The Formation of the Concept of Nation-State in Nepal

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In recent years anthropologists have sought to describe Hindu society in native terms, thinking that such descriptions are authentic representations of native experience. At the risk of some oversimplification, this approach emphasizes the uniqueness of cultures and aims at the systematic description of those cultural categories that inform native social behavior. The major difficulty which the anthropologist faces in adopting this approach is to avoid describing Hindu society from a foreign point of view. While subscribing in some measure to this approach, it is nonetheless reasonable to assume that just as the anthropologist can get inside an alien culture so the native can get outside his. The anthropologist may endeavor to adopt a native point of view, but the native—who is bound to think in native terms—may still objectify his culture and look at it through foreign eyes. If this were not so, it would be difficult to explain how alien concepts have taken root in the universe of Hindu social categories. The study of alien concepts is of interest inasmuch as it not only informs us of the dynamics of culture in South Asia but it also calls into question the anthropological assumption of unique, discrete, and internally consistent cultures.

Bearing in mind these theoretical preoccupations, the purpose of this article is to consider how one such alien concept, the idea of the nation-state, took root in the governmental discourse of Nepal. By nation-state I mean a form of government that is seen to be an expression of the will or character of a culturally unique people and whose political boundaries are delimited with reference to the territorial distribution of the people. Although this idea is current in present-day Nepal, there is no evidence that it existed in governmental discourse during the period of Nepalese expansion across the southern flank of the Himalayas at the turn of the nineteenth century. From 1814, however, the territorial ambition of the Nepalese government came into open conflict with that of the East India Company; a number of battles were fought in the foothills of the Himalayas which culminated in the Nepalese accepting a cessation of hostilities on the terms proposed by the Company. From the signing of the Treaty of Sagauli in 1815, the Nepalese rulers began to accommodate themselves to the presence of a powerful and alien southern neighbor. One of the new problems which the Nepalese government faced was that the East India Company, and later the governments of British India and the Republic of India, held different ideas about the boundary and structure of the polity. Some of these ideas, such as that of the fixed and exclusive boundary between polities, were forced upon the Nepalese by the East India

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Company; other ideas, such as that of the popular legitimacy of governmental authority, were taken up by certain Nepalese themselves in challenging the preeminent position of the ruler in their system of government. In the light of these changing external and internal circumstances the Nepalese rulers continually redefined the basis of their polity. By the 1960s the government was claiming that the Nepalese people were a culturally unique people whose governmental institutions of kingship and elected councils (pañcaiyati) were an expression of popular will and whose political boundaries were delimited by the territorial distribution of the people. Such a definition of the polity accords with the modern concept of the nation-state and served the King of Nepal as a means of legitimating—before other governments as well as his own citizens—the continuing political autonomy of his kingdom and the perpetuation of his preeminent role in a "uniquely Nepalese" form of government.

The concept of the nation-state in the governmental discourse of modern Nepal is identifiable European; that is to say, it is an intercultural equivalent of the modern Western concept and is intended by the Nepalese government to be recognized as such by its citizens and by other states. Yet the formation of this concept also occurred in an intracultural context that cannot be separated analytically from Nepal's intercultural field of relations. In this article I shall examine the intercultural and intracultural contexts in which this idea was formed. I begin by describing three indigenous territorial concepts of possessions, realm, and country and their respective sources of legitimation in proprietary, ritual, and ancestral authority. Then I consider some of the problems encountered by the Nepalese rulers in according the different claims of proprietary, ritual, and ancestral authority upon their newly conquered territories at the turn of the nineteenth century. These problems, which were inherent in the separation of possessions, realm, and country, surfaced well before the Nepalese conflict with the East India Company. In the final part of the article I describe the intracultural and intercultural contexts of the nineteenth and twentieth centuries in which the rulers of Nepal redefined their relations with their land and people in terms of these three concepts so as to formulate the compound concept of nation-state.

Two brief clarifications are necessary. First, although the British referred to the Nepalese rulers as kings of Nepal, the members of the Shah dynasty prior to the 1930s thought of themselves as being kings from Gorkha. In describing the pre–1930 period I shall also resort to this designation. Second, my article concerns the formation of the concept of nation-state in governmental discourse. For material on the formation of modern political and administrative institutions in Nepal and on the political circumstances that favored this formation, the reader is referred to the excellent studies by Joshi and Rose (1966), Kumar (1967), Rose (1971), Chauhan (1971), Jain (1972), and Agrawal (1976), plus the very interesting document by D. Regmi (1950).

Intracultural Differences in the Relation Between Ruler, Land, and People in Gorkha at the Turn of the Nineteenth Century

Nepalese history of the present-day polity begins with Prithvi Narayan Shah, who ruled the Kingdom of Gorkha during the mid-eighteenth century. At that time Gorkha was a petty Himalayan state that interacted politically in the League of Twenty-Four Kingdoms situated in the Gandaki watershed of the central Himalayas. From 1742, the time of Prithvi Narayan's accession to the throne, until 1814 the Shah dynasty by marriage, diplomacy, and conquest succeeded in annexing to Gorkha not only the member states of the League of Twenty-Four Kingdoms but also the
kingdoms and tribal peoples of the southern flank of the Himalayas from Sikkim in the east to Kangra in the west. The Gorkha rulers, like many of their counterparts in the Ganges basin, claimed their sovereignty by exercising proprietary authority upon their possessions (*muluk*), and ritual authority within their realm (*deśa*). Included within their possessions and realm were various countries (also *deśa* or *desi*) in which the king's tenants or subjects were natives who claimed certain rights to their land and way of life on the basis of ancestral authority. Each of these three concepts—possessions, realm, and country—specified a different relation between ruler, land, and people, and each was legitimatized with respect of different kinds of authority—proprietary, ritual, and ancestral.

**The “Entire Possessions of the King of Gorkha”**

At the turn of the nineteenth century the Gorkha rulers referred to their territorial domain in terms of a Persian loanword meaning possessions (*muluk*) or, more precisely, "the entire possessions of the king of Gorkha" (*gorkhā rāj bhar muluk*). In the administration of his possessions the king saw himself as a landlord (*mālik* who classified exhaustively and exclusively his tracts of land according to tenurial categories and then assigned, bestowed, licensed, or auctioned the rights and duties over these tracts of land to his subjects (see M. C. Regmi 1971:209-11). The tenurial categories differed with respect to the specific rights and duties of the subject vis-à-vis the king's land, as well as with respect to the powers (inheritability, divisibility, transferability, and irrevocability) which the king accorded the subject in the enjoyment of these rights and duties. The tenurial categories are too complicated to detail here (see M. C. Regmi 1963-1968; 1976), but one may note in brief that these categories defined the different statuses of tributary realms (*rāja* tenures), military officers (*jāgir*), civil administrators (*nānkhar*), tenant cultivators (*rākhar*), servants and artisans in the service of the king (*rakam, jagerā, jāgir*), religious associations (*gūbhi*), and individual persons (such as nobles, Brahmans, ascetics, war widows) who had been awarded a private means of livelihood (*bīrtā*) at the personal bequest of the king. As a system, the tenurial scheme did not delineate a matrix of relationships in which each status related to all other statuses. Rather the tenurial scheme was a juxtaposition of local subsystems (such as tributary kingdom, military administration, civil administration, and palace administration), each of which was headed by the king, and in which each status related to other statuses of the subsystem but not to statuses outside the subsystem.

