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Authoritative Speech in the Himalayas

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Authoritative Speech in the Himalayas

Marie Lecomte-Tilouine and Anne de Sales, *Special Editors*

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Editor's Column

With this special issue of *Oral Tradition*,"Authoritative Speech in the Himalayas,"we offer a suite of essays under the joint editorship of Anne de Sales and Marie Lecomte-Tilouine, whom we congratulate for bringing it to fruition. The co-editors' introductory essay,"Words of Truth: Authority and Agency in Ritual and Legal Speeches in the Himalayas," details empirical and theoretical aspects considered by these collected essays sited in the wealth of traditional verbal arts alive in the Himalayan region, as well as providing references for further reading in epic oral poetry and shamanic ritual chants.

The first of nine contributions, John Leavitt's "Authoritative Modes of Speech in a Central Himalayan Ritual," adopts Roman Jakobson's six linguistic functions for an analysis of two modes of speech found in Central Himalayan divine possession rituals that rely on both the speaker's social identity as well as the aesthetic power of the speech register. Marie Lecomte-Tilouine follows with "The Untouchable Bard as Author of his Royal Patron: A Social Approach of Oral Epic Poetry in Western Nepal," an exploration of inversion in caste hierarchy concurrent with the authorization to speak in the royal patron's name that a bardic performance confers on the untouchable bard. This portrayal of both bard and patron explores the traditional art form as well as a new one—an embryonic epic about the People's War waged by the Maoist party in Nepal between 1996 and 2006. With "The Sources of Authority for Shamanic Speech: Examples from the Kham-Magar of Nepal" Anne de Sales problematizes Pierre Bourdieu's theory of ritual techniques as forms of domination and considers elements of shamanic speech, pragmatic effects of the ritual language, and the performer in the warranting of ritual specialists in the Kham-Magar community to act as its spokespersons with invisible interlocutors, as well as to act as truth-tellers. Martin Gaenzle's "Meaning, Intention, and Responsibility in Rai Divinatory Discourse," confronts divergent treatments of speech act theory by schools of linguistic anthropology and language philosophy in a study of shamanic divination that queries responsibility, interpretation, and performance, and reveals complex agency. Franck Bernède's essay, "The House of Letters: Musical Apprenticeship among the Newar Farmers (Kathmandu Valley, Nepal)," explores principles of musical discourse as revealed through the teaching of the *dhimay* drum. Training of the apprentices depends upon the ritual master's authority, as expressed in the drum's language of mimetic syllables, and includes the acrobatic handling of bamboo poles. The essay discusses the nature of this traditional musical language as well as consequences on its transmission and performance practices wrought by various sociological changes that have taken place in contemporary Newar society.

Christian Jahoda's "Imparting and (Re-)Confirming Order to the World: Authoritative Speech Traditions and Socio-political Assemblies in Spiti, Upper Kinnaur, and Purang in the Past and Present" contextualizes and analyzes speech traditions and socio-political assemblies in these Tibetan-speaking areas in which three classes of authoritative speech—ancient dynastic, modern village political, and mythological or religious—have been documented. Further illustrations of authoritative speech are drawn from a wedding ceremony speech and an oracular soliloquy pronounced by a protective goddess through a trance-medium. Daniela Berti offers a

fascinating case study titled "The Authority of Law and the Production of Truth in India." This essay examines how a court hearing in a District Court of Himachal Pradesh constructs evidentiary truth. Here the power of language derives from specific procedural rules that assign evidentiary value to a witness' words. This procedural primacy gives the witness' spoken words efficacy, regardless of their veracity. Barbara Berardi-Tadié's "Engendering Minorities in Nepal:The Authority of Legal Discourse and the Production of Truth" explores how performative utterances pronounced before the the Supreme Court of Nepal shape social realities by establishing the "truth" about them. Lawyers enlisted the authority of legal discourse through judicial operations of codification, normalization, and institutionalization, and deployed it to introduce new gender and sexual categories, thus institutionalizing a "new" minority. Pustak Ghimire's essay "Authority, Status, and Caste Markers in Everyday Village Conversations: The Example of Eastern Nepal" rounds out this nonet of studies in Central Himalayan authoritative speech. This essay delineates the complex use of terms of address and honorific pronouns in common Nepali by focusing on the language spoken by local headmen, notables, and politicians, and concludes that within a period of several generations the widespread leveling of distinctive linguistic features, as well as a shift in standard of authority from virile dominance to moderation and restraint, have been effected.

This issue of *Oral Tradition* appears in virtual space thanks to the combined efforts of the staff of the Center for Studies in Oral Tradition—Mark Jarvis, Hannah Lenon, Lauren Anderson, Elise Broaddus, Katy Chenoweth, Chris Dobbs, Emily Horn, Kate Kelly, and Professor Sean Gurd. In addition, the fine anonymous colleagues who referee submissions to *Oral Tradition,* whose expertise and good sense guide their editorial treatment, deserve special recognition and *kudos,* we are deeply appreciative of having the benefit of your guidance. Your invaluable counsel enables us to continue aspiring to the standards of scholarly excellence established by the journal's founder and editor, John Miles Foley. Professor Foley worked tirelessly to ensure there be scholarly dialogue about humanity's verbal arts, and his initiative, *Oral Tradition*, has served as one such venue now for slightly more than three decades. This endeavor continues and is made possible by the generous support of the College of Arts & Sciences, for many years by decision of Dean Michael O'Brien, and now, Interim Dean Patricia Okker, of the University of Missouri.

We encourage you to continue the practice of dialogue and inquiry into humanity's variegate oral traditions, and to that end, invite you to share your insights into the world's traditional verbal arts with us and our readers. Evaluation of submissions is made by the double-blind review process: specialist and generalist referees report on the quality and aptness of submissions and their guidance is dispositive for the decision to accept, accept with revision, or decline a submission. Their decision is generally reported to prospective authors within a trimester of receipt. Published online and in open access format, *Oral Tradition* is seen by more than 20,000 readers in 200 countries and territories.

John Zemke
Editor, *Oral Tradition*

Oral Tradition, 30/2 (2016):177-194

Words of Truth: Authority and Agency in Ritual and Legal Speeches in the Himalayas

Marie Lecomte-Tilouine and Anne de Sales

This issue of *Oral Tradition* presents a collection of anthropological studies on the sources of authority for ritual and legal speech in the Himalayan region. Its goal is twofold: first, to shed new light on a region whose diversity of oral traditions has so far resisted comparative studies; and second, to reconsider two major theories of language communication that confront linguistics and sociology. Pierre Bourdieu's essays on the symbolic power of language have the advantage of presenting strong views on the subject and provide a stimulating point of departure for a collective work exploring authoritative speech from a comparative perspective. Written between 1975 and 1982, Bourdieu's essays (1982 and 2001) were motivated by the then overwhelming position of linguistics in social sciences and the need he felt to reintroduce social relations in the analysis of linguistic communication. His criticisms also targeted anthropology, which assumed the neutrality of the observer and ignored relations of power. Thirty years on, while these criticisms have lost some of their relevance in other contexts, the social and political rooting of oral traditions in the Himalayas have remain little explored. This collection of articles aims at encouraging such a perspective and at developing comparative studies in the Himalayan region. Indeed, the latter forms a unique context where "archaic" ritual contexts meet modernity. All the essays address contemporary situations that are embedded in inherited social and political relations that now face social transformations.

Himalayan communities are characterized by rich oral traditions that remain extremely lively in rural and urban contexts, although the studies of the latter are scarce. The oral compositions remain a fundamental part of religious and even economic activity. These traditions, which are highly diverse and yet belong to the same cultural area, have not yet been reconsidered along common theoretical guidelines. The originality of the present collection of essays lies in its presentation of oral speech belonging to different fields: bardic tradition (Leavitt; Lecomte-Tilouine), shamanic tradition (Gaenszle; de Sales), judicial speech (Berti; Berardi; Jahoda), musical language (Bernède), and ordinary language (Ghimire). All these registers claim a certain authority and even to tell the truth. Indeed these case studies highlight that the issue of truth is central to ritual and legal speech in the Himalaya. The bard, the shaman, and the judge all claim, in one way or another, to speak the truth. The issue of truth is, thus, central, and appears as the common denominator of the main genres of oral tradition explored in this volume.

This introduction presents the theoretical issues at the origin of this collective work, recalling a few points of Bourdieu's theory, as well as the linguistic theory he criticizes. We then try to identify the limits of his seemingly universal socio-linguistic approach when it is confronted with a socio-cultural context very different from that in which it was elaborated. Next, we present an overview of the essays gathered here as well as a few comparative questions that the contributors were asked to consider. Finally, a brief presentation of a few selected works on oral texts in the Himalaya for further readings is offered.

Theoretical Issues

"Saussure's Coup" and "Austin's Error"

For Bourdieu, the inaugural coup ("le coup de force inaugural") of Ferdinand de Saussure, who excluded from linguistics the relationships between society and language, determined the fate of modern linguistics (Bourdieu and Boltanski 1975:14). Moreover, it turned language into an abstract and artificially unified product based on transparent and egalitarian interactions. Bourdieu's criticism focused thereafter on the theories developed by John L. Austin and John Searle, and centered on the pragmatics of language.

This major school of thought argues that when we speak we do not just describe the world but we act on it; we perform speech acts; the acting dimension of utterances is a structural property of language; semantics cannot be separated from pragmatics. Following Austin's seminal work *How to Do Things With Words* (1962), Searle (1965:222) defined a speech act or illocutionary act as "the minimal unit of linguistic communication . . . produced by a being with certain intentions." Searle continued: "to perform illocutionary acts is to engage in a rule-governed form of behavior." He, however, distinguished between two sorts of rules (223):

> Some regulate antecedently existing forms of behavior; for example, the rules of etiquette regulate interpersonal relationships, but these relationships exist independently of the rules of etiquette. Some rules on the other hand do not merely regulate but create or define new forms of behavior. The rules of football, for example, do not merely regulate the game of football but as it were create the possibility of or define that activity…; football has no existence apart from these rules. I call the latter kind of rules constitutive rules and the former kind regulative rules.

According to Searle, speech acts are "acts performed in accordance with . . . sets of constitutive rules" (224). He emphasized the tautological character of rules that define what they regulate. He also remarked that the speakers are able to "play the game" of communication without explicitly knowing the rules since these are not generally formulated as such. In order to find out what these rules are, Searle suggested identifying first the necessary and sufficient conditions for the performance of one speech act in particular (a promise). In other words, the linguist examined the logic of enunciation for the power of words on reality.

By contrast, Pierre Bourdieu saw language not only as a means of communication but also as a medium of power. He stressed the fact that a linguistic community is the outcome of

political processes; consequently any position within a given community is bound to involve power relations that are embedded in the linguistic interactions of its members. From this perspective, speech acts can be understood as signs of authority intended to be believed or even obeyed. These power relationships are most clearly revealed in the case of performative statements, whose efficacy depends almost entirely, according to Bourdieu, on the speaker's social function, which must match his or her speech act. Indeed, it is always the *function* of the spokesperson of a group that is invested with authority, rather than the individual who fulfills that function. The power of spoken words comes from the "symbolic capital" that the group confers on its spokesperson. Acts of authority are "authorized" by the group, and through this process of "social magic" the spokesperson produces the group as much as the group produces its spokesperson.

In order to investigate further this idea of "social magic," Bourdieu took the example of the designer's label or the artist's signature, which magically gives a great surplus value to the object, "transmutes" it or even "trans-subtantifies" it. Bourdieu (1975:21-22) showed how this magic occurs upstream by the rules of the "field"—that is to say, the social space within which the social actors compete for control of the symbolic goods—that create the scarcity of the producer and hence that of the product. In other words, "the principle of the effectiveness of the ritual operation should not be sought in the magical formalism, that is to say in the ritual itself, but in the conditions that produce faith in the ritual (of which formalism is only a minor aspect)" (23). For Bourdieu the effectiveness of speech results rather from a "system of production that produces, among the producers themselves, the ignorance of the mechanisms of production" (26). The "faith" or "collective belief" is transformed into a "collective ignorance" through what can be seen as a kind of (negative) Durkheimian movement. This theory, developed in an article co-authored with Yvette Delsaut (1975), announced Bourdieu's criticism of Austin's theory of performativity: the word has no intrinsic power; it is the pre-existing authority of the speaker that endows his speech with authority. Both articles were published in the first volume of *Les Actes de la Recherche en Sciences Sociales*, giving the thesis of "Austin's error" particular weight in Bourdieu's work.

Problems with Bourdieu's Theory

In an article on the symbolism of political rituals, the anthropologist Marc Abélès (1991:245, our translation) rightly pointed out that Bourdieu's reasoning presented "the risk of infinite regression in this search for a foundation that is naturally induced by the idea of recognition." Indeed, if the authority of speech acts is based on the socially recognized position of the speaker, one wonders what has authorized the speaker in the first place. Abélès recognized that Bourdieu (1982:101) partially answered this question by showing the circularity by which "the representative makes the group that made him or her." Abélès (1991:249), however, refuted the idea that the group could not have access to these mechanisms. By focusing on how symbolic representations manipulate social reality for the purpose of domination, Bourdieu rejected the possibility that ritual might be a process that generates meaning—a process that anthropologists strive to understand in all its complexity: representations do not just *signify* an assumed social reality; they have their own power and can, under certain conditions, be reality itself as we live it

every day. In other words, there are no grounds for privileging the signified ("social reality" for Bourdieu) over the signifier (the symbolic representations) if one is to understand the meaning of social interactions.

The problems we encounter with Bourdieu's theory are also related to the specific nature of the type of society that he studied: late twentieth-century Western society is radically different from rural societies in the Himalayan region. These present a highly codified hierarchy of partitioned groups. A more or less egalitarian social organization is supposed to characterize indigenous peoples of Tibetan culture, however these societies present their own hierarchy: between older and younger brothers, men and women and, among followers of Buddhism, clergy, and laity. This configuration puts to the test a sociology that was initially concerned with a more homogeneous and centralized society possessing an old democratic tradition.

In Nepal, and adjacent regions, we presently observe a great linguistic diversity and the resilient traditions of a hierarchical caste society alongside processes of centralization, nation building, and the emergence of a class society. The existence of a single language of legitimacy is therefore unlikely. Within this complex society, various spokespersons are recognized, either as especially competent speakers or as specialists in particular oral traditions; their social status, however, varies greatly and their speech is not always addressed to their own group. Shamans, for example, officiate for all, regardless of ethnicity; the Damai bards or the Gaine minstrels, located at the bottom of the caste hierarchy, perform for their high-caste patrons. On what sources does the authority of speech rest when the spokesperson for a group does not belong to that group? What do their narrative practices tell us about the relationships between groups—when the notion of group includes humans on the one hand and divinities or spiritual entities on the other hand?

Because of its ahistorical nature, Bourdieu's theory (1975:26) does not help us to grasp social changes. His approach does not ignore conflicts, but stresses how these strengthen and structure society, rather than how they deconstruct or weaken it. For Bourdieu, society presents a structural "harmony" among its various "fields" that contributes to the opacity of the mechanisms of domination and, therefore, to their reproduction. In Himalayan societies, in contrast, social organization is ritually exhibited, and codified practices in all domains of daily life (such as food, matrimonial rules, ritual practices, occupations, and speech) are ritually assigned to individuals by birth. There is no opacity in the sense that Bourdieu suggested. Also, with the recent "demonization" of the castes at the top of the hierarchy, the strategies of most social actors currently aim at reinterpreting the attributes and behaviors associated with social status.

"Fellowship of Discourse" and the Question of Truth

Partly because of a very low rate of schooling until the 1960s, Himalayan societies have by no means eradicated oral traditions. Moreover, even nowadays, orality is highly valued in Hinduism, the dominant religion of the region.[1] The Himalayan area is still characterized by numerous specialists in oral texts who act as the guardians of an exclusive knowledge, and form

[1] On the negativity of writing in Ancient India, and its power of deception, see Malamoud (1997).

groups that are akin to what Michel Foucault termed a "fellowship of discourse" ("sociétés de discours") (Foucault 1972:225, translation):

> An archaic model of this would be those groups of Rhapsodists, possessing knowledge of poems to recite or, even, upon which to work variations and transformations. But though the ultimate object of this knowledge was ritual recitation, it was protected and preserved within a determinate group, by the, often extremely complex, exercises of memory implied by such a process.

We may recognize in these bards the figures whom Marcel Detienne (1994 [1967]:55) called "masters of truth" in Ancient Greece, at a time when the Greek civilization was characterized by orality and "memory that was regarded as sacred [was] the privilege of certain groups of men organized into brotherhoods." Indeed, truth, *aletheia*, is inseparable from divine memory but divine memory is not the power to memorize or remember things, nor does it intend to reconstruct the past in a time perspective. Like mantic knowledge, it is defined by Hesiod's formula "what is, what will be, what was" (55). Like the oracle, the poet of Ancient Greece was supposed to be in direct contact with the other world through his memory, which was conceived of as a religious power. Similarly, the truth of justice appealed to the divine, which was expressed by the practice of ordeal. These three types of discourses: poetic praise, prophecy, and judgment were set apart from the quotidian not only because of their common divine origin, but also because of their power over the human world, as words that "realize" things, in the sense of making them real (103). However, the truth of these magico-religious words was not without ambiguity: both the words of the Muses and mantic speech could mislead humans, for whom the masters of truth could become "masters of deception" (127).

In attempting to reconstruct the historical evolution of the idea of truth in Greece, Detienne showed how this truth/deception ambiguity was gradually replaced by the requirement of non-contradiction. He retraces the process of secularization of magico-religious speech and the development of its dialogic form that took place in the classical period in connection with the transformation of the socio-political organization. The warrior group, occupying a central place in this organization, established new institutions such as assemblies in which speech was "a common good" (131): each member of the group spoke in turn in these egalitarian meetings. In this Detienne saw the ancestors of the future political assemblies of classical Greece (144). "Dialogue-speech" (*la parole-dialogue*) was also a lay phenomenon embedded in human time; it no longer coincided with action in a world of divine powers, but preceded human action (131; 145-47; 203-04).

Ancient Greece remains a laboratory for the study of the transition from a world in which speech is animated by divine forces to a world that obeys the laws established by humans themselves. This transition has, however, known several modalities, and it does not always invalidate the ancient words of truth that coexist with new forms of truth and authority in various contexts. Such is the case on the Indian sub-continent and its northern margin, the Himalayan range. It seems that in Ancient India truth was invested with "a power which a person with the right qualification [could] invoke to accomplish wonders or miracles" (Brown 1972:252). This was done through a ritual practice called *satyakriyâ*, or "Truth-Act." The Vedic scholar George Thompson tried to define it in modern linguistic terms as a specific kind of speech-act.

According to Thompson (1998:125), a "Truth-Act" in the Vedic context "is fundamentally an act of personal authority, a verbal performance designed specifically for the creation, the perpetuation, and the public recognition of the priestly persona, i.e. the figure of the authoritative ritual specialist, in particular the Brahmin." The index of truth, *satya*, is widely used in all the languages akin to Sanskrit, notably in the Pahari language group spoken in the Himalayan range. It is detached, however, from an established group of individuals, such as the caste of Brahmin priests; *syata* qualifies only the speech of exceptional individuals, whose statements are true, it is believed, by creating what they depict as they are depicting it, hence their appellation of "Truth-Act," *satya kura*, or *satya bacha*, "Words of Truth."

The studies collected here show that the central Himalayan region sets up words of truth and authority in a wide range of specific configurations. In this region, mantic speech and, to a lesser extent, the words of the poet, are still socially recognized as words of truth. The shaman of an indigenous Nepalese group studied by Anne de Sales claims the truth of his word and ends his ritual chants with an oath that is reminiscent of a Truth-Act. "Truth-Act" is precisely the expression used by Gregory Maskarinec to denote the magic spells or mantras of a similar oral tradition among the caste of Blacksmiths that he studied in a neighboring region in Western Nepal.[2] An interesting contrast in this respect is brought by Martin Gaenszle's article concerning an indigenous group in Eastern Nepal, where the shaman's truth is not just stated or claimed as in the two previous examples, but seems to result from a confrontation between several possible interpretations; as if magico-religious speech were being put to the test, imitating a judicial procedure.

While shamans never directly intervene in the political domain, bards and mediums do play a formal role in social and political regulation and in the administration of justice. This is especially the case in the western Indian Himalayas and western Nepal, where oracular religions prevail over other religious forms. Mantic speech is entangled with the speech of justice, and the gods are believed to embody themselves in order to settle human conflicts. Here, as in Archaic Greece, poetry has a dual character: the words of the poet celebrate both the stories of the gods and the accomplishments of the men of the past (Detienne 1994 [1967]:56-57). Poetry in Kumaon illustrates the first form of poetry. The bards, in John Leavitt's study, induce the presence of the divine figures that are mentioned in their recitations and who are supposed to come and listen to their story. It is still believed that they enter the bodies of men and act out the story themselves, before holding a consultation, and revealing the origin of evil and how to remedy it. In the adjacent region of far western Nepal, a similar tradition—involving a bard, the same musical instrument (the *hudko* hourglass-drum), and a chorus—illustrates the second form of poetry, which recounts men's accomplishments. Now, the gods are invited as the mere audience of the "historical truth" that is made of genealogies and high deeds of warriors of the past. Marie Lecomte-Tilouine shows how such epic recitation "grows the reputation of the 'warrior'" who sponsors the performance. In far western Nepal, the recitation of heroic epics does not trigger spirit possession: the two practices are kept separate. In this region, the gods themselves, incarnate in mediums, recite their own story ahead of the consultations that address conflicts and restore justice among men.

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[2] See the Nepali index of the ritual chants that are transcribed and translated in Maskarinec (2008:753).

The institution of mediumship and of divine justice, whether it is included in epic recitation or not, continues to co-exist with human justice in the Himalayas.[3] The recent development of the second form of poetry which recounts men's accomplishments, led to the development of new words of truth, using the power of the law to legitimize counter-discourse as a "discourse of truth."[4]

Comparative Questions and the Essays

The eight essays of this volume explore various skills and linguistic forms of orality as practiced in the Himalaya, their social dimensions, their sources of legitimacy, and various techniques by which their ends are achieved. These studies seek to answer the following six questions: Should we consider the ritual specialists, their specific language, ritual knowledge, practices and interactions as forming Bourdieusian "fields" or, rather, as sets obeying Searle's "constitutive rules"? In a context where the line separating regulative from constitutive rules is less clear than in modern Western societies, are such fields or sets adequate analytical categories? Are all linguistic interactions encapsulated in or oriented by hierarchical relationships? If we answer in the affirmative, should we, following Bourdieu, choose to focus solely on expressions of coercive power, and not consider illocutionary acts that presuppose upward relationships, such as prayers or pleas for mercy? Should we understand these upward relationships as merely contrary to and complementary with coercive relationships? Or are more complex mechanisms involved?

If we adopt Bourdieu's position that the conditions of enunciation (where and when do performances take place, and what events trigger performances?) must be explored together with the roles of the speakers in their respective groups and in the wider society, is there, nevertheless, some intrinsic power of speech? What are the oral techniques that are used to mobilize people, convince them, and make them obey or believe the speaker? What are the language registers, specific vocabularies and temporalities, poetic meters, gestures, narrative motifs, and various representations of reality that the oral specialists invoke? To what extent do such techniques move an audience, generating emotions, fascination, emotional transport, or humor, farce, and derision? Finally, how do performances convey values such as authenticity, heroism, antiquity, or scientific authority, which must be explained in relation to the power relations that structure society? These questions are especially pertinent at a time when Himalayan societies in general, and Nepalese society in particular, is engaged in a historic reorganization.

