

## Social Dynamics of Dalits in Nepal: Historical development of Untouchability and Exploitation

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### Abstract:

This research examined the historical context, evolution, and current state of untouchability and discrimination in Nepal, with a specific focus on the Dalit community. Data relating to Dalit, untouchability and discrimination were collected from various secondary sources, including academic libraries and reputable websites. Data relating to origin, historical development and socio-legal frameworks were separately studied and analysis was made using qualitative approach. The study identifies Nepalese kings as the originators of untouchability, institutionalizing it based on the four varnas of the Hindu system. Untouchability was minimal in ancient times, became institutionalized and peaked in the medieval period, but has significantly decreased in modern times due to various legal measures. Furthermore, the research underscores the importance of continued efforts towards education, cultural change, and legal enforcement to eliminate untouchability and discrimination, fostering a more equitable and inclusive society in Nepal.

**Keywords:** Caste System, Hierarchy, Varna, Hindu, Marginalize

### 1. Introduction:

'Dalits' refers to marginalized communities historically subjected to low social status, neglect, and ostracism by other castes. It encompasses those communities, who have faced exploitation, hatred, untouchability, and discriminatory behavior from superior castes (Gatewood, 1985). This systemic social exclusion has deprived them of opportunities to participate in various societal activities, perpetuating pervasive discrimination and exploitation. Untouchability, a form of social ostracism, is the practice of avoiding physical contact with members of certain castes considered

"impure" (Kroivar, 1952). This practice results in both social and physical segregation, leading to profound socio-economic disparities and widespread human rights violations. Discrimination against Dalits extends beyond mere social exclusion to encompass broader exploitation in various facets of life, reinforcing their marginalized status (Kisan, 2001).

The origins of the caste system, which directly contributes to untouchability and discrimination, can be traced back to ancient South Asian societies. Initially, the caste system in primitive Indian civilization was structured around specific

occupational roles. Over time, this occupational hierarchy solidified into a rigid social stratification, resulting in the marginalized status of Dalits (Pande, 1969). In Nepal, the practice of untouchability was institutionalized during the Lichchavi period, as noted by Kshetri and Khatiwada (1997). Historical evidence suggests that this custom of untouchability was introduced to Nepal by the first dynastic rulers who migrated from India, indicating a transference of social practices across regions.

Untouchability, marginalization, and caste-based discrimination have persisted since ancient times in Hindu society based on birth, race, wealth, power, and caste distinctions (Davis, 1968). Discrimination refers to the unhealthy treatment of individuals based on factors such as caste, religion, gender, profession, and ideological beliefs (Ghurie, 1961). Untouchability, originating from the Hindu caste system, dictates that individuals should refrain from physical contact with certain groups, reflecting deep-rooted societal norms. This system, initiated by Hindus in India, has a complex historical development and a significant impact on societal structures (Datta, 1968). The introduction of this system in Nepal nearly three thousand years ago has had enduring implications, shaping social dynamics and hierarchies in the region (Prasrit, 2001).

Over ancient, medieval, and modern periods, Nepali society has witnessed the continuous evolution of Dalit marginalization, untouchability, and caste-based discrimination, as noted by Pahadi (2016). These discriminatory practices, particularly targeting the Shudra caste, have contributed to the social fragmentation of Nepali society. In contrast to a systematically planned social stratification, this form of discrimination emerged organically as a deeply entrenched cultural tradition (Sharma, 1978). The institutionalization of Dalitism, untouchability, and discrimination has led to significant socio-economic and cultural disparities. These practices are not merely relics of the past but continue to affect the contemporary social fabric, perpetuating inequality and social injustice. Despite sporadic efforts to counteract these

practices, they persist and remain deeply ingrained within societal norms and behaviors, leading to ongoing contradictions and conflicts.

