

*Spring Term Abroad in Nepal (2017)*

**Econ. 246 / Rel. 246**

**Caste at the Intersection of Economy, Religion, and Law**

Instructors: Timothy Lubin and Shikha Silwal  
Washington and Lee University  
*\* preliminary syllabus \**

**Course Description:**

Social stratification touches every aspect of life, and South Asia's traditional caste structure is a special case: this highly complex, strictly adhered to system has been religiously legitimized and criticized over a 3000-year history, and is nowadays seen as being at odds with the modern world. Yet it remains a crucial factor in social identity, economic roles, legal status, and religious practice. These four interlocking factors, considered both historically and in practice today in Nepal, will each be the subject of a unit in this 360° survey of caste. Guest speakers and experience "on the ground" will enhance the program.

A largely rural country with a population mostly of Hindus and Buddhists (including many Tibetan refugees), Nepal has undergone some major changes in its recent history. After emerging from a decade of civil war in 2006, the country abolished its 239-year-old monarchy in 2008, and a new constitution was promulgated in 2015. Amidst all these changes, issues related to caste are central and timely. In preparation for the spring trip, students will participate in a series of weekly one-hour sessions during the preceding winter term. SS4 credit; counts for Economics as an elective, towards the Religion major, and the Poverty Studies minor (in consultation with Prof. Pickett).

Prerequisite for Economics elective credit: Econ 101. No prerequisite otherwise.

**Course Work:**

Students will be assessed on their preparation for and participation in class discussion (20% of final grade) and four 1200-word papers (20% each), one on each of the four themes, on the basis of prompts calling on them to analyze a particular social practice or economic arrangement, or to make a case study of a religious/ethical question or a legal/political issue, drawing the readings and (where possible) on their experiences in Nepal. Where possible, the instructors will help students find ways to connect the essay prompts with their work within their majors or other past courses.

**Preparatory Readings:**

- Robert I. Levy, *Mesocosm*, ch. 3: "Nepal, the Kathmandu Valley, and Some History"; <http://publishing.cdlib.org/ucpressebooks/view?docId=ft6k4007rd;brand=ucpress>
- International Dalit Solidarity Network, "Dalits of Nepal: Acting for Change"
- John Whelpton, *A History of Nepal*, chp 5: "The Quest for 'Development': economy and environment, 1951-1991"; chp 6: "Lifestyles, Values, and Identities"

**Tentative Schedule:**

After arriving and getting settled at the Tewa Centre in Kathmandu, where we will be based, and following a day or two of orientation to the town and its surroundings, class will meet for three hours daily for a mix of lectures and discussions based on the assigned readings. Three to four days (totaling at least 10 hours of class time) will be devoted to each of the four thematic units. There will be field trips to cultural sites in town (Durbar Square, the seat of royal government, and Hindu and Buddhist temples) and around the Kathmandu valley on weekends or after class, including the adjacent ancient city of Bhaktapur (declared a World Heritage Site by UNESCO), as well as visits to village communities. The third week of term (more or less) will be set aside for travel to more distant sites:

- (a) Bandipur: pristine town of Newari culture offers lots of traditional arts and architecture, along with some excellent views of the Himalayas;
- (b) Pokhara: overlooked by three of the highest mountains in the world, a transit point on a medieval China–India trade route, home to numerous temples and social groups;
- (c) Tansen: historical town has several Hindu temples, historical sites, as well as metal work and *dhaka* (traditional Nepali cloth) industries. The trip to this town includes a visit to a *karuwa* (bronze water jug) factory, a *hastakala* (handicraft) industry, and a *dhaka* industry;
- (d) Lumbini: birthplace of Buddha, and site of the new Lumbini Buddhist University;
- (e) Chitwan: a village in the plains with a renowned wildlife sanctuary; possible visit to a village of the Tharu ethnic group;
- (f) Nagarkot: well known for the broadest possible view of the Himalayas, especially at sunrise, and is very close to Kathmandu.

***Caste as Social Network and Identity***

Lead instructor: Silwal

Learning Objectives: To understand basic patterns of caste as a social organizing principle, including customary markers of caste identity, marriage networks, restrictions on inter-caste interactions and interdining, association of castes with particular occupations, ritual duties, and other social determinants. To be able to offer answers to the questions: How do caste relations differ from other modes of social distinction and status hierarchy, such as class, ethnicity, and gender? What special forms of solidarity and interdependence does caste promote? What happens when a caste society adapts to governance by a modern nation-state?

