

***Kamlahari* Movement in Nepal: Expanding Opportunities, Uncertain Achievements**

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ABSTRACT

This paper maps out a movement of Kamlahari girls in Nepal which is popularly known as 'Kamlahari' both in lingual and literal terms. This study analyses a semi-bonded child labour system among the girls of the Tharu ethnic community. Despite the long historical background of the Tharu movement, critics suggest that the freedom of Kamlahari in 2013 is largely neglected and has become a less prioritised agenda. Building on this critique, the paper aims to analyse different issues, challenges and opportunities of and from the Kamlahari movement, particularly in context of the western Tarai region of Nepal. Methodologically, the paper follows a set of qualitative methods, including narrative analysis of both primary and secondary sources. The central proposition of the paper is that there are some critical issues and contestations in the movement of Kamlahari girls, ranging from rescue and rehabilitation to educational support and livelihood sustenance. With the changing socioeconomic and constitutional provisions, Kamlaharies have had a number of opportunities for their mainstreaming, but there have been some uncertainties to benefit from them both at the level of policies and programmes. To emphasise this dilemma, the paper argues that 'freedom of the Kamlahari girls' is yet to be institutionalised at the grassroots level through a set of policy inputs and livelihood outcomes.

Key words: Tharu, *Kamlahari* movement, actors, gender, social movement, Nepal.

1. SETTING THE CONTEXT

While Nepal's society has not faced any kind of slavery or a specific era of 'slaves', nevertheless, a slavery system was adopted to institutionalise feudalism (Regmi 2002). However, this somehow exists differently in the South Asian context (Upadhyaya 2004).

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Many of the slavery systems existed in Nepal along with the bonded labour system, which became persistent under the nexus of class, caste / ethnicity and gender. Following this, *Kamlahari* was a domestic slavery system which was developed as the worst kind of bonded girl child labour practice embedded within an unequal social structure. Historically, this was common practice among the poor Tharu community in the Tarai belt of mid- and far-west region in Nepal (Fujikura 2013; Maycock 2015). Poor Tharu parents send their daughters below the age of 18 years to work with landlords and other rich families of their own community or beyond for assisting in household and field work at a minimum wage or in kind. This practice was rooted structurally under the patron-client relationship; and thus, the *Kamlahari* system became institutionalised both in the Tharu and non-Tharu communities in the western Tarai region of Nepal.

However, the *Kamlahari* practice system had multiple facets, not restricted to the communal and regional domain of the Tharus. While politically, it is a feudal practice, it has remained as a socio-cultural aspect of the poor Tharus and the rest of society. As most *Kamlahari* girls were or are below 18 years of age, this practice deprived them from having child rights. Thus, the *Kamlahari* movement can also be labelled as an ‘anti-child labour movement’ in Nepal. Economically, it was a system that emanated from poverty, inequality, dependency and livelihood insecurity of the people. As a political discourse, the *Kamlahari* practice could not become a prime agenda of government policies, despite the fact that the Government of Nepal (GoN) has enacted a number of child rights endorsements and is a signatory of international commitments. Some scholars (e.g., Chaudhary 2013; Dahit 2008; Rankin 1999) also argue that it is a socio-cultural problem imposed by non-Tharus upon the Tharus with a political and economic stratification. These arguments are primarily based on the primordial basis of Tharu ethnicity. Critical Marxists (e.g. Mishra 2011; Sapkota 2014a), however, maintain that *Kamlahari* is a class-based issue perpetuated by the elite given societal power structures. These scholars further argue that the bonded systems in Nepali society, including the *Kamlahari* system, severely affected the poor households in comparison to the rich people and communities. Thereafter, slavery moved downward to the marginalised groups in terms of caste / ethnicity. The Marxist scholars, thus, observe the issue of *Kamlahari* from the ‘political economic’ perspective.

Despite these contradictory views, the *Kamlahari* practice has been widely perceived as bonded labour system and violation of child rights. It can be categorised as a ‘movement approach’. Following this, non-state actors (NSAs) and social movement groups started to raise the issue from 1990 onwards, which further catalysed as a political agenda during the era of the Maoists rebellion (1996-2006) and became intensified in the People’s Movement (2006). Moreover, it became a common right-based issue for many development agencies. After a series of agitations and demonstrations, the system was formally outlawed by the Government of Nepal with the 10-Points Agreement on 10 June

2013; and the subsequent declaration of freedom in 18 July 2013.¹ Despite the declaration, neither all the girls were rescued, nor could a proper package of rehabilitation be instituted for the rescued ones. Moreover, it was eventually reported that some of the girls disappeared and their status could not be identified, while a few of them have been kept bonded in the towns of Nepal as well as in the Indian markets and households (Freed *Kamlahari* Development Forum-FKDF 2018).

In this context, this paper analyses the causes and strategies of the *Kamlahari* movement; and then moves towards the analysis of achievements and future challenges. The research questions have been set as:

1. How did the movement of the *Kamlahari* girls emerge in Nepal, and what kind of issues, actors and agendas did it manifest?
2. How did the movement achieve the most results for the freedom of the *Kamlaharies*, both from the governmental as well as non-governmental sectors?

