchical political culture) associated with Nepali society (Boch-Isaacson et al. 2001; Khanal et al. 2005). Besides, the RCUP project evaluation reported that "contrary to 'bottom-up' rhetoric, both USAID and HMG had identified all of the 'lead Panchayat' [local conservation councils] before implementation" and they have no authority in project planning (Boch-Isaacson et al. 2001, 312). Ultimately, the projects considered interventions as only technical with the design and implementing team including mostly technicians.

## Chapter Four: The Production of Royal Chitwan National Park

This chapter describes the production of state and non-state spaces and authorities through nature conservation and development initiatives in Nepal. It is simultaneously the examination of the disintegration of rural indigenous people lives, livelihood and spaces. I discuss how material-discursive practices and processes shape and are shaped by the strict national park in Nepal. In particular, the chapter traces the ways spatial and representational practices have played a key role in the production of Royal Chitwan National Park (RCNP)<sup>46</sup>. The chapter also discusses how these practices have helped in the establishment of the Department of National Parks and Wildlife Conservation as a powerful state authority that controls the vast territory of Nepal. The chapter highlights the articulation of diverse discourses and political-economic interests in shaping lives and livelihood, landscape and identities of people and place. The first section describes royal hunting practices and their relationship to the production of the RCNP and colonial subjects. Here I focus primarily on the pre-1950 period. The second section discusses the history and origin of the RCNP with the focus on cold war development practices. I show how images and representation of places produce Nepal as an underdeveloped country and how it concurrently produced a space for further foreign interventions. In the third section, I present the production of the RCNP in Nepal. The period is from 1960-1980. The institutionalization of RCNP and subsequent conservation practices such as

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<sup>46</sup> As the name suggests the Royal of Nepal has all power to name and control areas. “Royal” in all naming was removed after the abolishment of the monarchy in 2008. I will continue to use RCNP for this chapter

landscape-scale level conservation and community-based conservation will be discussed in a following chapter.

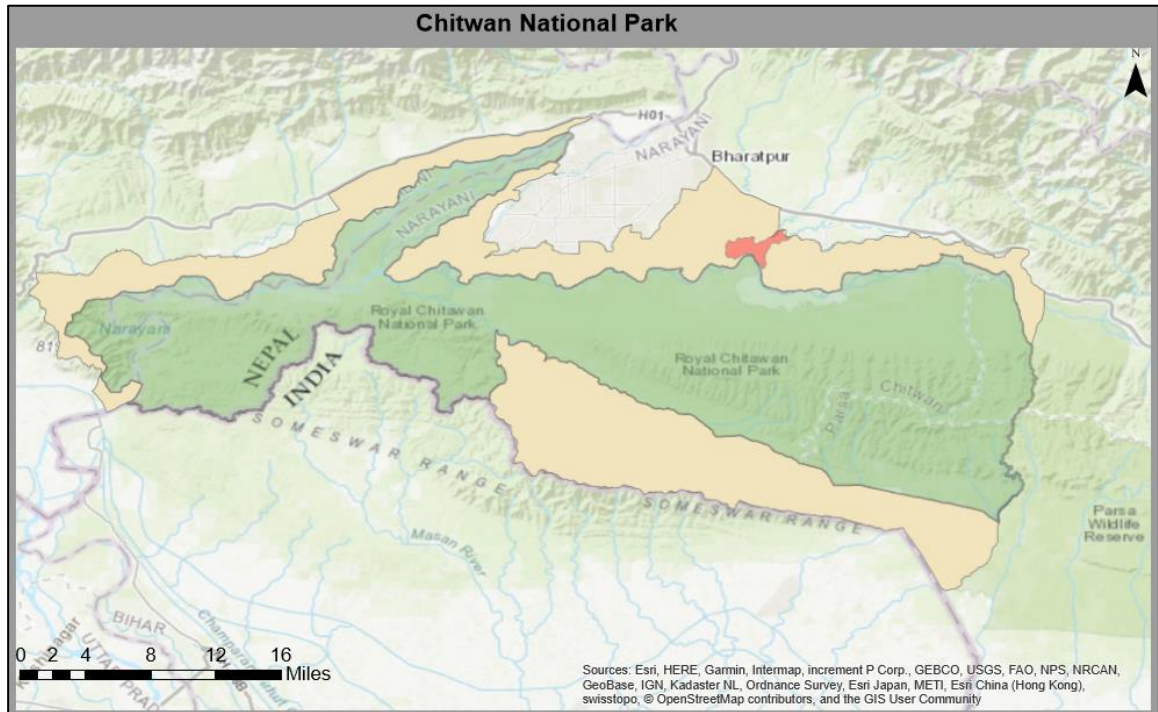


Figure 4.3- Chitwan National Park of Nepal with research site in red color. (Map by Yogesh Dongol)

#### 4.1. Royal hunting, royal encounters, hunting reserves

The wildlife hunting practices of the British-colonial rulers of India and the Rana rulers in the Chitwan valley shaped the nature conservation history of Nepal. Before the Rana regime, there is less evidence and reporting of Shah Rulers' practices of hunting of big wild animals for recreation purposes. However, rulers and elites used to catch big wild animals such as elephants for transportation and trade in Nepal and India. For instance, in 1851 alone, about "200 elephants were captured and exported" and the state generated significant income from elephant sales. The export of elephants gradually



decreased by the end of the 19th century, and exports were restricted by the needs of rulers (Regmi 1988, 185). In addition to the extraction of benefits from land and labor, rulers and ruling elites had always emphasized the removal of high-value timber to increase the state's revenue. Some scholars have also documented that rulers extracted high-value hardwood Sal trees from the Tarai forest and converted the forest into agriculture land in Tarai belts bordering India. Rulers exported hardwood timber such as Sal to British India for the construction of railway ties/sleepers. Despite the massive exploitation of timber and wild animals and conversion of forest for agricultural expansion from the entire stretch of Nepal's Tarai by the 1950s, the inner-Tarai<sup>47</sup> forest of the Chitwan Valley was intact (Smythies 1942). Some argue that the rulers protected the valley from exploitation to defend against invasion from their southern neighbors. The argument is untenable given that the entire stretch of Nepal's territories was indirectly under the control of British-India. That is, the Chitwan Valley as a defense to British rulers is hard to defend. Also, Oldfield (1884) and others claim that the valley was extensively cultivated and later abandoned, resulting in the growth of dense grassland and forest (Oldfield 1880 on MullerBoker 2000, 34). Given the existing population of Tharu indigenous people and the malarial environment, that argument is also hard to defend.

The Chitwan Valley, however, is the home of Tharu indigenous people, who practiced

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<sup>47</sup> Nepal is generally divided into different physiological and geographical zones. Tarai is the plain areas of Nepal which occupies 15 percent of land and it borders with northern India. Most Tarai land shares an "open" border with India. Inner Tarai is the valley between the Siwalik hills which are also called Dun. The Chiwan Valley extend to 100 km East-West and 40 km North South and the Rapti River bisects the valley and drain into the Rapti River (Gurung 1980). The Valley is in the inner Tarai belt which has Mahabharat range in the north, Siwalik hills in the south and Narayani river in the west. Climate of the valley is warm and humid and it is at the 190 m altitude. It has alluvial soil and mostly gets rainfall in monsoon season. It has different type of vegetation (e.g. Sal forest, riverine forest). In the past, it was called a Kalapani – a Death Valley because of the prevalence of malaria (Gurung 1980).

shifting cultivation. More importantly, many argue that Rana rulers (before 1950) and Shah rulers (after 1950) strictly protected the valley as a private hunting ground. The latter argument is convincing because Jung Bahadur Rana, for instance, used to maintain 700 tame elephants dispersed in 32 stables for hunting purposes (WWF 2003). He had also kept 120 special force of Sikaris (professional hunters). The Sikaris' duties were to find fresh tiger tracks and to bait tigers with goats and buffalo calves to facilitate royal hunting.

#### 4.1.1. Rana hunting practices

Rana rulers' inclination in wildlife hunting, however, started only after their increasing participation and engagement in big wildlife hunting while accompanying British-Indian hunting parties in the Chitwan Valley. Many scholars have reported that Rana rulers and foreign dignitaries practiced massive hunting of rhinoceroses, tigers, and elephants until the overthrow of the Rana regime in 1950 (Smythies 1942; Gurung 1983). For instance, in 1850, Jung Bahadur Rana killed 30 tigers in a single hunt. Another account documented that during his regime, Jung B Rana killed over 550 tigers (Smythies 1942). Jung Bahadur Rana frequently invited foreign dignitaries for hunting in Chitwan Valley in particular. Budathoki (2012) documented that British royals killed 218 tigers, 84 rhinoceroses, 63 leopards and 33 bears on five different occasions between 1876 and 1938. In 1911, King George V of Great Britain employed 600 tamed elephants and killed 39 tigers, 18 rhinoceroses, and other animals in an eleven-day hunting party around the Chitwan valley (Gurung 1983). Similarly, the Viceroy of India killed 120 tigers, 38 rhinoceroses, 17 leopards and other animals in 1938 (Gurung 1983). Likewise, prime

minister Judda Shamsher Rana killed 433 tigers in the seven-year period between 1933 and 1940 (Nepali Times, April 2016<sup>48</sup>).

Since hunting was necessary for the consolidation of power and resources, rulers had protected big wild animals from locals through various strategies. Although Hindu rulers had considered elephants as the incarnation of "Lord Ganesh," they extensively used elephants for transportation and trade. Elephants were important sources of state revenue, and thus rulers had used religious representation as the major mechanism to control elephants from local people. The elephant habitat was also represented as an "elephant forest" and protected from rural people (cited in Budathoki 2012, 1). Moreover, in 1864, Jung Bahadur Rana (JBR), through the State laws of 1864, had imposed various fines and punishments including a 1000 NRs fine and three years of jail term (Regmi 1988). The death penalty was the punishment for the killing or poaching of rhinoceroses (Adhikari 2002), but royals, their families and royal dignitaries could kill rhinoceroses for "sports hunting" (Starcey 1957). Besides, during the regime, rulers had imposed six months' imprisonment to anyone who intruded into forests with the intention of hunting wild animals for monetary gain. (Budathoki 2012, 69). Rana rulers had also established a hunting management office in the royal palace and employed hundreds of rhino guards (Gaida Gasti). As the name suggests, rulers recruited the guards for the protection of rhinoceroses and the management of hunting practices.

Jung Bahadur Rana, the first Rana prime minister, strictly protected rhinos and tigers as "royal game animals" in the Chitwan Valley (Mishra 2007; Spillett and Tamang

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<sup>48</sup> Nepali Times. <http://archive.nepalitimes.com/article/editorial/politics-threatens-to-undo-achievements-in-conservation-nepal.2952> Nepali Times. Accessed on June 9, 2018

1966). The protection of "royal game animals," however, was not based on a fixed territorial boundary. The private hunting ground of Rana rulers was not the same as the "hunting reserve" or "wildlife reserves" as they are commonly understood in the modern classification of protected areas. Until the 1950s, there was no existence of protection of wild animals in a legally protected and fixed territorial wilderness space. Therefore, the representation and classification of wild animals and nature was the primary mechanism of control from local exploitation. That is, the controlling mechanism was primarily by making a claim or establishing a claim over nature or resources so that it reflects nature as the private property of royals or rulers such as royal forest, royal animal or religious forest. A Tharu respondent from the Chitwan informed me that Jung Bahadur Rana had maintained ritualized friendship ties (*mit launi*) with a giant high-value Sal tree to protect it from local exploitation inside the current CNP areas.

The hunting of "royal game animals" such as tigers (*Panthera tigris*) and rhinoceroses (*Rhinoceros unicornis*) in the remaining Chitwan Valley served many purposes for rulers. That is, royal hunting parties played a significant role in asserting the control of the state's frontier space and people through elaborate hunting practices and performances. The yearly royal hunting parties were also the time of consolidating and extending power, authority and dominance in frontier spaces and people through elaborate practices, performances and encounters (Subedi 2013; Bhatt 2003). Moreover, the Rana regime used hunting not only to maintain power relations and legitimacy vis-a-vis British colonial power, but also the hunting parties had helped British-Indian rulers to indirectly control India's frontier land with greater efficiency and with less economic burden. The Rana used to take the royals hunting as an opportunity to please and to make

bonds with British rulers. They used to invite royalty from Britain and Europe and foreign dignitaries to take part in royal hunting. British rulers used this to extend indirect control over Nepal's territory.

At the same time, the rulers' hunting practices were also related to the production of colonial subjects and social hierarchy or order. Smythies (1942) represented Nepal's rulers' hunting method or practices--the ring method of tiger shooting—as supremely efficient but emphatically "nerve-racking," compared to British big game hunting practices which were conducted "neatly and quickly without undue fuss or danger" (Smythies 1942, V). British colonial rulers had also maintained the big game wildlife and habitat through particular representation in colonial writings. E.A. Smythies in 1942, who accompanied royal hunting, noted Chitwan as "the famous big-game reserve of Nepal, and one of the most beautiful places in the world. Chitwan! An area of mystery and romance, known by repute to many white men, but seen by so few" (Smythies 1942, 80). Furthermore, E.A. Smythies visited Chitwan during the Second World War (1941- 1945) and described the valley as "a sportsman paradise, with uncounted numbers of rhinoceros and other big game, and comparatively unspoiled habitat" (Gee 1959, 61). He further rationalized hunting by representing the big game animals as wild "beasts" and by representing tiger, for instance, as they "did much damage to village cattle" (Smythies 1942, 45).

#### 4.1.2. Consequences of hunting

The consequence of this massive hunting was that big game animals were decimated. Some have reported that most of the forested areas were lost from the eastern

and the central Tarai by the early 19th century (Oldfield 1981). For instance, the resident wild elephant population of Nepal disappeared entirely from the Tarai forest, which was one of the significant sources of revenue during the pre-1950 period. Rulers exploited Chitwan resources through land reclamation for agriculture expansion and timber extraction, and wildlife resources were heavily used to meet their growing military demand. The early decimation of rhino and tiger populations from the region is also associated with the royal hunting of the period. In 1923, Colonel J. C. Faunthorpe and Mr. Aurther S. Vernay traveled to Nepal to collect rhinos and tigers for taxidermy for the American Museum of Natural History. They noted the decline of big wild animals. They reported that "In the Morang District of the Nepal Tarai this rhinoceros was plentiful not many years ago, but now not a single specimen is...to be found within two hundred miles" (Faunthorpe 1924,179). Therefore, they traveled to the Chitwan valley to collect rhinos and tiger specimens. They described the valley as the only remaining wildlife habitat.

Scholars frequently downplayed the impact of the royal hunting parties on rhino and tiger populations with the justification that the hunting was not very frequent (Gurung 1983; Budathoki 2012; Mishra 2007, 2009). Citing Oldfield's 1880 accounts, Dinerstein (2003) argues that the royal hunting was "benign" because at that time Chitwan valley had a large wildlife population, high "reproductive rates" of tigers, and rotational hunting of tigers in large areas. Moreover, hunting was only done by royals and not allowed for others, with the death penalty as punishment for the poaching of rhinos, considered as royal animals. He further writes that large hunting was "rare" (Dinesterin 2007, 54). Furthermore, Smythies (1942) noted that the tiger population was safeguarded

for several reasons; first, because tiger habitats are huge, stretching from the hills for 550 miles, second, the ring method is inefficient in hills which allows tigers to escape, and third, the hunting of tiger, rhino or buffalo were allowed only with the royal's special permission. Similarly, others justified hunting because the excessive tiger population "did much damage to village cattle" (Smythies 1942, 45).

These royal hunting practices and representation of wild animals and place are related in part to the construction of Rana authority and sustenance of the Rana regime for 104 years in Nepal. The hunting practices as a political strategy to consolidate power did not stop after the fall of the Rana regime in 1950. Shah rulers, their families, and later conservationists emulated the wildlife hunting strategy as a political strategy. King Tribhuvan in 1961 invited Queen Elizabeth for a royal hunt in Chitwan National Park. Nepali royals welcomed the Queen and dignitaries with elaborate preparation and performances. That is, it served the purpose of consolidating power and asserting control over frontier land and people. For instance, Bhatt describes how government officials' encounters with Shah rulers during hunting events shaped bureaucratic subjectivities and constructed royal subjects (Bhatt 2003). Also, royal hunting was the event by which common people in the frontier understood royal power and the state's presence (Bhatt 2003). The hunting practices of the Shah rulers after the 1950s, however, were later rationalized as "benign," "un-exploitative, or "cultural". For instance, Mishra represented the rhinoceros as "a talisman, an enigmatic creature suffused with magical force. Ugly yet enchanting. Massive yet delicate. Terrifying yet tame. Holy and revered for its mystical powers, yet a destroyer of farmlands." (Mishra 2007, 11). Similarly, the tiger was represented as "noble and gentle savagery. Gracious and dignified, yet wild and

bloodthirsty. A calm and composed cat and yet a dangerous and cruel carnivore “(Mishra 2009, 5). His representation of rhinoceros and tigers as good and bad allowed him to kill a rhino, for example, for a "holy ceremony" of royals such as the *Tarpan* ceremony in the service of a king (Mishra 2007, 243). He justified the *Tarpan* ceremony of king Birendra by representing the ceremony "for peace and prosperity in the Himalayan Kingdom of Nepal (Mishra 2007, 205). Similarly, such representation at the same time helped to strictly protect wild animals to fulfill the elites and foreign interests.

More importantly, the practices of hunting big wild animals took a different form and carried different meaning after the 1970s. After the 1970s, conservationists used the same hunting methods to dart big wild animals to fit radio collars to study wild animal's natural history, to translocate in other places including in other national parks and in foreign zoos, to appease the ritual desire of shah rulers, and to kill "problem animals" such as a "man-eating tiger". The impact of these practices are the construction of new authorities and identities of people and place. These topics are discussed while presenting the history of CNP's establishment in the next section.

#### **4.2. The origins of the Royal Chitwan National Park**

More engagements with foreign countries started after the overthrow of the Rana regime in 1950. Although this increase in bilateral and multilateral foreign aid and technical assistance for social and economic development was primarily guided by the logic of cold war diplomacy (Khadka 1992), foreign interests and practices in Nepal produced new ways of understanding self, society, and nature among Nepali people. This section discusses the origin of the Royal Chitwan National Park in Nepal. My aim in this



section is to trace diverse conservation and development practices and discourses that led to the establishment of a territorially based strict nature conservation space, RCNP. In particular, I critically examined the ways nature, society and their relationships are represented – that is, the production of the truth of people, nature, and practices. In particular, the chapter traces the ways space, representation, and power relations play a role in the production of Chitwan National Park. It further discusses how discourse related with the protection and conservation of forest and wildlife constructed authority. The chapter highlights the articulation of diverse interests and political economic contexts in shaping lives and livelihood, landscape, and identities of people and place. In the first section, I discuss the production of the ‘American Valley,’ social order, and the underdeveloped subject. I examine the ways the development interventions represented Nepal, Nepali people and spaces, and how it produced the conditions ripe for conservation interventions.

#### 4.2.1. Development discourses and the making of the "American Valley."

After four years of the establishment of diplomatic relations with Nepal, the American-styled development experiment in Nepal started in 1951. The US government provided the first symbolic foreign aid under the Point Four agreement for mineral exploration and survey along the Himalaya (Skerry et al. 1991; Gurung 1970, 262). Although the population census of Nepal started in the Rana period, the systematic record keeping of the population of Nepal started only after the establishment of the Department of Statistics in 1950 with the support of the United States. Before the census, the UN and the Government of India provided census training to Nepali personnel in 1949, and later a

UN expert also helped in statistical analysis. The first "modern and complete census" was conducted in two phases: the first one started in 1952 and the second was started and completed in 1954 (NOS 1954). The information was collected from different "zones" and "blocks" from each district to facilitate population census. Districts maps were used to delineate each census block and information of an individual name, age, caste affiliation, religious affiliation, gender, language, literacy, occupation, and others social data were collected from each household (DOS 1954). Moreover, by the land surveys of India and Pakistan conducted in 1914-1926 and 1945, the US Army Corps of Engineers, also published a land-use classification maps of Nepal in 1955.

Many United States Operation Mission (USOM) publications also represented Nepal as a "long-isolated", and "blank slate" without a socioeconomic and political history of colonialism and thus a suitable space for an economic development experiment (Skerry et al. 1991, 36; Blowers 1973). The census, in particular, discovered the rapid growth of population between 1941 and 1954. It noted that more than ninety percent of the population depends on subsistence agriculture. It also stated that about ten percent of the land areas of Nepal was under cultivation, two third of the cultivated land belonged to big landowners, and landless peasants and tenants farmed most of the land (NOS 1954). Moreover, USOM publications represented most of the mountainous region as steep and "fragile" with a "high population density" and as unsuitable for extensive farming. In contrast, Tarai plains were represented as the only suitable areas for extensive farming (e.g., Bowers 1953; USOM/Nepal 1961; Pant 1956, 11). This classification of Nepal territories into different longitudinal zones and binary representations of Tarai valley and

people in contrast to the mountainous hills rationalized the development interventions carried out in the Tarai plains after the 1950s.

After 1952, the US, in particular, started to provide major foreign aid and technical support under the project called the "Village Development Project," which was also known as "Tribhuvan Village Development programme" in Nepali publications. Through USOM initiatives, the US provided foreign aid and technical assistance to help Nepali people to "progress," "modernize" and to "break the bonds of mass misery" and improve a standard of living (USOM/Nepal 1961). In 1954, the US funded the first major foreign development intervention. After individual aids and projects, the USOM began the Rapti Valley Multi-Purpose Development Project (RDVP) in Chitwan Valley in 1956. A leading Nepali member who was involved in the development of the first five-year plant (1956-1960) describes the overall project as "the model project" to show how Nepal needed to do economic development (Pant 1956). The project expected to establish "the American Valley" in the Rapti valley of Chitwan (US Dept. of State 1961, 20; Rubin 1964, 226). More specifically, the USOM Nepal project director in the foreword of a review publication describes the purpose of the project was to tackle common problems such as "disease, poverty, and ignorance" of the Nepali people and to improve the standard of living. That followed USOM initiatives to "help them to help themselves" and "to break the bonds of mass misery"<sup>49</sup> (USOM/Nepal 1961). The modernization and development project included programs such as malaria eradication, road construction, resettlement, land distribution, agriculture expansion, industrial development, forestry,

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<sup>49</sup> Excerpt from the inaugural address of President J F Kennedy of January 20, 1961 (USOM/Nepal 1961)

and others (USAID 1961; Mishra 2007). As claimed by many scholars, it was indeed the fight between the US, Russia, and China to control non-aligned nations through the tactic of development. When the US-sponsored Village Development Project and the model RVDP project were going on in the Chitwan Valley after mid-1950s, Russia was helping Nepal in building a hydroelectric power station, and China was surveying a road through the Chitwan area (Rubin 1964, 226).

In particular, the first program started in the valley was the Malaria Eradication Program in 1952 until 1961. It involved training Nepali men to spray DDT powder (*Dichlorodiphenyl trichloroethene*), map preparation and spatial classification of Tarai region, spraying in all places including inside houses, barns, huts, water bodies and marking homes. In 1959 alone, the team sprayed DDT in more than 420,203 houses. Moreover, the post-Rana government with the support of USOM also started initial resettlement of people from the hills to Chitwan's Rapti Valley. The project included the resettlement<sup>50</sup> of landless and flood-affected hill population for the expansion of cultivation (Shrestha 2001, 202). The RVDP project aimed to contribute to local and national economic development through the cultivation of food and cash crops in the Tarai plains, and restore "the natural ecological balance of the Himalaya sub-mountain region." The project also attempted to reduce "population pressure" in the hills through

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<sup>50</sup> The development initiatives were primarily guided by the cold war diplomacy (detailed in Chapter 3). They aimed to relocate flood and landslide affected landless population from the hills to the Tarai and enhanced more labor power to bring more land under cultivation (Shrestha 2002, 202). Some argue that King Mahendra deliberately promoted the clearance of forest in the southern border of Chitwan (Thori area bordering northern India) and the resettled hill populations for national security purposes. As northern Indian population was rapidly growing in the Tarai region, due to the eradication of malaria, and as the result of an open border, King Mahendra, who was hugely nationalist, initiated hill migration to promote Hill centered Nepali national identity.

resettlement in the Tarai and to reduce forest degrading practices such as shifting cultivation in the "fragile" mountains (Pant 1956, 11). It opened up 1200 square miles of fertile land, and 50,000 people were resettled in the valley. The USOM also selected the Rapti valley because of its geographic location as the agricultural and industrial products from the valley could be easily exported to the Indian market because of its proximity to Indian borders (USAID 1961). They provided eight acres of land to each household and established eleven schools (US Dept. of State 1961). RDVP worked through government committees or offices that had the power to allocate and regulate land distribution. Although initially intended to distribute land to landless and flood victims of 1954, "the RVDP's handling of land allocation was marked by rampant malfeasance, nepotism, and patronage" (Kansakar 1985, 114 in Shrestha 2002, 205).

Moreover, the project helped to form a Village Development Council in each village. The panchayat or the "nine-man" council functioned as the intermediary between the people and the project team and also functioned as a self-help group in which people participated in projects relevant to daily life including the construction and maintenance of water canals, wells, irrigation, etc. (UoM 1970, 95<sup>51</sup>). The project helped to establish more than 3400 village councils in Tarai and social and economic development such as road construction and sawmill establishment (Shrestha 2001, 202; Mishra 2007). Following a project to eradicate malaria, the US helped to open up a 56 mile, two lane gravel road connecting Kathmandu valley.

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#### 4.2.2. Construction of underdevelopment and subjectivity

Development practices and representations established Nepal as a "backward," "primitive" and "under-developed" country without any modern technology and infrastructure in comparison to a modern and developing country such as the United States. The binary representation of people, place, and practices as shown in the USOM publications (above figures) not only established the modern world order based on ideas of modernity and progress, but also these development initiatives imparted the specific idea of development and progress or what it means to be a developed or modern country and a modern people. These established what Escobar (1994) called the effect of development as a discourse which has the power to produce space, in this case, the space of an under-developed third world country and along with that, a development subjectivity. The most important consequences of the idea of development is the way it has ingrained itself into Nepali people's imagination and the way that development or *Bikas* has become the social organizing force of heterogeneous Nepali society (Pigg 1993).

Following the eradication of malaria from the Tarai region and the spread of the news of available land in the plains, many hill populations started to migrate and legally or illegally settle in Chitwan and neighboring districts. Besides, a large number of people from bordering India also migrated in the Tarai region. Kansakar recorded high migrations of hill populations with an annual average population growth rate equal to six percent between 1954- 1961. The valley population increased from 36,000 in 1950 to 100,000 at the beginning of 1960. Gee (1959) reported that by 1959, the RVDP project

officially resettled 12,000 hill population into the 53.5 square miles of “the home of rhinoceros and other wild life” in the Chitwan valley’s grasslands (Gee 1959, 68).

Likewise, many migrants who did not receive government granted land encroached on public or forest land for settlement and cultivation. Encroachment on forest and public land by new landless migrants was a common trend, and it was extensive and rampant in the Chitwan valley (Shrestha 2002, 206). Most scholars have reported that the Chitwan valley was completely covered with dense forest with few settlements of Tharu indigenous people (Faunthorpe 1924; Gurung 1983). As a result, citing USAID findings Gurung (1983) reported that by the early 1960s, the Chitwan valley lost two thirds of its forest cover because of the increase in the human population and subsequent resource pressure and agricultural expansion. Also, many have reported that livestock increased up to 20,000 head around CNP areas, putting pressure on wild animals (Mishra 2007). These large numbers of livestock were in direct competition with rhino habitats. Therefore, many argue there is a direct relationship between the decrease in rhino populations and the increase in human population growth and habitat encroachment. As a result, experts claimed that the rhino number decreased (Mishra 2007; Gee 1959, 1963; Spillett and Tamang 1966).

These development initiatives changed the social and ecological dynamics of the plain. They reorganized people and spaces by promoting the resettlement of hill population to the southern plains (Lal 2014). While the United States’ improvement activities attempted to strengthen the social and economic development of people through malaria eradication, agricultural expansion in previously forested land, and resettlement of people and land reform, it differentially shaped the heterogeneous society and nature

and their relationships. For instance, the monarchical government controlled most land and resources under the pretext of protection of wildlife from illegal settlers and nature-based tourism development in the Valley. Consequently, the improvement projects provided a new opportunity for exploitation and at the same time dispossession of rural indigenous people. Although the RVDP project attempted to strengthen the landholdings and property rights of the Tharu people by changing their traditional ownership and practices into legal land ownership, the practices actually dispossessed Tharu people of their land ownership in their place. Tharu people used to occupy 90 percent of land in the Chitwan Valley before the RVDP project; their ownership of land decreased to 14 percent after the project (Robertson 2016). The "malaria eradication" program, in particular, became the "Tharu eradication" program (Robertson 2016). These are the topics of the next discussion.