Readings:Society Session 1: General Overview of Nepal's Society

- David N. Gellner, "Introduction," in: David N. Gellner and Declan Quigley (eds.), *Contested Hierarchies* (Oxford: Oxford University Press, 1995) = **CH**, pp. 1–37.
- Lynn Bennett, *Dangerous Wives and Sacred Sisters*, ch. 1: "Village and Family."
- David N. Gellner, "Ethnicity and Nationalism in the World's Only Hindu State," introduction in *Nationalism and Ethnicity in a Hindu Kingdom*, edited by David N. Gellner, Joanna Pfaff-Czarnecka, and John Whelpton (Amsterdam: Harwood Academic Publishers, 1997), pp. 3–31.

Society Session 2: Social Groupings and Their Criteria of Distinctness

- Bennett, *et al.*, "Caste, Ethnic and Regional Identity in Nepal":  
<http://dhsprogram.com/pubs/pdf/FA58/FA58.pdf>

- Bhattachan, *et al.*, “Caste-Based Discrimination in Nepal”: [http://idsn.org/wp-content/uploads/user\\_folder/pdf/New\\_files/Nepal/Caste-based\\_Discrimination\\_in\\_Nepal.pdf](http://idsn.org/wp-content/uploads/user_folder/pdf/New_files/Nepal/Caste-based_Discrimination_in_Nepal.pdf)
- Gellner, “Caste, Ethnicity, and Inequality in Nepal”: <http://www.uni-bielefeld.de/midea/pdf/darticle2.pdf>
- Stone, “Hierarchy and Food in Nepalese Healing Rituals”
- Biswakarma, “Incentive for Intercaste Marriage between Dalit and Non-Dalit: Challenges and Opportunities in the Context of Nepal”

Society Session 3: Identity Politics Case Study: the Tharu and the Dalits

- Folmar, “Identity Politics Among Dalits in Nepal”
- Gunerante, “Modernization, the State, and the Construction of a Tharu Identity in Nepal”

GUEST SPEAKER: Dr. Sambriddhi Kharel, Adjunct Professor, Nepa School of Social Sciences and Humanities

Essay Prompt:

*Restrictions on inter-caste interactions, such as inter-caste marriage and dining, are prohibited on religious grounds and are also practiced to preserve one’s tradition and to provide continuation of ritual duties. These practices, however, are at odds with the modern world. How do you see the effects of modernization and technological change affecting the caste-based practices in Nepal? That is, how does one’s identity, tradition, values and norms change or fail to change in a context of a changing political and social sphere? Do we see tendencies of individual conforming to the ‘static’ markers of identity and hierarchy? What is the role of a state in the midst of it all?*

*These are very opened-ended questions, meaning that there is no clear right or wrong answer. You are encouraged to compare and contrast caste-based identity, network, and hierarchy to other forms of social identity, network, etc to support your answer. Use the concepts from other courses (history, religion, philosophy, politics, etc.) to formulate your response. The strength of the paper depends on the strength of the arguments in support of your ideas. The 1200-word paper should be a stand-alone piece of professional quality. That means the paper should have a title, introduction, body, and conclusion, and is free of typos and grammatical errors. The actual length and word count is not as crucial as the content itself.*

***Caste as a Religious and Ethical Category***

*Lead instructor:* Lubin

Learning Objectives: To understand the historical role of Brahmin religious authority and its sponsorship by the royal state, the classical *varṇa* (‘class/estate’) doctrine as a divine or natural order, religion and ethnicity as components of caste identity, ‘Sanskritization’ (status elevation through modulating cultural markers and ritual practices), Hindu *bhakti* devotionalism and its critique of the religious significance of caste. To be able to identify the larger implications of this history: the ways in which religious commitments both influence and respond to social and ethic norms and practices, and may be seen as legitimizing customary conventions.

Readings:

Religion Session 1: Classical Brahmanical Religious Law and Critiques Thereof

- Patrick Olivelle, *Manu’s Code of Law* (Oxford: Oxford University Press, 2005), pp. 87–101, 106–117, 146–147, 206–215.
- Selections from the *Sutta-Nipāta* and the *Dhammapada* (Buddhist scriptures).

- J. S. Hawley and M. Juergensmeyer, *Songs of the Saints of India* (Oxford, 2006), chs. 1–2.

