



## **An Intersectionality-based Policy Analysis Framework: Advancing the Multiple Equity Measures**

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### **ABSTRACT**

This paper aims to devise intersectionality based policy analysis to advance multiple equity measures, with the in-depth analysis of access to land resources by Dalit community in rural-agrarian settings, and a special focus on their current state and causes of landlessness and its effect on social exclusion/inclusion. Contributing to the theoretical debate on caste and class formation, the study depicts on how the caste system influences land ownership and access. It addresses the complex and multiple inequalities embedded in the lived experiences of Dalit communities, reflecting their lower social status and class position in Nepali society. The intersectionality framework proves highly relevant for examining innovative policy approaches related to land accessibility among Dalits, facilitating the translation of intricate knowledge into accessible messages essential for a new policy discourse that prevents the concentration of resources and services in the hands of elites within marginalized groups.

**Keywords:** Caste system and hierarchy, historical privileges, intersectionality, multiple equity measures, policy discourse.

## INTRODUCTION

Land is considered to be the most critical productive asset in an agrarian and developing country like Nepal (Regmi, 1999). In addition, it is the broad economic indicator and the measurement of socio-economic standard of living that signifies the social power, prestige, pride, dignity and a symbol of prosperity (ICIMOD, 2000, CBS, 2006). Looking back to the historical and structural deprivations in the Nepalese context, access to land and resource entitlement along with the economic, social and political opportunities are considered as the key to resolving such deprivation (Amartya Sen, 1981). This will be the emancipating pathway for the overall socio-economic empowerment, poverty alleviation, good governance and social inclusion in the Nepalese society (Nepali, 2021). The potential gain in the labor market through increased bargaining power of the owner and in the international labor market through collateral of land to obtain loan for seasonal migration has been contributing factor in such empowerment of the Nepalese (CBS, 2006).

In contrast, landlessness is the state of being devoid of access to or private ownership of land required to meet the basic needs and fulfilment of human rights (Sinha, 1984; Shrestha, 2019). It is one of the main causes and effects of poverty. The land access of less than 0.1 ha or less than 2 ropani is considered landless in agricultural context. A study by UNDP (2004) and CBS (2006) states that around 24.5 percent of landless and 8 percent of semi-landless fall below the poverty line due to the inequitable and biased distribution of land. While the top 5 percent hold around 37 percent of land, the bottom 47 percent hold only 15 percent of arable land (CBS, 2002; and UNDP, 2004).

The social hierarchy formed based on the caste system is sufficient for class distinction (Seddon, 1987; Müller-Böker, 1981). The same has been the basis of class formation in Nepal, where the caste system directly corresponds to land ownership and economic prosperity. Particularly, the lower hierarchy placed Dalits have reduced access to economic resources and are excluded from the society, due to their limited or no ownership of land (ILO, 2005). Most Dalits lived on government-owned land like Aailani, forest land or any public land without any legal right or land certificate (Adhikari, 2006). Though bearing the possession, they lack the right or command of the land resources. Also, the access to land is determined by the social institutions and set of rules allowing the privileged group (in this context, the upper hierarchy, i.e, Brahmin, Chhetri, Janajatis) ownership of land through Birta,

Raikar/Jagir or Rakam system and supported by other formal and informal law, legislation and social practices. The Dalits were, also hereto, devoid of land resource and in the state of landlessness. In this context, the social debate and discourses on social exclusion, land access and ownership in relation to the caste system and social hierarchy have been pertinent in Nepal (Nepali, 2021), where caste system is used as a weapon by the landlords and capitalists to exploit the lower Dalits.

This state of extensively spread landlessness has a significant impact on the livelihood of Dalits having marginal or small land holdings and food deficiency (Dahal et. Al, 2002). They are much vulnerable to economic shocks and food insecurity. Looking from the gender perspective, Dalit women's land access and ownership is minimal and is almost negligible in the Madeshi Dalit women (MoAC, 2008).

Different laws and legislation have been formulated and implemented regarding the land issues in Nepal. Attempts have been made for land and agrarian reform by securing tenancy rights to the tillers, an equitable distribution of land, and adoption of scientific methods in farming (Sharma, 2004). Amendments are being done to the Land Reform Act, 1964. The Squatters Commission was established in different time periods. However, these efforts do not seem sensitive from a Dalit perspective as there is a lack of substantive constitutional and legal provisions and loopholes within the provisions that are subject to various misinterpretations and ultimately act as barriers to the inclusion of Dalits in the development. This further obstructs their right to land not guaranteeing their socio-economic and political rights (Nepali, 2021).

With the institutionalization of federalism and the socio-economic and political transformation in the country, land issues and resources are given due priority. These issues have been widely reflected in the Five Year Development Plans, election manifestoes, annual programs of government and other plans and policies. In this context, this paper assists in forming a substantive basis for Dalit inclusion in the current policy for their socio-economic and political empowerment with disaggregation of facts and figures by caste and intersectionality. Intersectionality helps to understand the ways by which multiple forms of inequality or disadvantage sometimes compound themselves and create obstacles that often are not considered in conventional decision making. Here, the paper examines the accessibility of the Dality community to the land resources with an intersectionality perspective in terms of caste, class and gender among Hill Dalit, Madheshi Dalit and Marginalized Dalit in three study districts of Nepal, namely Mahottari, Kaski and Dang. Specifically, the paper attempts to answer the following research questions:

- i. What is the current state of accessibility of land resources, especially the possession and ownership of land, in Dalit communities in the study areas?
- ii. What are the underlying causes of landlessness and its consequences in Dalits' social life regarding the nature and extent of social exclusion and inclusion?
- iii. What are the contributions of the existing and previous land policies, legislations and programs to promote access to land resources through scientific land reforms from a Dalit perspective and intersectionality within the Dalit community?