#### **4.3. Conservation discourses and the making of Royal Chitwan National Park**

The 1950s' social and economic development activities in the Rapti Valley reorganized, restructured or changed the social and ecological dynamics of the Chitwan Valley. These changes in society, nature, and their relationship invited a new round of national and foreign economic development interventions. The government, with the pressure from donor countries, introduced various legal restructurings<sup>52</sup> of forest and land rights such as the 1957 private forest nationalization act and the 1958 *Birta* abolition Act

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<sup>52</sup> New land and forest laws primarily led to privatization of the land controlled by previous Rana rulers under past land tenure system.



to restructure feudal land arrangements<sup>53</sup> and land under communal ownership. The government introduced land reform in 1964 with limited impact on rural and poor people's land ownership and access (detail in the previous chapter). Apropos to the Chitwan Valley, the government also published the first wildlife law, the 1957 Wildlife Conservation Act, primarily to regulate wildlife hunting and to protect wildlife from rural people. Besides, a few months before the first rhino survey of Nepal in March 1959, King Mahendra declared a 68 square mile Mahendra National Park (or *Mahendra Mriga Kunja* - a Deer Park) in the north of the Rapti River. The Act also established a Rhinoceros Protection Department under the District Forest Office of Chitwan. The department had 41 security posts including 26 in the eastern Chitwan areas, nine in the northern Reu area and seven in the western Nawalpur areas. Each post had special rhino protection, in the form of a rhino patrol team called a *Gaida Gasti*. Gee also reported 122 armed rhino guards- *Gaida Gasti*- and other higher ranking staffs during his 1959 survey. This Acts employed representations similar to informal Rana representations regarding the protection of their big game animals such as tiger, rhinoceros, and elephants from people. The Act continued to represent the rhinoceros as a "royal animal" and "nationally protected animal" and prohibited the killing of rhinoceros (Adhikari 2002). Existing purposes (e.g., royal hunting and revenue) and mechanisms (e.g., royal decree and representation) of the control of big wild animals started to change after greater engagement with foreign economic and wildlife experts.

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<sup>53</sup> Rana rulers and elites controlled most land until the 1950s under various land tenure system such as Birta ownership. One-fourth of cultivable land was under Birta land tenure system controlled by Rana rulers, their families and Jamindars- local functionaries (See Robertson column in Nepal times, and also Regmi, also Rose)

#### 4.3.1. Early rhino surveys and the production of knowledge

When Lee M. Talbot conducted an Indian rhinoceros (*R. unicornis*) survey in 1954 on the request of the Survival Service Commission (SSC) of IUCN in the Middle East and Southern Asia; rhinoceros was already considered as an "endangered species" despite the lack of ground-level data (Talbot 1956). Even before E. P. Gee visited Nepal for the rhino surveys, he wrote a section about the Indian rhinoceros in Talbot's report where he pointed out that 72 rhinoceroses out of 100 that died were related to poaching in 1954 in Nepal. Moreover, in 1958 the SSC of ICUN received information about the "alarming slaughter" of about "500 rhinoceros" by the "band of Indian poachers" in the Rapti Valley after the fall of Rana regime (Talbot 1956, 192; Gee 1959, 68). They presented a bleak and alarming picture of the rhino population in the Rapti Valley because of the mismatch in the birth rate and death rate of rhinoceros. They believed that ongoing large-scale poaching of rhinoceros would extirpate rhinoceros at a pace faster than the natural growth of rhino population<sup>54</sup>.

In March 1959, on the request of the Survival Service Commission of the International Union for the Conservation of Nature (SSC of IUCN), E. P. Gee, a British wildlife biologist and a long time tea planter of Assam, India conducted a rhino "survey" in the "main rhinoceros area" of the Rapti Valley to collect "authentic information" on rhinoceros habits, distribution, numbers and movements (Gee 1959, 59-68). E. P. Gee carried out the first rhino survey, and until then, Nepal authorities possessed "no maps, and appear to have no instructions to observe or study rhinoceros" (Gee 1959, 81). He

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<sup>54</sup> It is because by this time scholar knew about the natural history of rhinoceros. That is the slow addition of new rhinoceroses because of a long gestation period (18 months), and that the rhino gives birth to a single baby rhino at a time.

carried out the first rhino survey for two and half weeks in the entire 1250 square miles of the Rapti Valley with the aid of a large land-use map of the region. According to his accounts in the report, he traveled ten days in the valley on a single or few elephants for the "survey." He recorded fresh rhino tracks and droppings to find rhino distribution, but the survey was primarily based on what others had informed him about the possible number of rhinoceros sightings in different locations. Using the existing land-use map of the Rapti Valley and his brief rhino survey in the Valley, he produced new knowledge or truth about the rhino's number, distribution, habitat, and behavior.

With the financial support of the Fauna Preservation Society of London and the International Union for the Conservation of Nature, R.G.M Willian, Chief Conservator of Forests to Nepal assigned under the United Nations Technical Aid Organization in March 1962, requested E.P. Gee again to survey rhino population of the Chitwan Valley in March 1963 (Gee 1963). E. P. Gee traveled to Nepal for sixteen days and visited the southern part of the Rapti Valley called the Reu Valley for a day on the 9<sup>th</sup> of March and returned back to Kathmandu the next day. In his two week visit to Nepal, he gathered information from high ranking officials of the Forest Department and concerned authorities about the situation of the rhinoceros population, distribution, and poachings, and he discussed issues of wildlife conservation in Nepal. Describing the meetings with high ranking Nepali officers, he writes, " with the aid of a large-scale map of Nepal we had detailed discussions on wildlife conservation in various parts of the country" (Gee 1963, 71).

In his first rhino survey, Gee estimated 300 rhinod in the region and plotted rhino numbers and distribution all along riverine vegetation of the valley. He represented

rhinoceros as the "the vanishing species of the world" (Gee 1959, 59). From what others have said to him, he mentioned poaching 60 rhinoceros, twenty-four rhino horns were recovered, and 13 persons were arrested. He claimed that most poachers of the western Chitwan are "new settlers" or "hill Nepalese" such as Gurung and Magars, and poachers of the eastern and northern Chitwan area are from neighboring India (Gee 1959). He also noted that the Tharu people are a "simple and innocent folk" and they are not involved in a great degree in the poaching. Poached horns are mainly transported back to Calcutta, India to be traded with China (Gee 1959). He documented that the poaching of rhinoceros increased to an "alarming extent" and has reached the "peak" in the Valley in the early 1950s (Gee 1959, 62). He, however, further claimed that grassland habitat loss is more a danger than poaching in the Rapti Valley. He pointed out that the competition between human population and wildlife for space is in a critical state. In particular, the effect of ongoing development activities such as resettlement, agricultural expansion, the conversion of rhino grassland into agricultural land, the impact of irrigation activities on important water resources of rhino habitats, and the growing human population in the area was greatly impacting the rhino's riverine habitat.

In his second survey (1963), Gee spent only a day in the Chitwan Valley and pointed out many conservation problems and the status of rhinoceros. For instance, he noted that poachers from the Indian border and others have "killed" about 140 rhinoceros between 1958 and 1962. In particular, Indian poachers killed seventy-five rhinoceros between 1959 and 1960, and "eighteen killed by poachers or by fighting" between 1961 and 1962 (1963, 70). The Reu Valley that borders with India lost 18 out of 24 rhinoceros between 1959 and 1963 (Gee 1963, 70). From the information gathered from local and

government officials, he estimated that the rhino number decreased from 300 to 185 by 1962. He also praised a *Gaida Gasti* person for killing two "Indian rhino poachers" by using a firearm in 1960 and also praised the government for awarding cash to the person for killing poachers (Gee 1963,70).

Gee's surveys in 1959 and 1963 cannot be considered a wildlife survey compared to rhino surveys carried out after the 1980s, which are also not free from flaws (Dinerstein 2003; Yonzon 1994<sup>55</sup>). Even E.P. Gee confessed that the rhino number could have been much more than what he estimated. He believes that the estimation is much less than what the population actually should be in the Chitwan valley because the survey was brief, it covered one-tenth of the entire area, and the visibility of rhino occurrence was greatly affected by dense tall grass and dense forest. Similarly, he noted that the estimation of the rhino population would have been greater if the survey was carried out using a larger number of elephants. Therefore, he did not agree on a "hopeless" reporting of the rhino status before his survey (Gee 1959, 60). However, every subsequent academic and non-academic publications and national wildlife policies used the survey and the rhino numbers as the benchmark to justify interventions and introduce new interventions (e.g., Mishra 2007; Dinerstein 2003; Adhikari 2002). More importantly, some continued to report 60-80 total rhinoceros in Nepal in the early 1960s despite E.P. Gee's rhino "survey" estimate of 185 in 1962 (Dinerstein 1990). Similarly, the rhino population estimate before 1950 as 1000 continued to be used in every academic and non-academic publication without serious questions about the validity of the number.

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<sup>55</sup> Rhino Count 1994

The rhino survey also never mentioned or elaborated on how rhinoceros died and when the death of a rhino is considered poaching. If the absence of rhino horns and hooves are considered as death due to poaching, the poaching data also cannot be considered as "authentic information" because there is a high possibility of rural people and government employees extracting rhino horns from dead rhinoceros. Studies have shown that rural people used to eat rhino meat, extracting horns was not illegal, and horns were used by local elites and royal for a religious purpose (Mishra 2007; Dinerstein 2003; Kunwar 2013). More importantly, the high death count of rhino—whether deemed "natural" or "poached"—during the 1950s and 1960s can be considered natural because of the possibility of the impact of the extensive spread of DDT in the Valley to eradicate malaria for thirteen years from the early 1950s to mid-1960s. The possible impact of DDT on wildlife has never been researched or never considered as a worthy subject of research in wildlife conservation in Nepal.

In the distribution of rhino maps, Gee's also represented rhinoceros distribution and habitats of rhinoceros all along the sides of rivers. Although the riverine forest is the prime rhino habitat, Dinerstein (2003) found that rhinoceros density depends on the density of *Saccharum spontaneum* and Lauri (1978) found that rhino density depends on the habitat diversity. Others have found that rhino prefers habitat closer to human habitation, which provides nutritious food when food is lacking in the forest. Riverine habit is preferred because it provides food, water for drinking and wallowing. Riverine habitat also is important due to its mixture of grassland for food and it provides enough shade in a tropical climate for resting (Dinerstein 2003). However, the Rapti valley's prime landscape shaper is annual flooding which has both good and bad consequences to

herbivores and ungulate. It has beneficial impacts because it brings fertile soil and deposit in the plains, which becomes the fertile ground for the growth of younger *Saccharum spontaneum* species, which are the nutritious food of rhinoceros in particular. However, the annual flooding also has an immediate effect. It sweeps away small animals such as baby rhinoceros. Therefore, the Sal forest which is in a relatively higher altitude where water percolates faster compared to the riverine forest, is very important for the survival of rhinoceros. The Gee surveys grossly simplified rhino's habitat only based on the rhino's food and water availability. Besides, he generalizes all rhinoceros as equal. Young rhinoceros are vulnerable to annual flooding, and old rhinoceros are vulnerable to adult rhinoceros for the competition of food and mating. Therefore, older rhinoceros prefer to live closer to villages where they can avoid competition with adult and stronger rhinoceros and quickly get nutritious food and safety.

Gee's rhino "surveys" also documented changes in the "nature" of rhino's behavior. He noted that frequent encounters with humans as the result of authorized and unauthorized hill settlement, poaching activities and sports hunting have induced a different "mode of existence and a temperament" on rhinoceros. Rhinoceros "have become nervous, frightened of the sight of human beings, and almost entirely nocturnal" (Gee 1959, 60). Similarly, it is hard to believe his accounts of natural rhino behaviors. First, it is impossible to find the behavior of rhinoceroses by just doing ten-days of fieldwork. Second, I have seen different behavior among a few rhinoceroses in Chitwan Sauraha. For instance, old and weak rhinoceros who cannot compete for food and safety with adult rhinoceros frequently reside near villages and are so adapted to the built environment and crowded people that they show no "wild behavior." They are so habitual

that they do not even react to people present. A highly experienced former CNP warden who now currently works for WWF-Nepal shared a story with me during my interview, as follows:

So, the WWF people with foreign dignitaries and an ambassador of a country visited CNP when I was a warden, and I took them to the Bagmara CF for Elephant Safari. We were in two elephants when we saw two rhinoceros inside a wallowing site. Even after a few minutes of encircling of the rhinoceros they did not move, and one of the elephant drivers tried to poke the rhinoceros to make the visitor happy or for bigger tips. I yelled at him not to do that. I remember one of my friends in Kathmandu told me that rhinoceros in CNP are like an animal in a zoo. They do not show wild behavior.<sup>56</sup> (Field interview).

However, some rhinoceroses may react differently; they move very quickly and looks scared when they hear sounds. In another instance, I was with a highly experienced nature guide (Bali dai) when I was conducting a vegetation survey inside the Bagmara Community Forest. I was behind him and searching for an "exact" GPS point inside the forest. My focus was on GPS, I was about five meters from the point, and suddenly the guide stopped me. I took shelter in a big *Simal* tree (*Bombax ceiba*). Later, he made some sound, and the giant rhino ran away in a few seconds. He told me that female rhinoceros easily get scared when they hear male rhinoceros. The point is, rhinoceros behave differently and essentializing CNP rhinoceros as "nervous," "frightened" or "nocturnal" obscures how different rhinoceroses behave in different circumstances.

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<sup>56</sup> Interview with a former CNP warden Mr. Ram Pret Yadav



Based on his survey, Gee (1959) recommended the strict protection of certain areas, clear demarcation of boundaries of reserved forests and the control of encroachment and poaching of forest resources from the areas. He recommended the establishment and naming of *Mahendra Migra Kunja* (deer park) as Mahendra National Park. In particular, he suggested that the northwestern side of the Narayani River, which is "the majestic and unspoiled Sal-forested Mountains which have deer and wildlife needs to be included in the national park. He also recommended the eviction of villages that are within the Mahendra National Park areas after an appropriate compensation by the state (Gee 1959, 68).

He is also the first one to emphasize the importance of Bharandabar forest as the nature corridor linking the south of the Rapti River and the northern Sal forest (This idea became the primary conservation approach after the 1980s). He showed dismay at the ways the prime rhinoceros habitat, the "unspoiled Sal forest and grassland" (the Bharandabar forest) along the *Khagri Khola* that "forms a natural corridor" for seasonal migration of rhinoceros, has not been included in the park. He noted that the addition of a corridor would be a step forward to include "the best rhinoceros country" south of the Rapti River (Gee 1959, 69). He argued that without the addition of the unspoiled northern areas and the southern corridor, the Mahendra National Parks is not a "viable ecological unit" to promote normal rhino behavior and to protect rhino habitat for seasonal and local migration (Gee 1959, 60). He may also be the first one to hint at the possibility of a buffer zone around the national park. To make a "viable unit", he suggested making a "buffer belt" on either side of the park "where grazing and firewood or thatch cutting are allowed, but in which no settlement or shooting except bona fide

crop protection is permitted, the rest of the area might be opened as shooting blocks under strict control with full protection of rhinoceros and other rare species" (Gee 1959, 70). The report also recommended the need for "education and publicity" to impart consciousness to people about the "cultural and economic value" of wildlife. The report recognized the potential of wildlife tourism for economic development (Gee 1959, 84).

Similarly, in his second survey report, he recommended a series of interventions that the Government of Nepal needed to undertake to protect wild animals and habitat. First, he recommended the establishment of a new national park on the southern side of the Rapti river which was "mostly unspoilt and uninvaded by settlers" (Gee 1963, 70). Although the area had relatively fewer hill settlers in the early 1960s, the area was the home of many Tharu indigenous people. Second, he recommended that the park be protected "properly and legally" by statutory laws because he argued that the mere declaration by the King and forest department would not protect the park. Third, to control poaching and save wild animals from the "extermination," he recommended, "continued vigilance and severe penalties" (Gee 1963,69-71). Fourth, although he had some reservations about the translocation of rhinoceros to other places because of high cost, uneasy transportation, and crop damage potential, he recommended driving rhinoceros from the Rapti Valley to the Reu Valley. This was because the Reu Valley had a "holding capacity" of about "forty to fifty rhino" with proper maintenance of grassland (effective burning of reeds and grasses), and the Rapti valley was "more densely settled and cultivated" than the Reu Valley. Fifth, he recommended the establishment of a wildlife division or branch under the Forest Department, re-constitution of the Wildlife Advisory Board, and formulation of wildlife policy. Also, he suggested arranging a

foreign visit and training to selected officials and emphasized the need for a wildlife survey by experienced foreign biologists. Finally, similar to the 1959 survey recommendation, the report also recommended the "wise use" of the country's wild fauna and flora (Gee 1963, 69). In particular, the report suggested the establishment of new national parks in Tarai and high Himalayas areas are important "for the development of tourism to obtain more foreign exchange" (Gee 1963, 68). Describing the tourism potential in Nepal, he writes "there is no doubt that tourism could eventually prove to be one of Nepal's main industries, and that another Switzerland or Kashmir lies shrouded and unrevealed to the world due only to inaccessibility" (Gee 1963, 75). Therefore, he suggested that publicity be used to increase consciousness among Nepali people about the cultural and economic value of wildlife and conservation.

His proposed area for wildlife conservation and the Mahendra National Park in the first survey report were primarily based on only a few settlements in the area rather than the actual "rhino distribution" as represented in the map. Mahendra National Park was not a riverine forest, and the occurrence of rhinoceros in the area is few. Although he painted the gloomy situation of the rhino population, most rhino areas were not included in the proposed national park. The current Chitwan National Park does not include any areas that Gee's first survey recommended or proposed, however, the current CNP includes most "rhinoceros areas" that he proposed after the second survey.

Meanwhile, following the wave of hill migration in the Chitwan Valley after the eradication of malaria, the monarchical government, in the beginning of the Panchayat government (1962), formed a high-level land settlement commission. The Assistant Minister and the IUCN appointed a forest Conservator of Nepal (R.S.M Willian) who

chaired the commission. In October 1963 (five months after the rhino survey) they surveyed the area to determine the “legal status of the Chitwan settlers” and the extent of forest encroachment (Willan 1965; Bolton 1975a). This "fact-finding commission" investigated the impacts of encroachment on forest and wild animals. The commission reported, "a very disturbing state of affairs on illegal settlement and forest destruction" (Willan 1965, 159). They documented a high concentration of livestock and overgrazing of forests and the replacement of "desirable forage plants with undesirable ones such as thorny shrubs and bushes." They noted the "increasing food shortage" and the possibility of "disease transmission" because of the "omnipresent" practice of overgrazing by livestock (Spillett and Tamang 1966, 565). Although the concrete boundary pillars for the demarcation of village and forest areas were used in the rhino sanctuary after the recommendation of the rhino surveys, the team reported that the maintaining of boundaries was a major problem because of the growing human and livestock population of the Valley. As a result, many hill people from the northern Mahendra National Park and Tharu indigenous people from the southern rhino sanctuary were evicted from their place and relocated in the south Nepali border with India (detailed in a separate section).

#### 4.3.2. Rhino survey 1968

In 1968, the UN-appointed Dr. Graeme Caughley (a wildlife expert who had served as a wildlife biologist in Zambia, Africa) and Hemanta Mishra of the Forest Department to carry out another "first scientific survey" in Chitwan to collect information about rhino numbers and to know "viable breeding populations" of rhinoceros (Mishra 2007, 32). Hemanta Mishra writes that Graeme Caughley returned from Zambia and thus

he was familiar with how the poaching of rhinoceros and agriculture expansion had decimated 90 percent of the rhino population in Zambia (Mishra 2007). They were concerned about rhino poaching because of the increasing human population in the Chitwan regions (Mishra 2007, 38). They conducted the first "comprehensive" rhino census in Chitwan (Mishra 2007, 39). They divided Chitwan Valley into four sectors and counted rhinoceros in the mornings and afternoons. They also crisscrossed these sectors "systematically" through a helicopter for "hours" to conduct aerial surveys (Mishra 2007, 38). In addition, they used two elephants for a month to do a ground survey of rhinoceros. They reported an "extremely serious" status of rhino for two reasons. First, the rhino numbers have decreased to about 90-108 rhino numbers from "more than a thousand in the early 1950s". Second, they observed that out of the total population only "5 percent" were mothers and calves (Mishra 2007, 42).

Although they know that rhinoceros are a "great wanderer," they assumed that rhinoceros will not move from one sector or location to another during a month-long rhino census (Gee 1963, 73). In addition, writing about the validity of their rhino census, Mishra writes "we could easily see not only rhinoceros but also other wildlife. The way our flight lines were organized made it unlikely that we would double count any individual. However, we had missed a few from the air, particularly in the dense forests and tall grass" (Mishra 2007, 39). As later rhino surveys have indicated, the possibility of missing counts is large in CNP primarily because of the tall and dense grassland of *S. spontaneum*<sup>57</sup> or commonly called elephant grasses because the grasses can even cover-

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<sup>57</sup> *S. spontaneum* grows up to 3-4 meters in height with in-penetrable dense grassland.

up giant elephants. In general, rhino detection depends on the intensity and scale of the ground level survey through elephants. Moreover, later survey reports have mentioned that the accuracy of detection and distinguishing rhino gender is extremely difficult because rhinoceros will not wait until researchers distinguish their gender by their distinct type of body folding (later survey used photographs, which still do not solve the problem of time needed to take photographs). Mishra (2007) writes that Graeme Caughley predicted that rhinoceros would go extinct by the end of 1980 if the trend of rampant habitat destruction and poaching persists in Chitwan. He further points out the major reason for the decrease of rhino numbers from 1000 to 100 in 1968 was primarily because of the loss of rhino habitat, but it was not because of the poaching of rhinoceros (Mishra 2007; Spillet and Tamang 1966). More importantly, Hemanta Mishra writes how they presented extinction narratives to convince the King and leaders to establish the park and pass the national park and wildlife conservation act. He writes; "stretching information...without distorting the facts on the status of rhinoceros and tigers in Chitwan", and "spiced the report with an alarmist scenario of doom and gloom, claiming that rhinoceros would be extinct in Nepal within ten years" and tiger population was "no more than ten" in Chitwan (Mishra 2007, 72). They further highlighted the issue by publishing in the newspaper which gathers more attention.

In the meantime, foreign and Nepali experts were claiming the strong relationship between the "wilderness-oriented tourism industry" and the economic development of Nepal (Mishra 1974). Many believed that national parks could play a key role in the "expansion of Nepal's economically important tourist industry as they have in Africa, North America and elsewhere" (Mishra 1974, 2; Spillet and Tamang 1966; Bolton 1975).

Most strongly believed that Nepal's economic growth depends on "the tourist industry," which is the main sources of foreign exchange (Mishra 1974, 2). In particular, the success of the Tiger Top hotel and their Campsite within the Rhino Sanctuary which started in 1965 has been well known to the forest department and for that matter to the King (Gurung 1988; Spillet and Tamang 1966). Likewise, Spillet and Tamang (1966) noted that the success of the foreign-owned Tiger Top hotel inside the park, which was established in November 1965, had set "an excellent example of how a national park can be developed for tourism by private enterprise and also earn revenue and foreign exchange with only a relatively very small investment by the Government" (1966, 560). More importantly, a leader of the Sauraha also told me during my fieldwork that King Mahendra suggested that his close local contact person, a Tharu *Jamindar* (Mallu Mahato) (later resident of Sauraha), open a hotel for tourists. These accounts suggest that tourism was the primary activity that foreign and national experts and governments were trying to push to generate state revenue and economic development in the park.

#### 4.3.3. The Himalayan environmental degradation narratives

In addition to the discourses of "rapidly disappearing" lowland Tarai forests and subsequent extinction of rhinoceros and other wild animals, the Himalayan Environmental Degradation (HED) narratives in the hills of Nepal was gaining ground among donors and ecological experts (see Blower 1973; Eckholm 1975). The environmental degradation narrative in the hills such as soil erosion, forest degradation and rapid wildlife loss in the Tarai region were widespread among donors such as USAID, United Nations Development Program (UNDP), Food and Agriculture

Organization (FAO). The HED narrative has been debunked and criticized by later publications (Guthman 1997). In particular, scholars have argued that such scientific crisis narratives articulate with international and national development aid regime (Guthman 1997). These crisis narratives, however, became the basis for the establishment of four national parks including RCNP and others during the 1970s (Guthman 1997; Heinen and Kattel 1992).

In December 1970, the government of Nepal under the UNDP/FAO Technical Assistance Programme appointed John Blower – an FAO/UN advisor - to assist Nepal on national park and wildlife management and to develop a network of national parks. He also had previous experience in conservation work in Africa. Blower completed "the extensive survey" for three years in Nepal and found that the local people's practices related to forest and wildlife as major wildlife conservation problems. He noted that the major problem of Nepal is the human population growth and subsequent pressure of forest land and wildlife (Blower 1973). He writes, "the enormous numbers of domestic livestock are the most serious obstacle to both forest and wildlife management. Cattle and buffalo are currently estimated to total 10 million, and sheep and goats 2.5 million, both numbers increasing at an average rate of nearly two percent a year. Cattle, in particular, are generally of inferior quality and largely unproductive, but cannot be slaughtered for food, despite the chronic protein shortage in many areas, because the cow is sacred, Nepal being a Hindu country. Increasing grazing pressure exacerbates erosion and prevents forest regeneration so that even forest which is not deliberately cleared is gradually replaced by grassland and worthless scrub" (Blower 1973, 276). He further goes on to say the poaching of rhino for commercial purpose is "so severe" that it will be



"likely to exterminate the rhino in Nepal within a very few years." In particular, he reported that rhinoceros, which numbered 800 in 1950, had decreased to 120 and the "killing by poachers still average about ten per year." He also reported poaching of tigers and predicted that the *Sal (Shorea robusta)* forests would disappear in "20 or 30 years" from Nepal if human pressure continued to grow (Blower 1973, 207-278).

Given the context, UNDP/FAO, DOF staffs, foreign experts such as John Blower, and Nepali wildlife experts who had a close relationship with the royal palace lobbied for the establishment of a national park in Chitwan and persuaded King Mahendra to take the urgent consideration of conservation measures (Mishra 2007). At the end of 1970, King Mahendra approved the plan to establish Royal Chitwan National Park (RCNP). More importantly, the major wildlife management body at the time was the "Wildlife Committee" chaired by prince Gyanendra. The committee located inside the royal palace used to make all decision related to wildlife and national parks. The informal committee was comprised of forest ministers, secretary of the department of forest and soil conservation, director of the DNPWC, palace officials, and high ranking officers of the government of Nepal. Essentially, the palace used to directly run or make all decisions related to national park activities and wildlife management until 1990. The committee not only helped to create the separate National Parks and Wildlife Conservation section under the department of forest and a later separate office in 1972, but the committee also helped to create rules or regulations related to wildlife and national parks. Although the HMG's ministry of forests used to implement rules or activities, royal interests and the royal families' role was direct and indirectly involved in all the wildlife and national park-related decision and practices. That means the role of the public or political leaders and a

public bureaucrat was minimal until 1990. The direct role of the royal place also helped to fast-track bureaucratic process or overcome bureaucratic red tape (Field Interview).

In addition to the sharing of knowledge and training from foreign experts and US Peace Corps volunteers on the population census or surveys of wildlife, habitat, and human population, the training and exposure of Nepali citizens at western universities and organizations became one of the major methods of information sharing and circulation. The DNPWC received financial and technical assistance from UN-FAO, WWF, and U.S. Peace Corps. Moreover, the office staffs were provided with conservation and wildlife-related training and fellowships in foreign countries. Several forest department officials received training in wildlife management under FAO/UN fellowships in different countries including in the USA and Europe. Many leading persons who played a role in the establishment of Chitwan National Park have received his training in India, Europe, and the USA through the fellowship (Mishra 2007; Blower 1973). For instance, describing the "awe-inspiring aesthetic beauty" of Yellowstone National Park after his return from the US in 1972, Mishra, also an NP staff, described how the conservation efforts of Americans inspired him. He writes, "I was struck by the Americans' vision of legally protecting large areas of valuable land for the enjoyment and benefits of future generations, mainly when there were still wide-open spaces in the Wild West" (Mishra 2007, 65). He further writes, if the Americans could do it in the nineteenth century, why we, the Nepalese, can't do it in the twentieth century?" (Mishra 2007, 65). He was inspired by the western vision of national parks and the ways Yellowstone National Park has been managed and protected, and he came back in 1972 with a desire to emulate the Yellowstone model in Chitwan Valley. The Government of Nepal

formally enacted the National Parks and Wildlife Conservation Act in 1973 (discussed below).

#### 4.3.4. National parks and wildlife conservation

The extinction discourses continued to emerge and reemerge during early 1970s not only by foreign wildlife experts but also communicated by Nepali experts. For instance, Mishra (1974) reported that in the past 20 years, rhino numbers have decreased from 800 to 200. The wild buffalo population is only about 40 in number, the elephant population is no more than 30, and the tiger number has reduced to 300 from a large population. Consequently, the government of Nepal, with the financial and technical support of the UNDP, the UN-FAO Technical Assistance Program, WWF and the US Peace Corps, started the National Parks and Wildlife Conservation Project in 1973 (Bolton 1975a; Mishra 1974). Under the project, Marvin Bolton, an ecologist, conducted an ecological survey in the RCNP for several weeks in 1974 and 1975 to prepare the first management plan of RCNP.

