

Chapter Five

From Local Resistance to a Movement

The restrictions imposed by the Park on daily life have produced immense hardship for the indigenous communities that live in Chitwan. Their livelihoods have been seriously affected, especially those of the landless Bote-Majhi and Musahar. Fishing and harvesting of forest products is no longer possible. The nutritional standards of the communities have fallen noticeably. The struggle launched by the people, to which this study now turns its attention, has to be understood as a struggle for life. Gradually, a mass movement has evolved, but it has very much remained a grassroots movement.

Emergence of MMBKSS

The resistance movement of the indigenous people started in 1983/84 (2040 BS) 'before democracy'. Ten active individuals from different villages organised informal meetings to discuss their problems. Their efforts did not go unchallenged, particularly by local elites (e.g., landlords). Bote-Majhi leaders were persuaded to renounce their attempt to register a formal organisation. In response to complaints filed by local elites, police took action. By 1986 (2042 BS) arrest warrants had been issued for the leaders of the movement. Once, while mobilising the people, the leaders were forced to take refuge in the forest and went underground for months. They hid in the forests of Gajapur across from Sighrauli. Amar Bahadur Majhi, Jit Bahadur Majhi and his wife, Buli Ram Majhi, Tej Bahadur Bote, Hari Bahadur Musahar, Kaliya Musahar, and others had to desert their villages. Interestingly, they report that Army personnel were fairly cooperative while they hid inside the National Park and relied on the products of the forest. Finally, and with the support of the Chief District Officer, they were able to return to their villages after declaring that they had given up the idea of registering an organisation.

Secret meetings were organised after the return of the leaders. Women activists were involved too, despite resistance. At first, community members and family members, including husbands, were reluctant to value their commitment. Taking part in activism required the women to be away from home for long hours, sometimes overnight. People gossiped about them and spread rumours that the women activists would desert their families to elope with other men. In the early days, women activists were subject to domestic violence at home and public ridicule outside.

Sukmaya narrates how when she returned home from the village meetings late in the evening hungry and tired, her father-in-law humiliated her and other family members challenged her progressive behaviour. However, these initial experiences ceased when the movement grew. The local community increasingly recognised the movement and acknowledged the need for an organisation to represent the movement.

On 17 Magh 2049 (February 1993), national park authorities simultaneously confiscated boats and fishing nets in various villages including Sandh, Badruwa, Laugain, Piprahar (see Figure 1: Social map). They torched all fishing nets and dhadiya (handmade baskets), destroyed many boats, and assaulted villagers. This was a dark day in the life of the fishing communities. Tej Bahadur Majhi from Laugain recalls:

"The incident shook our inner self. There was a gentle vibration in our ears. Why are you silent? If your forefathers have grown up playing with this land, river, and forest, why can't you exercise your rights in this soil, river, and forest?"

Just after these atrocities, in 1992 (2049 BS) activists and leaders from Pirahar to Banghor held a convention at Laugain, Pithauli. This was the first ever convention of indigenous fishing communities and led to the formation of an informal body of Bote-Majhi and Musahar representatives. The agenda of the meeting was to address incidences of violence and harassment by national park authorities and to discuss traditional fishing rights. Before 1990 and the restoration of multi-party democracy, formal registration of such a collective advocating the rights of marginalised people was not possible. Even after the declaration of democracy, the social context in which indigenous fishing communities were oppressed by local power elites restrained them from gaining legal status. As they were not acquainted with formal state procedures, they had limited access to the political arena.

The organisation then pressured local politicians to address their concerns and support them to become registered. In 1993 (2050 BS) Bharna Nath Pajiyar of the District Development Committee (DDC) and Netra Lal Paudel, a former VDC chairperson, supported the fishing community to become legally registered at the district administration office. In 1994 (2051 BS), they finally registered their organisation, the Majhi Musahar Bote Kalyan Sewa Samiti⁸ (MMBKSS). The next step was to get the organisation registered with the Social Welfare Council (SWC) in Kathmandu. The trip to Kathmandu posed serious financial constraints, which were finally covered by donations collected from each household.