Each essay explores original material, and is formulated in the light of these questions. The essays by Leavitt and Lecomte-Tilouine focus on an epic tradition in Kumaon, western Nepal, and are followed by two more concerning shamanic traditions in western and eastern Nepal (de Sales and Gaenszle). Bernède's essay deals with how master musicians teach musical language to a group of young initiated men in the Kathmandu Valley. The next three essays address the judicial dimension of language: in a Tibetan context (Jahoda), then in Nepal

[3] Daniela Berti has studied this question; see, for instance, Berti (2009).

[4] See the essays by Berti and Berardi-Tadie within this issue.

(Berardi-Tadie), and, finally, in India (Berti). The essay, by Ghimire, focuses on ordinary language and changes in contemporary expressions of authority among the elites in rural Nepal.

John Leavitt criticizes the sociological approach to the power of language that is based on the question of a speaker who is in full control of what he says. This approach fails to take into account the fact that most powerful utterances come from speakers, poets, and mediums who are expected to exercise control over what they say—at least this is how they generally present themselves. The author notes, however, that, in instances of possession he observed in Kumaon, the truth and authoritative power of discourse depend on the exact identification of the invisible entities believed to express themselves through the speech of the medium.

Leavitt distinguishes two modes of expression in divine discourse: evocation and injunction. Evocation primarily concerns the bard, who invites the god to speak through him as the medium. The bard draws on a stock of formulas similar to those that he uses in the narration of epics for identifying deities. Injunction, the second mode, mainly concerns the medium, and provides new information about his situation in response to questions from the audience. Here, Leavitt coincides with Bourdieu that the authority of divine discourse rests on the social function of the speakers, the medium or the bard, rather than on language itself. But he reformulates the argument and suggests the speaking-god is best regarded as a floating "pure social function" since he can have different incarnations.

Marie Lecomte-Tilouine studies the relationship between the untouchable bards and their royal patrons in western Nepal, and questions the validity of Bourdieu's model in that context. She examines whether the ritual language used in this interaction follows the same rules as ordinary linguistic exchanges, and whether it reflects a social reality. At first glance, it seems to indicate a reversal of social roles. How are we to understand a social reality in which untouchable bards are charged by royal princes with the task of enhancing their fame, representing them as their spokespersons? Does the reversal arise from the bards' exclusive knowledge of epic oral texts or is it the sign of the secure social distance between the protagonists? The bard is invested with the authority to "tell the truth" about his patrons by his patrons: it is an assignment. This social constraint is so strong that it allows great freedom in the relationships it regulates; to the point that bards are seen as the "authors" of their patrons, in the sense that Émile Benveniste gave this term, etymologically associated with the idea of growth or increase. Analyzed through ethnographic observations, what is at stake here is, precisely, to increase the prestige of the patron as well as that of the bard in a transfer mechanism of mutual prestige.

She suggests that the disruptive and oxymoronic nature of the bardic performance contributes to its power of subjugation. Recent Maoist versions of the epics, she notes, make use of the intrinsic power of the text, hitherto at the service of the patron, in slightly different ways that emancipate the bard with a correlated change of status.

This case confirms Bourdieu's assumption that the more a practice constitutes an autonomous "field," the more it tends to suspend or reverse the hierarchical order of the principles commanding this field seems to hold true. Bards, and their texts, compose one such field, but without suspending the principles of hierarchical order: the bards remain bound by the laws of society in which they are embedded, especially the rules of caste.

Anne de Sales engages the Bourdieu-linguists debate and confronts the notion of "social magic," which the sociologist sees as the source of all authority, with the analysis of "discourse of magic" proposed by Tzvetan Todorov. Both Bourdieu and Todorov see the power of speech as based fundamentally on a certain kind of deception. However, shamanic rituals of the Kham-Magar, an indigenous population in western Nepal, require revisions of Bourdieu's assumption that rituals would only reinforce the dominant order. Anne de Sales analyzes how the practice of staging sources of shamanic authority during the ritual consecration of a new shaman creates a multiplicity of spaces for contestation.

Following the analysis of Alfred Gell, who saw the poetic verbal art as "the most fundamental of all technologies" (Gell 1992:60), she studies the ritual language of the shaman for the sources of his or her authority, showing how shamanic speech establishes its own universe of truth and makes a transcendent presence possible. Whether this transcendent presence is or is not the community itself, once it is present, it is interpreted by each and every participant differently and acquires a certain autonomy. If deception is, indeed, at the root of all authoritative speech, this deception is not controlled by a mastermind, and what it produces through the technical competence of the spokesperson remains unpredictable.

Martin Gaenszle emphasizes that the concept commonly proposed by linguists—that the meaning of a discourse depends solely on the intention of the speaker (what it means)—is not helpful for the analysis of shamanic divinations, because several spiritual entities are believed to express themselves through the ritual specialist. Dialogue between participants in divination session and the deities embodied by the shaman shows that the invisible entities' multiple intentions are precisely the subject of speculation by the spectators. Participants submit the shaman to cross-checks (recalling the situation discussed by Berti) in order to assess the truth of the gods' discourse. Pushing Gaenszle's argument further, it could be said that truth is collectively built by all participants. The audience attributes to the gods the speech which it alone actually authors. Martin Gaenszle concludes by contrasting the authorities of the shamanic word, based on a multiplicity of voices—multiplicity being itself the guarantor of the truth—and the monotheisms in which the voice of God alone can be a source of authority and truth.

Franck Bernède describes and analyses the teaching of the *dhimay* drum in the Kathmandu Valley to a group of young Newari men belonging to the peasant caste of Jyapus. The *dhimay* drum is known for its powerful sound and is central in the processions that constitute one of the major forms of the religious life of the Newars. It is intimately linked to the god of music, Nasadyah, of which it is the sound form. The teaching by the master musicians, who have an exclusive and secret knowledge, takes place every 12 years and is presented as an age-class initiation ritual. It includes learning how to play the instrument, as well as virtuoso handling of a high bamboo pole and acrobatic practices. The pole itself is reminiscent of a victory banner and physical practices require skill and endurance that evoke the art of war. The very clear territorial inscription of this tradition—each of the 19 districts of the city of Kathmandu has its own group of musicians and its exclusive rhythms—feeds the hypothesis that a warlike function was formerly attached to this practice.

The acquisition of the *dhimay* drum repertoire involves complex memorization techniques that first isolate syllables with which the musical phrase will then be reconstructed. Franck Bernède offers a musical analysis of this "language of the gods" and its rhythmic

structure, suggesting a relationship between the musical syllabary of this Newar tradition and the "science of letters" of the tantric tradition. Teaching *dhimay* drums would be similar to teaching a ritual language or powerful religious formulas (mantra) by masters of an esoteric knowledge reminding us of the archaic model of the "fellowships of discourse." The conclusion reviews the fundamental transformation of a once exclusively oral tradition controlled by a particular social group into easily accessible written handbooks that relegate master musicians to the rank of repeaters.

Christian Jahoda brings together political and religious registers of authoritative speech. Examples from the eleventh century to today taken from a region of Tibetan culture in the western Himalayas, Purang, Spiti, and Kinnaur) show these speeches are qualified by the same term, *molla* ("formal speech"), and are characterized by the power to establish or confirm the order of the world. The author considers the status of the speaker to be the primary source of authority for what is enunciated. This speaker can be a royal figure at a dynastic assembly or a schoolmaster who acts as the village spokesman during a celebration, or a medium. A second crucial consideration is the context in which these discourses are performed. At the level of the ancient kingdoms and of the villages, such meetings display a visible order (comparable to a set scene) that reinforces the status of the speaker. From Bourdieu's perspective, these meetings would represent the group that ensures the authority of the spokesman. According to Jahoda, the content of the speech is unimportant; it often comes from a written text and is nearly inaudible. By contrast, shamanic discourse the author recorded in 2000 makes clear the relevance of the dialogue between the divinity/medium and the participants: words are characterized by being divinely rooted in the context of enunciation and by their reflexive nature, in a way very similar to shamanic discourse. Jahoda's essay provides two contrasting examples of words of authority: the first is based on the status of the speaker, the second, it seems, is derived much more from its relevance to the situation.

Daniela Berti's essay shows how judicial procedures in India may be more powerful than the authority of the judge, who nevertheless remains the guarantor of the judicial procedure. The questioning techniques, the transformation of a system of questions and answers conducted orally but transcribed in a narrative form and in the first person, and finally the English translation of that narrative, which is incomprehensible to the complainant, forge a legal truth that is far removed from the truth of the complainant at the time of the charge. The police, the prosecutor, the judge, the lawyers, and the parties involved are in turn players and pawns in this judicial drama: the procedure itself stands out as the only player who holds real power over the final verdict. The example analyzed by Berti gives full weight to the linguistic interactions, and clearly contrasts the authority of the judge—the spokesman for the judiciary—with the power of the procedure that guides the final verdict and states the truth that will be retained.

Barbara Berardi studies mechanisms of legal authority in speech, but in Nepal, a country engaged in a redefinition of society and its component groups since the 1990s. The author shows how a special legal procedure, Public Interest Litigation, was used to create a new minority of individuals of non-heteronormative sexualities, namely gay, transgender, and intersex people. The author analyzes the text that ratifies the rights of LGBTI (Lesbian, Gay, Bisexual, Transgender, and Inter-sexual people) through Bourdieu's three stages—codification, institutionalization, and naturalization—showing how "the force of law" can generate new social

groups. The creation of this new social group needs to be set against the perspective of Nepalese history since the promulgation in 1854 of the first National Code. That code was organized around the rights of groups rather than of individuals, and resulted in the formation of new castes seeking a better position in Hindu hierarchical society. In order to be recognized as a group, and therefore to enjoy certain rights, individuals living in modern globalized world need to comply with new principles of organization imposed by international organizations. This process alters individual's perception of themselves, that is to say, their "discourse of truth." Berardi underlines the paradoxical basis of group rights politics, by which political emancipation involves transforming the perception of self.

Pustak Ghimire analyzes the expression of authority among notables in an eastern Nepalese village. In the wake of recent socio-political turmoil and economic innovations, language reflects these ongoing changes. Universal suffrage and challenges to permanent positions of authority has brought about changes in the leaders' language. It now expresses the need to convince and please people rather than to coerce. Pustak Ghimire studies how schoolteachers now compete with traditional leaders in the political arena, and how this competition has boosted standard Nepali and the proper way of speaking it. But this trend has been quickly challenged by the prestige of the new elite emerging from international out-migration, an elite whose members usually lack advanced formal education but can speak English. Ubiquitous access to the Internet will only increase the current instability of codes of civility that are conveyed by language in rural areas.

Further Readings on the Two Major Genres of Oral Texts Found in the Central Himalayas

Oral texts of the Central Himalaya (Nepal and Uttarakhand) include two major genres: epic oral poetry and shamanic ritual chants. These two genres developed in distinct areas and among different populations along the Himalayan range. If we consider only the central Himalayas (Uttarakhand and Nepal), the first genre is found in Uttarakhand and Far Western Nepal, among the Hindu castes, whose bards sing epics that narrate the deeds of past kings and heroes. The second is found further to the east, in Western, Central and Eastern Nepal, among a number of Tibeto-Burman speaking groups, and, to a lesser degree, among lower caste Hindus. Shamanic recitations deal with the theme of origin: creation of the world, of humans, and of various crafts; the relationships between men and women, between humans and non-humans, the first shaman, and the migrations of clans.

Concerning the epic, the volume published by Oakley and Goirala in 1935, *Himalayan Folklore*, represents the first publication in a Western language dealing with the oral traditions of Kumaon and Garhwal, or present-day Uttarakhand (Oakley and Goirala 1977 [1935]). The volume presents a corpus of heroic epic narratives, in abbreviated versions. On the occasion of the republication of this book in 1977, Marc Gaborieau wrote an important preface that offers a synthesis of his own work on the subject, published in French, and based on his fieldwork on oral epics in western Nepal in 1969 (Gaborieau 1974a and 1974b). Gaborieau proposed a classification of these stories and compared the forms of epic traditions in Uttarakhand and Nepal. He highlighted the fact that in Nepal only low-caste bards sing the hero's high deeds,

while the actions of the gods are not their prerogative. In Uttarakhand, by contrast, epic recitation induces trance and has a more religious tone. Four dissertations (Fanger 1980; Quayle 1981; Leavitt 1985 on linguistics aspects; Bernède 2004 on musical aspects) and several articles (Gaborieau 1975a; Fanger 1990; Krengel 1999) address domestic possession ceremonies led by bards in Kumaon. On collective bardic séances of possession outside the domestic sphere, see Atkinson 1882, Quayle 1981, and Lecomte-Tilouine 2009. Atkinson describes a ceremony during which an epic is sung over 22 consecutive nights. The ceremony in the Katyur valley described by Quayle is shorter, but involves a whole village. In Askot, the ceremony is based both on lineage and micro-territory (Lecomte-Tilouine 2009a). Konrad Meissner (1985) published the full text of one of these trance-inducing séances (Malusahi) with English translation and annotations.

On the epic tradition of western Nepal, apart from the publications in Nepali by Nepal Yatri, 1978 (2035 V.S.) and 1984 (2041 V.S.), and by Pant 1985 (2042 V.S.), after M. Gaborieau's pioneering work, no material or analyses were published before the 2000s. Marie Lecomte-Tilouine (2004) has suggested that the epic tradition of the Central Himalayas underwent a particular development during the Malla empire (twelfth to fourteenth century), which would explain the range of its current distribution. She has shown that the bardic session played a vital role in maintaining the status and identity of higher-caste men who patronized them (Lecomte-Tilouine 2007 and 2009b). In an unpublished thesis in French, Rémi Bordes (2005) addressed epics that he recorded in West Nepal (Doti district). He analyzed four texts from a literary perspective (themes, style), and provides his main results in English (Bordes 2009). Finally, the epics collected by Marc Gaborieau and Mireille Hellfer have been transcribed and translated within the program ANR "Corpus": "Epopée Népal" coordinated by Boyd Michailovsky, and are available at: http://cocoon.huma-num.fr/exist/crdo/meta/crdo-COLLECTION_EPIC_NEPAL.

The second group of sung narratives concerns oral shamanic traditions belonging mainly to so-called indigenous groups or minorities who speak Tibeto-Burman languages. The early works of Nicholas Allen on the Thulung Rai, and in particular his recently-published thesis (2011 [1976]), were followed in 1980-1990 by several in-depth studies of "oral texts" recited or sung as part of shamanic sessions. While Allen developed a comparative perspective on the Himalayan mythology, Andras Höfer adopted a philological approach to the oral texts that he collected from the Tamang. Following a brief description of the ethnographic context of these texts, Höfer presents a thoroughly annotated translation that enables the reader to penetrate the shamanic universe of the Tamang in the terms used by the shamans themselves, with their multilayered meanings (1981, 1994, and 1997). In line with the work of these two authors, Simon Strickland worked on a corpus of shamanic songs collected among the Gurung, with special attention to ritual language and various forms of parallelism, as well as examining the comparative potential of recurrent narrative motifs. Strickland's thesis (1982) is unpublished, but part of his research is available in two published articles (1983 and 1987). Also determined to let the texts speak for themselves, Gregory Maskarinec (1990, 1998, and 2008) has published whole shamanic versions of songs in Nepali collected among shamans of the Blacksmith caste and of the Magar minority in central Nepal. Working in a neighboring region, Anne de Sales (1991) has dedicated a significant part of her monograph on shamanic practices of the Kham Magar to the analysis of chants and to the role of ritual language in anchoring the mythical world in healing sessions. Martin Gaenszle (2002) has published a book on the Mewahang Rai of eastern Nepal, in which

he offers detailed discussion of several oral texts, along with annotated translations and notes on their social context. The study provides an analysis of the ritual language that consists of dialogues with the divine. With the linguist Karen Ebert, Gaenzsle (2008) has also published translations of mythological texts from various Rai groups and languages (Camling, Bantawa, Thulung, Mewahang, and Khaling). In addition to these selected works, which focus primarily on the publication of oral texts and the analysis of ritual language, several studies provide valuable contributions to the understanding of oral literature in the Himalayas. Mention should be made here of Michael Oppitz's works on the Kham Magar, including his film *Shamanen im Blinden Land* (1980) and the book containing the text and photographs of the film (1981) as well as several other articles; Brigitte Steinmann's work (1982) on the Eastern Tamang; David Holmberg's work (1989) on the Western Tamang; and Judith Pettigrew's studies of the Gurung (1995 and 1997).

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Authoritative Modes of Speech in a Central Himalayan Ritual

John Leavitt

Introduction[1]

Among the most striking aspects of the culture of the Central Himalayan region (this includes the Indian state of Uttarakhand and the westernmost part of Nepal) are the development of bardic narration and the social role played by rituals of divine possession. These practices interact variously in different sub-regions (for examples, see Lecomte-Tilouine 2009; Hitchcock and Jones 1976).[2] My concern here is with one of these configurations: that of a set of rituals known as *jāgar* (in colloquial Kumaoni *jàg*), since they take place at night, which are performed in the central part of Kumaon, the former kingdom that makes up the eastern section of Uttarakhand. The purpose of the Kumaoni *jāgar* is to manifest one or several local divinities. This is done either for the good of a family, in which case the ritual is held in the family's home, or for the good of the village or this "whole created world" (*yo sṛṣṭi sansār*), in which case it takes place in a temple or courtyard, both called *dhuṇi*, dedicated to the legendary sage Guru Gorakhnāth. In the case of a house *jāgar*, which is what interests us here, the ritual is organized by the family concerned and actually run by a semi-professional singer/drummer—since his primary role is to perform narrative, I will be calling him a bard—in this case called a *jagariyā*. Under the *jagariyā*'s direction, the god in question, one of a regional set of gods held to be subordinate to the great Hindu gods, enters into the body of a medium, called *ḍaṅgariyā,* "beast of burden," or *ghoṛi,* "little horse." The god then dances in the medium's body, distributes sacred ash to the assembled people, and speaks out of the medium's mouth in a dialogue with the *jagariyā* and members of the household.

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[1] I am grateful to the people of parganah Kuṭaulī, District Nainital, Uttarakhand, India, for their many kindnesses over the years, and to Marc Gaborieau for permission to use extracts from the *jāgar* he recorded in 1970. Transcription of the two *jāgars* cited here was carried out by Śrī Indar Singh Negī. The research on which this paper is based was undertaken with the support of the American Institute of Indian Studies, the Fulbright Foundation, and the Social Sciences and Humanities Council of Canada. The paper has benefited greatly from comments by Marie Lecomte-Tilouine, Anne de Sales, and two anonymous reviewers for *Oral Tradition*.

[2] On the Kumaoni *jāgar*, see also Pfleiderer and Lutze (1979), Fanger (1990), and Bernède (2004). For other Central Himalayan configurations, see Berti (2001), Campbell (1978), Maskarinec (1995), and Sax (2009). On bardic traditions, see Pāṇḍey (1962), Cātak (1973), Gaborieau (1974), Upādhyāy (1979), and Maskarinec (1999). For variations on possession elsewhere in South Asia, see Mastromattei (1988), Assayag and Tarabout (1999), and Smith (2006). On South Asian bardic narration more generally, see Blackburn et al. (1989).

The whole configuration of the *jāgar*, then, offers two highly authoritative voices. One is that of the controlling singer and drummer, who has immediate responsibility for the proper running of the ceremony for the benefit of the host household. The other is that of the god himself or herself, as transmitted through the medium. In the case of the bard this is a specialist authorized to carry out this particular activity; in the case of the divinity, this is an entity with far wider authority. But beyond these foci of authority, both figures in fact use language that is highly patterned, apparently producing both aesthetic and persuasive effects. In other words, the operative dimensions here are not only who is doing the speaking, but also how the speaking is being done.

To try to put some order into the multiplicity of language effects, I will be using the model of six functions of language proposed by Roman Jakobson (1981 [1960]) based on earlier work by Karl Bühler and the Prague School.[3] The sextifunctional model is well known, but I will summarize it here. Every act of language involves six elements (in no particular order of importance): a speaker or emitter, a hearer or receiver, a message transmitted between them, a referent that the message is about, a shared code that makes the message intelligible, and the fact that emitter and receiver are in contact. Any given language act will fulfill functions related to each of these elements. Jakobson labels the correlate functions: emotive, conative, poetic, referential, metalinguistic, and phatic. The functions may be hierarchical so that one can usually identify a dominant function, the one that is "foregrounded" (Mukařovský 1977 [1938]; Hasan 1989), while the others remain active as well.

Language Functions in Ritual

The key functions for this discussion are the emotive, conative, poetic, and phatic. Jakobson's term "emotive" seems too narrow to cover what is conveyed about the speaker in an utterance, since there is so much more is going on than the mere expression of emotions. This is why many authors (for example, Yaguello 1981) have preferred the earlier term "expressive" (Bühler's *Ausdrucksfunktion*) to "emotive." We can here distinguish between two kinds of expressive function: first, material indicating the speaker's state of mind and emotion; second, the function of indicating the speaker's identity and place in society. Evidently, a foreign accent or class-linked pronunciation reveals a great deal about the speaker beyond his or her current state of mind. This identification is the same whether the speaker is in a good or bad mood at the moment of speaking.

The authority of a statement depends, first of all, on the social identity of the emitter in the context in which the speaking takes place. In most contexts, the statement of a duly anointed king will carry greater "weight" than that of a peasant. But here the context matters: the peasant may have more authority if the two are standing in a field discussing when to plant beans. In

[3] Bühler (1990 [1934]:34-37) proposed three functions, the expressive (*Ausdrucksfunktion*), referential (*Darstellungsfunktion*, which might better be translated representational), and conative function or function of calling or appeal (*Appellfunktion*), in 1934. A few years later, Jan Mukařovský of the Prague School (1977 [1936]) added the aesthetic (poetic) function. Jakobson (1981 [1960]) relabeled the expressive as the emotive function and added the phatic and metalinguistic.

either case, authority focuses on the expressive function, and on its identificatory rather than its emotive aspect. It is my social identity that confers authority on me, and the way I talk may reinforce or contradict that predetermined fact.

Jakobson's conative function, called *Appellfunktion* by Bühler, the function of calling upon, is that which is oriented to the receiver of the message. In grammar, the imperative mode primarily does conative work; among commonly-recognized language forms, so do hymns and prayers, praise poetry, and, their emitters hope, advertisements and political oratory—and all authoritative pronouncements. Authoritative language takes on social life not primarily in declarations of one's own importance, but in effectuating appropriate action by others.[4] In this sense, the whole point of authoritative language is conative: it is aimed at provoking others to do something. In many cases, this is in fact the dominant function, with the expressive identification of the speaker's social appropriateness as a precondition for successfully carrying it out.

Mukařovský, followed by Jakobson, defined the aesthetic or poetic function as a "tilt" (*Einstellung*) toward the message itself. In other words, the poetic function is mobilized when the attention of participants is turned toward the actual form of the message, rather than, say, its content or what the speaker is trying to get the participants to do. In most societies throughout history, this awakening of a poetic ear has been achieved through the use of marked forms of language: fixed rhythms and meters, rhyme, unusual or archaic vocabulary, figures of speech, grammatical parallelism. As Jakobson (1981 [1960]:28) puts it, "measure of sequences is a device that, outside of the poetic function, finds no application in language." For this functional approach, while all language is potentially poetic,[5] the activation of the poetic function depends on the foregrounding of the message itself for the participants in the language act; and across societies and histories, certain types of procedures, relying largely on parallelism, have been used to provoke this foregrounding, to call attention to the message itself and its own qualities. Even modern poetry and literary prose use parallelism, if only of referent, the creation of expectation and its satisfaction or delaying, to "feel" beautiful and worth hearing or reading.