In the current context of globalizing human equality, values, and recognition, the entrenched trends of Dalit discrimination and untouchability in Nepal stand in stark contrast to the global movement towards inclusivity and equality. While other parts of the world have successfully abolished untouchability and discrimination, these practices persist in Nepal, drawing considerable attention (Bishwakarma, 2011). Efforts to eradicate these discriminatory practices have been ongoing for a long time, spearheaded by various human rights advocacy groups. However, no definitive solutions have been reached. Although there has been a noticeable decline in these customs in urban areas, their deep-seated nature and the intertwining of socio-cultural elements in rural regions suggest that the complete eradication of such practices is not imminent (Bista, 1991).

In Nepal, various legal documents including the Constitution of Nepal ensure the inclusion of Dalits, untouchables, and marginalized in the politics (Manohar, 2011). Numerous governmental and non-governmental organizations have actively advocated for policy changes and implemented awareness campaigns on Dalit discrimination, yet the situation regarding its recognition and reality remains largely unchanged (Chaudhary, 1999). The ongoing marginalization of Dalits, characterized by economic disparities, social exclusion, discrimination, and untouchability, continues to be a significant area of study and research in Nepal. This persistent focus is due to the lack of comprehensive understanding of whether these issues constitute a social problem or are deeply rooted in cultural traditions, as evidenced by recent sociological studies on Dalit experiences in Nepalese society.

There have been no studies regarding the historical dynamics of untouchability in Nepal. This study aims to discover the historical origins of untouchability practices within the Nepalese context and analyze the social dynamics of untouchability and discrimination, with a specific

focus on the Dalit community. This study aims to shed light on the historical and cultural underpinnings of untouchability practices, crucial for filling the gap in understanding their origins and implications. This study will provide valuable insights for historians, social activists, and scholars, facilitating further research and understanding in this field.

## **2. Methodology:**

### **2.1 Data Collection:**

For this study, data was gathered from secondary sources, utilizing both academic libraries and reputable websites. The sources included scholarly articles, books, historical documents, and reports that address the social status of Dalits, as well as issues of untouchability and exploitation. This approach ensured a broad collection of information relevant to the study's focus.

### **2.2 Data Categorization:**

The collected data was systematically organized into distinct historical timelines to facilitate a comparative analysis of changes over time. The data was divided into several key periods: the ancient period, the medieval period and the modern period. Each timeline was examined to understand how the social dynamics of Dalits have evolved concerning untouchability and exploitation. Additionally, effort was made to discover sources on origin of untouchability.

### **2.3 Analysis:**

A comparative analysis was conducted to identify and evaluate trends, shifts, and continuities in the experiences of Dalits across different historical periods. This analysis focused specifically on the aspects of untouchability and exploitation, providing insight into how these practices have impacted Dalit communities over time. By comparing data across these timelines, the study aimed to reveal patterns and key changes in the social dynamics of Dalits.

### **2.4 Synthesis:**

The findings from the comparative analysis were synthesized to offer a comprehensive view of the

evolution of Dalit social status in Nepal. This synthesis integrated information from various periods to highlight significant developments and ongoing issues related to untouchability and exploitation. The goal was to present a clear and cohesive understanding of how these practices have changed and their implications for Dalit communities.

## **2.5 Reporting:**

The final step involved preparing a detailed report that documented the origin of caste and untouchability, historical progression, current status, and implications of untouchability and exploitation on Dalit communities. This report aimed to provide a thorough overview of the study's findings, offering valuable insights into the social dynamics of Dalits in Nepal and contributing to the broader discourse on caste-based discrimination and social inequality.

## **3. Result and discussion:**

### **3.1 Origin and Development:**

The origins and development of caste, untouchability, and social differentiation in Hindu society can be traced back to the Aryan people who entered India around 3000 BC from the northwest region (Datta, 1968). Upon their arrival, the Aryans established Hinduism and implemented the caste system, which was classified into four varnas: Brahmins, Kshatriyas, Vaishyas, and Shudras, based on the nature of work (Ghurie, 1961; Pande, 1969). The Aryans faced conflicts with the indigenous non-Aryan people, and upon their defeat, the non-Aryans were enslaved and assimilated into the Shudra varna. The subjugated non-Aryans, in their rebellion, were further marginalized and reduced to untouchables (Datta, 1968). This period saw the emergence of untouchability practices, where the Shudras, who served the Pandit class with their lives, wealth, and even their wives, were deemed impure, and their food was considered inedible by others Pande, 1969).

