

Kamaiya Liberation Movement in Nepal; Issues and Challenges

Durga Prasad Bhatta

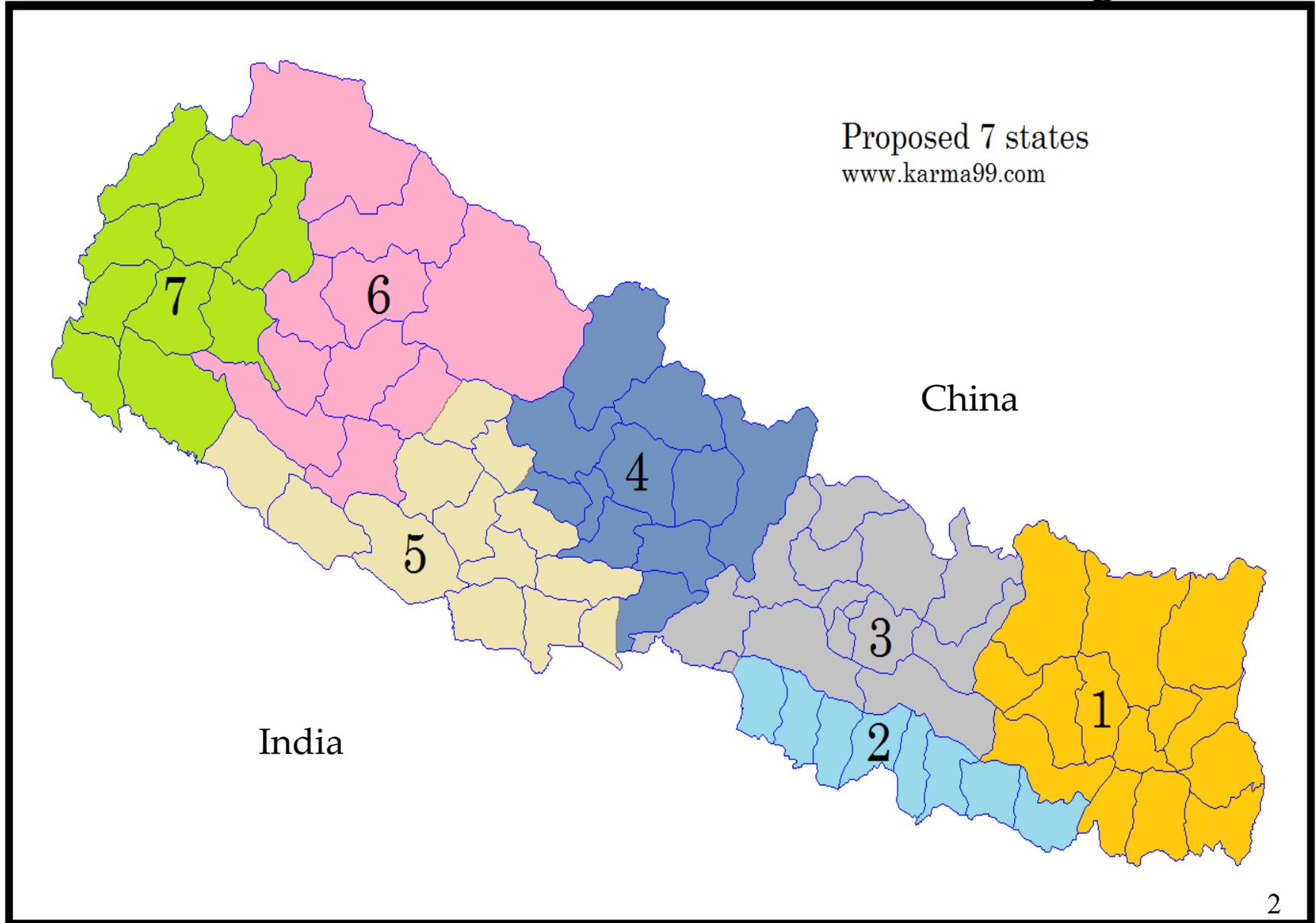
CLASS Nepal

Nepal



Nepal

New Federal State (Reconstructing)



Presentation outline

- **Country Introduction**
- **Who are Kamaiyas ???**
- **Category and data**
- **The origin of Kamaiya system**
- **Vicious Cycle**
- **Major Issues of Kamaiyas**
- **Movement Against the Kamaiya System**
- **Major Challenges for the rehabilitation**
- **Conclusion**



Our country Nepal

- Federal Democratic Republic of Nepal
- State Structure: Federal system of Nepal
- Population: 2,649,4504 (CBS, 2010)
- Area: 147,181 sq ft.