Earlier efforts to be registered with the SWC had failed. The backing of the local VDC chairperson and a local member of parliament, Majhi Lal Tharu Thanet, finally helped them to register MMBKSS. Three representatives also addressed the royal palace with an appeal (gyapan patra) for fishing rights in the Narayani River and with complaints about harassment by the Army and Park authorities. Leaders said in the interviews that the secretary of the Royal Palace was cooperative and advised them to approach the Prime Minister, Girija Prasad Koirala, who again established relationships with the district authorities. The leaders returned with the necessary authorisation from Kathmandu and were given a six month licence to fish. The process demonstrates the centralisation of bureaucratic control in Kathmandu.

Expansion of MMBKSS

Before 1994, the MMBKSS was active in a few villages in three VDCs. By 1994, the MMBKSS had formed village-level committees in Rajahar, Pithauli, and Kawasoti VDCs. In the next year, village-level groups were formed in Dibyapuri, Pragatinagar,

⁸ Majhi Musahar Bote Welfare and Service Committee

and Aghauli VDCs. The organisation expanded its network in Koluwa and Narayani VDCs in 1997 and reached the fishing communities at Mukundapur, Parsauni, and Naya Belhani VDCs. By 1997, MMBKSS had expanded its network among the Bote-Majhi and Musahar communities in 16 villages of Nawalparasi, with 360 households, of which 229 were Bote households and 141 were Majhi and Musahar households.

Local Conflict with Army and Conservation Authorities

The following paragraphs describe incidents of conflict with the community, with youths, and with women that have fuelled the local movement of indigenous fishing communities.

The Aghauli incident

There was a time when officials from the range posts used to fish with Bote-Majhi and Musahar. *"We used to fish without any fear. But one day at around 7am, about 18 of us carrying two to three kilograms of fish each were preparing to go back to our settlements. Prashasan (national park officials) intervened and caught us. They punished us hard by battering us and making us lie down on the top of a rock. They also burnt our fishing net and smashed our boats. We were forced to leave silently."*

The Parsauni incident

The night before the incident, ten leaders of the Bote-Majhi and Musahar had organised a meeting at Parsauni. The next morning, 15-20 Army personnel terrorised the entire village. They began to harass the women. They accused the fishing community members of being thieves and began to thrash them without discrimination. *"Some of us could not tolerate this and demanded, 'Who is a thief? Show us and we will punish the person.' Army personnel slapped some of us. They smashed our boats and set our fishing nets on fire. They also threatened that if we fish in the Narayani River again, they would shoot us dead."*

Bagman chowki gherao

A local fisherman from Parsauni was beaten up by prashasan while he was fishing in the River Narayani. He was picked up by the authorities and disappeared. The locals, including non-fishing communities such as Tharu (indigenous community), Magar, Bahun, and Chhetri, in fact almost the entire village, became agitated.

A huge mass of villagers surrounded Bagman Chowki demanding to know the well-being of the disappeared fisherman. Agitators entered the office and were horrified to see splashes of blood in the room. The angry villagers beat the officials. They also smashed furniture and telephone sets and set the range post on fire. They chased away employees of the range post. It was later discovered that the fisherman thought to have disappeared had fled to Triveni in the southern part of the district.

The second Aghauli incident: Shergunj, Aghauli VDC

In 1992, local Bote-Majhi and Musahar women had a conflict with the ranger. The ranger was supposedly a harsh person. A group of local women beat the ranger to retaliate against harassment. The National Park Administration issued a notice to

arrest those responsible for the incident. Four Majhi people were arrested and taken to Kasara, the National Park head office. *"Their hands were tied and they were dragged by the authorities,"* said Khor Bahadur Majhi who witnessed the arrest. The prashasan at Kasara subjected them to severe torture. The fishermen were made to coat their body with sugar and lie on the ground, which was full of red ants.