By the time of the Mahabharata, a strong belief had developed that any physical contact between a Shudra and a Brahmin necessitated purification

rituals for the Brahmin, such as bathing, *pranayama*, *achaman*, and *tapa* (Prasrit, 2006). This belief system reinforced the discriminatory practices and measures adopted by the Hindu Aryans to maintain their perceived purity and sanctity. Consequently, the non-Aryan Dravidians and Astitiks were relegated to the status of Dalits, facing systemic discrimination and untouchability. These historical processes and social dynamics laid the foundation for the entrenched caste-based discrimination and social stratification that persisted in Hindu society.

### 3.2 Historical Background:

Examining the historical context of social differentiation, it is evident that the practice of treating individuals unequally has existed since the dawn of Indus valley civilization. For instance, during the Pyramid Age of ancient Egypt, landlords discriminated against agricultural slaves and other laborers. Despite the prevalence of social hierarchies and discrimination, the concept of untouchability had not yet emerged (Senart, 1975). Similarly, various ethnic and racial groups such as the English, French, Germans, Italians, Austrians, Czechs, Croats, Poles, Lithuanians, African blacks, European whites, and others developed distinct social hierarchies and engaged in practices such as coercion and exploitation (Neharu, 1988). However, the practice of untouchability did not develop within these contexts.

Human beings have traditionally been regarded as distinct and superior to other creatures due to their intelligence and conscience (Davis, 1968). However, across various regions, social distinctions have been made based on a range of factors. In Hindu society, such distinctions have manifested as discriminatory practices like untouchability, rooted in casteism, and affecting both Dalits and non-Dalits. These practices have permeated Nepali society, fostering divisions among its people and cultivating negative behaviours towards others (Prasrit, 2006). Such divisive practices have impeded the social development of Nepal and its people. The prevalence of discrimination, theft, and untouchable behaviour has negatively impacted the

mentality of marginalized groups, including Dalits (Rijal, 2006). As the world progresses in physical development, caste-based discrimination and untouchability continue to obstruct the modernization and advancement of Nepali society.

Dalit, untouchability and discrimination represent a system that evolved in human societies since before the *Manusmriti* period (200 BC). It included practices such as avoiding physical contact, difference in treatment, and restriction to specific tasks based on caste, religion, gender, profession, or ideological beliefs (Mainali, 2006). The origins of this discriminatory system can be traced to ancient Indian Hinduism, where it first took shape (Davis, 1968). Historically, with the advent of animal husbandry and agriculture, societies began to categorize individuals into hierarchies of superiority and inferiority, influenced by factors such as economic status, occupation, religion, colour, caste, sect, and gender (Kisan, 2005). Consequently, Dalits and practices of untouchability emerged as individuals in lower societal strata faced discrimination from those considered to be of higher status. This hierarchical system reflects a deep-seated pattern of social stratification that persists into the present day.

### 3.3 Historical Development in Nepal:

In Nepal, Dalit, untouchability and discrimination are rooted in the caste system. The foundational basis of these issues lies in the caste hierarchy, where the National Dalit Commission defines untouchability and discrimination specifically through the lens of caste-based distinctions (Kisan, 2001). According to this framework, Dalits are those castes who endure discrimination and untouchability, facing economic exploitation, political neglect, educational backwardness, and exclusion from religious and ritualistic practices.

In Nepali society, individuals classified as untouchables whether by historical or civil law classifications before 1963, experience systemic discrimination. This includes exclusion and mistreatment based on their caste status. Thus, the practices of untouchability and discrimination are intrinsically linked to the social and legal treatment



of Dalits, perpetuating their marginalization and exclusion (Pandey, 2007). This analytical perspective underscores that being identified as a Dalit inherently results in experiencing discriminatory practices and untouchability within the societal framework.