The plan represented the park as the "most important component," a "unique example" of "ecological representation," and the "faunistically richest part" of the country. More specifically, the report mentioned that the second largest population of the "endangered" one-horned rhino of the world inhabits the park. He noted that the park also has a large "endangered" tiger population, an "endangered" gangetic dolphin and a "seriously-threatened" gharial crocodile population (Bolton 1975b, 7) (see also Mishra 1974), which were already in the endangered IUCN Red Data list by then (Bolton 1975b, 7). Similarly, the report highlighted that the park was the "most pleasant and attractive

parts of Nepal's lowland" and could be the main sources of foreign exchange through a healthy tourist industry. The report also praised the outstanding progress in suppressing "poaching", maintaining boundaries and the establishment of office infrastructure after the establishment of RCNP. The management plan predicted that "the most valuable forest and wildlife" will be gone forever without further strict protection and management from the onslaught of a growing human population. The population in Chitwan was already 180,000 and was expected to double in 20 years (Bolton 1975b, 3-7).

The project aimed to effectively manage renowned wildlife habitat and to increase "endangered" wild animal populations such as rhino, tiger, gharial and others (IUCN 1968, 1974; Mishra 1974). The report mentioned that in the case that the number of wild animals increases so as to exceed the "carrying capacity of the park appropriate steps should be taken to reduce the population to a safe level" (Bolton 1975, 29). In RCNP, he demanded that "it must conform to the strict criteria of a national park, excluding all human settlements" (Bolton 1975a, 176). In addition, surveillance strategies such as the establishment of outposts for military guards, monitoring and foot and elephant patrolling by park guards, and fines and punishments for law infraction were proposed. The report also recommended the establishment of a park administration and mobile anti-poaching force. Writing about high mountain parks, Bolton not only mentioned the importance of legal and spatial strategies, but also emphasized the cooperation of people for the protection of wild animals. He writes "there will have to be legal restrictions within the parks, but hopefully much will be achieved by voluntary cooperation and planned zonation of activities" (Bolton 1975a, 176).

In addition to the emphasis on the development of the tourism industry and allowing tourism concessionaires within the park for the economic development of the country, the plan emphasized the importance of convincing, informing, and educating all people including local people, public staffs, and leaders about the importance and value of wildlife protection and management (Bolton 1975; Mishra 1974). The report proposed diverse strategies to educate and regulate all peoples' behavior and understanding. First, the plan recommended "conservation education and publicity" for conservation and to increase people's awareness of "the value of their nature environment" (Mishra 1974). It included a plan of communicating conservation ideas through radio, news media, publications, books, essays, and films. The plan aimed "to acquaint the nation with the country's conservation and environmental requirements and problems" (Bolton 1975, 7). In addition, they emphasized conservation, wildlife, and forestry-related courses at Tribhuvan University and affiliated campuses. The plan recognized the ways Peace Corps volunteers and the US and the UK universities were helping conservation research and in disseminating wildlife and conservation education. Major research was carried out by the US institutions such as the Smithsonian, Michigan State University, USA and Cambridge University, UK. (Bolton 1975, Mishra 1974). Second, it recommended that the national park office maintain good relations with local people by helping to reduce wildlife conflicts with farmers or by compensation for crop depredation for instance. Third, it recommended relaxing resource collection and national park access rules. It suggested relaxing rules for gathering forest resources such as annual thatch grass collection from the park but recommended high vigilance by military guards to reduce people's impact on wild animals. It also recommended that local people should not be needlessly

antagonized when livestock encroached the park area because local support is very important. However, he suggested setting fines for cattle entering the NP boundary as it will reduce the livestock encroachment inside the park. Fourth, he recommended the sharing of park proceeds with local panchayats to gain local support and forming a local coordinating committee (Bolton 1975b, 1975a).

#### 4.3.5. The Nepal tiger ecology project

After five years of unsuccessful attempts to launch a Tiger project in India, the Smithsonian Institution/WFF-US introduced a Nepal Tiger Ecology Project in Sauraha, Chitwan in November 1973. Dr. S. Dillion Ripley, a bird scholar and a former field operative of the Office of Strategic Service (predecessor of the CIA) and a secretary of the Smithsonian Institution, pushed for the project in India but was unsuccessful because of the political and economic context of the post-World War II and the Cold War period (Mishra 2009). In India, Dr. Ripley, however, was able to disseminate the “precarious status” of the tiger population and its “extinction possibility” within twenty-five years in India. He convinced Indian experts and officers about problems of habitat encroachments, poaching, hunting for revenue and the lack of baseline data for scientific conservation (Mishra 2009). More importantly, he was able to list tiger in the Red Data Book as a “globally rare and endangered species” even without the baseline data of the tiger population in 1969 at the IUCN general assembly held in India (Mishra 2009, 11). This inscription in the IUCN list prompted the WWF-US to initiate the "operation tiger" project to save the tiger and its habitat. Dr. Ripley who had visited Nepal before 1950 in

the Rana regime pushed for the tiger project in Chitwan National Park 1972 (Dinerstein 2003; Mishra 2009).

Despite a working conflict between British and American scientists during the formative stage of the project, which started in 1973 for a six-year period. Mishra highlighted the difference in working style and priorities of British experts (who were assigned under UN-FAO support and WWF) and the American Smithsonian Tiger Ecology Project scientists (who were funded by WWF-USA), which shaped conservation interventions in Nepal. Mishra noted that "the FAO assigned a team of advisors to Nepal, all British-and all the old East African colonial kind. But they were seasoned experts who had successfully developed a network of a wildlife reserve in Africa, without spending any time or money on field research" (Mishra 2009, 20). In particular, one of the UN-FAO's technical advisors' comments on the conservation issue of the period; "what Nepal needs now is a good management plan that combats poaching, and agriculture encroachment...these are the two critical issues for developing national parks and wildlife reserves to save tigers and other species" (Mishra 2009,16). He further writes that Frank Popplenton, an FAO technical advisor, believed that wildlife "protection is 99 percent conservation" and it can be achieved with "guns, guards, and barbed wire." Furthermore, Dinerstein (2003) documented the view of an East African game warden who visited Nepal in 1975 to help to establish Chitwan and Bardiya National Park, on the study of natural history of rhinoceros: "If you are trying to save large mammals," why not simply set aside the biggest area you can, walk the perimeter, gazette [establish] the boundaries, and form a dedicated guard patrol to keep the poachers out? Who needs to know how long a rhinoceros spends feeding or wallowing or where it goes during the

monsoon?" (Dinerstein 2003, 110). In other words, Kollmair and Muller Boker wrote that the FAO/UNDP experts with working experience in East Africa's national park "wished to transfer Africa's strict nature conservation concepts to Nepal" (2003, 29).

In contrast, the Smithsonian Tiger Ecology Project scientists focused on gathering baseline data and understanding the ecology of wildlife. That is, they were interested in understanding more of the ecological knowledge about tiger and rhinoceros and their habitats, generating baseline data, and providing training to Nepali personnel.

Smithsonian scientists focused more on the production of scientific knowledge of wild animals generated through research in their natural habitat, which they believed was important for making conservation decisions. For instance, after getting permission from Nepal's authority (the royal palace) to conduct a tiger study for the first time in Asia, the team of Nepali and American scientists fitted a radio transmitter collar on a tiger in January 1974. They later fitted radio collars on five tigers to study tiger behavior, movements, and habits (Sunquist and Sunquist 1988). The radio-telemetry technological uses a handheld receiver that would detect the frequency communicated from a radio-collar device fitted in the neck of the tiger. This allowed scientists to find the location of a tiger with a radio-collar device if it worked properly. Fitting a radio-collar needs three primary steps. First, field staff with adequate experience and knowledge of tiger are assigned to bait a tiger in a particular area with a domestic animal (goats or young calf). Second, a person who is very skilled in hunting or using a dart gun is assigned to dart the tiger. The right combination of anesthetic medicine is used to sedate a tiger. Third, once the target tiger is captured, then the animal is fitted with a radio-collar device in the neck.



This technology helps to understand tiger behavior, their preferred habitats and home range, movement and migration route.

The scientists of the project found that the radio collar tigers “commonly use an area of 40 km square in the north-east corner of the park. They "guesstimated" there were 25-30 tigers within the park (Bolton 1975, 478) and they further recorded the behavior of wild tiger (Seidensticker 1976). Moreover, initial studies carried out about the relationship between a tiger and its prey population. Seidensticker (1976) calculated ungulate crude biomass increased from 2000kg/sq km in 1974-to 5000 kg/sq km in 1980. In 1974, studies reported the quick recovery of tiger and rhino populations as the result of the strict protection of habitat inside the park. For instance, scholars reported that the tiger population rebounded from 25 to 60 within a few years (Poppleton and Mishra 1974). Andrew Laurie, a Cambridge zoologist with the support of the New York Zoological Society, completed a rhino survey in 1975 and reported 250-300 in number (Lauri 1979).

As a result, scholars and conservationists suggested that the current park habitat needed to be extended both eastwards and westwards to accommodate more tiger habitats. Following the studies, the park area was extended from 544 to 932 square km with the support of the Frankfurt Zoological Society. The above findings from the National park and wildlife project and conservation project also led to the recruitment of the Royal Nepali Army for the protection of CNP in 1976. About 500 Royal Nepali Army personnel were posted in 25 different posts in and around the CNP. In the mid-1980s, DL Smith and Mishra further carried out tiger research, and their findings of tigers' extended habitats further helped to expand RCNP to extend Parsa Wildlife Reserve.

#### 4.3.6. Boundary demarcation and a rhino sanctuary, 1964-1965

The government of Nepal published the first wildlife law, the 1957 Wildlife Conservation Act, primarily to regulate wildlife hunting and to protect game wildlife from rural people. In addition, a few months before the first rhino survey of Nepal in March 1959, King Mahendra declared a 68 square mile Mahendra National Park (or *Mahendra Mriga Kunja* - a Deer Park) in the north of the Rapti River. The Act also established the Rhinoceros Protection Department under the District Forest Office of Chitwan. The department had 41 security posts including 26 in the eastern Chitwan areas, nine in the northern Reu area and seven in the western Nawalpur areas. Each post had special rhino protection, or rhino patrol team called a *Gaida Gasti*. Gee also reported 122 armed rhino guards- *Gaida Gasti*- and other higher ranking staffs during his 1959 survey. In response to the forest degradation and wildlife extinction narratives in the Rapti Valley as discussed in previous sections, the monarchical government also established 210 square miles area as the Rhino Sanctuary<sup>58</sup> In the South of the Rapti River (Willan 1965, 159). In 1964/1965 (2021 BS), the forest department carried out the demarcation of forest boundaries (*Ban Simana*) of a proposed rhino sanctuary (current CNP) in places where the Rapti River was not a boundary. The department pegged cemented "demarcation pillars" and used barbed wire to demarcate and divide the previous undifferentiated land into forestland, private land, and settlements. Moreover, the forest department considered

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<sup>58</sup> King Mahendra, however, proposed the area as the rhino sanctuary only to be establish the areas as shooting blocks after 10 years (Gee 1959). During the late 1960s, the monarchical government also established seven hunting reserves in the Tarai region. Among them, three hunting reserves lie around current CNP including Bagmara hunting reserve, Lothar hunting reserve, Meghauri hunting reserve (Spillet and Tamang 1966, 559). These hunting reserves and rhino sanctuary later become "the forerunners of the current national parks system" in Nepal (Mishra 2012, 67).

rivers and ridges as effective and non-political boundaries. Particularly, the department considered the Rapti River as the southern boundary of the rhino sanctuary. It divides the Rapti Valley into a rhino sanctuary in the south and private and settlement in the north. Likewise, the Narayani River and Reu Rive serve as the western and southern border of the current CNP respectively.

The dynamic rivers, which recede in winter months and swell in summer months, have become the persistent problem of CNP management and a source of conflict between park administration and people. For instance, a Kumal man in his 60s and an elephant driver shared his story on why he got involved in the Maoist movement. He lost his all land and a house because the flooding of 1977/1978 (2033-2034 Sal) shifted the Rapti River in the northern side and took away his land. His land is now inside the CNP, and he was not able to get his land back as it is inside the river which is the boundary of CNP, nor he has received any compensation after two years of struggle. He became landless and started working as an elephant driver in Sauraha. He had to struggle while he shifted from one public land to another and got involved in party politics and also frustrated with parties because of labor exploitation and oppression of poor people by local elites. He finally joined the Maoist movement while the movement was at a peak in 2002-2003. With a lot of struggle and conflict in Sauraha related to land and labor rights during his involvement in the movement, he was able to secure a small space (1 biga)<sup>59</sup> which now provides shelter for twenty landless families in the Bagmara buffer zone area.

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<sup>59</sup> 1 Biga land area = 20 Katta (1Katta = 0.034 ha)

#### 4.3.7. Eviction from the rhino sanctuary

More importantly, after the fact-finding high level land Commission completed their forest encroachment survey in 1963 and after five months of the second rhino survey (discussed above), in 1964/1965, the monarchical government, with the help of the rhino patrol team (*Gaida Gasti*) evicted 18,000 “newly arrived squatters” from the Mahendra National park area in the north of the Rapti river. The government evicted 4,000 Tharu people in the name of "illegal settlers" from the "main rhinoceros area," i.e., the rhino sanctuary. The government, however, did not remove an "old Tharu village" called Padampur from the rhino habitat. Although the Padampur village was in the prime rhino habitat and had a population of ten thousand farmers and 16 villages, it was not relocated for a number of different reason (discussed below) (Willan 1965, 159; Spillett and Tamang 1966; Gurung 1988). Similarly, the people from Bodreni area (a settlement of my research site – Bagmara CF area) which has a majority of hill Tamang population and was in the middle of the forest was not evicted. Most Tharu inhabitants and others inhabitants from south of the Rapti River were forcefully relocated along the Indo-Nepal border in the Madi and Thori region, and about 600 families were relocated by the northern side of the Rapti river (Tamang 1982). The commission recovered 10,200 ha of "encroached land" and granted about 1012 ha of land to Army ex-servicemen.

Although some publications claim that there were only a few Tharu villages and populations south of the Rapti river, many claimed that the number of people residing and later evicted from the area was large. For instance, an old Tharu man who was a *Jamindar* of one of the evicted areas described the scale of eviction of Tharu and other people –

The whole south of the Rapti River area was mostly settled in the past.

Settlements were not only in Chure hills on the southern border, but other places were mostly settled from east to the western Kasara area. In 1964, the forest department evicted all Tharu settlements including Katiwa, Aamiliya, Dumeriya<sup>1</sup>, Bahapur, Basbari, Jarnali, Kachuwani, Khorser and many other villages. In our Khorser area, we had 60 households. All were evicted (uthayo) and relocated to Madi. All evicted were Tharu people. But my family (2 households) were given space in this place because we had so many things to transport. We had about 200 cows, 30 buffalos and 16 pairs of oxen and other household materials.<sup>60</sup>

Many respondents including non-state personnel, national park personnel and locals told me about *Gaida Gasti*<sup>61</sup> violence during the time of eviction. Shrestha (2002, 264) writes that the *Gaida Gasti* was "the principal organ of the state's eviction forces." For instance, as one Tharu man shared his personal story of Gaida Gasti presences in his village-

My brother told us that we should go and clear the forest and settle in this area [Bodreni] because we did not have enough land to feed our family. We cleared and prepared this agricultural land day and night. All other hill people including Derai and Tamang people came after the land was prepared. We only had three

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<sup>60</sup> Interview with a former Tharu landlord of Khorser settlement, September 15, 2016

<sup>61</sup> Gaida Gasti (rhino patrol) is a special team of armed forest guards which was formed during the Rana regime to safeguard rhinoceroses from general people so that rulers have sufficient rhinoceroses to hunt. Their work might also have been to locate rhinoceroses in the deep jungle for rhino hunting as they were recruited under the department of a Hunting Management Office (Sikari Adda). But the modern form of Gaida Gasti is a rhino patrol team most of which consist of ex-Army personal. They work under the Department of Forest; they were replaced by Nepali Army personnel after 1976. During the eviction, Gaida Gasti were involved in massive violence.

families staying here initially. Later, an Army major called Nar Bahadur (Bhalu Bhutte major) Gaida Gasti used to come and physically torture people and ordered us to leave this place. He violently evicted and physically tortured people. Gaida Gasti people also torched houses and property and used elephants to destroy houses and property. We never stayed in the village during daylight, and we used to hide inside the forest. Although the government tried to evict us, my father and brother did not obey the order. Most people from other places were removed to Thori and Madi area, but since some leaders from this place knew powerful people, this village was not evicted<sup>62</sup>.

Another Tamang man in his 60s also shared similar stories. He told me that:

The army [Gaida Gasti] did not allow us to farm and males could not stay home during the day, the army [Gaida Gasti] used to come daily to evacuate people. They used to destroy crops and sometimes take corn and millet. They used to gather all livestock and take it to the Takauli head office. A man from Bodreni helped to convince government people. He could speak Nepali language and was "the-batho"- clever. He also knew how to read and write. He also used to take the best quality corn and millet to army [Gaida Gasti] personnel. He saved us from evacuation from this place<sup>63</sup>.

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<sup>62</sup> Interview with a Tharu man of Bodreni settlement, July 2, 2017

<sup>63</sup> Interview with a Tamang man of Bodreni settlement,

#### 4.3.8. Discrimination during eviction

Some residents described to me the wide discrimination in the 1964 eviction between different ethnic groups and within Tharu people. For instance, most poor Tharu residents were relocated in the southern border (the northern border of India), whereas many rich Tharu, such as rich Tharu households and landlords and their close household workers, were allowed to resettle by the north of the Rapti river (field observation). More importantly, among all Tharu settlements, only Padampur village<sup>64</sup> was not evicted at the time. It was primarily because some local leaders had a good relationship with powerful people (Dhakal 2011). The settlement of Padampur village was only completely resettled in another location in 2005. The claim that the connection with powerful people helped to retain Padampur village is plausible because one of my study site settlements that lies just in the middle of the forest and lies outside of the Rapti river boundary was not removed after repeated attempts by Gaida Gasti only because some local leaders of the village had connections with a powerful Army lieutenant. An 81-year old respondent Derai<sup>65</sup> man who ran a local Village Panchayat office for many years and also claimed to have played a role to stop the eviction of the Bodreni settlement. He told me that:

The government tried to remove this settlement too. The government used elephants and destroyed all houses and crops. A Kaji- who is a Chetri was a nice man. He told me to go and talk with the Rapti Valley Project people. He told me

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<sup>64</sup> Although many, opposed the people of Padampur were forced to choose the resettlement in 19xx because of the systematic neglect of government and the flooding. The government did not provide any facilities- Using the pretext that, people had to face the difficulty of flooding.

<sup>65</sup> These indigenous groups of Sauraha Chitwan are culturally and linguistically similar to Tharu people.

to be very humble and say greet with Namaste with both hands as soon as I see them. I went there, and I knew how to speak Nepali, so that helped me too. This was two villages. The northern area was called Laxmipur, and the southern area was called Bodreni. I went and requested them. I told them they were right between Buda Rapti river and Thulo Rapti River. I showed them this place in maps (naksa/saksa). They told me to go, and after few days they came and prepared a village map. I also helped to conduct the land survey of 26 Sal [1970]<sup>66</sup>.

The old Derai man was selling bananas to tourists when I first met him on the way to the elephant breeding center. He was sitting on open ground and had about 10-20 dozen bananas in a basket in front of him. With every passing foreign-looking people, he used to say, "*good banana, good banana.*" I would have never have asked the question of how the Bodreni village came to exist in the middle of the forest because the current village does not seem to be in the middle of the forest; past floodings in the Rapti river have cut part of the village's southern border. The person who helped me to connect with the 81-year-old Derai man insisted a few times that I ask the question to the old man, why did the Bodreni village and (similarly Padampur) exist and not other nearby settlements? He was a staunch Maoist party supporter and was involved in the Maoist movement. I later found out that his family was also violently evicted from the current CNP in 1964 without any compensation. His family also lost a large land area north of the Rapti River during the demarcation of forest which is now the part of community forest boundary. He

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<sup>66</sup> Interview with an old Derai of Bodreni, September 6, 2016.



refused to consider his family as a Jamindar<sup>67</sup> (landlord), although they had large herds of cows (350), buffalos (250) and 20 pairs of oxen. He considered his family a rich peasant household. He used to frequently tell me the ways the government violently evicted Tharu people and discriminated against only the Tharu, as follows:

The government evicted all Tharu settlements from south of the Rapti river in 1964/65. Gaida Gasti people violently evicted and physically tortured people. Gaida Gasti people also torched houses and property and used elephants to destroy houses and property. They used to cut Halo-Juwa (oxen power tool used in plowing which is made of wood). Tharu people were repeatedly exploited by the state. After we moved to this place, we had to pay land taxes to both government and the local Newar Jamindar. Besides, fourteen Tharu households did not get their previously surveyed and registered land which now falls under the current Bagmara Community Forest. The Rapti dun project [RDVP] gave us that land and later when government survey people came they did not survey the land and classified it with the forest demarcation (Ban Simana). The Bodreni area people who have the majority of hill Tamang people and in the middle of the forest were not evicted, and the Tharu peoples were dispossessed from their land<sup>68</sup>.

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<sup>67</sup> As Jamindar is a government chosen person who must collect land taxes. Although 1964 land reform abolished Jamindar system, de facto jamindar system continued until very late. The land reform also privatized all land under Jamindari system under the private ownership of the Jamindar.

<sup>68</sup> Interview with a Tharu man of Odra settlement. September 6, 2016

A Tharu man in his early 60s, from a Jamindar<sup>69</sup> family of the Khorser area (which was located west of the Bodreni village) shared his story on how his father was not able to save their settlements and property:

Bodreni people had a connection with some powerful people at that time, and that is how they were able to secure their whole area. My dad also had a connection with a Gaida Gasti officer who is still alive, but he asked for half of the land we owned just for helping us. My father refused to give up half of his land because my father worked hard to expand and clear the forest for agriculture. That is why we were not able to save the Khorse area<sup>70</sup>.

As some land of Bodreni area still belongs to Hasta Bahadur Tamang- a Gaida Gasti lieutenant who was involved in evicting people in 1964, it can be assumed that the Bodreni was not removed in part because the Gaida Gasti people received land in the area. For instance, a Tamang respondent of mid-60s told me that "during the mid-1960s, a Tamang lieutenant – Gaida Gasti man was able to register lots of lands—flood plains—of the Bodreni area and other people who were powerful also registered the flood plain at that time. Some register ten biga, some eight biga, and some five biga and some were able to get a land ownership certificate."

Some experts rationalized the eviction by describing that "rhinoceros have been seen on numerous occasions" in the rhino sanctuary area where in the nine-month period 35 rhino calves were sighted (Willian 1965). Others have claimed that people were

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<sup>69</sup> There is a wide variation in amount and quality of land ownership, cattle holding, property and power in general possessed by Jamindar (land lords).

<sup>70</sup> Interview with a former Tharu landlord of Khorser settlement, September 16, 2016

resettled to "more fertile lands devoid of wild herbivores" (Milton and Binney 1980). However, local people informed me that relocated people had to suffer extreme hardship and violence. Since most were resettled in Madi and Thori areas of the southern Indian border by the jungle, newly settled people had to face the wild animal problem and the violence of Indian dacoit. One respondent who was also evicted but did not go to the areas and has his family member returned from the Madi area after extreme difficulty. He told me that his maternal uncle returned from the place because his family had to suffer not only from the extreme impact of wild animals, but Indian dacoit used to regularly come in there and take their crops and rape women. Another Tamang man who returned in 1971/1972 from Thori areas after relocation in 1964 told me that his family had to suffer from the looting of crops and animals by Indian people, and the area was unsuitable for farming. He further told me that they worked hard for two to three years to clear the forest, but had a hard time because of fewer working bodies- ("man" power).

#### **4.4. Surveying, classifying, and legislating**

The period between the late 1950s and early 1960s was also the time when numerous laws were enacted to restructure rights of land and resources. For instance, the government enacted the Private Forest (Nationalization) Act 1957 to nationalize all privately owned, tax-exempted forests and land greater than the prescribed limit. Similarly, The Government of Nepal enacted the Survey and Measurement Act of 1963, where it categorizes lands into government land (which includes forest, shrubs, jungle,

river, streams, lakes, roads, "*Ailani*<sup>71</sup>, *Parti* or other types of land") and public land (which includes roads, wells, ponds, river banks, pasture lands, temples, shrines, sports sites and others). More importantly, the practices of government officials including land surveys and classification primarily shaped the rights on land and subsequent conflict over land and resources. Many old and politically active Thaur people during my interview told me about how the government discriminated and disregarded Tharu people's land practices and ownership of land. A Tharu respondent in his mid-60s told me during an informal conversation the following:

In the past, all Tharu people used to live very closely in a tight and elongated settlement because of the fear of Indian dacoit, malaria, and fear of theft. The government land survey<sup>72</sup> team in the Chitwan Valley in 1970 classified such Tharu settlements as a "Gaau Block Land" or "Block Land." For instance, the whole settlement in the Bacchauli VDC and every Tharu settlements in this area are represented as a "Block Land," and they are non-surveyed *Ailani* land. In addition, the survey team marked the Tharu land as a "fallow land" or "unfarmed land" as forest land which is an "*Ailani* land" that belongs to the government. The land along the river bank and "Ghol" (water bodies or areas that have stagnant water during the survey period) were also represented as *Ailani* land. They also

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<sup>71</sup> Non-surveyed land

<sup>72</sup> Other people informed me about the land survey carried out by the RDVP project and the land registration in 1964.

did not survey the land under the water and land area covered by the flood plains.<sup>73</sup>

The survey team did not know or disregarded the Tharu people shifting cultivation. Tharu people clear forest and farm for two to three years in one area and leave the area because the productivity is reduced. They then take their livestock to the area and use the land for grazing. After two to three years, they will again come back and farm. Many Tharu people not only lost land after eviction from the south of the Rapti river, but they were dispossessed from land through further classification of land. The farmed land was further gradually captured by local landlords.

#### 4.4.1. Conservation legislation

The monarchical government enacted the National Parks and Wildlife Conservation Act (NPWC) Act in 1973 to manage the national park, protect wildlife habitat, regulate hunting, protect, conserve and develop places of natural beauty to maintain the welfare and moral behavior of people. The act defined the national park as "an area reserved for the protection, management, and use of wildlife, vegetation, and landscape, along with the natural environment" (NPWC Act 1973). The Act provides power to the government of Nepal to declare any areas as national parks or wildlife reserves or conservation areas if it so deems necessary by notification in the Nepal Gazette indicating the boundaries of the declared area. In addition, the government may alienate or transfer the ownership, or

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<sup>73</sup> Field conversation with a Tharu man of Odra settlement

alter the boundaries of any area, which has been already declared as a national park or wildlife reserve, or conservation area.

The Act provided greater power and authority to a warden to impose strict protection of wild animals and forest inside a national park. The department prohibits people from entering or using the park without a permit. An entry permit or written permission (with appropriate fees) from an authorized official is required to enter the park or reserve (except for government employees and those who have the privilege of right-of-way). The Act also permits an officer to "open fire, aiming as far as possible below the knee" if an offender resorts to violence or accomplice attempts to escape, or prevent his/her arrest, or he/she escapes while being arrested, or after he/she is arrested, or in case the life of the person making the arrest appears to be in danger, or in case he has no alternative but to resort to the use of arms. In any person dies as a result of such firing, it shall not be deemed at to be an offense.

It classified species into "protected wildlife" including mammals, birds, and reptiles in Schedule 1 and the species were restricted from hunting. They can be killed, captured or chased with the permission from the prescribed officers (warden or sub-warden) provided that they are "rogue wild elephant," "man-eating tiger," "disease-infected animals" or they cause "considerable loss to human beings." The species were inscribed in the Schedule 1 as "protected wildlife" despite "little is known about the distribution and abundance of many species listed" (Heinen and Yonzon 1994, 62). Every human activity is prohibited inside the national park including hunting, construction of structures, cultivation, grazing, removal or collection of resources, carrying arms, etc.

The Act imposed severe fines and punishment to people who kill or harm or trade in selected "protected wildlife" such as rhinoceros, tiger, elephant, musk deer, clouded leopard, snow leopard or bison. The fifth amendment has increased fines to 500,000-1,000,000 Rs or imprisonment between 5 years to 15 years or both. Any accomplices involved in harming or killing of rhino, elephant, tiger or musk deer get the equivalent punishment as the offender. Furthermore, after getting a search warrant the officer can search anything at any time, and arrest if "there is a "reasonable ground to believe" that a person has committed any wrongdoing about the act. Moreover, the act provided the power of investigation by a ranger or non-Gazette first class or sub-inspector of the police force. He/she files the case before the adjudicating officer in the name of the national park office or reserve office or conservation office. The prescribed court or authority has the power to hear and dispose of cases.

#### 4.4.2. Early militarization of parks

In 1976 (32 Sal), the monarchical government further handed over the responsibility of protecting wild animals inside RCNP to the Royal Nepal Army, and the Gaida Gasti<sup>74</sup> were recruited to maintain the boundary and to protect wildlife outside of the park. About 500 army personnel were posted in 25 different posts of the park. This has been increased to 1000 army and in 51 posts in CNP (Wells and Sharma 1998).