Local fishing communities became furious after hearing of this. They approached the local political party leaders and appealed for the immediate release of those detained and tortured. After 17-18 days of continuous torture, the Park authorities finally released the detainees after charging them a fine of NRs 1,500. This incident took the militancy of the movement to a higher level.

Army raid at Shergunj

Another raid by the Army at Shergunj is still a fresh and painful memory for the villagers. The local fishing communities used to construct a small hut like structure called a chapadi on the banks of the River Narayani. The hut served both as shelter and as a place to dry fish.

Once, a group of Army came to the village. They threatened the locals and told them to evacuate their huts and abandon the venue. They said that head officials of the Army were visiting the area. They torched the huts and terrorised the entire settlement. *"We were panting. We ran here and there. We saw signs of a big storm. Had we retaliated they would have beaten us to death,"* Kaka recalled. After demolishing the huts the Army personnel then took away the fish that were drying on top of the huts.

Conflict between youth and army

In the early 2000s, six Bote-Majhi youth including two females were fishing in the River Narayani across from Piprahar village using a handmade net. *"We saw three soldiers approaching us. They were patrolling the national park with big knives and guns,"* reported Raju Majhi. Amar Bahadur's son claims that the soldiers were also hunting birds. The soldiers belonged to Gajipur barrack. *"Without even inquiring, they abused us verbally. They beat three of us for almost an hour turn by turn with a stick. Once they were exhausted, they forced us to hit each other. They said, 'You have come to hunt deer. The population of deer is rare today because of you people.' After harassing us they went ahead with their patrol."*

It was reported that the same troop beat up a group of Tharu youth in another village a week after this incident. In response to dissent and torture a group of local youths decided to collectively retaliate against the Army.

Conflict with local women

Women have also reported being sexually harassed by the Army in the past. A group of women described an incident that happened while they were fishing from the river bank at Dibyapuri VDC. They said that Army personnel harassed them by taunting: *"Even I possess fish! Would you like to fish?"* (Ma sanga pani cha bhoti! Marchash?) When the women became angry, the Army personnel snatched their baskets, threw them in the river, and chased the women away.

Women also reported being harassed by the prasashan, especially while they were bathing or fishing in the river. They said, *“if you are feeling cold, come to us, we will warm you,”* reports Sukmaya Majhi.

As a result of such harassment, women are afraid to follow their livelihood practices, which affects their entire family's food security. Women activists reported that they were attracted to participate in the struggle because of their own personal experiences.

An Organised Campaign: ‘Begin from a Small Step, a Small Issue’

In the mid-1990s, MMBKSS began to work closely with a rights based campaign organisation called Community Development Organization (CDO). Although CDO eventually became an important ally of MMBKSS, villagers were initially sceptical.

The main challenge taken on by CDO was to support the people's movement to acquire the status of an organisation. It was hoped that this would improve their access to social and natural resources.

During one of the regional committee meetings of MMBKSS, influential Bote-Majhi activist, Jit Bahadur Majhi proposed: *“Let's organise a gherao in Laukhaney range post”*. The post was a nuisance to the local fishing community. There had been incidents when they were forced to abandon their boats and fishing nets in the range post. They were also forced to provide involuntary labour including fishing, preparing dried fish, cutting logs, cleaning, and other chores for the range post officials and armed guards. These tasks were proving onerous. MMBKSS formed a commission to initiate village level dialogues within the communities and to seek the support of political party leaders. However, during the course of this campaign a rumour started and people panicked. They thought that, now, at least they were allowed to fish, but if they protested and pressured the National Park authorities, even that existing right could be lost. This created a division in the community between those who supported the campaign, and those who were worried about its consequences.

Local leaders of the indigenous fishing communities took the lead in allaying fears and decided to go ahead with the gherao of the range post. Activists had invited various stakeholders but only the VDC chairperson from Pithauli, Loknath Kafley, turned up. Around 200 protestors assembled.

