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The Material Politics of Citizenship: Struggles over Resources, Authority and Belonging in the New Federal Republic of Nepal

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ABSTRACT

Examining the boundaries of state–society–citizen–environment after the federal restructuring in Nepal, we ask how do people claim authority or citizenship rights? We theorise state power through the socio-environmental state framework as a set of socio-natural relations in the making, formed by struggles over authority, recognition and environment. Using qualitative data from Barpak, the epicentre of the 2015 earthquake, we capture the politics of natural resource governance that (re)emerged during earthquake reconstruction and local-level elections, illustrating how control over resources is negotiated, disputed, and inscribed in law (land titles and water sources) and landscapes (water sources, earthquake resettlement area, an open-air museum).






KEYWORDS

Boundary-making; disasters; earthquake reconstruction; federalism; Nepal; political ecology; resource conflicts; socio-environmental state; state formation

Introduction

Our government is an experiment exercise. Power divested at the local level has finally been restored in a positive way. Politically, the country has taken a big progressive step. But this isn't even democracy, it is *lok tantra* (people's democracy). It feels as though people actually have power now. Still, there are many challenges. People still ask for the *gabisa sachiv* (Village Development Committee secretary under the previous system) when they come to the ward office; the structural change is too recent. People are still learning who is who. (Ward chairperson, Barpak)

The District Coordination Committee ... doesn't have much authority ... At the moment, we don't have the authority to make changes; we can only assist and inspect the rural

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municipalities' activities. But we cannot report our evaluation to anyone. The government is in transition, and I don't know where the authority lies at the moment. (Senior level district official)

[In] the new structure, the local level authorities have been given more responsibility. Our institutions are still at a budding stage, and what we have theoretically claimed on paper is markedly different from what the people expect from us.... The province level authority has been well defined in the Constitution but how authoritative it will be will depend upon how each individual fulfils his or her duty at every level. (Senior district administrative official)

Nepal in 2017–19 is in transition politically, socially and environmentally due to complex entanglements of state federal restructuring, migration, rapid cultural change and environmental variations caused by climatic and seismic instability, all of which have opened up new terrains of struggle over who has the authority to govern,¹ and how people can claim belonging and citizenship rights.² Rather than citizenship emerging only from legal provisions, it is a more contingent and contested achievement.³ In this paper, we use the example of Barpak, the epicentre of one of the 2015 earthquakes, to show how political and ecological change together shape struggles over citizenship and rights. The moment of rupture caused by the earthquake helps to throw into relief dynamics that are otherwise less easy to witness, but which are always uncertain and becoming. We argue that to understand political transition in state–society–citizen–environment relations—or, more generically, state transformation—requires going beyond the legal and political uncertainties thrown up by popular democracy movements, the civil war, adoption of a new constitution and the subsequent institution of federalism.⁴ Instead, we focus on how state–society–citizen relationships are formed not only in the delivery of services, but also in the moments in which everyday conflicts over natural resources, infrastructure and land are contested and mitigated, and authority to govern or bring about development is claimed. As such, nature is more than a backdrop for political change, and, in fact, it plays a crucial role in shaping how politics unfolds.⁵ This approach illuminates the moments and relations wherein political change

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1. Sarah Byrne, "From Our Side Rules Are Followed": Authorizing Bureaucracy in Nepal's "Permanent Transition", in *Modern Asian Studies*, Vol. 52, no. 3 (2018), pp. 971–1000; Christian Lund, 'Rule and Rupture: State Formation through the Production of Property and Citizenship', in *Development and Change*, Vol. 47, no. 6 (2016), pp. 1199–228; and Andrea J. Nightingale, 'Power and Politics in Climate Change Adaptation Efforts: Struggles over Authority and Recognition in the Context of Political Instability', in *Geoforum*, Vol. 84 (Aug. 2017), pp. 11–20.
 2. Dinesh Paudel, 'The Double Life of Development: Empowerment, USAID and the Maoist Uprising in Nepal', in *Development and Change*, Vol. 47, no. 5 (2016), pp. 1025–50; and Nira Yuval-Davis, 'Belonging and the Politics of Belonging', in *Patterns of Prejudice*, Vol. 40, no. 3 (2006), pp. 197–214.
 3. Deepta Chopra, Philippa Williams and Bhaskar Vira, 'Politics of Citizenship: Experiencing State–Society Relations from the Margins', in *Contemporary South Asia*, Vol. 19, no. 3 (2011), pp. 243–47; and Lynn A. Staeheli, Patricia Ehrkamp, Helga Leitner and Caroline R. Nagel, 'Dreaming the Ordinary: Daily Life and the Complex Geographies of Citizenship', in *Progress in Human Geography*, Vol. 36, no. 5 (2012), pp. 628–44.
 4. Andrea J. Nightingale, Anil Bhattarai, Hemant R. Ojha, Tulasi Sharan Sigdel and Katharine N. Rankin, 'Fragmented Public Authority and State Un/Making in the "New" Republic of Nepal', in *Modern Asian Studies*, Vol. 52, no. 3 (2018), pp. 849–82; Paudel, 'The Double Life of Development', pp. 1025–50; and Sara Shneiderman, Luke Wagner, Jacob Rinck, Amy L. Johnson and Austin Lord, 'Nepal's Ongoing Political Transformation: A Review of Post-2006 Literature on Conflict, the State, Identities, and Environments', in *Modern Asian Studies*, Vol. 50, no 6 (2016), pp. 2041–114.
 5. In this paper, we use 'nature' to signify the non-human, using it in its taken-for-granted and broadest sense. 'Environment' we use to signify the meanings, resources and practices through which nature is enrolled into socio-natural relations as resources, land, forests, etc. So, while we understand the world as inherently socio-

occurs.⁶ While legal changes are important, they are not sufficient to invest new structures with *de facto* authority to govern, nor for citizens to exercise their rights. More specifically, in this paper, we explore how state–citizen–environment boundaries are changing in Barpak as political and legal power is transferred from the centre and the districts to the rural municipalities (*gaon palikas*) under the new federal system.