Therefore, this paper generates and analyzes the empirical data of land statistics in relation to Dalit people in the research region to provide an explanation of the underlying causes of Dalits' landlessness, which is highly debated and subject to various interpretations. It explores the effects of landlessness on social exclusion and inclusion of the Nepali Dalits and contributes to the debate on caste and class relations in the agrarian society. It finally suggests the important points to the ongoing discourse on "scientific land reform" from the *Dalit* perspective with elements of intersectionality and gender.

## **METHODOLOGY**

The study was primarily based on the field survey of three districts of Nepal, namely Mahottari, Kaski and Dang, selected purposively due to the following criteria:

- i. There is a higher concentration of marginalized Dalits in these areas (Gandarva in Kaski, Badi in Dang and Madeshi Dalits in Mahottari)
- ii. In addition, the selected districts have other Dalits like Kami, Damai, Sarki from Hill Dalit and Chamar and Paswan from Madhesi Dalit.

Intersectionality is a methodological approach defined and devised to explore and understand the complexity of social life in multiple dimensions (e.g., multiple forms of subordination and landlessness based on gender, caste/ethnicity and class) by use of analytical category (McGall, 2005). There are three approaches by intersectionality.

- i. Anti-categorical complexity deconstructs analytical categories due to a great skepticism of using categories.

- ii. Inter-categorical complexity provisionally adopts existing analytical category to assess social relations and inequality.
- iii. Intra-categorical complexity, lying between the above two forms of intersectionality, acknowledges the stable and durable relationship that social category represents and focuses on social groups at neglected points, thus revealing the complexity of life experiences within such groups. As such, the cultural patterns are bound together by the intersectional system of society, such as race, gender, class, and ethnicity (Collins, 1990, 2000), termed as the ‘matrix of domination’.

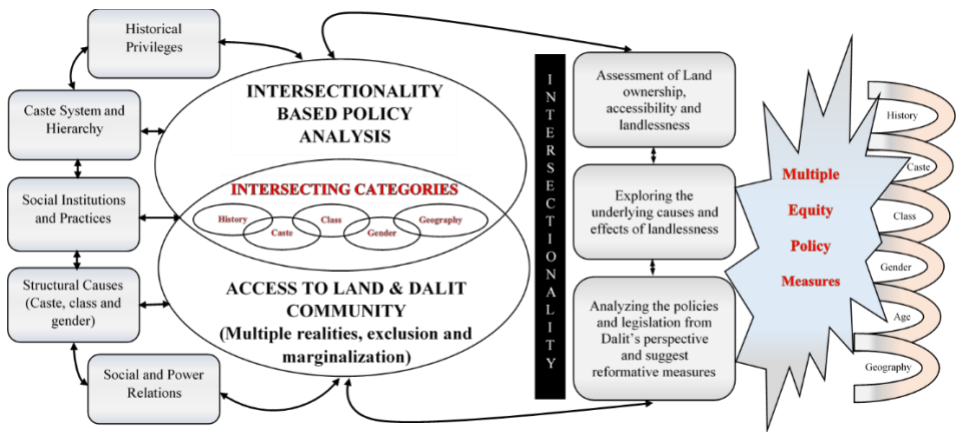
This study employed the second and third approaches of intersectionality to explain caste hierarchy within the Dalit community, focusing on the social exclusion/inclusion based on land ownership and possession, named ‘inter-categorical complexity’ and ‘intra-categorical complexity’. DFID (2005), ILO (2005) and Gurung (2006) used three categories of Dalit communities using poverty line, landlessness, and caste hierarchy. The same categorization is adopted in this study. These categories were Hill Dalit, Madhesi Dalit, and Marginalised Dalit. While the Hill Dalit and Madhesi Dalits are identified by the National Dalits Commission (NDC, 2004), the other category Marginalized Dalits is used to indicate those who are minority population disadvantaged by their political and social representation. They are Gandharva and Badi from Hill Dalit and Mushhar, Halkhor, Khatwe, Tatma, Dhobi, Khatik are from Madhesi Dalit (Nepali, 2021). Therefore, Marginalised Dalit can also be further termed as “Marginalised Hill Dalit and Marginalised Madhesi Dalit” (intra-categorical). Other Hill Dalits such as Kami, Damai and Sarki and Madhesi Dalits such as Chamar and Paswan have been categorized as Advanced Dalit for this study. The Advanced Dalits have access to land resources and better opportunities as compared to Marginalized Dalits who are landless and more exploited.

The study employed exploratory and descriptive research designs, using both non-probability and probability sampling procedures. The authors used purposive sampling technique for selection of districts, while multistage and stratified sampling techniques were used for selecting 300 respondents, 100 respondents from each district. The study adopted both qualitative and quantitative techniques such as household survey, key informant survey, case study, observation, in-depth interview, and focus group discussion for data collection. Data was collected by employing both qualitative and quantitative techniques. Secondary review of the relevant documents, papers, articles, reports etc. were also done. Descriptive and inferential analyses, through use

of computer software package like statistical package for social science (SPSS), were done for this research. In particular, household (as main production and economic unit); settlement (for cases of exclusion and inclusion at community level), and individual by sex (men/women within household- ownership and possession of land, issue of autonomy and dependence) are taken as unit of analysis. Analysis techniques included frequency, percentage, chi-square test and other statistical tests. The study ensured the reliability and Validity (method and content) by cross-checking, verification, and qualitative triangulation of data from various sources and methods for its wider acceptability and generalization. The conclusions were drawn by qualitative triangulation of information derived through the methods mentioned above.

### **THEORETICAL APPROACH AND CONCEPTUAL FRAMEWORK**

The conceptual framework adopted for the study is informed by prevailing social theories of class, caste, institutions and structures and their relations with access to land and its subsequent implications on social exclusion/inclusion. The framework involves the following elements: i) Caste hierarchy — *Dalit* and castes within *Dalit* community in relation to land ownership and possession; ii) Social institutions (relational), such as caste system, *Haliya*, *Khalo*, *Haruwa*, *Charuwa* system in an agrarian society; iii) Land-related barriers to social inclusion; and iv) Class and caste-related structural causes of social exclusion. Furthermore, gender issues and issues related to autonomy and dependency (due to resource possession and ownership, or lack thereof, at household and community levels) were taken into consideration during the entire research.