Authors have reported the downside of using the army and the militarization of the park.

First, the use of the army's service in protecting national parks is highly costly. It

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<sup>74</sup> Although some reported that Gaida Gasti (Rhino Patrol) was created at the beginning of the 1960s (Budhathoki 2012), the establishment has a long history. PM Judda Samsar Rana had employed around 100 Gaida Gasti personnel during this rule.

incurred 75-80 percent of the total national park running cost (Müller-Böker 1998; Wells and Sharma 1998). Second, many have reported the army's involvement in physical violence including beating and rape of rural residents. For instance, in 1979, Gaida Gasti and the army used extreme violence, "beating and chasing" to drive away landless forest settlers from Chitwan area. One of the settlers died because of extreme beating, and another was seriously injured. About 400 houses, although built in an area that was not commercially valuable, were destroyed and burned. All the settlements were evicted from the land under forest department jurisdiction within a few weeks. In another round of eviction, the settlers were warned about the removal and given ten days' notice, but in five days *Gaida Gasti* personnel and the army came in jeeps, trucks, and elephants and they "burned down all the dwellings and destroyed settlers' belongings" and all the crops were destroyed with the help of elephants (Shrestha 2002, 256). Third, army battalions frequently move from one place to another within two to three years, they have less knowledge of the place, and fewer incentives to work for conservation compared to designated forest guards (Wells and Sharma 1998). I have observed the same in the Sauraha Army post where the chief of the army frequently changes or transfers within a six-month period. Besides, an army commander is less likely to work under the supervision or guidance of the national park warden; there may actually be no cases of army commanders working under the warden (see Kunwar 2013). Therefore, the coordination between army and national park staff is difficult.

The loss of customary land use practices such as shifting cultivation and the customary and spatial demarcation added enduring violence and hardship to local people.



In response to the boundary maintaining violence, long-time resident Tharu respondents told me that:

A Gaida Gasti Army major used to tell us not to enter the “Ban Simana” – the demarcation line. He used to threaten people and tell them not to cross the line. He used to tell all people and in front of local representatives to farm and construct house only outside of the “Ban Simana”. He used to command local representatives to look after the line and people’s practices. People used to uproot poles and encroach on forest areas as soon as the Gaida Gasti people left the village. Although we have different types of people and local representatives, no one used to inform the government or Gaida Gasti of destroying poles and boundaries<sup>75</sup>.

#### **4.5. Conclusion**

In addition to the representation of nature and society, and associated spatial and legal strategies including violence for the strict protection of wild animals inside strictly bounded territory (discussed in a separate section below), the protection of wild animals in strictly bounded spaces was further produced and reproduced through continuous processes and strategies of conservation and development. For instance, in 1984, the UNESCO declared the CNP as the world heritage site (WHS). The worlds' natural property: UNESCO represented the CNP as the "unique" and the “last undisturbed habitat” (UNESCO 1984). For instance, the UNESCO’s advisory body evaluation

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<sup>75</sup> Interview with a Tharu man of Bodreni settlement, July 2, 2017

report<sup>76</sup> of 1984 portrayed the park as “an outstanding example of geological processes and biological evolution as the last major surviving example of the natural ecosystems of the Tarai region” (UNESCO 1984). The Padampur settlement (now completely relocated outside the current CNP boundary) was represented as the “last remaining habitat” for wild animals such as tiger, rhinoceros, and gharial crocodile (UNESCO 1984). After the 1980s, conservation priorities started to shift from the strict protection of wild animals through guns, guards and fences towards more participatory conservation, however, the fortress-style conservation model did not fizzle out and continued to shape the wildlife conservation in Nepal. The practices and processes related to fortress style conservation, participatory conservation, and landscape-level conservation continued to exist in Nepal.

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<sup>76</sup> UNESCO 1984. <https://whc.unesco.org/en/list/284/documents/> United Nations Educational Scientific and Cultural Organization, June 17, 2018

## Chapter Five: Community Based Conservation in the Bagmara Buffer Zone Community Forest

*"In the past, Tharu people were the major problem and there were a lot of them. Now, the state has sufficiently controlled Tharu people, and the remaining problem of Chitwan is wild animals and roads."<sup>77</sup>*

(Tharu Welfare Council office, Chitwan April 27, 2017)

The overall purpose of the study was to contribute to two areas of investigation with political ecology. One is focused on the political-ecological effects resulting from the rapid increase in territorialized community-based conservation (CBCs), such as buffer zones that seek to integrate socio-economic development goals with biodiversity protection. The other addresses the complex interrelations of conservation territories, subject formation, and state goals for governing people and nature. My contribution is partly derived from the fieldwork I conducted in Chitwan's buffer zone in the former Bacchauli Village Development Committee (VDC) of Chitwan District. The next two chapters address these two areas of investigation using Bacchauli VDC as the case study. The current chapter will address first, the political-ecological effects, and the following chapter, Chapter Six, will address the second, the interrelations of conservation, subjectivity, and state governance. Both investigations are informed by environmentality, and territoriality.

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<sup>77</sup> I went to the Tharu Kalyankari Sabha office of Chitwan (Tharu Welfare Council) to talk with the president. Before a meeting with the president, I was listening to the conversation between a former president of the organization, and another Bahun man. The activists shared an incident that occurred between him and Chitwan District's Local Development Officer (LDO). He stopped the LDO who denigrated Tharu people in a live television speech. He shared what LDO's said in his speech.

## 5.1. Study site description

The exact study site, Bagmara Buffer Zone Community Forest (Bagmara CF or CF) of Chitwan National Park (CNP) is located in wards 1, 2, 3 and 4 of the former Bacchauli Village Development Committee (VDC) of Chitwan District. The former Bacchauli VDC is now the current ward 17 (formerly wards 1, 3 and 4) and ward 18 (formerly ward 2) of the Ratnanagar Municipality. These wards form part of the buffer zone of the CNP. The forest users are distributed into nine settlements. For heuristic purposes, I have categorized nine settlements in three large settlements- Sauraha, Odra, and Malpur settlements as the "tourism area," Bodreni, Bagmara and Laukhani settlements as the "forest fringe area" and Sisumar, Mainaha and Paderiya settlements as "distant settlements."

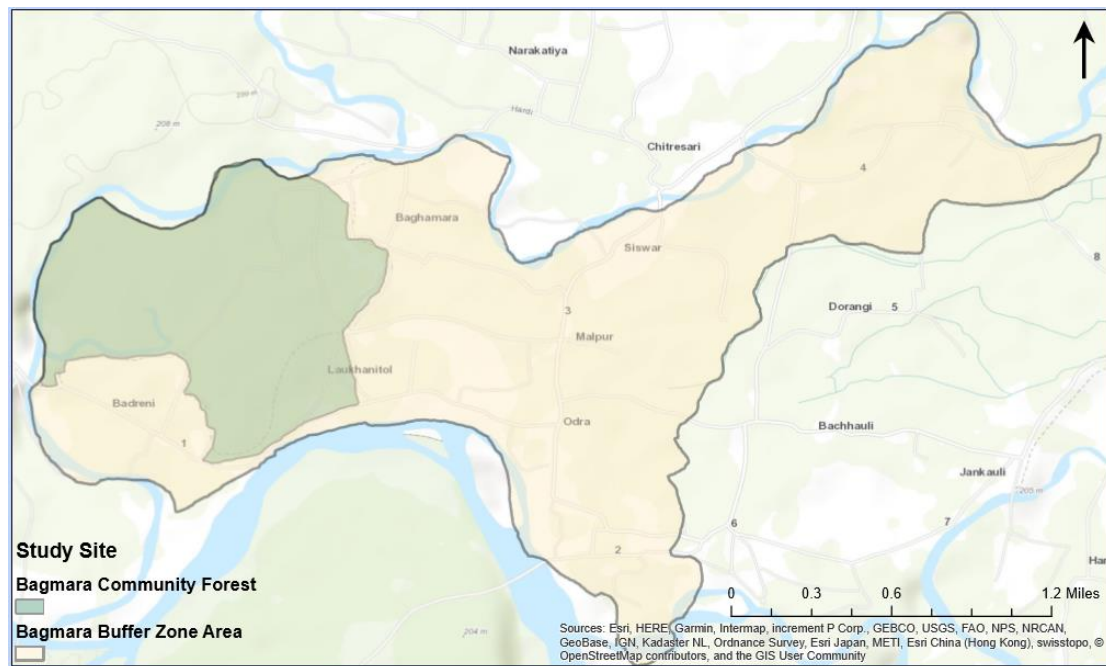


Figure 5.4- Community forest and settlements (Map by Yogesh Dongol)

Table<sup>78</sup>: Information in the table are based on the management plan of Bagmara CF

	2002/03-2006/07	2011/12- 2016/17
Household size	780	1017
Population size	4546	5163
<b>Gender</b>		
Male population	2316	2557
Female population	2230	2606
<b>Population by ethnic groups</b>		
Indigenous groups	58	52
Janajati groups	18	24
Bahun-Chetri groups	19	19
“untouchables” and others	6	5
<b>Total livestock’s</b>		
Cow, buffalo, Ox,	1575	1107
Sheep, Goat,	1362	1223
<b>HH Energy use in percent</b>		
Firewood	71	72
LPG	13	21
Biogas	16	3
<b>HH by class</b>		
Rich	10	14
Medium	64	24
Poor	26	56
Very poor		6

<sup>78</sup> Data are from the management plan of Bagmara BZCF. Population by ethnic groups, household energy use and class are in percent. Population divided into three class categories in 2002/03-2006/07 and four class categories in 2012-2016 management plans.

Table: Information in the table are based on the random sample of HHs

	<b>Indigenous Group</b>	<b>Janajati group</b>	<b>Bahun-Chetri</b>	<b>"untouchable" caste</b>
Sample size (HHs)	51	27	14	4
Average land ownership (in Katta)	9.8	5.1	14.2	0.75
HHs with livestock (in percent)	60	63	64	25
Farming households (in percent)	78	81	71	0
HHs in tourism sector (in percent)	17	26	29	25
Foreign employment HHs (in percent)	29	37	57	0
HHs with Biogas plant (in percent)	20	11	21	0

#### 5.1.1. Demographics and ethnic makeup

A household survey from the early 1990s recorded 532 households and a total population of 3218 in Bagmara<sup>79</sup>. In 2002, the constitution of Bagmara BZCF recorded 780 households with a total population of 4520. By 2012, the household survey noted 1017 households and a population of 5163<sup>80</sup>. According to local CF leaders, currently there are more than 1200 households. In the 2012 survey, the total population below 16

<sup>79</sup> Author collected archives located at NTNC office, 2017

<sup>80</sup> Bagmara BZCF Management Plan, 2012- 2016).

years was about 27 percent. There was 67 percent of people between age group 17-60 and 7 percent are above 60 years of age. About 79 percent of the population is categorized as Hindu. The Buddhist and Christian communities are 18 and 4 percent respectively. The male and female population are almost equal in number. The Bagmara CF management plan has broadly categorized total households into different ethnic groups. The indigenous group has 52 percent of households which includes Tharu, Derai, Kumal and Bote groups. *Janajati* group has 24 percent households, which includes hill ethnic groups such as Gurung, Magar, Newar, Rai, Tamang. Bahun-Chetri group has 19 percent households. Similarly, "untouchable" caste groups such as Pariyar, Musher, and Bishwokarma make up about five percent of households. There are also other ethnic groups in the area. Although Tharu people are from all over the settlement, the more distant settlements have the highest percentage of Tharu households. For instance, Mainaha settlement has 99 percent, versus the Bagmara settlement, which only has 3 percent of Tharu households. The tourism area has the highest percentage of Bahun-Chetri households. For example, Sauraha settlement has 47 percent of Bahun-Chetri households. The majority of Tamang households are in forest fringe areas. My random sample households (96 HHs) included 31 percent from distant settlement areas, 43 percent from tourism area and 26 percent from forest fringe areas. The sample included 53 percent of indigenous groups, 28 percent of *Janajati* group, 15 percent of Bahun-Chetri group and four percent of "untouchable" groups.

### 5.1.2. Community socio-economics

The latest management plan of the Bagmara CF has categorized forest users into four different classes<sup>81</sup> including very poor (6 percent), poor (56 percent), medium (24 percent) and rich (14 percent). More than 80 percent of the tourism-related businesses, from hotels to small retail shops are located in the area of the Sauraha, Odra, and Malpur settlements (tourism area). About 15 percent of tourism-related business is located in Bodreni, Bagmara and Laukhani settlements (forest fringe area) and the remaining five percent are located in Sisuar, Mainaha and Paderiya (distant settlements). Although 2012-2016 management plan noted that about 10 percent of age group between 16-60 are in foreign countries for employment, my survey findings show that about 35 percent of households have one or more than one member of a household in foreign countries for employment, the majority of which are in the Middle East and East Asian countries. At least 18 percent of respondent's households have any one member directly involved in tourism-related work including driving, guards, tour guides, kitchen helpers, small shops owners, restaurant owners, and small and big hotel owners. However, most people are involved in tourism as labors. Most workers in hotels and restaurants are outside of the former Bacchauli Buffer zone village. One reason for not working in the tourism sector is the heavy labor exploitation. Although some big hotels pay government minimum salary,

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<sup>81</sup> Very poor category is defined as the landless people and those who do not have sources of cash income. People of poor category have a house in private land, but only sufficient to only feed 6 months to their family. Medium category people are those who have 5 Katta land in Sauraha or sources of cash income or that household that have 10 Katta of land in other settlements and sources of cash income. Rich households have more land and sources of income. Although the categories are based on two defining economic factors (landholding and cash income), those two factors do not necessarily define the poor or very poor. I have found that Tharu people who had large land holdings more than 15 Katta of land, for instance, and additional sources of income, still categorize themselves as poor people.



most offer less. After visiting more than 20 hotels and restaurants and interviewing supervisors and employees, I found that kitchen helpers and waiters get an average of 6000-7000 Rs <sup>82</sup> per month. A cook gets an average of 10000 Rs. Only hotels that have labor unions pay the government minimum salary, which is around 9700 Rs and most others provide salary of around 5000-6000 Rs. As one cook of a popular hotel told me, “If you go at 6 am morning, you have to work until a minimum of 10, 11 pm depending on guests, which is more than 16 hours. They pay only 8 thousand to the lowest post – kitchen helper.”

My survey shows that more than 73 percent of forest users households still practice some farming. They usually plant paddy, maize, mustard, and vegetables. The majority of the rich households who have large land holdings and extra cash income sources do not farm. They often own hotels and rent out their lands to others. Many people who do not have land and near landless people do not farm but they primarily depend on wage labor. Some landless people also farm by sharecropping or renting land. There is a high variation among people who farm in terms of landholding size. It ranges from 2 Katta<sup>83</sup> to 40 Katta. Many people farm but the size of their landholding is very small, although people with a family size of 4 and have 2-3 Katta of land can produce enough rice (2 times cropping of paddy) for a year. The farming households are much fewer in places where the tourism is high such as in "tourism area," as many people have sold their land. The number of farming household has therefore been rapidly decreasing in Bagmara BZ area. The most noticeable change is in the tourism areas and forest fringe

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<sup>82</sup> (100 Rs Nepali Rupee = 1 USD approx.)

<sup>83</sup> 1 Katta land = 0.034 ha

areas. Many have stopped farming not because they do not want to, but because most lands have been purchased by wealthy locals and outsiders. Some people make cash income by selling farm products. Most people who farm told me that farming is not profitable anymore if one counts the daily labor costs the farmer invests in the production of crops. Farmers face a classic situation of declining terms of trade. Crop prices are declining relative to the rising costs of fertilizer, labor, insecticides, and machinery.

The Bagmara CF residents also keep livestock such as cows and buffalos, goats, sheep and pigs and, chickens and ducks. About 50 percent of livestock are in the forest fringe area. Far settlements have 37 percent of livestock. The total livestock number has significantly decreased compared to past. In the 1990s, the total livestock number was about 9706 and 2002 data indicated only 2486 in total<sup>84</sup>. About 63 percent of households have livestock. Most houses with smaller landholdings keep smaller livestock such as goats, ducks, and chickens. Most people have no more than two large livestock (such as cow and buffalo). About 17 percent have few goats. Although livestock rearing is generally decreasing, many houses located very near to the forest and who live very far from the forest still rear livestock. As a Laukhani woman told me,

In the past, each household used to have 12-15 buffalos. I used to have 4-5 buffalos in the past. I sold all of them because of the shortage of grasses. You cannot go to CNP and CF does not have grass because they have planted trees all over the place. Getting paddy straw – *Paral* - is also difficult because I have less

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<sup>84</sup> Bagmara BZCF Management Plan 2002-2006

land and buying paddy straw is very expensive because of their private elephants.<sup>85</sup>

One of the major changes is the use of livestock for cash income. People primarily used to keep livestock because of the need of manure in the crop fields. Now many people either rear livestock to produce milk for sale or to sell live animals. Many people also rear goats, ducks and chickens to sell in the market or for household consumption.

### 5.1.3. Forest resources for household consumption and market sales

According to the Bagmara CF management plan, about 21 percent of households use LPG (liquid petroleum gas) for cooking. Three percent of the household have installed biogas, and about 72 percent depend on firewood. About 29 percent of Sauraha settlement use firewood, which is the lowest and about 65 percent of Sisumar forest users depend on firewood, which is the highest. Sauraha, Odra, and Malpur have only 8 percent of biogas plants, whereas Bodreni, Bagmara, and Laukhani in combine have 42 percent and Sisumar, Mainaha and Paderiya have the highest 49 percent of biogas plants.

According to the forest inventory in the management plan of Bagmara CF, the CF can provide 19 percent of total firewood demand (37582 loads), 65 percent of fodder demand (13089 loads) and 19 percent of grasses (89178 loads).

Most Tamang people (mostly women) of Bodreni and Laukhani prefer to go to the national park and Khorser buffer zone forest to bring large loads (30-50 Kg load) of

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<sup>85</sup> Author Interview with Laukhani Tamang woman, September 24, 2016

firewood and grass. Each load which has as many as 2-3 sellable loads costs 500 Rs. Hoteliers come with their vehicles to get firewood from houses. They primarily use it for campfires and BBQs. In addition, many Tamang people prepare alcohol to sell it in the market, which also requires a large quantity of firewood. One Tamang man of the Laukhani said, "every house prepares alcohol and sell in the market here<sup>86</sup>." Many women of the forest fringe areas also collect vegetable fern called *Neuro* from CNP, Khorser, and CF forest and sell it. Most Fern collectors are older Tamang women of forest fringe areas. Although Tharu women also collect neuro for occasional use as a vegetable, most do not sell it. The recent boom in the collection and sale of the fern is the growing demand by non-local people as an organic vegetable. People sell forest resources for daily household needs and expenses such as education, grocery, and clothing. One woman, to explain why they have heaps of firewood in front of her home, said, "parents have to do *dukkha*<sup>87</sup> for kids. If they ask money you have to fulfill their needs."<sup>88</sup> Some Indigenous people, Tharu, Bote, Darai, Musaher people like river resources such as fish and snails. In the past, they use to live in a riverbank, and once they fish, they barter with villagers for cash or food. Although fishing and collection of *Ghugi* (snail) are strictly restricted, some people of ethnic groups have special access and permit and others do not.

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<sup>86</sup> Informal interview with a former Bagmara CF member, October 2016

<sup>87</sup> Suffering for a family in a positive way

<sup>88</sup> Interview with Tamang woman of Laukhani, September 2016

#### 5.1.4. Community politics

Party politics are most important in Bagmara CF area. There are three major parties, the Nepali Congress, United Marxist-Leninist (UML) and Maoist party. The Nepali Congress party controls the majority of the hotels, restaurants and small businesses in the tourism area. Nepali Congress party members in the Sauraha area are relatively rich compared to other residents. As one hotel worker expressed to me, “*Dai*<sup>89</sup>, is it correct that once people become rich they become Nepali Congress party?” I said, “why are you asking?” He replied, indicating a restaurant owner, "he was UML and now he is a supporter of the Nepali Congress party.<sup>90</sup>" As most tourism activities are controlled by Nepali Congress and mostly Bahun-Chetri and few Tharu people, the access to the tourism business or any business related to tourists is shaped by the affiliation to a party. One active person told me that a Tharu man who runs a tourism business converted into Nepali Congress because he did not receive guest referrals from hoteliers belonging to the Nepali Congress.

In addition, although most local people do not like to work in hotels and restaurants because of the extremely low pay and long hours of work, those who wish to get a job also depend on party affiliation and caste/ethnic categories. Party politics and access to benefits and opportunities have been primarily shaped by the affiliation to a certain party and ethnic identity at the local level, which is no different than the national level. Although all parties and ethnic groups have strategically used caste/ethnic identities, many Bahun-Chetri people at the local do not want other ethnic/caste groups to

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<sup>89</sup> Older brother.

<sup>90</sup> Field note- conversation with a restaurant worker (cook, helper, cleaner) from western CNP buffer zone

talk or practice identity-based politics. As a result, Tharu and Tamang political leaders do not openly talk about or are not currently involved in identity politics because of the fear of alienation from the national political leaders and parties. As one Tharu Nepali Congress leader said in a conversation,

"many people left the party because they thought that despite their contribution to the party, their voices were not represented in the party. Some are involved in Tharuhat, and another identity-based party. In the Tharuhat movement, Kamal Chaudhary died in the protest from our village. Although we had some identity-based protest, all belong to major political parties and we have to follow party directives or party leader's directives. They may threaten to dismiss from party membership and some were dismissed at the time."<sup>91</sup>

## **5.2 Reterritorialization in rural Nepal: the Chitwan NP bufferzone**

After the mid-1990s, the state with the support of non-state agencies formally created new categories of land around the immediate villages bordering the CNP. The broad category of such legally designated and demarcated land is known as a "buffer" zone. According to NPWC Act 1993, fourth amendment, the buffer zone is "a peripheral area of a national park or reserve prescribed.... to provide facilities in use forest resources on a regular and beneficial basis for the local people." The zoning of land use was based on the idea of "impact zone." The areas and settlements affected by the establishment of CNP, including use and access of park resources, access to grazing

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<sup>91</sup> Informal Interview with Tharu Nepal Congress leader of Sisuar settlement, November 30, 2016

space and impact by park wild animals. However, according to buffer zone policies, the demarcation of buffer zone boundary was largely based on social, natural features and natural resources rather than actual "impact" or park-people conflict on settlements and populations.

The 1973 NPWC Act, the 1996 Buffer Zone Management Regulations and the 1999 Buffer Zone Management Guidelines have legally expanded the authority of CNP warden with the redefinition surrounding villages of CNP as a buffer zone. In addition to the legal jurisdiction of CNP warden to administer bodies in the bounded space and control the spatial activities and movement, the warden also has the power to change the buffer zone boundary by inscribing the change in the Nepal Gazette (see Heinen and Mehta 2002). Buffer Zone regulations, 1996 prohibited "any activities" damaging forest resources or wildlife or "any action" having a negative impact on natural environment, and land use health. In addition, local users need an approval from CNP to start "any industries" including any removal of earth, gravel or any material from the buffer zone space. Moreover, state and park authorities' power rest on the decades of strict wildlife conservation and related "scientific" classification of wild animals. That is, some wildlife such as rhino, tiger and elephants and others have been nationally classified as a protected species and globally classified in various categories of IUCN red list (see previous chapter).

#### 5.2.1. Surveillance, inspection, and correction in the buffer zone

Although the designation of the buffer zone and the establishment of buffer zone under park authority did not transfer the private ownership of land, the shift in the new

definition of land and authority have affected property rights including some effect on the use and access of resources on the privately owned land. Within the buffer zone, certain activities, uses, practices or movements of local people that can potentially affect conservation are considered an infringement of park laws and regulations. For instance, In Bagmara CF area, Nepal Army arrested a Tharu man for hitting a rhino<sup>92</sup>, a legally protected species, with a piece of brick in an attempt to save his paddy from deprivation. Nepal Army soldiers questioned and threatened a Bote man and another Kumal man in a separate incident for fishing in the Rapti and Khagari Rivers, respectively. Nepal Army soldiers also frequently threaten and arrest local people in the settlement for collecting forest resources from the community forest, buffer zone forest or CNP forest. In the tourism area, the Nepal Army along with NTNC and CNP, controlled nature guides and guests from entering a public sightseeing area in the buffer zone for "polluting" the area. These are few examples of the spatial limitation of what people can and cannot do on and with their private land and the forested land of buffer zone areas.

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<sup>92</sup> Interview with Hareram Mahato, September 30, 2016





Figure.5. 5- Two Nepal army men in a security post at Sauraha settlement. (Photo by Yogesh Dongol)

However, what people can and cannot do on their private land depends on individual authority. Power relations shape what is allowed or allowable. For example, a Tharu man had to go through legal proceedings for cutting a (*Dalbergia sisso*) Sisso tree from his private land and taking it to a sawmill to make it usable without the prior approval from CNP authority. In this case, state authority spatially freezes how his particular resource from private land can be used and made it conditional on the approval of CNP authority. In another case, the CNP did not protest when a powerful leader and hotelier used an excavator in the river to construct a levee to make or reclaim land. However, the CNP arrested people for fishing for subsistence needs. A hotel owner and Bagmara CF president appropriated land as private property by constructing a levee or

dike on the Rapti River boundary of CNP. The shifting river boundary has enclosed the privately-owned land of people. Those who do not have power must tolerate the loss of land or take nominal compensation (if provided). People with political and economic influence, through "connections" with external power sources including national politicians or the CNP warden, have reclaimed part of their new land and extended the boundary<sup>93</sup>. I put the local people's concern to CNP warden and he said he had to allow it because people might say the NP is "anti-development." More importantly, he said "I don't know it if is right or wrong to construct 4-5 story building right by the river. The state has not been able to stop or do anything, how can I stop that. We have said not to construct the wall right by the river, but they constructed. What can you do? *katipaya kura ..chalcha .yesti ho!*"<sup>94</sup> (expression of helplessness or disregard of questions or comments). He further elaborated on the issue and said that "they again said that they needed to construct drainage to pass from the settlement to the Rapti River. I threatened to jail an engineer who developed the plan." He acknowledges helplessness to impose rules when it comes to powerful local people, who might have used political connections to construct a wall in the name of the "tourism development"<sup>95</sup> in Sauraha.

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<sup>93</sup> Informed by many local users, also mentioned in Informal conversation with a member of Bagmara BZCF

<sup>94</sup> Interview with Ram Chandra Kadel (CNP warden), April 29, 2017

<sup>95</sup> The president of the buffer zone user's committee and local political leader encroached the CNP river boundary by constructing the levee in the river. The construction of levee on the stretch of his land was a project funded by the Nepal Tourism Board in the name of tourism development in Sauraha. In addition to that, he constructed a restaurant on the land disregarding not only parks laws and regulation, but the Municipality rule and local understanding that the people are required to construct a house 10 meters away from the road (or dam here). The issue became complicated when there was no outlet of water collected from the Sauraha settlement because of the construction of the restaurant. Another UML supporter and a hotel owner of the areas angrily put his view on the encroachment of the Rapti River although he has also constructed as strong boundary by the Rapti river. He said, "now Basu Dhungana is a president of buffer



Figure 5.6- Showing the extension of private land by the construction of levee or dyke in Sauraha settlement. (Photo by Yogesh Dongol)

### 5.2.2. Mapping, zoning and claiming by plantation establishment

The Bagmara BZ<sup>96</sup> has different land use categories including the Khorser buffer zone forest (Khorser forest) and the Bagmara buffer zone community forest (Bagmara CF). Nine settlements are spread in different distance from CNP, and water bodies such as the Rapti River bordering CNP. The Khagari River between Bagmara CF and Khorser forest and Budhi Rapti bordering nearby Chitrasen buffer zone area (Chitrasen BZ) and

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zone. We, along with the Dahal *ji* (Balram Dahal is a Nepali Congress leader and recently won the local election representing the Sauraha area), discussed and signed an agreement that the dike or the levee along the river will be considered as a road. Despite the agreement, he is constructing a house/restaurant, [not leaving 10 meter from the road] encroaching the dike or road. What will happen with the water collected in all Sauraha settlement now?" Sauraha settlement meeting, November 14, 2017.