We focus on land and natural resource governance as particularly important and contentious sites of boundary-making in the federal structure wherein we can see how everyday practice invests the new structure with authority and rights.⁷ Land, resources and environment are not taken-for-granted entities, rather the processes through which nature is defined and brought into socio-natural relations are integral to politics itself. Resources have long been foundational to the sovereign aspirations of Nepal's rulers. Stemming back at least to the nineteenth century, land and forests were given to military leaders and aristocrats as payment for loyalty and services rendered to the ruling Rana oligarchy.⁸ These land grants allowed them to extract taxes and govern the population by controlling their access to vital forest resources required for fuel-wood, agricultural inputs and grazing.⁹ More recently, innovations in forest governance have been a crucible for village-level disputes, struggles over inclusion and exclusion across Nepal's hierarchical society, training of a new generation of civic and political leaders, and ecological improvements.¹⁰ By contrast, water resources have been on the front line of locally-devised privatisation and payment for ecosystem services schemes,¹¹ violence, and generations-old territorial disputes that are rarely visible until conflict arises. Based on qualitative data from Barpak, we therefore explore how state formation plays out at the level of local governance. Research was carried out over three different field stays of two weeks each. The team engaged in semi-structured interviews and casual conversations with local political and resource committee leaders, as well as ordinary people from all walks of life. Men tended to be more direct and vocal about political issues despite our efforts to also engage women, and therefore their voices dominate our account below. Participatory observation of the elections and the forest supplemented conversations.

natural, here we are drawing attention to the contexts wherein nature is defined and enrolled in specific relations by using the word 'environment'.

6. Paudel, 'The Double Life of Development', pp. 1025–50.
7. Andrea J. Nightingale, 'The Socioenvironmental State: Political Authority, Subjects, and Transformative Socionatural Change in an Uncertain World', in *Environment and Planning E: Nature and Space*, Vol. 1, no. 4 (2018), pp. 688–711.
8. Mahesh C. Regmi, *Land Tenure and Taxation in Nepal, Vols. 1–4* (Kathmandu: Ratna Pustak Bhandar, 1978); and Mahesh C. Regmi, *An Economic History of Nepal, 1846–1901* (Varanasi: Nath Printing House, 1988).
9. Nightingale *et al.*, 'Fragmented Public Authority and State Un/Making', pp. 849–82; and Regmi, *Land Tenure and Taxation in Nepal*.
10. Hemant R. Ojha, *Reframing Governance: Understanding Deliberative Politics in Nepal's Terai Forestry* (New Delhi: Adroit Publishers, 2008); Hemant R. Ojha, 'Civic Engagement and Deliberative Governance: The Case of Community Forest Users' Federation, Nepal', in *Contributions to Nepali History and Society*, Vol. 14 (2009), pp. 303–34; Hemant R. Ojha, 'Counteracting Hegemonic Powers in the Policy Process: Critical Action Research on Nepal's Forest Governance', in *Critical Policy Studies*, Vol. 7, no. 3 (2013), pp. 242–62; and Dinesh Paudel, 'Prismatic Village: The Margin at the Center in the Nepali Maoist Revolution', in *Critical Sociology*, Vol. 45, nos. 4–5 (2017), pp. 729–43.
11. E. Hakala, 'Economic Sustainability, Water Security and Multi-Level Governance of Local Water Schemes in Nepal', in *Revista de Paz y Conflictos*, Vol. 10, no. 1 (2017), pp. 87–111; and S. Leder, F. Clement and E. Karki, 'Reframing Women's Empowerment in Water Security Programmes in Western Nepal', in *Gender & Development*, Vol. 25, no. 2 (2017), pp. 235–51.

We now turn to a theoretical discussion of boundary-making as a framework for understanding the contradictions and struggles over belonging and citizenship, followed by a brief background on Nepal's federal restructuring before turning to Barpak to explore the material politics of citizenship.

Making sense of state transformation: Boundary-making

The quotes we began this paper with throw into empirical relief the uncertainties and struggles over political power within the new federal structure. Clearly, legal changes and new governing structures are not enough to create authority to govern. Making sense of political transition requires us to delve more carefully into the moments and scales wherein conflict over authority and claims to belonging take place in order to understand how state–society–citizen–environment relations are transforming. Our argument builds from extensive work on property and authority, state formation and political ecology,¹² and follows Nightingale to go one step beyond this work by understanding environment as more than simply a context, but rather as something that actively shapes the politics that emerge.¹³ Mitchell, Stepputat and others have shown how the state is not a pre-formed entity.¹⁴ Rather, the state emerges as separate from society through processes of boundary-making around authority–citizens and society–nature,¹⁵ and as such, our concern is with how state effects arise.¹⁶ State effects capture the fluidity of boundaries, how multi-scalar institutional, material and discursive separations between the state and its citizens, environments and non-governmental organisations (NGOs) emerge. Effects originate in assertions of rule, rather than the state already being invested with power.¹⁷

Boundary-making is therefore a conceptual idea that draws methodological attention to these ambivalent and contradictory effects of the exercise of power. Effects manifested as access to and control over resources are negotiated, disputed, recognised and inscribed in law and landscapes.¹⁸ Legal systems, the civil bureaucracy and government officials are therefore not the only defining features of the state. Over-emphasis on these elements has overlooked the subtle and complex ways in which state–society–environment relations are formed and transformed. Rather, state effects

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12. Lund, 'Rule and Rupture', pp. 1199–228; and Nancy Lee Peluso, 'Rubber Erasures, Rubber Producing Rights: Making Racialized Territories in West Kalimantan, Indonesia', in *Development & Change*, Vol. 40, no. 1 (2009), pp. 47–80.
 13. Nightingale, 'The Socioenvironmental State', pp. 688–711.
 14. Mitchell Dean, *The Signature of Power: Sovereignty, Governmentality and Biopolitics* (London: Sage, 2013); Thomas Blom Hansen and Finn Stepputat, *States of Imagination: Ethnographic Explorations of the Postcolonial State* (Durham, NC/London: Duke University Press, 2001); and Timothy Mitchell, 'The Limits of the State: Beyond Statist Approaches and Their Critics', in *American Political Science Review*, Vol. 85, no. 1 (1991), pp. 77–96.
 15. Leila M. Harris, 'State as Socionatural Effect: Variable and Emergent Geographies of the State in Southeastern Turkey', in *Comparative Studies of South Asia, Africa and the Middle East*, Vol. 32, no. 1 (2012), pp. 25–39; and Nightingale, 'The Socioenvironmental State', pp. 688–711.
 16. Mitchell, 'The Limits of the State', pp. 77–96.
 17. Veena Das and Deborah Poole, 'State and Its Margins: Comparative Ethnographies', in Veena Das and Deborah Poole (eds), *Anthropology in the Margins of the State* (Sante Fe: School for Advanced Research Press, 2004); Leila M. Harris, 'Political Ecologies of the State: Recent Interventions and Questions Going Forward', in *Political Geography*, Vol. 58 (May 2017), pp. 90–2; Tania Murray Li, 'Beyond "the State" and Failed Schemes', in *American Anthropologist*, Vol. 107, no. 3 (2005), pp. 383–94; Christian Lund, 'Twilight Institutions: Public Authority and Local Politics in Africa', in *Development and Change*, Vol. 37, no. 4 (2006), pp. 685–705; and Nightingale, 'The Socioenvironmental State', pp. 688–711.
 18. Harris, 'State as Socionatural Effect', pp. 25–39.