**Figure 1:** *Conceptual Framework for the study*

Source: Based on authors' own study, experience and evidence based analysis

## INTERSECTIONALITY BASED POLICY ANALYSIS APPROACH AT THE CONCEPTUAL LEVEL

Analyzing specific policies necessitates a distinct and meticulous examination of the various issues within society, deviating from the conventional approach to policy analysis. Policies and acts designed without recognizing and comprehending the manifold realities and social concerns must be approached differently from generic and traditional methods, considering every aspect of lived experiences that significantly differ. The intersectionality approach provides a diverse perspective for comprehending the complex realities concerning various social dimensions and categories. This approach probes into constituencies within constituencies, rooted in lived experiences, capturing the complexities of social identities.

The intersectionality-based policy analysis approach comprises two core components: a set of guiding principles and 12 overarching questions that emphasize a distinct series of descriptive and transformative inquiries. Descriptive questions focus on how policy problems are explained, while transformative questions reframe and explicitly integrate differential experiences and impacts, reshaping approaches to identify and understand potential solutions (Humphries, Sodipo & Jackson, 2023). These solutions are then evaluated for their ability to address the root causes of disparities, inequalities, and social determinants related to land possession among the Dalits. This study further explores intersectionality across various dimensions of society and marginalized communities (social categories), including i)

unique and lived experiences of privilege and marginalization, ii) interactions among and between social groups, iii) heterogeneity in multiple dimensions, iv) social power hierarchies, v) multiple oppressions and realities, vi) visible and invisible systems of oppression, and vii) true and historical disadvantages in structural and institutional dimensions.

The proposed multi-dimensional aspects have cumulative effects which are interwoven in society. The intersecting categories and cumulative policy problems are critically assessed and analyzed in terms of creating inequities, privileges, and non-privileges to ensure fine-tuned and equitable policy measures. The proposed policy measures also prescribe an alternative policy responses and solutions aimed at structured and institutional causes. Finally, it ensures meaningful uptake of equity-based policy solutions as well as measurement of impacts and outcomes of proposed policy responses.

## **RESULTS AND DISCUSSIONS**

This section presents and discusses the findings of the study. The section is divided into four main parts. Firstly, the paper assesses the extent of the land accessibility and landlessness among Dalit households in study area. Highlighting the major underlying causes of landlessness in the study area and its effects on the Dalits, the section critically analyzes the scientific land reform from Dalits' perspective.

### **Assessment of Land Accessibility and Landlessness**

The study revealed that only about 1.78 kattha land was entitled to Dalit households, of which land possession was 0.57 kattha and owned land was 1.21 kattha. This implies that the Dalits, irrespective of the categories, Advanced or Marginalized, are agriculturally landless and poor. Statistically, landlessness is highly significant ( $p=0.0026$ ) at 5% significant level since larger number of Marginalized Dalits have no lands in comparison to the Advanced Dalit despite variation in districts. This state of landlessness, as compared to other privileged groups, can be attributed to the historical distribution of land to royal relatives and followers in the form of Birta, the use of state machinery or apparatuses to register land, social structure and caste system, and heavy dependence on caste-based occupations institutionalized by Khalo, Rithi, Balighare, Pulo Pratha.

It was found that 28% of the Dalit households under study were absolutely landless, neither possessing nor owning any land. There were variations in the state of landlessness between Advanced and Marginalized Dalits. Only 37% of Advanced Dalits were landless as compared to Marginalized Dalits who were 85% landless. This state of landlessness among



Advanced and Marginalized Dalits was statistically significant, denoting the high differences in land accessibility among these categories of Dalits. Looking from the gender perspective, majority of males (82.3%) possessed, and 99.2% males owned land. It reveals the poor status of females' land holdings.

As the Advanced Dalits were comparatively owning and possessing the lands, the dispossession of land was also found to be higher (18.8%) than in Marginalized Dalits (6%) in the study areas, with such dispossession occurring from the society and landlords. Illiteracy, Fake documents (Jali Tamsuk) and the loans with higher interests which they could not pay back, were found to be the major reasons behind land dispossession among Dalits.

The Marginalized Dalits, on the other hand, were unable to have enough access to loans and food grains as compared to Advanced Dalits in the study areas. The respondents from Mahottari District were only found to be selling household properties to maintain their daily life. Thus, the Dalits in the study area were found to be engaged in other coping strategies like rickshaw pulling, fishing, driving, etc. Only 6.3% Advanced Dalits adopted such coping strategies, compared to 16.1% of Marginalized Dalits.

As land entitlement, the resource entitlement as described by Sen (1981) in an agrarian context is a direct contributor to food sufficiency and security through utilizing socio-economic opportunities. Hence, the food insecurity in the study areas among Dalit community was linked with the gender, caste and class-based discrimination and exploitation and the limited access to basic services and human rights due to the power economy of land politics and accessibility (Adhikari, 2006; Upreti, 2004). Also, the Dalits employed caste-based occupation as the livelihood option in study areas at the subsistence level. These occupations, based on human skills and knowledge, were highly regulated by *Rithi*, *Khalo*, *Pulo Pratha* and the caste system (Nepali, 2021).

### **Underlying Causes of Landlessness**

The Dalits in the study area have been dissociated from the land resources through devising and formulating social systems and practices resulting in landlessness. These causes of landlessness were assessed and identified from the responses of the Dalits in the study area. They are consolidated and explained as follows:

- Social structure and caste system confines the Dalits to serve the society by virtue of their caste-based occupation and restricts them from getting access to land (possession and ownership), systematically marginalizing and excluding them

from the productive resources and resulting in the lower social position and deprived of socio-economic and political rights such as land rights and social dignity.