Who are Kamaiyas

Background:

- Kamaiya practices are dominant in the agrarian western part of Nepal in Tarai (Plane region), particularly in five district Dang, Banke, Bardiya, Kailali and Kanchanpur district.
- Included forms of debt-bondage and bonded labor, had been considered a major developmental and human rights issue in Nepal, at least since 1990.
- The word Kamaiya originally derives from a Tharu word (ethnic group) designating a man in a position within the intra-household division of labor where he carries out physically demanding work like tilling the field and 'earns' the living for the household.

Cont...



- Traditionally, people without land or work could get loans from landowners allowing them to sustain a minimum livelihood.
- In exchange to this, they had to live and work on the landowner's land as quasi slaves.
- Exorbitant debts were charged, and whole families were forced to slave labour for years and even generations, bonded by indebtedness to the landowner and bonded by unequal social relations to sell labour in lieu of the loan taken.
- The word 'Kamaiya' originates from 'Kam', which refers to 'work'. In a Tharu parlance, the term is used as a synonym for hardworking hired farm labour.



- Kamaiya is a farm labourer serving a master, a landlord in particular, in repayment of a loan taken in advance by himself or his forefathers.
- His spouse known as Bukrahi accompanies him in farm works. She is also responsible for domestic chores of the master.
- Therefore, in a common understanding, a male and associated female (as a pair) are counted as Kamaiya.
- Kamaiya children, who generally work as animal herders. Similarly, female children working as domestic servants of the landlords are known as Kamlahari .



The origin of Kamaiya system

- There is a claim that before the eradication of malaria in the Tarai (pre-1951 period), cultivable lands were abundant and population was relatively small.
- During those days, when a working man or woman of a family would die, there was a trend of hiring a man or woman from another family to compensate the loss of labour.
- Over time, this genial practice changed into the forced labour system called Kamaiya.
- But, according to BASE (1995:4), the large influx of hill migrants into the Tarai following the eradication of malaria in the Tarai region, marginalized traditionally landowning Tharu people by occupying their lands. The Tharus lost the land-resources they had nurtured to the migrants who used to maintain a close tie with the then power centre of the state. The Tharus had no records of the land they were cultivating.



- Using their political power, the new commers registered the land—the land of Tharus—in their name forcing the original masters to work for their newly captured land.
- According to a Tharu village elder (cited by Karki 2001:71), the Kamaiya system developed from a customary practice of obtaining a "helping hand for family business" that was gradually replaced by a 'patron-client' relationship as state-led land grants were intensified.
- This is how inequality became structured, with one person as the Jamindar (land owner) and the other as Kamaiya bonded labourer, bonded by indebtedness to the landowner and bonded by unequal social relations to sell labour in lieu of the loan taken for sustaining a minimum livelihood.



Category and data

- Total number of kamaiya was 116,309.
- The organization has categorized Kamaiyas in three classes/types. The Kamaiyas in debt (Saunki) with all family members working for the landlord are grouped as 'a' class Kamaiyas. They were the most exploited ones.
- The Kamaiyas who are in debt but live in their own homes built on unregistered land with some family members working as Kamaiyas and others as share-croppers have been considered 'b' class Kamaiyas.
- Those who are indebted but live in their own homes built on their own registered land of 1 kattha or more are considered 'c' class Kamaiyas. The total number of people affected by the system groups A B C were 54,393 34,390 27,326 **Source: BASE Kamaiya Report (1995:7)**



Vicious Cycle

- Kamaiya has to make an employment agreement every year in Maghe Sankranti (mid January).
- The day is known as "Maghi", the black day. In principal the agreement is a contract by which a Kamaiya can bargain, accept or reject the terms and conditions imposed by his land master.
- If he finds a master, this one will go to his former master, pay outstanding loans and then take the Kamaiya to his house. A process similar to replacing old cattle by new among rich farmers in rural Nepal. Simply we can understand that was a trading (buying and selling) cycle of the kamaiyas from one owner to another owner.