The distinction between people based on caste has been a longstanding feature in Nepal, tracing back to the early centuries of the Common Era. The Aryan Hindus from India, who migrated to Nepal, introduced caste discrimination, marginalization, and practices of untouchability (Manohar, 2010). Despite this, ancient Nepali society did not exhibit the same rigid untouchability distinctions that are observed today (Pokhrel, 2010). However, during the Lichchavi period, the governance system was heavily influenced by Hindu scriptures, traditions, and royal decrees, which began to institutionalize these social distinctions. The system has been continued in Medieval and modern Nepalese society. The system has continued in the medieval and early modern periods in Nepalese society. But after the beginning 21<sup>st</sup> century, this system was restricted by the law and constitution of Nepal.

### 3.3.1 Ancient Period:

The historical period before 879 is known as the ancient period in the history of Nepal. The Varna system and the caste system according to Hinduism were first implemented in Nepal by the Lichchavis (Prasrit, 2006; Timilsina & Pudasaini, 2014). Evidence of the Varna and caste systems during the Lichchavi period is found in the Anantalingeshwar inscription of 679, written by King Narendradeva, which mentions provisions for dinner in commonplace ranging from Brahmins to Chandals within the city area (Bajracharya, 1996). This indicates that Chandals, in addition to the four Varna, also resided in Nepal at that time. Over time, Chandals were assimilated into the Newar community in the Kathmandu Valley, becoming castes such as Poda and Chame (Baral, 1993). Following the Lichchavi rulers, Nepal gradually developed more entrenched systems of caste discrimination, untouchability, and the marginalization of Dalits.

Since ancient times, the people of Nepal have preserved their traditional ethnic characteristics. The caste system, which expanded from India into the Terai region of Nepal nearly four thousand years ago, established a foundational structure for social stratification. With the rise of feudalism, the caste system gradually became more rigid, deeply impacting Nepali society (Prasrit, 2001). As this system spread throughout Nepal, including its capital, untouchability and discrimination became defining features of Nepali society.

In Nepali society during the Lichchavi period, four main castes 'Brahmins, Kshetris, Vaishyas, and Shudras' were recognised. Blood purity was of paramount importance in that era, and intermarriage, though present, was generally frowned upon (Bhandari, 1964). The caste system was deeply intertwined with professional life, with specific professions designated according to caste and varna an administrative body known as Bhattadhikaran was established to regulate professions and uphold caste-based rules. King Shankardeva (401–432) notably focused on maintaining the purity of the caste and varna systems (Karki, 2011). This rigid caste structure was foundational in advancing the culture and civilization of the time, with each caste developing distinct professional roles, supported and enforced by the rulers (Baral, 1993).

During the Lichchavi period, like in ancient Nepal, occupations were the main basis of the caste system. People practised professions according to their caste, which justified their roles in society and ensured the safety of their occupations. Nepali society was divided into four varnas and eighteen castes. The eighteen castes included Kirant, Lichchavi, Vrijjik, Malla, Shakya, Koli, Avir, Gupta, Gopali, Mahishpali, Varma, Shresthi, Brahmin, Banja (merchant), Kisan (Jyapu), Dum (Pode), Dushad (Chamkhal), Kumhal, and Dhobi (Shrestha, 2009).

### 3.3.2 The Medieval Period:

The period after 879 is considered the Middle Period in Nepalese history (Shah, 1978). During this time, social disharmony increased

significantly. King Jayasthiti Malla (1382-1395) brought some Maithili and Indian Brahmins to the Kathmandu Valley and reorganized Nepali society based on Manusmriti. This led to a rapid increase in caste-based differentiation, untouchability, and the marginalization of Dalits. The Newari society in the Kathmandu Valley was particularly affected, and remnants of these effects are still visible today (Aahuti, 2006).