- Heavy dependence on caste-based occupation institutionalized by informal institutions like Balighare, Khalo and Khan System, i.e. providing their services to non-Dalits and, in turn, receiving remuneration in kind in different arrangements with the set of norms (also called informal social institutions). As a result, they suffer from unfair wage and caste-based discrimination. Some respondents also reported that the lack of other livelihood options further dissociates them from land ownership and entitlement.
- The insufficient livelihood means inflicted livelihood insecurity among the Dalits through institutionalized Haliya, Khaliya and Poverty Trap. Thus, they gradually started to take loans in higher interests resulting in debt bondage and caste-based discrimination. Ultimately, they fall into the poverty trap. Such systematic exclusion and marginalization are one of the causes of Dalits' landlessness.
- Historical Land Grant System: The Birta Land grant system had a vivid distribution of lands to military chiefs, royal family members, priests and other influential persons, leaving a large number of people, especially the excluded and Dalits devoid of land property.
- Use of state machinery or apparatus to regulate others' land, especially by those close to political power centers who are well informed about legal provisions compared to Dalits and the excluded.
- Caste system and power structure: The social and economic factors have direct implications on the power structure. Hence, the caste system, following the same structure and function under stratification, hierarchy and inequality, has Dalits excluded in the lower strata, leaving them deprived and weak. The local proverb '*Sero khane ki Phero khane*' was institutionalized in society, leaving them with which option to choose either from land ownership (*Sero*) or the production (*Phero*), of which Dalits chose later option due to their food insufficiency and inability to pay land tax to the government. Further, they also chose phero due to existing structural constraints.

- Dalits' lands are usurped in different land measurements (Bhumi Napi in Nepali) in temporal dimensions.

Thus, the caste hierarchy seems to have greater significance in land ownership Dalits structurally fall into the lower stratum and get excluded from access to resources. Also, the use of savings for alcoholism resulted in an inability to purchase land in Madeshi Dalits, causing landlessness, as reported by the respondents of Mahottari.

From a gender perspective, land holding is considered the main economic or production unit for the overall progress of households, ignoring gender concerns (autonomy and dependency) in resource distribution and decision making (Nepali, 2021). The patrilineal society has made the women weak, and they are not able to raise their voice for property rights and remain silent. Also, the claim to patrilineal property has been granted to women at present context through policy reform, however, there are minimal instances of such claims, and they are negligible in case of Dalit households.

Amidst these causes of landlessness, there are instances of Dalits who are not landless and have reasonable land holdings till today, especially seen in cases of Advanced Dalits. It is imperative to understand why some Dalits are accessible to land while others are not. Regmi (1999) reported the local revenue functionaries and intermediaries as principal source of revenue for land as they were powerful and influential to enjoy their privileges and right to own land. Some Dalits, in rare cases, benefitted from this opportunity. Also, some respondents in the study area pointed that the physical strength of the Dalits made them mobilized for security of political leaders, where they exploited such social and political networks to register the land. The remittance obtained when Dalits joined British and Indian army was also used for land purchasing by their families. Some Dalits also reported that their exposure to India and overseas made them realize the importance of educating children to enhance their human capability. Accordingly, they, were able to own land being placed in good economic sphere,. Also, there were instances of land allocation in name of gods, which the Dalits were allowed to use and cultivate. They were able to register such lands during different land measurements.

A renowned historian, Prayag Raj Sharma (2006) writes: "It is true that Nepal's earlier land tenure system was exploitative. But the hallmark of feudal orders has always been that any group which can exploit another does. This basic human trait of selfishness exists in all groups and cannot be imputed to any one religion or philosophy".

Thus, based on the historical processes and empirical observation in the realm of exclusion and inclusion, landlessness is the state where the privileged groups could command over and possess the land resources through different mechanisms mentioned above. Inclusion of these groups itself excluded the others indirectly, denying them access to resources.

### **Effects of Landlessness**

About 78% of the Advanced Dalits and 68% of the Marginalized Dalits in the study area perceived the effects of landlessness in their personal life. Total 63% respondents felt the effect on their freedom and about 49.1% respondents had their personality development severely affected due to landlessness. Also, landlessness had serious impact on the educational attainment of the respondents as perceived by them.

As reported by Kollmair et al. (2006), the caste system restricts and prohibits the Dalits from engaging in certain coping strategies like running teashops, hotels, or restaurants. A similar pattern was also observed in the study area. The caste system determined the social relations of the Dalits and modified their access to livelihood assets. The traces of effect of landlessness were also seen in the productive activities. 61.8% Advanced Dalits and 55.9% Marginalized Dalits reported the difficulties in starting a business or an enterprise due to the prevalent constraints in the society. Women were reported to have lesser dignity, assisting their male partners or involving in household chores. The issues of untouchability, partiality and insults were found affecting the production activities of the Dalits in study area. This result was supported by the findings of Nepali (2021).

Considering the socio-political life of the respondents in the study area, the issues of non-recognition was serious effect. Majority of the respondents i.e. 62.1% of Advanced Dalits and 56.3% of Marginalized Dalits felt that they were not recognized as the individuals with social and human dignity in the society. They felt landlessness as serious cause of lower dignity in the society (Nepali, 2021).

While 38% of the Advanced Dalits were involved in the share cropping in study area, the ratio was relatively lower for Marginalized dalits at only 17%. Further, the Marginalized Dalits from Dang and Mahottari districts were found engaged in the land-mortgage farming system (1.6% in both districts). Also, effects were seen in the constraints faced for educating the Dalit children in the study area. 70.9% Marginalized Dalits reported the difficulty in educating their children, while the data was relatively lower in Advanced Dalits (57.6%). Also, there were instances of the food

insufficiency, food insecurity, wrong perception of the community and less participation in socio-political organizations among the Dalits in study area. It was found that about 48% Advanced Dalits and 38% Marginalized Dalits of the study area have taken loan from others, with loan take tendency seeming far higher in Mahottari District as compared to other districts. The loans were taken from both Dalits and Non-Dalits, while some were taking loan even from Women Development Groups formed at their localities or Agricultural Development Bank. However, majority of respondents from both categories were found taking loans from Non-Dalits (about 82% Advanced *Dalits* and 95% Marginalized *Dalits*).