Much of the work on linguistic authority, notably that of the sociologist Pierre Bourdieu (for example, 1991), is marked by an extreme duofunctionality: what matters is the "social position" of the speaker, the identificatory aspect of the expressive function, which is directly conative in that it causes people to do things. But because the relationship is so immediate, the conative is a mere effect of the expressive, and Bourdieu's expressive/conative model reduces itself to a single identificatory function. For Bourdieu, J. L. Austin's (1962) perlocutionary effects are seen as proceeding directly from the speaker's identity (this is the sense of Bourdieu's critique of Austin's theory of performatives). And other functions, such as the poetic, are seen as peripheral at best, at worst as further direct confirmations of the speaker's authority: Bourdieu relabels parallelism, formulaicity, and distancing, commonly understood as markers of the poetic

[4] This is Austin's (1962) perlocutionary force of an utterance.

[5] "Even in the most everyday language . . . every instance in which semantic relations come to the fore by interpenetrating and organizing the contexture evokes the aesthetic function. Every striking phonetic similarity between words or every unexpected inversion of the word order is capable of arousing a thrill of aesthetic pleasure. . . . The aesthetic function is omnipresent; not even linguistics can deny it a place among the basic linguistic functions" (Mukařovský 1977 [1938]:69).

function, as "routinization, stereotyping, and neutralization" typical of "the language of priests, teachers, and generally all institutions" (1991:109).

Such a one-sided view of the power of language cannot account for many real linguistic activities that carry authority, and certainly not those outside the purview of the limited range of Bourdieu's base-line example: the modern Western authority figure giving decrees that others follow because of the social status ("symbolic capital") of the speaker. It certainly is not adequate for understanding what is going on in performances of verbal art, or in the widespread and highly authoritative practice of divine or ancestral beings speaking through human vehicles, a practice that Western history, psychology, and social science have labeled "possession" or "mediumship," and which plays or has played an important role in social life in Europe, Africa, Latin America, and much of Asia.

Making the Gods Dance

Gods speak all across the Himalayan range, but the settings and provocations for their pronouncements differ. In the Central Himalayas, we have a situation both in western Nepal and in western Garhwal in which the main mouthpieces of the gods are shrine-based mediums who induce their own possession and speak in the voices of the gods (see, for instance, Berreman 1972; Sax 2009; Lecomte-Tilouine 2009). These specialists are quite distinct from a class of bards who sing and recite epics of ancient kings and heroes.

In the central part of the Kumaon region of Uttarakhand, bards induce and control the embodiment of the god in his or her medium. Here the professional drummers/singers of tales are also the masters of rituals of spirit possession. It is these bards who bring the gods into the body of the medium, retell the god's story to the possessing god him- or herself, control the god's dance, and serve as the main interlocutors for the god's speech.

Central Kumaoni possession rituals are highly structured events (Gaborieau 1975; Leavitt 1997; Bernède 2001), running through a typical set of stages. Authority is in a sense divided between the presiding bard and the possessing god. After an initial period of drumming, the bard names his lineage of gurus, then intones a song to the falling twilight during which the possessing god comes into the medium's body and the other (three hundred and thirty million) gods are invited to be present; makes offerings to the possessing god, which may include the performance of the story of one of the "high" Hindu gods; and sings the story of the possessing god in the second person, during which the god in question dances in the body of the medium. After these stages there is a period of silence during which the god in the medium's body distributes sacred ash to the assembled people. Only after this well-organized series of steps, involving a steadily increasing immediacy of the god's presence, does the god speak. The god's speech, provoked by the bard, alternates with the bard's responses, and sometimes with comments by members of the household, in a continuing dialogue.

There are, then, two sources of authoritative speech heard in this ritual: the voice of the bard and the voice of the god. The bard, whatever his place in the social world outside the ritual, here is the voice of authority: he tells the god what to do, and one of the markers of possession is that the medium/god cries *guru ādes* "guru's orders!" The bard's discourse, in fact, fits the usual

picture of highly crafted, deliberate, evaluated authoritative performance. But the god, too, has an authoritative voice: it is he or she who will tell the assembled people what the problem is and what they must do about it.

Bardic Authority and Bardic Language

The bard's performance really does seem to be a performance in the sense used by Richard Bauman (1975): it is a specialized, skill-based set of acts that are appreciated and judged as more or less effective by the other participants. A bard, who is almost always a man,[6] undergoes training with a more senior bard. Bards are paid for their work, and it is clear that being an effective bard is, among other things, a source of symbolic capital. The *jagariyā* both runs the ritual, in which role he is called the guru of the god, and at the same time is an authorized representative of cosmic order, in which role he is called *dharami dās* "servant of dharma."

The bard is clear about the identificatory side of the expressive function, and indeed begins any possession ritual with an evocation of his line of legendary gurus going back to Guru Gorakhnāth (Gaborieau 1975; Leavitt 1997). In the *jāgar* of the famous bard Gopī Dās recorded by Marc Gaborieau in 1970 (the basis for Gaborieau 1975), the bard begins:

> *he sataguru, devaguru, āganātha guru, khegānātha guru*
> *caurañgīnātha guru, bauraṅgīnātha guru, bansarīnātha guru,*
> *gorakhanāth, nau nāth, bāra pantha, caurāsī siddh, tumāro nām*
>
> Hay Guru of Truth, Divine Guru, Forward-master Guru, Ashy-master Guru
> Four-color-master Guru, Twelve-color-master guru, Fluty-master guru
> Gorakhnāth, Nine Nāths, Twelve Panths, Eighty-four Siddhas, (we take) your name.

In terms of the conative function, it is the bard who makes the god dance and play, activities designated by causative verbs in Kumaoni. The whole ritual is called *dyàpt nacauṇ,* "making the god dance," or *dyàpt khilauṇ,* "making the god play." Kumaoni, like other Indo-Aryan languages, has a productive set of causative verbal infixes: from *nàcaṇ* "to dance" one makes *nacauṇ* "to cause to dance;" from *khelaṇ* "to play," *khilauṇ* "to cause to play"—or perhaps a more idiomatic translation would be "to allow to play"—which is usually used of small children and gods.

Besides this direct, grammatically marked conativity, the ritual as a whole, under the *jagariyā*'s guidance, can be understood to have an indirect conative effect: it makes people feel better since they have done the right thing for reestablishing good relations with the god, and they have done it through an authorized specialist in the prescribed way.

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[6] If no bard is available, a *jāgar* may be sung collectively by the women of the family. These songs are sung to the melody of women's wedding and seasonal songs.

The bard's performance itself is both musical (Bernède 2004) and highly poetic, weaving together verbal formulas to produce a number of different narrative and non-narrative oral texts. People find some bards are better than others in poetry, in musicianship, and in exhibiting and provoking enthusiasm (*sauk*). Gopī Dās, whom we have already mentioned, was admired for the sweetness of his voice (Śāh 1991).

I'll give a single example of bardic craft. Early in the ritual, the bard intones a song to the twilight, marking the transition of day to night and the establishment of a specifically ritual time and space. Most of the *jāgars* that I know of—those I have observed and those I have found transcribed or described in—feature in this section a series of analogical statements about various kinds of beings coming back to their place of rest at twilight time. Every bard does this in his own way, but it can be very powerfully evocative. Here is how Gopī Dās sings it in the *jāgar* cited above:

cārā oṛo kā panchī lai / cārā oṛo bāso lhai cha.
gholā ko panchī lai / gholõ mẽ bāso lhai cha. . .
pañcanāma devatāo / thānā bāsi hai ga
pañcanāma devatāo / thānā bāsi hai ga. . .
jaṅgalā mirago lai / chānchõ mẽ bāso lhai jā
jaṅgalā mirago lai / chānchõ mẽ bāso lai jā
baṇā jāṇā celī-bauṛī / ghara lauṭī ge chā
baṇā jānā celī-bauṛī / ghara lauṭī ge chā
harī nārāyaṇa, devatā / hari jagadīsā
madhuvana kī gāi bhaĩsī / ai ge goṭhā naṇā
hai ga devotāo / gāi ko galobandā
hai go devatāo / gāi ko galobandā
suṇā devotāo / thānā basī hai ga
suṇā devotāo / thānā basī hai ga
panchī prāṇī kiri kilimī thāna bāsī hai gai!

Birds of the four directions have settled in the four directions.
Birds of the nest have settled in the nest. . .
The Five-Name Gods have settled in their temple.
The Five-Name Gods have settled in their temple.
The deer of the forests have settled in the thickets
The deer of the forests have settled in the thickets . . .
Daughters and daughters-in-law who went to the forest have returned to the house.
Daughters and daughters-in-law who went to the forest have returned to the house.
Hari Nārāyaṇa, God, Hari Lord of the World,
The cows and buffalos of *Madhuban* have come to the cow-basement, *Nārāyaṇa*
Gods, the cows have been tied up.
Gods, the cows have been tied up.
Listen, gods, they have settled in their place
Listen, gods, they have settled in their place
Birds, living things, worms, bugs have settled in their places!

This interplay of word, rhythm, image, and evocation has a power of its own, regardless of the "social position" of the singer. [7] The *jāgar* repertory is extensive and varied, and involves a large number of different styles and poetic devices, many of which have evident poetic qualities.[8]

Two Modes of Divine Speech

With the bard, then, we have a fairly straightforward claim for authority based on what Bourdieu (1991:107) calls delegation. The bard's identificatory claim grounds a performance with a conative tilt, both explicitly in making the dancing god happy and, at least an outside observer would argue, implicitly in changing psycho-somato-social dynamics (Leavitt 1984). This conative effectiveness operates via a poetic performance, a show of effective skill which can be judged as better or worse by participants.

There is a fundamental difference in what the medium does, a difference located in the identificatory aspect of the expressive function. Where the bard "takes the name" of his authorizing gurus and so speaks in their name, the medium, strictly speaking, does not speak: he or she lends a mouth to the authoritative figure's actual voice. To a modern Western observer, who assumes that human experience involves the continuity of a single personality, this transformation of the speaking subject is eerie and inexplicable except in terms of faking, hypnosis, or psychopathology. This is why we call this figure a medium and, if we take it seriously, call what is happening possession rather than, say, performance. In terms proposed by John Du Bois (1986) for ritual language in general, here the proximate speaker is being replaced by a prime speaker, the distinctiveness of what we call possession being that here this replacement is literal and available for all present to witness.

In central Kumaon, serving as a medium usually brings little or no social or symbolic capital, except that which is due to any responsible member of the community. A medium can be man or woman, rich or poor, of any age, and of any caste: becoming a medium is said to be a true election by the god, who will choose you simply because, as we would put it, he or she likes your looks. There is no great merit attached to it, and there is certainly no particular training or skill, nor any good luck: it is, rather, a heavy burden, a duty that one dare not shirk for fear of provoking the god's wrath. Mediums have to travel at night, often for long distances; they have to fast and observe a series of other ritual restrictions, including strict bans on alcohol, hashish, and sexual activity for a period before their embodiment of the divinity. I observed one case of a medium who was in an impure state—nobody would tell me what he had done—and clearly in great difficulty, apparently in pain, when the god entered and left his body. I did hear, nevertheless, of a case of a medium's competence being carried over into daily cultural capital: one medium of the god Goriyā was said to have become so famous as a medium that he came to be called Goriyā all the time. But this seems to have been an exception that proves the rule: the story was told as something absolutely extraordinary. For the most part, being a medium is not

[7] For a comparable set of analogies performed by the bard Kamal Rām in 1982, see Leavitt (2014).

[8] The local associations to this set of images are set forth in Leavitt (2006) and those to the sad story of one of the local gods in Leavitt (1996).

such a big deal; my very unscientific count suggests that about a third of the population possesses this kind of relationship with one or another regional god. If there is symbolic capital to be gained here, it goes to the god rather than to his or her mouthpiece. The nature of this relationship is indicated by the terms that we have seen are used for the medium: *ḍaṅgariyā* ("beast of burden") or *ghoṛi* ("little horse").

This subordinate position of the medium/god in relation to the bard—subordinate in the literal sense of accepting the orders of another—leads to some reversals of social position. Kumaoni society, like other traditional Hindu societies, assumes the reality of differences among types of human beings, differences that the Western scholarly tradition has labeled caste.[9] In rural Kumaon there are three great types recognized: Bàmaṇ, corresponding to Brahmans or those apt to take on priestly functions; Ṭhākur, those apt to take on warrior functions—these make up the largest group in the population; and Śilpkār, literally "craftmakers," in fact a large group of different types marked by a traditional profession, such as blacksmiths, tailors, plowmen, and carpenters. A fourth type, the Śāhs or merchants, live mostly in the cities. Each of these types is endogamous, and they are stratified in relation to each other, with the ritually purer types refusing to take water and certain foods from those less pure and Śilpkārs finding themselves at the bottom of the ladder of purity. The majority of bards are Śilpkārs of one type or another; some are Ṭhākurs; I heard stories of one village where Bàmaṇs conduct *jāgars*, but this is considered something quite extraordinary.

The limited caste origin of bards, and the fact that they are almost exclusively male, contrasts with what is said to be the absolutely open recruitment of mediums. As I said above, the god decides to come into one's body based on no criterion other than his or her personal choice. This means that people of all ages, both sexes, all castes serve as mediums. Since the bard runs the ritual and gives the god orders, one often finds a bard of low ritual status giving orders to and being faithfully obeyed by a person of higher ritual status, with signs of deference and respect. The latter would still never accept water from the hands of this "guru," nor would the "guru" think of offering water. But in terms of some dimensions of interaction, the *jāgar* offers a secondary social space in which its own internal rules apply. And it is this nighttime space, in which the usual rules of social power are suspended, that offers a setting for the human community to appeal directly to, and to hear the voice of, a divine authority.

In this tradition the gods speak in two distinguishable modes. I have labeled them evocation and injunction, based on their apparent functions. A given performance may include both or only one of them.

The Evocative Mode

In vocal production, the evocative mode is singsong, repetitive, and droning. In interlocution, it involves easy interaction between the god and the bard, who suggests formulas that the god either repeats, extends, or responds to. In content, it is highly formulaic, fairly predictable, and generally appropriate to the god's identity. In poetic structuring it is non-linear,

[9] For a detailed analysis of caste in Kumaon, see Sanwal (1975).

non-narrative and repetitive. It would seem to fill the functions of confirmation of divine identity (the identificatory aspect of the expressive function) and confirmation of solidarity with the human community (what Jakobson calls the phatic function), who are the god's *phūle ki bāri* ("garden of flowers").

This mode of speech solidifies the identity of the speaker as the god rather than the medium, the usual subject of this body. The formulas used are the same ones used by the bard to name and talk about the god in question in his narrations and invocations: they seem to be drawn from a pool of available formulas that may be used in the whole Central Himalayan region, and also in some very different kinds of bardic performances.

In a *jāgar* I recorded in 1982 the gods Goriyā and Gaṅganāth manifested themselves; the medium for both was a Bàmaṇ lady who was then in her fifties.[10] The first god to speak was Goriyā, the very respectable god of justice, and in this event he spoke almost entirely in this evocative mode. J represents the *jagariyā*, Śrī Kamal Rām Ārya; D represents the possessed medium. The god (in the medium) began:

sato rai jo, mera guru.
The bard answered: *dayādāni chai, paramesvara.*
The god answered in turn: *sato rai jo, myara guru, meri gaṛ campāvati huṇi re.*
D: Let there be truth, my guru.
J: You are merciful, supreme lord.
D: Let there be truth, my guru, to my Champawat Fort.

Here we have a clear identifier: the god Goriyā was formerly prince, then king, of Champawat in southeastern Kumaon. In this ritual context, "My Champawat Fort" can only be said by Goriyā: the fact that the god says it is in itself a clear claim of identity, and in this case an authoritative identity.

The dialogue goes on, with the bard and the god exchanging lines, occasionally joined by the master of the house. Goriyā goes on to bless—or rather to ask for truth upon (*sat rai jo*)—his mother Kālnar, his seven wicked stepmothers ("who showed me heaven and hell"), his father, grandfather, and great-grandfather, all correctly named, then says that he is the bearer of the Goddess's palanquin, one of Goriyā's roles. He emits vague benedictions, and the bard periodically tries to pin him down to make specific commitments:[11]

D: *hay rāma rāma, guru. manokāmana, bāvõ ki manokāmana puraṇe hai jo, myara guru*.
J: *puraṇ kar chai, isvara. dekh dhaĩ, tu isṭ chai*.
The god says, "He Rāma, Rāma, guru. Wishes, may the children's wishes be fulfilled, my guru."
To which the bard responds, "Fulfill them, Lord. Look, you are the chosen one."

As commonly happens, on this night Goriyā was followed by the god Gaṅganāth—in the same body—who started out in a similar vein. His tale says that Gaṅganāth was a prince of the

[10] The entire text of this performance can be found in Leavitt (1985).

[11] On the evasiveness of possessing gods in a region of western Nepal, see Campbell (1978).

neighboring kingdom of Ḍoṭī, now part of western Nepal, who abandoned his kingship to become a wandering yogi in Kumaon. Like Goriyā, Gaṅganāth names his home (Ḍoṭī Gaṛh, Bhāga Liṅg), his mother, father, grandfather, and grandmother: but now they are mentioned to say that Gaṅganāth has abandoned them. Here the main identificatory theme is one of abandonment and loss:

> *hay rāma rāma, guru, mātā pyaulā ki goda choṛi, guru, bābu bhubecana ki thāta choṛi, myara guru.*
> *babu bhubecan ki thāt kaĩ choṛi ā chai, isvara.*
> *hay rāma rāma, āma bhānāmati, bubu kesaricana choṛ maĩ lai, rāj choṛa, pāṭ choṛa, myara guru bhāi.*
>
> Hay Rāma Rāma, guru, abandoning Mother Pyaulā's lap, guru, abandoning Father Bhubecana's homestead, my guru,
> abandoning Father Bhubecana's homestead I came, Lord.
> Hay Rāma Rāma, I abandoned Grandmother Bhanāmati, Grandfather Kesaricand, I abandoned the kingship, my brother guru.

And he goes on to list beings and things he has abandoned: the elephants' elephant-shed, the buffalos' buffalo-shed, the herder of the cows, Kusumā the grass-cutting girl, sometimes even Lachimā the cat; and he does so in virtually the same formulas that the bard was using earlier to tell his story.

This kind of discourse was used by the medium of the sixty thousand unhappy spirits in the *jāgar* recorded by Marc Gaborieau (1975) cited above:

> *guruuu meri phūla ki bāṛi camakenaī rayī*
> *bauyi na lāgi rayī*
> *hāy rāma-rāma, hāy Siva-Siva*
>
> Guru, may my garden of flowers keep on shining,
> May it not go mad,
> Hay Rāma Rāma, hay Siva Siva.

This evocative mode seems to be made up of formulas, some of which repeat the formulas already used in the narrative already put forward by the bard. The back-and-forth between the god and the bard creates a two-part antiphonal piece, a general blessing answered with demands for specificity. It is about the identity of the god, the assertion of his immediate loving presence (the phatic function), and the assurance of his or her support: the identification and claiming of immediate presence and involvement of a divine figure already blessed with authority.

The Injunctive Mode

The second mode of divine speech is clearly different from the first. Its utterances are isolated, explosive, broken-up, laborious, gasping, and full of meaningless syllables. It gave me the impression of being forced out of the speaker, often painfully. This mode uses exclamations demanding attention (*dekh!* or *dekh dhaĩ!* ["look!"] and *khabardār* ["beware!"]) and "filler" syllables without evidence of referential content (*pai*, *kaĩ*). One of my collaborators called this way of speaking *ṭuṭi-phuṭi bhāsā*, broken-up, messy speech. In interlocution, it involves interruptions and a fair degree of disconnection from the bard's suggestions. In content, it is only partly formulaic; it is relatively unpredictable and appropriate to the immediate situation outside the ritual itself, that is, to the circumstances in the world for which the *jāgar* is being held.

This is the mode in which the god actually gives information about his or her specific state and desires. It is the mode in which new information is given, questions are answered or avoided, and in which the god makes requests and gives orders. Using a term that has been applied to the directive, as opposed to the narrative, parts of Vedic language (Malamoud 1981), I am calling this the injunctive mode.[12]

Here are some examples from the god Gaṅganāth in my recording from 1982. The god has identified himself clearly, using the evocative mode, but switches into the injunctive to complain about having been neglected:

D: *hay rāma, rāma, guru. jatukaĩ guṛ khīt, itukaĩ mīṭh hũcha, myara guru. maĩ kaĩ kaĩ lākha... vīkaĩ boka ni mānan, guru. pai guru pai dekh dhaĩ. kaĩ kaĩ, nai? pai pai pai*
Householder: *isvara, nar banar sab pakh pakhāṇ bhai yo. ham lai unũ mẽ bhai ek.*
D: *pai pai phir lai, nai? phūle ki bāṛī.*

D: He Rama, Rama, guru. As much sugar as you put in, that's how sweet it will be, my guru. I won't accept a stud goat or anything like that. I won't accept a he-goat from him. Oh guru, look here, anywhere, no? *pai pai pai*.
Householder: Lord, men are monkeys, all are beasts and rocks. We also are one among them.
D: *pai pai*. Still, no? Garden of flowers.

Here is a longer passage from earlier in the same speech:

D: *kaĩ guru pai kaĩ dekh dhaĩ. kaĩ kaĩ kaĩ .*
Householder: *isvara, mati din caĩ. . .*
D: *kaĩ kaĩ dekh dhaĩ*
J: *disak saubhāg lauṭ auṇ caĩ, isvara.*
D: *sivô. suṇā suṇā, saũkāra bābū. pai kilai daṛai lagaĩ cha? hay rāma rāma, myara guru.*
J: *tuī chai.*

[12] "Injunctive" is also used for an Indo-European verbal mood found in the Vedas and in archaic Greek, appearing as a secondary verb form but without the adjunct. It is usually thought to have an imperative or optative force, hence its name (Kiparsky 2005).

D: *hay rāma, maĩī chữ, myara guru, chai mhaiṇeki jàga ni huṇi. barasai ki jàga ni huṇi. myara saữkār bābū, barsa biti jānữ, hay rāma rāma. tīn baras ko maĩ, hay rāma rāma. jàg jã̃ lhi chiyo, myara guru. hay rāma rāma, maĩ kã̃ ko nhaitữ! kati ko nhaitữ!*
S: *isvara, apaṇ chai tū. kã̃k kilai nhaitaĩ?*

D: *kaĩ* guru *pai kaĩ*, look! *kaĩ kaĩ kaĩ*.
Householder: Lord, think about it . . .
D: *kaĩ kaĩ* look!
J: The blessings of the four directions should come back again, Lord.
D: *Sivoooo*. Listen listen, father of the household, *pai* why are you afraid? Hay Rām Rām, my guru.
J: You are indeed.
D: Hay Rāma, I am indeed, my guru. The *jāgar* of six months did not happen. The *jāgar* of a year did not happen. My father of the household, years keep on passing, hay Rāma Rāma. Oh Rāma Rāma, where only a *jāgar* of three years has been done, my guru, oh Rāma Rāma, I'm nowhere! I'm not anywhere!
J: Lord, you are our own. How are you not anywhere?

Different *jāgars* have different balances of evocative versus injunctive speech. This probably depends on the urgency of the situation provoking the ceremony. Holding rituals simply *khusik liji,* "for happiness," is not uncommon; even outside of periods of crisis it is important to maintain relationships with the gods, remembering rather than forgetting them. The regular reference to truth (*sat rai jo*, "let there be truth") and the common definition of the gods as embodying truth (*devtā hī satya hai*, "The divinity is truth," a fixed Hindi phrase) may in fact refer to this fidelity in remembering. This would seem to be the case, for instance, among the Khām Magars of west-central Nepal, who end their shamanic chants with an invocation of truth as consistency in remembering pledges made (Anne de Sales, personal communication). This, of course, reminds us of the archaic Greek notion of truth as *alētheia* ("non-forgetting") (Detienne 1996 [1967]).