The tenurial scheme of classification figured in diverse governmental contexts. Three general points can be made in the specific context of the territorial possessions of the king of Gorkha. First, the tenurial scheme was applied exhaustively and exclusively to the land, not to the subjects of the king. The subjects were not exclusively classified in tenurial terms, for any subject could have multiple tenurial statuses, and therefore different rights and duties vis-à-vis the king with reference to different tracts of land. For example, an ascetic could enjoy tenurial recognition (*kuśa bīrtā*) of his ritual superiority over the king on one tract of land and be a revenue collector on other tracts of land (*maḷ*), submitting an annual fee of obeisance to the king signifying his tenurial inferiority to the state (Burghart 1984). Nor were subjects exhaustively classified in that the king did not claim revenue from income received in alms. Therefore ascetics who lived in makeshift bivouacs and who derived their livelihood solely from gifts of cash and kind in alms avoided contracting a tenurial relationship upon the king’s possessions (Burghart 1983). Second, the members of the
tenurial system (except certain tributary rajas, Brahmans, and ascetics) were bound to their status by virtue of a contractual arrangement that was renewed at the king’s pleasure on the occasion of the annual review of appointments at the Dasahara festival. At this time tenant cultivators were entitled to relinquish their tenurial rights over plots of crown land and take up such rights elsewhere, either within or outside the territorial possessions of Gorkha. The evidence from the turn of the nineteenth century suggests that tenant cultivators frequently moved back and forth between Gorkha and Company territory, either lured by the prospect of lower revenue rates or driven by the intolerable demands of overzealous collectors (Ahmad 1958:19–20; *Bengal District Gazettes: Darbhanga* 1907:21; M. C. Regmi 1971:128–35). In other words, a subject of the king of Gorkha at the turn of the nineteenth century was entitled to change his political affiliation as freely as a citizen of the Kingdom of Nepal in the mid-twentieth century can change his employment. Third, the tenurial scheme defined the rents, levies, duties, and fees of obeisance that the tenants submitted to the king directly or indirectly through his revenue collectors. Submission of such payments through tiers of the tributary, civil, and military administrations indicated one’s inferiority to the recipients of such payments, and thereby defined the hierarchical structure of the tenurial system. The king received payments from his subjects, but he did not depend upon anyone for his rights over his possessions nor did he submit revenue from that land to anyone. Such tenurial autonomy was the basis of the king’s political sovereignty vis-à-vis neighboring kings.

**The Realm of the Kings of Gorkha**

The realm (*deśa*) within which the king of Gorkha exercised his ritual authority was a quite different territorial unit from the possessions over which the king exercised proprietary authority. The realm was an auspicious icon of the universe centered on the temple of the king’s tutelary deity and demarcated on the perimeter by temples—often four or eight in number, which were situated notionally in the four cardinal directions or the eight points of the compass. These temples did not lie on the border of the kingdom, as defined by tenurial relationships or customs sheds. Instead they were situated at sacred sites that in some cases lay within the territory over which the king exercised proprietary authority, and in some cases outside (Hamilton 1819:19). Within the realm the caste system provided an auspicious order of the social universe, the form of the system being defined alternatively by the entitlements of different castes to serve at the court of the king’s tutelary deity (*Vergati Stahl* 1979) and by their entitlements to function in the regional varna model of the universe (*Höfer* 1979, although this is a late source for the present argument). Criminals who transgressed the rules governing caste and family relations not only defiled the persons with whom they interacted but they also defiled the realm and, by implication, everyone who lived therein. In the weeks before the Dasahara festival all criminal cases were decided and offenders punished so that the realm would be pure prior to the annual renewal of the king’s powers of rule (Adam 1920). In the case of Brahman and ascetic criminals, whom the king could neither behead nor mutilate without bringing sin upon himself, exile from the realm was the punishment.

The purity of the realm was endangered not only by social disorder but also by the king’s rulership. The intimate relationship between the king, his subjects, and the realm is borne out in the claim of the Newar and Hill Brahmans that the Hindus living in Mughal territory had been defiled by virtue of their being governed by Muslim rulers. Father Ippolito Desideri (1932:316) noted in 1722 that Newar
travelers, before being readmitted to Nepāl from Mughal territory had to “undergo purifications by bathing for forty days in cow’s urine, drinking it, and eating cow dung occasionally.” After their conquest of Nepāl in 1768–1769 the Gorkha rulers continued to preserve the purity of Nepāl as their locus of authority. (In order to distinguish between the realm of the former Malla kings conquered by Prithvi Narayan and the modern kingdom of Nepal, I shall in the former case spell Nepāl with a macron and in the latter case without). Gorkhali envoys returning to Kathmandu from Tibet underwent three days of purification at Nuvakot, just outside Nepāl. Their readmission to the realm was signified by the king’s offering water from his pitcher at the Kathmandu palace (Cavenagh 1851:69; Oldfield 1880:1, 412). Further evidence of the intimate relationship between king, subjects, and realm may be adduced in the royal mortuary rituals. In the course of his rule the king not only incurred certain sins but he also was said to absorb from his subjects the same proportion of sins and merit as he collected revenue from their standing crops. Upon the death of the king the Mahapatra funeral priest took on these sins in the course of a meal composed, in part, of the deceased king’s cranium (the place where the king’s soul left his body at the moment of death). Having digested the sins committed by the king and a portion of the sins committed by his subjects, the funeral priest was then mounted backwards on an elephant, jeered “Demon Brahman,” and driven from the realm (Leuchtag 1958:235–36).

The conception of the realm as a universe implies that the realm was an autonomous and auspicious system of social relationships. Nonetheless other such realms existed on the subcontinent. According to one Brahmanical scheme there were fifty-six universal realms in the Sacred Land of the Hindus (bhāratavarṣa), of which Nepāl was one (Hamilton 1819:192). Contacts between these realms were governed in certain respects by a relation of equivalence. This relation is evident in the rules governing the commensality of castes outside one’s realm. For example, Brahmans from Mithila (the realm bounded by the Himalayas in the north and by the Ganges, Kosi, and Gandaki rivers in the south, east, and west), when traveling on pilgrimage in the Himalayas, would not accept water from Hill Blacksmiths (kāmi) because Hill Brahmans do not do so. Meanwhile Hill Brahmans, traveling in Mithila, would accept water from Maithil Blacksmiths (lohār) because their counterparts in Mithila, the Maithil Brahmans, do so. This relation of equivalence between realms was also evident in Prithvi Narayan’s policy with regard to the realms that he conquered. The center of Prithvi Narayan’s realm was the temple of Bhavani and the cave of Gorakhnath at his ancestral home of Gorkha (see Unbescheid 1980:35–45). By the grace of these two deities he conquered Nepāl, ruled by the Malla kings of Kathmandu, Patan, and Bhadgaon, but in Nepāl, Prithvi Narayan received the blessings of Taleju, the tutelary deity of the deposed Malla rulers (Acarya 1968: 3, 503–4). Similarly the temples of Janakpur and Barahaksetra in the eastern Tarai districts, which were sanctuaries of worship for the vanquished kings of Makwanpur and Vijayapur, continued to be supported by the royal family and courtiers on tour in the region (Lamsal and Bhattarai 1974; Burghart 1978). Thus the Gorkhali solution to the problem of the political integration of the kingdom at the turn of the nineteenth century was to treat all realms as being equivalent universes and to respect the tutelary deities of each conquered realm.

In addition to these instances of equivalence, relations of hierarchy were also observed between realms. In a more restricted sense of the term, the word deśa, or mula deśa, referred to the locus of authority which was seen to encompass the pradeśa, or provinces, ruled from the center. This locus was identified with the capital
(Gutschow and Bajracharya 1977:4–6; Toffin 1979:71–74; 1982), or with the palace itself, in which was situated the temple of the king's tutelary deity. Provincial ritual enactments of universal import could not be undertaken without the approval of the central authority (see Toffin 1982:85). This hierarchical relation usually applied only within the realm, but it was also extended between realms in that a ruler might claim for his realm an absolutely central position in the universe and impute thereby that neighboring states were not autonomous realms but dependent provinces. For example, the use of the term deśa in Hill speech to denote the plains of present-day India implied that the Hills were the pradeśa of a central authority situated in the Ganges basin. It is in this context that one can interpret the significance for the Gorkhali of the Company administration of the Indian subcontinent. Hodgson (1857:234) noted from the court at Kathmandu in the early nineteenth century that "when the banner of Hinduism dropped from the hands of the Mahrattas in 1817, they solemnly conjured the Nepalese to take it up and wave it proudly till it could be again unfurled in the plains by the expulsion of the vile Feringis [the British], and the subjection of the insolent followers of Islam." After 1817 Gorkha saw itself as the only independent Hindu realm in the Sacred Land of the Hindus. The implication of this was that this hitherto peripheral region of the subcontinent had now become the terrestrial center of the universe.