2. THARUS OF NEPAL AND THE *KAMLAHARIES*: A NARRATIVE

Tharu is the second largest ethnic group of Nepal who make up 6.6% (i.e., 737,470 from the total population of 26,494,504) in the country (CBS 2012). They are found abundantly in all the districts of the Tarai region with a heterogeneous culture, language and livelihood practices. Available literature (Krauskopff 1998; Panjiyar 2000) reveals that Tharus are an ancient ethnic group who first cleared the dense forest in the Tarai region, settled down and started cultivation. Despite this historicity, contemporary social life of the Tharus has been entrapped within rampant poverty and inequality as compared to other caste/ethnic groups which exceeds the national average of the country as well (Bennett & Parajuli 2013; CBS 2011; UNDP 2015). The issues and voices of the Tharu community remained out of mainstream politics for many decades, even though the Tharu movement started in the early 1950s in the name of cultural reform and community welfare. With the decade-long Maoist armed struggle (1996-2006), and subsequent joint movement of political parties held in 2006, identity-based ethnic movements rose, and the Tharuhat Movement became an unavoidable social movement in Nepal. Eventually, identity politics and right-based movement surfaced in Tharu activism in the national as well as regional context of Nepal, and it has also become one of the critical issues in constitution-making and the federal delineation process (Panday 2017; UN RCHCO 2013).

¹Among the agreed points between the Government of Nepal and joint struggle committee working against the *Kamlahari* system, the 6th, 7th and 8th statements are historically important since the others are specifically related to local issues of the system. The agreement is focused mostly on the issue of education which further lacks specific plans of implementation. The GoN does not have specific economic enhancement interventions, such as provision of land, skills development or market linkages, for the Tharu community in general or free *Kamlahari* families, in particular.

In the particular case of Tharus, identity politics emerged through the Tharuhat movement, which consistently demanded a Tharuhat autonomous territory based on the Tharu population and ethnic identity in the Tarai region. This demand, however, contested with the slogan of the Madhes movement which claimed ‘one Madhes one province’ to be a ‘federal and autonomous’ region of their own (Jha 2017). Both the Tharus and Madhesis abundantly share the demography of Tarai region, along with people of other communities, but their movements confronted each other in claiming to be an ethnicity-based federal region during the constitution-writing process. Despite this, the Constitution was promulgated in September 2015 not letting the Tarai region form a separate federal province. Springing a surprise, both movements formed a joint alliance (*Samyukta Madhesi-Tharu Morcha*) to oppose the Constitution, which thereafter divided into many fractions and now the alliance has entered into mainstream politics along with the political parties (Sapkota 2017).

The *Kamlahari* and *Kamaiya*² systems have remained two prominent socioeconomic issues among Tharu community (Fujikura 2013). Both systems are historically interlinked. The term ‘Kamlahari’ is derived from Tharu word ‘Kam+Lahari’, which connotes work assisting labour that gradually becomes bonded to the service. As discussed earlier, poor Tharu parents used to send their daughters or sisters below the age of 18 years to work with landlords and other rich families in their own community or beyond for assisting in the household and field work on a minimum wage (*majduri*) or pay in kind (food grains including rice and wheat). Generally, parent and employer had an agreement (though oral contract in most cases) for one year to work as a *Kamlahari*. But, the employee was bound to work for many years without any formal payment and considerable wages. For decades, *Kamlahari* brokers came to Western Nepal during the *Maghi* festival³ to buy girls to be sent away to work. The girls were supposed to be returned after a year, but few were ever voluntarily released by their landlords. Contrary to the promises, *Kamlaharies* were rarely allowed to attend school, nor have a chance to participate in any kind of social organisations or in public spheres. This *Kamlahari* system violated the rights of the girl-child. Once the girl-child started her life as a *Kamlahari*, a high risk of vulnerability and exploitation, both physically and mentally, often came into her life (COLARP 2016). Though they used to get opportunities for

² *Kamaiya* is a kind of bonded labour system which is based on the domestic and agricultural labour supply of male and adult Tharus. The system was historically practiced in mid-western and far-western regions of Nepal. Though the GoN released 18,291 *kamaiyas* from their bondage on 17 July 2002, the issue of rehabilitation is still unresolved.

³ It is a popular annual festival among the many caste and ethnic groups in Nepal which comes in mid-January. Tharu people celebrate *Maghi* as their New Year Eve throughout the week where many decisions (including migration, marriage, selling or purchasing of family assets and bonded wage labour) take place in consensus with household members and relatives.

school education and some of them were also paid nominally, painful stories have been narrated in some ethnographic counts, e.g.:

The reality is very different. *Kamlahari* girls are mostly used as slaves; rarely living as part of the family, they sleep on the floor in a separate area such as the kitchen. Fed with leftovers or rotten food, they work up to 14 hours a day. The girls are reported to be beaten, neglected, deprived of medical attention, forbidden to leave the house and are sexually assaulted (KidsRights Report 2014, p. 3).

3. GENESIS OF THE MOVEMENT

In earlier anthropological and ethnographic literature of Nepal, the *Kamlahari* system was taken as a constituent part of the *Kamaiya* system, in particular the cases where entire Tharu families became bonded, either in household activities or in farmlands. The political economy and the roots of the slavery were similar for both systems, irrespective of gender roles. Most of the parents who used to remain as *Kamaiya* in their master's or landlord's homes, used to send their sister and / or daughter as domestic servants either at their own master's home or to the relatives of the master. They eventually became *Kamlaharies* (Maycock 2015; Sapkota 2014b). Till the early 1990s, due to persistent poverty, extreme alcoholism, illiteracy, debt and landlessness among the poor Tharus, it was one of the dependent livelihood strategies for survival. However, it came into wider public attention only after the People's Movement in 1990 which had neoliberal economic policies, and offered livelihood diversification and social mobility. The 1990s can be credited as the decade of the freedom movement of *Kamaiyas* and the *Kamlaharies* in which NSAs, including non-government organisations (NGOs) and political parties were largely engaged (Fujikura 2013; Rankin 1999).