Allow me to add one more example. In January 1982 I received a visit from a friend of a friend who was curious about what this foreigner was doing in the village next door to hers, and I asked her about *jāgars*. My guest, whom I later learned was quite a well-known strong character about those parts, launched into a superb and hilarious imitation, first of the bard singing the ritual, then of the possessed medium. I was able to record her imitation (when it was over I was assured that the whole thing was just a *majāk*, "a joke"); it was limited to what I have called the evocative mode. She began:

dāso, alakh rai jo, ādes rai jo, myara rāī dāso, myara biṇī dāso
meraaa māī bābū, yo sata rai jo, goṭhak aiṛī, pànak māyyaṛī
o ādes rai jo, laṅgaṛ māmū, yo ữca maṇḍap, yo gaila pātoī

Dās, let there be orders, let there be commands, my Rāi Dās, my Biṇi Das.
My mother, father, let there be truth, Aiṛi in the cowshed, mother in the house.
O let there be orders, limping Mother's Brother, this high pavilion, this deep underworld.

These phrases could be used by virtually any possessing god. The god asks the bard (guru, *dās*), for orders; he or she can invoke Aiṛi, a god of cattle, or the limping divinity Saim, the mother's brother of all beings and special patron of the *jāgar*. This kind of unexceptionable, and not particularly identifiable, language had gone on for a while when one of the attendant neighbor boys—in South Asia there are always attendant neighbor boys—got bored and starting acting the part of an out-of-control possessed person, using something very close to the injunctive mode: *haṭh! haṭh! haṭh! jai guru! jai guru! jai guru!*

It turned out that my guest was a well-known medium herself, but there was never any sense of confusion between an actual possession and this kind of playful imitation. And in imitating the language of the possessed, she did not go so far as to make the link to a particular god, and so could put on a "floating" performance that made no connection to a particular authoritative voice.

Discussion

The evocative mode is primarily expressive, but also conative in that it wishes for the good of the interlocutors, and phatic in that it insists on the reality of the god's loving presence among them. The injunctive mode is primarily conative, but has important expressive elements, this time apparently emotive: the voice seems to be a suffering voice, or a voice struggling to make itself heard. This is the god expressing desires, which the community is in a position to fulfill. Both modes are highly marked poetically.

In both the utterances of bard and possessing god a number of linguistic functions are mobilized and interwoven. The bard is using his skills to transform the cosmos and the social world. Part of this transformation is one of the very subjectivity of the medium, who becomes the conduit for another's voice. This shifting of identity, this magic, is worked in front of the assembled people. The god's utterances have effects because they are coming from a prime speaker who has an authority that the proximate speaker does not: it is perlocutionary, affecting the other, because it is cislocutionary, on this side of the act of communication, asserting, as a presupposition, a transformation of the speaker's identity that has already taken place before a word is uttered.

Yet this authoritative figure's conative effectiveness still requires an actualization ("foregrounding") of both the poetic and the phatic function. In cases like this, which are not rare in the world, authority clearly does not come solely from being "delegated" (Bourdieu 1991:107), even while such delegation remains a necessary element. In the lamination of functions, declaring one's authority and having it recognized is not enough. Effectiveness here rides on layers of persuasion and layers of poetic beauty.

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The Untouchable Bard as Author of his Royal Patron: A Social Approach to Oral Epic Poetry in Western Nepal

Marie Lecomte-Tilouine

The relationship between a bard and his patron in western Nepal links individuals situated at opposite extremes of the social hierarchy within the caste organization. At first sight their relationship is totally foreign to those in modern Western societies as described by Pierre Bourdieu. For Bourdieu, authoritative speech emanates from persons in a higher social position, which is bestowed to them by the tacit mandate of a group for which they serve as the mouthpiece.[1] To summarize, verbal communication directly reflects and reproduces the sociopolitical order. In the Himalayan bard/patron relationship, on the other hand, we are confronted with a paradoxical situation wherein the superior delegates the authority to speak in public to an inferior. This reverse transmission of the authority to speak, as puzzling as it may appear, was not uncommon in Medieval Europe, for instance, between the king and his jester. Openly contrary to the established order, the relationships involved in these cases are necessarily ritualized and highly regulated. They therefore call for a contextual approach in order to examine them and the rules that condition them, and make them acceptable. Yet studies dealing with comparable, yet defunct practices often lack the information necessary to undertake a detailed contextual approach and easily reconcile their paradoxical or contradictory elements, such as the two opposite depictions of the ancient Greek bard, as a prestigious poet on the one hand, and as a poor wanderer on the other.

The perpetuation of a fully oral bardic tradition, as well as its specific social setting in western Nepal, thus presents a rare opportunity to examine in all its complexity one such "reverse" relationship of authority within its context of enunciation *and* its wider social context. Such a configuration makes possible an ethnography of the conditions framing ritualized speech,[2] which obeys a greater variety of rules than the ordinary communication Bourdieu describes. In particular, it sheds light on the ambiguity of the role and position of oral poetry with regard to the sociopolitical order, an ambiguity that is widely attested in through time periods and across geopolitical boundaries, starting with Plato rejecting Homer from the ideal city.

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[1] See, in particular, "Le langage autorisé" (Bourdieu 1975).

[2] Though the gods are invited by the bard to attend the epic performance, the latter is not a religious ritual, and it is even said that it should not be performed in the vicinity of a temple, hence my use of "ritualized speech" instead of "ritual speech."

In these pages, I will first present a sociological portrayal of the bard in his relation to his patron, and then discuss elements relative to the form of his art, before examining a new oral composition—an embryonic epic of the People's War waged in Nepal between 1996 and 2006—as a final discussion about the nature of the bardic contract.

The *Huḍke* Bard and the Damai Caste

In western Nepal, bards belong to the untouchable caste of tailor-musicians called Damai or Dholi. No formal categories other than castes distinguish the category of people considered untouchable (*achut*) in western Nepal.[3] The various untouchable castes, however, seem internally hierarchized according to the nature of their compensation for their work. Thus, the castes of artisans who are linked by contract to upper-caste patrons and receive a fixed amount of grain from them in exchange for work may be called "contractual" untouchable castes. Due to their tailoring activities, the Damai caste is ranked within this category. Yet the Damais are also part-time musicians, and in this respect, they are akin to a second category of untouchable castes, mainly of musicians, such as the Gaines and Badis, who are not contractual and are ranked below them at the very bottom of the social hierarchy. Contrary to the contractual upper-untouchable castes, who live off the share of the crops that they receive from their "pure"-caste patrons as a salary for work, musician castes, which are small and scattered, have no regular source of income and are popularly said to "beg" when asking for money in exchange for their musical performances.[4]

The Damais, being both tailors *and* musicians, can be said to have a dual belonging, and this may explain why they hold the lowest rank among untouchable contractual castes and the highest rank among the untouchable "begging" castes. Contrary to the "begging" castes, playing music during their patrons' rituals is part of the Damais' contract, but it is noteworthy that when they act as musicians, the Damais are said to behave as beggars by "begging" (*māgna*) for cash or extra cash. A bardic performance, like any musical performance, is indeed "priceless" in the sense that it has no fixed price.

The Damai caste as a whole therefore holds an intermediate position within the two groups of untouchables, "contractual" and "begging." And, among the Damais, this is even more true of the bards, who are often full-time musicians not engaged in tailoring activities, and thus more akin to "mendicants" than any other member of their group. Yet strangely enough, their strongest link to "begging" activities does not cause a drop in their status, but rather elevates

[3] These groups are now collectively called Dalit, and are engaged in a movement to gain freedom and dignity. The Dalit movement, however, is still embryonic in western Nepal, compared to other regions. Within this movement, one observes a will to erase a long history of domination by no longer mentioning any of its components, in particular names of address and reference. Yet, some believe, on the contrary, that domination must be documented to reveal its mechanisms and get the means to get rid of it. As I will show in these pages, understanding the bard/patron relationship without taking into account the ideology behind the relationship between the so-called upper and lower castes is simply impossible. Hence my use of derogatory terms used in this context, however painful they may be felt by those who were, and still are, stigmatized by them.

[4] In this region of Nepal, even today, all untouchable groups, contractual or not, are landless or possess only very small plots.

them.[5] As I will try to show, this can be understood in sociological terms. Indeed, unlike "begging" musician castes such as the Badis and Gaines, who are itinerant or semi-itinerant independent performers, the bards never break the link they maintain with their patrons but rather reinforce it by their artistic activities. This holds true even when they are not performing for them or in their vicinity, but far from their place of residence.

The bards' patrons, for their part, belong by rule to the other half of society: the so-called "pure castes" (*choko jāt*), who accept water only from each other, and include the priestly caste of Brahmins and the warlike castes within the Kshatriyas. The bards' privileged patrons are members of the small Thakuri caste, who are considered as Kshatriyas of a superior, royal status. The Thakuris are internally divided into two main groups of clans related to the sun (Surya *vaṃśa*) and the moon (Candra *vaṃśa*), as well as into patrilines (Shah, Shahi, Malla, Cand, and so on).

Performing for these distinguished people, the bards themselves are distinguished within their own caste for being first and foremost musicians, and secondarily only tailors, unlike the other members of their caste. They are also remarkable for playing the *huḍko*, the hourglass drum, an instrument which is so specific to them that they are named after it, *huḍke*, as is the whole bardic séance, called *huḍkeli*.

Fig. 1. A bard from Bajhang district holding his *huḍko* hourglass drum; photo by the author.

The *huḍko* drum itself is treated differently from other musical instruments, and from other membranophones. Apprenticeship for the *huḍko* drum starts late, around the age of ten or twelve, and begins without the instrument itself; the apprentice either beats the air, one's fist (see Video 1), or uses a pot. As far as I know, it is the only musical instrument that is first practiced in this manner. Because it is fragile, the *huḍko* drum is kept away from children, who are

[5] This is true of the bards of Dailekh and Achham districts on which my study focuses. Fieldwork in Bajhang and Baitadi districts (October-November 2014, with Franck Bernède), which are west of the two districts studied here, has revealed a major difference regarding the bards' status. Indeed, the *huḍke* of Baitadi district in far western Nepal have a very low status, because, it is said, they make their wives dance, which is assimilated to prostitution. It is believed that they were forced to do so by the local kings (of Askot). As a consequence, the Damais do not consider them as members of their caste and do not intermarry with them. They perform in pairs, without any chorister, and the bard's wife does not play any instrument but dances and sings. In the Bajhang district, located to the East of Baitadi, two distinct groups of bards are found: the *huḍke*, akin to the Baitadi groups and ranked at the lowest, and the bards, who correspond to those I am dealing with in these pages, and who make a point of not being called *huḍke* for fear of being assimilated with the lower status bards; they instead call themselves *bhārate (*from the term *bhārat,* or "epic." The low status of the Baitadi bards correlates with their weaker link to patrons, as evidenced by their wide but superficial genealogical knowledge (see note 13). For a clearer picture of the bard's geographical distribution in western Nepal, see the map at the end of this article.

Video 1. Late Damai, who was considered as the greatest bard and magician of Achham district, teaching his art to his grandson. Séance filmed in October 2007; video by the author. http://journal.oraltradition.org/issues/30ii/lecomte-tilouine#myGallery-picture(2)

seen playing other musical instruments, especially drums, as soon as they are old enough to stand up on their own.

In addition, the *huḍko* drum differs from other instruments in that it allegedly produces "speech," *bol*, not "sound," *āvāj*. Its speaking faculty is emphasized by the widespread use of the active verb form *bolna,* with the *huḍko* as the subject. *Huḍko bolcha*, "The hourglass drum speaks," people say, as if it were an independent agent. As a matter of fact, in a well-known folk tale from western Nepal, a *huḍko* speaks on its own and when doing so, it reveals the truth, *satya*. The *huḍko*'s truth-statements, *satya kurā*, have an immediate effect on reality, which they transform, just as truth statements pronounced by humans do. The performative faculty of the *satya kurā* statements is encapsulated in the semantics of the term *satya,* which means both "truth" and "reality;"[6] while the term *kurā* refers both to a "thing" or "phenomenon," and to "language, speech, discourse," so that, depending on the context, *satya kurā* can either designate a true statement or a real thing, or the process by which the first creates the second.

Like his drum, but unlike all the other members of his caste who are mere instrumentalists, the bard also "speaks" while he performs. Although he uses a variety of registers and modes of expression, including derision, license, and the grotesque, his speech is said to be endowed with *satya*, "truth/reality," and to have the ability to subjugate the audience. It is qualified as being *itihās*, which refers to history or literally "what happened" (from Sanskrit *iti ha āsa*, "so indeed it happened"). Depicted both as *satya* and *itihās*, the bard's speech may thus be considered "historical truth." As both the audience and bard know that truth statements have the ability to become reality, the "subjugation" or "enchantment" (*mohanī*) evoked by the audience when they listen to the bard's utterance of "historical truth" is closely akin to a transporting journey into the "past."

The bard stands out among the members of his caste in many other ways: he is the only one to dance (or he leads the dance), he always wears a ceremonial dress, which is optional for his choristers, and he fulfills the role of director, whereas no one holds such a role in a Damai band. Bards are all the more remarkable in that, while members of the Damai caste are found in every village, their number is very small. Interestingly enough, their spatial repartition is far

[6] The definition of *satya*, in the *Nepālī bṛhat śabdakoś* (Parajuli 1983:1293) reads: *jasto hunuparcha tyastai vā sandeha nabhaeko; sa̐cho; vāstavik; yathārtha* ("Such as it has to be or not doubtful; true; real; exact.")

Fig. 2. The bards of Sera, Achham district, and their choristers; photo by the author.

from being random, and they usually dwell at ancient sites of royalty.[7] This is so much the case that in searching for bards, one may discover unknown ancient sites of royalty, as happened to me in Sera, a hamlet in Achham, which was considered by the bards who live there as the very first dwelling of the kings of Achham. This correlation is one of the bards' many strong ancient links with the caste of warriors (Kshatriyas), and even more so, among the latter, with the ancient royal families or Thakuris.[8]

The Bard and his Royal Patron

The nature of the intricate relationship between these two socially-opposed groups struck me at once when I first went to western Nepal in 2000 to inquire about the history of the kingdom of Dullu. At the time the People's War was in its sixth year, and I was told to keep away from bards who, I had heard, were affiliated with the Maoists and would ask foreigners for enormous fees. Yet when I started talking to a member of the royal family about his family history, he advised me to go and ask "their Damai" who was more knowledgeable about the subject than himself. I was surprised by his answer, since my previous fieldwork in central Nepal

[7] In some localities bards have an official role in the rituals of royalty. Thus, in Dullu, dailekh district, a bard has to sing during the ritual celebrations of war (that is, the Dasain festival) in front of the Royal Palace. Dullu remained an independent kingdom within the kingdom of Nepal until 1962 and the palace was still inhabited by the local king's sister in 2000.

[8] For the sake of regional comparison, see the ethnographic atlas of the castes of musicians in Rajasthan (Neuman et al. 2006).

had not accustomed me to hearing a man of higher status recommend a man of lower caste for his knowledge, and even more so when it concerned his own family history, yet I went to find the specialist in question. This Damai happened to be a bard, *huḍke*. In spite of his poor health, when I told him that I had come because I had been told that he knew a lot about history (*itihās*), he started singing two genealogies and three epics as a reply.

I then realized that any study of the local Kshatriyas would necessitate a study of their bards. My next experience proved that the reverse is true: to have a bardic séance performed without a Kshatriya patron upsets the latter. Word of my visit to the old Damai bard spread, and the next day, a dashing young bard from a nearby village came to offer a séance, saying that unlike his sick old uncle, he could not only sing but also dance. I accepted and he chose to perform on the auspicious day of Cait ashtami, the Spring Festival of Dasain. The séance included four epics that all described scenes of violence between members of royal families. The first epic traced the deeds of the child-king Kasiram avenging his ancestors and bringing back their heads, which had been severed and kept as trophies by the mighty monarch Hinupati. Kasiram was killed on his way back while carrying one ancestral head in each hand. The second epic was about King Rani Rawat, whose seven queens cheated on him with the same man. Both King Rani Rawat and his wives' lover both were killed by the other King. King Rani Rawat's son, born after his father's death, later avenged him with the help of a bard. The third was the story of twin boys, Sija and Bhija, who were taken away and impaled by their maternal uncle before they had even seen their father's face. Finally, the last story was about two sisters who were killed on their way from their marital homes to their native home, which they dreamed of reaching.

As these short synopses show, the local epics, which deal with kinship and war, are very cruel and transgressive, with respect to familial and marital norms.[9] Yet, respect for the context of their performance is crucial, as I realized when my high-caste neighbor interrupted "my" séance, in my host's courtyard, to have it performed in his own house instead, where he treated me as a guest (see Video 3, in which he intervenes). Indeed, the bardic performance reflects the dual organization of society based on the subjection of one group to the other, and the contract that links them together. It is conceived as a gift from a prestigious man for an audience of guests. As confirmation of this order, Kshatriyas refer quite crudely to their bards as *angse* or *bhāge*, each of which can mean "inherited" or "received as a share," as if they were part of their ancestral property. Bards show submissiveness towards them, especially outside the bardic séance. However, if one asks a Kshatriya why he invites a bard to perform, he says that it is for his "praise," *baḍhāi*, a term that literally means "increasing" and that recalls the Latin etymology of "author" as the one who "increases."[10] Conversely, when a bard is asked what his art is all about, he replies that it is to further his patron's name, or literally that he "makes his name," *nāu banāuna*. The bard is therefore the "author" of his patron; he is conceived of as an expert in

[9] On the epic tradition in western Nepal, see Bordes (2005 and 2009), Lecomte-Tilouine (2007 and 2009b), and Nepal Yatri, (1978 and 1984). Similar traditions are found to the West of this region in the Indian state of Uttarakhand, see Gaborieau (1974a and 1974b), Leavitt (1997), and Oakley and Gairola (1977 [1935]). For a general overview of oral epics in India, see Blackburn et al. (1989).

[10] On *auctor* and *auctoritas,* see Benveniste (1969 II:748-51), who considered the link between "author" and "increasing" to be strange. In the case under study here, it relates to the eulogy.

winning fame for his patron's benefit and at his patron's request. Both the bard and the patron's views converge on this point, which lies at the heart of the contract linking them together.

Such a contract raises the questions about how prestige can be increased from below, and, given the bard's miserable condition, about which rules allow him to play this role in relation to the most respectable persons while remaining himself at the bottom of the social scale. An examination of the form of the séance, of the bardic recitation, and of the oral texts will help to answer these questions.

The Bardic Séance

Reciting the Patron's Genealogy

As a prelude to the epic (*bhārat*) recitation, the bard recites his patron's genealogy alone and *a cappella* when he performs for his "royal" patrons. The genealogy may be recited in two forms: either the long *vaṃśāvalī* or the short *āśikā*. This part of the séance acts as a signature sealing the bard's and his patron's reciprocal, ancestral link, and is omitted when the bard performs for someone other than his master.[11] Embryonic genealogies of royal heroes are also found in the epics themselves.[12] The bard's genealogical knowledge places him as the guardian of the royal family's pedigree.

But, apart from the genealogy, and in spite of the strong focus on the character of the bard in local discourse, the bard cannot perform alone. He must be accompanied by two or three choristers, with whom he maintains a complex interplay of music, narrative, and body movements.

The Bardic Team

The bard and his choristers sometimes sing together. Sometimes the choristers repeat, like an echo, the second part of the verse sung by the bard. But at other times, the bard sings the first half of the verse and the choristers complete it by singing the second half. The choristers therefore not only have to know the text by heart, but also need to react appropriately to any modification the bard may introduce by skipping certain passages or by adding contextual flattery and so on. Bards also seek to multiply choreographic effect by dancing in a group of two

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[11] This includes other patrilines, including Brahmins, to whom he may also be attached by contract, but whose relationship is considered secondary. On the genealogical knowledge of the bards in Dailekh district, see Lecomte-Tilouine (2007 and 2009b).

[12] Imbedded genealogies are frequent in the oral epics of far western Nepal, where the bards co-exist with a distinct caste of genealogists (Winkler 1979)**.** For an example of a genealogy inserted in an epic, see the beginning of Maula Rani, recorded by Marc Gaborieau and Mireille Helffer and translated by myself in: http://epopee.huma-num.fr/corpus_epic.php. By contrast, in the Dailekh and Achham area, on which these pages deal, only micro-genealogies or genealogical landmarks are found in epics. The bardic institution in Bajhang district shares most of the features found in Dailekh and Achham, whereas in Baitadi district, the bard's status is low (see note 6) and his link with one family of patrons is weak. As a result, bards know a large number of short genealogies (up to 32 in one of the cases recorded).

or three. When accompanied by other dancers, synchronization and synchronized mirroring bring additional *effet d'ensemble* or "team effects" on the audience (see Video 2). The performance transforms the bard and his assistants into a single person with multiple faculties, while the patron is also made multiple in the assembly of prestigious guests and family members who surround him. This qualifies the bardic contract, which is more far-reaching than ordinary work contracts in that it tacitly includes the patron's assembly of peers and the bard's team of fellows.[13]

Video 2. The bards of Sera, Achham district, performing the opening dance of the bardic séance, on stage, Kathmandu valley; video by the author 2009. http://journal.oraltradition.org/issues/30ii/lecomte-tilouine#myGallery-picture(4)

Inviting the Gods to Come and Sit

Following the genealogy, the bard opens the séance with a song addressed to the local gods, who are called by their names and invited to "come and sit." The bard invites the most prestigious guests to the royal performance, rather than inducing their godly presence in human bodies, as is the case in neighboring Kumaon, and rather than treating men like gods, as was the case in Ancient Greece.[14] Indeed, no further reference to the presence of the gods is made afterwards, and all the images the bard uses to flatter his patron and the audience borrow exclusively from royal imagery, without alluding to godliness.

The initial address to the gods and all subsequent sung parts of the epics are versified and formulated in a language that the villagers declare to be distinctly archaic. By contrast, the recitatives are in ordinary language (that is, in modern prose). Archaic language is not used to the same degree by the bards, but it is always difficult for the audience to understand, and some parts may even be obscure to the bards themselves: in this regard, this language tends to be self-referential and to embody the past.

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[13] It seems that the number of bards dancing together may have been greater in the past: the epic of Rani Rawat, for instance, mentions a séance gathering 22 bards at a royal court.

[14] Indeed, Phemios, Odysseus' bard, tells him: "I am such a one as can sing before you as to a god" (*Od.* 22.349, trans. by Lattimore).

Telling to Teach, Singing to Move

The epic (*bhārat*) starts with a long recitative, which is declaimed by the bard alone and punctuated by beats of the *huḍko* drum, played by the bard and his choristers. During the recitation, the bard sometimes uses his drum "to embellish his voice," as he says, by placing it horizontally, close to his mouth like a microphone. But rather than amplifying the sound, it makes it reverberate. While he recites, the bard strolls about and makes large gestures with his hand, pointing his forefinger, as if he were teaching.