arise from the processes through which such elements are invested with meaning and abilities to assert rule.¹⁹ Post-earthquake reconstruction, elections and new developmental aspirations are therefore not processes that require state involvement; rather, how they are communicated, enacted and contested serve to constitute state effects.²⁰

To unpack the emergence of state effects we work with the concepts of authority, recognition and political subjectivity. Authority captures how the exercise of power is evident in competition for influence and the ability to exert agendas by one individual or institution over another.²¹ Authority is therefore not the sole purview of the state, but rather one dimension of how state effects can arise. Claims to authority are meaningless if no one recognises them.²² People need to recognise power over them by acknowledging land certificates, paying taxes, or abiding by forestry rules, for example.²³ But recognition also captures how ordinary people need their resources, rights and identities to be acknowledged by those asserting authority in order to fully claim citizenship and belonging,²⁴ making authority–recognition relational processes.

‘Political subjectivity’²⁵ takes the analysis to another level of theoretical nuance by capturing how power operates to produce the desire for recognition, belonging and rights, which affects both citizenship and other state inclusions and exclusions. Subjectivity goes beyond recognition processes²⁶ by exploring how ‘[a]ll processes of subjection involve a moment of recoil’²⁷ wherein power as domination is transformed into the power to act, the power to refuse, or even, a stepping out of hegemonic relations altogether to forge entirely different subjectivities.²⁸ Subjectivity therefore captures the messiness of power, pointing to ambivalences and unexpected effects as power is exercised. By focusing on these instances of state–citizen–environment boundary-making, a feminist understanding of ‘power reveals the moments wherein [political and social] change can occur’.²⁹ Below, we elaborate on some of the tactics

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19. Hansen and Stepputat, *States of Imagination*; Lund, ‘Rule and Rupture’, pp. 1199–228; Katie Meehan and Olivia C. Molden, ‘Political Ecologies of the State’, in John A. Agnew, Virginie Mamadouh, Anna Secor and Jo Sharp (eds), *The Wiley Blackwell Companion to Political Geography* (Cambridge: John Wiley & Sons, 2015), pp. 438–50; and Paul Robbins, ‘The State in Political Ecology: A Postcard to Political Geography from the Field’, in K.R. Cox, M. Low and J. Robinson (eds), *The Sage Handbook of Political Geography* (Thousand Oaks, CA: Sage, 2008), pp. 205–18.
 20. Gavin Bridge, ‘Resource Geographies II: The Resource–State Nexus’, in *Progress in Human Geography*, Vol. 38, no. 1 (2014), pp. 118–30; Harris, ‘State as Socionatural Effect’, pp. 25–39; Mitchell, ‘The Limits of the State’, pp. 77–96; Paudel, ‘The Double Life of Development’, pp. 1025–50; and Shneiderman *et al.*, ‘Nepal’s Ongoing Political Transformation’, pp. 2041–114.
 21. Andrea J. Nightingale and Hemant R. Ojha, ‘Rethinking Power and Authority: Symbolic Violence and Subjectivity in Nepal’s Terai Forests’, in *Development and Change*, Vol. 44, no. 1 (2013), pp. 29–51; and Thomas Sikor and Christian Lund, ‘Access and Property: A Question of Power and Authority’, in *Development and Change*, Vol. 40, no. 1 (2009), pp. 1–22.
 22. Lund, ‘Rule and Rupture’, pp. 1199–228.
 23. *Ibid.*; and Nancy Lee Peluso, ‘Emergent Forest and Private Land Regimes in Java’, in *Journal of Peasant Studies*, Vol. 38, no. 4 (2011), pp. 811–36.
 24. Lund, ‘Rule and Rupture’, pp. 1199–228; and Nightingale, ‘Power and Politics in Climate Change Adaptation Efforts’, pp. 11–20.
 25. Kristine Krause and Katharina Schramm, ‘Thinking through Political Subjectivity’, in *African Diaspora*, Vol. 4 (2011), pp. 115–34.
 26. Nancy Fraser, ‘Rethinking Recognition’, in *New Left Review*, Vol. 3 (2000), pp. 107–20.
 27. Judith Butler, *The Psychic Life of Power* (Stanford, CA: Stanford University Press, 1997), p. 6.
 28. Andrea J. Nightingale, ‘Bounding Difference: Intersectionality and the Material Politics of Gender, Caste, Class and Environment in Nepal’, in *Geoforum*, Vol. 42, no. 2 (2011), pp. 153–64.
 29. Nightingale, ‘The Socioenvironmental State’, p. 692.

and practices of these struggles. Together they help capture how the exercise of power serves to create inclusions and exclusions within the contested spaces of belonging and citizenship of state transformations.