The system of *Kamlahari* in theory should have been abolished with the *Kamaiya* system as was endorsed in Bonded Labour (Prohibition) Act, 2002. The Act prohibited bonded labour among *Kamaiyas*, declared all loans taken as null and void and all persons working as *Kamaiya* labourers free. However, the Act did not recognise *Kamlahari* as 'slavery'. Right-based agitations popularly arose with the rise of NSAs after 1990. Social movement groups started to raise the issues of the *Kamlahari*. It became a common right-based issue which further catalysed with the Maoist agenda during the 1990s. In 2006, *Kamlahari*-led organisations won a Supreme Court decision that affirmed the ban on slavery. Even after the political uprisings of 2006, the GoN was slow in enforcing the anti-*Kamlahari* laws and providing compensation for the victims. Throughout the campaign, an effective alliance developed among the movement actors, not excluding some sympathetic government officials and elected representatives. In effect, the efforts helped prompt the government to allocate scholarship funds to educate former *Kamlahari*

girls in 2012. Subsequently, a Joint Struggle Committee (JSC) was made which led frequent street demonstrations in western Nepal and in Kathmandu. This protest stirred public outrage and led to the GoN declaration in June 2013 of an end to the *Kamlahari* system (Sapkota 2017).

After long political turmoil, the promulgated Constitution of Nepal 2015 established a notion of 'representation and inclusion'. This notion was introduced as the guiding principles of the state, which largely addresses the movement agendas of the Tharus and other ethnic / regional groups (Part 4). The agendas of *Kamlahari* movement in particular can benefit and be further institutionalised through the Tharu Commission, which has a provision in the constitution (Part 27). Article 51 (j) of the Constitution adopts the policies of social justice and inclusion, which includes (sub-clause 6) the issue of rehabilitation of marginalised groups:

...to identify the freed bonded laborers, *Kamlahari*, Harawa, Charawa, tillers, landless, squatters and rehabilitate them by providing housing, housing plot for residence and cultivable land or employment for their livelihoods (Constitution of Nepal 2015, pp. 40-41).

The fundamental rights ensured in Part 3 (Rights to Life, Right to Freedom and Security, Right to Assemble Peacefully, Right against Torture, Inhuman and Degrading Treatment; Right of the Human Rights Defenders, Right to Education, Right to Freedom of Expression, Child Rights, Right to Health, Right to Education, and the Cultural Rights) are also vital to promote the rights and rehabilitation of the *Kamlahari* girls in their post-emancipation context. These rights are possibly affecting the contemporary *Kamlahari* movement in terms of its agendas and policy-level contestations. Thus, this narrative of the *Kamlahari* girls and the genesis of their movement briefly reflect a historical context. It includes the following four stages:

1. The genesis of *Kamlahari* slavery as a complement to the *Kamaiya* system;
2. The start of the *Kamlahari* movement with the formation of collective identity among themselves; and the subsequent campaigning of NSAs;
3. The emancipation and declaration of freedom for the *Kamlahari* girls with rehabilitation packages; and,
4. Post-constitutional efforts which guarantee the identity and mainstreaming of the *Kamlaharies* as 'marginalised groups', though subsequent policies are yet to be devised.

4. RESEARCH SITE AND METHODOLOGY

This study was conducted in two Village Development Committees (VDCs)⁴ of Dang: Chailahi and Saudiyar. Having a total population of 552,583 in the district, the major caste/ ethnic groups include Tharu (29.52%), Chhettri (24.91%) and Magar (13.60%) (CBS 2012). The district falls in the Rapti zone of Province No. 5 and in the mid-western development region of Nepal. The district has a long history of peasant and land-based movements (Metcalf 2009), and is the major site of agitation for the Tharu movement (Sapkota 2014b).

The study villages were selected on the basis of the number of freed *Kamlaharies*, and the intensity of *Kamlahari* movement in the regions. Though there is no official record, there were 700 *Kamlahari* girls from Chailahi VDC and 453 girls from the Saudiyar before they were declared free in 2013. Regarding demographic composition, the Tharu population was in majority - 53% and 56%, respectively (CBS 2012). Chailahi VDC is a comparatively accessible plain region in the Deukhuri, with a network of national highways and high in-migration flow from Hill to Tarai. Saudiyar VDC belongs to the northern hilly region of the district, near the district headquarter, and less accessible through the road networks. Moreover, it is worthwhile to note that in March 2017, the Chailahi VDC was incorporated into Ghorahi Municipality, whereas the Saudiyar VDC was upgraded into Lamahi Municipality (Sapkota 2017).

Ontologically, the study followed a participatory approach and constructivist paradigm employing the qualitative tools of Social Science research. It is, therefore, assumed that the problem of *Kamlaharies* has been historically constructed within the given context of Tharus and other caste / ethnic groups in Nepal. It, then, conceives multiple world views of the bonded girls and their construction of knowledge rather than adopting a 'singular worldview' of the researcher. Participatory approach, along with a qualitative constructive world view is largely used in contemporary movement studies (Della Porta 2014; Willis 2007). Then, it explored the issues of the *Kamlahari* movement in the Tharu community and beyond (including changes in *Kamlahari* practice, livelihood strategies, and other issues of resettlement and empowerment). The researcher conducted two Focus Group Discussions (FGDs) in each study site, thus there were four FGDs in total. For the FGDs, the target groups included either:

⁴ VDCs were the smallest administrative units of local government in Nepal. However, they do not exist today as the local levels have been restructured in the federal context as per the Constitution promulgated in September 2015. The GoN adjusted the former VDCs either as 'Municipalities' or 'Rural Municipalities' on 7 March 2017.

Former *Kamlahari* (in households, or in the hostels) conducted in Saudiyar comprising of only *Kamlaharies*.

- a. Former *Kamlahari* groups / organisation, including movement actors conducted in Chailahi comprising of a mixed group.
- b. Child club / network / girls groups conducted in Saudiyar comprising of a mixed group.
- c. Leaders of civil society, NGOs and political parties conducted in Chailahi representing a group of non-*Kamlaharies* only.