The recitative sums up the preceding, archaic, and versified sung part in an easily understood way, and pursues the narrative further, until another song takes over, which corresponds to actions, such as displacement or battle, or to strong emotions, such as weeping or rejoicing, (see Video 3). Epic thus makes use of a tiling effect, which is not only intra-narrative —tiling is frequent in other types of Nepali narratives, such as folktales or even novels—but also characterizes its global alternate structure in songs and recitatives.[15]

The songs are sung in turn or in chorus by the bard and his choristers. They are melodious and rhythmic, and the bard's choreography follows the acceleration of the tempo, which provokes "joy" or "enthusiasm" (*joś*). As a rule, the rhythm becomes ternary, and the bard starts spinning round and round, always inclining his head in the opposite direction of the movement of his skirt, and he speeds to reach the climax that represents the moment his skirt attains the horizontal. He may also "break his waist" (*khambār mārne*) and dance in a squatting position while holding up his drum in order to "delight" the audience. Epics are

Video 3. Gome Damai, performing the epic of Kashiram, Dullu, Dailekh district; video by the author, 2000. http://journal.oraltradition.org/issues/30ii/lecomte-tilouine#myGallery-picture(5)

Fig. 3. The bard's skirt reaching the horizontal; photo by the author.

[15] On intra-narrative tiling in epics of Doti district, see Bordes (2005 and 2009). On a similar epic tradition in Bangan, western Garhwal, where low-caste bards "alternate between sung verses and prose passages (. . .) to entertain their Rajput 'Masters' and to arouse their sense of pride," see Zoller (1997:484).

thus constituted of two contrasted components, songs and recitatives, opposed by both their form and purpose yet tiled together. The sung parts, *cutkilā* or *churmalā*, (terms that also mean "refrain") enact the story: the bard then mimics action, uses the language supposedly spoken at the time of the action, and addresses the whole audience rather than one member in particular. All this contributes to transporting the whole assembly back to heroic times. The bard's dress, presented as the men's ancient costume, reinforces this effect.

The recitatives that come after the songs are called *pharmāis*, a term of Persian origin, meaning "order," as well as "announcement" in central and eastern Nepali usage. As for the bards, they use it in the sense of "instruction" or "explanation," saying that the songs are intended to "make [people] understand," *bujhāuna*. During these phases, the bard specifically addresses his patron within the assembly, narrating the story as he points his forefinger at him. This is a gesture of authoritarian instruction, apparently so strong that some bards claim that they have learned epics in this way, from the forefinger of their father or grandfather. The magisterial dimension of the *pharmāis* is reinforced by the fact that the bard then often uses his drum to punctuate his oral text as if it were a written one, by playing two beats at the end of a sentence, in the same manner as two bars mark a full stop, and by playing a series of beats between two episodes in the same way that a chapter ends with a whole line of bars.

If songs usually correspond to a climax in terms of the action or of emotion, they sometimes also totally break up the narrative and refer to whatever pleases the bard, such as the economic development of Nepal, or personal praise addressed to his patron or people in the audience, with the aim of collecting extra money. These interludes are highly appreciated and may last a long time. While flattering the audience, the bard describes himself as miserable, starving, and thirsty: he thus caricatures the social order, and pleases the assembly of "kings" and "beauties," as he calls them, who then show their generosity.

To Beg

Several epics may be sung during the course of a single séance, and there is not necessarily any interruption between two of them. The end of the séance, by contrast, is clearly announced by a benediction of the bard, and then by the bard introducing himself. He mentions his name and precise place of residence, as if the author of the text, and then starts a special dance, holding up his skirt in order to receive in it the gift of money from his patron. It is an occasion for the latter to appear grand by paying a very high price for his praise, since he somehow sets a price on his own prestige. The price paid is displayed in a final magnificent dance where the bard exposes the bank notes fixed to his turban, or the golden jewels (such as earrings) he has received.

Raising Emotion, Disrupting the Audience

Enthusiasm and Tenderness

When speaking of their art, *kalā*, bards differentiate between the sung and the declaimed parts of the epics. They explain that in the sung parts the drum and the songs provoke emotion among the audience, while the declaimed narratives "make [people] understand." The register of emotion is by far the most important of the two, with bards being evaluated by their ability to rouse them, that is, "to make [people] laugh and cry." Bards identify and oppose two main feelings that their art generates: *joś* ("enthusiasm"/"excitement" and *dayā* ("tenderness"/"compassion"). They associate the first emotion with combat, action, and speed, which are said to provoke joy, excitement, and pleasure. On the other hand, tenderness is described as an emotion akin to sadness, and in epics, it is provoked by the ill-treatment of innocent, weak persons, especially child-princes and old royal mothers, who express their helplessness in laments. Its tempo is slow.

The epics themselves are said to fall into one of these two categories and are qualified either as *jośilo bhārat*, an enthusiastic epic or an epic that could make the audience laugh, or as *dayālu* (or *runuvā*) *bhārat*, a poignant or tearful epic, which could make them cry. Yet this classification of a whole epic is far from corresponding to its performance, which permanently shifts between contrasting emotions: it corresponds rather to its dominant tonality.

Disrupting Formulas

The shifting effect in epics is not only due to unrelated interludes, but more so to the use of formulas, which punctuate and ornament the narrative, and add either a heroic or a comic counterpoint, almost randomly. Formulas such as, "Will the valiant warrior's son survive or die?" or "The valiant warrior's son told me: bite your mother," permanently blurs the narrative and mixes emotions. The formulas themselves are frequently divided into two parts, which are separated by the continuation of the narrative, and these two parts would further blur the meaning and intelligibility of both the formulas and the narrative. These additions and the different colors they contribute to the narrative thus maintain a form of distance from the text. It not only requires the audience's full attention, and contributes to their capturing, but it also poses the comic as the systematic counterpart of heroism in the bardic séance. This mixture is not only present in the text itself but also appears in the sudden improvisation of a Damai from the audience, who may start to dance alongside the bard in a ridiculous manner while the latter lauds the glory of the heroes provoking loud laughter. This tends to transform the staging of the social order into a mockery of its fundamental values. But rather than being a dangerous critical depiction, it seems rather to indicate the secure distance between the two main protagonists, the

bard and his patron, which nullifies any possible competition between them and allows an extraordinary freedom of expression.[16]

To sum up, the *huḍkeli* séance is particularly disruptive. It blurs the individual agency by bringing together a group of persons, the bard and his choristers, and their "speaking" hour-glass drums, to retell a single narrative in different voices, with several effects, such as chorus, echo, or stereo. It also shifts back and forth from the past to the present, from verses to prose, from song to recitative, from orality to literacy (with narratives declaimed as if they were written texts), from feeling to understanding, from enthusiasm to tenderness, from heroism to comic. In addition, the performance multiplies the effects of surprise: archaic songs may be followed by modern or ultra-modern songs improvised by the bard, recurrent comic interventions by Damais from the audience disrupt the performance, and formulas unrelated to the plot and punctuate the declaimed narrative, often breaking radically and unpredictably from its tone.

Fig. 4. The bard's royal posture. Patal, Achham district; photo by the author, 2007.

In this regard, the formulaic expressions in the epic tradition of western Nepal differ radically from the role it played in Homeric epic poetry, in which formulas are fixed epithets of the gods and heroes.[17] While they bring regularity and predictability in the latter case, they break this predictability and maintain irregularity and unpredictability in the western Nepal's epics. Their effect is maximized when the formulas introduce a register opposite to the narrative, such as the crudest vulgarity in the middle of a most noble or tragic episode, or a royal address in the middle of a comic passage. In this manner, the formulas often form create oxymorons within the narratives;

[16] On the other hand, the bards of western Nepal do not address mockery directly to their patrons, as was the case in early nineteenth-century's Rajasthan, according to Tod (1829:xii), who wrote about this practice: "The vis, or poison of the bard, is more dreaded by the Rajpoot than the steel of the foe." Contrary to these dreaded bards, who, beside their "sale of fame," in their own terms, also wrote historical annals, the bards of western Nepal maintain a respectful joking relation with their masters, somewhat comparable to Molière's attitude towards Louis XIV.

[17] See Milman Parry's thesis (1928) or his posthumous collected works (1971).

Michel de Certeau (1982:199) has analyzed such figures, showing how the juxtaposition of the unjuxtaposable creates a third unknown dimension, "a hole in the language," which is transporting. In the case of western Nepal epics, the oxymoronic formulas play an important part in the subjugation that the performance exerts on the audience, perhaps because they create such a ravishing "hole" in the language, but also for two more immediate reasons. First, they capture the audience's attention and force them to concentrate on the text, lest it becomes unintelligible, and second, by rupturing registers, they procure the pleasure of surprise, provoking enthusiasm and laughter.

Consistent with the effect of surprise brought about by the use of unrelated songs and formulas, the thread of the epic narrative plays with twists and turns in the plot, and portrays the Kshatriya heroes as most erratic. This unpredictability helps entrance the audience and create a space and time apart from ordinary life, bringing together gods, heroes, and men, pure and impure, past and present, as well as an array of values and conducts, and also to disrupting them all. Yet, this swirling art is said to be immutable and passed down unaltered from generation to generation. As a token of the stability of this ancient tradition, the bard maintains a very straight royal posture, with his head held high and an expression of disdain on his face, clearly enacting the nobility of the Kshatriya heroes that he brings to life, in all circumstances.

Epic Composition

The Bards' Secret Alphabet

Contrary to most other regions of the world, the epic repertoire in western Nepal is still entirely oral, and until recently was not the object of any revival within a political or nationalist project. This may be explained by the fact that this is a remote and poor region, where the adult literacy rate in 2001 was only 25 per cent, and the Human Development Index 0.350. However, this is yet another paradox: though renowned as specialists of oral poetry, many bards in western Nepal are literate, which is particularly remarkable among their group as they are the only untouchables with an ancient written tradition. But their literacy is very specific and contributes to their isolation. Indeed, bards learn and use "their own" alphabet, a cryptic alphabet known as *kalāute akṣar*, the "artists' signs," which are said to be incomprehensible to those who can read Nepali, and vice versa.[18] They never use this writing for ordinary purposes or for memorizing epics, but only to record genealogies and what they call "books of magic." Though not all of the seven bards with whom I have worked in Achham and Dailekh districts knew the alphabet, those who were in possession of it affirmed that learning it is the prerequisite to becoming a bard. According to them, the training starts formally at the age of eleven or twelve. The future bard first learns the artists' alphabet with a "guru," often his grandfather. Afterwards, he must read "twelve books" written with it, and then record his royal patron's genealogy using this alphabet;

[18] There is not enough room here to devote a section to this alphabet, which is similar to the Devanagari script used in Nepali, except that some letters differ slightly, while others are radically different. This feature brings the *huḍke* of western Nepal close to the castes of genealogists in central India who use such an alphabet. See Chambard (1963) for a detailed study.

however, he will never read it in public nor show any of his writings, which are kept secret.[19] Epics, dance, and music, on the other hand, are handed down orally and by imitation (see Video 1).

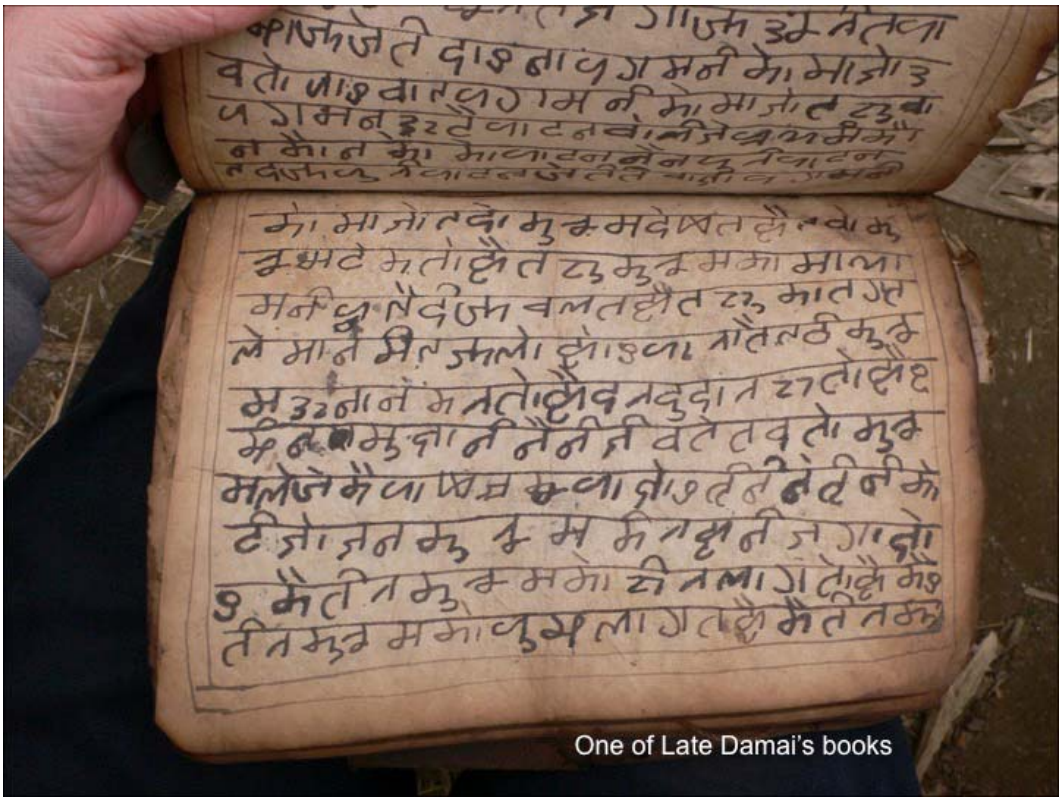

Fig. 5. Sample of a text written in the bards' cryptic alphabet; photo by the author.

To Preside over the Warriors' Clashes and Alliances

Bards say that their art was born from war, that they used to accompany their masters on the battlefield, singing their forthcoming victory on their way, and composing poems celebrating the battle afterwards. Bards are also presented as such in the epics they sing, in which they even teach their masters the tricks that allow them to defeat their enemy. The most common theme in this epic literature is that of a Kshatriya child, whose father and forefathers were killed by another Kshatriya who has kept their heads as trophies. This practice prevents funerals from taking place in a proper manner and the deceased from becoming ancestors. The child's quest consists in restoring his own patriline by killing the enemy, bringing back his ancestors' heads, and performing the required funeral rituals. But deprived of a father, the Kshatriya child receives no respect from his peers, and seeks support from men in his family's service instead. The bard and the smith are his main allies who contribute to restoring his identity before he can restore the integrity of his royal line and his own status.

[19] The books I was shown deal with magic, and one cannot but think of the parallel with the fully oral Gaulish tradition, which knew only few exceptions, among which are magic formulas written in the Greek alphabet (Delamarre 2001).

Interestingly, in modern times when no such war is being fought, the bard's function is still related to the identity and integrity of the Kshatriya patriline and its relationship with other Kshatriya patrilines, since he is invited to preside over their weddings.[20]

A Maoist Epic: How the People's War Reactivated Epic Composition

With the revival of a warlike tradition by the Maoists who launched the People's War in 1996, the political situation has changed. By waging war against the government, the Maoists led a cultural revolution in the mountain regions held in their control. In many villages they forbade music that they considered to convey values they condemned, such as immorality or feudalism.[21] In central Nepal, they introduced new musical forms and Chinese choreographies, whereas in western Nepal they chose to reform local traditions. They asked the bards to replace the apostrophe "O King" with "Hey Comrade," which apparently prevented some of them from performing at all. Globally, epic recitations were rare during the People's War. But when the Maoist Party chose to promote regional and ethnic autonomy from 2003 onwards, they invited bards to perform at their meetings. As the Maoist weekly newspaper *Janadesh* (Budha 2006) reported: "In the past, feudal rulers used this presentation to describe how glorious they were. (. . .) today the bards sing a political lesson."[22]

Though it is not known if they did it willingly or not, some bards performed in Maoist events. Only two out of the seven groups of bards with whom I worked in 2007 in Achham performed for the Maoists, but they were happy to do so. Remarkably the Nepalese bards who had not composed anything new for three or four centuries found inspiration in the People's War. In their compositions, they inscribed this war into a long heroic tradition, while transforming their own art in accordance with its new Maoist ideology—to judge by the Maoist epic I recorded in 2007 in the hamlet of Sera, Achham. Apart from this recording, only a very short extract of a bardic show included in a Maoist propaganda movie is known to us.[23] The Sera recording is thus a rare testimony of the conditions of reactivation of the bardic tradition in western Nepal and deserves further examination.

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[20] On these occasions, he first plays the role of an intermediary, with a family bard leading the groom's procession towards the bride's village. They are met at some point along the way by another procession made up of the bride's kinsmen led by their own bard. The meeting of the two family bards is the occasion for a recitation by the bards of the two parties' genealogies, generally related to the sun and the moon respectively.

[21] I was also told that the Maoists forbade music because the Damais could transmit information at a distance by using a secret language with their drums.

[22] This material is no longer on the internet because it was a clandestine Maoist newspaper.

[23] Eight glorious years. Video posted on www.cpnm.com, accessed January 2005 (now closed). The video can now be accessed at https://www.youtube.com/watch?v=ARUvuKs0_sk. The passage in question is between 24:30 and 26:14.

The People's Epic (*janavādi bhārat*),[24] entitled by its author, Harka Bahadur Dholi, starts with the birth of the celestial bodies, of Baburam, one of the two leaders of the People's War, and of the Prachanda Path, which formed its ideology:

(. . .)
Yes, the moon, planets and the sun emerged in the sky
Yes, they originated in Paradise
They originated in Gorkha, Babu and Ram
It originated in Benares, the Path of Prachanda.

(. . .)
Yẽ āgās tapin lāgyā[25] *candra ghara suraj ho. . .*
Yẽ, soragaunī tapin lāgyā. . . .ho
Yẽ, soragmā tapin lāgyā Bābu jati Rām ho. . .
Yẽ, Kāśī tapiyā Pracanda path ho. . .

Gorkha, the birthplace of Baburam Bhattarai (Babu and Ram in the text), is remarkable for being the cradle of the dynasty that conquered Nepal, as is the Prachanda path, which is made sacred by the bard who ascribes its birth in the holy city of Kashi (that is, Benares).

The epic then introduces Prachanda, the main revolutionary leader starting with his birth, and identifies him as the son of his father, whose name is provided; as such, it presents a very unusual picture in Maoist culture, but one that respects the epic tradition of presenting the hero as the offspring of a famous patriline, rendered here by a micro-genealogy. Then, in the same manner that the epics depict Kshatriya hero's physical development year by year, here the various stages of Prachanda's education convey his gradual development:

When, *O King*, Pushpa Dahal, Mukti Dahal's son, was born. *O King, the valiant warrior's son said: bite your mother*,[26] *O King*. When Comrade Prachanda was born in a village, when Pushpa Dahal, son of Mukti Dahal, was born, *Lord, O King*, he went to study at the village school.
O King, from the village, he went to study in the district. *O King,* from the district, he went to study at the centre. *O King, the valiant warrior's son, murderer of his parents, who studied up to the Civil Code of the Muggin Caste.* When he had finished his studies he returned here, he returned to his country.

[24] The People's Epic (*janavādi bhārat*) was composed and sung by Harka Bahadur Dholi, who was accompanied by his father and elder brother, bards of Sera (Achham district). I filmed the performance in their locality in October 2007. The following selections are my transcriptions and translations from this performance.

[25] *tapin lāgna*: "to start to shine or to heat, to emerge."

[26] For easier reading, the formulas are given in italics. They are identical to the ones used in the traditional repertoire narrating the deeds of medieval kings and heroes. This epic uses mostly one formula, but is frequently broken in two parts.

Jab māhārāj Mukti Dāhālkā chorā Pushpa Kamal Dāhāl tapī gayā chan ta ho. Māhārāj terī āmā toknyākā bhanyo māhārāj mardakājī paikelāko chorā. gāukā eutā jab kamred Prachanda tapī sakyāpachi Muktī Dāhāl ko chorā Puśpa Kamal Dāhāl tapi gāyā chan ta hajur he māhārāj gāukā skulmā paḍhna lāgyāchan.
He māhārāj gāukā jillāmā gāyā ra paḍhyā chan. He māhārāj jillābāṭ kendramā gāyā ra paḍhyā chan. Jab māhārāj mardakāji paikelāko chorā hāḍnātā jiumārā jāt kamārāsammakā ainsamma paḍhisakyāpachi ta jab paḍhiguni sampurna bhaisakyā paṭit pharkyā āphno deśtira pharkyā chan.

In the epics the Kshatriya hero usually decides to go to war at the age of twelve, when he learns of the atrocities committed against his father and grandfather. In the case of Prachanda, once his studies are over, he becomes furious when he realizes that education does not lead to employment, and that the Dalits ("untouchables") and women are treated like animals:

Bite your mom! O King, told the valiant warrior's son. "How bad is the country!" *O King, Bite your mom! told the valiant warrior's son.* "Even those who have the SLC, a diploma or a degree do not find a simple job, one must understand the reason."
O King, (. . .) he realized that here, it only works for the big ones, nothing works for the small ones. *Bite your mother!* "Well, where to begin the class struggle, how could I manage?" he said, *O King, the valiant warrior's son*, and to do it he looked towards the Dalits. *O King*, "Their ability to work is good, and everything works, but their water does not work."[27] *O King*, *The valiant warrior's son.* They have qualities and skills, *O King*, *the valiant warrior's son.* "Where is the good *huḍkya* from this village, where is the good *huḍkya* from this village?[28] Come on, go get him and bring him," they said, *O King*, *the valiant warrior's son*. He was brought, he performed, and he charmed them by his bardic dances. Until then, everything was fine, but when the time came to sleep, they said, giving him a bundle of straw: "Go, go down with the menstruating women and sleep in the cowshed."[29] *O King*, *the valiant warrior's son*. Prachanda understood that behavior and also that women are Prajapati's creatures.[30]

Terī āmā ṭoknyākā bhanyo mahārāj mardākājī paikelāko chorā deś ta kāhā tal rahyo cha, he mahārāj terī āmā ṭoknyākā bhanyo mardākāji paikelāko chorā. paḍhi guni es el sī, āi e, bi e katāya pan ajhasamma piunko naukarī napāyāko pan vyahorā bujhyā chan.
He māhārāj, (. . .) *thulākai calanyā nānā ko ta kehī na calanyā kuḍā bujhyā chan. Terī āmā ṭoknyākā, ab yo varga saṃgharṣa kẫbaṭ uṭhāu ta ma kasorī laijāu ta bhanyo cha, mahārāj mardākājī paikelāko chorā, phurukka phakyora dalit paṭṭi heryā chan. He māhārāj, sip calanyā sab calanyā pānī nacalanyā bhayo. He, mahārāj mardākājī paikelāko chorā, sip gun huno cha, mahārāj mardākājī paikelāko chorā, hudkyā kako cha, rāmro phalānā gāuko bajāunyā kāko cha rāmro phalāno gāuko, he māhārāj, lau ta, jāau lyāau bhanyo māhārāj mardākājī paikelāko chorā, lyāyo bajāyo, sajāyo hudkeli sudkeli haryo.*

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[27] That is, the water they offer cannot be accepted by anyone other than members of their caste.

[28] A variant pronunciation (and orthography) of *huḍke* ("bard").

[29] The bard, as a Dalit (or untouchable), is not allowed to enter the houses of "pure" castes. When menstruating, women of all castes are considered untouchable and treated as these groups.

[30] That is, Prachanda understood that all human creatures share the same nature.

Uhitak ramrai haryo sutanyā tak lau ta kẽ sutanyā bhanepachi ek ãṭho parālko diyā, lau jā, tali chāupachi goṭh jā bhanyo cha. He māhārāj yo vyahorā pan bujhyā chan. Jab māhārāj mardākājī paikelākā chorā prajāpati nāri huncha.[31]

In this section, the bard introduces his own character in the story, as is traditional in the epics of western Nepal and creates a direct link between himself and Prachanda, the hero. But, while in traditional epics the bard helps the hero to maintain or restore his status, here it is the hero who sets about improving the status of the bard.