Religion Session 2: How the Dynamics Play Out in Nepal

- Höfer, *The Caste Hierarchy and the State in Nepal*, pp. 6–34 (Nepal’s castes and ethnicities, purity and impurity, commensality).
- Gérard Toffin, “The Social Organization of the Rājopādhyāya Brāhmaṇs,” in **CH**, pp. 186–208.
- David N. Gellner, “Śākya and Vajrācāryas: From Holy Order to Quasi-Ethnic Group,” in **CH**, pp. 209–239.

Religion Session 3: How the Dynamics Play Out in Nepal (cont’d)

- David N. Gellner and Rajendra P. Pradhan, “Urban Peasants: The Maharjans (Jyāpu) of Kathmandu and Lalitpur,” in **CH**, pp. 158–185.
- David N. Gellner, “Low Castes in Lalitpur,” in **CH**, pp. 264–297.

GUEST SPEAKER: Nirajan Kafle, director of the Nepal Research Centre / “Documents of Nepal” Project of Heidelberg University and Raju Roka, Site Manager, Kathmandu Valley Preservation Trust

Essay Prompt:

*The Roman statesman Cicero once wrote, “Equality is unequal when it does not recognize grades of dignity.” Although this seems incompatible with the contemporary American egalitarian ideal, it implies that there are alternative conceptions of justice that assume that some sorts of status difference are primordial and organic to the social (or cosmic) order. What do you regard as the strongest argument that could be made for the justice of a caste-based system? What are the weaknesses of that argument, and how might it be defeated? Use examples (and, if possible, argumentation) from the primary sources.*

***Caste as an Economic Factor***

Lead instructor: Silwal

Learning Objectives: To be able to apply economic criteria to analyze occupational segregation and job mobility of Dalits and other marginalized castes, caste-based discrimination and conflict in Nepal, understanding Indian affirmative action policies and the outcomes of those policies, use of economic concepts to quantify the effects of culture in determining economic outcomes of countries, link the concepts of culture, religion, institutions to economic growth.

Readings:

Economics Session 1: Poverty and occupational segregation

- Cameron, “Transformations of Gender and Caste Divisions of Labor in Rural Nepal: Land, Hierarchy, and the Case of Untouchable Women.”
- Karki and Bohara, “Evidence of Earnings Inequality Based on Caste in Nepal.”

Economics Session 2: Economic Growth, Religion, Institutions, and the Persistence of Culture

- Barro and McCleary, “Religion and Economic Growth Across Countries.”
- Nunn and Wantchekon, “The Slave Trade and the Origins of Mistrust in Africa.”
- Guiso *et al*, “Does Culture Affect Economic Outcomes?”

Economics Session 3: Economic Growth, Religion, Institutions (cont’d)

- Tabellini, “Institutions and Culture.”
- Spolaore and Wacziarg, “The Diffusion of Development.”

Economics Session 4: Indian Reservation System (Affirmative Action Policy) and Implications for Nepal

- Esther Duflo, “Why Political Reservations?” (2004).
- Laura Dudley Jenkins, “Contemporary Caste Discrimination and Affirmative Action,” in: *Hinduism and Law*, ed. T. Lubin, D. R. Davis, Jr., and J. Krishnan (Cambridge, 2010), pp. 215–233.
- B. Min & Y. Uppal, “Estimating the Effects of Quotas Across India Using Satellite Imagery” (2012).

GUEST SPEAKER: Keith Leslie, Senior Social Development Specialist at World Bank

Essay Prompt:

*What role does caste-based occupation play in Nepal’s economic prosperity? Given the history of practice of caste-based occupation and the relative economic wellbeing that goes with it, can there be an argument for affirmative action policies like those in India? If the answer is yes, what are the conditions for the well functioning of the affirmative action policies? Further, how might that policy look like and ultimately help the disadvantaged castes in Nepal? If the answer is no, what alternative policies can the Nepalese government implement to help the marginalized castes? As you answer the question, I encourage you to draw conclusions from various readings throughout the course.*

***Caste as a Legal and Political Status***

*Lead instructor:* Lubin

Learning Objectives: To recognize: how castes have traditionally served as basic units of local governance and jurisdiction in which customary law prevailed, the functions and aims of the caste council (ensuring caste solidarity, dispute resolution, enforcement of caste rules, representing caste interests in wider fora), the changing position of caste in Nepal’s constitutions and laws since the *Muluki Ain*, caste as a political factor today in post-monarchy Nepal, and prospects for the future. Students will be able to extrapolate from the Nepali cases to recognize the ways in which customary norms and official law interact more generally, and the sorts of legal and political strategies used to try to influence class and status patterns in society, even as those patterns tend to get replicated or reflected in legal and political institutions.