The researcher further conducted Key Informant Interviews (KIIs): four KIIs in each VDC (eight KIIs in total), with purposively selected research participants:

- a. Former *Kamlahari* (in households, or in the hostels) - two KIIs in each VDC.
- b. Representatives of former *Kamlahari* groups or organisation, including movement actors – conducted one KII in Saudiyar with a male and another KII in Chailahi with a female former *Kamlahari*.
- c. VDC male Tharu secretary – conducted one KII in Chailahi.
- d. Representatives of civil society, NGOs and political parties – conducted a KII in Saudiyar with a non-*Kamlahari* (male).

Following phenomenological approaches (Yin 1994), the study has also employed one in-depth case study of a female ambassador, a *Kamlahari* girl who led the movement and framed it in a wider context. This case was further narrated by her as an autoethnography. Thus, the adoption of these qualitative methods (FGDs, KIIs and case study) eventually contributed in analysing contested issues and dynamics from the movement perspective. They were further triangulated to saturate reliability of the findings. The study was carried out from 2015-16, and the researcher collected primary data from the field from May-July 2015.

5. RESULTS AND DISCUSSION

Though many scholars (e.g. Gamson 1997; Horn 2013; Kuumba 2001) have considered gender as a crucial dimension of social movements, its particular nexus with the bonded labour movement, has not been discussed. Moreover, such movements are further subject to dilemmas in between opportunities of freedom and constraints which go hand-in-hand (Lyman 2016). From the viewpoints of the *Kamlahari* movement of Nepal, the findings discussed below reveal this kind of broader spectrum.

5.1. Limited Provisions and Disputed Numbers

The findings revealed that the number of *Kamlaharies* (and their full address) was the most debated issue both for the government and non-governmental actors. Though there was no clear figure about the number of *Kamlaharies*, official records of the FKDF claimed that about 3,000 *Kamlaharies* had been already freed in Dang, out of a total of 12,500 from all the affected districts of mid- and far-western districts of Tarai-Nepal. According to their claim, 324 were further to be freed (FKDF 2018). The present study, during the FGDs with parents of those girls, found that it was difficult to rescue them due to their wrong name and address which could not be found in the District Administration Office (DAO) of the Dang district. Moreover, the disappearing *Kamlahari* girls did not have any governmental identity cards, including citizenship card. Some *Kamlahari* girls were not identified and rescued as they were sent to India, or to cities of Nepal (including Kathmandu and Nepalgunj, in particular). Among the rescued ones, as the researcher observed, the number of successfully rehabilitated girls has not been updated, and even the data available seems contradictory. This might be due to the different working modalities of Civil Society Organizations (CSOs) and NGOs. With coordination of FKDF, the researcher met 13 rescued girls. They seemed worried about the rehabilitation package of the government in terms of education and promotion of livelihood. ‘The problem of database’, as stated by one of the research participants in Saudiyar, ‘is as serious as many actual *Kamlaharies* are not included, while some non-*Kamlaharies* have been overtly registered in the list.’

5.2. Emergence of Actors

In the villages of Dang, it was evident that the newly freed *Kamlaharies* were struggling hard for their new livelihood. Most of them had different representative networks, including a number of saving groups and a few co-operatives and NGOs. For example, *Mukta Kamlahari Bikas Manch* (FKDF) was officially established in Lamahi *bazaar* (market) of Chailahi VDC in 2004, which was an induced organisation of many donor agencies, including Plan International Nepal and Search for Common Ground. This organisation particularly led the *Kamlahari* movement in Dang and surrounding districts. Even before their freedom in 2013, some of the *Kamlaharies* were rescued. It was surprising to the researcher to see that the emancipation of *Kamlaharies* could not become the main agenda of the Tharu movement. But, there were a number of organisations often registered as NGOs (Backward Society Education-BASE and Friends of Needy Children-FNC, in particular) and some local-level state officials/actors (e.g. District Child Welfare Board-DCWB, and DAO) played a leading role in freeing them. Even today, many of these organisations have been working with the rehabilitation and livelihood issues of *Kamaiya* and *Kamlahari*. For example, there were nine NGOs registered to work on these issues in Chailahi, while there were six in Saudiyar VDC.

Similarly, *Kamlahari* issues were becoming the project focus of many INGOs (e.g. National Youth Foundation, and Plan International Nepal) in both study sites, and some of them have been focusing on the issues of both groups, such as awareness raising and child rights, rescue and rehabilitation, education and livelihoods.

5.3. Glorification of Freedom

The significance of the declaration day is difficult to understate. During the field study, the researcher had the opportunity to participate in such annual events (in 2014 and 2015) where the celebrations were organised in the name of freedom and emancipation. However, what impact those programmes had, and what had been happening regarding the rehabilitation of the rescued / freed ones, were the things less discussed though. Many of the programmes and celebrations were sponsored by donors, and the involvement of government officials was also ensured with some financial incentives. It is worth mentioning that these programmes were rarely organised by the mainstream Tharu movement (such as by Tharuhat Joint Struggle Committee-TJSC; nor the Tharu Welfare Society-TWS).