Like a Kshatriya hero in the epics, his anger leads Prachanda to launch a war. He attacks all the king's strongholds, in a chronology that follows roughly that of the major Maoist attacks, but also comes progressively closer to the place of enunciation of the text: a hamlet near Kamal bazaar, the last place to be cited. Let us use this example to examine how this war is first "sung" and enacted in a song, which uses the present tense, to be subsequently "explained" in a declamation using the past tense:

(. . .) Where to begin the People's war, he said, *O king! Valorous warrior's son!* Comrade Prachanda, the son of Pushpa Kamal Dahal, *O king! Valorous warrior's son!* started to speak about launching the People's war, *O Lord*. How good, how excellent!

(song)
Now Lord, now from east to west the People's War spread
from east to west the People's War spread. . . (bis)

Now from east to west the People's War spread
from west to east the People's War spread. . .

Now from west to north the People's War spread
from west to north the People's War spread. . .

Now they attack Dang, they attack Tali.
Now they attack Rukum, they attack Rolpa.
They attack Rukum, they attack Rolpa.

Now they attack Jumla, they attack Khalanga,
they attack Jumla, they attack Khalanga.

Now they attack Binayak, they attack Kamal bazar,
they attack Binayak, they attack Kamal bazar,
(. . .)

[31] These first three extracts in modern vernacular language serve to show the specificities of the Nepali used in Achham. Archaic language, on the other hand, is not used at all in the People's Epic.

(declamation)

"*O lord, valorous warrior's son!* When comrade Prachanda launched the People's War, *O king! Valorous warrior's son!* from east to west the People's War spread, from south to north spread the People's War. *O King!* They attacked Dang, and Sindhuli, they attacked Rukum, they attacked Rolpa. *O King!* They attacked Myagdi and Bhojpur. *O King!* They attacked Kalikot and Jajarkot. *O King, valorous warrior's son!* They attacked Mangalsain and Sampya too, *O King*, they attacked Binayak and Kamal Bazaar too. *O king, valorous warrior's son!* Therefore we bow at your feet."

The bard's total allegiance to the warrior hero abruptly ends his relation of this blitzkrieg. Then comes an episode where Prachanda directly addresses King Gyanendra in the same manner as epic heroes verbally challenge each other, and recapitulates for his enemy the ten years of the People's War. Interestingly, what is offered here is not a journey back in time, as is customary in epics, but a fast-forward from an archaic present to a modern future in the span of eight verses (see Video 4):

"O, the first year we fought with slingshot arrows,
the second year with bows and arrows,
the third year we fought with sickles and hoes,
the fourth year, at last, we found homemade guns,
the sixth year we fought with socket bombs,
the seventh year we fought with rifles,
the eighth year we fought with LMGs,
the ninth year we fought with SLRs."

Consistent with this inversion of the usual temporal transportation found in the epics, the entire text is sung in modern language, and even uses ultra-modern, that is, English terms, for weapons. Another obvious inversion is that it was not a bard who composed and sang this epic, but a chorister, Harka Bahadur; the bard (and his father) became the chorister's assistants for the duration of the performance, dancing and beating their drum while their younger assistant sang and declaimed.

Video 4. Harka Bahadur Dholi, with his elder brother and his father (in bardic dress) performing the People's epic, Sera, Achham district; video by the author, 2007. http://journal.oraltradition.org/issues/30ii/lecomte-tilouine#myGallery-picture(9)

The Teachings of the Maoist Epic

The People's Epic is of special importance because it is the only epic text that we know depicts a documented reality. It shows how the bard literally makes the immortal hero by molding his person and action into a formatted narrative. Yet, in a reciprocal move, the bard had previously recognized deeds that were epic and heroic enough in the revolutionary leader's warlike actions to be consecrated by his art, providing a living example of the fact that Kshatriyas' qualities are not restricted to their group, and in the case of Prachanda, may be embodied by a revolutionary Brahmin.[32] This composition calls for a reexamination of the nature of the bardic relationship.

Prestige Distribution and Re-distribution

At first sight it seems that the impact the Maoist revolution has had on the content and form of bardic séances and on the bards themselves, who found new patrons and subjects of inspiration, is unlikely to last, because the link established was indirect and not durable. Indeed one could consider that the absence of any direct contact between the bard and Prachanda would prevent further construction of the mutual reflection of prestige and the constitution of any bardic contract. Yet, the bards who composed such epics were aware of this limitation. They nonetheless sang their pro-people (*janavādi*) texts at Maoist meetings or for occasional patrons, such as myself. The first of these two contexts of performance is particularly important, because the recent development of political parties in Nepal parallels a general weakening of social units based on kinship and caste, such as the patriline or the clan, on which the sociopolitical order was hitherto entirely reliant in rural Nepal.[33] In the future the political parties may substitute themselves for eminent patrilines and may patronize bards for prestige, as did the Maoist party at some point in its development, and this, especially if regional identity or autonomy gains strength. The bardic institution would thus detach itself from kinship structures to adjust to modernity and new forms of identity. But, this is notwithstanding the second configuration, in which individuals may be boosted by the glory of an unrelated glorious person, such as Prachanda. Indeed, the use of the latter's epic heroization for unrelated patrons clearly indicates that the prestige conferred by the bard on his patron does not amount to a direct flattery of the latter (and his ancestors) by the former, but follows a variety of indirect paths.

One such indirect path is taken when the growing fame of the bard leads him to perform for other patrons as far away as India, particularly in Kumaon, where the heroic epic repertoire has declined, but epic is still in demand.[34] The bard's independent career does not jeopardize his relationship with his patron, because the bard's personal prestige adds to that of his patron. The

[32] The bards of western Nepal were not the only ones to celebrate Prachanda's warlike qualities: he was also honored as a reincarnation of Parashurama (incarnation of Vishnu as a Brahmin warrior) by a community of Indian merchants in 2009.

[33] Political parties became legal in 1990.

[34] On the other hand, epics relating to divine characters, which recitation induces trance, are found in Kumaon and Garhwal (See John Leavitt's contribution on Kumaon in this volume).

latter thus appreciates that their family's bard is invited elsewhere, provided that he reserves his performance for their own exclusive use when necessary. The bard's own fame in fact demonstrates his loyalty when he cancels his other prestigious plans to perform for his patrons.

In addition to the fame brought to the bard's regular patrons by his performances outside the locality, another indirect path that prestige may follow is when a bard performs for an occasional prestigious visitor in the locality, who transfers some of his prestige to the bard and prompts new patrons to invite him in order to benefit from his newly acquired prestige. This happened after I filmed Gome Damai in Dullu in 2000. When I met him again there in 2003, he came to me and said: "since you filmed me, not a single day has passed without my performing." The bard's consecration brought about by my video camera had this magic effect.

Prestige circulation during the bardic séance is thus not merely bilateral, between one bard and his patron, or between a group of untouchable artists and an audience of Kshatriyas, but involves a larger set of actors and factors likely to confer rebounding prestige. This aspect, evinced by my ethnographic observations in the districts of Dailekh and Accham, is more generally illustrated by the fact that the heroes depicted in the epics are not conceived of as the direct ancestors of the bards' patrons. Rebounding prestige may explain why these patrons seeking illustriousness use bards who do not sing their own glory, but stories of ancient heroes whose genealogical lines and even kingdoms are not—or not clearly—identified, and are indirectly related to them by sharing their warlike nature.

Epic as Sociodrama

It is not the Kshatriya heroes' qualities, such as beauty, youth, and courage, that matter, as Vernant (1989:83) argued about the Greek epics, but rather it is the picture of the sociopolitical relations between the two main groups composing the society that is at stake. Indeed, contrary to the Greek heroes as depicted by Vernant (1989:82), the heroes of western Nepal's epics do not lose their "private" identity when becoming public figures, but become rather emblematic representatives of their class of warriors. Western Nepal's epics narrate the unflagging loyalty shown by the bard and other dependents (notably the blacksmith) to their Kshatriya patron, as opposed to the immoral and unpredictable behavior of the Kshatriya heroes. In these narratives, while attendants remain faithful even after their patron's death, one never knows what the Kshatriya hero will do or what his fate will be, confronted as he is by other unpredictable Kshatriyas.[35] This uncertainty is constantly put forward throughout the epic recitation by the formula: "will the hero die or live?" that obsessively punctuates the narrative.

Like their heroes, epic narratives indulge in the unpredictable: they may take the husband's point of view versus the seducer's, or the reverse, they may depict the spouse's

[35] The Greek bard, who sang for an assembly of aristocrats at the house of one of them, was also attached to one patron, at least in the kingdom of Ithaca, as attested by the episode in the *Odyssey* when Odysseus comes back to his palace and is about to kill Phemios, his bard, because he has performed for the suitors in his absence (but in Telemachos's presence). Phemios addresses Odysseus in these terms: "I am at your knees, Odysseus. (. . .) Telemachos, too, your own dear son, would tell you, as I do, that it was against my will, and with no desire on my part, that I served the suitors here in your house and sang at their feasting. They were too many and too strong, and they forced me to do it." (22.344-354; trans. by Lattimore).

faithfulness to her husband or to his enemy. This interchangeability is strikingly illustrated in some cases where the hero of an epic is the enemy (and the enemy the hero) in the narrative of a bard from another locality. A strong perspectivism therefore presides over this tradition as a whole, probably reflecting ancient antagonistic relations and the political use of epic recitation. In this unstable universe, the Kshatriya appears as having a very wide range of possibilities: to fulfill his duty and face his rival, to forgive him, or to kill him in a very vicious, cunning way. An almost dead enemy may kill the hero in his dying act, leaving no one alive at the end of the story. The hero's wife may remain faithful to him, but she may also fall in love with her husband's murderer because he is handsome. Sometimes she even performs *sati* with both her dead husband and her dead seducer if both die when fighting over her. The *bhārat* therefore leaves open all possibilities to the heroes.

Fundamentally, it teaches that horizontal relations (between upper-caste peers) are dangerous, ephemeral, and unpredictable by nature because they are marked by competition, whereas vertical relations (between upper and lower-status individuals) are secure and made inalienable by a never-ending contract sealing mutual faith.[36] In ancient epics the patron's attendants and the family bard in particular not only restore their patron's identity and the Thakuri line's integrity, but also enable their master's victory by teaching him the tricks of war. In the People's Epic, this vertical relationship is still central, but reversed, with the hero launching a war to improve the bard's condition.

Enacting Epics in Wedding Rituals

The narrative reality of this vertical relationship is enacted in rituals, with the Thakuri wedding ceremony giving a crucial position to the bard. Indeed, the wedding's auspicious time, or *lagan*, is marked in this region by the recitation of the patron's genealogy (under its *āsikā* form, a short genealogy) by the bard *and* by the first snip of the Damai's scissors in the fabrics that will be used for the wedding. Their patron's *lagan* thus somehow brings coherence to the Damai's two occupations, as tailor and musician. Then, the wedding processions are led by each party's family bards who sing along the way and recite genealogies at different stages. Once the wedding rituals at the bride's house are completed, epics are sung at the groom's all night.[37]

In this ritual setting the bard is a harmless intermediary between the different Kshatriya clans as well as their representative. He accompanies his patron, sings his praise and, most importantly, his prestigious pedigree during dangerous encounters with other Thakuris, with whom by definition he competes: both in the past, in times of war, and today, during matrimonial

[36] The competition between peers in western Nepal recalls the depiction of Ancient Greece by Vernant (1989:ii) as "une société de face à face, une culture de la honte et de l'honneur où la compétition pour la gloire laisse peu de place au sens du devoir et ignore celui du péché. . ." ("a face to face society, a culture of shame and honor where competition for glory leaves little room for the sense of duty and knows nothing of that of sin," my translation), with this difference that this does not represent the functioning of the entire society, but only of the most eminent group.

[37] Midway, the bard from the bride's family comes to meet and lead the allies, and when their procession reaches the bride's courtyard, the groom's bard sings his patron's short genealogy, *āsikā*. After the wedding rituals, the bride's family's bard once more accompanies the bride and groom with the procession to the midway point, and when the groom's house is reached, his *huḍke* sings the long genealogy, *vaṃśāvalī,* and starts the *bhārat* ("epics").

alliances. Through one of his kinsmen, the bard, who belongs to the caste of tailors, also makes his patron's status visible by sewing his "golden" or "multi-colored clothes," as the epics describe. The crucial importance of these status markers is made obvious in that the auspicious moment of the wedding is marked by the first snip of the tailor's scissors. Given all his attributes, the bard may be depicted as kin—and king—maker.

Both the wedding rituals and the epic recitation suggest that horizontal relations (between higher status peers) are established vertically from below, linking the two halves of society. In this manner, the rules regulating the bardic institution contribute to the perpetuation of an ancient order made of landlords fighting for prominence and backed by their respective attendants, an order from which modern protagonists supposedly descend, on which they undoubtedly project themselves, and in which they are periodically ravished during the bardic séances.

In this epic mythology social life occupies all space: there are no gods, except the sun and the moon, which are the ancestors of the two competing Thakuri clans. Their genealogy, their deeds, and their fights replace creation and model the world in a chaotic manner: through conflicts on land between half-brothers, ravishing of spouses or fiancées, verbal affronts, wars, and mortal duels. The rest of society (Brahmins included) simply gravitates towards these eminent warlike figures.

Heroic Death versus Social Death

The epic repertoire of western Nepal may thus be viewed as a social mythology, the main engine of which is competition, inasmuch as it both is vital for the Kshatriyas to maintain or improve their status, and is mortal, especially because it is waged by all means, including the most unfair actions. One such action consists of degrading rivals by using cunning to soil, or pollute, them. Such degradation equals death, because it excludes the rival forever from the competition between peers by turning him into an untouchable. Interestingly enough, among the bards I have worked with, those who had an idea about the origin of their group claimed to be the offspring of such a degraded royal individual, more precisely an individual from the very royal family for whom they now perform, and whom their royal brothers made untouchable by some treachery in order to deprive him and his descendants of any power and rights. The bards would therefore be a socially-dead royal heir.

This detail is meaningful. As I have shown in previous studies,[38] pronounced social death is found at the root of the royal institution in several neighboring Himalayan contexts. Although, elsewhere it is not by cunningness but by godly will that degradation occurs; it also results in the creation of an impure royal double in charge of maintaining the dynasty's power.[39] In the case of the bard, the degraded royal double is the *author* of his patron, the one who "makes his name," brings him back his pedigree or sings it publicly, assures his victory, and dresses him as a king.

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[38] See Lecomte-Tilouine (2009a, particularly Ch. 3 and 6).

[39] This pattern is found among the Shah kings of Gorkha, who degraded their royal brother to the rank of Magar but gave him (and his descendants) the crucial role of priest to the goddess who protects their dynasty. It is also found among the Malla Kings of the Kathmandu Valley, whose heir was degraded to the rank of Kasain ("butcher"), and became their royal sacrificer. See Lecomte-Tilouine (2009a:Chapters 3 and 6 respectively).

A victim of Kshatriya competition, he is the best placed to deal with the central question of their status, as he literally incarnates its vital importance. When highlighted in this way, the bardic séance appears to literally stage the Kshatriyas' capacity to inflict infamous social death, as well as their own fragility as potential victims of such a process, while it explicitly speaks of their heroic death in combat and their immortality.

The Bard's Esoteric Knowledge

The degradation of a royal heir to an untouchable Damai is somewhat counterbalanced by the fact that it gives birth to a bard, an outstanding figure among his group, who may achieve great fame and become a star in spite of his social infamy. Somehow the bard and the hero thus embody the two opposite extreme fates that can befall a Kshatriya. Both remarkable, they stand in a mirrored position on the social axis, regarding the conception of their subject.

Indeed, whether he has retained or developed these attributes, the bard displays kinship with his patron by royal features, particularly his noble body language when he performs.[40] He also possesses genealogical knowledge of his supposed original patriline. He can even be considered as having confiscated it and turned it into his own secret realm by reciting the genealogies very rapidly and by writing them down using a cryptic alphabet. Interestingly this alphabet also gives him access to esoteric knowledge contained in books of magic written in it. As a matter of fact, bards are also well-known magicians who are said to challenge each other in public spaces such as mountain ridges in order to establish publicly their supremacy. Two of the bards whom I recorded in 2007, for instance, were said to have competed on the ridge of their locality in Kamal bazaar. People told me that one of them, Late Damai, won because he could cut off his son's head and then put it back, whereas his competitor only succeeded in suddenly making hot pepper grow in the palm of his hand. Like their patrons, bards thus also compete with each other, reproducing at their own level the peers' competition for supremacy from below and by different means. This draws a parallel world of competition between remarkable peers situated at the two extremes of the social hierarchy, and relying on radically different sources of power.

Ban and Monopoly on Musical Performance

In fact the bard and his patron's respective fields (using Bourdieu's definition) are not only distinct but also strictly kept apart: in the same way untouchables have no access to land ownership and political power, the "pure" castes are strictly forbidden magic, dance, music, and oral poetry. Dance (*nacānā*), in particular, is considered so wicked and closely associated with prostitution that when upper-caste members indulge in *deuḍā* ("ring-dances"), they make it clear that they do not "dance", but "play" (*khelana*). In the same manner, music has been so badly connoted until recently that, as an upper-caste woman from Dailekh in her fifties told me, "we

[40] A similar group in Gujarat, the Vahivanca Barot "genealogists and mythographers," patronized exclusively by Rajputs, are even more akin to their patrons than the bards of Nepal. Shah and Shroff (1958) note that they are treated like princes and receive rich presents, and that they "imitate" their patrons and claim to be Kshatriyas.

were only allowed to clap our hands, and if we were caught singing in the forest, we were beaten up at home." These strictly forbidden artistic activities exercised, and still do, a power of attraction over the audience that is formulated in terms of magic. This is especially true of the bardic séance, which is said to create *mohanī*, ("magical charm") a term that usually refers to a magical charm that attracts and inspires love in someone against his or her will. Art and magic form here a continuum that the bard masters in its entirety. But the capacity to display such a bewitching art in the society for which it was (and still is in a large measure) taboo is the monopoly of a few persons. This monopoly represented a unique source of power and prestige for the royal patrons who were in a position to order and finance the forbidden artistic activities.

Concluding Remarks

In western Nepal those who are in the position of royal-status warriors leave the job of "increasing" (*baḍhāuna*) their prestige to bards, who are situated at the very bottom of the social ladder and sing their genealogies and ancient tales of heroism. As for those bards deprived of a social status that would enable them to claim any political power, they accumulate esoteric and artistic skills (in music, dance, and oral poetry) so as to secure another form of power: magic and magical charm (*mohanī*). Winning prestige is thus pursued independently by each of these two categories of actors. But, as the Maoist epic suggested, prestige may follow other paths within the bardic context by a game of reflection. The bardic séance, far from amounting to simple ego boosting from bottom to top, is therefore altogether a down-top, a parallel, a bilateral, and a rebounding, fame-winning pursuit.

The bard's authority for declaiming "historical" words of "truth" is made manifest in the charm that creates their enunciation, the enthusiasm and/or compassion they arouse, and in the prestige they confer. Yet his authority is far from corresponding to a tacit mandate from a group to a spokesperson placed at its top as in the modern Western societies, but results from an explicit top-down assignment. The latter depends upon and is made possible by a social organization in which the strict partitioning of status groups goes together with social division of labor and specialization. Such a specific social context radically transforms the conditions whereby a group develops exclusive knowledge and skills to form what Foucault calls a "fellowship of discourse," as it transforms its consequences.[41] Indeed, within a caste organization, exclusive knowledge and rarity of specialists may be products of exclusion that does not result in a higher status. "Arts" (*kalā*), such as music and dance, are ascribed to untouchables.

It remains true, however, that, within their caste, developing exclusive knowledge led the bards to set themselves apart from their peers, and to form a category of remarkable individuals. As public performers, they may even achieve great fame, in spite of their status, however difficult it is for us to conceive the coexistence of fame and low status from the modern Western

[41] In such "sociétés de discours" (translated as "fellowship of discourse" by R. Swyer:225) ritual determines the "conditions of the taking place of the discourse" and the "rarefaction of the speaking subjects," per Foucault (1971:42 [my translation]).

perspective in which rarity, fame, and artistic skills are components of the "social magic" that confers high status.

Like their royal patrons, bards do seek fame. But theirs, not being perpetuated by anyone in charge of it, remains entirely rooted in the present, while the bardic performance openly aims at "making" the patrons' name pass down to posterity and through the Four Ages. The two forms of fame, vertical and horizontal (in the plane of time), are homologous to the two forms of relationships in the hierarchized society. The horizontal is in both cases problematic, whereas the vertical secures the individual: in the social plane it secures status, while in the plane of time (that is, memory/past) it secures immortality. Consistent with this view the patrons praise their bard's ability to utter "historical truth," silencing any other of their talents, as dancer, musician, singer, and storyteller.

The bard's most secret knowledge, the cryptic alphabet that he should initially learn, introduces him to magic, which in turn establishes his supremacy among his peers. But the use of such an alphabet endows another dimension with regard to the patrons, as it conveys the idea that lauding their genealogy is so precious that it should be safeguarded by secret writing and initiated specialists. In the present state of the bard-patron relationship, the bard's magic knowledge or "symbolic capital" does confer initiatory mystery to the royal patriline more than it contributes to the bard's own prestige. The bards' procedures of knowledge protection would not benefit foremost its detainees as Michel Foucault (1971) and, closer to our area of research, Jean-Luc Chambard (1963) claimed, but rather those in relation to whom they have developed it, that is, their patrons. This holds true as long as this knowledge is embedded in an ideology that makes it the result of an assignment, within a social organization that nullifies the danger of the power of speech when it comes from proscribed groups. Such disqualification may have played an even more important role than maintaining part of the population in a state of servitude. Indeed, a larger picture shows that in the area studied, the dominance of warrior groups went together with a remarkable withdrawal of the Brahmins. When compared with other Hindu contexts, the disjunction between power and status in western Nepal resulted in a multiplicity of mechanisms to counter and fragment what is "naturally" associated with higher status: the power of speech. Not only do the Brahmins play a secondary role in the major rituals, because deities directly address people through oracles, but also consigning and reciting genealogies do not fall into their field of competence as is the case elsewhere, and even writing was not their privilege, with the existence of a different alphabet specific to another group of specialists located at the very bottom of the society. All these elements suggest that the Brahmins have been stripped of their attributes, notably the most important power of speech in the royal caste's concern, that of historical truth.[42] This can be interpreted as one solution found by the royal power to control its representation. The "portrait of the king," to borrow the title of Louis Marin's seminal essay (1981), is a sensitive subject, especially in a society such as western Nepal where the "king" is not radically distinguished from his peers and does not occupy the highest hierarchical position. The pariahs of royal blood combined both the intimacy and the political immunity necessary for this function. Somehow the strangeness of the relationship between the bard and his royal patron

[42] They thus merge oral poetry with "art," *kalā*, a traditionally devalued domain associated with untouchability. On the other hand, literature and "[written] poetry" (*sāhitya*, *kavitā*) are not ranked as *kalā* in Nepal and are related to upper-castes.

should thus be understood as a confiscation of speech made possible by and reflecting (if not reinforcing) the social organization characterized by partitioning in castes, association of art with low pleasures, and valuation of purity: purity of the caste status, but also, in this warlike version of the caste organization, of the royal pedigree.

We finally come to agree here with Bourdieu that speech is the reflection of another, social, reality, even if the delegation of the power to speak follows radically different paths in the studied context. However, the social organization under study shows signs of fragility and of change, a dimension that was not really addressed by Bourdieu, who was primarily concerned with social reproduction, and for whom struggle within the social field would strengthen its structure more than it would deconstruct it (Bourdieu 1975:26). It is a fact that the continuation of oral performances related to medieval deeds in western Nepal is a striking example of social reproduction. Yet, we have also seen that the bardic tradition was renewed in innovative ways with the development of the People's War, breaking with traditional patterns of enacting the past, to praise the present and even the future, as well as the change in status of the untouchables, and this in spite of the fact that the whole tradition was hitherto tightly conditioned by an ancient feudal socio-mythology.