Jayasthiti Malla's social reforms included strict rules prohibiting lower castes from drinking water from the same sources as higher castes and from touching them. He also established punishments based on caste (Budhathoki, 1982). Additionally, he imposed restrictions on food and clothing for certain castes, which had long-lasting negative consequences. As a result, discrimination and untouchability became deeply ingrained in Nepali society (Pant, 2008).

Towards the end of the medieval period, King Ram Shah of Gorkha extended the caste discrimination and untouchability practices rearranged by Jayasthiti Malla in the Kathmandu Valley to the Gorkha kingdom (Devkota, 2002). Under Ram Shah's rule, strict punishments were enforced for those who violated caste norms in food and marriage. Key figures like Gotiyars (same clan), Chautaria Bhai (brothers of King), Sanyasis (harmit), Vairagis, Bhats, and Brahmins faced exile for such violations, while those from the Shudra varna and lower castes faced the death penalty for similar offences (Kisan, 2001). This system further entrenched caste discrimination and untouchability in Nepal. To ensure the longevity of this caste-based system, King Ram Shah instructed his successors to enforce these rules strictly, as recorded in *Dharamsheela* (Wasti, 2006). This declaration helped stabilize discriminatory laws and the penal system in Nepal.

King Ram Shah of Gorkha declared that the four main varnas and thirty-six castes must adhere to their societal obligations, and those who failed to do so would be punished according to their crimes (Wasti, 2006). This indicates that the Gorkha kings were committed to following the strict caste rules that were re-established by Jayasthiti Malla.

However, the caste system in the Gorkha state existed even before King Ram Shah's reign; he merely organized and reinforced it.

### 3.3.3 Modern Period:

The period after 1768 is known as the modern period in the history of Nepal. Prithvi Narayan Shah, the first ruler of modern Nepal, also engaged in activities that promoted racial discrimination. After his defeat in the Battle of Kirtipur in 1814, the Duwan and the butchers who escorted him to Nuwakot were derogatorily addressed as 'Poot.' Shah elevated the caste of Duwan, renaming it Putawar (Sharma, 1978). Similarly, he punished the children of Digbandhan Sen, the Sevvanshi king of Makwanpur, by placing them in the Saraki caste. This illustrates that caste played a significant role in societal respect and punishment in Nepali society at that time. Promoting someone's caste was used as a reward while lowering someone's caste was used as a severe humiliation.

After the reign of Prithvi Narayan Shah and until the rise of the Rana period, political instability in Nepal increased, leading to a distorted and inconsistent society. During this time, different punishments were meted out for the same crime based on caste. For instance, the Tattat caste was responsible for managing the rice of the Saraki and Damai castes (Regmi, 1986). The beginning of the Rana regime saw the creation of Nepal's first written civil law in 1854, under the prime ministership of Jang Bahadur Rana. This civil law explicitly mandated the strict enforcement of caste discrimination and untouchability rules. The *Muluki Ain* of 1854, as published by the *Kanun Kitab Byabastha Samiti* (1965), provides detailed documentation of these regulations.

Christians, Muslims, Kami, Sarkis, Asthma, non-water-dwelling castes and castes that have to be touched, cooked grains should not be eaten but not cooked, raw fish meat should be eaten but not cooked, cold, watery dishes should be impure but dry dishes If anyone touches the untouchable caste, they will be

purified by sprinkling golden water...  
(369).

Based on the above-mentioned facts, during the Rana period in Nepal, Dalit discrimination and untouchability were given legal legitimacy and institutionalized. As Nepali society progressed under the guidance of the Civil Code, social discrimination and untouchability practices became more entrenched and stable.

Even in the laws and constitutions created before 1963 in Nepal, aside from the provisions in the Civil Code of 1854, there were no special regulations regarding Dalits, discrimination, and untouchability (Pahadi, 2016). The civil law enacted in 1963 declared that no one could be discriminated against based on caste. However, the law did not specify the punishment for those who practised discrimination, rendering it ineffective (Devkota, 2002). Furthermore, the same law stated that long-standing traditions would not be considered discriminatory, which effectively nullified the intent of the first law aimed at addressing caste discrimination.