Another interesting reflection from the study is that issues of the *Kamlahari* have now changed in form, but in essence, a number of political spaces have been created in the broader Tharu movement to include the emancipatory strategies and slogans for the oppressed groups within the Tharu community. The most striking was that the historicity of this bondage system kept the Tharus as a slave class, and some of the Tharu landlords also became supporters and practitioners of this system. Theoretically, this could be labelled as a discourse of the subaltern in the South Asian context (Guha & Spivak 1988; Majumdar 2015). But, a contested question, as the field observations reflected, still remained unanswered: whether the *Kamlaharies* could speak as subalterns for themselves, or some elite groups would have to speak as their representatives. In similar context of the *Kamaiyas*, however, Maycock (2015) reflects that they are ‘hegemonic’ at home, while becoming ‘subaltern’ outside. A former *Kamlahari* asserted a never-ending question to the researcher:

What did I get from my [past] *Kamlahari* life, and what am I getting now with the present [life]? I lost my parents years ago during their *Kamaiya* life... I don't have any property nor school certificate and any skills to earn with. What could I do? What? (Personal conversation with the researcher, 20 June 2015).

5.4. Issue of Settlement and Rehabilitation

The problems associated with the issues of settlement and rehabilitation of the newly freed *Kamlahari* girls was gaining protest sentiments in the community. Despite the relief packages and rehabilitation schemes provided during emancipation and thereafter, the

settlement was so miserable that it could not satisfy the growing needs of their family. During the FGDs, most of the participants reflected that there were no livelihoods options except doing menial wage labour, even though the *Kamlahari* girls were either rejected being under age or paid very less. According to them, the low wage was further coupled with exploitation in many forms, including physical and psychological harassment by the contractors. The wage relation, which the researcher would call ‘chain of labour’, flourished not only in the Tarai region, but also in the Indian states. The researcher met with some Tharu boys and girls from the Deukhuri region of Dang who were doing wage labour in housing companies in Kathmandu. Some Tharu wage workers, including the former *Kamaiyas* and *Kamlaharies* of Dang were also found in construction projects in Kathmandu. Going abroad was difficult for most of the Tharus as conditioned by their poor access to the human resource recruiters in Kathmandu, limitation of age and literacy background, and lack of money. A few research participants, representing the civil society, further highlighted the issue of *Kamlahari* practice in hidden forms even after their freedom in 2013, i.e., some girls had been victims of trafficking for different purposes to Indian markets (in hotels and circuses). Despite this claim, there are very few studies and strategic priorities on this dimension of the *Kamlahari*.

As the study reflected, the reintegration of the *Kamlahari* girls and their empowerment has some political implications too. Many political parties, including the Nepali Congress (NC), Communist Party of Nepal (United Marxist Leninist (CPN-UML), Communist Party of Nepal (Maoist Centre) (CPN M-C) and some Tarai-based parties had kept the agenda of *Kamlaharies* in their election manifestos in 2008 and 2012. The local-level party leaders in the villages joined the movement campaigns. Despite their activism, they seemed more apparent either during the peak of the movement or at the time of election. Very recently, these issues have been also reflected in the commitments for the general and local elections of Nepal held in 2017. Despite this, the study findings suggest that the settlement and rehabilitation packages were not as effective as the local people expected. They need to be well-articulated by the GoN in a defined target-setting, along with partnership of movement actors and civil societies at the grassroot level.

5.5. Lack of Identity Cards

Due to lack of identity cards, many of the *Kamlahari* girls did not get support from the state, including scholarships, rehabilitation incentives and facility to reside in the hostel during their schooling. They had also been denied inclusive opportunities for entry into the state bureaucracy as allowed in government policies for public services. In Nepal, identity cards have been offered to most of the freed bonded labour (including *Kamaiya* and *Haliya*), but it has been a debatable issue in the case of *Kamlahari*. Therefore, the researcher took the issue of identity as one of the critical dimensions of the *Kamlahari* movement. Though, there had been a provision of ‘the freed *Kamlahari* ID card

distribution committee' in Dang and other districts for the affected ones initiated soon after the declaration in 2013, the committees remained dysfunctional. During the field study, it was evident that the committee of Dang had only issued cards to ten *Kamlahari* girls in the beginning, and remained silent four years thereafter.

The issue of identity distribution for the *Kamlaharies* was also contested. On the one hand, government officers (DDC and DAO) wanted to allocate the identity card with different categories (A, B, C and D) depending upon the years of bondage and physical condition at the time of rescue. According to their claim, it would benefit all the vulnerable ones. They also claimed that the NGOs and local elites were 'playing a game' to distribute the identity cards. On the other hand, the *Kamlahari* movement activists and local partner NGOs have focused on the broad-based distribution of identity cards without any categorisation of the *Kamlahari* girls irrespective of their status and service period. Some research participants lamented that the identity card has been a political slogan for the local political leaders, and therefore, it could not be resolved without consensus among the movement actors and the political parties. Very recently, however, the Ministry of Land Reform and Management, GoN, has enacted a Directive, and thus, initiated the ID cards distribution campaign since 1 November 2017 (Chaudhary 2017). Accordingly, only 80 *Kamlahari* girls have received their identity cards in Dang district alone till the writing of this paper (January 2018). This reflects again a delayed process and bureaucratic hurdles in distributing cards, even though many of the freed *Kamlahari* girls have been displaced from Dang, and some have even died. The *Kamlaharies* who did not have any legal official documents or identity cards to reflect their former life of bonded labour face many problems, particularly for government support.