The debt burden also seemed increasing due to landlessness. While 73.3% Advanced Dalits reported the increased debt burden, only 44.1% Marginalized Dalits scored the increasing debt burden. This might be due to the fact that Marginalized Dalits did not have access to loans from others in first hand, with no other sources of collateral. Also, the respondents from both Advanced and Marginalized Dalits were engaged in bonded labor institutions like Charuwa, Haliya and Haruwa. These informal social institutions through certain 'rules of games' operate to further exploit the Dalit community. This finding was in line with the earlier findings by Seddon (1987) and Müller-Böker (1981, 1986).

The study further revealed that only about 13% of Advanced Dalits and 11% of Marginalized Dalits were dependent on others for their livelihood/food security. The smaller land holdings and lower accessibility to loans and credits forced them to engage in the wage labouring as they had to depend on themselves to meet their ends. Similarly, the livelihood options of the respondents were largely shaped and regulated by the existing social institutions in the study areas such as Kamaiya, *Rithi*, *Mate Bandaki*, *Perma System*, *Pulo*, *Balighare*, *wage labour system*, *Khalo Pratha*, sharecropping, *Haliya*, *Haruwa*, *Charuwa* etc. Many respondents reported to be exploited and not happy with the procedure and effect of these institutions.

Tara Nepali, a tailor by profession and Jun lohar, a blacksmith by profession, both were depending on Balighare pratha for their livelihood, however, they were not satisfied at all. They reported to have never worn new clothes or bought medicine ever in their life. The Balighare Pratha does not seem appropriate due to: i) Less economic return (profit), ii) No social prestige, and iii) Unfair power relation in society.

Bal Bahadur B.K., inhabitant of Dhangadhi Municipality-6 (Tallo Matiyari) and Haliya of a landlord, took a loan of NRs 700 about 15-16 years ago. He continuously ploughed the landowner's land to pay for the interest.

Gradually, his sons grew up and were able to earn and to pay back this loan (NRs 16000 in total) to the landlord.

Dhan Bahadur Tamrakar, a blacksmith from Dipayal under Khalo pratha, has 28 household clients and collects 3 suppa paddy and wheat (equivalent to 9 kg paddy and 12 kg wheat) from each household. Altogether, he collects 252 kg paddy and 336 kg wheat in a year. His cash earning per annum from this grain is NRs 8,970. In addition to this, he also earned NRs 4000 last year by making Gajuri (apex part of temple). But this is not regular source. He says that this amount of earning is not sufficient for livelihood of his family and is not happy with this amount and the procedure of Khalo arrangement. Rithi and Khalo Pratha are closely associated with landlessness and respective social relations. Being landless, Dalits are adopting caste-based occupation for their livelihood. Dalits provide service to Non-Dalits in two ways: i) By working as a wage laborer in farms, and ii) Service through the caste-based occupation by tailoring, black smithy, and leather work.

Khajendra Ram Lohar of Salena VDC has been working for eight years as a Haliya, for a debt of Rs. 3,000 (approximately US \$ 54). "It was during the time of rice planting. I was working for many days in mud and water. My legs and feet became so painful and swollen because of water that I could not go near water anymore. Then one evening my landlord ordered me to go and wash the oxen in the stream. I showed my legs and said I could not go near the water again because I was in pain. I refused to go, and he beat me. Some other people stepped in and stopped him in the end."

Ram Khelawan Sada and his wife do all the household chores for their master; and then sleep in their landlords' cowshed. They have to wake up early in the morning. If they cannot perform as asked, they have to face a great insult. Due to their overburdened work, they want to quit this job, but have no option. They have been provided 4,063 square meters of land for cultivation. The production they derive from this is not sufficient for them.

These empirical cases from study area highlights the effects of the aforementioned social institutions in the lives of Dalits. These institutions characterized by the unfair wage, debt bondage, social control, semi-slavery, serfdom, physical exploitation, mental torture (harassment), and social discrimination (gender and caste discrimination) etc. possess feudal characteristics, thus exert negative relationship with the Dalits. They are the basis of maintaining hegemony or status quo and of exploiting land-poor households in varied degrees, forms, and intensities. The skewed and inequitable land distribution as seen in the study areas, had inherently made the society more structured and hierarchical, allowing the upper land-owning classes to exploit, control and exercise their power over the landless and

nearly landless Dalits of lower hierarchy. It was revealed that such labor exploitation is the primary factor of institutional exclusion for both Advanced *Dalits* (16.5%) and Marginalized *Dalits* (15.8%).

About 85.2% respondents reported the existence of the caste-based social structure in the study areas. About 19% respondents believed that the ruling is under class-based structure. However, both Advanced Dalits (83.7%) and Marginalized Dalits (88.2%) highlighted the caste and class as two crucial factors for their exclusion from mainstream of the society.

The state of landlessness and the subsistence livelihood, as observed in the respondents, had their social participation quite lower and limited to nominal level, implying their passive participation in the societal works, both in terms of social position and performance. Most of their time was invested in securing their livelihood, thus further restricting them from social participation.

Thus, the higher extent of landlessness among the Dalits in study area has made their livelihood scenario very vulnerable due to unequal and inequitable distribution of productive resources (land). This is in line with Marxist view, where Dalits, the exploited ones are in conflict with the privileged ones (the upper caste groups). Hence, the Dalits have full realization of the cause of their vulnerability and insecurity. Further, they felt injustice and exploitation due to their livelihood options and its negative impacts on their individual and social life. This situation is similar to the context of Equity Theory.

Assessing the livelihood scenario minutely, majority of Dalits were suffering from lack of livelihood resources and options, being excluded from the sharecropping and the prevalence of landlessness. The Dalit women were further subjected to exploitation, exclusion and discrimination to greater extent. Hence, women and youths from *Dalit* and other excluded communities had joined the Maoist insurgency during 1996-2006.