The Countries of Different Peoples

The term deśa, or des, also means country, and, by implication, a unique people who experience a common moral and natural identity by virtue of their living and interacting in the same region. People of the same country often speak a common language, share a common lore (of proverbs, stories, and songs), and observe certain customary practices (desācār) that are objectified as the way of life of their country (des dharma). This way of life is considered to be a dharma by virtue of its moral character and apparent changelessness. The changeless basis of this code of behavior is due, not to its having been codified by Brahma at the dawn of time but by virtue of its being remembered in the present by "men of good character" as the way of life of the country since time immemorial (see Lingat 1967 on the relation between custom and dharma). A country is also characterized by its unique environment (hāvapāni, literally, "air and water") that sustains the physical constitution of the native. For example, the various tribal peoples of the Plains Country within the Hills (bhiti mades), such as the Tharu and Chepang, were collectively known to the Hill people as Avaliya, or the "Malarial Ones," because they seemed to be inured to the malarial air of their country (Hodgson 1874:2, 11, 14). The influence of the environment in sustaining one's body is borne out in the tales of natives outside their country. The natives of the Plains Country (madhyades, literally, the central Realm, but usually meaning the country which lies on the Gangetic plain) complain of stomach disorders whenever they travel on pilgrimage to the Himalayas and drink the water of the Hill country (pahār des); meanwhile Hill people complain of fever whenever they travel to the Ganges basin and breathe the air of the Plains Country (Desideri 1932:319; Wright 1877:3). The Newar traders and Gorkhali envoys who left Nepal country for Tibet explained their symptoms of altitude sickness in terms of emanations from the Tibetan earth (Desideri 1932:426–27); meanwhile the Tibeto-Burmese peoples of the High Himalayas, in their travels to Kathmandu and northern India, refer to Nepal as Yombu and to the Plains Country as Aul, appellations that mean, literally, "sickness" and "fever" (personal communication from Graham Clarke). Although a native may
claim that his country is best of all, the point of these tales about illness and travel is not that one's country is better than any other country; it is that one's country is best for oneself.

The natural and moral bases of one's membership in a country are reflected in the natural and moral referents in the classification of countries. According to one scheme of classification the countries that lay within the possessions of the king of Gorkha were distinguished according to their natural environment. These countries were three in number: the Hyündes (a term in the Hill language for the Sanskrit Himyādeśa), meaning the Snow Country and applied to the land of the High Himalayas (Hodgson 1874:2, 28); the Pahārdes, or Hill Country, corresponding roughly to the Mahabharat and Siwalik hills that parallel the high Himalayas; and Madhyades (also Mades), or the Plains Country, referring to the Gangetic plain which lies between the Himalaya and Vindhya mountains of classical Aryavrat. One might add to these three countries the low malarial valleys situated between the Mahabharat and Siwalik hills, which were called Bhitri Mades, or the Plains Country within the Hills.

According to the second basis of classification, countries were distinguished by the people who customarily lived upon their territory. In this ethnic sense of the term "country," the Gorkhali referred to their country as Khas des, for they saw themselves as being Khas, that is, the autochthonous Kshatriyas of the Himalayas, whose land extended from Kumaon in the west to Nuvakot in the east (Hitchcock 1978). Although the Khas claimed Kshatriya status, nevertheless they were considered to be inferior to the Thakuri clan of the Shah dynasty, which traced its royal descent from the Rajputs of western India (but see Levi 1905:1, 258–78). Thus the king of Gorkha at the turn of the nineteenth century thought of himself, as well as the former kings of the League of Twenty-Four Kingdoms, to be from the Hill Country but not, strictly speaking, from Khas country. For most people, however, these terms were synonymous: "Parbattia [pahāre] means 'Highlander' but the general sense of the word is restricted by invariable usage to the Khas" (Hodgson 1874:2, 30). North of the Khas country was Bhot des, or what Europeans, following the Persian appellation, call Tibet. The Gorkha army did not succeed in consolidating its territorial gains in its 1788 invasion of Bhoṭ, but it did succeed in annexing parts of Bhoṭānt or the "appendage of Bhoṭ," a territory that included the lands occupied by such Tibeto–Burmane peoples as the Sherpa and Thakali. To the east of the Khas lay Nepal des, inhabited by the Newari-speaking people; the area further east was inhabited by the people who called themselves Khwombo and Limbu, but whom the Khas, following Sanskrit usage, called Kirāṅt (Hodgson n.d.:254 with marginalia). Kirāṅt was subdivided by the Khas (but not by the "Kirāṅti") into hither, middle, and further Kirāṅt, depending upon the distance of each from Khas country (Hodgson ibid.; M. C. Regmi 1963–1968:3, 87). To the south of Khas lay various countries on the Gangetic plain, such as Bamgalā des and Mithilā des, the northern regions of which had been administered by the kings of Makwanpur, Vijayapur, and the League of Twenty-Four Kingdoms. When these Hill kingdoms were conquered by Gorkha, their lowland possessions on the Gangetic plain were also annexed to Gorkha.

**The Political Integration of Gorkha at the Turn of the Nineteenth Century**

The evidence from the turn of the nineteenth century suggests that in governmental usage the concepts of possessions, realm, and country were, for the most part, separate in their application. This "contextual" approach had precedent in Hindu law,
but it would also have been prudent of any king at a time of territorial expansion to be all manner of things to all men and thereby refrain from exacerbating the religious, ethnic, and political differences among his subjects. Nevertheless there were some instances in which the claims derived from the king’s proprietary and ritual authority and the people’s ancestral authority came into conflict with one another, and in such cases the king was obliged to ascertain their relative jurisdiction and to decide upon the most appropriate or advantageous relationship between ruler, land, and people. The way in which Prithvi Narayan and his immediate successors accorded these different claims, and the resultant pattern of integration, resembles the patterns found in other Hindu kingdoms of upper India and the Himalayas during this period, and it suggests that the political integration and autonomy of Gorkha were structured in a way that would have made sense not only to the king’s subjects but also to the neighboring and rival rulers.

I shall now consider the relations between possessions, realm, and country in order to establish the intracultural context in which the concept of nation-state was formed.

The Relation Between the Possessions of the King of Gorkha and the Countries of a People

The concepts of possessions and country were different in boundary and membership at the turn of the nineteenth century. The boundary of the possessions was defined by the collection of revenue, and it was thought to expand or contract according to the extent of the king’s influence on the periphery of his kingdom. The boundary of the country was not locally defined; it was thought to be fixed by the changeless natural environment or the cultural presence of a people. Moreover, membership in a polity was not exclusive. The same individual could be, to his benefit (Ahmad 1958:23) or at his cost, a member of more than one polity. For example, the Raja of Mustang submitted land revenue to the Gorkha crown and trading duties to the Dalai Lama (Montgomerie 1875:358), and the headmen of certain villages in Tibet were appointed from Kathmandu (Landon 1928:2, 36). Membership in a country, however, was exclusive to one’s membership in any other country. Evidence of the difference between the contractual affiliation of a tenant to his king and the natural or ancestral affiliation of a native to his country may be seen in the migration patterns of the eighteenth and nineteenth centuries. At that time migrants were willing to relinquish their tenurial contract in one polity and take up tenurial rights in alien polities, but they rarely left their country to do so. The Hill people preferred to migrate one thousand miles eastward within the Hill Country of present-day Sikkim, Bhutan, and Assam rather than turn south a mere fifty miles and cultivate land in the part of the Plains Country, which lay within the possessions of the king of Gorkha. Similarly the continual migration of tenant cultivators back and forth between Gorkha and Company territories at the turn of the nineteenth century did not entail emigration from Bhojpur, Mithila, or Morang countries. A country was a territorial affiliation that the native did not ordinarily give up; when he did, such emigration was likened to an act of renunciation (des tyāg).