<sup>96</sup> Buffer zone area that includes only the forest users of Bagmara buffer zone community forest (BZCF)

Bagmara BZ. During the initial establishment of Bagmara CF, NTNC officers surveyed the Bagmara CF space. They constructed the CF boundaries and divided the CF into different blocks for plantation. In each block, the NTNC with the help of local residents, made plantations in different blocks with fast-growing species such as Sisso (*Dalbergia sisso*), Teak (*Tectona grandis*) and Khair (*Acacia catechu*). The NTNC with help from a local committee of leaders did the first plantation in the "open space" of Bagmara CF area in 1993-1994 on 20 ha of land. In 1995-1996, with the initiation of NTNC, two big plots of 20 and 22 ha were planted, both on the northern side. Local residents opposed the plantation in the southern open plot because they demanded the land for grazing space. For villagers, the *chaur*, or open space, was their grassland grazing space to support livestock primarily for farming purposes. The tree seedling plantation of the "open space" and fencing with barbed wire to save seedlings was the initial mechanism by which the NTNC controlled the space. The fast-growing foreign species were planted in the hope of generating quick economic benefits and to provide resources to local people. As one NTNC staff told me, "that space was all 'Chaur,' nothing was there, and now after the plantation, it looks like a natural forest."<sup>97</sup>

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<sup>97</sup> NTNC forest ranger, December 17, 2016



Figure 5.7- Initial survey of current Bagmara CF and that mapping of plantation plots. (Achieves from NTNT office)

### 5.3. Management of the Bagmara CF

Bagmara CF - (Baag means a tiger and mara means to kill) - as the name suggests is a place where Rana hunting parties used to camp during their hunts. Rana rulers used to hunt and dry tiger skins in Bagmara's open grasslands, which is quite extensive, attracting people from other regions to graze livestock. The existing Bagmara CF area is about 215 ha. The CF is also a part of Bharandabar (Khorser) wildlife corridor. The Khagari River forms its border in the west and Budhi Rapti River marks its northern boundary. At the southern border is the private land of Bodreni settlements. Similarly, the eastern border of the forest is the private land of Malpur and Bagmara settlements. It has

wild animals such as rhinos and others. It was under the jurisdiction of the Department of Forest but came under the authority of CNP after the introduction of buffer zone management. Tharu people started to farm by clearing the forested land only after the mid-1950s in the eastern half of the current Bagmara CF. Fourteen Tharu households used to practice shifting cultivation in the area. The Rapti Valley Development Project (RVDP) surveyed the newly claimed land and provided the provisional landownership certificate to the fourteen Tharu households in 1958/1959. The land commission of 1964-1965 evicted most Tharu settlers in nearby Khorser area to provide habitat for rhinos. Although Tharu people had ownership of the land and they were paying land tax to the government, the 1970 land survey carried out by the state did not recognize Tharu people's private ownership of the land and their customary cultivation practices. The survey team formally labeled the land as the forested land because only the cultivated areas were considered as private land.

As Tharu people had land registration or ownership of the land and they had been paying land tax to the government and as they were not allowed to farm their land, a few "land Mafia"<sup>98</sup> members convinced the local landholders that they will help them get back their land if they agreed to give them 50 percent of the land. The "land Mafia" won legal proceedings from the Supreme Court as they included politically powerful people, including a minister related to land. After winning the case, they refused to give back 50 percent but only agreed to give some marginal land by the river and forest. The Cabinet-

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<sup>98</sup> Land Mafia- A local label for people who tried to control part of Bagmara CF land. The land Mafia included powerful local leaders including Tharu elites, Tamang and Bahun-Chetri people, and more powerful people from outside area including then Minister of land reform. Most local "land Mafia" later became the CF's uses committee leaders.

level decision reversed the private ownership of the land and redesignated it as forest belong to the state. Prime Minister BP Koirala directly played a role in helping to make the land through the cabinet-level decision. Then prince Gynandra may have played the more important role because he was also the chair of the NTNC, which initiated the wildlife tourism in Bagmara CF area.

The state formally handed over the Bagmara forest to communities as a community forest in 1994 under the authority of Department of Forest. It was declared as buffer zone community forest after 1996 with the initiation of the buffer zones around national parks in Nepal. In the past, the forest area was degraded before it was managed as the CF. Only a few strands of old Simal (*Bombax ciba*) trees remained because of the demand of firewood for Sauraha tourism. Sauraha tourism started around 1979 when the Sauraha park entrance gate was open for tourism purposes. By 1985-1986, Sauraha already had more than 10 hotels. After tourism started to grow in Sauraha, the demand for firewood from the Bagmara forest started to grow for the purposes of heating water for showers and for firewood for tourists. During that time, the primary profession of Tamang people of the Bodreni settlement was to sell firewood in Sauraha hotels. They used to supply about 500-700 loads (*bhari*) of firewood to Sauraha every day. In addition to the continuous supply of firewood to Sauraha market, the forest was a grazing space for nearby people. Bagmara CF was the only source of firewood and grazing space because CNP was strictly closed. Firewood demands continued to grow with the growth of hotels.

### 5.3.1 Household use of the Bagmara CF

Only households of wards 17 and 18 of the Ratnanager Municipality are legally designated users of the Bagmara CF. Many other residents formally requested and tried to become members of the Bagmara CF claiming that they had helped in establishing the forest and had historically used it, but they were denied. Qualified ward residents not yet included as user households can get a free new membership upon application. In-migrants are awarded membership if they meet following criteria; if they apply with valid permanent migration certificate; if they are permanently living and have land in wards 17 or 18 and if they pay certain membership fees. In addition, although individuals have to present government migration certificates, hotel owners can get a membership without them. For instance, if anyone established a hotel in Bagmara BZ, then he/she can be a member of Bagmara CF although her/his primary residence is outside the wards, or even, for instance, in Kathmandu. There is a nearby "new settlement" of 20 households of landless people. The majority of landless people (*Sukumbasi*) are not members of Bagmara CF because "that is a new settlement."<sup>99</sup> Maoist Party-affiliated leaders helped to establish the landless settlement in the *ailani land*<sup>100</sup> by the river. CF users are highly heterogeneous according to class, ethnicity/caste, place of original migration, current settlements, political party, and gender.

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<sup>99</sup> Bagmara CF user committee member, December 17, 2016

<sup>100</sup> Non-surveyed land such as river banks, floodplains, Tharu settlements, water bodies.



### 5.3.2. Bagmara CF Forest Users Committee

The Bagmara buffer zone community forest users group committee (hereafter forest users' committee) is the local institution that has the responsibility and rights to manage the community forest commons. It is one of many sub-user groups of a Migrakunja buffer zone users' committee (hereafter Migrakunja BZUC). There is a provision that 9-13 members are selected through some process – unanimous decision, democratic election or any other means from the local residents. The current forest users' committee (2012-2017) has 19 committee members. Each committee has a five-year tenure. The Bagmara CF has a second tier sub-committee (*Parisad*), members for which are selected from nine settlements. Each settlement has a five-member sub-committee. There are altogether 45 council members. The sub-committee selects nineteen members as the umbrella forest users committee. The forest user's committee are selected through majority or unanimous decision. If a decision cannot be made, the committee is formed through voting by forest users, but the current forest user's committee was selected bypassing the constitution of the Bagmara CF. The current committee comprised of the representatives of different political parties. For five years before the current committee, the Bagmara had no user committee 2006/2007- 20011/2012. Parties ran the committee turn by turn which resulted in the high misappropriation of CF revenue.

The current Bagmara CF committee has a high representation of local Tharu people in major position including president and vice-president. About 63 percent are from non-Bahun-Chetri groups. Tharu indigenous people are 26 percent out of 19 members committee, but their role in decision-making is negligible. As one of my Tharu respondent who is also a member of the committee told me that, "There is a good

representation of Tharu people in current committee but when it comes to decision making one or two make all the decisions and other just say yes, yes.<sup>101</sup>" The Tharu people's representation was the result of the work of national and local levels of the Tharu people's movement, known as the *Tharuhath* movement. In the Bagmara CF bylaws, the committee should ensure the participation of two women from every four wards. Some woman Tharu *Parisad* members, however, do not even want to be in the committee and never sought an appointment. Their names were just put forward by someone else.

National political parties have a key role in governing the Bagmara CF. Seven political parties' representatives formed the current committee when the committee's elected members were not able to form a new committee. Political parties divided the posts among themselves. All sub-committee and committee members are, therefore, representatives from Nepal's seven major political parties including Nepali Congress party (NC), United Marxist and Leninist (UML) party, Maoist party and others. The most powerful parties such as Nepali Congress, UML, and Maoist parties controlled the most important positions on the committee.

### 5.3.3. Rights and responsibilities of user's committee

The management plan details the responsibilities of the CF committee in conservation and development activities, including the control of use and access of resources, monitoring, fine and punishment, boundary making and maintenance, management of forest and income and expenditure, rulemaking and rule modifying and

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<sup>101</sup> Interview with a Tharu Bagmara CF committee member of Sisuwar settlement, August 26, 2016

conservation education. Fines and punishment for illegal activities inside the CF have been inscribed in CF constitutions and in the management plan. In the management plan, there is a graduated punishment and education for first time offenders such as livestock grazing inside the forest. Second-time offenders are fined for 100 Rs for each cow or buffalo and 50 Rs for each goat and sheep. And multiple offenders' fines will be double and their livestock confiscated. Similarly, there is a graduated fine and punishment for illegal collection of forest resources such as collecting grasses, fodder, and firewood. People destroying boundary poles has a fine of 500 Rs. People are also arrested and submitted to CNP authorities for harming any wild animals.

The management plan further mentioned that all activities of CF committee including conservation, development, rulemaking, and rule modifying has to be passed through or granted from the CNP authority. CF management plan also includes the provision that the CF provides 25 percent of expenses for forest and wildlife conservation, management and development. Its social development expenses must ensure inclusion and participation of poor, women, “untouchable”, indigenous, *Janajati*, while promoting the conservation of wildlife. Under the plan and in the CF’s constitution there is a lot of confusion and overlap between the role, rights, and responsibilities of forest users and forest user's committee. Both bodies have been confusingly used in the constitution. For instance, the constitution has mentioned that role of "forest users" is to appoint an auditor and prescribe the wage of the auditor. There is another provision which provides "forest users" in collaboration with the park officials, can dispose the forest user’s committee if the committee or committee members are found guilty of wrongdoing under the constitution.

#### 5.3.4. Community-based resource management in actual implementation

Bagmara forest user's committee has a responsibility to conduct a general assembly once a year and has the right to make changes in the constitution and management plan if deemed necessary after getting approval from the general meeting. During my fieldwork, I attended the Bagmara CF's general assembly. Many people informed me that the general assembly does not happen regularly every year. When the final question and answer session started in the general assembly more than 99 percent of users had already left. There were 10 users in the session and only two were actively questioning the CF committee members. While the general assembly has a primary role to approve many past activities and future agendas, these were never discussed publically and were actually prepared before the general assembly. The committee members requested that any four users to provide a signature on the general assembly minutes. Many users left after the distribution of free lunch and many others left because the committee's guest speakers mostly represented different political parties or were public officers. Their speech also left less time for the Q and A session. My impression of staying there from beginning to the end and talking with many people is that many users were not satisfied with the CF Committee people and their activities because many did not listen and mostly avoided questions that people asked.

I was excited to meet with all BZCF committee members on the day of the meeting. I had been in contact with the president of BZCF for the past few days and had requested that I be able to sit in their monthly meeting and observe. The Bagmara CF president told me he would allow me in and introduce me to the committee. I went there at 10 am because they were scheduled to meet at 11 am. I met with various people,

including president, in their offices. All were busy writing meeting minutes. I could not understand why they had to write meeting minutes even before they held a meeting and had agreed on agendas. After finishing writing the minutes, one member who said he would not be able to come to the meeting signed off on the minutes and left. Afterward the remaining office officials went home for lunch. I waited outside the building for about an hour. One Tharu man came and entered the office. I knew he must be a committee member. I went into the office and introduced myself to him. After around 10 minutes other committee members arrived including the president. He started to call the committee members to participate in the meeting, because at least ten members needed to present to pass the agenda. They started to count members.

The way the Bagmara CF functions has a lot to do with the larger problems of democratic governances in Nepal. The national Maoists party has strong influence on the ways institutions function including its local membership structure. All committee members were selected based on party affiliation. There was no election. Democratic decision making must be an uphill task now. The president who was from a major political party and who told me that he would let me in the meeting, just a few minutes later had to change his decision, probably because after another Maoist party member told him that I should not be allowed in their "private" meeting. Just before the meeting I met with other committee members outside the building and I told all that I was there to meet with them and sit in meeting to see the processes and what takes place inside the meeting. One Maoist committee member said, "it will be difficult to let you in because

we talk so much about finance and budget and we won't even let our forest users attend the meeting<sup>102</sup>.

#### 5.3.5. State oversight of community forests

One of the major ways that state agencies control local institutions is through national legislation and the administrative process. The community forests and associated local institutions fall under the jurisdiction of the Chitwan NP buffer zone regulations as prescribed by the NPWC Act 1973. The CNP warden and other park agencies have the power to approve the management plan of the community forests. One of the major ways that CNP administration has imposed is to require CNP warden's approval in every activity within the buffer zone. The forest user committee has to conduct the general assembly in the presence of CNP representatives, NTNC representatives, and Migrakunja BZUC representatives. More importantly, the CNP warden has a final say in the removal and inscription of a provision in the management plan or operational place of the community forest. For instance, as one of the active member of the CF said in an interview, "if we want to distribute timber in logs or firewood then the size of the logs should be no more than 2 feet. CNP stopped the distribution of logs to forest users and we had to make it in small pieces before distribution. They try to control such small issues too<sup>103</sup>." The management plan has to be passed through the park office and its every provision is checked and passed through the warden's approval. The CNP warden can select and discard any agenda item. Issues that are pertinent to the warden have to be

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<sup>102</sup> Informal conversation with Maoist committee member. September 1, 2016

<sup>103</sup> Interview with a Tharu Bagmara CF committee member of Sisuwar settlement, August 26, 2016

included in the plan. Although the CF is more independent compared to Buffer zone user's committee, all activities of CF have to go to the park office. The CF is required to submit a copy of yearly and monthly meeting minutes to the BZ and CNP. The CF is required to pass yearly income and expenditure through “users” and submit a copy to the BZ and CNP. It needs to be audited by state recognized auditor. Finally, the CNP, based on NPWC Act and BZ regulations can confiscate the community forest if the committee does not follow the management plan.

Forest users committee can make a rule and implement the rule, but it can be done only after getting a suggestion from CNP and NTNC experts and after getting approval from the "users" meeting. The changes have to be finally approved by CNP authorities. The approval of the management plan is also contingent on agreeing to the necessity of “helping” national park authorities. “We have to provide ‘help’ to CNP and Army to make our relationship better. So when we need help or approval of something we can ask them for a favor<sup>104</sup>,” a member of Bagmara CF told me. In addition, CF committee also has to provide reports to NTNC, park and buffer zone offices.

#### **5.4. The creation of a tourism sector in Bagmara CF**

After years of forest planting and strict restriction of grazing inside the forest, private elephant/hotel owners started elephant-back safaris within the Bagmara CF. The elephant safari which started with 4-5 elephants now has expanded to more than 60 elephants. Elephants in the forest eat and trample vegetation. As a result, elephants impact the regeneration of new shrubs and trees. A forest committee member said that the

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<sup>104</sup> Informal conversation with a member of the Bagmara CF committee

two-third income of the Bagmara CF depends on elephant safaris. The revenue from elephant safaris has expanded many times since its initial years. In the early years of tourism, with the financial support of a British philanthropist and tourist, the CF committee constructed a viewing tower to cater to tourists who wishes to spend a night inside the community forest. Then prince Gyanendra (last Shah King of Nepal and then chair of NTNC) inaugurated the tower. As tourism activities are primarily based on the wildlife sighting inside the CF, the CF committee has been increasingly regulating activities of local forest users. Moreover, the Bagmara CF committee has been conducting various management activities of the forest, including grassland management, supply of water sources through groundwater extraction (wetland management), the clearance of bushes and scrubs, and the maintenance of "elephant tracks" to facilitate elephant safaris. Another major tourist activity is canoeing in the Khagari River bordering the Khorser buffer zone forest. King Birendra previously released Magara crocodile in the river, which had none in the past, and the crocodiles have expanded in numbers. Crocodile sighting is the main attraction of canoeing. As a consequence, local use and access fishing have been completely curtailed, with forest guards and Nepal Army soldiers used for the protection of crocodiles.

The elephant safari in CF is considered a "non-extractive" activity. It is also considered an ecotourism activity because elephants are required to walk in the "designated trace" and are not allowed to eat vegetation inside the forest. However, the Bagmara CF management plan, some CF members, almost all forest guards and most local residents who have visited the CF forest told me that the elephant safaris had degraded the condition of the forest. Nonetheless, the CF management plan has prepared



an elephant route map where only elephants are allowed for the purpose of wildlife viewing. Local use and dependency on firewood and extraction of forest resources is considered as extractive and more impactful on forest ecological conditions than elephant safaris. Most of the forest resources that locals bring from CF are primarily for household use because the firewood that comes from CF is not for sale in the market. Thus, families' access to a subsistence resource is being curtailed with questionable ecological benefits. Following the Bagmara CF success in tourism, the CNP authorities have allowed the committee to begin elephant safaris and other tourism activities inside the Khorser "wildlife corridor", which was initially allocated for elephant breeding. About 60 Tharu households were forcefully evicted during the establishment of Korser forest and after five decades it has been handed over for the expansion of ecotourism. Now, as the elephant's safari has opened in in Khorser forest, which is primarily controlled by Sauraha elites at present, the Bagmara CF has no power to make any decision without the consent of local elites.

The CNP warden imposed a rule that only 50 elephants can enter the CF during four period of the day. Hoteliers have used loopholes in the rule by incorporating the neighboring Chitrasen CF so that they can expand up to 100 elephants. Even though the Chitrasen CF is not suitable for elephant safaris—primarily because Chitrasen CF is a Sal (*Shorea robusta*) forest where the occurrence and visibility of wild animals are lower and elephants have a hard time walking in the uneven surfaces of Sal forest—the forest has been included as an elephant safari area. This inclusion has helped local hoteliers legally expand their elephant business as needed. In addition, since elephants have to cross the river to go to the Chitrasen CF, the practice has also promoted the false idea that tourists

are entering into CNP. This allows hoteliers, who in the past avoided the high CNP entrance fees, to tell their clients that they are paying for a safari in a national park. Many nature/tour guides and some hoteliers have told me that they have done that and some have been caught in the lie by their clients<sup>105</sup>.

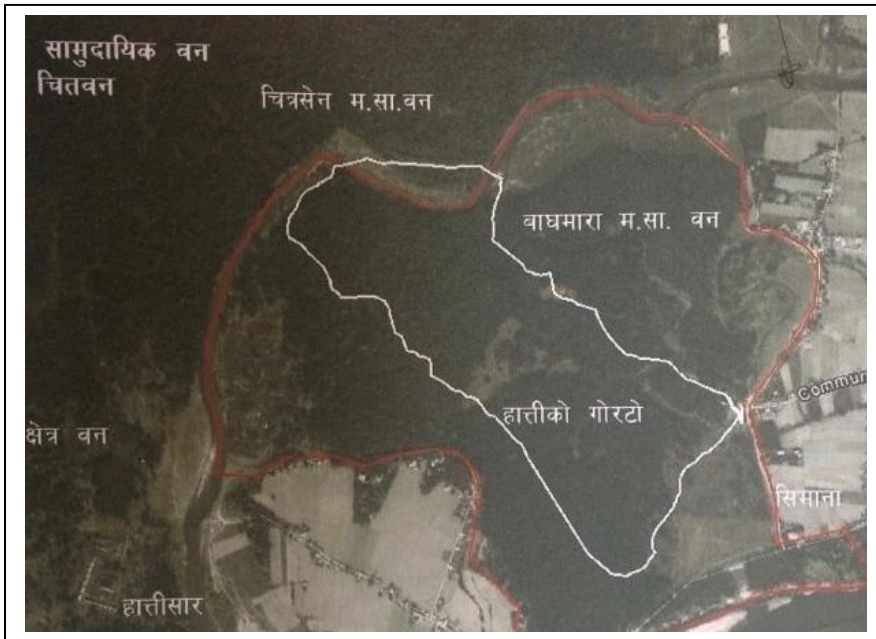


Figure 5.8- Elephant trails indicated in the management plan of the Bagmara CF.



Figure 5.9- Actual elephant trails inside the community forest (Photo by Yogesh Dognol)

<sup>105</sup> For instance, Interview with a hotel owner of Odra settlement. December 05, 2016

#### 5.4.1. Local socio-economic effects from tourism

*Conservation will be challenging in future because people have started to speak about distribution* – President of Nature Guide Association, April 12, 2017

*Many people had lots of lands and used to farm in the past and now people have already sold all their land and the only thing that we have is these animals.* – A forest guard and local resident of Bagmara CF area

Although the wildlife tourism and the benefits of tourism at the CNP and buffer zone scale are negligible in the majority of villages of CNP buffer zone villages, it would be wrong to say that tourism has not generated income and benefits to the state and its citizens. Sauraha, for example, is the major tourist destination on the eastern CNP. Similar to many local entrepreneurs at Sauraha, CNP warden told me, "tourism has employed a lot of people. Their land values have skyrocketed; people have benefitted from selling vegetables and they are also selling grasses to elephant owners.<sup>106</sup>" These statements are true. But the question is who are these "people" getting benefits from conservation and tourism in Bagmara CF and Sauraha? How widely are benefits distributed? How are the benefits controlled? And what are the socio-economic effects of distribution and benefit sharing in the Bagmara CF? This section aims to look at what CNP warden, with more than 20 years of experience in CBC, refers to as the "stupid social issues<sup>107</sup>" of the distribution of cost and benefits from the CNP and its buffer zone.

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<sup>106</sup> Interview with Ram Chandra Kadel (CNP warden), April 29, 2017

<sup>107</sup> Interview with Ram Chandra Kadel (CNP warden), April 29, 2017

In studying these questions, I uncovered how ecotourism had highlighted conflicts over wealth distribution, socio-economic inequality, and the elite capture of most benefits in the Bagmara CF area. I argue that the outcomes of ecotourism are of a piece with economic strategies that helped state officers indirectly control people and spaces by producing and benefitting a local elite class. These strategies were made primarily necessary as a part of the country's economic liberalization and democratization movement of the 1990s. In particular, the government's park authority had limited resources to control all activities in the context of growing ethnic and political tensions. In the remainder of this section, I examine how all this has played out on the ground, beginning with a look at the rise of a new labor sector.

One of the main arguments for the benefit of tourism is that it provides jobs to local people. The respondents' survey data show that only about ten percent of households have some member employed at hotels and restaurants. Jobs include guards, drivers, nature guides, cook helpers, ticket counter staff and front office management. Most young men told me that they do not like to work because of the low salary and heavy workloads in Sauraha tourism business. In addition, most women have extra household roles and responsibilities. Nature guides employed by hotels, for instance, have to perform other hotel duties when not guiding. They have to clean, garden, and help in the kitchen. Sometimes hotel and restaurant owners will make their employee work in their private house and paddy field. The CF and BZ in association with the hotel association have provided cook, waiter and language training for employees. Regardless, wage labor is not considered by locals to be an attractive option and the majority of labors working in Sauraha hotels and restaurants are from outside the Bagmara CF area.

When I put the question about employment and salary conditions to a hotel owner, he referred to the supposed laziness of local people, he said, "we have 23 people working in our hotel and we have to bring people from outside the village. People from this village do not like to work. We provide food, clothes, shoes, and even they ask for more money. People from this village do not have interest in working."<sup>108</sup> Rather than tourism producing an economic boon, I found tourism jobs functioned mainly as last ditch alternatives for poor people such as the landless or near landless.

The sale of household surpluses is a popular alternative to wage labor for local people. About 62 percent of the respondents who have some form of livestock including buffalo, cows, goats, and ducks, sell their surplus. Some sell milk, some live ducks and chickens, but these do not provide sufficient steady income that can fulfill household needs. Fewer than 10 percent make some cash income by selling milk, which provides a steady income. Some people said that they sell ducks or chickens occasionally, if hoteliers or restaurant people come to their houses looking to buy. Tharu people, in general, do not sell any surpluses. Most vegetables that are consumed in Sauraha are brought in from distant urban markets. There are, in addition, a large number of local people's small-scale grocery shops where people sell water, snacks, cigarettes and so forth, which require less capital investment. Although CBC initiatives have been focused on income generating, most indigenous people and hill *janajati* people still practice traditional farming and livestock rearing, which are sources of both subsistence and cash

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<sup>108</sup> Interview with hotel owner in Malpur (hotel in Bagmara settlement), December 05, 2016

income. About 25 percent of household residents regularly go to the forest to collect grasses or firewood for subsistence.

In addition to the local resistance to wage labor, there is significant conflict between hoteliers and nature guides. Hoteliers, for instance, want to pay a flat salary to nature guides, no matter how experienced. More experienced nature guides demand higher salaries. Consequently, hoteliers in association with NTNC are recruiting and training new nature guides to keep wages suppressed. One of the entrepreneurs is a person associated with both institutions. One experienced nature guide familiar with the issue told me,

He controls everything. He provides guide license to his waiter and cooks helper if he needs additional guides. He sends to them training and gives them a license, so that he doesn't have to pay more to another nature guide. He will use those guides for 500-600 per day. He is not going to pay 1000-1200 for the experienced guide.<sup>109</sup>

In addition, the nature guide's job is a risky job as there is always the possibility of an encounter with wild animals such as rhinos, bears, and tigers. However, nature guides do not have any insurance. If something happens, then hoteliers who recruit them are not liable for any expenses. "Hotel owners do not even keep a record of nature guide that are recruited for daily guiding work,<sup>110</sup>" a president of nature guide association said. In addition, hoteliers are also promoting activities of independent guides that stand by the side of the road in their guide office or by the street to ask tourists coming to Sauraha if

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<sup>109</sup> Interview with a Tharu nature guide. August last week, 2016

<sup>110</sup> Interview with a President of Nature Guide Association, April 12, 2017

they need free information of tourism activities are “bad” for Sauraha tourism. A person critical on labor exploitation said that Sauraha had one good effort of Maoist where they disturb tourism to impose a minimum standard of pay to labor. And said another movement is needed to fight against hotelier monopoly.

In broader terms, the continuous promotion and uncontrolled expansion of elephant safaris inside the Bagmara CF are shaped by the idea of development or *bikas*. Every local leader and many residents told me that the increasing use of elephant safaris is important because it generates capital for development. “Development” in this local discourse primarily refers to the construction of infrastructure. One CF member said, "without the CF and tourism income this place would not have blacktopped road because the state has not invested and will not invest in this Tharu majority place.<sup>111</sup>" One resident told me,

“We used to have knee deep mud road. We used to have difficulty crossing this road. People have the benefit of conservation and protection of CF and tourism here. During rainy months, you could hardly walk on this road. Mud used to up to the knees. I used to put my bicycle on my shoulder from Malpur *Chowk* (intersection) and bring it to home or most of the time I used to keep the bicycle in that Malpur area.<sup>112</sup>”

Development as infrastructure resonated locally as people believed their lives would be made easier, though it did not always play out as touted. The blacktop road as the marker to development of village and settlement has hijacked the minds of most

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<sup>111</sup> Interview with a Tharu Mahal Hotel owner, December 5, 2016

<sup>112</sup> Interview with Tamang man (compensation sub-committee member), May 15, 2016

people, but poorer people's version of *bikas* is different. Some are more critical of the ways CF is spending money on road construction without directly helping forest users fulfill their version of *bikas*, which involves directly helping people meet their subsistence and cash needs.