These boundary-making processes are not simply social and political, however. Land and natural resources are also important players in the transformation of the Nepali state. To quote Nightingale again, '[p]olitical authorities are recursively constituted in relation to the subjects (human and non-human) they seek to govern ... state making involves producing socio-natural boundaries between what belongs in/to the state and what does not. Competition for authority is not simply competition for power and control, it is also about who defines what humans *and* non-humans are included and which are excluded from rights, responsibilities and governance'.³⁰ She calls this framework the socio-environmental state. Socio-environmental signals conceptual ideas that refuse to separate society from nature or materiality, instead understanding their entanglements.³¹ State transformation is thus always a socio-natural process and understanding which pieces of land, what resources, how they change, and who is trying to claim them for what purposes is not accidental to the struggles that arise over authority and belonging. After the earthquake, for example, definitions of land as 'safe', 'landslide prone' or 'abandoned' were not simply biophysical assessments; rather, they redefined and classified the political subjectivity of entire communities and created new possibilities and contentions for belonging. In Barpak, water sources, forests and land are thus hot spots of multilevel struggles over authority and recognition. These struggles link scales of governing and, in doing so, reframe the terms of claims to authority and belonging.³² We now return to Nepal to explore the implications of boundary-making for how claims to citizenship and belonging are finding new barriers—and new openings—as political authority is restructured and contested under the new federal system.

Nepal's new federal structure

The recent federal restructuring in Nepal is the culmination of decades of political and social struggle. The history of revolution and resistance to the state since the early part of the twentieth century is relevant for understanding the current moment, but outside the scope of this paper.³³ Here we begin with the Interim Constitution of 2007 which marked the country's move towards a federal republic nation-in-the-making and

30. *Ibid.*, p. 695.

31. Bruce Braun, 'Environmental Issues: Global Natures in the Space of Assemblages', in *Progress in Human Geography*, Vol. 30 (2006), pp. 644–54; Donna J. Haraway, *Staying with the Trouble: Making Kin in the Chthulucene* (Durham, NC: Duke University Press, 2016), p. 304; and Donald S. Moore, *Suffering for Territory: Race, Place and Power in Zimbabwe* (Durham, NC/London: Duke University Press, 2005).

32. See also Alice Cohen and Karen Bakker, 'The Eco-Scalar Fix: Rescaling Environmental Governance and the Politics of Ecological Boundaries in Alberta, Canada', in *Environment and Planning D: Society and Space*, Vol. 32 (2014), pp. 128–46; Nightingale, 'The Socioenvironmental State', pp. 688–711; Katharine N. Rankin, Andrea J. Nightingale, Pushpa Hamal and Tulasi S. Sigdel, 'Roads of Change: Political Transition and State Formation in Nepal's Agrarian Districts', in *Journal of Peasant Studies*, Vol. 45 (2018), pp. 280–99.

33. Lok Raj Baral, *Oppositional Politics in Nepal* (New Delhi: Abhinav Publications, [1977] 2006), p. 234; Martin Hoftun, William Raepel and John Whelpton, *People, Politics and Ideology: Democracy and Social Change in Nepal* (Kathmandu: Mandala Book Point, 1999), p. 425; Nightingale *et al.*, 'Fragmented Public Authority and State Un/Making', pp. 849–82; and Paudel, 'The Double Life of Development', pp. 1025–50.

formally ended the possibility of reviving the monarchy. Consensus governments held power throughout the constitution-writing phase (2008–15), and many ordinary people and party activists alike accused the political parties of overly extending the process. The Constitution was hastily ratified in the aftermath of the 2015 earthquakes due to complex national and geopolitical pressures. Some believe the ruling political party used the crisis as an opportunity to successfully argue that a constitution was necessary for the government to effectively respond.

The Constitution was overdue and necessary for the long-term stability of Nepal, but this moment in itself is an interesting example of authority–citizen and society–nature boundary-making. Below, we explore how this played out in practice at the district level in order to understand how the new structures have become invested with *de facto* authority to govern. The final version of the Constitution edited out many explicit rights for women, indigenous and marginalised peoples, and language rights that had been hard won by groups keen to legally undermine entrenched patriarchy and caste- and ethnicity-based social and economic hierarchies. These rights had been one of the most contentiously negotiated aspects of the constitution-writing process and their deletion triggered vociferous and violent protests. Nevertheless, adoption of the Constitution allowed elections to be held in 2017 for the first time in nearly twenty years and establishment of the new jurisdictional logic of the Federal Republic of Nepal.

The 2015 Constitution divided the nation into seven provinces and defined legislative powers at the central, provincial and local government levels. Before the 2017 elections, government bodies at the local level had remained in limbo, reshuffling people's sense of where authority lay in anticipation of the new federal structure. Federalism thus not only created new laws and structures, it also created new contested spaces of belonging. The past decade has seen national-level ministries proliferate and merge in rather rapid succession, and after the elections, the former local level below the district and central government, the Village Development Committees (VDCs), were dissolved and replaced by *gaon palikas* (rural municipalities) and *nagar palikas* (urban municipalities). The districts have been retained in the transitional phase, although, ultimately, they are intended to be dissolved. A new layer of governance has been added, the *pradeshes* (provinces), or federal states. The *palika* is significantly larger in terms of its territorial extent than its precursor, and the *pradesh* vastly larger than the districts. Wards are the smallest executive unit of the *gaon palikas*, and are the first point of contact for local people to access political representatives and government services. They now more or less encompass former VDCs, although these boundaries do not cleanly map onto the old jurisdictions.

Struggles over legitimacy and the scale of governance are evident, despite the rather surprising lack of public protest over the rapid implementation of the new system. The *gaon palika* is a new jurisdictional form, but drawing from our conceptual framework, we do not assume it has the authority to govern (already), rather we explore the knowledge, tactics and practices through which it exercises governance, and who recognises it. It is through this recursive moment of exercising power and the recognition of it that *de facto* authority to govern is achieved.³⁴ This is especially pertinent given the

34. Lund, 'Rule and Rupture', pp. 1199–228.

current situation in which there is both demand for removal of the districts and resistance to that by various offices and actors, and in which the provincial level sometimes overrides or competes with local government. Discontent with the Constitution still erupts into violent protest from time to time. Redistribution of district-level line offices for forests, land registration and other services to *gaon palikas* or the *pradesh* level was still being negotiated during our work (2017–18). On the one hand, some line agencies resisted moving to the local level; many district-level forest officials we spoke to across Nepal, for example, argued that forest management requires a wider landscape view and therefore their roles should be transferred to the *pradesh* level, an argument they appear to have won at the time of writing. They articulated the fear that local-level development ambitions for road-building and income generation would supersede their mandate to protect forest resources. On the other hand, many officials at the *gaon palika* level have been elected for the first time and bring with them virtually no experience of government. Their scope and scale of responsibility is larger than local government responsibilities under the old system, and the interim powers legislation is sufficiently vague that struggles over who has the knowledge, competence and legal authority to govern what aspects of political and everyday life are rife.