The migration patterns only indicate that the king’s subjects distinguished between their lord’s possessions and their own country. The tenurial evidence suggests that the king himself also made such a distinction and that he respected the customs of a country in the tenurial administration of his possessions. This respect was born of
the belief that the king should administer his possessions according to changeless local circumstances; and the circumstances of country membership were changeless, both in their natural and their ancestral basis. Of course, one should not infer that the king respected native custom simply because he was enjoined (Manu 8.41) to do so; rather it would appear to be the case that natives were strongly attached to certain customs of their country, and at a time of territorial consolidation it would have been foolhardy of the king to incite his subjects to disaffection by not respecting their way of life (see, for example, M. C. Regmi 1963–1968:3, 87–91). This was an especially important problem in the eastern revenue districts of the Kingdom, where tribal leaders did not share the customs of the Hill people. In these areas the king used the tenurial category of kipat to designate the alien tenurial customs of the tribal peoples and to place them under indirect Gorkha suzerainty. The irrevocable power of the kipat category was the king’s recognition of the changeless basis of the tribal tenurial customs on their ancestral lands (M. C. Regmi 1963–1968:vol. 3; Sagant 1978, 1981; and see Caplan 1970 for an account of how the Limbu tribe in recent years lost control over their kipat lands). In sum, the king did not bring the diverse countries of his possessions into relation with one another, for they were unique; nor did he assimilate them one to the other, for they were naturally different. Instead he respected the customs of different countries and registered the fact of this difference by means of the common kipat category, thereby bringing diverse peoples under the proprietary authority of Gorkha.

The Relation Between the Country and the Realm:
The Administration of Customary Law

Having listened to the counsel of his gurus and priests, the king of Gorkha or his agents made various judicial decisions concerning the social order within the realm. These decisions, as well as the counsel, were informed by readings of the Brahmanical codes (śāstra) and authenticated by royal authority. By virtue of such decisions the king ensured that the cosmo-moral order (dharma) was observed within the realm. Yet within the realm the people also observed a way of life (des dharma) that comprised their own ideas about moral behavior, and which was validated by the fact that this behavior had been the way of life of their country since the time of their ancestors. Thus the dharma of the country and the dharma of the realm were validated by their apparent changelessness (Lingat 1967). The king was enjoined to uphold both of these dharma, and in cases of disagreement the Brahmanical codes (Manu 8.41) enjoined the king to follow the customs of the region. Given the attachment of a people to their customs, it was also prudent of the king to do so. The rulers of Gorkha relied upon the Law of Manu in their judgments (Hodgson 1836:123, 132–33) and endeavored to uphold the customary law of the countries within their realm. For example, Prithvi Narayan Shah announced from his court at Nuvakot in 1793 (M. C. Regmi 1971:209–11):

Current customs lead to injustice, while it will not be possible to follow the tenets of the Brahmanical codes of conduct. So, in consultation with the guru, the royal priest, Brahmanical judges [dharmaabhikār], and a few other pandits, ministers, clan leaders, respectable persons, and merchants, punishment for different crimes shall be prescribed keeping in view the customs of the country.

Not all provincial governors, however, observed these guidelines (Stiller 1976: 172–75), and even in the cases of those who did, the administration of justice
according to local circumstances met with some resistance (Sagant 1981:162) as well as misinformation concerning local circumstances (Burghart 1984). Still the Gorkha rulers did attempt to take into account the customary laws of the countries of the realm. The most notable case of this (in the eyes of English observers) was the customary law of Khas country, according to which a Khas man, who had been dishonored by an adulterous wife, was entitled to seek personal vengeance by slaying the adulterer and by cutting off his wife's nose (Hodgson 1836:132–33; Smith 1852:1, 152–53; Wright 1877:32). The pride that the Gorkha nobles took in the administration of justice (see Hodgson 1857:234–35) is expressed in such sayings as “For knowledge go to Kasi; for justice go to Gorkha” (cited by Smith 1852:1, 151–52) and “Blood, salt, and law—all these are cheap in India” (recited today in the Nepalese Tarai).

The king, however, did not tolerate the customary law of a country that defiled the realm over which he ruled. Offenses that defiled the realm were classified in terms of the “five punishments” (pañcakhat). These five punishments—loss of life, bodily mutilation, banishment, degradation of caste, and enslavement (in some lists expropriation was substituted for enslavement)—could be administered only by the king, and the offenses for which they were administered included defilement of the realm. The people of the Hills, Plains, and Nepal countries were for the most part Hindu, and their customary laws were not seen to violate the dharma of the realm. The tribal peoples in the eastern Himalayas did, however, observe certain practices that defiled the realm, most notably (in the eyes of the Gorkhali) the slaughter of cattle and the consumption of the flesh of dead cattle. Upon learning of the consumption of the flesh of dead cattle in their newly conquered territories, the government banned the practice in some areas, but later showed more flexibility by placing the custom in the service of the state. The practice was condoned upon payment of a fine in rupees or a levy in hides and skins (of wild animals, not cattle). The fine was received by the palace, not the Brahmanical judges (dharmadhikāri), in order to finance the Gorkha conquest of the western Himalayas. The hides and skins were used to make scabbards for the army (RRS 1979:21–22). Cow slaughter, however, was banned with utmost severity (RRS 1980:170; see also RRS 1979:126–30).

Persons who commit the heinous crime of slaughtering oxen in a Hindu land shall be flayed alive, impaled, or hanged upside down until dead. Their property shall be confiscated and members of their families enslaved.

The Relation Between the Country and the Realm: The Locus of Authority of the King of Gorkha

The ancestral home of Prithvi Narayan Shah, as well as the abode of Gorakhnath who foretold the rise of the Shah dynasty, was located at the mountain town of Gorkha. Although the circumstances surrounding the formation of the realm of Gorkha are still unclear, I assume—on the basis of Ram Shah’s edicts (Riccardi 1977) and the coronation procedures “written” by Drabya Shah (Parajuli 1975)—that a universal social context had been established in this petty Himalayan kingdom no later than the seventeenth century. After the conquest of Nuvakot in 1745–1746, Prithvi Narayan moved his capital from Gorkha and established a summer court on a mountain ridge at Nuvakot (Nuvākot bemsi) and a winter court (Nuvākot marī) on the valley floor (D. Vajracarya 1975:147). Nuvakot, which lies between Kathmandu and Gorkha, was still in the Hill Country but it was outside the realm of Gorkha. Prithvi
Narayan directed his campaign against the Malla kings of Kathmandu, Patan, and Bhadgaon (Giuseppe 1790:321) and completed his conquest of Nepal in 1769 from Nuvakot. Sometime afterward Prithvi Narayan decided to base his court in Nepal; according to legend, he chose Kathmandu as the most propitious seat of authority because the Malla king had been powerful in Kathmandu, the nobles had been powerful in Patan, and the subjects had been powerful in Bhadgaon. Having claimed the kingship of these three capitals for himself, the main impediment to stable rule had been removed only in Kathmandu, not in Patan or Bhadgaon; thus he built his capital at Kathmandu (Pant n.d.:3, 904–5). Accordingly a new throne room, the Basantpur palace, was built in the palace compound of the deposed Malla king of Kathmandu (G. Vajracarya 1975:18, 20–21), and the throne of the Shah dynasty was carried over the hills from Gorkha to Kathmandu (Acarya 1968:3, 519).

Kathmandu, however, was not Prithvi Narayan's sole seat of authority. During this period the Nuvakot winter court had gained prominence over the summer court because the winter court was situated on the valley floor directly on the trade route between Tibet and the Plains Country, attracting traders from both these countries (D. Vajracarya 1975:147). Accordingly Prithvi Narayan transferred his summer court to the palace at Kathmandu in the realm and country of Nepal and retained his winter court in a kind of tent city (Kirkpatrick 1811:117) at Nuvakot in the Hill Country. At that time both Nuvakot and Kathmandu were referred to as राजधानी, or capitals, as well as मुक्तम, a Persian (and ultimately Arabic) loanword meaning encampment (D. Vajracarya 1975:147; Pant n.d.:3, 904; Lamsal and Bhattarai 1974:24). According to Vajracarya (ibid.:146), the movement of the court between seasonal capitals had been a Gorkhali custom since the founding of the kingdom by Drabya Shah in 1559. During the winter the court lived in the valley and during the summer it lived on a ridge in the hills. In the case of the courts at Gorkha and at Nuvakot, the hill and valley courts were located at the top and bottom of the same mountain slope. By maintaining capitals at both Kathmandu and Nuvakot, Prithvi Narayan retained this Gorkhali custom through reinterpretation. Nuvakot was situated in the Hill Country and Kathmandu in Nepal country, which Hill people refer to, even today, as the "valley." Thus instead of applying the Hill distinction between hill and valley within a country, Prithvi Narayan applied the distinction between countries: Nuvakot became his hill capital and Kathmandu his valley capital.