5.6. Desire of Continuous Support

Research participants consistently discussed expectations of continuous support from NSAs, particularly from NGOs to the *Kamlaharies*. However, the researcher also observed that government support and incentives (in terms of rescue, legal help, scholarship and tutorial support, etc.) granted to the *Kamlaharies* have been less credited. Due to increase in rescues, a kind of psychology, however, has developed among the movement leaders that they are the sole authority to define, rescue and rehabilitate the *Kamlaharies* in the region. It was interesting to observe cases where some bonded girls were rescued by some social groups (e.g. FKDF) before their formal emancipation proclamations by the government in 2013. But, most of them were unhappy with the government services, particularly in terms of their education and rehabilitation in society. One of the other experiences the researcher saw was that even the girls who freed themselves or had been freed by their owners and the *Kamlaharies* rescued by other NGOs were 'not' treated as equally as the girls who were rescued by NSAs. The state actors were quite reluctant in this issue which largely shadowed the problems of

Kamlahari girls who were out of exposure. The hostels hosting freed *Kamlaharies* were facing such dilemmas, e.g., the Lawajuni hostel at Narti of Chailahi Dang, where 230 students were residing in 2014. Expenses of the hostel management were not audited and decisions were not documented properly. In a public consultation with the researcher, it was found that the activities conducted in the hostel were not transparent, either to the School Management Committee (SMC) nor the public. The same person who was the head of the school and president of an NGO (Social Welfare Association Nepal-SWAN Nepal) — which was working in the *Kamlahari* sector — was blamed for unethical control of resources and students of the hostel. In being so, the donor, Plan International and its partners, had sidelined the role of the SMC and the District Education Office (DEO).

Even though some educational programmes were targeted by the government for the *Kamlahari* girls (e.g. in terms of scholarships), they were seriously marred by funding leakages and shortages. The Ministry of Education formulated Education Support Guidelines in 2011 which addressed the concerns regarding scholarship and hostel facilities for the freed *Kamlaharies*.⁵ In the beginning, the document had endorsed scholarship provision for the freed *Kamlahari* girls making their specific definition as bonded labour and the status of being freed as on 13 April 2010. In rule number 6.3, there is a provision of scholarship to be delivered by the respective schools for dress, stationery and hostel facilitation from primary to higher level (6.3.1).⁶ As per the official record of the DEO of Dang, out of a total 3,000 school-going girls' status, 2,500 had received the scholarship in Dang from 2013 to 2015, while 500 were missing out due to their incomplete documents. Moreover, some of the research participants during KIIs and FGDs also shared that every year, there used to be a larger allocation of financial and technical support for the socioeconomic development and capacity development of the freed *Kamlahari* girls (e.g. in DEO, DDC and DCWB). Due to lack of proper coordination between governmental agencies and NGOs, a significant amount of budget remained unutilised and became frozen.

⁵ This Guideline was further amended in 2014 and again in 2017 in the name of 'Scholarships Management Guideline for the Schools'.

⁶ There are two types of scholarship supports: (a) Scholarship for the freed *Kamlaharies* going to schools/colleges from their own home (i.e. non-residential): Nepali Price Rupees (NPR)150 per month for ten months for 1-8 grades; NPR 180 per month for ten months (total 1800) for 9-10 grade; NPR 500 per month for ten months for 11-12 grade; and NPR 1000 per month for ten months for higher studies; and (b) Scholarship for the freed *Kamlaharies* residing at hostels and enrolling at the schools/colleges (i.e. residential): NPR 3000 per month for ten months (NPR 2500 for the hostel charge of lodging and food, and NPR 500 per month for maintenance of personal needs and hygiene). 1 USD=115.20 NPR as standardised transaction in 14 September 2018.

5.7. Going Beyond the ‘Mainstream’

The narratives of the *Kamlahari* girls in Dang reflect a contradiction with the mainstream view that the Tharuhat movement corresponds with anti-Pahadi⁷ sentiment and resembles the ‘ethnic territory’ of the Tharu communities. For the *Kamlahari* with whom the researcher discussed their experiences, the issue is not that simple. For example, the researcher was told that there were both good and bad Tharu and Pahadi landlords. There were also reflections that the *Kamaiya* and *Kamlahari* movement should not have been considered the mainstream Tharuhat movement as the existing leadership of the latter did not consider their agenda integral to Tharuhat agenda. These conversations implied that no easy generalisations can be made here. One’s position in the system as *Kamlahari* (and landless) was more formative than ethnic associations with a Tharu landlord. This raises the question of whether class identities have more influence on *Kamlahari* femininity than ethnic identities or the masculinity within the Tharu community and beyond. This has been a challenging journey as maintained by one research participant in Dang:

The *Kamlahari* system was a devil of our society in the past, and it was treated as the problem of Tharu community only. But its movement and liberation, now have become our asset and identity of local communities of different caste / ethnic groups in Dang... We are really indebted to such courageous girls.

The following case study of Urmila Chaudhary further illustrates how a previously bonded *Kamlahari* girl could get wider exposure to the national as well as international level and become a Girls’ Ambassador:

My family used to be in bonded labour — *Kamaiya* — which continued from my grandfather to father and then to my brother. In 2002, bonded labour system was outlawed, and my brother also got freed. My father took loan from one of the persons from the hill when he was sick. Because of that debt I was sent to Kathmandu as bonded labour. I was not even six years old then. I was bonded at Jawalakhel, Lalitpur, in one of the Rana’s houses. They belonged to the royal family. For 11 years, I worked as a bonded labourer. I was freed at the age of 17. There is still a good relationship between me and the bonded labour home. During the 11 years as a bonded labourer, I visited my home only three times. My owner did not

⁷ The people/community who migrated to the Tarai low-land from the northern hilly up-lands are locally recognised as ‘Pahadi’ or ‘Pahadiya’ (hilly people) by the Tharu and other indigenous community of the Tarai.

give me permission to go home. I was not in contact with anyone in my village for four years so they thought I was lost.