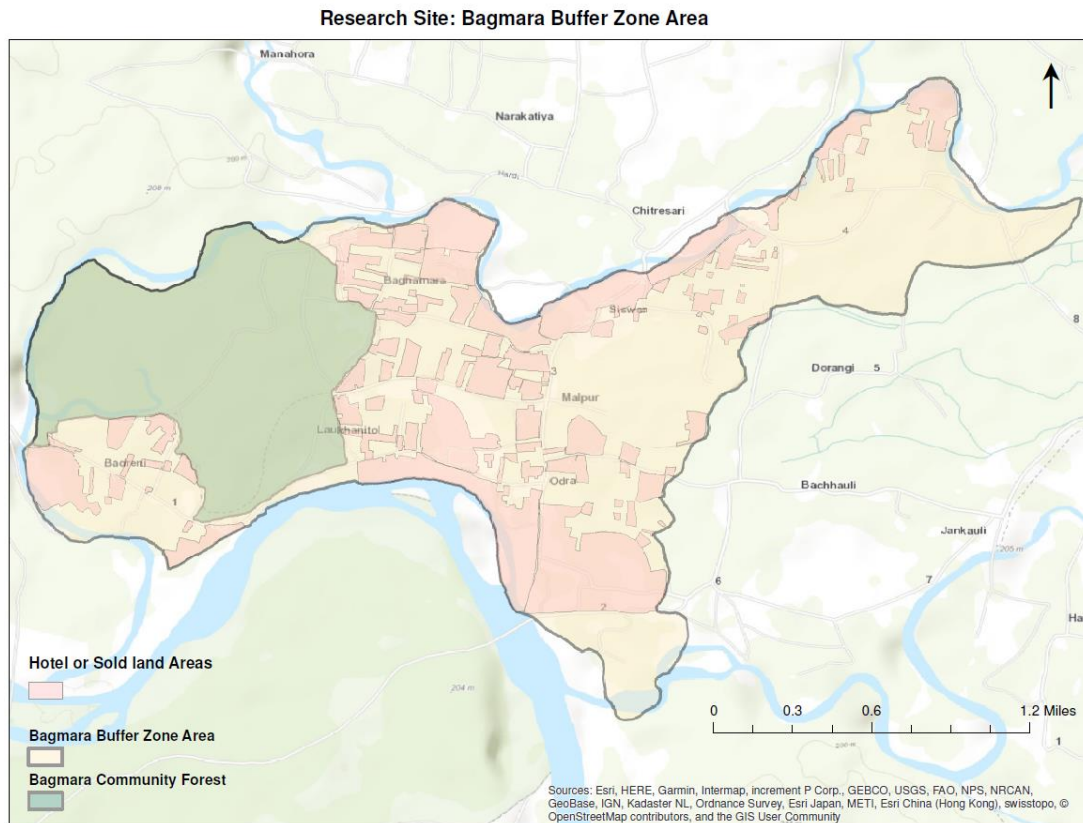


Figure 5.10-Red blocks show the land which are either sold or have hotels (Map by Yogesh Dongol)

A final noteworthy effect of tourism is skyrocketing land values in Sauraha. Many residents say that the Tharu people have benefitted from the tourism because their land values have reached an unexpected height. A former warden remembered that the land



which used to cost 4 thousand per Biga<sup>113</sup> has now reached one million<sup>114</sup>. However, not all land has as high a price as many people claimed. When Hareram Mahato<sup>115</sup> was arrested by the Nepal army from his house for hitting a rhino to save his crop, a hotelier and a local political leader who were at the arrest commented that the land value has increased to 1 million a khatta and "these people" still complain about rhino eating crops. The accused replied that he would sell him his land for half a million if one of them was willing to buy it. More importantly, not all Tharu people have large land holdings which they can sell. A Tharu man who still has 9 Katta of land told me, "That does not mean anything to us because we do not have much to sell and we cannot buy it or we cannot do business on it. We have less land we cannot buy or sell. Increase or decrease in price does not make any difference to us"<sup>116</sup>. Responding to the comment of increasing land value, a former Tharu Jamindar of Khorser who had 13 Biga of land and sold most of it told me, "yes land value has skyrocketed, but we have not been able to save land. Most Tharu people have sold land<sup>117</sup>." That is true. Most Tharu people have sold majority of their land and many Tharu people did not even have large plots of land because of the historical landlord system. I stayed in a Thaur house during my fieldwork whose owner lost most of his land when the family was evicted from during the establishment of the park. His family also lost 14 Biga of land during the demarcation of forest boundary and

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<sup>113</sup> 20 Katta = 1Biga (1 katta = 0.034 ha)

<sup>114</sup> Interview with Ram Pret Yadav in Chitwan, 2016

<sup>115</sup> Mahato and Chaudhary are Tharu caste.

<sup>116</sup> Interview with a Tharu man (Tractor driver) of Mainaha, November 30, 2016

<sup>117</sup> Interview with a Tharu man (former jimindar of Khorser forest), September 16, 2016

establishment of current Bagmara CF. He and his family sold almost 4 Biga of land (now the site of a popular hotel) due to the shifting park boundary. He now owns 7-8 Katta of land, which is still a large land to produce enough crops for his family and earn some cash income. Some who sold have moved from the place but most people are still in Sauraha. Those who are on the main street have rented property and most Tharu people have moved to near (inside) the road area, which is a marginal place in terms of doing tourism business.

#### 5.4.2 Explaining the distribution of tourism costs and benefits

Local hoteliers and political elites who have economic and political power shaped and defined the rules and regulations. In Bagmara, for example, a CF committee member affiliated with Maoist party, who had been involved in the Maoist-inspired insurgency, boasted of a disproportionately large role in decision making. He told me that “the president only makes a decision after consulting with me.”<sup>118</sup> In addition, Maoist party leaders and individuals had directly and indirectly, mostly through violence, controlled most local and national level institutions in Nepal after 2006, which were previously controlled by other parties. Their national-level influence slowly decreased only after 2014-2015. Nevertheless, since 2010 Maoist party members have the main influence over most decision making in the CF. Committee members who are representative of or selected by political parties, are more accountable to the party and to high ranking party leaders, who are also the hotel owners and "conservationists". These local party and

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<sup>118</sup> Informal conversation with Treasurer of the Bagmara CF committee. September 1, 2016

business elites are well-connected beyond the CF. For instance, hoteliers lobbied the government to decrease the rate of entrance fee inside the park and to make a park permit valid for more than one day. During the public functions in Sauraha, representatives of the Ministry of Forest and Social Conservation and Ministry of Culture, Tourism and Civil aviation and many other high-level national politicians from powerful political parties have expressed that they would assist in lobbying the government.

The primary way the Sauraha hotel owners have controlled the flow of benefits from CBC projects is through the control and ownership of the means of production (tourism infrastructure such as hotels, tourism skills, organization, and industry knowledge). As a Tamang man who is very familiar with Sauraha tourism said, "Sauraha elites get most benefits from tourism because they have hotels, they manage programs to tourists, they have boat tender, elephants belong to them, jeeps belong to them, restaurants belong to them, food and rooms all belong to them. So they are the ones who get the most benefits."<sup>119</sup> For instance, privately owned elephants are one of the ways that the benefit of wildlife tourism is maximized and extracted. Elephant owners do not own the community forest. The community forest is owned by the "state" and "managed and protected by the "local people". But hotel owners have controlled the way that benefits are extracted from it, in this case through the formation of a regulatory association, the Sauraha United Elephant Association. The association has a rule that only people owning a hotel in Sauraha are eligible to conduct elephant safaris. That is, the members of the association control both the hotel and elephant businesses.

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<sup>119</sup> Interview with a Tamang Jeep driver of Malpur settlement, December 6, 2016

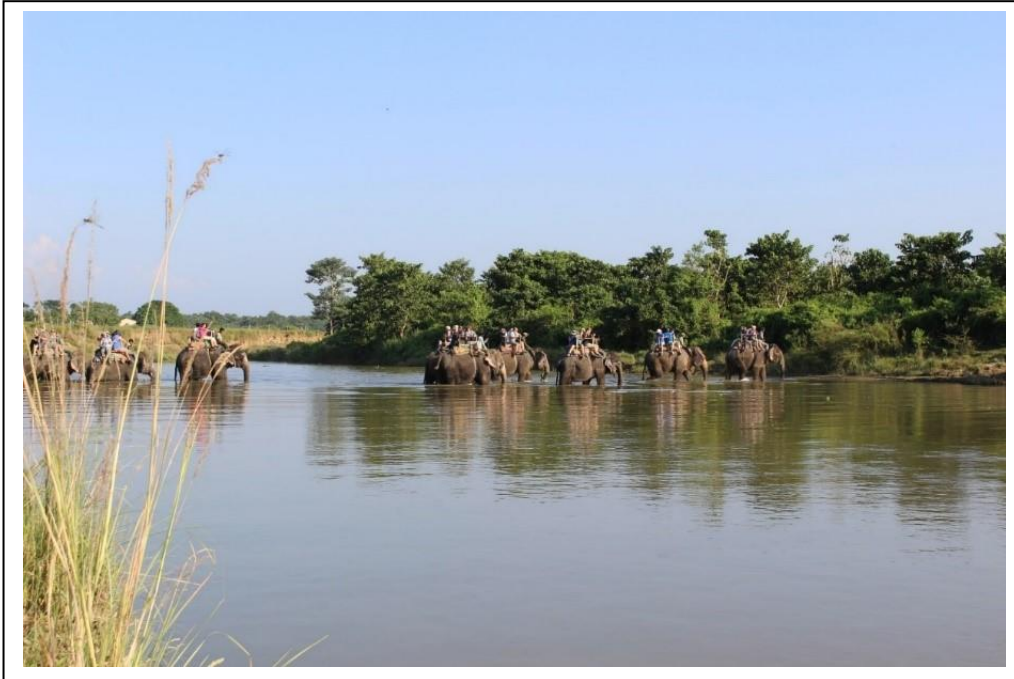


Figure 5.11- Expansion of elephant safari tourism in Khorser “corridor” forest. (Photo by Yogesh Dongol)

Nearly all private elephants belong to local hotel owners of Sauraha and are regulated by the United Elephant Association. The association has about 60-65 active elephants which provide elephant safaris mostly in Bagmara CF, with a bit in the Khorser wildlife corridor and the Kumroj CF. For each elephant entrance, Bagmara CF makes 308 Rs, which includes a 13 percent state tax, with elephant owners retaining approximately 90 percent of the total tourist fee. Since elephant safaris generate two-thirds of Bagmara CF’s total revenue, elephant owners/hotel owners have a large say in most decisions related to the CF. For instance, on one occasion when Bagmara CF increased the entrance price of elephant safari from 100, which is a small portion of what owners get, the owners of hotels and elephants halted all elephant safari in the CF for about three months.

Who benefits from tourism depends on who has legal access to park resources and how much they can have. For instance, there are now 30 vehicles that provide “Jeep safaris” inside the CNP and numerous others providing Jeep safaris inside the Bharandara "wildlife corridor". Local business people of Sauraha mostly operate the park safaris, aided by the influence of political parties and in coordination with CNP authorities. For instance, there are three different Jeep safari committees. A committee affiliated with the Maoist party recently received permission to start five jeeps inside CNP. The two older committees are associated with two other political parties and have 10 and 15 jeeps, respectively. Park authorities have granted rights to only a fixed number of vehicles. Local elites who have a special relationship with park authorities have been granted rights to start the safaris. In addition, local economic elites have maintained a monopoly on whose vehicle can get access. A person familiar with the situation inside the park told me,

Although the park entrance permit shows that we can take different vehicles inside the park, Jeep safari people have started syndicate and now no other vehicles are allowed to enter. I took a Jeep but they did not allow me to enter. They asked for documents and they did not allow me. If you have rules, then anyone who follows the rules should have rights to enter. I think these park people are more communists than the Maoists. They make their own rules and they allowed some and didn't allow others.

People who do not own hotels and other means are at a competitive disadvantage. The established hoteliers do not have to pay land rent or hotel rent while smaller-scale entrepreneurs wishing to enter the industry must borrow money. In addition, most tourists

in Sauraha come through a tour operator. They buy a package program for few days. In the past, package guests were less common and most tourists were independent travelers. Some say that the package tourist program has hampered local and small-scale restaurants and shops and that the system tends only to benefit big hoteliers and tour operators. Package tourists do not spend much outside of the hotel because their meals, transportation and most other expenses are included in the package. Independent tourism is much better at distributing the benefits of CBCs because small businesses are more readily included. In contrast, package tourism has linked the tourism industry of Sauraha into the global marketing system. The typical package is booked from a website, which takes a cut for the service they provide, then the large tour agents and operators, both foreign and national, take a cut for mediating between tourists and the service provider. In most cases, many small hoteliers say that have difficulty surviving in the current package tourism business because their business depends on tour operators, who often do not pay them in a timely manner.

In hindsight, the attempts by CBC experts to produce new market subjects and economic benefits for local communities have failed through a naïve faith in the neoliberalism. Experts did not take into account that the potential benefits from a tourism industry would not invite savvy people from all over Nepal and from other countries. As a result, local elites, national and foreign entrepreneurs and recent migrants have captured most of the benefits from tourism opportunities, which were purported to benefit local people and the nation's economy. As the community forest is the major source of income, local hotel owners have used various conservation and development discourses, strategies and representation of spaces, people and practices to strictly control the community forest

institutions, resources, and economic potential. In sum, I observed the ways through which the spatial practices of CBC management enabled the commodification of the community forest and its wildlife and subsequently provided opportunities for private capital accumulation by elites at various levels.

### **5.5 Human-wildlife conflicts**

*We had the Tharu people's traditional way of saving crops and driving rhinos and wildlife, but later all these buddiman people – ("experts" in this context)- came to Nepal. An Australian joker was in CNP when a wild elephant damage property and killed a private female elephant in Sauraha area. He shared the technique of electric fence, which was used in Australia to save sheep in an enclosure from foxes. The electric fences were started to safeguard private elephants in Sauraha, and the state and NGOs have spent millions in this electric fence. Later we were able to control some impact of rhinos, but people started saying that deer enter crop field jumping from the fence. Then they put chicken net. After that, people again started saying that wild pigs enter field-digging holes in the ground, and then they say that they will construct a concrete wall. Look how unnatural the wall is. I stop suggesting anything now. When I talk, local leaders ask me what is important humans or wild animals. They are spending so much money. I asked the buffer zone president that they put barbed wire, mesh net, electric fences and now they are constructing a concrete wall to stop different wild animals, and will they*

*again construct nets in the sky to stop birds? Wardens are giving permission and local leaders are doing activities, what can you say? - Former CNP warden<sup>120</sup>*

*Initially, they demarcated forest boundaries with a series of vertical trenches and installed barbed wire and poles. We never felt so much problem of wild animals at that time, but they said that they have to stop wild animals coming into settlements. They put wooden poles and electric fences. Initially, rhino got scared, but rhino are habituated now and they know about the fence. They are not scared now. Later wild pigs and deer started to enter here and they put up those chicken nets. Wild pigs can dig below the surface. So that did not work. Now they are constructing a concrete wall. CF has spent a lot on this, which is not really a problem for us. Even when there were no fences wild animals used to come and go. That is very obvious because we live right in front of the forest. Wild animals used to destroy crops and we had to save our crops.*

Resident of Bagmara settlement<sup>121</sup>

Two major shifts in the nature conservation discourses in Bagmara CF area are the extreme care of particular non-humans such as rhinos and elephants on the one hand, and the extreme care of humans on the other hand. Although park officers talked about the participation of "local people," they are consistently guided by the strict protection of wildlife despite the decades of their involvement in participatory conservation. In this section, I ask why local leaders show so much care about local people when talking about

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<sup>120</sup> Interview with Ram Pret Yadav in Chitwan, 2016

<sup>121</sup> Interview with a Bagmara resident (handicraft maker), September 19, 2016



the human-wildlife conflict and at the same time disregard local subsistence needs. That is, local leaders, in particular, have been using animal rights and human rights strategically according to the context and situation. I argue that the human-wildlife conflict and subsequent interventions are particular discursive and bio-political strategies to control people and space.

#### 5.5.1. Walling off wildlife

One of the most significant human-wildlife conflicts that has shaped the participatory conservation and buffer zone initiative is the damage of crops and livestock and loss of human life from wild animals coming from CNP. During a local elephant festival, the Migrakunja buffer zone president said in the program that the human-wildlife conflict had become a "*Kahalilagdo*" (shocking) conflict<sup>122</sup>. He went on to say that about 15 people die every year and huge property losses accrue because of wildlife in the buffer zone. When I asked about the ongoing construction of the concrete wall (see opening quotes) and its purpose, many respondents told me that the primary purpose of the wall is to reduce the conflicts resulting from the depredation of crops from park animals. "Rhino come here every night, and it has damaged crops. Some people have died due to rhino attacks. We have a big conflict with wild animals here. We have to minimize the conflicts. Wild animals have to stay where they belong," a former president of the Migrakunja buffer zone told me.

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<sup>122</sup> Speech in Sauraha Elephant Festival by the president of Migrakunja BZUC, December 25, 2016



Figure 5.12- Ongoing constructio of concrete wall in buffer zone and aournd Bagmara CF (Photo by Yogesh Dongol)

The buffer zone committee president in a public forum and in a personal interview stated that the construction of the wall is necessary to reduce the ongoing conflicts between humans and wildlife. The wall will separate wild animals from human settlements so that the impact of wild animals will be reduced. When wild elephants killed a 15-year old tourist on a walk with her family around an elephant breeding area inside the Khorser forest, Migrakunja BZUC convened an immediate meeting with hoteliers, tour guides and local leaders. In the meeting, the president said,

We have to expand and construct the concrete wall rapidly. The concrete wall is not only to reduce conflicts related wild elephants, but also to address the impacts of rhinos and the potential impacts of soon to be translocated *Arna* (wild buffalo). Wild buffalo have a bad reputation of extensive crop damage in Koshi Tappu

Wildlife Reserve. So to be more prepared to safeguard our settlements, people, and their crops we have to complete this project of the concrete wall as soon as possible.<sup>123</sup>

A park official also shared a similar view about the ongoing construction of the concrete wall. A sub-warden of CNP told me that existing electric fences are not effective because of poor maintenance. In particular, electric fences are not effective where there is a heavy occurrence of wild elephants. These places where electric fences do not work will be more effectively protected by the concrete wall.

The fixed, impassible boundary of the concrete wall will restrict the possible access and encroachment of public land. It is the primary reason why CNP warden, who claimed to be guided by the “science,” allowed the construction of the wall without any study of its possible impact. The “human-wildlife conflict” discourse simplified the spatial complexity of interactions and heterogeneous behaviors of wild animals. Most importantly, it essentialized the complex relationship between park administration, people and wild animals. The relationship between human-nonhuman was never the wildlife impacting the people and people impacting the wildlife. There are complex relationships between heterogeneous people and diversity of wild animals. The above discussion suggests that the wall represents a simplified understanding of nature or wild animals, supported by the idea that they can be controlled through technical solution that establishes on the ground of a Western-derived binary between nature and society. As one local Tharu man explained to me,

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<sup>123</sup> Meeting at Migrakunja BZUC office, January 10, 2017

We used to wake up all night sometimes to save our crops and we were okay with that. But later white foreigners started to come and they say do this and do that. They told us that we need to bound the space and use fences. After that we had electric fences. In the past, we used to drive away by any means, but later we have all these *bikas* (development) and other things, and then we started to have a problem<sup>124</sup>.

This idea of conflict and the subsequent interventions are part of a bio-political strategy currently employed by the state, non-state and local authorities and leaders to govern rural people and places. In the next section, I will further develop the argument of the discourse of human-wildlife conflicts and interventions as a bio-political strategy.

#### 5.5.2. Deaths from wildlife: real or exaggerated?

Many people have lost their lives and many more have been injured by park wild animals in the CNP buffer zone. A recent publication shows that average number of fatalities due to rhino over five years (2010-2014) is about 3 people per year and the average number of injuries due to rhinos is about 21 per year. Rhinos are more likely to attack inside the forest. Death and injury due to elephants are on average about 18 and 34 people per year respectively. Wild elephants are more likely to attack outside the forest (Acharya et al. 2016). The question at hand is how many people died and how many were injured in the portion of the buffer zone where a series of interventions were carried out for the "security" of people and property. There is less evidence, for example, of people

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<sup>124</sup> Interview with a Tharu man of Malpur (hotel driver), December 5, 2016

killed in rhino and wild elephant attacks in the buffer zone settlements in the Bagmara CF area. Two local women died in 2015 and 2016 from a tiger and a rhino attack, respectively, and both occurred inside the forest. A tourist also died due to a wild elephant attack inside the forest. In short, deaths from wild animal attacks were inside the forest, so the fences built to prevent animals moving outside the forest boundary are ineffective. Therefore, there is little relationship between conflict mitigation and the construction of the concrete wall (detailed further in the next section). The common claim that about 15 people per year die from wild animal attacks in the CNP buffer zone appears to be an exaggeration of the problem, or at least an overgeneralization. Not all of the buffer zones are subject to fatal human-wildlife conflicts as most leaders and conservationists portray. Leaders are extrapolating the death of people in the buffer zone and telling buffer zone leaders and residents to support the building of the wall in the Bagmara area, where there is not a single death from wildlife. More importantly, leaders neglect to mention the death and injury of people from privately owned elephants, which are widespread all over the Bagmara settlement area. One experienced guide told me, “about 15 people have died or injured in Sauraha because of privately owned elephants.”<sup>125</sup>

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<sup>125</sup> A nature guide (also affiliated with Bird Education Society), 2017



Figure 5.13- Private elephants returning from work (Photo by Yogesh Dongol)

### 5.5.3. Actual crop losses

The wildlife crop damage is relatively high in the Bagmara settlement, mostly from wild pigs, deer, and parakeets. Rhinos are not the primary wild animals degrading the crops. People told me that only major crop loss problem around the forest fringe areas is from wild pigs. The wall area is not where the problem is, yet officials argue that they are constructing the wall to reduce conflict. Criticizing the ongoing wall in the eastern border of the Bagmara CF, the vice president of Boderni BZ told me that he thought a concrete wall is being constructed in a place where there is not a problem because most of the nearby land areas are owned by tourist hotels. Very few people farm there. The concrete wall is not being constructed in the places where people are demanding some kind of fence protection from the crop deprivations of deer, wild pigs, monkeys and other

wild animals. Some local people told me that authorities are not listening to their requests and that the wall is not residents' major priority.

Crop loss is a complex issue, and it does not impact all equally. Some areas either have few occurrences of crop loss or the impact is concentrated on only a few households. Crop loss is a non-issue for those who do not farm, whether landless wage laborers or wealthy business people. Crop loss is also a non-issue for people who farm, but have land holdings away from the forest or are in the centers of cultivated areas. This does not mean that crop loss due to wild animals is insignificant. Some locals who also live close to the forest have suffered crop damages. Some people who lost crops from wild animals told me that the loss of crops is higher now than in the past because in the past wild animals used to take a bit in lentil season, some in paddy season, and some in corn. There was less damage by wild pigs and other wild animals in a single plot. At present, when wild animals enter crop fields, they destroy everything, because fewer people are engaged in farming, as most lands near the forest have hotels or fenced fallows. Indicating a mustard plot near where we were sitting, a local respondent told me, "they had mustard all on a large plot, but they have only a few mustard plants left. In the past, wild animals used to eat a little bit of everyone's."<sup>126</sup> He said that there are only 8-10 houses who are still farming in Bagmara settlement right next to the Bagmara CF because rich people from other places have bought most of the land.<sup>127</sup> One respondent from Bodreni said-

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<sup>126</sup> Interview with a Bagmara resident (handicraft maker), September 19, 2016

<sup>127</sup> Interview with a Bagmara resident (handicraft maker), September 19, 2016

They should have constructed the wall here if they were so concerned about protecting people from wild elephants. The BZ and CF did not want to put money to construct a wall here, but started building a wall in Janakauli and Bagmara area, which do have not really have wildlife crop damage issues. Although the CF, BZ, and NP make money from the Bodreni area from tourism, they refused to invest in the area.<sup>128</sup>

In Bagmara buffer zone area, the existing conflict between humans and wildlife has been normalized by representing the area as tourists' space. Many state officials, conservationists, and local business people consider Sauraha to be the "tourist place" or "wildlife city", and reason that wild animals in the "tourist place" should be cherished and welcomed, rather than considered as a source of conflict. They think that people should let rhinos and wild animals come to the settlements. People should not be offensive toward rhinos in particular because people are making money from tourists coming to view rhinos in Sauraha. Rhinos and wild animals in settlements and forest are good for tourism business as wildlife tourism depends on wild animals. Wild animals coming into the settlement is considered as a good sign because it gives the hint of wilderness. In essence, Sauraha has been discursively constructed as a space for wildlife tourism, where crop cultivation is out of place and therefore not worthy of protection from wild animals. One hotel owner whose house has been destroyed six times by wild elephants over the course of time said, "rather than trying to obstruct with the different types of fences, local

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<sup>128</sup> Interview with a member of Migrakunja BZUC, November 27, 2016



people should create suitable habitat by planting fruit trees and vegetables such as banana so the wild animals can come and be safe.<sup>129</sup>”

#### 5.5.4. Compensating losses

One of the major incentive-based activities that buffer zone and community forests committees are doing is compensating the loss of buffer zone users’ property, crops, livestock and lives from wild animals coming out from the park and forest. In 2016, Bagmara CF distributed crop loss compensation for 67 houses mostly in the Bodreni and Bagmara settlements. Bagmara CF claims that they give 70 percent compensation for the crop losses, but those who lost crops said that they would be happy to take 70 percent if they fairly calculated the losses. Some people are not satisfied with the compensation committee’s work because they say that it is not fair and they do not consider the complexity of crop losses. As one respondent explained to me,

If some people have a small plot of land, the loss of crops for them is a big thing compared to some who have large land holdings. Small landholders usually work hard and invest more in their land, such as the use of manure and planning crops to produce good harvests, compared to the large landholders. If you provide compensation based on the area of damage rather than the quality of the crop and potential harvest, then that is not fair.<sup>130</sup>

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<sup>129</sup> Interview with a hotel owner (Chilax house), December 15, 2016

<sup>130</sup> Interview with a Tamang man of Bagmara settlement. Also a staff of Bagmara CF office. September 08, 2016

That is, people were not satisfied with compensation based on the area of crop loss rather than the actual crop loss. When a committee member at a general assembly meeting said he was glad that no one was asking compensation questions, because people are getting 70 percent compensation for crop loss, a local forest user replied, "people are not asking the question because many, many people are frustrated with the compensation. people are not satisfied with the monitoring and evaluation process of compensation." A Tharu man of the Bodreni area was also dissatisfied with the slow response of monitoring and evaluation by CF and BZ staff. He said,

the evaluation people only come after a week of application of crop loss and the damage and the impact of the damage after 7 days will be less visible. If the affected person is not their "favorable" person, they will refuse to record the actual impact. If we say the affected area is 3 Katta, they will record 10 Dhur<sup>131</sup>. Again they will calculate that 10 Dhur will produce 1 quintal corn and then we will receive 40 percent of a quintal as a compensation... committee people who come to evaluate act and behave as if there is no damage to crops<sup>132</sup>.

Clearly, evaluation is a difficult and subjective process and it is challenging work because everyone wants to get more for their losses. I had a long conversation with one of the compensation committee members. He told me that not all local forest users who demand compensation are honest. Some people want to get full compensation of crop loss even if their crops are not of good quality and they have not invested much labor, manure and other needed inputs. All want to benefit from compensation and sometimes

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<sup>131</sup> 20 Dhur land = 1 Katta (20 Katta land =1 Biga)

<sup>132</sup> Interview with a Tharu man of Bodreni, October 1, 2016

there are 30-35 applications pending. A committee member also told me that the buffer zone committee told the community forest office not to give compensation for the loss of “bigger things” such as the loss of livestock and loss of human life even though Bagmara CF has the resources to provide compensation. The CF officers usually divert their users to the buffer zone user committee office, because through it people can get compensation from the state. In such cases, the state requires an enormous amount of paperwork to make sure the request for compensation is valid. According to wildlife damage relief guidelines of 2009, an impacted person should provide the following documents to claim compensation; 1. Application form, 2. photographic evidence, 3. monitoring and evaluation report, 4. letter from buffer zone 5. letter from municipality or VDC, 6. evaluation from the forest or livestock experts report, and additional land and house ownership certificates.

## **5.6. Conclusion**

Socioeconomic mobility, as related to the distribution of costs and benefits of the CBC initiatives, are shaped by power relations structured by social and cultural identities. Most development activities have rarely benefited local users who are poor and from “backward” groups. Instead, CBC has added hardship to many local poor people, such as declining access to forest resources from the CF. It has also negatively impacted traditional livelihood practices such as farming, fishing and livestock rearing. The social impacts of mass tourism in Sauraha include the exploitation of hotel labor and tourist guides, conflicts between hotel owners and tourist guides, and the high inflation of daily household products due to tourism. The representation of Sauraha and the community

forest as the “tourist place” and “wildlife city” have suppressed the local livelihood practices and way of life. The improvement projects produced a new class of local authorities and local leaders, who are loyal to the state and business interests and took over decision making on behalf of local people. Business people who are recent immigrants have purchased the majority of land suitable for tourism development. The expansion of tourism in the areas has been associated with the loss of indigenous people land and further marginalization of most indigenous people. Many agriculture plots have been transformed into built-up areas or are fenced for future development.

## **Chapter Six: Reterritorializing Rural Nepal, Producing Environmental Subjects**

This chapter addresses the dissertation's second area of investigation, the complex interrelations of conservation territories, subject formation, and state goals for governing people and nature. The establishment of national parks, buffer zones, and other conservation territories and their associated CBC initiatives have been central to the production of rural subjectivities in Nepal. In this chapter, I examine common CBC social initiatives, such as law enforcement, conservation education, and local participation, as disciplinary mechanisms for producing a population of environmental subjects in the CNP buffer zone. In addition, I review the patterns of state violence and threatened violence and their roles in both producing environmental subjects and reproducing ethnic, caste, and gender stereotypes. Throughout I highlight the discursive practices that produce conservation territories, subjectivities, and normalize state violence.

### **6.1 Discursively constructing the CNP buffer zone**

Certain interlinked discourses have helped normalize militarization and different forms of violence related to conservation within the CNP buffer zone. These discourses, which I identify as tourism, criminality, and security have operated together to shift the meaning of the Bagmara CF from a commons space to a militarized space for tourists. At a broader level, the representations of tourism as the major sources of foreign exchange for economic development in Nepal and rhino as national property/national heritage have supported the use of new forms of state violence in the Bagmara CF. Many people

believe that the strict security of state property is important to reduce the possible risk of loss due to poaching.