Readings:

Legal-Political Session 1: Premodern and Early Modern Nepal

- Theodore Riccardi, Jr., “The Royal Edicts of King Rama Shah of Gorkha” [1606–36], *Kailash* 5(1), 1977 (excerpts).
- András Höfer, *The Caste Hierarchy and the State in Nepal*, pp. xv–xxvii, 69–78 (status and purity), 167–81 (punishment vs. penance; pre-1854 law). (Optional: 151–57 [enforcement of caste custom].)
- Axel Michaels, *The Price of Purity* (excerpts including Ch. 89 of the *Muluki Ain* of 1854).
- Krishna Kant Adhikari, “Criminal Cases and Their Punishments Before and During the Period of Jang Bahadur,” *Contributions to Nepal Studies* 3(1), 1976, 105–116.

Legal-Political Session 2: Transitions of the 1950s through the 1990s

- András Höfer, *The Caste Hierarchy and the State in Nepal*, pp. 187–95 (developments since 1990).
- Mara Malagodi, “Constitutional Developments in a Himalayan Kingdom: The Experience of Nepal” (2010): [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1638138](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1638138)
- The Interim Government of Nepal Act, 1951 (excerpts).
- *Muluki Ain 2020* (of 1963) (selections).

Legal-Political Session 3: Caste, Bonded Labor, and Ethnic Federalism

- Nancy Levine, “Caste, State, and Ethnic Boundaries in Nepal” (1987).
- Sherab Posel, “*Kamaiya*: Bonded Labor in Western Nepal.”
- Akanshya Shah, “Nepal’s Continuing Quest for Federalism and Peace” (2013):  
[http://www.orfonline.org/cms/export/orfonline/modules/occasionalpaper/attachments/occasional42\\_1378805679295.pdf](http://www.orfonline.org/cms/export/orfonline/modules/occasionalpaper/attachments/occasional42_1378805679295.pdf)

GUEST SPEAKER: Deepak Adhikari, a Kathmandu-based journalist. He has published articles in Pittsburgh Post-Gazette (US), Guardian Weekly (UK), Kantipur Daily (Nepal), etc.

Legal-Political Session 4: The Interim Constitution of 2007 and Current Debates

- The Interim Constitution of Nepal, 2007 (excerpts).
- Constituent Assembly, Committee to Decide the Basis of Cultural and Social Solidarity, Preliminary Draft of the Constitution.
- Dalit Charter Draft.
- Bishnu Raj Upreti, “Resource Conflicts and Conflict Resolution in Nepal,” *Mountain Research and Development* 24(1), 2004, 60–66: <http://www.mtnforum.org/sites/default/files/publication/files/5259.pdf>

GUEST SPEAKER: Sudheer Sharma, editor-in-chief of Kantipur National Daily Newspaper

Essay Prompt:

*In 1843, the British legal and political theorist Jeremy Bentham observed that “it is in the bosom of a family that men serve an apprenticeship to government.” Something similar was long true of South Asian societies: the family was seen as a microcosm of the kingdom, the father having quasi-royal authority over his household and its property; castes, guilds, and other social groups between the family and the state, however, tended to be structured as rule-based and even quasi-democratic institutions presided over by councils of elders or elected representatives. As Nepal has been reshaped, in stages, from a monarchy to a democratic nation-state, these traditional legal-political institutions have been largely displaced by new ones shaped on a European model. Choose one important caste-related legal or political issue and analyze it so as to be able to explain how modern developments (e.g., the repeated introductions of new codes and constitutions; the abolition of the monarchy; the increasing powers assigned to the legislature; broader representation of and legal protections for traditionally low-status castes; the influence of NGOs and international norms) have altered traditional patterns, or been shaped by them. Are the new legal and political realities having discernable effects on the life of the family and of the caste? What is the role of caste in today’s Nepal? (Comparison with the case in India may provide a comparative frame of reference, but be mindful of the distinctive aspects of Nepal’s situation.)*