Conceptually and empirically therefore, to be authorised, the *gaon palika* and *pradesh* need to successfully assert their right to govern. On the more personalised level, elected officials, state bureaucrats and self-proclaimed civil society leaders are all similarly jockeying for recognition of their claims to knowledge and authority. Meanwhile, struggles over belonging within federalism are not limited to authority. People from all walks of life are keenly watching the political landscape for signs that their needs, rights and ambitions are recognised by leaders and the new state structures. The redrawing of jurisdictional boundaries is unsettling political subjectivities and producing new anxieties about how people will be able to access the state and exercise their citizenship rights. We explore below how people manipulate the current political restructuring and who emerges as legitimate leaders and mediators of resource conflicts to help expose these workings of power and recognition. We now return to Barpak to follow the twisting contours of state–citizen–nature boundaries in the new Federal Republic of Nepal.

Socio-natural boundary-making: Water conflicts

Our forefathers marked the border between Barpak and Laprak, but Laprakis have long disputed this. They are used to claiming others' resources: land, forest, and forest products.... How can we keep quiet when our culture and our resources are being appropriated like this? (Male ex-Indian army member and resident, Barpak)

Barpak village in Gorkha district, Gandaki Pradesh, was merged with six other Village Development Committees (VDCs) to form the Barpak-Sulikot Gaon Palika, but Laprak, a nearby village, was not one of them. Barpak is composed of historically marginalised Dalit castes and a majority of Ghale and Gurung Janajati (indigenous) ethnicities; the latter have sent at least one family member to work in the Nepali, Indian or British armies for generations. In Barpak, there are various communitarian disputes between the Gurung and Ghale groups which flared into open conflict during the

constitution-writing period. The Dalit families are a minority in population size, and occupy two wards of the old jurisdictional system which are collectively known as the 'Dalit *basti*' (settlement). After the earthquake in 2015, engineers hired by the District Co-ordination Committee (DCC) classified the area as a 'red zone', meaning it was too landslide prone to be safe for habitation, displacing all the families to a temporary nearby location. Barpak has also been a tourist destination and fostered homestays and hotels as an important entry point to trekking routes.³⁵ These businesses were significantly affected by the 2015 earthquake because the village was at the epicentre and so one of the most heavily damaged sites in Nepal.³⁶

As the quote we began this section with indicates, resource struggles manifested after the elections and earthquakes in disputes about water springs and water access, reigniting long-standing struggles for the distribution of political and legal power over forest and water sources along the Barpak–Laparak border. Conceptually, this issue represents a poignant example of the socio-natural redrawing of state–citizen–environment boundaries. Previously, the district was the most important level of local authority for resource governance, whereas now the *gaon palika* plays that role. Furthermore, the Barpak VDC had been a centre of social and political power for Gurung communities, but under the new jurisdictional structure, they have been put into a *gaon palika* with people from different ethnic and caste origins. Laparak, by contrast, is in a *gaon palika* with other Gurung communities. The prospect of the two villages sharing similar names and ethnic origins yet being sundered politically caused Barpak's inhabitants to express their anxieties to us in 2017 and 2018 over resource-sharing across the abutting village forests. Many local people in Barpak believe that a natural spring water source that originates in a high-altitude area of Barpak's common land was under threat of appropriation by the people of Laparak. In the post-earthquake period, the district authorities organised a survey in the forest, undertaken by CARE Nepal, to verify that the quantity of spring water getting to Barpak was large enough to be partially diverted to Laparak (specifically to Ghupsi Pakha) without disrupting its natural flow. A resettlement town at Ghupsi Pakha was planned for the earthquake-displaced inhabitants of Laparak.

The spring source dispute had been ongoing for decades, but the scheme developed by the District Co-ordination Committee in collaboration with CARE Nepal brought about open conflict again. As a retired Indian army soldier told us:

We own that pasture land where the stream is flowing now. We have claimed the right over that stream ever since our forefathers. But the people from the other community (Laparak) takes drinking-water from it. They went directly to the District with an appeal (*nibedhan*) to obtain the drinking-water project. This is part of CARE Nepal.... At least they could have ... talked (consulted) with us [older people in the community]. Even the District gave some form of written permission without coming to see the reality on the ground.

35. Baikuntha Prasad Acharya and Elizabeth A. Halpenny, 'Homestays as an Alternative Tourism Product for Sustainable Community Development: A Case Study of Women Managed Tourism Product in Rural Nepal', in *Tourism Planning & Development*, Vol. 10, no. 4 (2013), pp. 367–87.

36. Dipendra Gautam, Hugo Rodrigues, Krishna Kumar Bhetwal, Pramod Neupane and Yashusi Sanada, 'Common Structural and Construction Deficiencies of Nepalese Buildings', in *Innovative Infrastructure Solutions*, Vol. 1 (2016), p. 1.

Several Barpakis, like this man, asserted that Laprak had tried to claim the land of the spring's source, and that they had used dubious documents (the *nibedhan*) to do so.³⁷

Similar attempts to appropriate land by shifting village boundaries set by their ancestors had been previously thwarted by Barpak's locals. Historically, conflicts between the two communities over forest resources had been resolved either between individuals, or through the community forest executive committees and strict obedience to community forestry rules and regulations. Some disputes, however, had erupted into violence and remained unattended and unresolved. As one of the community forestry leaders from Barpak told us:

Lapraki people's thinking is still stuck in the past. It's like the Rana regime there. They still discriminate against people. They have a water source just below ours, but they want ours because they want our forest products and resources We said they could use the water but that they had to leave some of it for others, such as passers-by and trekkers. But they secretly tried to register the forest area as theirs; they tried registering the water source through *muhan darta*³⁸ when the forest is a national forest. They should be put in jail! (Community forest representative, Barpak)

Our respondents not only lambasted Lapraki attempts at claiming resources they saw as their own or common, they also equated authoritarian political ideas—those of the Rana oligarchy that ruled Nepal in the early twentieth century—with these attempts. While, on the one hand, the Barpakis relied on state mechanisms like land registration for recognition of their resource rights, they also engaged directly in negotiations with the Laprakis. By insisting that some water should be left for people moving through the area, they also bolstered their claim to control over the water source through narratives of a more equitable, democratic form of resource-sharing. It should be noted that this quote also suggests that the dispute over this particular water source may extend back a century in time.