The in-charge of the range post became a little nervous witnessing the crowd, especially since the VDC chairperson supported the agitators. The ranger acknowledged, *“I am sympathetic to the plight of fishing communities. The fishing licence should be issued. But I do not have the authority to do so as per the rules of the National Park.”* He said that the authority to issue licences was vested with the Warden and the Chief Conservation Officer and directed the protestors to Kasara, the office of the Chitwan National Park, headed by the Chief Warden. He assured the protestors that he would instruct his junior officials not to restrict the fishing communities. The meek and cooperative response by someone in a position of authority was a turning point. Collective action showed the limitations of the authorities' power. The activists

of MMBKSS and CDO regard this as their first breakthrough and the beginnings of the organised campaign of 1997.

“Yo ranger le balla hamro power dekhya” (Now only, this ranger realised our power) Jit Bahadur Majhi

When the activists from MMBKSS and CDO reflected upon the day's experience, some of the women activists were a little dissatisfied. They were disappointed by the fact that they had expended so much energy demonstrating in front of an office with little power. But some of the other activists convinced them that it was necessary to build up the movement step-by-step. In the same meeting it was decided to visit Kasara. Senior activists from CDO recount receiving frequent phone calls from local activists about the Karasi programme, demonstrating their enthusiasm to continue the movement. CDO later facilitated MMBKSS to organise gherao programmes at other range posts. These activities sustained the spirit of the organisation.

Kasara Andolan: Clamour for Fishing Licences

The Laukhani Range Post gherao took the MMBKSS towards a sustained campaign. Indigenous fishing communities residing in the buffer zone were in a state of crisis. Fishing restrictions had resumed. The National Park authorities had stopped issuing fishing licences. The Chief Warden had also returned to his office. MMBKSS and CDO prepared a careful strategy for the Kasara campaign. They divided the task of approaching and seeking support from key stakeholders such as political party leaders, and representatives from the district development committee, local government, and the media. They decided to approach these stakeholders in groups.

The campaign received significant support from political party leaders⁹ who came to extend solidarity to the campaign on the day of action, 20 August 1999. On this day, around 900 people, the majority of them from indigenous fishing communities within the buffer zone of Nawalparasi district, assembled and headed towards Kasara. They chanted slogans:

“Macha marney licence paunu parcha! Saag sabji, niuro launa dinu parcha! Sahi sainik ko atanka banda gara!” (We should be given fishing licences! We should be allowed to gather wild vegetables! Stop army violence!)

The Kasara head office is located across the Rapti River. The only way to reach the office is to cross the river on boats. Those participants who managed to cross the river, despite resistance from the Army, were initially not allowed to enter the office because of a meeting between the conservation authorities and the Buffer Zone Management Council. The public pressure forced park officials to postpone the meeting. Officials then crossed the river to where the agitating Bote-Majhi were chanting slogans. During the mass meeting, the local MP, an activist from CDO, VDC chairpersons, the President of the Buffer Zone Management Council, community leaders, and the Chief Warden delivered speeches addressing the concerns of Bote-Majhi and Musahar. The Warden announced:

⁹ Then member of parliament, Majhila Tharu Thanet, Communist Party of Nepal (Unified Marxist Leninist) (CPN-UML) leader, Chandra Mani Kharel (ex-chairman, Buffer Zone User Committee of Pithauli VDC), three representatives from the DDC, one a friend of Jit Bahadur, and almost all VDC chairpersons (from eight different buffer zone VDCs)

"We can only issue fishing licences for periods of six months. From tomorrow onwards you can all come to the Kasara office to acquire fishing licences. Even women can acquire licences."

After the Kasara mass gathering and dialogue with National Park authorities, the process of issuing licences began smoothly. Activists claim that this had a positive impact on the attitude of the Park authorities towards the indigenous fishing communities. Incidents of harassment became infrequent.

Chitwan National Park authorities decided to issue fishing licences for NRs 50 for six-months, on the following conditions:

1. Only handmade fishing nets are allowed.
2. Fishing and taking shelter inside the national park at night is prohibited.
3. In case of the river Riu, fishing is only allowed from Bankatta Ghat to Bagai.
4. Fishing is allowed only within the boundary of the River Narayani, fishing in the wetlands is restricted.
5. Fishing is restricted during the breeding period from Baisakh to Bhadra (April to August).
6. The instructions of the National Park officials should be adhered to and everyone in the jurisdiction is to extend help when required.