This arrangement was met, however, with some mixed feelings by Prithvi Narayan and his nobles. In spite of the fact that Prithvi Narayan had been blessed as the ruler of Nepal by Taleju, the tutelary goddess of the former Malla kings (Acarya 1968:3, 503–4), still the courtiers of Gorkha were not pleased that their summer court was now situated outside the Hills. Hamilton (1819:246), who visited Nepal in 1801, noted that the nobles and soldiers of Gorkha "despised the name Nepal" and twenty-seven years earlier Prithvi Narayan had spoken of his preference for Hill people over Valley people by saying (Stiller 1968:43):

This three-citied Nepal is a cold stone. It is great only in intrigue. With one who drinks water from cisterns there is no wisdom; nor is there courage.

It is Valley people, of course, who drink from cisterns; and wise, courageous Hill people who drink from rivulets and springs. Prithvi Narayan's plan to resolve his apprehension about the Kathmandu capital entailed the construction of a new capital at Dahacowk, where he said: 'I would build around me houses for the leaders and chiefs of the hill states. My capital would be set apart. In these three cities (Kathmandu, Patan, and Bhadgaon), apart from my capital [Dahacowk], let there
remain empty pomp and pleasure" (ibid.). According to Baral (1964:26, 48) Dahacowk is situated on the western ridge overlooking the valley at Kathmandu. Or one might say that it lies on a ridge dividing the Hill Country from Nepal. Unfortunately Prithvi Narayan died one month after announcing his plans, and his project seems to have died with him. His successors continued to move back and forth between seasonal capitals until the insecurity of the 1814–1816 Gorkha–East India Company War confined the court to Kathmandu (Kirkpatrick 1811:116–17; Hodgson 1857:160). Following the signing of the peace treaty at Sagauli in 1815, the Gorkha custom of moving the locus of authority was not resumed, and the locus of the Gorkha government became Nepal while its territories in Bhoutant, the Hills, and the Middle Country became the provinces (pradesa).

The Relation Between the Realm and the “Entire Possessions of the King of Gorkha”

The difference between the king’s possessions and his realm is evident in their different centers and perimeters. The king’s administration of his possessions was a control hierarchy in which the diverse subjects of the kingdom were brought together by virtue of their tenurial relation to the king. The king, however, was not the focal point of his realm; instead this position was held by the tutelary deity whom he worshiped. The different boundaries of the possessions and the realm stemmed from these different centers. In the case of Nepal, prior to Gorkhalic conquest, Hamilton (1819:192) noted that the “real boundaries” of Nepal deša were demarcated by the temple of Bhimesvar in the east, Natesvar in the south, Kalesvar in the west, and Nilkantha in the north. Hamilton (ibid.) went on to note:

The whole territory between these places is holy ground, and is properly called Dhama [dhāma, an abode of a deity]. This holy land, according to the Brahmans, is inhabited by 5,600 Bhairawas and Bhairawis. . . . The whole territory within these boundaries was not, however, subject to the Newar chiefs who governed Nepal, and a large part in the vicinity of Nilkantha in particular, until the rise of the house of Gorkha, was subject to Thibet.

Not only did these boundaries not overlap, their conceptual bases also differed. The boundary of the possessions was determined by the collection of revenue; the boundary of the realm was conceived in terms of places consecrated by a god whom the king worshiped. The boundary of the possessions extended or receded depending upon the ambition and strength of the king’s revenue collectors and the king’s ability to control their local power. The ritual boundary of the realm, however, was fixed in particular localities. Moreover, the tenurial boundary did not necessarily enclose a discrete territory, for it was possible that some unfortunate villages on the boundary might be obliged to submit revenue to both neighboring kingdoms or that some of the king’s villages might be detached from the main part of his kingdom and appear as tenurial islands surrounded by the possessions of another king. The ritual boundary of the realm could be situated inside or outside the “possessions,” and it defined notionally a boundary that could be encircled, although being in the provinces it was only “aimed at” in royal rituals from the locus of authority at the center of the realm. This locus, identified with the capital or even the palace compound, was encircled by the king at the conclusion of the royal consecration (Parajuli 1974: 103–6). As for the tenurial boundary, the territory was the king’s field (ksetra) determined by the spread (tryāpakta) of his influence outward until it joined (samdha)
The Concept of Nation-State in Nepal

The influence of the king of Gorkha spread across the southern flank of the Himalayas throughout the turn of the nineteenth century. In the course of military conquests the king occasionally bestowed rights over land in alms to heavenly deities, Brahmans, and ascetics, acting in the belief that the king could gain land by giving it to others (Burghart forthcoming). In ritually offering a gift in alms, the donor must irrevocably alienate all his rights over the gift in favor of the recipient. Thus in offering land in alms to Brahmans, ascetics, and gods, the king alienated all his rights over the tract of land so gifted. Since the king ruled his possessions by virtue of his proprietary authority, these tracts of land enjoyed an extraterritorial status within the kingdom. Within such tracts of land the recipient enjoyed tenurial autonomy (M. C. Regmi 1963–1968:4, 45–49; Burghart forthcoming). The king, however, did not relinquish his ritual authority over these tracts of land; he could not do so without calling his kingship into question. The extraterritorial tracts were still part of the realm, and their inhabitants were still subject to the “five punishments.” Nor were the Brahmans and ascetic recipients entitled to pronounce the “five punishments” on the king’s behalf.

The Formation of the Concept of Nation-State in Nepal

After a succession of military defeats at the hands of the East India Company in 1815, the Gorkha government was unwilling to risk further losses, and it agreed to a cessation of hostilities on the terms proposed by the East India Company. The settlement did not create mutual trust between the two sides, and for more than one century afterward the Gorkha rulers endeavored to control and limit their political and commercial contacts with the Company and with the government of British India. Not even formal recognition of sovereignty by the British parliament in 1923 ended this policy, for the Gorkha government remained in relative isolation on the Indian subcontinent until the 1950s. Throughout this period, however, the government redefined the basis of the polity in the light of changing circumstances on the subcontinent. The 1962 constitution states unequivocally that Nepal is a Hindu kingdom in which sovereignty is vested in the kingship, but in his public addresses King Mahendra legitimated both the kingship and Nepal’s political autonomy in terms of a concept of the nation-state. I shall describe and analyze the intercultural and intracultural context of six episodes in the formation of this compound concept of nation-state in Nepal. The episodes are: (1) the demarcation of a defined border (1816); (2) overlapping of the boundary of the realm with the boundary of the possessions (c. 1860); (3) the interpretation of country in terms of species (c. 1860); (4) the designation of Nepali as the official language of Nepal (c. 1930); (5) the implicit differentiation of the kingship from the state (c. 1960); and (6) the formation of a culturally unique polity (c. 1960). These episodes have been ordered chronologically and therefore may be read as events in this history of the formation of the concept of nation-state in Nepal. The episodes are not linked by any continuity of influence, nor does one episode anticipate another. Moreover, throughout this 150–year period there were other instances of political discourse that did not contribute to the formation of the present concept of the nation-state, and which may be taken, therefore, as examples of “roads not taken.” The latter have been omitted from this account.
The Demarcation of a Defined Border (1816)

The tenurial scheme of classification that ordered the king's relationship with his subjects over his land also served to demarcate the territorial extent of his possessions; the actual location of the boundary was an indication of the territorial limit beyond which the king could not possess the land. Along the southern border in the Tarai lowland adjoining Company territory, the king of Gorkha assigned or auctioned the right to collect revenue to intermediary officers, who then claimed the revenue from village headmen, who, in turn, collected the revenue from tenant farmers (see M. C. Regmi 1971:128–41). At the turn of the nineteenth century the district and divisional revenue collectors in the Tarai were local "big men" in the service of the king. The king was able to receive the revenue from the tenant farmers by virtue of the power that the local big men held over the tenant cultivators and village headmen, but because of that very power, the king was often hard-pressed to collect the revenue from his collectors. Revenue was assessed according to the extent of cultivated land, not according to the amount of agricultural income. The local big men could increase their income only by attracting to their uncultivated lands tenants from other collectors' cultivated lands (in either Gorkha or Company territory) or by claiming revenue from tenants on the cultivated plots of other collectors' lands (in either Gorkha or Company territory). If the king was "strong" enough to collect the revenue from "strong" big men, the boundary of the king's possessions extended outward. If the king was "weak" and the local big men were strong, the collectors might try to withhold the submission of revenue and by virtue of their tenurial autonomy claim sovereignty, as did the collectors who later became the king of Tikari (Hamilton 1936:2, 594) and the king of Benaras (Cohn 1962). Alternatively, the collector might try to gain a marginal advantage by submitting the revenue to a neighboring king whose demands were less onerous, as did the collector of a tract in Rautahat district whose territory was nearly lost to Gorkha when the collector tried to submit his revenue to the Company instead (East India Company 1824:689). Of course, with weak local big men, the king—no matter how strong—ran the risk of seeing his possessions contract at the edges.