We are thus facing a transformation, embryonic in its scale, but revealing in its form, which calls for further investigation. In this matter, Michel de Certeau's analysis of the "mystic fable," as far as it is from the studied context, brings interesting paths to explore. Certeau (1982) claimed that the emergence of the mystic language in sixteen to seventeenth century Europe was linked to a change in the context of enunciation—the end of certitudes and of the unity of the Church.[43] The new, mystic language employed usual religious terms, but modified the language "from within," by numerous subtle processes, in the same manner that, by incorporating the People's War in their heroic epics, bards have discreetly transformed the sense of "historical truth." Among the specificities of the mystic language pinpointed by de Certeau, two have retained our attention because they cause "sur-passing" (*dépassement*): first, the oxymoron, whose cleavage "makes impossible any 'ontological' statements about what is said of the thing in question,"[44] and produces in the language effects that exceed it; second, the erasure of the referential, which turns the words into operators of detachment, and "deriving machines, for

[43] Michel de Certeau showed how the term mystic, meaning "hidden," was only used as an adjective up to the sixteenth century, then became an "independent field" (*un champ propre*), to finally disperse at the end of the seventeenth century, with the rise of a "new configuration of knowledge" (1982:104-05). It is tempting to compare the mystical processes described by Certeau with the magical power of the signature as analyzed by Bourdieu (Bourdieu and Delsaut 1975). Indeed, if the latter postulates the existence of a field upstream, which would give words their power while revealing its modes of operation, the former, without neglecting the importance of the context of enunciation that makes possible the development of a particular language, adds another dimension that the language would in turn be able to create. This provides important avenues of research for the study of ritual or ritualized languages.

[44] My translation of: "rend impossible l'énoncé 'ontologique' qui serait le *dit* de la chose visée" (1982:200). Michael B. Smith's translation (1992:144) reads: "makes the 'ontological' statement, which would be the 'said' of the intended thing, impossible."

ecstasies out of the standard meaning."[45] These two processes are central to western Nepal's epics, where the opacity of the text, due to the archaic language in the sung parts and to the use of formulas, is combined with a plethora of oxymoronic forms and effects—the combination of feeling and understanding, of the past and the present, of the royal and the impure, and so on. Somehow the whole bardic séance could be described as oxymoronic, notably with regard to the respect or the mockery of heroism and Kshatriya values. Its unstable equilibrium, which blurs categories and registers, seems to suspend the norms, while it also reaffirms them, as long as it is tightly framed by strict caste rules.

It is unknown when the western Nepal's bardic institution developed, and whether it has remained unchanged in the course of time; whether it could aim at the patrons' divinization, or at ruining their reputation, in the past.[46] It may happen that it will gain independence from "royal patrons" in the future. But, it is uncertain that it will keep intact its magic effect over people then, since, by losing pseudo-royal patronage and its inscription in a field of knowledge strictly kept apart, bardic art may also lose its "rarity."[47] One thing is certain, however: following the recent sociopolitical upheaval, the bardic repertoire incorporated new forms of historical truth and transformed itself from inside, showing its mirroring of the social context, its responsiveness to change, and no doubt, the role that its imperceptible transformations can in turn play in this regard.

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[45] My translation of "machines à dériver, pour des extases hors de la signification reçue" (1982:205). *Dériver* means both to derive and to drift. Michael B. Smith's translation (1992:148) reads: "machines for setting adrift—machines for voyages and ecstasies outside of received meanings."

[46] Detienne states that in Ancient Greece oral poets lost their power to tell the truth (that is, to blame or praise) during the Classical period to become specialists in flattery employed by the elite (1994:60-70): "le poète n'est plus qu'un parasite, chargé de renvoyer à l'élite qui l'entretient son image, une image embellie de son passé" ("the poet is now a parasite, in charge of reflecting its image to the elite that supports him, an embellished image of its past" [my translation]). In western Nepal, no document shed light on past practices; yet, if the bards do not blame their patrons, their relationship with them is far from corresponding to Detienne's depiction.

[47] Analyzing the designer's or the artist's signature, which confers a huge surplus of value to the object, "transmutes" or even "transsubtantifies" it, according to Bourdieu. Bourdieu showed how magic works upstream by the rules of the field that create the scarcity of the producers and hence that of the product (Bourdieu and Delsaut 1975:21).

Map 1. Repartition of the bards in the districts of western Nepal. Black dots: lower status bards who perform with their wives. (Bajura and Kalikot have not yet been explored).

Fig. 6. Bard from Thalara, Bajhang district (locally called *bhārate*, from the term *bhārat*, epic); photo by the author, 2014.

Fig. 7. A low status bard from Ningala Saini, Baitadi district, performing with his wife; photo by the author, 2014.

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The Sources of Authority for Shamanic Speech: Examples from the Kham-Magar of Nepal

Anne de Sales

Among the Kham-Magar, an indigenous population of West Nepal, shamans end their long ritual chants with the promise to keep to the terms of the contract that bind human beings to the supernatural entities. In this paper I identify the sources of authority that allow the ritual specialists of this community to act as its spokespersons toward invisible partners. Taking up the debate initiated in the introduction to this special issue, I begin by confronting the notion of "social magic" that Bourdieu (1982:97-161) sees as the source of all authority, with the "discourse of magic" proposed by the linguist Tzvetan Todorov (1978:246-82), showing that the two approaches are less inconsistent than might first appear to be the case: both suggest that the efficacy of ritual speech rests on deception. The second part of the paper turns to Kham-Magar ethnography; it examines the staging of the sources of shamanic authority in the ceremony of consecration of a new shaman. I partly challenge Bourdieu's (1982:20) vision that ritual techniques are mainly techniques of domination, ensuring that the dominant power is reproduced, rather than being a source of authority for ritual specialists: "Rituals represent the limit of all situations of *imposition*[1] where, through the application of a technical competence, however imperfect, a primarily social competence is exercised: the competence of the speaker who is authorized by his or her group to speak with authority." The third part looks precisely into the "competence of the speaker," shamanic speech itself, for possible sources of his or her ritual authority. I explore the pragmatic effects of the ritual use of language, including a reflexive definition of the performer. I argue that these techniques set up the conditions for the emergence of a transcendent authority.

Efficacy of Ritual Speech and Deception

All forms of language, whether ordinary discourse or more formalized kinds of discourse (judicial, administrative, poetic, or ritual), have the power to act symbolically on reality, if only by describing it: in naming things, language "appropriates" them, gives them certain definitions, and informs the interlocutors' perception of reality. In this sense, an illocutionary act (or an instance of performative speech) that performs the action at the same time as it expresses it,

[1] English translations from the French and emphases are the author's.

pushes the pragmatic dimension of language to the limit, but is not radically different. Thus, if linguists and sociologists agree on the symbolic and pragmatic power of all forms of language, the point at which they diverge is the place to look for this power.

Against the linguists, Bourdieu (1982:13) insists that language authority comes from *outside* language itself: "one cannot look into language for what is actually embedded in the social relationships in which language is used." For Bourdieu, the linguistic characteristics of ritual speech (such as parallelism, formulae, and obfuscation of language) are intended to demonstrate the speaker's mastery of a technique, and subsequently, to gain him or her the group's recognition. The formalization of language would not produce anything by itself and would be nothing but an "attribute" of the spokesperson whose authority comes from the group. The efficacy of rituals depends on "the general belief shared by all that *pre-exists* the ritual." And he concludes (133): "one preaches only to the converted." Yet one wonders how the converted were converted in the first place and whether there is not more in a ritual than the symbolic imposition of the dominant order, the *doxa*.[2] Before getting to this question in the light of our ethnography, it may be worth turning toward an alternative approach to the ritual efficacy of speech.

About the same time that Bourdieu (1975, 1981, and 1982) wrote his articles on "the economics of linguistic exchanges," claiming that searching for the effectiveness of speech in the linguistic logic of speech was in vain, the French linguist Tzvetan Todorov (1973 and 1978) published a structural study of magic speech, "Le discours de la magie," which did exactly that, looking into the inner logic of the magical discourse. Based on a corpus of magic formulae collected in France by folklorists at the turn of the twentieth century, Todorov remarks that the magician acts on the object of magic, the illness, or pain (what he calls the "referent") *in order* to act on the recipient (whom he calls the "*allocutaire*" or addressee). In order to understand the structure of the magic action, Todorov distinguishes between two kinds of actions: an action aimed at the problem—such as, for instance, an inflamed appendix that the surgeon has to remove from the patient's body; and an action directed at the patient or addressee but not at the problem—such as, for instance, during a criminal prosecution, when the lawyer's defense of her client involves acting on the interlocutors, without claiming to transform the crime. What characterizes a magic action is that it aims at the patient while *pretending* to aim at the problem around which the magical speech is organized.[3]

This distinction between acting on the referent and on the recipient allows Todorov to compare magical speech with other forms of discourse related to magic, such as advertising: advertising discourse is aimed at the recipient; it even openly invites her to buy the product that it advertises. But never will an advertisement explicitly claim to *transform* the thing it is advertising, the referent. However, this is of course exactly what it does when it presents the

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[2] (Bourdieu (1982:154-56) used the Greek term *doxa* to denote what is taken for granted in any society, the unquestioned truths).

[3] "Levain ou charbon, que tu sois noir ou rouge, de quelle couleur ou espèce que tu puisses être, je te conjure dans les airs ou le plus profond de la mer, et te commande de la part du grand Dieu vivant de sortir de suite du corps de N . . ." (Todorov 1978:249). Translation: "Bread or coal, whether you're black or red, what color or species that you may be, I beseech you in the air or the depths of the sea, and command you on the part of the great living God to leave immediately the body of N. . ."

product in its best light in order to persuade the prospective purchaser to buy it. But then the action on the referent is neatly hidden, so we would have two forms of "magic": both seek to transform the recipient of the magical action, but in the case of advertising, the modification of the referent (its beautification) is concealed; classical magic, by contrast, claims to modify the referent but conceals the wish to convince the addressee. Todorov (1978:280): "Each [of these magical actions] is a double act pretending to be simple." Advertising does not confess its referential act, nor classical magic its "*allocutionary* act" (that concerns the *allocutaire* or addressee).

For Todorov the only character reminiscent of the classical magician in our western urban societies would be the "artist who hangs an old sheet on the wall, calls it BX 311 and sells it at a price of 10,000 dollars; yet the transformation of the referent is the result of the buyer having been persuaded, rather than its cause" (*ibid*.). Todorov's example shows that in this case of Art as modern magic, it is the buyer, it seems, who causes the magical act of the artist to be efficacious since he has to be already convinced (by what we might call the market) of the value of the artwork that he is buying. So, indeed, one preaches only to the converted.

Bourdieu and Todorov do not seem to be aware of their respective writings on this subject, but the similarity of their conclusions has to be emphasized. Through two radically different demonstrations and methods—a study of the inner logic of discourse on the one hand, and the study of the social positions of the speakers on the other—both linguist and sociologist see the power of speech as fundamentally based on deception. The real source of authority should remain concealed in order to be effective, and this involves a more or less voluntary blindness on the part of those over whom authority is exercised. Bourdieu (1982:113, emphasis added) talks of the "social magic" that consists in "these social mechanisms capable of producing *this complicity based on ignorance*, which is the source of all authority." For Todorov it is also clear: (classical) magic transforms the perception of the patient while claiming to transform the object of its speech; the modern magic of advertising, by contrast, acts on the object of its speech while pretending to act on the buyer. The two researchers converge in a critical study of the power of speech, and both are equally concerned with not letting themselves be mystified by language. Clearly, in the debate that set him against the linguists, Bourdieu overlooked the capacity of the latter (or at least a few of them) to reveal the "magical" dimension that is inherent in linguistic exchanges, and therefore also the potential for political manipulation of language.

Indeed Todorov rightly emphasizes that susceptibility to magic is present in all of us, the Ancients as much as the Moderns, if only because each of us tries to "fix things" in a suitable way through talking. And Western science is deceiving itself when it claims to be performing *pure* acts of description. Compared to this salutary reminder, Bourdieu's hypothesis—that language expresses the dominant order that it serves to perpetuate—suffers from a strong functionalist bias, and limits the understanding of what really happens in rituals. He neglects the pragmatic effects of speech on the recipients, something that Todorov, on the contrary, takes seriously.

Our ethnography requires us to revise Bourdieu's theoretical proposition without abandoning it completely. As we will see in the following section, the Kham-Magar put a great deal of effort into staging the sources of authority of their ritual specialists in the course of long and elaborate village ceremonies. Moreover, a shaman goes through a long period of

apprenticeship when he is supposed to learn technical skills under the tutelage of human and non-human masters: ancestors and spirits of the wilderness. In short, the Kham-Magar ethnography requires us to push Bourdieu's reasoning to its limits: the more dramatic or elaborate the ritual staging is, the greater the deception at the basis of shamanic authority; and the ability of a great shaman to sing thousands of lines—10,000 to be more precise—would be a strange feat considering that, if we follow Bourdieu, the personal qualities and competences of the spokesperson are hardly relevant to the authority that he embodies. The account that follows will be necessarily brief,[4] with special attention given to moments when the ritual leaves space for human negotiation within the institution.

The Consecration of a New Shaman Among the Kham-Magar: The Staging of the Sources for Shamanic Authority

The Kham-Magar are a population of about 40,000 people who live in the high valleys of two districts in West Nepal, Rukum, and Rolpa. They speak a Tibeto-Burman language locally called *kham,* which is exclusively oral (David Watters 2002 and 2004), and most of them also speak a vernacular form of Nepali.[5] They inhabit about thirty compact settlements alongside two service castes, the Blacksmiths and the Tailors-Musicians, whose mother tongue is Nepali, but who can speak Kham to the Magar villagers whom they call "Masters." Kham-Magar practice subsistence agriculture (maize and wheat) and, albeit to a lesser extent than before, transhumant herding. Their standard of living has improved recently thanks to remittances from the increasing number of young men working abroad, but they remain among the poorest communities in the country. Their shamanic tradition is still very much alive in spite of the civil war (1996-2006) during which local religion, and especially blood sacrifices, were banned by the Maoist rebels.

Fig. 1. A Kham-Magar shaman in full gear. The shaman is singing during the consecration of a neophyte. He wears a crown of female pheasant feathers on the head, and skins of animals are attached to his costume in the back; photo by the author, April 2006.

[4] A full description of this ceremony is included in my monograph of Kham-Magar shamanic practices (de Sales 1991:99-134).

[5] Nepali is a written Indo-Aryan language, closely related to Hindi.

Fig. 2. The blessing of the shamans by their main master. The master shaman put a protective soot mark on the forehead of his disciples before singing; photo by the author, April 2006.

The transmission of shamanic knowledge among the Kham-Magar is supposed to be a direct transmission from the supernatural entities to the neophyte. However, a shaman also has two human masters, one being the "main master" or "blood master." The first spiritual entity that is supposed to manifest itself is the shaman ancestor, who most often, although this is not an explicit rule, seeks to be reincarnated in his own line. He himself is the last in a long series of shaman ancestors whose names are recited at the beginning of the ritual chants. The list of these dead shamans includes the names of the two human masters of the shaman even if they are still alive. This shows that once they are consecrated, shamans are no longer ordinary people, but belong to a shamanic line and will live on. This list goes back up to the mythic ancestor of all shamans, whatever their clan or lineage, named Ramma Puran Can, the hero of the ritual epic of which he is himself the first bard. The second category of spiritual entities includes various spirits associated with animals or special places in the landscape, as well as gods of the local Hindu pantheon. Out of the two categories of supernatural entities, the first is of human origin while the second is of non-human origin. These entities dominate the scene in the first phase of the shaman's initiation, when he[6] is tormented by what are for him still unknown forces that threaten his life and the prosperity of his household. At one point, his family invites two shaman masters to identify what is going on.

The masters perform a ritual that is supposed to establish the authenticity of the neophyte's calling: after all, he might be mad, or an impostor. The neophyte is asked to choose a ball out of three balls made of cow dung, containing, respectively, a piece of coal, a stone, and a grain of corn. The true shaman will choose the right ball in which a grain of corn was hidden. Then the main master causes his disciple "to shake." This is understood as the shaman ancestor taking possession of his future reincarnation and revealing his identity. We must not imagine that this works without fail; I collected several accounts from shamans who were unsuccessful for several months. The reason given in one case in particular was that a powerful village shaman was angry at not having been chosen as a master, and cast magic spells to prevent the neophyte from channeling his ancestor. The ritual had to be performed three times before it was successful. I was also told of a case in which it had been too long since anyone in the lineage had felt any

[6] There are female shamans, but since they remain a minority, I shall use only the masculine.

shamanic calling. The elders organized a gathering of all the members of the lineage around the tomb of the dead shaman in the hope that one of the youngsters would feel the call. Eventually, one of them started to shake, but without much enthusiasm. These unsuccessful attempts to shake, as well as the hesitation before embarking on a shamanic career, are characteristic of the initiation process. They show both the coercive power of the institution and also that there is space for human negotiations: the young man could have chosen the wrong ball or refused altogether to shake at the tomb of his ancestor. As in a Christian marriage ceremony, there is at least one crucial moment when the bride or the groom can say no—although doing so requires some courage.

Being a shaman is not a sinecure. Indeed, the life of a mediocre shaman whom nobody consults is necessarily frustrating and humiliating. But the life of a shaman who is popular and spends his nights "barking like a dog" (Fieldnotes 2010), as some like to caricature themselves with reference to the long nocturnal chants they sing, is not always enviable. Being a shaman involves serving the community, day and night, at the cost of neglecting work in the fields and domestic duties. A ritual chant relates this fate nicely: while Ramma Puran Can, the first shaman, was plowing his fields, messengers of the king came to ask him to follow them to the bedside of the prince, who had fallen ill. The shaman's two wives begged him not to follow the messengers, warning him that the road would be full of obstacles and that he might die on the way. However, the shaman abandoned the furrow he was plowing with his bulls and followed the envoys of the king saying, "whether my name will be famous or whether it will be forgotten, I will be at the bedside of the prince." Fame is what is at stake in a shaman's career, the "symbolic capital," in Bourdieu's terms, that he puts at risk every time he goes to attend a séance.

Once the ancestor has spoken through the neophyte and expressed his wishes, the initiation can start. The ceremony of consecration itself is very costly: the more guests there are the most prestigious it is for the lineage of the neophyte. The occasion lasts 48 hours, and gallons of alcohol are prepared for the occasion, not to mention food and sacrificial animals. All the shamans of the village, including the two masters who act as the neophyte's ritual fathers, are the honored guests. As in all ceremonies among the Kham-Magar whose marriage system prescribes marriage with the maternal uncle's daughter, two groups of relatives have a role to play: the wife-givers of the neophyte's lineage and its wife-takers, the latter being the main helpers in the preparation of the ceremony. In another work (de Sales 1991:115-34), I have shown that at the crucial moment when the neophyte has to climb the life tree, both of these two lineages of marriage partners are at the foot of the tree; they both play an essential part in the success of the ritual that can be read as the marriage of the new shaman with his spirit wife, the daughter of the forest: the wife takers have brought the life tree from the forest and help the neophyte to climb it, while the wife givers have to pay the master shamans, who only then will let the new shaman descend. In this ritual exchange, the communication between human beings and the spiritual entities that takes place through the mediation of the shaman is structurally analogous to marriage transactions among exchange groups.[7] It gives a good example of the structural

[7] See note 6.

"harmony" that Bourdieu saw among the different domains of social life, and would go in favor of his interpretation according to which rituals reproduce the dominant order.[8]

However, an empirical observation of the ceremony suggests that things never go so smoothly in practice. There is always some suspense at the moment of the neophyte's ascent, just as there is at the moment of his descent. Things could turn bad: he could fall from the tree, demonstrating his lack of fortitude against his enemy sisters, the witches, or else the wife-givers might refuse to pay the shamans who act as the ritual fathers of the neophyte, thereby provoking a crisis. Also, something else happens while the new shaman is standing, blindfolded, on the platform that has been built halfway up the tree. His ritual fathers test his visionary capacities: the new shaman must guess the direction in which the shamans are dancing around the tree; after a few circuits, they leave the place in silence. The occasion is marked by a certain solemnity; the silence is striking after the deafening drumming and dancing of all the shamans. It is also the first time that the new shaman is confronted by his community, with all the villagers surrounding him at the foot of the tree.[9] It is then clear that *the community* is the ultimate authority that endows the shaman with his power. The villagers directly ask him several questions concerning the future of the village. There is an opportunity here for them to contest the authority of the new shaman. I never attended the dismissing of a shaman at this point of the ceremony; however, rumors about his capacities are rife from this first confrontation on. The shaman's career will last for as long as his skills continue to earn him the trust and the favor of the villagers.

This brief overview of a ceremony that lasts 48 hours is enough to show at least two things: contrary to what Bourdieu suggests, the community is *clearly* staged as the ultimate source of authority as are the rules commanding the position of the actors in the ceremony. However, the community is presented *as if* it only legitimized the human representative of an institution that relies, above all, on the transcendent sources of the shamanic power. These transcendent sources are made present on the ritual stage by a series of ritual mediations: first, the initial disease and other torments of the future shaman that are supposed to manifest the will of the ancestral shaman, who is himself a reincarnation of the mythical ancestor, Ramma Puran Can; then, the spirits of the forest from whom he receives the power to heal by becoming their son-in-law when he climbs the tree. The multiple body parts and skins of animals that he wears on his costume are the signs of this new identity or, more precisely, its indices (in Peirce's [Atkin 2005] sense of the term), since they do not *represent* the animal spirits so much as *stand for* parts of these animals; they are the tokens of their existence.

Indeed, the consecration ceremony sets up a deception in the sense that the transcendent sources are treated *as if* they were at the source of the ritual, while they actually are its result. If we follow Bourdieu, we could say that there is an "alchemy of *representation* (in the different senses of the term)[10] thanks to which the spokesperson makes the group that makes

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[8] In Bourdieu's (1982:80) analysis of forms of politeness he observed that "the form and the information that it informs condense and symbolize the whole structure of social relations from which they derive their existence and efficacy."

[9] This scene is well captured in the film *Schamanen im Blinden Land* (*Shamans of the blind country*) by Michael Oppitz (1980).

[10] That is, both in the sense of a theatrical "representation" and also of a legal "representative."

him" (1982:101): the community of villagers mandates the shaman to represent it in his negotiations with the supernatural entities; by the same token, the community, which is otherwise a collection of individuals, will exist through its representative precisely as *one community*, "a moral being" that acquires its own ontology with its own power of causation of acting on reality.[11]

The staging of this deception is marked, however, by moments that are open to contestation or failure: in the first phase of the initiation, the future shaman may refuse or postpone his calling, other shamans may obstruct the process, accidents may (and do) happen, and finally, the shaman's career may never take off. It could be argued that the very possibility of questioning a certain vision of reality is also the opportunity to confirm one's adhesion to that vision. Indeed, there is no belief without doubt. It remains, however, the case that speaking of an "imposition" nips all possibility of ritual change in the bud, something that has been challenged by an increasing number of anthropologists in need of giving an account of rituals that contribute to the changing of the society within which they are performed (Bell 1997; Houseman 2011; Michaels 2010-11). This is why, in what follows, I shall pay attention to the technical competence of the spokesperson, the very feature that Bourdieu neglected in his theoretical approach. If ritual language is a mere "attribute" that does not have any power of its own and that cannot be considered as a source of authority, why then do the dominant powers of the moment, whether in the form of Hinduism or Maoism, persist in discouraging shamanic practices? It may be worth examining what this technical competence produces by itself.