During the Panchayati regime, no significant steps were taken to end caste-based discrimination and untouchability against Dalits. After the 1990 People's Movement, democracy was restored, and a new constitution was drafted in 1991. This constitution stated that no Nepali citizen would face caste-based discrimination and that violators would be punished. However, due to weak enforcement, discrimination and untouchability persisted. In 2006, another People's Movement led to an interim constitution, which included a law stating that discriminatory behaviour would be punishable and victims would receive compensation as determined by law (Adarsh Book House, 2006). Despite this, and the intention to completely eradicate caste discrimination and untouchability, poor implementation meant that these issues remained prevalent (Karki, 2011).

In 2015, the Constituent Assembly created a comprehensive constitution for Nepal, which clearly stated that no one should be discriminated against based on caste, class, or gender (Kanun

Kitab Bybastha Samity, 1965). However, despite these numerous laws and constitutions, social discrimination remains an unresolved issue in Nepal.

The system of untouchability and social discrimination, which was prevalent in ancient Nepal, became more entrenched during the medieval period and continues to exist in a reduced form in contemporary Nepali society. Although these practices are recognized as social evils, they persist because many people from non-Dalit communities do not view them as problematic. Despite various movements against caste-based discrimination, untouchability, and social discrimination since the Rana era, complete success in eradicating these issues has not yet been achieved (Sharma, 1978).

Unity among Dalits has not been achieved even within their movement. In the 21st century, the inhumane practices of forcing, hedging, and touching people of higher caste in Nepali society, resemble an epidemic. These practices have negatively impacted Nepali civilization and culture. They reinforce feelings of superiority among certain groups and perpetuate discrimination and untouchability (Regmi, 1986).

The suffering caused by caste discrimination and untouchability has led to the underutilization of human resources and skills. Many people with knowledge and abilities are unable to find employment opportunities due to these discriminatory practices. Untouchables often face deprivation of necessities like water, milk, and access to various services, including food and household jobs (Kisan, 2005). They endure not only social discrimination but also live in neglect and poverty, which is a grave injustice from a humanitarian perspective. To eradicate Dalit discrimination and untouchability, all Nepali people must embrace education, culture, civility, and modernity in this post-modern era (Rijal, 2006). If individuals from all classes, castes, and backgrounds come together to advance the cause of equality, the end of discrimination can be achieved.

#### **4 Conclusion:**

The varna system gradually evolved into the caste system before the Manusmriti period (200 BCE) in ancient Indian Arya Hindu society. This evolution led to a focus on maintaining the purity of bloodlines through endogamous marriages, which in turn fostered a lack of interaction and empathy between different castes. As society grew economically, disparities between the wealthy and the poor, as well as between the educated and the uneducated, began to emerge. Wealth became a significant marker of status, and those with fewer resources often had to work on other's farms, leading to discriminatory behaviour against labourers. This discrimination eventually gave rise to the practice of untouchability.

The caste system and the concept of untouchability were brought to Nepal by migrants from India, including the Licchavis who fled from Vaishali. During the Licchavi period in Nepal, caste distinctions existed, but untouchability was minimal. However, in the 14th century, King Jayasthiti Malla reorganized society based on the varna system outlined in Manusmriti, institutionalizing untouchability and caste-based discrimination.

Subsequent rulers, including King Ram Shah, Prithvi Narayan Shah, and Rana Prime Minister Jung Bahadur, further entrenched these practices in Nepali society. Thus, making untouchability widespread in the society. After the establishment of democracy in Nepal in 1950/51, efforts to combat social discrimination and untouchability began. Legal measures were introduced around 1964/65 to ban such practices, but deeply ingrained social attitudes meant change was slow.

Over time, discriminatory behaviors have decreased significantly, though they have not been entirely eradicated. If progress continues, it can be anticipated that untouchability and social discrimination will eventually be eliminated from Nepali society.

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