Through the community forest user group, Barpak monitors the use of forest resources by the Laprakis, which is a common practice agreed upon by both sides. Laprakis buy harvesting permits for firewood and timber from the community forestry group, and fines are levied if they use pastureland without permission. The same is true if Barpakis use Laprak's resources without permits. Different tree species occur in the two forests, so both villages need resources from each other. The Barpakis claimed to us that the Laprakis would take advantage of their forest if left unmonitored. (We heard fewer of these complaints from Laprak, but we also spent less time there.) As a result, Barpak frequently deploys forest watchers to check for illegal forest use. However, community forest leaders in Laprak insisted that use of resources occurred on both sides, and any violation of the rules is swiftly resolved through compliance with community forestry regulations. In this example, community forestry leaders not only engage in conflict mediation and forest protection, they also (re)affirm their right to govern as they police the evolving boundary between the socio-natural spaces of

37. We do not have any other data to support these accusations, but we heard them from several people in Barpak.

38. *Muhan darta* is a process of registering natural spring water sources very prevalent in other parts of Nepal, notably Khotang district where our research is also located, and we have found it is at the root of as many water conflicts as solutions.

both villages.³⁹ Ordinary people recognise the authority of user groups by abiding by the rules, and make claims to belonging by buying permits and asserting collective rights over land and the water source.

And while these claims to authority and belonging are particularly potent during the transition when jurisdictional borders are in flux, government officials at the District Co-ordination Committee office confirmed that governance of resources, particularly water, fell squarely under the jurisdiction of the state, as dictated by the 2015 Constitution. A senior district-level civil servant told us in a 2018 interview: ‘Resources don’t belong to communities; they belong to the State’. The plans to bring water to Laprak’s Ghupsi settlement would therefore not change despite the disgruntlement of the people of Barpak because ‘[c]ommunities don’t decide who uses natural resources; the State does’. To district-level government officials, it was of no consequence that the people of Barpak seemed unhappy over their loss of control over ‘their’ water resources. For Barpak’s local population, however, the boundaries of what belonged to whom were the main issue at stake. In these ways, emerging state–society and Barpak–Laprak boundaries show how there are ongoing contestations over authority at all levels, played out through claims to controlling resources (property), and belonging. We now turn to another socio-natural example, an open-air museum, to continue exploring how these boundary-making processes transpire.

Contested spaces of belonging: An open-air museum

The earthquake was a great opportunity for some to become exceptionally rich.... The clever ones have become *crorepatis* (millionaires). People like us who earn their living by working hard don’t become rich that quickly. The resources that poured into Barpak were never accounted for. The people who were in the committee taking care of the relief operation assigned to each ward grabbed everything and most people here never received what was sent to them.... Our government can’t be trusted. The new government ignores people like us; people we voted for have become too important. They won’t even talk to us, even though we elected them. (Ghale man from Barpak, 2018)

In addition to the Barpak–Laprak forest-border conflict reigniting, the post-earthquake period was also seen as a time during which many influential people manipulated tragedy into opportunities to gain financial and political leverage. A huge number of post-earthquake relief and rehabilitation efforts were directed at Barpak, resulting in a major influx of aid from NGOs, managed by the VDC office, and after the elections, by the ward office. These funds intersected with struggles over authority, recognition and subjectivity in complex ways, contributing to shifts in the boundaries between state–society–citizens–environment at the *gaon palika* level. These struggles came into view around the building of an open-air museum within the red zone (unsafe) Dalit *basti* area in Gairigaon and Dandagaon wards. Historically the home of low-caste Dalit Sunar and Bishwokarma families, today the Dalit *basti* area remains largely abandoned, filled with ruined buildings left to become the museum’s attractions.

The open-air museum is intended both as a tourist site and as a monument to the loss of life and destruction of the traditional stone-roofed houses of Barpak. As class differences were materialised in the size of the proliferating concrete buildings, families

39. Nightingale *et al.*, ‘Fragmented Public Authority and State Un/Making’, pp. 849–82.

from the Dalit *basti* continued to live in temporary shelters on government-owned land known in 2018 as the 'RCB area'.⁴⁰ People from other earthquake-affected areas of Barpak also had tents set up in the RCB area,⁴¹ but they had begun rebuilding their houses on their original lands at the time of this writing. Twenty-seven households remained in the RCB area as a poignant reminder of the exclusions that many Dalits face in multiple domains of life. While, on the one hand, living in the RCB area affirms their citizenship rights as people who qualify for assistance, on the other hand, the lack of safe land they can return to (re)creates their political subjectivity as the area's most marginalised people. There is another layer of state–citizen boundary-making going on here, however. These families initially moved out of the red zone because they were promised larger shares of land in a more fertile and prosperous part of Barpak. Their decision to remain in the RCB area afterwards was caught up in a game of political performance and persuasion because local politicians saw an opportunity to sway the Dalit vote by promising them better land, and Dalits saw it as a rare opportunity to make the system work for them. We return to the material politics of elections and the RCB area below.

Therefore, to assume that their presence in the RCB area simply reproduces repressive citizen–society and citizen–state relations for these Dalit families fails to recognise the complexities of current demands for belonging in the new republic. Most of these Dalit families are relatively recent settlers for whom the only land available was of poor quality and prone to disaster. Post-earthquake measures like red zoning were therefore a welcome development because now they are eligible for resettlement in other places if the district-level office of the National Reconstruction Authority (NRA) and ward office approve their claims. Through resettlement, they are able to assert new claims to belonging, and potentially improve their long-term livelihood security by moving to new land.

The complexities of how land is bound up in political subjectivities and the ambivalent outcomes of the exercise of power were further evident in the decision by four families from Dandagaon to go back to their original homes and rebuild them. Local people had little understanding of who exactly had classified the area as a red zone, and simply told us the district (*jilla*) had done so. The four families in question have refused to recognise *jilla* authority by rebuilding their homes inside the open-air museum area. The act of building itself is an exercise of power, transforming the landscape in order to make a claim. But they also did so by drawing on multiple institutions to gain recognition, reflecting how institutional pluralism⁴² can be an opening for people to assert their rights to belong.