Major Issues of Kamaiyas

- No fix working time.
- Treated like an animal.
- Physically beaten and abuse.
- Sexual exploitation.
- Working only for food and cloths.
- Lack of freedom.
- Had to do all kind of personal work for the owner family.
- Whole family's involvement and dedication.



Movement Against the Kamaiya System

- The movement against various forms of forced labour has a long history in Nepal. However, none of the literature published so far documents Kamaiya resistances and uprisings that were held before 1950.
- Started after political change in 1950 and intensified only after the restoration of multi-party democracy in 1990.
- Started from the 19 kamaiya families (135), 1 May 2000.
- Spread to entire district.
- **Strategy:**
 - Action from within
 - Action from Above
 - Action from within and above.



- The Culmination of Both the Movement from 'Above' and 'Within' **On 1 May, 2000** the Kamaiya movement took a new turn.
- Nineteen families of Kamaiyas working for the former minister, came out of his house and claimed the minimum wage fixed for agricultural workers by the government on 13 January 2000 to be effective from the date of last Maghi. They also argued that the Kamaiya system was against Nepal's 1990 constitution article 20(1) and several UN conventions and covenants to which Nepal is party.

When he refused to comply with the rules and regulations related to forced labour and minimum wages, the **19 Kamaiya family (135 persons)** filed a case against him at VDC office of Kailali district. But he refused to be present to discuss the problems. Then to CDO office.

Cont...



- The initial refusal by the CDO to even consider the case, led to major sit-ins and demonstrations by Kamaiyas and their supporters, altogether involving tens of thousands of people.
- Also, Kamaiyas in 5 western Tarai districts Dang, Banke, Bardiya, Kailali and Kanchanpur - started filing similar cases with their respective CDO offices, and the number of such cases reached more than 1,600.
- NGOs and human rights organizations, including BASE, IN SEC, GRINSO and CCN, helped mobilize and support these actions. Particularly, BASE, an organization led by young .

Cont...



- From July 13, roughly 150 bonded laborers held a sit-in, or dharna, at Bhadra Kali in front of the Singha durbar, (office of the prime minister).
- On **July 17, 2000** the same day that the 150 Kamaiyas and their supporters were arrested during a demonstration in Kathmandu, the government declared that, effective that day, Kamaiya or any form of bonded labor was prohibited in the Kingdom of Nepal. Kamaiyas were declared immediately free, and since the debts they owed were void or null, they did not need to repay anything.



After being freed

- After being freed from the system few had a good experience of income generation activities, such as vegetable farming but Many were living under dire conditions in makeshift camps scattered around the two districts.
- Government had provided 5 kattha (approximately 0.17 hectare) of land to each family, which was comparatively unproductive land and far from their own village. And it was not sufficient for them. Their demand was minimum 10 kattha (approximately 0.34 hectare) in their own village.



Major Challenges for the rehabilitation

- The biggest challenge to the government and the NGOs involved in the campaign against the Kamaiya system was to create an environment in which alternative rural livelihoods could be ensured. Four years after the 'liberation', the challenges stand intact. The lack of ability—or a political will.
- Identifying the real Kamaiyas.
- Lack of accurate data of the Kamaiyas.
- Being a huge number.
- Lack of education.
- Lack of political access.



Conclusion

- Kamaiyas were not totally slave but a part.
- Most of the Kamaiya family's situation is very worse.
- The ban on the Kamaiya system did not address other associated issues such as alternative livelihoods through a proper rehabilitation package.
- They are demanding till date.



Some pictures of Kamaiyas and movement

Kamaiya family



Kamlari



Successful Story



Culture

Sit-ins in front of the Prime Ministers office



Rehabilitation till date



Police interruption During movement



www.alarmy.com - FJRXA7



Thank you very much



*Dissimilar and Citation : from various source for information sharing purpose
only*