Although both the East India Company and the king of Gorkha saw their land as "possessions," their understanding of this concept differed. For the Company a possession was defined by a line enclosing a tract of land within which the individual exclusively possessed certain rights and duties. The Gorkhali concept of a tenurially defined frontier irritated the Company for two reasons (for a record and measure of their irritation, see East India Company 1824:675–780). First, the frontier line continually shifted; or to state the problem from the English point of view, the Gorkhali collectors continually "encroached" upon Company territory. Second, the frontier line did not exclusively divide Company and Gorkha territories. Unfortunate villagers on the border were sometimes forced to meet the revenue demands of collectors from both polities so that, from the tenurial point of view, the villages were subjected to both Gorkha and Company authority. Such anomalies were regulated soon enough, if not by a fight between gangs of rival collectors then by the flight of the overburdened farmers from their villages.

At the conclusion of the 1814–1816 Gorkha-Company War, the East India Company was in a strong enough position to demand that the border dividing the territories be a fixed line demarcated by stone pillars (T. Smith 1852:2, 79–80; M. C. Regmi 1971:174). Stiller (1976:220–22) has described the difficulty encountered by Gorkha Chief Minister Bhim Sen Thapa in comprehending the Company demand
that a "defined border" demarcate their respective polities. Bhim Sen Thapa's confusion cannot, however, be attributed to the absence of a concept of defined border in Hill culture, for the concept appears in royal land grants demarcating and enclosing monastery land (see Heesterman 1976 on this general point). As early as the seventeenth century, King Ram Shah of Gorkha pronounced that tracts of land bestowed upon Brahmins be demarcated by boundary posts (see edicts 9 and 10 in Riccardi 1977), and the Sen kings of Makwanpur similarly demarcated the land that they gifted to Saivite and Vaishnavite ascetics in the Tarai lowlands (see Lamsal and Bhattarai 1974). From this one might conclude that the king was pleased to have the extent of his possessions increased by his revenue officers, but that he enclosed the land which he gifted in alms so as to deter the encroachments of others. Finally one might add that cultivators at the local-level, by means of dikes, posts, and buried charcoal, defined the boundaries of their plots in relation to the plots of their neighbors. Not only did the Gorkhali have a concept of a defined border; it would also seem that the British had a concept of a "moving frontier," for they would have been familiar with its metaphorical use in nineteenth-century positivism, as in the "extension of the frontiers of knowledge"—an extension which from the point of view of ignorance can only be perceived as an "encroachment." If, therefore, one views Bhim Sen Thapa's discussions with Company officers as a problem in intercultural translation, one must acknowledge that each side from its own experience was familiar with a concept that enabled it to understand the meaning of the other. In other words, intercultural translation occurred by means of an intracultural substitution of concept. The problem of Bhim Sen Thapa was not understanding an alien concept; it was accepting the different context in which a native concept was used. It seemed strange that the concept of a defined border—by which farmers regard their neighbors or kings enclose the land which they gift in alms—was used to define the relation between polities. In the end, the defined border between Gorkha and Company territory was established by means of an examination of the revenue receipts of tenant cultivators (Acarya, cited in RRS 1975:166), and the southern boundary of the king's possessions was enclosed as in a Western nation-state, or a Hindu monastic estate, or a cultivator's plot. It was not until the twentieth century, however, that Gorkha's northern boundary with Tibet was similarly understood to demarcate a fixed and exclusive interest of the state upon a territory and upon the people who lived there (compare, for example, Montgomerie 1875:358 and Landon 1928:2, 36 with RRS 1970:97 and Bista 1978:196).

Overlapping the Boundary of the Realm with the Boundary of the Possessions (c. 1860)

Throughout the eighteenth century Nepal was thought by the Nepalese to be a Hindu realm uncontaminated by Muslim rule (Desideri 1932:316). Upon Prithvi Narayan's conquest of Nepal in 1768–1769, the Gorkha ruler affirmed his commitment to safeguard the purity and strength of his realm. Indeed he claimed that the Hindu rulers and nobles of the plains had given themselves up to the enjoyment of pleasure so that they no longer possessed the ability to preserve their independence from the British or Firaŋgī (from the Persian, meaning European, and ultimately from the Arabic, meaning Frank). By means of enforcing a quasi-ascetic discipline upon his subjects—the rule of justice at home, strict control over merchants and their imports, honors not wealth for the military, and a ban on dancers and musicians from Mughal territory—Prithvi Narayan thought that the Kingdom of Gorkha could
become a “true Hindustan” (asal bindustan; see Stiller 1968:43–44). Fifty years later, however, nearly all the South Asian subcontinent had been subjugated by the cow-eating Firaṅgī, and, given the presence, as always, of the pig-eating Bhotiya of the Tibetan plateau ruled by the barbarous Celestial Emperor at Peking, the Gorkha government could assert that Gorkha was the only remaining Hindustan on the subcontinent and that its political isolation was necessary in order to safeguard its purity. These sentiments, which held sway at the Kathmandu court after the 1814–1816 war with the Company, were expressed by Chief Minister Jang Bahadur Rana in his preface to the 1866 regulations on religious endowments (RRS 1972:101):

We have our own country, a Hindu kingdom, where the law prescribes that “cows shall not be slaughtered,” nor women and Brahmans sentenced to capital punishment; a holy land where the Himalayas, the Basahi ksetra, the Arya tirtha, and the refulgent Sri Pasupati Linga and Sri Guhyesvari Pitha are located. In this Kali Age this is the only country in which Hindus rule.

Given the duty of the Hindu king to maintain the purity, prosperity, and sanctity of his realm, and given the more-than-century-old Gorkhali and Nepali policy of treating the “Land sullied by the Mughals” (muglānā) as a defiled place, Jang Bahadur Rana’s assertion of the purity of his realm is unremarkable. The 1866 regulations, however, did signal the Gorkha ruler’s apprehension of a different relation between territory, religion, and the state in South Asia. According to this relation, the defined border of the possessions was co-extensive with the boundary of the realm. Previously Hindu kings, in conquering a territory, confiscated the land grants of the deposed nobles and military officers but respected the land grants offered in alms to ascetics and Brahmans by the vanquished king and his ancestors. The Gorkha rulers were no exception in this regard (M. C. Regmi 1963–1968:4, 13; or see the royal orders from King Girvan Yudhha Vikram Shah in Lamsal and Bhattarai 1974). Moreover, the king offered land from his possessions in order to provide for the worship of gods whose temples were situated either upon his possessions or in his realm as well as for temples outside these two different territorial units. For example, the king of Gorkha, like many other Hindu kings, maintained a temple at Benaras (Sherring 1868:137). In the 1860s the Gorkha rulers discovered that the British no longer honored the terms of a Gorkhali religious land grant in Kedarnath, made at a time when Kumaon and Garhwal were Gorkhali possessions. When Jang Bahadur Rana protested to the British Resident at Kathmandu about the British mismanagement of the Kedarnath hostel, he was told, “You can do what you like on lands situated on your territory; we can do what we like on ours” (RRS 1972:101). From the British point of view the ritual boundary of the kingdom could not extend any further than the administrative boundary. Only one boundary divided British India from Gorkha. Jang Bahadur took up this attitude himself by limiting all religious land grants to within the boundary of his possessions. The territory within which the sanctity of the realm was maintained was also the territory of the possessions.