During my *Kamlahari* life, the food I took and the dresses I wore were of very low quality. I used to cook for all the family members and guests of my owner, but I could not take the food of my choice. I needed permission to do everything. They used to throw foods in the dustbin if I cooked without their permission. I had to give them honour such as using 'your highness' in my language. There used to be milk and cornflakes for the dog, but for me there was rice that was also given to pigeons. They used to have good quality rice, but for me they used to cook vegetables with little oil and more chilies. When I was bonded, I got food but didn't get any opportunity of education. I would drop the children of my age to school. I didn't have any idea about how to cross the road and because of this problem, sometimes I used to stay whole day on the road and I used to cry. I have the experiences of bondage inside the home for five years. Unused toilet was my room where I was kept like a prisoner for many years. I was freed on 1 Magh 2063 (11 January 2007). I didn't get any money from the owner when I was freed. My brother and VDC secretary of my home village have played a great role in this. After I was freed, I was involved as a protester in anti-slavery movement. We collectively developed Freed Kamlahari Development Forum (FKDF) and extended its networks outside the district as well. As a protester, I was threatened by many people. But I did not melt down.

I got to know there is provision for bonded labour to study. I studied a bridge course and joined in class 5 due to my higher age. Teachers upgraded me to class 7 after being first in class 5. I studied up to class 9 by staying in a hostel because I used to get many threats for studying at home and bonded labour freeing process. Later, my story was published in German language. Now, it has been translated in nine languages. After publishing this story, various institutions helped me and I started to study at a private school and I completed my SLC from a government school. Now I have just completed intermediate level. I am an ambassador of teenage girls as announced by Plan International Nepal and other agencies. I have had frequent opportunities to visit many countries, including Germany, United States and New Zealand. I am inspired by Malala

Yousafzai. I wish to study more. I want to study law and work in legal system in favour of women and children.

5.8. Effectiveness of Social Spheres

Social spheres of the *Kamlahari* movement have been broadened in Dang in terms of both the state as well as NSAs. Evidently, child rights were central to all of them. The rescued *Kamlahari* girls became engaged in child clubs, Village Child Protection Committees (VCPCs), girls groups, and some of them were also the founding members of female-headed co-operatives as well. The local NGOs (including FKDF, BASE, and SWAN) and supporting INGOs (Plan International) and line-agencies of the government (VDCs, District Child Welfare Board-DCWB) offered project interventions, both as joint ventures as well as alone. Capacity building for child club members was maintained through different kinds of training, including leadership development, street drama performance, and wall magazine production skills development. Moreover, orientation to Badhghar,⁸ parents and freed *Kamlahari* girls on child right issues seemed more contextual. All these activities played an effective role in raising awareness of children's rights to development, participation and protection. During the study period, except for a few new child club formations, mostly already existing child clubs were strengthened. In the process of re-integration of former *Kamlahari* in the community after rescue, child clubs were found to be the most relevant forum in the community. As a social forum, child clubs have ensured rights of participation for children to learn and share their opinion, opportunity for developing leadership, personality, creativity, communication skills, and learning about child rights.

During an FGD, the child club members said that they have learned different skills, such as organising events like school enrolment campaigns, conducting meetings, raising public issues of the *Kamlahari*, and orienting the parents against child marriage and child labour. Child clubs, including the freed *Kamlaharies* had also developed the capacity to speak in front of many people. During an FGD conducted with members of the Phulbari child network helping girl teenagers of Gadhawa (Dang), a former *Kamlahari* said:

At the beginning, when I was freed, I could not talk to anyone. I used to be afraid of seeing people and goods around me. But now I talk to everyone, go everywhere and see everything. I always miss my parents. We have nothing. We are poor and landless. I want to talk

⁸ Also called *Bhalmansa*, the *Badhghars* are locally nominated / elected village heads of the Tharu community. Though this is a specific indigenous practice of social control among the Tharus, the practice is still equally adapted by the other caste and ethnic groups in the villages. In recent years, the roles of *Badhghars* (traditional leaders and the newly elected leaders (at local levels) are, however, contested and overlap each other.

about poverty, and about my past life! (Based on the personal conversation with the researcher, 18 June 2015).

Indeed, the skills learned in child clubs and VCPCs would contribute in leadership development and self-esteem of the *Kamlahari* girls. The research participants complained that only few *Kamlaharies* had received such membership and were provided physical support, and some of them were granted similar types of trainings again and again. Nevertheless, to offer an inspiring example from Dang, Urmila Chaudhary, who was kept as *Kamlahari* during her childhood, now has exposure nationally and internationally as a Girls' Ambassador for the Child Rights. Shanta Chaudhary is another example who engaged in political movement after being freed from the *Kamlahari* life, and has now become a member of the federal parliament of Nepal. Though these examples seem like an illuminating canvas for the emancipation of the *Kamlahari* girls, yet ironically, there are many other former *Kamlaharies* who did not participate in any kind of public spheres or social institutions, and were excluded from such opportunities of capacity building and reintegrating into the larger society.

5.9. Risk of Return into the Kamlahari Life

There was an emergent issue of risk of returning to the *Kamlahari* life even after being freed. In the FGDs with the parents of *Kamlaharies*, it was found that some of the rescued girls were still in the process of returning to the *Kamlahari* life due to extreme poverty in the family and social hatred in the community. In an in-depth interview conducted with a *Badhghar* of Lagadi village in Lamahi, it was reported that some rescued *Kamlahari* did not like to go to school even if they were of school going age. Those girls who did not go to school got married at an early age of 13 or 14 years. Similarly, the rescued *Kamlahari* girls did not prefer to stay with parents whose home environment was not favourable in terms of food and lodging, or the parents had disabilities due to disease or old-age complexities. Those rescued girls had already returned to the *Kamlahari* life again. Rampant poverty and recurrent food insecurity, given the lack of income-generating skills, some parents wanted to send their daughters as *Kamlahari* just for mere survival. During the field study, a few research respondents expressed their anxiety that they would not get any support either from outside, from the government nor any other non-governmental agencies; and therefore, they seemed more convinced to send their girls back to the *Kamlahari* life again. Some reported how instead of sending children as *Kamlahari*, parents used to send them for menial work with construction contractors even though the child's age was below 15 years. Here is a direct quote from a household head during an interview in Gurgaun, Dang district:

I have learned a lot from my life. I got freedom from my *Kamaiya* life. Then, my daughter became free from *Kamlahari* life with the help of many people and organisations. But what is happening now?