In the Sauraha area, most local elites and park officials characterized the area as a "tourist space" and a "tourist hub". Most tourism activities in CNP are carried out in or from Sauraha. In the community forest, tourists participate in "non-exploitative" or "sustainable" ecotourism. Tourists can view rhinos in the community forest while sitting on the back of an "endangered elephant". More importantly, many tour guides informed me that Western people's desire to see "natural forests" or "wilderness" have shaped what types of activities and practices are allowed and restricted within the bounded territory of the community forest. This "tourist gaze" has thus come to operate as a regulatory practice. For instance, a nature guide told me about a tour group that pointed to a tall hotel in Sauraha and commented, "What an ugly building". Others told me that their guests thought that the Bagmara CF "looks like a zoo," rather than a natural forest. Another related that their foreign and Nepali tourists question them on whether the rhinos inside the CF "are not actually domesticated rhino." Many BZ residents now think that tourism inside the community forest is important to the local economy and that tourists who come to Sauraha should have an opportunity to see wild animals, especially rhinos. A Tamang woman who lives by the side of Bagmara CF and whose husband is a nature guide, said, regarding the restrictions on access, "That rule is good because if we go inside the forest wild animals will get scared and run away. Guests who go will not be able to see them, and that will be bad for guests. People need to go only in at certain

times.<sup>133</sup>” But the idea of using forest resources and the presence of bodies inside the forest contradicts tourists’ expectations of “wilderness,” that the CF committee and tourism entrepreneurs are trying to maintain. Such tourist sensibilities and expectations work to push CF management more toward a wilderness model.



Figure 6.14- Wildlife tourism activities (such as elephant safari and canoeing in Bagmara BZCF area (Photo by Yogesh Dongol)

The community forest, however, is also a space that some local forest users still depend on for forest resources such as firewood, fodder, grasses, and some vegetables. For these people, the “tourist space” is a place of subsistence. Spatial practices have restructured local peoples use and access of what was considered as the “commons”. Some say that the community forest has become the “private property of the Sauraha

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<sup>133</sup> Interview with a young Tamang woman of Laukhani, September 24, 2016

people” because local people do not have a means to benefit from the forest and do not have legal access. Increasingly, the Bagmara CF is trying to control access for such subsistence resources because many foreign tourists have complained that they saw people cutting trees and branches. As one guide told me, "Sauraha hoteliers used to take their guests inside the community forest to avoid paying park entrance fee. That way they can keep a larger cut by using the Bagmara CF. After visiting the CF, many white tourists would complain that they saw rhino, but that people were all around."<sup>134</sup> Local leaders and park people tend to represent resource-dependent users, such as Tamang women living by and depending on the community forest, as backward, stupid, and unruly, and who lack an understanding of the value and idea of conservation. Since the community forest is a major source of income for local elites and business people, community forest leaders have increasingly used the military to control local user's movement and activities related to forest resources collection.



Figure 6.15- Rhino in the street of Sauraha settlement (Photo by Yogesh Dongol)

<sup>134</sup> Interview with a former nature guide of Sauraha, December 15, 2016





Figure 6.16 – Tamang women are crossing river to get forest resources from Khorser corridor forest in Bodreni settlement. (Photo by Yogesh Dongol)

As local people continue to use and sell forest resources from the CF and CNP, leaders of the community forest increasingly rely on the Nepal Army rather than local forest guards. Many leaders considered local forest guards to be incapable of controlling resource exploitation by their local neighbors and families, whereas the army is considered as more capable, "disciplined," and "organized". Some local leaders also claim that the once "Royal Nepal Army" has become the "Nepal Army" in support of all citizens. Others explain that the army is different now, that they are the new "conservation army". Army soldiers are now oriented towards conservation of wildlife and are more committed to conservation. Accompanying and supporting this shift to the army is a discourse of criminality. An army in Sauraha told me that they had to increase patrolling in buffer zone because of the growing population of diverse people, and

because the buffer zone has "a large number of ethnic, backward Matwali people (alcohol drinkers) who do not understand conservation."<sup>135</sup> Similarly, Army Colonel said, "we must produce fear among people so that they will stop doing criminal activities."<sup>136</sup> This labeling of certain ethnic groups as backward people who do not understand conservation and are criminals living illegally in the CNP buffer zone space further justifies militarization and violence. The militarization targets a particular group of people and at the same time constructs their identities as criminals.

The representation of a buffer zone as a criminal and dangerous space where rhino poaching frequently occurs supports the idea that increased security is necessary beyond the park's boundaries. Some scholars have claimed that rhinos are ten times more likely to be poached outside the park than inside the park (Martin et al. 2008; Martin and Martin 2008-2009). Similarly, a former park warden wrote a piece where he claimed that the buffer zone functioned as a potential hideout of poachers. He wrote, "access to rhinos is easy because the national highway runs around the park and there are 590 settlements between them. Every settlement is a potential shelter for rhino poachers, and all rhino habitats lie adjacent to settlements" (Adhikari 2002, 3). On one occasion, I asked two army personnel why they are increasing patrols in the buffer zone area. One of them replied in a condescending tone, "all rhinos are here in buffer zones and patrolling in Chure hills [southern hills of the park] makes no sense."<sup>137</sup> Another argument that is

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<sup>135</sup> Interview with Army Major in Sauraha, Chitwan on 2017

<sup>136</sup> Conversation with Army Colonel in Kasara, Chitwan on April 29, 2017

<sup>137</sup> Sauraha dam area clean-up program organized by BES, 2017

frequently used to justify the presence of military is that the buffer zone is rhino habitat extended from the park. The CNP warden characterized the space as the "external habitat of rhinos." Park people and experts also claim that the rhino population is expanding in a national park and they came out to buffer zone and damaged life and property of people. As a result of the losses, it is said that local people are involved in "retaliatory killing" of rhinos (Budhathoki 2012).

This local criminality discourse is supported by national and international discourses. National and international publications have portrayed Nepal as an "international hub," "hotspot," and the "transit point" of the illegal wildlife trade (MSFC 2016, 79). For instance, the *New York Times*<sup>138</sup>, following the arrest of primate smugglers, framed Nepal as an emerging and "a major hub" of the wildlife trade network. England's *Independent*<sup>139</sup> represented Nepal as a "poachers' paradise, a paradise where poachers used sophisticated weapon, including automatic guns and hi-tech weapons, to kill rhinos. In 2017, after poachers killed a rhino in the CF, the CNP warden explained that poachers used "sophisticated weapons"<sup>140</sup> to kill it. These characterizations posed greater challenges for and a looming threat to the protection of rhino in the national park and buffer zone. Hence, intensified military style monitoring and enforcement of laws are considered inevitable.

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<sup>138</sup> Bhadra Sharma And Kai Schultz, <https://www.nytimes.com/2017/12/20/world/asia/nepal-chimpanzees-trafficking.html>, New York Times, December 20, 2017

<sup>139</sup> Independent, <https://www.independent.co.uk/environment/nepal-emerges-as-poachers-paradise-1819110.html>. Independent, November 12, 2009

<sup>140</sup> Dipendra Baduwal. <http://kathmandupost.ekantipur.com/news/2017-04-09/poachers-kill-one-horned-rhino-in-chitwan.html>, The Kathmandu Post, April 9, 2017

Some people claim that those involved in the poaching of rhino possess a criminal attitude. "Poaching is primarily because of the greedy and the criminal behavior of some local people. It is not primarily because of the poverty per se." An environmental journalist said during an interview<sup>141</sup>, "Poachers are criminals first and poor second. Poaching is the result of personal greed and a criminal attitude". Although these quotes suggest that poaching is the result of the criminal attitudes of people and a product of organized crime, other portrayals do tend to target the poor of particular ethnic groups. Major government documents and other publications portray poor and local ethnic people such as *Bote, Majhi, Tharu, Tamang, and Chepang* as poachers and criminals (Bhujju et al. 2009; MFSC 2015). This framing of certain ethnic groups as the poachers not only justifies violence, it has worked to produce new subject categories for certain sections of the population.

## **6.2 Conservation as territorial securitization**

The interlocking discourses of tourism, criminality, and security have helped to reorient the management of the buffer zone and associated community forests toward an emphasis on anti-poaching. Nepal's rhino population began to increase after the 1990s, a trend enhanced when the poaching of rhinos significantly decreased after Nepal embraced the goal of "zero poaching" in 2010. Global and national conservationists claimed that the zero poaching year of 2011 was a "significant and historic achievement" and "a landmark in Nepal's conservation history" (Acharya 2016, II). Encouraged by the

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<sup>141</sup> Interview with an environmental journalist of the Kantipur Daily, June , 2010

results, the Nepal state, aided by international institutions has introduced a range of military equipment, techniques, and personnel to further securitize the buffer zone territory.

#### 6.2.1. Zero poaching year in Nepal

Nepal achieved "four zero poaching years" for rhinos in 2011, 2013, 2014 and 2015<sup>142</sup> (Acharya 2016; Aryal et al. 2017). Referring to the four years of zero poaching, the Director General of the DNPWC defines "zero poaching year" as something that "refers no evidence of killing of animal or trade concerns for 365 days or more." "Achieving Zero poaching for four years is a remarkable achievement at a time of worldwide threat from illegal wildlife trade," he added (Acharya 2016, II). "Zero poaching" in Nepal "will be achieved by ensuring a secure buffer zone" and "sanitizing the core of the national park of any threats," the current Army Colonel stated (DNPWC 2017, 15).

The zero poaching program framed poaching as something that can be achieved through a technological fix. The mission statement and a so-called "zero poaching toolkit"<sup>143</sup> state that the poaching threat of iconic animals can be addressed through "the tools and methods" developed by experts. The toolkit was developed by WWF as an anti-poaching framework that includes: 1) regular assessment of law enforcement (Assessment); 2) the use of up-to-date technologies to increase monitoring and

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<sup>142</sup> Post Report, <http://kathmandupost.ekantipur.com/news/2017-01-27/cnp-marks-1000-days-of-zero-rhino-poaching.html>, The Kathmandu Post, January 27, 2017

<sup>143</sup> <http://zeropoaching.org/technology.html>, Accessed June 8, 2018.

enforcement (Technology); 3) increased field staff (Capacity); 4) engagement with "local communities" (Community); 5) improved prosecution- (Prosecution); and 4) national and regional information sharing (Cooperation). Following anti-poaching success, Nepali park authorities and non-state agencies uncritically accepted and supported the goal of zero poaching year and have adopted the toolkits despite the widespread understanding that poaching is a complex socio-economic problem that transcends Nepal's national boundaries.



Figure 6.17- Zero poaching year celebration board in the compound of CNP office Kasara, Chitwan. (Photo by Yogesh Dongol)

As a result of the adoption of the toolkits, most national and foreign "conservationists" claimed that new technologies are one of the major changes that have helped to achieve the "zero poaching" in Nepal. As one of the high-ranking staffs - the Director General of DNPWC - writes in the foreword of the Rhinoceros Conservation

Action Plan 2017-2022, that the incorporation of "SMART patrolling" system and "successful" community-based conservation led to "4 years of zero poaching of rhinos" (DNPWC 2017; Aryal et al. 2016). Although there could be a relationship between the introduction of modern technologies in monitoring and surveillance and the achievement of zero poaching, the history of poaching and my findings show more complexity in what shapes poaching. For instance, most park officials mentioned that the terrain of the park, dense vegetation, and weather always hinder monitoring and enforcement work inside the park. As a CNP warden told me, "we do not have a year-round road inside the park. Patrolling inside the monsoon season is impossible, and visibility is very low because of weather and tall vegetation which gets up to eight meters in height where anyone can hide easily inside." Additionally, poaching at the international level is related to the high demand from wealthier countries in East Asia, Europe, and North America. Moreover, there is plenty of evidence and understanding that the increasing trends in poaching were primarily driven by an alliance of rich and powerful politicians, royals, judges, and international smugglers.<sup>144</sup> The majority of those arrested, convicted, and jailed, however,

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<sup>144</sup> For instance, until 1990, royal palace used to take all horns and hooves collected by park or the army. The record in CNP office in Kasara shows that park officials submitted nearly 400 rhino horns to royal palace between 1950 to 1990. Kamal J. Kunwar writes that 'the Royal family and its close associates were directly involved in every type of smuggling. After the thorough investigation of poaching in rhino cases, he claims that it was the royal palace that arranged to free two traders that were arrested with five horns at Aaptari, Chitwan' (Kunwar 2013, 248). Later, two of the arrested people were released because they were "college students" and two were put in army custody for 40 days and later released on bail by the district forest office of Kathmandu disregarding jail terms or fines or both provision of NPWC Act. In addition, Kunwar writes, most top-level smugglers are "Tibetan refugees" and Nepali of "Tibetan origin". They are highly protected by high profile people such as "royal family members, political leaders, high-ranking officers, police and army officials" and other high-class people (Kunwar 2013, 240). The case was reviewed by the district forest office of Chitwan after the scandal become bigger. The DFO of Chitwan also released the two poachers with just a small fine. In another case, national park officials convicted the Yakche, a notorious wildlife trader with less jail term and later released. Kunwar also recounted how Chief District Officer (CDO) of Chitwan advised Kamal Jung Kunwar not to go after or arrest Yakche, despite that he himself has confessed of poaching more than 20 rhino horns, and the CNP have documented that he has traded more than 100 rhino horns (Kunwar 2013, 243)

are from ethnic groups. High profile traders<sup>145</sup> are rarely arrested, and if arrested they easily get out of the jail.

During 1998-2001, poachers killed 39 rhinos. By the end of the 1990s, about 800 army troops were stationed in four different sectors of the CNP, and 32 security posts were established. As the Maoist war peaked in early 2002, the Nepal Army adjusted their presence<sup>146</sup>. During that time, the army merged twenty-four of the security posts into ten for security reasons (Adhikari 2002). Poaching-related deaths between 2002 and 2006 surged to 102. In 2002 alone, poachers killed around 37-40 rhinos in CNP. Because of increased poaching and the danger of Maoists inside the national park, the CNP staff, with the help of the Army, concentrated anti-poaching outside of the park. NP staffs and the army used the Maoist counter-insurgency tactics to inflict massive violence and human right violation on suspected poachers (see Kunwar 2013). Park authorities carried out search, arrest, torture and occasional killings during the period<sup>147</sup>). For instance, the

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<sup>145</sup> Some are arrested for doing a lot of harm to wild animals. Ramesh Kumar Pokharel, a pilot, and a political leader used to buy bullets from army personnel, and he was able to kill more than 15 rhinos but later got less punishment. Gokul pant who worked with Ramesh Kumar Pokharel got a five-year' jail term. Yakche a notorious poacher who was involved in trading many rhino horns got only five years' jail term. Then director general of the DNPWC, Surya Bahadur Pandey gave him less only five-years jail term. Kunwar writes, "People like Pilot Ramesh, Jhalendra Gurung, Anil Gharsing, Gyamjo, Karma Lama, Yakche, Tamling, Gokul Pant, Indra Bahadur Gurung, and Suman Bahadur were the ones who ran the real show." (See page Fight with Poachers).

<sup>146</sup> Nepal Army got involved in Maoist war from December 2001 to end of active Maoist war (mid-2005).

<sup>147</sup> Interview with wildlife Poachers in Bharatpur Jail. July 2010. Almost all (eleven) men in rhino and tiger cases told me that they were severely beaten and punished until they confessed that they were engaging in poaching. I present few incidents of physical violence on suspected poachers that were included in Kamal Jung Kunwar's book (Kunwar 2013). For instance, Devidutta Battalion of CNP arrested two right-hand men (Anil Gharsing and Jhalendra Gurung) of a smuggling leader (Gyamjo).



Nepal Army killed many suspected poachers in field "encounters," and many were arrested (DNPWC 2007, 11). (See examples of Shoot-an-Sight <sup>148</sup>incidents in a footnote).

After the Maoists reached a peace agreement and entered mainstream politics, poachers killed additional 43 rhinos between 2006 to 2010. Poaching related death, however, decreased to “zero” for some years since 2011. More importantly, the idea of “zero-poaching” and the celebration of “zero poaching year” started to take shape in 2010. From the experience of Nepal and international experts, WWF has defined "zero poaching is achieved when there are no detectable traces of poaching activity in an area over a set period and there is no discernible impact on a species to sustain a stable or increasing population" (WWF 2018<sup>149</sup>). It is a global anti-poaching initiative with a defined goal and a call to all countries to strive for zero poaching<sup>150</sup> of wild animals by adopting a "zero poaching toolkit” or face "zero wildlife" (WWF 2017<sup>151</sup>). WWF and affiliated experts developed the "zero poaching toolkit," and urged all participating

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<sup>148</sup> In 2010, UNHCR urged Nepal Army and national park authorities for the proper investigation by civilian authorities after a shoot-an-sight incident in which Nepal Army killed three females including a 12-year-old girl in Bardiya National Park and Chitwan Valley. In another incident, the army killed a Kumal woman while she was cutting grasses inside the national park in Meghauli (Neupane and Musher 2016, 19). Kunwar (2014) also recounts many incidents where they searched, arrested and interrogated without any search warrant or arrest warrant or any concrete pieces of evidence. He has confessed in few instances and writes- "we arrested people based merely on our convictions" instead of concrete and more evidence. As the search or arrest team comprised of a large group of army soldiers with loaded firearms, there is always a possibility of shoot-on-sight without the adequate gathering of information of suspected poacher. Kunwar (2014) described an incident when six accompanying Nepal Army soldiers opened "more than 25 rounds from their M16" targeting a suspected rhino poacher after he ran away with the fear of beating and random arrest. He escaped death, Kunwar writes (Kunwar 2013).

<sup>149</sup> [Tigers.panda.org/reports/zero-poaching](https://tigers.panda.org/reports/zero-poaching)

<sup>150</sup> The idea started with TX22. All participating countries (especially 13 tigers ranging countries) were encouraging to strive for zero poaching of endangered species such as tiger, rhinos, and elephants.

<sup>151</sup> [Ecological.panda.org/2017/06/01/zero-poaching-zero-wildlife/](https://ecological.panda.org/2017/06/01/zero-poaching-zero-wildlife/)

countries to effectively implement all "pillars" of the toolkit to attain zero poaching of tigers, elephants, and rhinos by 2020 (WWF 2015).

As part of zero poaching initiatives, the government of Nepal established a new institutional arrangement to address wildlife poaching and illegal trade. In November 2010, Cabinet meetings chaired by the prime minister produced the Wildlife Crime Control Committee at different levels of government. In particular, the National Tiger Conservation Committee was formed at the prime minister level; Wildlife Crime Control Coordination Committee chaired by the Ministry of Soil and Forest Conservation and Crime Control Bureau with the representation of different enforcement agencies was established at the district level. State agencies have also established international coordination mechanisms such as SAWEN, the South Asian Wildlife Enforcement Network. Additionally, Nepal has a working relationship with INTERPOL for smuggling and anti-poaching. With the help of INTERPOL and the Nepal Police, a "kingpin" of international criminal network was arrested in 2016 from Malaysia. I describe the case below.

Moreover, the NPWC has been amended for the fifth time (Acharya 2016). The amended act has further expanded the territorial control and legal powers of the CNP warden. Now with the fifth amendment of the NPWC Act 1973 and fourth amendment of NPWC regulation 2016, the buffer zone is now categorized as similar to a national park, or wildlife reserve. The recent amendment of the NPWC Act is an effect of the "zero poaching year," where the Assessment pillar of the toolkit advocates the regular assessment of existing legal frameworks for effective enforcement activities and threat analysis to control wildlife crime. Senior park administration has also claimed the

"success" of zero poaching years is partly a result of the change in legislation framework (Acharya 2016).

The zero-poaching toolkit also has “capacity” as another pillar of the anti-poaching strategy, which is related to building the capacity and motivation of ground-level staff, including incentives like paid sick leave, training, and insurance. Some of the capacity strategy had been going on in Nepal since the use of army as security for national parks. Nepal spends more than 80 percent of its national parks and wildlife conservation budget on the security of protected areas. The most important professional awards come here, motivating staff to continue to work in anti-poaching. For example, WWF provides different awards to enforcement agencies and local leaders for their work. Every year WWF-Nepal recognize people and organizations that have made "significant contributions to ensuring Nepal's rich biodiversity." For instance, in 2009, WWF-Nepal honored the Nepal Army stationed in CNP with the Abraham Conservation Award for its role in anti-poaching. WWF-Nepal also awarded<sup>152</sup> CNP warden Kamal Jung Kunwar and other two army battalions located in different national parks. To put these awards into the perspective of rising violence in the buffer zone, a soldier from the honored CNP battalion was involved in the attempted rape case described in the earlier footnote and the CNP warden was once jailed for killing a suspected poacher after interrogation.

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<sup>152</sup> WWF-Nepal. <http://www.wwfnepal.org/?174861/Conserveation-Heroes-remembered>.  
<http://www.wwfnepal.org/?206267/Awarding-Conservation-Excellence-in-Nepa>  
<http://www.wwfnepal.org/?217490/nine-organizations-in-nepal-honored-with-wwf-leaders-for-a-living-planet-award>, Accessed June 8, 2018

### 6.2.2. Militarization of the conservation mission

In response to the mission of zero poaching and prescribed solutions of achieving zero poaching, Nepal Army soldiers' numbers and the numbers of security posts have increased or are proposed to increase. There are now 53 permanent security posts in and around CNP (Budathoki 2012, 143; Field interview). In the Sunachuri area, a new permanent security post is being constructed in a community forest. Temporary security posts are also constructed on strategic locations depending on the need. The recent Rhino Action Plan (2017-2022) indicated that new ten additional security posts in strategic location would be constructed in the near future (DNPWC 2017). The army has been taking a growing share of parks' operating budgets. In the 1982/1983 fiscal year, the government of Nepal allocated 51 percent of the total national parks and wildlife conservation (NPWC) budget<sup>153</sup> to the Nepal Army for security. For the fiscal year 2016/2017, the government allocated 84 percent (about 29.5 million USD) of the total NPWC budget to the Nepal Army<sup>154</sup>.

One of the primary pillars that the toolkit prescribes is the employment of military-style monitoring and law enforcement technologies. The toolkit includes modern technologies such as SMART, MIST, MStriPes, surveillance tools, a mobile phone tracking system, sniffer dogs, UVAs (or drones), and deep-search metal detectors. With the help of WWF, CNP and the Nepal Army introduced in 2012 an Android-based real-

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<sup>153</sup> The security budget increased to 83 percent by the fiscal year 2003/2004. In the fiscal year 2010/2011, the army used 88 percent of the total national park and wildlife conservation budget compared to 12 percent for the management and administrative budget. The NPWC budget for the fiscal year was about 0.4 percent of the total annual state budget (about 2.95 billion USD).

<sup>154</sup> Ministry of Finance. n.d. <http://mof.gov.np/en/archive-documents/budget-details--red-book-28.html?lang=>. Accessed June 8, 2018

time SMART (Spatial Monitoring and Reporting Tool) patrolling system, which helps to measure, evaluate and improve site-based enforcement activities (DNPWC 2015). This new surveillance technology was introduced to increase efficiency and accountability in army patrolling inside and outside of the park. They are involved in night patrolling, sweeping patrols, camping activities and covert operations. Soldiers also carried out patrolling by vehicle and elephant. Each army patrol team with the new SMART patrolling system has a GPS-based tracking device which required them to travel certain areas, certain routes and certain times. The real-time system continuously collects data related to patrolling by the army including the route, the area of patrolling, the time spent in each area, and distance covered and also it enables recording the location of wild animals and illegal activities. Each army patrolling team are equipped with a GPS-based mobile device and other recording devices such as cameras and record books. The information collected increases legibility as it enables the mapping of the activities of patrolling team and the mapping and surveillance of people, places, and wildlife. In 2016, the army in 33 posts conducted 415 patrols and covered 36500 km in CNP. The patrol teams conducted 75 percent of the patrolling by foot. (DNPWC 2016).

In addition, the Nepal army conducts special joint anti-poaching operations such as "Operation Hunt" and "Operation Maha Hunt." The special operations were primarily conducted with the target of ensuring a "zero poaching year." In special anti-poaching operations, additional army soldiers are used along with trained dogs. Special patrolling activities such as 24-hour patrolling have been increased, and temporary guard posts are established in special locations (DNPWC 2016, 14). For instance, on December 30, 2017, the army started the "Operation Mega-hunt" campaign to make the "zero poaching year"

successful for 1000 days. In the campaign, one-hundred additional army personnel were added to an existing army team. The army mobilized military intelligence support, and military-trained dogs were employed. In CNP, the army conducted 150 patrols on foot, in vehicles, and on elephants on a daily basis. For the campaign, 550 army personnel and park staffs and other were mobilized to patrol the 1500-km CNP and buffer zones boundary (Kathmandu Post 2017<sup>155</sup>). In addition, the CCTV has been introduced inside the park and strategic locations for better surveillance and supposedly monitored from the park headquarters. CNP has ten CC cameras located in sensitive areas of the park. Also, the army and the park administration have been using advanced technologies including light unmanned aerial vehicles for patrolling and surveillance. A "conservation drone" is a light aircraft with embedded cameras which can travel above difficult terrain and transmit information in real-time through photos or videos. It guides other forms of patrolling and surveillance. It was introduced in 2012 with the help of WWF as the part of an experiment of new surveillance technologies to collect real-time poaching activities. According to the highest-ranking park official, the Director General, the drone will "act like 'eyes in the sky' to track down poachers in remote and hard-to-reach places" (Acharya 2016, 9). About ten "conservation drones" are being used in patrolling, monitoring and law enforcement activities in CNP. Finally, trained sniffer dogs are being used in patrolling, monitoring and law enforcement activities in the CNP (Kantipur 2017). They have been used to track poachers before and after any criminal activities.

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<sup>155</sup> The Kathmandu Post. <http://kathmandupost.ekantipur.com/news/2017-01-02/operation-mega-hunt-begins-in-cnp.html>. *The Kathmandu Post*. Accessed on June 8, 2018



Figure 6.18- Nepal Army arrested group of Tharu women (Photo by Yogesh)



Figure 6.19- Nepal Army partrolling outside of the Bagmara CF (Photo by Yogesh Dongol)

With the increasing presence of the military in the buffer zone and CNP, studies have been published that highlight the occurrence of military violence. Some incidents such as rape and death in custody rarely get published, but those that do provide a look at the dark side of militarization. (See footnote of rape cases<sup>156</sup> by the army and how local buffer zone and community leaders tried to hide incidents.) For instance, incidents of sexual violence inside the park are so common that a study in eleven western buffer zone villages of CNP have found that 116 women were "sexually exploited" by national park security soldiers and as a result they have given birth to 173 children (Neupane and Musher 2016, 19).

Authorities have also planned to prosecute more people to achieve the zero poaching year. As a result, a large number of alleged wildlife criminals have been arrested and prosecuted. It has been laid out in the Rhino Action Plan (2017-2022) which says that the department aims to increase prosecution to maintain the rhino population and achieve zero poaching year (DNPWC 2017). More importantly, the idea to make the

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<sup>156</sup> One of the major forms of violence that hardly even gets discussed publicly is the accounts of sexual harassment or sexual assault or violent rape of girls and women. These incidents usually happen when the women crossed the forest or park boundary to collect forest resources. For instance, in May 2012, the army head of a security post tried to violently rape a 45 year old, landless Tharu women of Patihani village inside Belser buffer zone community forest; she had entered the community forest to collect grass for goats. One soldier forcefully made her remove her cloths, then severely beaten her with a bamboo stick on legs and back, punched her and hit with a boot on her chest when she refused. The army officer left her when all several people shouted. Despite the horrific nature of these acts, buffer zone people and community forest leaders tried to quell her, as well as others who demanded an investigation, saying that "if the issue come forward, then it will harm forest conservation and will negatively impact the relationship between buffer zone uses committee, community forest and the army". In addition, army soldiers threatened to take the life of the local organization's people for delving into the issue. They threatened not to examine incident connected with the army. In January 2016, the army arrested two women for fishing (using a DUWA-traditional fishing basket) in Rewa river in Madi. The army confiscated fish, and they told women to have sex with them to get back their fish. They physical harassed and verbally abused them and also took away their fish. Although no one openly discussed this particular incident during my 2016 research, many males in Sunachuri area were fearful about the ongoing construction of new security posts of the army in their community forest and the possibility of "anything" happening inside the forest.



zero poaching year successful has encouraged certain forms of state violence, such as the deprivation of subsistence resources. For example, although the government prosecuted 2677 people in different wildlife criminal cases, many were for wood extraction, fishing, fodder/fuelwood collection, and sand/stone quarrying. Only about 7.5 percent of indictments were related to rhino and tiger cases (DNPWC 2016, 11). The state's legal actions also disproportionately involve ethnic minorities. There was a disproportionate number of ethnic minorities in jail in the rhino and tiger poaching cases. A Chitwan-based organization (*Prabhat Kiran Sewa Samaj*) documented that as of early 2015 there are 151 people in Bharatpur district in prison for wildlife-related crimes. In 2014 alone, DNPWC arrested 142 people in wildlife-related crimes. Among the 142 people arrested for wildlife offense, 64 were Chepang people and most others were from Bote, Kumal and Tharu minority ethnic groups (Neupane and Musher 2016). Poachers of particular ethnic groups were more likely to get harsh punishment than rich and other powerful wildlife criminals. Most were charged with 15 years of imprisonment and fines. Many local people told me that those convicted of major wildlife crimes (tiger, rhino) are in jail because they are poor and cannot hire a lawyer or afford bail. Many cases never make it to trial as a consequence (Field interview 2010, 2016 -2017).