### **Analysis of “Scientific Land Reform” from a Dalit’s Perspective**

Different efforts have been made regarding land reforms to benefit the excluded people by enabling access to land resources. However, those people are still not benefitted substantially and are still struggling against their class position and demanding their socio-economic security. Analysing the context of study area, only 2.5% of the Advanced Dalits and 2.3% of Marginalized Dalits have been benefitted from the efforts of land reform and the Squatter Commission (Sukumbasi Aayog).

Though the political parties all have the agenda of land reforms and land accessibility in their principle, however, difference exist in their

perceptions and positions. While the Dalits feel injustice and excluded, the political leaders exhibit the characteristics of landed class to protect their interests. This resulted in the continuous and constant struggle between the privileged and non-privileged groups, with the privileged groups wanting to maintain their status quo in the existing power structure in line with Marxist principle (Upreti, 2004). Such context was also observed and reported in the study areas.

Current policy documents (Nepal Constitution, 2015, Land use Policy 2015, and Fifteenth Five Year Plan) have stressed the need for 'scientific land reform' in Nepal. The reform initiatives look comprehensive and multidimensional with provisions of abolition of feudal land ownership, distribution of land to tillers, providing economic and social security and justice to landless people, ex-kamiaya, Haliya, Haruwa, Charuwa who are actually economically and socially backward. However, different stakeholders have different views and positions in this regard, particularly the political parties. There seem a divergence of views/positions on land reforms among the political parties as reflected in their manifestos.

Hence, in the ongoing debate and realm of Scientific Land reform at the policy level, it is necessary to note that land has several potentials of generating the social conflicts due to the scarcity of land, disparity on livelihood, power relation and perception of different stakeholders on scientific land reform. The Dalits have been systematically marginalized and excluded from the productive resources with the legally introduced caste system being major cause for denial of economic resources to the Dalits and exerting the multiple effects on the socio-economic, political, and cultural spheres of Dalits. Thus, to address this inequalities and marginalism in the Dalits, it is important to focus on the root cause for marginalization and exclusion originated from the Hindu Caste System and the state's policies and institutions, which resulted in the various forms of bonded, semi-bonded slavery, and other forms of discrimination and exploitation. Being a class issue, land in Nepalese context have been largely shaped by the complex nature of structural and institutional issues of feudal caste system resulting in socio-economic inequality in and among Dalits.

Despite the insecure situation and high vulnerability of the Dalits, no land policies have addressed the substantive issues of Dalits effectively. Thus it can't be just expected to liberate them from caste, class and gender based sufferings. Though embracing the notion of overall socio-economic and political agrarian transformation, the Scientific Land Reforms have not been effectively implemented due to varied and conflicting perceptions of different stakeholders, ill political will and established ideological camps. Thus,



landlessness, livelihood insecurity, exploitation and discrimination among the Dalits need to be the key driving forces for land reforms. Until and unless the reform measures address these issues with Dalit's perspective, the suffering will continue and rather deepen injustice and inequality. Thus, in line with the aforesaid essence of the land reforms and redistributive land reforms, Dalit friendly reform strategies focusing on the structural and institutional reforms should be implemented.

This context, along with the following substantive issues, needs to be kept in centre for making Scientific Land Reform sensitive to Dalit issues and ultimately lead to equitable and all-round socio-economic transformation.

- Abolition of feudal and informal social institutions considered in this study (which are dominant and established institutional frameworks for social exclusion resulting in structured poverty trap.) by declaring them illegal and punishable
- Equitable distribution of land (land to tillers) with special focus on landless *Dalit* and bonded laborer (e.g. Haliya, Haruwa, Charuwa etc)
- Post-land reform measures should focus on institutional reforms, social justice and equity to landless *Dalits*, and bonded laborers. Targetted programs should be formulated and implemented to eliminate different forms of bonded labors
- Gender (autonomy and hegemony for resource allocation/distribution/utilization) and regional/spatial concerns should be taken into consideration for each section and complexity (intersectionality) of *Dalit* community.

Thus, the state, from the policy level, needs to make some bold steps in enunciating an effective scientific land reform program for equitable socio-economic changes in the Dalits and free them from caste, class and gender-based sufferings addressing the following points (Nepali, 2021):

- Land reform program, going beyond the mere distribution of land, should embrace broad agrarian context and sound agricultural system should be launched focusing on the landless Dalits for overall agrarian transformation.
- Effective abolition of all the intermediaries responsible for resource and service capturing and depriving the Dalits and excluded for utilizing those resources for their development.
- Exploitative and discriminative practices like the Haliya, the Bali, the Khali, and the Khan system should be condemned by the law.

- Social security of the Dalits, excluded people, tillers and bonded labors needs to be ensured. Their rehabilitation should overcome past failures.
- Social justice to the haves and have nots should be ensured through tenancy reform.

## **CONCLUSION & IMPLICATIONS**

Thus, the study concludes that the caste system and hierarchy have implications on access to land resource (land ownership) whereas land ownership is one of the key determinants of class status. This applies to both *Dalits* and non-*Dalits* and the various categories within the former. While the larger sections of the Dalit community are ignored and excluded in socio-economic and political spheres in Nepalese Society, the study argues that such exclusion is differential when visualized through the intersectionality perspective in terms of class, caste, and gender. Hence, for their inclusion and all-round development, it requires differential treatments and multiple social equity measures which need to be translated into policies and programmes and implemented keeping in mind the Dalit's perspectives and substantive issues forcing them to historical and structural deprivation, exploitation and discrimination based on caste, class, and gender.

### **Theoretical Implications of the Research**

The theoretical discussion on "caste and class" and "class formation processes" has benefited from the theoretical framework used in the study to examine the exclusion and inclusion of the Dalit group with a focus on access to land resources. It might be argued that caste and class standing are strongly related.

While employing an intersectionality approach within Dalit community, the Dalit community is diverse in terms of caste hierarchies and caste categories. The social and class standing of the various Dalit categories are affected by this system.