However rights had to be secured, as illustrated by the following case.

The constant battle for rights

A year after the Kasara campaign, Army personnel physically attacked seven or eight Bote-Majhi from Shergunj village, Aghauli VDC. In protest, and to start a dialogue with the Army, MMBKSS gathered representatives from the VDC, an MP, media personnel, and members of the public. But the local leader from Shergunj was reluctant to approach the Army authorities. This created a split among the activists. Local leader Hari Bahadur Majhi refused to join the protest. But the rest of the community agreed to raise their voice against the incident.

The support of the MP and VDC representative during discussions with the Army authorities gave strength to the cause. The Army barrack in-charge responded



Picture 9: Copy of fishing licence¹⁰

¹⁰ The document in the photographs is the fishing licence of Buli Ram Majhi from Pithauli VDC, Nawalparasi.



MMBKSS

Gathering of fishing communities during the Kasara gherao

positively. He acknowledged the incident and agreed to take stern action against those Army personnel found guilty. The issue was covered by Kantipur newspaper, a leading national daily. After this, some Bote-Majhi and Musahar would carry a cutting of this newspaper article with them when they went fishing as security against harassment from Park and Army authorities.

However, bureaucratic hassles while acquiring fishing licences still continued. Concerned officials were unavailable when required. Transport to, and accommodation at, Kasara, the head office of the National Park, posed some difficulties especially for those living far away. Eventually, a dialogue with the Buffer Zone User Committee resulted in the provision of licences locally. The User Committee was authorised to process applications, after which the signature of the Chief Warden would be affixed.

The Politics of Survival: Diversifying Activism

Discussions with fishing community members revealed the following priorities: fishing rights, access to citizenship, formal education for children, and land rights.

- MMBKSS began to put the issue of land rights on the agenda and suggested that they cooperate with other landless communities including Dalits and Tharu indigenous communities, and with other civil society organisations. Some political leaders and civil society organisations organised a rally in Kawasoti that drew massive participation from several local landless people. Their demands were:
 - Resettle Bote-Majhi flood victims
 - Provide land certificates to those residing in unregistered land
 - Provide land to squatters

An appeal was submitted to the district administration office. This was the first rally organised in alliance with other marginalised groups.



MMBKSS

Flood victims from Parasi. Banner reads: “Provide land to flood victims!”

Post-Kasara: the plight of flood victims

During the monsoon, marginalised communities residing on the river banks are vulnerable to floods. Flood-affected households have to take shelter elsewhere. In 1999, the flood of the Rivers Narayani and Lokaha swept away settlements at Rajahar, Laugain, Nandapur, and Ratanpur. Communities from Ratanpur and Nandapur took refuge in the house of the VDC Chairman at Koluwa VDC, while communities from Rajahar took shelter in the public school. Communities from Laugain stayed in temporary camps on government land. Later, people from Rajahar went back to their original settlement and eventually settled on public land. In Laugain, with the consent of the VDC, flood victims were settled on forest land.

Parasi Andolan, 2002

The Parasi campaign for flood-affected fishing communities was launched against this backdrop. Government officials at the district headquarters were given a demand for secure housing. MMBKSS organised a large demonstration followed by a two-hour sit-in programme. Their slogan was:

“Badhi pidit lai jagga de” (provide land to flood victims.)

Three to four hundred people including journalists, political party leaders, and the VDC chairperson surrounded the office of the district administration. The Chief District Officer, Army personnel, and police officials were also present during the demonstration.