[silence...] My wife is suffering from cancer of the uterus. Now who will assist me? My wage is not sufficient to afford the treatment. I have no additional property, even to get loans. This is how I am thinking about extra sources of income, so my daughter [freed *Kamlahari* who used to go to school] is the one who can contribute and earn money for her family (Based on a personal conversation with a former *Kamaiya* in Dang, 21 July 2015).

5.10. Metaphysical Questions

The fundamental metaphysical question for the *Kamlahari* movement and its issues lie on the extreme form of poverty, landlessness, inequality and illiteracy of the Tharu people themselves. Though a comprehensive caste-ethnic database system could hardly be found in Nepal, and this is beyond the scope of this present study, the researcher noted in the field that these political-economic conditions have been historically compelling slavery and bonded labour among the Tharus. For instance, Nepal Multidimensional Exclusion Index (MEI) revealed that the Tharus are an 'excluded group' levelling at 0.303, though the national average of the Index was 0.22 (Bennett & Parajuli 2013). Emerging ethnic elitism within the community is another critical issue in this regard due to which most of the educated and upper class Tharu men have particularly benefitted from the different kinds of opportunities in society. This has resonance with bonded labour in the rest of South Asian countries, and the way families give their male children to *madrassahs* (religious schools) in Pakistan, and the poor Brahmin families given their daughters to some temples in India (Joseph 2014; Metcalf 2009).

Linked to this issue of exclusion was slavery which further affected the livelihood and capability enhancement of the freed *Kamlaharies*. Indeed, while the *Kamaiyas* were freed in 2000 and the *Kamlaharies* were declared free in 2013, no policy was devised nor was the rehabilitation programme adhered to by the state / government. Different kinds of INGOs and CSOs were working in the name of support for the freed ones, though there was a duplication and over-stratification in project designing by these actors. The *Kamlahari* girls were either being settled with their parents or running independent vocational shops after getting training from the local NGOs. Most of them were struggling to find sustainable income sources in the competitive market. The cases of sexually exploited *Kamlahari* were either dismissed without any decision or were delayed in the customary legal process.

The social service system and security were very weak and mediocre because of inadequate policy support, feudal structure of the local bureaucracy and inaccessibility of the poor to the authorities. A simple question always pushed this researcher regarding the nature of the emancipation in the broad spectrum of social life. Political and economic issues of liberation were also raised. The post-emancipation discourse has empirically

failed to address the structural issues of exploitation related to the *Kamaiya* and *Kamlahari* systems in Dang, enabling it to evolve and continue in alternative forms. This finding is quite similar to Karki (2001, p. 125) who put ‘grassroots movements as a structural issue’ in the context of *Kamaiyas* struggle towards freedom. This relates more broadly to the consistent lack of engagement with issues of land, debt, rehabilitation, and the nexus of ethnic identity and class structure in rural Nepal. To quote a former *Kamlahari* girl who narrates the structural question of ‘why’:

I had a question about how I became a *Kamlahari*. Why I was kept, and not the daughters/ sisters of other Tharu people and other non-Tharu community? Why I could not go to school like my other friends? What is this? Whom should I blame: God or family or society? Or my fate was responsible! How did people come to buy me, and my parents had to sell me during the *Maghis*? (Based on a personal conversation in Ghorahi, 3 August 2015).

In short, findings discussed above can be summarised to reflect the limited provisions and rehabilitation packages for the freed *Kamlaharies*. The rehabilitation has been further affected by the poor database system, lack of identity cards and monitoring and supervision of targeted projects. Though various NSAs were involved in the *Kamlahari* movement, it could not become the mainstream agenda of the Tharu movement which was very powerful from 2006 onwards during the Constitution writing process in the country. The research also finds that issues like higher education, promotion of self-employment and sustainable livelihoods could be critical factors in the rehabilitation of the *Kamlaharies* in their own communities. The rehabilitation package of the government should, therefore, be extended to minimise the risks and vulnerabilities of the freed girls. As there are a number of gaps and uncertainties in the outcomes of the movement, the findings suggest that the *Kamlahari* movement has not ended or disappeared in totality. Rather, it has been influenced by emerging NSAs and elites in the communities both in Chailahi and Saudiyar of Dang district.

6. CONCLUSION

The study concludes that the problem of *Kamlahari* bonded labour was a socioeconomic and political issue embedded both in the Tharus and non-Tharus. Though, they had been declared free in 2013 after a long series of *Kamlahari* movements, the rehabilitation package launched by the government is not effective in terms of educational support, reintegration in the family and the promotion of sustainable livelihoods. While there has been space for this movement, it could not be more organised as was in the previous years. Along with the new Constitution, there have been expanding opportunities for the *Kamlahari* girls through a number of progressive reforms both at the policy level

(including inclusive agenda as fundamental rights) and development interventions (including social security, rehabilitation and incentives). This study further observes that those opportunities were uncertain for many of the *Kamlaharies*, particularly in terms of lack of identity cards, poor educational attainment and vocational skills, weak access to local bureaucracy, NGO-based campaigning and the subsequent risks of return to the previous *Kamlahari* life due to social insecurity and extreme poverty. Moreover, the ways and processes of how the opportunities are being extended at the grassroots level seems the most challenging issue as they could dilute the achievements of the whole movement. Though the present study was based on Dang district of Nepal and its two VDCs, the findings encourage widening the scope of the issues of *Kamlaharies* both in the Tarai region and in Nepal as a whole.

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