The study made two methodological contributions. First, it used a mixed method approach, which is particularly helpful in studying the Dalit community more deeply and comprehensively, thus understanding their complexities. Even while triangulating qualitatively, quantitative, and qualitative methodologies complemented one another in drawing findings. Second, intersectionality provided better explanations to the evidence from inside *Dalit* reality, i.e. multiple levels of exclusion and oppression within the *Dalit* community.

## **Policy Implications**

The empirical realities and evidence illustrate unique opportunities for analyzing multi-layered inequalities in multi-scalar ways. Both the experienced and lived experiences of Dalits, within and between categories, are deeply ingrained and institutionalized in society, shaping their access to land resources. This represents a groundbreaking exploration within Nepal's policy domain, focusing on the disadvantaged community. Considering specific policy analyses struggling to recognize and comprehend the multifarious realities and social concerns, there is a need for an intersectionality-based policy analysis to scrutinize diverse societal issues concerning both social categories and Dalits, recognizing their dynamic nature that evolves over time.

As intersectionality unveils multiple dimensions contributing to layers of inequality and disparities within Dalit communities, a more advanced analysis is necessary in the policy-making process. This involves capturing the diverse experiences of discrimination, dispossession, and oppression faced by Dalits within and between categories. The proposed intersectionality framework is highly relevant for exploring new perspectives on policy issues related to land accessibility among Dalits, translating complex knowledge into accessible messages for a new policy discourse. The empirical cases presented offer an innovative mechanism for reconsidering, revising, and addressing different social categories among Dalits in policy analysis, preventing elite capture of resources and services within marginalized communities.

The proposed intersectionality lens is not static but dynamic, evolving over time due to societal diversity and changes in state policies, services, and opportunities. It can be piloted, tested, and improved to make it more practical and effective in addressing emerging issues faced by the truly disadvantaged. This dynamic and transformative perspective empowers policy actors and decision-makers to see themselves as critical players in policy formulation, implementation, and evaluation in diverse societies.

This intersectionality approach is additive, examining issues through multiple dimensions beyond the status quo, including various social categories such as caste, race, class, gender, and geography. It also embraces a multi-stand approach, considering experienced and lived experiences in multi-scalar ways. Consequently, this paper contributes to the current paradigm of policy analysis by introducing the intersectionality approach with dimensions of inequality, exclusion, disadvantages, power, and structural asymmetries in the context of politics and policy. It facilitates an effective diagnosis of policy concerns and generates prescriptions at the policy level.

While there are challenges and issues to be addressed over time, requiring new types of expertise and social competencies, the intersectionality-based analysis at the policy discourse allows space for these challenges and issues within Dalit communities. Empirical cases demonstrate an innovative mechanism for analyzing diverse power dynamics, asymmetries, and highlight the dynamic and transformative nature of the intersectionality approach. It encourages policy makers to be critical and transformative in accommodating new changes and lived experiences in complex social settings.

Lastly, this approach offers a complete, comprehensive, and sophisticated analysis to capture how public policy is experienced by disadvantaged women and men in multi-scalar ways. It informs policymakers to be accountable and implement efficient and effective policy decisions. The proposed intersectionality policy analysis approach and framework are novel, addressing lived experiences, historically and systematically structured, and institutionalized inequities in multi-scalar ways, providing in-depth and comprehensive diagnoses for effective and accountable prescriptions of public policy issues.

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## APPENDICES

**Table 1:**

*Occupations by Major Dalit Categories*

Districts	Description	Advanced Dalit		Marginalized Dalit		Total Responses
		Nos.	%	Nos.	%	
Occupation in Overall	Agriculture	15	11.6	5	3.1	20
	Business	0	0.0	1	0.6	1
	Caste based occupation	12	9.3	16	9.8	28
	Remittances	20	15.5	2	1.2	22
	Job/employment	9	7.0	20	12.3	29
	Others	4	3.1	38	23.3	42
	Wage laborer	69	53.5	81	49.7	150
	Grand Total	129	100.0	163	100.0	292

**Table 2:**

*Status of absolute landlessness*

Districts	Advanced Dalit				Marginalized Dalit				Overall			
	Yes		No		Yes		No		Yes		No	
	Nos.	%	Nos.	%	Nos.	%	Nos.	%	Nos.	%	Nos.	%
Dang	29	96.7	1	3.3	51	83.6	10	16.4	80	87.9	11	12.1
Kaski	36	75.0	12	25.0	38	90.5	4	9.5	74	82.2	16	17.8
Mahottari	37	60.7	24	39.3	28	45.2	34	54.8	65	52.8	58	47.2
Overall	102	73.4	37	26.6	117	70.9	48	29.1	219	72.04	85	27.96

**Table 3:**

*Land Distribution status*

Districts	Land Possession (in Kattha)			Land Ownership (in Kattha)		
	Advanced Dalit	Marginalized Dalit	Total	Advanced Dalit	Marginalized Dalit	Total
Dang	1.02	0.83	0.89	2.90	1.16	1.74
Kaski	0.16	0.45	0.28	1.20	0.44	0.89
Mahottari	0.28	0.79	0.57	0.96	1.14	1.06
Overall	0.39	0.72	0.57	1.49	0.97	1.21

**Table 4:**  
*No. of respondents reporting dispossession of land*

Districts	Advanced Dalit					Marginalized Dalit					Grand Total
	No		Yes		Sub-total	No		Yes		Sub-total	
	Nos.	%	Nos.	%		Nos.	%	Nos.	%		
Dang	25	96.2	1	3.8	26	50	98.0	1	2.0	51	77
Kaski	34	65.4	18	34.6	52	30	100.0		0.0	30	82
Mahottari	23	100.0		0.0	23	31	83.8	6	16.2	37	60
Grand Total	82	81.2	19	18.8	101	111	94.1	7	5.9	118	219