Moreover, the Nepali Army and park authorities have violated the legal rights of detained people to have due legal process. Many people jailed in Bharatpur told me in interviews that CNP authorities delay or obstruct trials in court. Other studies have supported these claims. Many told me that they were detained in custody in Kasara, CNP headquarters, without legal proceedings. Many people crossing the national park and buffer zone forests boundaries to illegally or legally collect forest resources for household

consumption or sale have been arrested and prosecuted as criminals. In 2015-2016, *Prabhat Kiran Sewa Samaj* and Action Nepal conducted a detailed study in 11 buffer zone villages of western CNP. They documented that national park authorities have inhumanly treated, punished and criminalized 227 women who had entered national park forest for the collection of firewood, fish, and ferns (Neupane and Musher 2016).

### **6.3 Disciplining buffer zone residents, producing docile subjects**

While the militarization of conservation creates a context of constant threatened violence in the buffer zone as a strategy to control territory and bodies, it is not the only or even principal method of creating docile subjects. The management of the park and buffer zone includes a range of bio-political projects and programs. These include increasing levels of individual documentation, education, and participation, some of which I detail below.

#### **6.3.1. Monitoring and documenting**

As part of its ongoing resource management practices, Bagmara CF continuously monitors movement across the forest boundaries. To aid that effort, local authorities have constructed a permanent road marking the entire forest boundary. It is considered to be the permanent boundary separating the forest community land from settlements, primarily to reduce the problem of gradual encroachment of forested areas by landless people. In addition to spatially regulating the movement of people through the use of barbed wire fences, Bagmara CF has also constructed electric fences to regulate the bodies of wild animals. More recently the Bagmara CF is spending significant funds for

the construction of a concrete wall primarily aimed to fix the boundary and regulate the movement of people permanently.

Accompanying the efforts to secure the forest boundaries and restrict entry are techniques of monitoring and documentation. Bagmara CF users can receive a legal permit to access the CF after providing information at the CF office. People must provide their name and the name of the household head, their settlement name, time of visit, the purpose of the visit at the main entry point. One of the main purposes of the free entrance ticket is to monitor the movement of people by keeping the record of who goes in, who does what, and who comes out. Some people obtain take permits and some do not, suggesting an early phase of this new disciplinary tactic. Many Tharu people from distant areas told me, for example, that they get a permit before they enter the CF. They say that they are fearful of doing anything wrong or going to the park for fear of harm or arrest. However, most users do not enter through the main gate but by crossing barbed wired boundaries. Even if they use the gate, they do not get permit. On one occasion I sat with CF staff when three women entered the forest gate without requesting a permit. As they were walking, a newly recruited forest guard shouted at them to come and get the entry permit. They stopped and two out of the three came back to the gate for the entry permit. When they arrived, the forest guard started telling them that he was calling them to enter their name and take the permit with them. He said to them that if they take a permit it will be beneficial to them if anything happens or if army stops them to check permit. In addition, he told them that if you do not come outside on time then we will have the opportunity to know and go and look for you. Two women just listened, gave their information, took the permit, and left.



Figure 6.20- Forest users asking for entrance permit at Bagmara CF office (up) (Photo by Yogesh Dongol)

Permits help not only to monitor the comings and goings across the boundary, but to regulate activities inside. The Bagmara CF committee has designated the time and space of entrance inside the CF for the collection of specific types of forest resources. Times of forest resources collection has been designated as well as the places of collection. In particular, resource collectors are especially told not to go to or be visible to the elephant safari area. As elephant safaris take place between 6:30 and 11:00 am and 1:00 and 5:00 pm, the time between 11 am -1 pm are only allowable hours for resource collectors. As one Kumal woman in her mid-50's who live in the Bagmara Community forest explain me about her difficulty in getting forest access: "They tell us only to go between 10 am – 2 pm to get some specific forest resources because they say that they

don't want tourists to see many people when they are there to see wild animals in jungle. They tell us to hide in bushes when we see elephants and tourists. Why are we going to hide for an hour in the forest? We have so much work at home.<sup>157</sup>” Elephant safaris also dictate certain resource use restrictions. Collectors have legal access only to "ground grass" and are not allowed to take tree fodder. The control of fodder collection, especially valor (*Trewia nudiflora*) grasses, is related to the safaris' needs for elephant feeding while they are inside the forest. As ground grasses can rapidly grow in short time within a couple of days and as herbivores such as rhino like to feed on new shoots, users are allowed to cut "ground grasses."

The permits not only make users legible to local authorities, permits also help to classify people as either “permitted” or “illegal.” It imparts an idea of illegality and wrongdoing in users' minds. Their offenses are also documented in the CF office which is occasionally used by CF staff to as court evidence. Like the new recording practices used by the army, forest guards in the CF have started to make documentation of any wrongdoing by taking pictures, notetaking of names, dates, and offences. The CF retains records use them as a tool to restrict the distribution of benefits such as the occasional firewood and timber distributions. One woman of Laukhani said that her name was recorded and her firewood was confiscated by forest guards. Six months later during the firewood distribution time, CF staff publicly humiliated her for being caught stealing firewood. As a result of recording keeping, CF leaders know who are dependent on the forest, how many, and how frequently they go to collect. According to the president of

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<sup>157</sup> Interview with a Kumal woman of Laukhani, September 2016.

Bagmara CF, about 65 people go inside the community forest regularly. They also have information about how many people enter CNP forest and the Khorser forest.



Figure 6.21 – Forest guard with women carrying forest resources (down) (Photo by Yogesh Dongol)

Currently, Bagmara CF has 15 forest guards who are stationed at one of several posts and regularly patrol the forest. I participated with forest two guards patrolling the forest. When we meet four women carrying firewood, they used the occasion to subtly discipline them by suggesting them not to come too frequently and not to cut big branches. The CF guards primarily respond to illegal resource collection by confiscating cutting (*Hasiya or Aasi*) and carrying tools (*Namlo*). Usually, when forest guards arrest, they confiscate tools and destroy the firewood load. Forest users who are arrested for

illegally collecting forest resources are required to come to the CF office to get their tools back. This moment is used as an opportunity for guards and CF leaders to teach and educate people about rules of the CF and about the importance and value of forest and wildlife conservation. Education is a key bio-political strategy for producing environmental subjects, a point I will elaborate upon in the next section.

### 6.3.2. Educating

*It is not possible to guard all of the forest boundary. I think we will not be able to control people entering the forest, but we can teach them not to take green branches and trees.* - Bagmara CF guard

In the initial years of the establishment of the CF, NTNC conducted an education program to convince people for the plantation initiatives. Since the Bodreni Tamang people, according to a Bahun officer of NTNC, are “*Kura nabhujhni jaati*” (an ethnic group that does not understand), they opposed the plantation program. NTNC selected a few influential leaders of the settlements and took them on a free excursion visit to Annapurna demonstration sites. A NTNC ranger involved in the program told me, “We took them to Ghadruk and showed the agroforestry activities and the model of ACAP and taught them how local people are doing conservation and growing forest resources. After returning from the tour, those who opposed were very convinced and they helped to

convince other people too.<sup>158</sup> Such past experiences have influenced the implementation of a multi-pronged education program in the buffer zone.

Education, for example, is incorporated into patrolling. Although forest guards in the CF are assigned to control the movement of local people by regular patrolling, monitoring and enforcement of rules, most are also involved in education and in communicating “normal” conservation behavior to local residents. When providing entrance permits, guards usually remind users of the importance of leaving on time and provide some bit of instruction on the importance of forest conservation. Education may sometimes substitute for enforcement. I have observed the activities and performances of forest guards a number of times and saw some version of this. When on patrol with guards we met four women with their load of “fodder” – firewood wrapped inside the fodder-, for example, I was curious what forest guards would say. One of them merely said, “it is already 1:30 PM and you guys are still here. You should be outside the forest by this time. Starting tomorrow don’t do it again and don’t take big firewood.” Such admonitions are supported by other forms of instruction. The boundary of the community forest areas have information on green and yellow boards communicating the need for conservation of the forest and wild animals and rules and regulations of forest access in English and Nepali. For instance, some yellow boards have information about the time of entrance and the time local users have to come out of the forest. Boards remind users that they are allowed to collect only “*bhui ghas*” – ground grasses. Other green and yellow

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<sup>158</sup> Interview with a NTNC staff, December 17, 2016



boards instruct all households to plant at least two trees on their private land to help conservation.



Figure 6.22-Board with resource access information at Bagmara CF (Photo by Yogesh Dongol)

Conservation organizations including CNP, the BZ and CF and the NTNC are regularly conducting education programs to targeted population. One target group of the conservation awareness programs is the Tamang women from the forest fringe area. These women are particularly dependent on forest resources. Conservation education programs attempt to make them "aware" about conservation. Talking about the 2015 conservation program launched by the CF in collaboration with WWF and NTNC, an active member of the CF told me that there were 91 Tamang women participated in a three-days program in 2015. (Although he said, he was not satisfied with the program

because nothing had changed in their behavior and action.) In another example, every first week of the Nepali New Year, Sauraha “conservationists” celebrate conservation week with different types of activities. In 2016, there was a conservation rally, with hundreds of people participating in conservation education events. The Bird Education Society (BES) of Sauraha, with the financial support of the Bagmara CF, is actively involved in teaching students and youth about conservation and the importance of wild animals. They organize conservation quizzes for local kids, bird watching, and power point presentations and occasionally show conservation related videos.



Figure 6.23- School kids and other participant in conservation rally to mourn the death of rhino in 2017 at Sauraha (Photo by Yogesh Dongol)

When education fails to alter behavior, officials and conservation advocates tend to fall back on caste, ethnic, and gender stereotypes for explanation. For instance, many

Tamang women of Laukhani, Malpur, and Bagmara have received conservation awareness training, are beneficiaries of development programs, and know that taking firewood from the CF and NP is illegal. Despite the CF committee's efforts at controlling their behavior through education and other methods, Tamang women have not changed. As the result of the failure to improve their behavior, CF officials and guards label Tamang women who frequently steal or illegally cross the boundaries as "greedy", "illiterate," "unruly," and like "sheep". They are "stupid Tamang women". As it happens, they have continued to steal from the forest primarily because of the continued demand and high profit from selling firewood and forest resources to Sauraha Hotels. In Bagmara BZ, most people of all identities know what is good and bad conservation behavior. Whether they practice good conservation behavior is largely because of many factors, such as landlessness and the need for cash income.

### 6.3.3. Promoting participation

In Bagmara, as is standard in CBC, various institutions encourage the participation and inclusion of people of different identities in conservation and development practices and decisions. In this section, I show how the participation of "local people" is shaped by the different socioeconomic and political circumstances and practices. I argue that the "participation" and "inclusion" of local uses is another biopolitical strategy to reduce opposing voices and to co-opt opponent by providing them incentives.

I went to a public meeting of the Sauraha settlement, which was conducted primarily to decide on how and on what to use the settlement budget so that it can be

discussed and included in the general assembly. There were 21 people present including three women. As soon as a meeting started a person sitting just a row back from me expressed his view about how the meeting was conducted. He declared that the meeting announcement was not circulated to all users and that the meeting was conducted without the presence of a minimum number of forest users. "Bagmara CF has posted a notice about the meeting at the corner in a pole and I just found out about this because someone informed me just 20 minutes ago. I think there should be a minimum attendance to start a meeting. It is a meeting of an organization and it should be guided by a rule.<sup>159</sup>" While he was stating his views, other participants were deliberately trying to interrupt. It was a result, I think, of the fact that the Sauraha settlement is primarily a Nepali Congress dominated place and he was a Maoist affiliated person and of "untouchable" caste.

One of the major issues that many users expressed to me was that the forest user committee does not share information. Not only small conservation and development issues and benefits and opportunities, but the committee does not share information about big development projects with local people. I found that the Bagmara CF never sought the participation of local people or even considered informing local people on most decisions. When I asked about how local people came up with the decision to put a concrete wall with so much investment in the community forest areas, an elder and active Tamang man told me

no one knew about the concrete wall. No villagers knew about the concrete wall.

No one consulted with locals about such a big project. Can you imagine that?

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<sup>159</sup> Participant observation at Sauraha settlement meeting. December 11, 2016

People now know that this is the work of national park and buffer zone. That all people know. No one knows where the money comes from and how. No one has discussed the budget requirement<sup>160</sup>.

Rather, it was discussed and decided upon at the level of local leaders.

Participation is about sharing some information and encouraging feedback from local people, which involves a communication between people and questioning. In the Bagmara CF, information sharing takes place only between people of who agree with each other, a situation shaped by social networks. As a result, the majority of forest users do not go to meetings other than the General Assembly. Participation at the family level is shaped by the identities and social relationships. The idea is that all do not need to participate or that the household head, such as the father or elder male, makes most of the decisions. A Tharu man said, "I don't think all need to go. My uncle goes to the meeting, so I don't go." In addition, many women, who are active in local organizations such as the community forest, saving and credit organizations, and school council, told me that they have difficulty going and attending meetings because of the workload and the role of women in preparing food, looking after kids, farming and all other household work. Most of the time women's participation was not even considered as fit in a meeting room. Some subcommittees have a high representation of women, but when there is a high presence of women, their roles are relegated to stereotypical "women's roles, such as performing as "cheerleaders" or distributing drinks. For instance, in BES (Bird Education Society) meeting, a woman secretary presented information about the annual report and

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<sup>160</sup> Conversation with former member of Bagmara CF of Laukhani, October 23, 2016

after few minutes she started distributing tea to all. Similarly, in general assembly of CF, most women members were in matching dress and they performed in the welcoming of guests.

Most importantly, caste and ethnic identities also shape whether or how someone participates. I participated in a meeting in the Sisuar settlement. The meeting was organized inside the community clubhouse room. Although all forest users were invited to the meeting, there were only about 30 forest users in total. Most people sitting in the room were male and about five women were standing outside of the room and occasionally watching through the window. Participation in the meeting by most men inside the room, however, was very limited and most were listening. One man stood to requested help to repair biogas plant. Local Tharu leaders and community forest leaders presented the already prepared agenda. After few days, I asked with one participant about the meeting. He told me that most were dissatisfied with the meeting and demanded more resources when they gathered by themselves (only Tharu people were gathering). I asked why they did not speak at the meeting. He said, "we Tharu people do not want to or are scared of talking in formal gatherings." Similarly, the participation of many Tharu people is limited by the ability to speak Nepali. A Tharu woman told me that she had difficulty talking in Nepali when a forest committee officer told her to speak with the then King Birendra. "A Bahun man, the vice president, told me what to say and how to speak. I was so afraid to speak. Chaudhary people do not know how to speak,<sup>161</sup>" she said.

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<sup>161</sup> Interview with a Tharu woman- the former CF member- of Sisuar settlement. December 21, 2016

Moreover, people refuse to participate when their demands, needs, and voices are repeatedly disregarded. One person from Malpur said after a Bahun-majority area controlled the settlement development budget every year. "there is no sense of debating or speaking if they don't listen and value you. They say that they will take and spend money where there is a majority. So it is better not to participate [if you don't have majority].<sup>162</sup>" Many Tharu people also told me that they do not participate because their participation and comments make no difference in the CF committee decisions, which are primarily influenced by the interests of Sauraha people. As an "untouchable" man say, "*bhusunako kura Maurile kahile suncha, la bhannus?* [Bees will not listen to what the smallest flies (Gnat) say]. So why go. I do my work". I observed firsthand the way a CF committee member's behavior silences participation. A local young man demanded that CF members help to stop rhino coming from a Bodreni gate, which usually gets left open because vehicles passing during the night often do not close the gate. The Bagmara CF committee member, a Nepal Congress party leader and a president of the Restaurant Association, replied in an authoritative tone, "we are going to construct a concrete wall, and that will solve the problem." Hearing the dismissive reply of the CF representative, the young man replied, "how will that solve the problem. We are asking for a person who will open and close the gate. You will have to put a gate in the concrete wall too."

In addition to the importance of ethnic identities, poor people who have to earn and work every day rarely participated. The loss of daily wage and difficulty of feeding the family is a clear disincentive to participate, which only adds to the fact that they fell

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<sup>162</sup> Interview with a Rai man of Malpur, a daily wage laborer, December 3, 2016



like their participation will not influence the outcomes of the meeting. In addition, many people do not want to participate because they do not want to damage their existing relationship with the local leader. People refuse to participate to avoid confrontation and debate that might harm the social relationship. As one Tamang man said, "when I hear all this corruption. It annoys me. That is why I don't like to participate in those kinds of meetings and gatherings. If I hear something fishy, I have to speak and complain. I have to talk against someone. That will harm a social relationship. That is why I don't go and don't listen"<sup>163</sup>.



Figure 6.24- Q and A session of the general assembly of the Bagmara CF. (Photo by Yogesh Dongol)

<sup>163</sup> Interview with a Tamang Jeep Driver of Malpur settlement. December 6, 2016



#### **6.4. Conclusion**

The representation of certain groups of people as a criminal and poachers and certain spaces as “illegal” or restricted not only strengthens the power of the state over criminality and expands and deepens its territorial control, while reproducing the older social hierarchy, in this case, the idea of caste or ethnic hierarchy in conservation. In other words, labeling people as mindless, backward, and stupid and lacking in understanding of the value of conservation reinforces hierarchies and long-standing relations of power among groups. More importantly, the zero poaching discourses have not only justified the territorial control of national park's core area but also it has effectively, legally and militarily controlled the people and spaces of the buffer zone. Increasing militarization in buffer zone spaces has gradually curtailed the movement of people, their spatial practices, while producing the constant fear of violence. The representation of the buffer zone as a risky place or dangerous place has further supported militarization. The assumption that the "six pillars" of the "zero poaching toolkit" are the solution to the poaching problem is an apolitical, technical fix resulting from a narrow analysis (Ferguson 1990). The analysis has grossly simplified and generalized different types of poachers, the differences between them, and the conditions shaping poaching. I argue that the analysis has led to the disproportionate arrest of poor and marginalized groups. The zero poaching approach calls for the militarization of the park, with strong monitoring and enforcement of laws without acknowledging the history of poaching and the social and political consequences of militarization.

Moreover, the adoption of the international discourse on poaching has justified the state's internal territorialization and militarization of CNP and buffer zones through the discursive spectacularization of conservation success. The celebration of success has been accompanied by the strengthening of the authority of conservation organizations. Nepali experts claim that the "zero poaching year" is a reflection of neo-liberalization of conservation in Nepal, where conservation NGOs bring resources, dictate policies, programs, celebrate and take ownership of their work. Some NGOs are, directly and indirectly, involved in anti-poaching activities. Wildlife Conservation Nepal has recruited anti-poaching staffs who negotiate, act as informants and arrest poachers who are involved in Tiger poaching, in particular. WWF is directly involved in anti-poaching activities by providing financial help or salaries to informants. I think one of the most dangerous aspects of this conservation discourse is that it silences, or reduces the possibilities for, the critical questioning authority and ideas. I repeatedly asked myself, for example, how an idea that we should not harm a rhino with a stick or stone even for self-defense or for saving crops became normalized. The answer, I found, lies with the bio-politics of conservation with its integrated system of violence, surveillance, education, and participation.

## Chapter Seven: Conclusion

This dissertation provides a critical examination of the role of new conservation territories in (re)producing or alleviating socioeconomic inequalities; state formation and the construction of new subjectivities; and shaping rural property regimes and indigenous territorial claims. In the space of the previous six chapters, I outlined the research project and presented my research findings. In chapter one, I described the major research problem, research design, and methods. In chapter two, I looked at the research problem through the optics of particular political ecological scholarship including environmentality and territoriality. These two interrelated concepts have allowed me to question the issues of structural inequalities, property regimes, subject making, state making, and identity politics within territorialized new nature conservation.

In Chapter three, I provided a brief socioeconomic and historical context to help understand current and ongoing conservation and development initiatives. Subsequently, in Chapter four, I looked at the material and discursive practices and processes that have shaped the production of the Chitwan Valley landscape and Chitwan National Park. The historical document analysis and interviews on the creation of Chitwan National Park provided several important insights. First, wildlife experts, in particular, represented the population status of selected wild animals as “bleak.” The experts carried out rhino and tiger population surveys through various scientific techniques and produced new knowledge about their status and nature. They reported the “near extinction” of endangered rhino and tiger populations in Nepal. Second, the identification of Chitwan National Park as a World Heritage Site by UNESCO in 1984 and the representation of

national parks as major tourism spaces that are important sources of foreign exchange for local and national economic development have also factored into the strict controls and the establishment of the park. The production of new scientific knowledge on wild animals and discursive representation of place as important habitat led to the violent eviction of people as “illegal encroachers” and curtailed local livelihood practices as “destructive” to wildlife. State authorities, however, granted permission to some people to start high-end tourism enterprises inside the enclosed spaces for the nation’s economic development. The chapter argues that the international conservation organizations not only claim authority through the production of knowledge and funding, but these ideas and knowledge simultaneously strengthen state power through the production of abstract spaces and docile subjects as people are made fearful through threats and violence. In sum, the ways space is defined and controlled shaped the co-constitution of abstract state spaces and categories of people such as illegals, poachers, and conservationists.

Some noticeable initial integrated conservation and development projects were the enterprise-based approach of the Biodiversity Conservation Network (funded by USAID), the park and people program (PPP), and the participatory conservation program (PCP) of UNDP. Experts discovered the poverty of expanding populations and their dependency on forest resources, the open access nature of forests outside the national parks, the ignorance of people regarding the value of wildlife and the park, and the difficulty of access to resources from the park due to the stringent nature of park authorities and the wildlife law. These representations of complex relationships between human and non-human as “conflicts” enabled a series of conservation and development initiatives around the villages of CNP. In Chapter five and Chapter six, I explore these

conservation and development initiatives in a surrounding buffer zone area of CNP. These chapters contribute to the rapidly expanding literature on the political ecology of nature conservation. In particular, they address the following two key areas of emerging research in the field: first, the political-ecological effects resulting from the rapid increase in territorialized CBCs, such as buffer zones, that seek to integrate socio-economic development goals with biodiversity protection; and second, the critical approaches to understanding the complex interrelations of conservation territories, subject formation, and state goals for governing people and nature.

The dissertation research revealed the complex and diverse effects of CBC initiatives and associated practices and discourses of state, non-state and local people, which I will summarize below. First, a spatial area was legally demarcated as a buffer zone space outside the park boundary. Within each buffer zones, park authorities legally classified the land into forest and settlements. These spatial strategies imposed a limitation on local users' spatial activities, movements, and rights within the buffer zone. The activities of local users, however, are shaped by social power relations. For instance, some powerful local elites were allowed to excavate the Rapti River in Sauraha area, whereas the Nepal Army arrested local poor people who fish for subsistence. Similarly, local institutions and elites have controlled the community forest, a major economic source, through spatial zoning and bounding, and further claimed it through diverse spatial practices such as establishing seedling plantations and surveillance of the community forest. Non-state and state agencies scientifically demarcated and mapped the forest to distinguish it from private land. It has also been maintained through diverse practices such as fencing and continuous surveillance by local authorities, forest guards,

and the army. Furthermore, the discursive representation of buffer zone space as, on the one hand an “extended wildlife habitat” and on the other, a “conflict zone”, a “dangerous place” and a potential “poacher’s hideout” combined with concern for the “security” of endangered megafauna such as rhinos have shaped the militarization of the buffer zone spaces. In addition, the discourse of “risk” of loss and the “security” of rhinos and the celebration of “zero poaching” has also rationalized the militarization and expansion of state jurisdiction in the buffer zone spaces. In sum, the construction of legally bounded buffer zones and community forests has imposed a spatial limitation on people’s movement, activities, and practices. Alternatively, the legal demarcation of boundaries not only produces a new category of land, a state space, that is under the jurisdiction of the park authorities, but also the further demarcation and maintenance of the boundary of Bagmara CF produces new extractive spaces for local and non-local elites.

Second, the major socioeconomic effect of CBC initiatives is the differential distribution of costs and benefits from the Bagmara community forest and tourism among heterogeneous people in the buffer zone area. The control of benefits from wildlife tourism and the community forest is related to the control and access of the means of production such as hotels, jeeps, tourists, elephants, tourism knowledge and social capital. In addition, local elites have a connection with park authorities and national political leaders to influence decisions related to the control of resources and opportunities. In short, the attempts by CBC experts to produce new market subjects and economic benefits for local communities have failed through a naïve faith in neoliberalism. Experts did not take into account that the potential benefits from a tourism industry would invite savvy people from all over Nepal and from other countries. As a

result, local elites, national and foreign entrepreneurs and recent migrants have captured most of the benefits from tourism opportunities, which were purported to benefit local people and the nation's economy. More importantly, the control of benefits is not only achieved through economic means, but non-economic means also play a critical role. The discourse of wildlife “tourism” as a major source of economic development and the imperative of “wilderness space” have justified the strict control of the Bagmara CF space. In addition, the discourses of development or *Bikas* and the representation of space as a “tourist place” and the representation of elite’s tourism activities as “non-extractive” ecotourism practice and local subsistence practices as “exploitative” have enabled the commodification of community forest and wildlife and the elite capture of benefits.

Third, in the Bagmara CF area, development strategies have been the major interventions carried out to change the behavior of local people and authorities or to reduce the conflicts between park and people. That is, the major shifts in conservation discourses in the Bagmara area are the strategic “care” of non-humans and humans. In the Bagmara CF area, wildlife tourism has been promoted as the major enterprises to provide sustainable economic resources for local development and to encourage biodiversity conservation. The project includes socioeconomic development activities to improve the habits and understanding of local people and authorities. However, local authorities have controlled the local users’ access to subsistence resources from the CF to allow undisturbed ecotourism activities inside the forest and river. Furthermore, local leaders and park officials frequently invoked human-wildlife conflict as a major or shocking conflict to assert their authority and power by “helping” or by providing “security” to local people.

Fourth, the effects of the CBC initiatives include the reproduction of caste/ethnic and class hierarchies. For instance, local authorities have granted a special right for Musaher people to collect firewood from the community forest once a week primarily because they are “untouchable” caste. Some Musher and Bote people also have rights because of their “culture” of living by the river, but many poor people from Tharu and Derai have no legal rights. One old Derai woman told me, “We are poor people. Sometimes we don’t have anything to eat. We like to eat fishes sometime but we don’t have money. We do not work. They will arrest us if we fish. Only people who have license can fish and they sell. We don’t have license. ...I don’t know why they got and we did not get.<sup>164</sup>” The special access to collect forest and river resources based on their cultural and caste identity have perpetuated the idea of caste and ethnic hierarchy. Moreover, the failure of fines and punishment, spatial and bio-political strategies to improve the habits of people or the unruly behavior of people have further reproduced the preexisting social hierarchies. For instance, trustees have labelled the Musahar people as “stupid”, “lazy”, and “dirty” and who do not have a habit of “saving” after they failed to improve the lives of the Musaher people through social development initiatives. Similarly, some people who live near forest fringe areas who continued to depend on forest resources after the strict demarcation of land were considered not only criminals or illegals or poachers, but also were labeled with new identities that were strictly based on their ethnic/caste identities. For instance, many Tamang women of Laukhani, Malpur, Bagmara have received conservation awareness training, they are a beneficiary of

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<sup>164</sup> Interview with a Darai old woman of Odra settlement. December 11, 2016



development programs, and they know that stealing firewood from CF and NP is illegal. Despite CF committee's repeated efforts at controlling their behavior through violent and subtle methods, they have not changed their action. As the result of the failure to improve their behavior, these Tamang women who frequently steal or cross the forest boundary of CF and NP are labeled as "greedy", "illiterate" and "unruly" like a "sheep". They are "stupid" Tamang women" of Laukhani, Malpur, Bagmara. They are considered "backward" people.

Fifth, although the regulatory gaze of tourists, conservationists, nature guides, local people, forest guards and the Nepal Army and the engagement and encounter with the discourse and practices of conservation have shaped the particular environmental subjectivities of many people, some people who continued to disregard or failed to behave as "environmental subjects" are frequently labelled as criminals, poachers, illegals and backward. The idea of "Matwali people" (alcohol drinker) and the labeling of people as mindless, backward and stupid who do not understand the value of conservation and the binary representation of Bahun-Chetri people as non-alcohol drinkers who understand the value of conservation is primarily related to why hundreds of Chepang people from a single village outside of the buffer zone are in jail for wildlife crime and why most wildlife criminals are from ethnic minorities.

Finally, the issues of distribution of access, resources, and opportunities have occasionally led to local resistance in the Bagmara CF area. Some scholars have related the emergence of Tharu ethnic identity to the discrimination and marginalization of Tharu elites by the state and state backed Hindu hill groups. Others have pointed out the ethnic politics of Maoists related to the continuous marginalization and domination of ethnic

groups by the state and Bahun-Chetri groups. In Bagmara CF, I show how the loss of land and discrimination by the state prompted the Maoist violence and Tharuhat movement, both charged with identity politics. More recently, the Tharu indigenous movement has emerged in the Bagmara CF area to control the position in the Bagmara CF users' committee. In addition to these overt cultural politics, I show how the cultural representation of people and practices by Others and self-representation have shaped the control of access, benefits, and opportunities in the Bagmara CF area.

Therefore, I argue that these ongoing conservation and development initiatives employed diverse spatial and bio-political strategies to control people and nature. The control, however, is shaped by social power relations such as the legal access from park authorities and social identities. In sum, I argue that community-based conservation initiatives are modern ways of governing people and nature by controlling and producing governable spaces and subject. It is the "meaning making machine".

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