Laukhani land occupation

MMBKSS proposed to occupy public land because the state had not awarded them adequate land. A big open field was identified in Pithauli where flood-affected fishing communities¹¹ could potentially settle down. The date for occupying the land was

¹¹ From Ratanpur, Nandapur, Piprahar, and Laugain villages.

fixed by consensus with local political party leaders, MPs, and representatives of the DDC. District level Communist Party of Nepal–United Marxist and Leninist (CPN-UML) leaders supported plan. The Buffer Zone User Committee was also in agreement.

On the day of the land occupation, local host villagers, who perceived the land occupation as encroachment, showed fierce resistance. Local goons were mobilised by the village community. The argument stressed by the villagers was that the public land is a playground and, therefore, Bote-Majhi should be prevented from encroaching on it.

One journalist was beaten up by villagers and they threatened CDO activists and forced them to leave, accusing CDO of inciting Bote-Majhi to encroach on public land. This temporary retreat was given wide coverage by the media.

The DDC took the incident seriously and organised a meeting of the various stakeholders. After the meeting, two villages (Ratanpur and Nandapur) resettled in Koluwa on legally purchased land. Why the other two villages were left out could not be clarified. However, activists from MMBKSS suspect that the other two villages were left out because they did not fall within the constituency of the MP involved in the resettlement programme. The landless fishing communities of Rajahar and Laugain are still exposed to floods during the monsoon.

Amaltari land occupation

Under the leadership of Hom Bahadur Musahar, a dynamic MMBKSS activist, landless fishing communities attempted to occupy land and establish a settlement at Dhakaha near the Amaltari Post of CNP. In 2000/01, National Park authorities arrested and temporarily held members from 40 households from different villages¹² who had occupied land. During the two-month period of occupation, park authorities made several attempts to expel the occupying communities. Authorities used elephants and fire to destroy their huts. The resisting groups negotiated with representatives from the VDC, the Buffer Zone User Committee, as well as authorities from the Amaltari Post. In response to their collective resistance, protests, and continuous dialogue, authorities from Kasara assured the agitating households that they would receive support to construct community ponds if they returned to their original settlements. The different struggles for land, however, created controversy and dissent among the leaders of the movement.

Campaign for secure housing in 2006

Although assurances were given by the State after earlier campaigns, these promises did not materialise. Every year when the monsoon sets in, the struggle for land is revitalised. On 13 June 2006, the eve of the monsoon, thousands of landless communities from Nawalparasi assembled at Parasi District Headquarters demanding land rights. This assembly later turned into a mass rally. MMBKSS activists also joined the demonstration and took the mass event as an opportunity to lobby their own issues. They also submitted their demand for the relocation of households from flood-prone Piprahar and Laugain villages to the local administration. Responding to their demands, the Chief District Officer asked them to find unoccupied land that could be used for their resettlement.

¹² From Belhani, Koluwa, Barmathan, Shergunj, Sandh, Gairi, Laugain, and Sajapur villages.

On 2 July 2006, there was a meeting to address the issues of flood victims. Participants included MMBKSS, NGOs, the District Forest Officer (DFO), Chief District Officer, and political party leaders, including members of the Communist Party of Nepal (Maoist). A committee was formed, led by the DFO and the Chief District Officer. The DFO took over the task of finding an appropriate settlement site in Piprahar and Laugain.

In Shiva Mandir VDC near Kawasoti, the aspirations of landless communities to find land met with resistance from local villagers who use vacant area as grass lands. Due to resistance from the community forest lobby, the process of finding a suitable location for resettlement was delayed.

The flood victims, led by MMBKSS, called a strike against the State authorities demanding the speedy execution of commitments made by the State. MMBKSS activists and flood victims obstructed the highway at Kawasoti for two hours on 12 July 2006 and for four hours on 13 July 2006. Women, children, and elderly people demonstrated with fishing nets and baskets. The Deputy Chief District Officer and forest officials requested the agitating crowd to withdraw and assured them that speedy action would be taken to address their demand. After a few days of waiting, the authorities had taken no concrete action. A review meeting was held and a five-day ultimatum was issued to the local authorities at Parasi, after which a series of mass actions would start.



Amar Bahadur Majhi in a temporary camp on forest land