**Table 5:**  
*Status of food sufficiency by districts*

Districts	Advanced Dalit							Marginalized Dalit							Grand Total
	< 3 months		3-6 months		6-9 months		Sub-total	< 3 months		3-6 months		6-9 months		Sub-total	
	Nos.	%	Nos.	%	Nos.	%		Nos.	%	Nos.	%	Nos.	%		
Dang	20	83.3	2	8.3	2	8.3	24	16	76.2	5	23.8		0	21	45
Kaski	24	80	6	20		0	30	42	87.5	4	8.3	2	4.2	48	78
Mahottari	8	57.1	2	14.3	4	28.6	14	12	70.6	3	17.6	2	11.8	17	31
Overall	52	76.5	10	14.7	6	8.8	68	70	81.4	12	14	4	4.7	86	154

**Table 6:**  
*Response on whether effects of landlessness in personal life exist*

Districts/Res ponses	Advanced Dalit					Marginalized Dalit					Grand Total
	No		Yes		Sub-total	No		Yes		Sub-total	
	Nos.	%	Nos.	%		Nos.	%	Nos.	%		
Dang	10	35.7	18	64.3	28	10	17.2	48	82.8	58	86
Kaski	3	5.0	57	95.0	60	12	30.0	28	70.0	40	100
Mahottari	16	34.0	31	66.0	47	28	49.1	29	50.9	57	104
Grand Total	29	21.5	106	78.5	135	50	32.3	105	67.7	155	290

**Table 7:**  
*Response on whether effects of landlessness at household level exist*

Districts/Res ponses	Advanced Dalit					Marginalized Dalit					Grand Total
	No		Yes		Sub-total	No		Yes		Sub-total	
	Nos.	%	Nos.	%		Nos.	%	Nos.	%		
Dang	5	17.9	23	82.1	28	9	15.5	49	84.5	58	86
Kaski	3	5.0	57	95.0	60		0.0	41	100.0	41	101
Mahottari	9	19.1	38	80.9	47	14	23.7	45	76.3	59	106
Grand Total	17	12.6	118	87.4	135	23	14.6	135	85.4	158	293

**Table 8:**  
*Effects of landlessness at household level in details*

Districts	Description	Advanced Dalit		Marginalized Dalit		Grand Total
		Nos.	%	Nos.	%	
Dang	Food Sufficiency	18	60.0	38	62.3	56
	Educating the children	16	53.3	39	63.9	55
	Perception of community towards household	16	53.3	38	62.3	54
	Participation in socio-political organizations	16	53.3	37	60.7	53
	Sub-total (response)	30	100.0	61	100.0	91
Kaski	Food Sufficiency	31	50.8	31	73.8	62
	Educating the children	38	62.3	28	66.7	66
	Perception of community towards household	37	60.7	27	64.3	64
	Participation in socio-political organizations	29	47.5	35	83.3	64
	Sub-total (response)	61	100.0	42	100.0	103
Mahottari	Food Sufficiency	26	54.2	42	67.7	68
	Educating the children	26	54.2	50	80.6	76
	Perception of community towards household	25	52.1	41	66.1	66
	Participation in socio-political organizations	19	39.6	40	64.5	59
	Sub-total (response)	48	100.0	62	100.0	110
Overall	Food Sufficiency	75	54.0	111	67.3	186
	Educating the children	80	57.6	117	70.9	197
	Perception of community towards household	78	56.1	106	64.2	184
	Participation in socio-political organizations	64	46.0	112	67.9	176
	Overall effects of landlessness at household level (responses)	139	100.0	165	100.0	304

**Table 9:**  
*Effects of landlessness on debt burden at household level*

Districts/ Responses	Advanced Dalit							Marginalized Dalit							Grand Total
	Decreasing		Increasing		Same (No change)		Sub-total	Decreasing		Increasing		Same (No change)		Sub-total	
	Nos.	%	Nos.	%	Nos.	%		Nos.	%	Nos.	%	Nos.	%		
Dang	2	6.7	25	83.3	3	10.0	30	8	14.3	25	44.6	23	41.1	56	86
Kaski		0.0	51	87.9	7	12.1	58	1	2.5	23	57.5	16	40.0	40	98
Mahottari	1	2.3	20	46.5	22	51.2	43	1	1.8	19	33.9	36	64.3	56	99
Overall	3	2.3	96	73.3	32	24.4	131	10	6.6	67	44.1	75	49.3	152	283



**Table 10:**  
*Status of loan taken*

Districts	Advanced Dalit				Sub-total (responses)	Marginalized Dalit				Sub-total (responses)	Grand Total
	No		Yes			No		Yes			
	Nos.	%	Nos.	%		Nos.	%	Nos.	%		
Dang	23	76.7	7	23.3	30	48	82.8	10	17.2	58	88
Kaski	39	66.1	20	33.9	59	36	87.8	5	12.2	41	100
Mahottari	9	18.8	39	81.3	48	13	22.8	44	77.2	57	105
Overall	71	51.8	66	48.2	137	97	62.2	59	37.8	156	293

**Table 11:**  
*Respondents' response in getting benefits from Squatter Commission*

Districts	Advanced Dalit				Sub-total	Marginalized Dalit				Sub-total	Grand Total
	No		Yes			No		Yes			
	Nos.	%	Nos.	%		Nos.	%	Nos.	%		
Dang	29	100.0	0	0.0	29	55	98.2	1	1.8	56	85
Kaski	56	98.2	1	1.8	57	40	100.0	0	0.0	40	97
Mahottari	31	93.9	2	6.1	33	30	93.8	2	6.3	32	65
Overall	116	97.5	3	2.5	119	125	97.7	3	2.3	128	247

**Table 12:**  
*Conversion Table for Land Size*

Unit	Hectare	Bigaha	Ropani	Kattha	Acre	Square Meter
1 Hectare	1	1.5	20	30	2.47	10000
1 Bigaha	0.67	1	13	20	2.49	6772.63
1 Ropani	0.05	0.07	1	1.5	0.12	508.74
1 Kattha	0.03	0.05	0.65	1	0.83	338.63
1 Acre	0.40	6.25	7.95	11.95	1	4046.86

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