They first sought recognition from court representatives who were visiting the area. One Dalit man described how they tried to confirm their land rights with them:

You may want to talk to people who are educated and know better. We just want to live on our own land. We asked a person who had come here from the *adalat*

40. RCB is an abbreviation for reinforced concrete building. In this paper, RCB area indicates the group of houses built in Barpak village where displaced people were housed temporarily after the earthquake.

41. The politics of temporary settlement are complex. By living in the RCB area, people are entitled to new resettlement lands. So not all residents of the RCB area necessarily had their original lands in 'red-zone' areas.

42. S. Berry, 'Property, Authority and Citizenship: Land Claims, Politics and the Dynamics of Social Division in West Africa', in *Development and Change*, Vol. 40 (2009), pp. 23–45; and Lund, 'Rule and Rupture', pp. 1199–228.

(court)⁴³ to inspect this area, and he approved our decision to rebuild our houses in the same area. How much longer were we supposed to wait until we could rebuild our houses? (Male resident, Gairigaon)

We are fairly sure court representatives are not authorised to sanction rebuilding in an area marked unsafe by the former District Development Committee (under the new structure, this body would be the District Disaster Management Committee). Yet, in this instance, it seems that either our respondent was unclear about which kind of official he dealt with, or this transaction reveals the struggles over authority between the local district- and national-level governments that are rife in the current political transition. By rebuilding on the basis of this ‘approval’, these local families refuse to recognise the district’s authority to red zone the area.

Second, they successfully claimed funds from the government-supported Nepal Rural Housing Reconstruction Program (RHRP) to rebuild. The RHRP distributed the first round of earthquake relief funding through the VDC office, whose secretary resided not in Barpak (the VDC’s headquarters), but in the district centre,⁴⁴ thus requiring claimants to travel a day to Gorkha Bazaar. As one of our respondents in the ward office in Barpak explained: ‘our work is just to give the “*sifaris*” (recommendations) in both the ward and *gaon palika* office. People need to go [to] Gorkha Bazaar to collect the money’.⁴⁵ After the VDC, the papers went to the NRA office for verification—they had a master list based on the engineers’ surveys—and only then could people get money from the bank. However, the second instalment was significantly delayed, in part because of government restructuring. In the second round, the master list was sent to the ward and the papers needed to be signed by the elected leader (*adhyaksha*) in Barpak. But the bank refused to recognise the authority of such recently elected leaders, so claimants had to also collect a signature from the former VDC secretary (now the ward secretary), a civil servant who in most cases still resided in the district centre. Only then would the bank release the money. In the third round, this process has become simpler and papers only need to be signed by the ward leader, although our ethnographic research has shown that the bank does not even check signatures, but rather consults the master list to ensure people are eligible for funds and dispenses it on that basis. Note how the bank does not authorise the ward leaders, only the national and district-based RHRP by this practice.

The distribution of earthquake relief funds and the open-air museum thus also brought to life the uncertainties and blurred state–society–citizen boundaries that the new jurisdictional structure has produced. While on the one hand, the *gaon palika*’s elected officials were quick to exercise their powers, institutionally they are still undermined by resources held at the district level. In theory, the vast majority of the district’s old roles should have devolved to either the *gaon palika* or the province. The province was in its infancy in 2017, and the division of power between different levels of government remained unclear, so the District Co-ordination Committee still regulated many of the functions the District Development Committee had previously carried out, such

43. We are sceptical that people from the court would have been involved in such inspections, rather it is more likely our informant talked to someone from the reconstruction authority (NRA) or the district, but, notably, our respondent distinguished this person from the district (*jilla*) officials who had red zoned the area.

44. VDC secretaries moved to district centres during the civil war (1996–2006) due to attacks on them by the insurgents. Very few moved back to their localities after the war ended.

45. Paraphrased from fieldnotes, June 2017.

as distributing relief funds for earthquake reconstruction. This administrative and legal overlap caused problems at the *gaon palika* level because it has the legal right to carry out most development activities without district supervision, as articulated in the quote by the senior district official at the beginning of this article. It nevertheless has struggled to gain full recognition of these rights. Meanwhile, ordinary citizens were left traipsing between local-level offices and the district to obtain their relief funds.

By the end of 2018, the few government offices left in the district had very little real power, and *gaon palika* budgets came through at the *pradesh* level (originating at the national level), no longer at the district level. The ward offices, which formerly fell under the jurisdiction of the District Development Committee, now fall under the domain of the provincial government authority. But at the *palika* level, officials in several different places told us that because the *pradeshes* were not fully functioning yet, the exact limits of their authority are still vague, causing problems for governance. Absence of clear lines of authority means that district-level offices, constitutionally designed to be dissolved, are still playing a crucial role in determining the ownership and use of resources in the face of growing tensions at the local level over who governs 'their' resources (land, forests and water).

Shifting state–citizen boundaries: Land and elections

The open-air museum was far more than a somewhat stark reminder of how land and its qualities shape class and caste relations in Nepal;⁴⁶ it was also believed by many to have influenced the 2017 local elections, helping to overturn leadership patterns that had dominated Barpak's political map for decades. One current ward chairman for the Barpak–Sulikot Gaon Palika is a Dalit and former social worker. Ramesh triumphed over another Dalit leader, a long-time prominent politician whose voter base had previously been strong despite his having changed party affiliation multiple times over his career. During the rehabilitation efforts, this leader was accused by our respondents of tricking the inhabitants of Dandagaon and Gairigaon into signing *lal purza* documents (land ownership permits) that inaccurately depicted the total land area owned by each household, paving the way for the museum. As one Dalit man said in an informal conversation in June 2018:

You must have heard about [him]. He turned a tragic incident into an opportunity to gain political influence and wealth in Barpak.... The Ward... chairman has integrity and [the former leader] doesn't. The entire area of Dandagaon and Gairigaon was destroyed during the earthquake and everyone had to shift. But some of us found out what [he] was up to: he was pinching acres of land away from the locals to become richer. And the idea to create an open-air museum was billed as a great tourist attraction.... So we took our old land back. When people don't have a proper place to live, what good is it for them to build an open-air museum?