The Interpretation of Country in Terms of Species (c. 1860)

Of the two different senses of country, the environmental and the ethnic, there is evidence that throughout the nineteenth century both concepts persisted in customary usage. In governmental usage, however, the ethnic concept of country had, by at least the mid-nineteenth century, been rendered in terms of species (jāt). One reason
for this rewording may lie with the fact that at this time the government had consolidated its preeminent claim over the territory of the kingdom and therefore was inclined to look upon the ethnic groups of the kingdom as social bodies (jāt) rather than as territorial bodies (des). Groups of people, such as the Limbu, who were known in customary usage either as the natives of a country or as the members of a species, were referred to by the government as a species; in the 1854 Legal Code the Newari-speaking people of Nepal were referred to collectively as members of the Newar jāt, not as the natives of Nepal des. Similarly Khas was no longer referred to as a country with its own customary law, but as the Chhetri or Tāgādhāri Kṣatri species (Muluki Ain 1854:89.50; see also Sharma 1978). In addition, certain Tibetan groups were referred to collectively as "bhoteko jāt" (compare Baral 1964:50 with Hofer 1979:141–49). Outside the territorial limits of Gorkha, however, the government continued to recognize the existence of ethnic countries, as in its reference to Bhōṛ as both a people and a place. In sum, the intracultural rewording of ethnic countries as species served the interests of the state by eliminating the territorial basis of the one immutable territorial unit whose legitimacy was not determined by state intervention.

The Government retained the environmental sense of country in its separate administration of the Hill and Plains Countries (pahār bandobast, madēs bandobast), but otherwise the environmental concept of country was also translated as species. In the past a realm and, in some cases, a country were universal contexts in which members of particular species interacted according to their customary relations of interdependence. Within the territorial possessions of the Gorkha king, the Hill and Plains Countries as well as the realm of Nepal had their own "caste systems." In 1854 the Gorkha government, however, promulgated a single hierarchical system of interdependence between species that was valid throughout its entire possessions (see Hofer 1979 for a commentary on the Muluki Ain, 1854 ed.; see MacDonald 1970 and Bouillier 1978 for translations of the sections on untouchables and ascetics from later editions). The hierarchy of species was recognized in the first instance in terms of three pure cluster categories that were ranked in the following order: (1) Wearers of the Sacred Thread (the Twice-born of all countries together with Hindu renouncers); (2) Non-enslaveable Alcohol drinkers (tribal species who were entitled to serve in the Gorkha army and therefore had to be pure); and (3) Enslaveable Alcohol drinkers (other tribal species who were pure enough to work as slaves in the households of the Twice-born; see Caplan 1980: 177–80). These three pure cluster categories were followed by two clusters of impure castes that were ranked in the following order: (4) Touchable species from whom Wearers of the Sacred Thread could not accept water (impure castes of Nepāl and Plains Countries together with the Musalmān and Iyuropiyen species of India); and (5) Untouchable species from whom Wearers of the Sacred Thread could not accept water (impure castes of the Hill Country together with the most impure of the impure species of Nepal). At its most inclusive level the basis of the hierarchy was not interaction, for the species of different countries did not ordinarily interact with one another. The species were ranked instead according to the attribution of the purity of their country, all Wearers of the Sacred Thread (including Thakuri Kṣhariya) of the unsullied Hill Country being superior to the Brahmins of all other countries and kingdoms, who, in turn, were superior to all renouncer species and nonpriestly Brahmins. At the bottom of the hierarchy the impure castes of the Hill Country were, for the most part, more impure than the impure castes of the Plains Country and Nepal. The implication of the 1854 rewording of country as species is
that all species interacted in the same system of interdependence. The boundary of the system of interdependence, as noted previously, was the realm which was coextensive with the king's territorial possessions.

The Designation of Nepali as the Official Language of the Nepalese Realm (c. 1930)

The designation of the language of the Hills, or of the Khas, as "Nepali" and its status as the official language of the modern kingdom of Nepal are of recent origin. Although there is some inscriptive evidence from the sixteenth and seventeenth centuries that the Newari-speaking people of Nepāl referred to their language as Nepāl bhāṣā or Desā bhāṣā (D. Regmi 1961:91), the designation in its strictest sense means the language spoken in Nepāl. More conventionally the language was called Newari. The present term Nepali derives from British usage (based on their appellation of the Kingdom of Gorkha as the Kingdom of Nepal) in the nineteenth century, but the term is close enough to the Newar designation of Newari as Nepal bhāṣā for there to be considerable confusion as to the different referents of the two terms. In reconstructing the history of the terms of reference of the languages of the Himalayan peoples, the evidence suggests that from at least the eighteenth century the autochthonous Khas people referred to their language as Khas kura, meaning the "speech of the Khas." Khas speech was also called Parbatiyā, the "language of the Hill Country," but this appellation seems to have been especially current in Nepāl (Hamilton 1819:16) and the Plains Country; in other words, the term "Hill language" was a designation used outside the Hill Country to refer to the language of the Hill Country.

The term Gorkhali also appears to have been an external designation of Khas kura. In the early nineteenth century the Newari-speaking people began to refer to Khas kura or the Hill language as Gorkhali, for they identified it with the language of their conquerors who were now living in Nepāl. Also by that time the Gorkhali in Nepāl had begun to refer to their language as Gorkhali, the earliest instance of this being found in the verse of the Hill poet and pandit, Daiapajakesari Arjyal (Pokharel 1968:104). This evidence suggests, therefore, that the appellation Gorkhali emerged outside Khas country and inside postconquest Nepāl. Further support for this inference lies with the supposition that it is unlikely that the term Gorkhali would have emerged in the Hills, for there would have been no reason for all the people of the Khas to identify their common language with only one of the hill kingdoms in which it was spoken. Moreover, prior to the Gorkha conquest, Khas people did live in Nepāl, where they served in the army of the king of Kathmandu (D. Regmi 1965:2, 188). There is no evidence from this preconquest period, however, that Khas kura was called Gorkhali; rather it was known to Newars as bhaya bhāya (Pokharel 1968:29) or as bhāṣā, and distinguished thereby from their own mother tongue of Newari, which they called deśa bhāṣā (Clark 1957:186–87).

Whatever the origin of the term Gorkhali, the designation subsequently gained force from events both inside and outside the kingdom. After 1857 the Gorkha soldiers, whom Jang Bahadur Rana had offered to the British to help put down the Sepoy mutiny, were recruited on a permanent basis into the Indian and British armies. The language of command in the Gorkha regiments was Khas kura, which the British military officers called Gorkhali after their spelling (Gurkha) of the Gorkha regiments. Jang Bahadur himself, together with his brother and successor Rana Udip Sinha, favored the appellation Gorkhali, and he decreed that the term Khas kura be
discontinued (Clark 1969:251). It must be remembered that at this time Jang Bahadur, who was of Khas birth, had his caste status upgraded to that of Thakuri, the royal clan of Kshatriyas (Kumar 1967:158–59). His labeling Khas kunā as Gorkhali and his relabeling the Khas jāt as Chetri (Muluki Ain 1854:89.50) were presumably attempts to disassociate himself as much as his kingdom from their Khas past.

Meanwhile in northern Bengal, Reverend A. Turnbull learned the language of certain Khas informants living in Darjeeling, and in 1887 he published a grammar and vocabulary of their language, which he called Nepali after the British appellation of the kingdom. According to Clark (1969:252), the Gorkha rulers were displeased that the British called the language of their kingdom Nepali, especially after Prime Minister Candra Sam Ser had decreed in the early twentieth century that Gorkhali was the official language of the kingdom. But in the 1930s, when the Gorkha Government began to refer to its kingdom as the “realm of Nepal” (rather than the “entire possessions of the Gorkha king”), it also began to refer to its official language as Nepali. This change not only brought the name and official language of the kingdom in line with the British appellation; it also recognized the fact that for more than one hundred years the locus of authority of the Gorkha king had been Nepāl.

In reviewing this history, it seems that the terms Parbatiya, Gorkhali, Gurkhal, and Nepali were names that were applied by outsiders to Khas speech, and which were eventually taken up within Khas country as internal designations of their own language. This process, whereby external appellations of a language were taken up internally, seems to have been brought about not only by the presence of Newar, Plains Country, and British observers of Khas country but also by the anomalous position of the Gorkha rulers within Khas country. Both royal (Shah) and chief ministerial (Rana) families claimed to be Rajputs originating from western India rather than the ritually inferior autochthonous Khas Kshatriya; nevertheless the Shahs and the Ranas spoke the language of the Khas. Their position as insiders (speakers of Khas) and outsiders (not really Khas) may explain their preference in resorting to external appellations in order to identify their language not with the Khas but with the Hills, and later with their Kingdom of Gorkha. In the 1930s the Gorkha government brought itself in line with the British appellation by substituting its locus of authority at Nepāl for its ancestral home at Gorkha as the name of their kingdom. The name of Nepali for the official language quickly followed suit.