The land document errors (or intentional deceptions) were interpreted as a means to appropriate ancestral lands from Dalit communities in the earthquake-affected areas. In

46. Andrea J. Nightingale, 'Nature–Society and Development: Cultural, Social and Ecological Change in Nepal', in *Geoforum*, Vol. 34 (2003), pp. 525–40; and Dinesh Paudel, 'Ethnic Identity Politics in Nepal: Liberation from, or Restoration of, Elite Interest?', in *Asian Ethnicity*, Vol. 17 (2016), pp. 548–65.

this context, the open-air museum is an insult to our respondents rather than a monument. The backlash to this, and the four protesting families who moved back to the red-zoned area, are said to have cost the former leader the election. Here, when a former leader used his knowledge about state regulations to claim part of the land as his, his authority was challenged such that he was not re-elected. His younger adversary asserted his authority by profiling himself as neutral and recognising the claims of his neighbours.

The 2015 Constitution and 2017 elections thus not only created new laws and structures, they also created new contested spaces of belonging. In Barpak, shifts in state–society–citizen boundaries became apparent in the 2017 elections when people voted for individuals they trusted at the *gaon palika* level, while they still voted along party lines at the *pradesh* level. By doing so, and particularly by electing a candidate recognised for his integrity and loyalty (who at the same time was relatively neutral being from the Dalit community rather than Gurung or Ghale), people defined state–citizen relationships at *the local level* as based on integrity and loyalty.

These practices and tactics helped to create state effects. The national government's power to install the *gaon palika* as a new institution with the right to govern local people's everyday affairs and access to land and resources was recognised through earthquake reconstruction efforts. At the same time, the electoral backlash to the open-air museum was an opportunity for people to challenge the legitimacy of entrenched actors and practices of governing (patronage and siphoning of funds). These examples show how access to and control over resources are negotiated, disputed, recognised, and inscribed in law (through land titles) and landscapes (through an open-air museum, the resettlement area). These struggles serve to transform the state through the possibility to democratically elect the new ward leader, or by occupying land, with consequent effects on state transformation.

Conclusion

This paper has drawn on research in Barpak, an epicentre of the 2015 Nepal earthquake, to probe state transformation in action in order to understand how *de facto* power to govern or claim rights is achieved. Rather than assuming that the state is an entity with power to act, we use the socio-environmental state concept to reveal how state effects emerge from boundary-making processes between state–society–citizens–environment. Our analysis shows that political actors are engaged in struggles over the symbols, practices and institutions through which governance is enacted at the *gaon palika* level. The water conflict between Laprak and Barpak and the open-air museum are reflective of fundamental tensions in the transition period. They illuminate how authority is contested at different levels and how ordinary people find their own wishes and rights subsumed under bureaucratic uncertainty, but also the way that actors at all levels are trying to use uncertainty and material change to assert their own authority and rights.

While perhaps not surprising, the uncertainties of the interim period have provided opportunities for entrenched patterns of political patronage and hierarchy to erode. The *gaon palika* has been quick to take up its mandate, sometimes successfully, at other times less so. The slow pace of implementing the *pradesh* level has opened up significant space for the *gaon palika* to claim the right to govern affairs and distribute

resources. These actions have helped invest it with authority and to stave off competition from other local actors and levels of government that were similarly attempting to claim authority in the aftermath of the earthquake.

For the people of Nepal, recognition of their rights and resources is crucial to creating a sense of belonging. The Dalit communities who found themselves again marginalised and subject to resource grabs by more powerful people were able to create a new sense of belonging through the elections. While many were disappointed by the outcome at the *pradesh* level (where people more often voted along party lines rather than for individuals), they nevertheless expect that their needs will be better recognised by the new leaders and structures. It remains to be seen if their hopes are well placed.

Through these uncertainties and changes, environment has been a key locus of dispute, not only in Barpak over land, water resources and political representation, but more generically as district-line offices argue for the new governance level to which they should belong under federalism. And while rarely discussed as openly, ultimately who is able to distribute funds and what dimensions of citizenship rights and resources (rehabilitation funds, identity cards, land, access to forests, and the like) are available *where* are crucial to investing the new structure with authority. Contestations across levels of government and within structures manifest for people on the ground as uncertainties about where to obtain what kinds of permits, or who controls what resources.

Thus, the implementation of federalism and the change in jurisdictional structure in Nepal cannot be seen as simply the state reorganising itself. Rather, when we take the state as a contested space of belonging, the contradictory inclusions and exclusions and ambivalences in the exercise of power become more evident. The earthquake literally cracked the land, but it offered interstices for people to claim land (illegally), to attempt to better the foundations of their livelihoods (cement houses, new land) and, subsequently, to contest power-as-usual through elections, although at the same time, processes of dispossession and elite dominance were not entirely absent. It is through these kinds of everyday struggles, conflicts and collaborations that the new system becomes invested with *de facto* authority to govern. While the *gaon palika* and *pradesh* have vast legal mandates to govern, to be successful they must also claim authority and have that authority recognised by the population.

The findings presented here throw up as many unanswered questions as they do insights into how political transition and struggles over resource control and belonging are experienced on the ground. In particular, the material suggests that political subjectivity is also in transition at the local level.⁴⁷ How people represent themselves and to which communities they claim to belong (religious, ethnic, geographic, political party, etc.) were in constant flux depending on which conflicts were currently affecting their lives (or which they discussed with us). Rather than environment being a separate domain from politics, we found that how people discussed their environment and what claims they made on resources were inextricably linked to their political subjectivities and claims to belonging and authority. Our ongoing research on these emerging

47. Nightingale, 'Power and Politics in Climate Change Adaptation Efforts', pp. 11–20; Paudel, 'The Double Life of Development', pp. 1025–50; and Sara Shneiderman and Louise Tillin, 'Restructuring States, Restructuring Ethnicity: Looking across Disciplinary Boundaries at Federal Futures in India and Nepal', in *Modern Asian Studies*, Vol. 49 (2015), pp. 1–39.

landscapes of democracy in Barpak and other parts of Nepal will continue to probe how the material politics of citizenship is linked to struggles over authority and belonging in Nepal. By understanding the less visible, contested and everyday processes through which the new structure is invested with authority and rights, we are able to highlight how political change takes place. It is these moments that offer opportunities for people from all walks of life in Nepal to shape the new structures into a political system that counteracts patronage and corruption, and instead promotes justice and equity.

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