The Implicit Differentiation of the Kingship from the State (c. 1960)

Throughout the latter part of the nineteenth century and the first half of the twentieth century all powers of rule in Nepal were vested in the Chief Ministership, the office of which passed by collateral succession within the Rana family. In the winter of 1950–1951, however, an alienated faction of the Rana family, the members of the outlawed Nepali Congress Party, and King Tribhuvan Vir Vikram Shah combined forces to overthrow the 105-year-old Rana regime as well as the proprietary form of government. During the next decade Nepal embarked on an “experiment” in parliamentary democracy, which King Mahendra decreed in 1960 to have been a failure, and which he replaced in 1962 with a new system of government that was composed of the king and four tiers of elected councils, called pāñcāyats, which were constituted at the village, district, zonal, and state levels of government. According to Mahendra, the pāñcāyat system and the kingship were the traditional forms of government in Nepal; these two political institutions were especially suited to promote unity and development in the Nepalese context. All sovereignty, however,
was vested in the kingship, and the pañcāyats were granted only an advisory function in the government of the kingdom. In spite of the explicit identification of the kingship with the state (see Neupane 1969), an implicit differentiation between king and state may be found in certain aspects of administrative organization. For example, from the time of the formation of the present-day Kingdom of Nepal the kings of Gorkha and, later, the chief ministers (1857–1951) stood at the apex of the tenurial hierarchy. By virtue of proprietary authority the ruler was the ultimate recipient of state revenue. From this revenue and from his source of revenue in land, the king or chief minister disbursed funds for both governmental and personal expenditures, and he appropriated whatever income remained after expenditure. Thus the ruler lacked a predetermined income and his personal fortune could be made or unmade by his governmental fiscal policy. After the revolution of 1950–1951, however, the government instituted a fiscal policy in which the annual costs of government were anticipated and then the taxation policy was adjusted to meet these costs. According to this policy the king and the royal family receive a stipend from the state under the category of constitutional organs in the regular budget. Unlike the pre–1950 period, any surplus of income over expenditure in the fiscal year now accrues to the state, not to the king. Similarly state debts are not the personal liability of the king (Singh 1977:128, 224–25).

Although the 1962 constitution does not explicitly distinguish between the king and the state, King Mahendra himself elaborated such a distinction in his public addresses on the pañcāyat system of government. In these addresses (compiled in Tuladhar 1968), Mahendra had recourse to the terms of Vaishnavite devotional religion in translating the values and ideals of the modern nation-state into the Nepalese political arena as well as in defining the legitimate and illegitimate commitment of Nepalese citizens to their state (see also Borgström 1982). For example, the concept of service to one’s redeeming deity was applied to national service (deśa sevā), and Mahendra claimed that it was only by means of such service that “nation-building” (deśa banānne), “national construction” (deśa nirmanā), and “national development” (deśa vikās) could take place. Moreover, such service is not motivated by self-interest (svārtha); hence political parties and interest groups have no legitimate place in the nation-state of Nepal. In translating the Western concept of equality, the king resorted to the devotional concept of identity. All natives are identical (samān) or “one and the same” (ek ra samān). In a Vaishnavite devotional context, the term refers to all the devotees of Vishnu having an identical subtle substance that unites them within the subtle body of Vishnu in the form of Parbrahma. In the public addresses of King Mahendra the realm, or deśa, is substituted for Vishnu and by implication both king and citizen possess an identical substance. Moreover, both king and citizen are devotees of the nation-state and there is an identity between Nepal deśa and the Nepalese people. Like the concept of service, the concept of identity also served to legitimate the absence of political parties in Nepal. For Mahendra the concept of political party is either said to be semantically untranslatable, because it is alien (arū deśaharū) and therefore can only be rendered phonetically (pāṛti), or it is translated as faction (dal), a term that implies disunity and which therefore has no place in a country characterized by relations of unity and identity (ek ra samān; see also Gaborieau 1982 on the concept of class).

The Cultural Uniqueness of the Nepalese State (c. 1960)

The concept of country with its moral and natural components now overlaps the concept of realm in the governmental discourse on Nepal. All Nepalese citizens are
thought to have an experience of their country (deśa anubhava), and it is in this experience that their will as a people (jan bhāvma) is formed. According to King Mahendra (see Tuladhar 1968), parliamentary democracy is not rooted in this cultural experience; it lacks "Nepaliness" (nepālītan). Pañcāyat democracy, however, possesses Nepaliness, as does the kingship. By virtue of their cultural character these two political institutions can be said to constitute a government "of the people." By overlapping the status of citizen with the category of native, the government has also established an exclusive, natural, and noncontractual basis of membership in the polity. It is now the natives of Nepal and the quality of Nepaliness, rather than the king's influence, which is spread throughout the realm to its very borders with India and China, thereby delimiting territorially the polity. In this manner the Government of Nepal has legitimated itself as a nation-state that is equivalent to but different from the other nation-states of the world.

Overlapping the concept of country with that of realm does create a problem, however, in that there are many different ethnic groups in Nepal, each with its own customs, language, and homeland. At the turn of the nineteenth century each of these groups was thought of as a country, and in 1854 as a species; now they are all registered in the census as language groups. Of the language groups in Nepal, only the language and customs of the Hill Country are identified with the Nepalese way of life. Although the government has naturalized the polity by overlapping the concepts of country and realm, still it has been careful to denaturalize the differences between ethnic groups. Non-Hill peoples are encouraged, and in some cases enjoined, to adopt the language and customs of the Hill people (see Gaige 1975). For example, a particular style of cap, called the topi, an ethnic marker of a Hill native, is now obligatory dress for all male Nepalese citizens who enter the national administrative center at Kathmandu. In its identification of the Hill Country with the Nepalese nation, the government has been helped by the demographic evidence that the Hill language is the mother tongue of a bare majority of the population, and as a lingua franca it extends, for the most part, throughout the entire kingdom. It is also of considerable importance to the government that in the 1970 census there were so few Nepalese citizens who claimed to speak Hindi as their mother tongue that this language would in future be struck from the census register as a "mother-tongue" language of Nepal. The absence of Hindi, the national language of India, from within the Kingdom of Nepal has been used by the Nepalese government as a means of affirming its cultural difference from India. Since both the form and boundary of the Nepalese state are defined with reference to the collective will and territorial distribution of the Nepalese people, the absence of native Hindi speakers in Nepal serves to legitimate Nepal's continuing political autonomy on the South Asian subcontinent.

Conclusion

The political relations of the Nepalese rulers have been structured both within their own sphere of governmental relations and between equivalent spheres of relations. As the relations within and between spheres changed over time, the government reconceived the nature of the polity in order to perpetuate its position at their nexus. After 1816 the relations between spheres were also relations between cultures, and governmental policy took into account the Nepalese understanding of alien perceptions of Nepal. Moreover, the fact that Nepal was situated on the periphery of a powerful colonial regime obliged the government to legitimate the basis of its polity in a way that made sense not only to its subjects but also to the British, and, subsequently, to the government of the Republic of India. Successive redefinitions did
not "lead" to the formation of the concept of nation-state, but they became so by an accumulation of some redefinitions.

We may further conclude that, although the anthropologist may endeavor to understand alien cultures on native terms, the adoption of the native point of view frees the anthropologist of cultural subjectivity only at the cost of imprisoning the native in his or her cultural subjectivity. The native, however, is not necessarily constrained by a native point of view, nor is the anthropologist objective merely by transferring the problem of subjectivity from the investigator to the investigated. At present, in the Kingdom of Nepal the government claims that its boundaries are determined by the territorial distribution of a culturally unique people and that its governmental system is an expression of their culturally formed will. In this changing field of intracultural and intercultural relations, one may recognize the features of the modern nation-state as the Nepalese government legitimates itself on native terms but through foreign eyes.

List of References