Shamanic Speech: Violence, Persuasion, and the Reflexive Use of Language

Observations in the field tend to confirm Bourdieu's statement to the extent that, once they are consecrated, shamans remain shamans whether they are good performers or not. Those who sing better and know more chants than others are obviously more popular and officiate more often; however the successful outcome of a séance, the healing of the patient will not be attributed to the quality of the performance, but ultimately to the shaman's intrinsic power. The reasons for this are twofold. First, in the line of Bourdieu's theory, this is because the ritual is a well-established institution on which people tend to rely, and that is not susceptible to the competence or incompetence of one individual in particular; the second reason is precisely because a shaman is not a craftsman who is defined by his skill: he has undergone an ontological transformation that makes him different from ordinary human beings, and that gives him the exclusive power to negotiate with the spirits. This ontological transformation is not a question of belief (self-delusion or deception according to Bourdieu's theory): a consecrated shaman is a shaman even if one does not believe in shamanism. Once he is ritually "born" in the bosom of

[11] This is precisely what Durkheim (1976 [1915]:348) meant when he emphasized that "If we are to see in the efficacy attributed to the rites anything more than the product of a chronic delirium with which humanity has abused itself, we must show that the effect of the cult really is to recreate periodically a moral being upon which we depend as it depends upon us. Now this being does exist: it is society." For an ethnographic study of this process in a Himalayan community, see Ramble (2008, esp. ch. 10).

his community, so to speak, he acquires a certain amount of autonomy and may even invent new forms of performances. Each shaman has a distinctive style.

As mentioned earlier, a shaman can sing up to 10,000 lines, a figure below that of the Greek epic, if it is not too presumptuous to risk this comparison—the *Iliad* counts just over 15,000 lines while the *Odyssey* over 12,000—but that is nevertheless considerable. We know how much research has been done to understand how such a feat could be performed by the Greek bards.[12] It seems that like their distant predecessors, the Kham-Magar shamans do not learn a fixed corpus of 10,000 lines by heart, but learn the chants as they would another language, with the help of recurrent formulae.[13] Following their consecration, they assist their masters in their healing séances and repeat the lines after them. However, the injunction to have two masters makes it impossible to repeat a fixed corpus *verbatim*, and each shaman ends up making his own synthesis of chants. Each one also claims to know more than the others and to be able to sing longer. Shamans measure their power in terms of their mastery of this oral technique. The shamans' extraordinary ability to remember the chants and to sing them at length is understood as a natural quality that they have as the reincarnation of their ancestors. Here the argument is not very different from our own understanding of a gift: having a gift is knowing how to do something spontaneously, sometimes even without learning. And in spite of their training with their human masters, all shamans claim to know the chants by themselves, through their dreams. This is why they must sing all night, even when everyone else is asleep: if they are able to do this, it must be because they are not quite like ordinary human beings. And indeed not everyone has this ability, even if everyone will have played at being a shaman from early childhood, using a plate as a drum.

We saw that the ceremony of consecration endows the shaman with a complex identity that condenses several ontological identifications. These identifications are staged during the rituals by means of various kinds of speech. I will distinguish between the moments when the shaman directly addresses spiritual entities, from the moment when they speak through him to the point where he finally sings the long narratives of the shamanic corpus. These different positions are characterized by violence on the one hand, and a capacity for persuasion, and even seduction, on the other.

Violence

When he is possessed by his animal spirits—the wild boar, the monkey, or the pheasant—he behaves like them, growling, squealing, or calling. He is unpredictable, and may cross beyond ritual space of the séance, looking for evil spirits all around, eyes constantly alert. Everyone among the participants is equally attentive to what is happening. The shaman's own ancestors, as well as various deceased persons, who are all angry for one reason or another, also take

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[12] Following his first study on *L'Epithète traditionnelle dans Homère* (1928), together with his former student Albert Lord, Milman Parry developed his hypotheses on oral-formulaic poetry on the basis of performances by Serbian bards. These were subsequently published in a volume by Lord (1960).

[13] In my doctoral dissertation (1985), I give about 40 such fixed formula-like verses and 36 recurrent binomials and expressions that are used in a corpus of 6,000 lines; see also de Sales (2016).

possession of him and speak through him. The villagers ask questions about the problem at the origin of the séance or about the future of the village and its inhabitants. Invariably, the ancestors and gods speak angrily and seem to enjoy abusing the audience. Here is an extract from a recorded séance:[14]

> —Listen! Listen! All of you sitting here! Listen all you mother-f…s! There are two witches here, and they are causing a lot of trouble! Ah! Prick! Listen all you useless bunch of ignorant people!
> —Oh Grandfather! Yes, we are listening to you! Oh Grandfather, yes, please, tell us.
> —We are unhappy! You must kill a goat! Listen all of you! Pricks! Nobody will die! Ah! Pricks! Useless bunch . . .

The information released by the ancestors is rather scanty, to say the least: there are two witches; nobody will die; we want blood. By contrast with the weak propositional content of their speech, the illocutionary force of their utterances is very strong. The ancestors clearly assert their total superiority over the humans, and their insults are based on the themes of ignorance and sex: ignorance, because human beings cannot know what the ancestors know: they are blind concerning their future and are therefore at their mercy; sex, because speaking of sex transgresses social conventions. Not that villagers are prudish—far from it—and their language is often quite rough; however, they treat their ancestors with respect and are careful not to hurt them with improper or impure behavior. In the context of this asymmetric relationship between the ancestors and their human descendants, sexual interjections from the part of the former are a demonstration of their power. The swearword "pricks" is used less as if it were a component of linguistic communication than as an object thrown at the members of the audience in order to shock them. I suggest that the verbal aggression of the ancestors contributes to their presence in the ritual sphere: however much one may have come to doubt the ancestors' existence, the emotional charge of their invectives cannot but be real. This outburst of violence manifests their taking over the shaman, the master of ceremonies, and, by the same token, their power over human beings. The most skeptical villager will listen to what they say.

Now, the language that the shaman uses when he speaks for the ancestors contrasts with his highly formalized and controlled singing when he addresses the supernatural entities. The ritual chants that fill up the time of the séances are marked by strict parallelism, with systematic use of binomials, and are characterized by poor syntax as well as a number of formal features such as onomatopoeia, repetition, archaisms, and insistence on deictic. Elsewhere I have described these formal features of Kham-Magar shamanic speech (de Sales 1991:272-307); here, I would like to draw attention to its *reflexive* dimension: the words are understood as the *vehicles*, in the literal sense of the word, of the supernatural entities, either the witches that the shaman tries to evict, or the soul that he recaptures and restores to the patient.

But, before going any further, I must address the question of the extent to which people understand these narratives. This is a difficult question since shamanic knowledge is not supposed to be accessible to just anyone, and showing one's understanding of it could easily be interpreted as an illegitimate claim to shamanic power. People usually deny knowing anything in

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[14] Séance recorded in Lukum Village (Rukum district) in 1982.

this matter and invariably refer the visiting anthropologist to the ritual specialist. But this admission of incompetence must not be taken literally, and I very often heard members of the audience reminding a shaman who had drunk too much in the course of a long séance that he had forgotten to sing this or that part of a narrative, demonstrating in this way that they not only knew what was being sung but also they were paying attention. This does not mean that they would be able to explain every word of the chants, nor would they be able to sing and know how to conduct a séance in the same way as a shaman. But the elder members of the community, who have been attending shamanic nights since they were born, do understand what is going on in the narratives. However, as we will see in the conclusion, this is not true of the increasing number of younger people who left the village at an early age.

Persuasion and the Reflexive Use of Language: Two Ritual Journeys

The following lines are extracted from the recitals of two travel songs. These chants are not the *description* of the ritual journeys that the shaman is supposed to undertake with his soul, they *are* the ritual journeys themselves. In the first chant the shaman is trying to bring the soul of his patient back to the fold before it reaches the border of the human world. There run two rivers, the river of forgetfulness and the river of memories. Once the river of forgetfulness is crossed, the soul will never remember its village and will be lost forever, leading to the patient's death. The shaman cajoles the soul with presents and with words:[15]

> Please accept this turban, take this blanket
> *Sira pagari bujha pāwae baithak bujha*
> Lose yourself in my recital, lose yourself in my sweet words
> *Ngākāhānta buliwa ngāmohanta buliwa*
> Lose yourself in my words, lose yourself in what I say
> *Ngārasita buliwa ngābāsita buliu*
> Do not get lost on the upper way, do not get lost on the lower way
> *Emtar tābulichyo emdu tābulichyo*
> Back home I brought (the soul) skirting the left, skirting the right
> *Griyā mātālchi āba dāwae ghumāi lyayaṅ bāwae ghumāi lyayaṅ*

The last line is intended for the audience, with the shaman using the image of a sheepdog recovering a lost ewe to announce that he has brought back the soul of the patient and that the journey is over. In the preceding lines, addressed to the soul, it is clear that the words of the shaman are supposed to exercise an irresistible power of seduction on the spiritual entity that should be enchanted by them. Like the magic flute of the Pied Piper of Hamelin that enraptures children as irresistibly as it does rats, the magic words of the shaman have power on negative and positive elements. The chant refers to its own words that are meant to attract the soul, and introduces a reflexive dimension into shamanic speech. We are also left wondering whether,

[15] These lines are quoted from a travel chant called *ri dumne* "Collecting Impurities" recorded in Lukum Village in 1982 (Fieldnotes V p. 92). The language of most of the Kham-Magar ritual chants of this area is partly Kham, partly Nepali, and usually presents corrupt forms of both.

under the pretext of addressing the soul, it is not the audience and especially the patient whom the shaman wants to captivate with his words. This configuration would be similar to that which was analyzed by Todorov, where the magician acts on the patient while pretending to act on the referent.

In the second travel chant, the shaman is driving away the diseases of his patient and the witches, the nine sisters who are responsible for them. It displays the same reflexive use of language, referring to the words as the vehicles for the invisible entities.[16] In this extract, we are coming to the end of the journey (de Sales 1994):[17]

> On my words, go sisters, go, *chyo, chyo*, go younger sisters on what I say
> *Ngārāsisa chyo chyo bainā ngābāsici chyo chyo*
> On my dancing, go sisters, go, *chyo, chyo*, go younger sisters on my drumming
> *Ngānācaisa chyo chyo bainā ngā bājaisa chyo chyo*
> "You had a good time, younger sisters, you played well in the river Cedi
> *Hāns jedo khela jedo bainā khelo jedo cedira kholāzāla*
> You, who have bad intentions, who have a bad look
> *mania mansyani mpania manmatti*
> You stopped (on the way), you had fun, you played in the river Cedi
> *Rāsan je basanci hāns je kheliwata kuda jedowata cedi kholāzāla*
> You drank to quench your thirst, you drank as much as you wanted
> *Je richoza saiwo je bachoza saiwo*
> . . .
> In the place of my séance, little sisters, I was true to my word, I kept my promise[18]
> *Thāram ngābeṅdāla bāini sācā ngabānike bācā ngābānike*
> I, your uncle, I make the offerings
> *Kākā je kākā sai sakkka ngāleu*
> From the left hand I give, from the right hand I give
> *Wara kuini ngācyo rito kuini ngācyo*

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[16] In a recent study, Rozenberg (2011:277) tries to clarify the use of the notion of reflexivity that, he remarks, has spread "like a virus" in the anthropology of rituals, and not always wisely. His useful reminder leads me to stress that what I mean by reflexive use of language here is the simple fact that the shamanic words refer to themselves in the chant. This is a characteristic that shamanic speech shares with poetry. I do not wish to suggest that this makes the chant a ritually powerful chant. I would like to thank Gregoire Schlemmer for drawing my attention to Rozenberg's article.

[17] The whole chant (244 lines) is published in de Sales (1994).

[18] Given the interpretation that I will offer of the notion of truth, the translation of this line needs some clarification. The Nepali term *bācā* means "promise" or "oath," and is often combined with the term *sātya* "truth," like in *sātya bācā* "promise" (Turner 1931:431). Here, *bācā* is combined with another Nepali term meaning "truth," s*āci,* in the binomial s*ācā ngābānike bācā ngābānike*; the action of making a promise is usually translated by *bācā bādhnu*, literally "to bind a promise." Here, the verbal expression *ngābānike* is composed of the Kham pronoun *ngā*, "I" and a corrupt form of either Nepali *bādhnu* "to bind" or Nepali *bhannu* "to say, to speak" (the aspirated *bh* does not exist in Kham). The termination *–-ike* of *bānike* indicates the past tense in Kham. In this line the shaman does not make a promise, but reminds the witches that he has kept his promise and has given them their due. The promise through which the shaman commits himself for the future comes at the very end of the chant and is repeated nine times.

In the place of my séance, little sisters, I was true to my word, I kept my promise
Ngābeṅdāla bāini sācā ngābānike bācā ngābānike
Up to 12 divine years, until ferns blossom, until stones germinate, until stones are worn out
Dibe dibe bārai barsa athera jugi uniya phulyo dunggi tusāyo pathar rulyo samma
Do not come back, little sisters, do not walk back
Wari nāhune bainā phari nabale hai
In the place of my séance, little sisters, I was true to my word, I kept my promise
Ngābeṅdāla bāini sācā ngābānike bācā ngābānike
Let's go and close the way in the land of dangers, let's go and close the way in the South
Bāta thunigāyā gāundā deshzāla bāta thunigāyā melā deshzāla
I made the promise one time, two times . . . I made the promise nine times, promise, promise."
Ekaliko bācā dawāliko bācā…nawa tyāli bācā bācā bācā

The shaman invites the nine sisters to frolic in the river and to drink water as young people like to do on such occasions. This is also the opportunity for them to give free rein to their personal inclinations, and the passage is not free from sexual connotations: the "bad intentions" and "the bad look" of the witches, their "thirst," as well as the "playing" halt at the river hint at lovemaking. It is surprising to see a song that is intended to expel evil ending in bucolic antics, and surprise is indeed the effect that the shaman wants to have, but on the witches. He wants to take advantage of the momentary submission of his "dear little sisters" and evict them from the village "until ferns bloom"—forever. The shaman took the witches for a ride in all senses of the term: he took them on a long journey in order to get rid of them while humoring them. Here again the words of the shaman literally "carry away" the spiritual entities, as do also his dancing and drumming. But this is not all. The shaman ends his address to the witches with a promise. This promise concerns the pact that Ramma Puran Can forged with the nine mythic witches, and that lies at the foundation of shamanic practices among the Kham-Magar.

The Truth Conditions of Shamanic Speech

The shaman is about to destroy the nine witches forever, when the youngest of them, and also the prettiest, prevents him from doing so for his own sake. She argues that if she and her sisters are no longer there to harm humans, he will lose his patients, and with them, his source of income. If he instead spares the nine sisters, they will provide him with the knowledge and remedies that will cure those whom they have afflicted, and grateful patients will cover the shaman with gifts. If this agreement marks the death of men and therefore also of the shaman, it nevertheless brings him the fame that will survive him. Thus the shaman feeds the witches who perpetuate human misery, but give him the power to overcome their ailments . . . for a time. All shamanic rituals end with the sacrifice of one or more animals in which the witches have a share.

Toward the end of the chant, the shaman reminds the witches that he kept to the terms of the contract—he was true to his word. Indeed he gave them their due "from the right hand, from the left hand," and now they must leave. The expression that he repeats several times is based on a binomial paralleling the notion of truth with that of promise. Both notions, promise and truth, are omnipresent in the shamanic chants: all recitals end with the promise by the shaman to keep

to the terms of the contract that binds him to his invisible partners—the quoted song gives an example of this oath that the shaman repeats nine times—and most of the magic spells or mantras are formulated as oaths.[19] As to the notion of truth, it is often invoked in shamanic rituals: following a Hindu tradition, most narratives start at the Age of Truth, *satya jug*, that we must understand as a sort of Golden Age when human beings were not yet corrupt.[20] Also, a mixture of seven grains called the "Seeds of Truth," (*sātabyū*), plays an important role in the séances: the shaman mutters magic spells over a small bag of these grains that he scatters around him to protect the place of his performance. Ritual chants relate how these divine grains were found by a hunter in the gizzard of a bird (a dove or a falcon, depending on the versions) that he happened to kill. The hunter (man or woman) sowed the grains that were, so to speak, fallen from the sky, and this was the origin of agriculture. This was also the origin of alcohol, which is described as a beverage that brings vitality to the weak.[21]

The "truth" of the seeds does not stand in opposition to untruth or lying, but rather to illness and death. In the same way, the shaman's truth here lies in his being faithful to the pact that is at the foundation of his power to see what ordinary humans cannot see: the invisible reality, the past, the present, and the future. This conceptual configuration is reminiscent of the notion of *aletheia* in archaic Greece. In his attempt to trace the historical evolution of the notion, Marcel Détienne (1990 [1967]:11) recalls that it needs to be understood in relation to two religious powers: the Muses, that are "the sung speech, the rhythmic speech," and Memory, that is not so much the power to memorize words as the power to see the invisible. Luminous *aletheia* would be also the opposite of *lethe*, sombre oblivion. However, the author has to nuance this understanding of *aletheia* when, in the course of his demonstration, he remarks that the magico-religious speech is invested with "a dual power, positive and negative" (66). The words of the poet are informed by *aletheia*, but they can also lead the audience toward *lethe*, or at least the sweet side of oblivion that makes people forget their lot of suffering. "The two antithetical powers are not contradictory, they tend toward one another; the positive tends toward the negative, that, in a certain way, 'negates' it, but without which it is not sustained" (72). In the same way, the shaman's discourse stands between seduction, a pleasant version of deception, and faithfulness to a contractual pact between human beings and their supernatural powers—a pact that stands at the source of his authority and that sets up the truth conditions of his speech.

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[19] See Gregory Maskarinec (1993) on oaths and mantra. The author translated two corpus of shamanic chants that belong to the same shamanic tradition as the Kham-Magar corpus analyzed here, but in Nepali rather than in a mixture of Nepali and Kham: the first set of chants was collected in the district of Jajarkot by himself in the 1970s, among shamans of the Blacksmith caste; the second set is made up of shamanic chants that the anthropologist John Hitchcock recorded in the Bhuji valley (Baglung district) in the 1960s but never published in his lifetime. To these chants, Maskarinec added the songs that he himself recorded, almost 50 years later, from the descendants of the Bhujel shamans. The two volumes, respectively published in 1998 and 2008, include several indexes that help to retrace the occurrences of certain words like "oath" and "truth."

[20] In Maskarinec's corpus we also find the expression "world of truth" (see index in 2008:768).

[21] For a published version of this widespread narrative, see the recital of the "Seeds of Truth" in Maskarinec (1998:265-8).

The Pragmatic Effects of Shamanic Speech

The reflexive use of language tends to transform the words into ritual objects with their own agency: we saw that they are "thrown at" people with violence or are referred to as the vehicles that bring back the soul or carry away the witches; they are no longer (or not only) a "transparent" medium of communication that refers to elements of the world, just as, in linguistics, signifiers refer to signified; they are themselves the elements of a symbolic-religious world that the shaman creates, not unlike the poet who uses words as much for their meaning as for their sound. However, this reflexive use of language is not enough to make the chants ritually powerful. Power is achieved through a wealth of speech acts (insults, threats, orders, oaths, contracts, and promises) that act on the world in such a way that the world must adjust to the words:[22] Indeed, the soul must come back to the patient, and unless this has been accomplished, the speech act is not successful and cannot be recognized by people. The shaman's speech acts are performed in accordance "with sets of constitutive rules," in Searle's (1965:223) terms—the constitutive rules that set up the very possibility of a world within which the shaman is invested with the power to heal. In this sense, the shamanic world is self-referential; it owes its existence to these rules.

In his seminal article on ritual language, Carlo Severi (2002) tries to identify the marker of what makes ritual communication different from ordinary communication. He starts from the observation of a healing ritual among the Kuna that is exclusively conducted through the shaman's speech: the shaman starts his ritual journey with a detailed description of himself performing according to the rules, and speaking of himself in the third-person. Severi suggests that this description of the rules for acting as a shaman is not just a way to store ritual knowledge, but rather, a way of departing from ordinary reality and producing a ritual context: ". . . . from the moment the singer starts to mention a chanter about to begin to recite his chant, from the point of view of the definition of the enunciator, ... an entirely new situation is established: the enunciators have become two, one being the 'parallel' image of the other" (32). Severi suggests that in this Amerindian ritual the "double presence" of the enunciator is the premise for his healing power.

One episode of a long-standard ritual chant among the Kham-Magar displays a similar configuration: the two wives of Ramma Puran Can insist that he reveal what will lead to his own death, so that they can protect him—or so they claim. Ramma Puran Can, who knows everything —past, present, and future—knows that if he reveals the secret of his death, then the witches, who are secretly listening, will know how to bring about his end. He hesitates, but in the end he gives in and describes what will happen: he will be walking along a high ridge when nine birds, the nine witches that have metamorphosed into birds, will fly up in front of him, surprise him, and cause him to fall from the cliff. Events unfold as he has predicted, and Ramma Puran Can duly dies. The point here is that the hero relates his destiny before the event itself features in the song. There is a narrative within the narrative, and through this narrative device, Ramma Puran

[22] I refer to the distinction that Searle makes between the category of speech acts by which words adjust to the world (simple description of the world), and the category of those by which the world has to adjust to the word *in order to be successful* (Clément and Kaufmann 2005:13-14).

Can is himself also a narrator, like the shaman who is singing the ritual chant. In Severi's terms, the performer is double, the two identities being the image of each other.

Other features of Kham-Magar shamanic discourse also stand in comparison with Amerindian shamanic speech and support the hypothesis about their pragmatic effect on the audience. The interchangeable usage of first and third-person pronouns, the "I" of the performer and the "he" of Ramma Puran Can, confirms the "double presence" of the enunciator. The systematic use of parallelism makes this even more striking when the first-person pronoun is used in the first hexameter of the line and the third-person pronoun in the second. Also, the use of the present tense is often set in parallel to the use of the past tense, or else the tense is not marked—a feature that sometimes makes the text impossible to translate. Indeed, the function of ritual speech is less to develop narratives as to give the shaman the power to heal and to make the mythic world present in the *hic et nunc* of the séance.

Unlike the Kuna shaman, the Kham-Magar shaman not only sings, but also often acts dramatically. One last example will show how the shamanic world is rooted in the ordinary world. The shaman is supposed to retrieve the patient's soul from the underworld by carrying the patient on his back. He bounces up and down to dramatize his return from the underworld. As he does this he sings the chant that relates how the mythic hero, named Pudaran, brought back the heroine, named Biselme, from the underworld. But the shaman neither incarnates Pudaran, nor does he suggests that the female patient whom he is carrying incarnates Biselme. He rather provides a sort of subtitle or voiceover to the ritual act. This ritual device generates an oscillation into the spectators' perception of what is happening in the performance, since the action of the officiating shaman is also that of the mythic hero. The mythic world is invoked in the séance, but the shaman and his patient are not actors; they remain who they are, as doubles of the mythic characters. We might also say that the specific event that the spectator is attending is endowed with a paradigmatic character.

Shamanic speech displays what Alfred Gell (1992:60) called "technical virtuosity." Although Gell focused primarily on visual art, his study applies equally well to language, which he recognized as "the most fundamental of all technologies." He suggested that certain artworks appear as "a technical miracle . . . because it is achieved both by human agency but at the same time by an agency that transcends the normal sense of self possession of the spectator" (49).The viewer experiences the emotional effects of this technical virtuosity without being able to recognize or expose the actual techniques at work; he is reduced to making assumptions ("abduction") about the origin of the work: he is enchanted, hence the expression of the author of art as "a technique of enchantment." However, if Gell (52, emphasis added) is interested in the cognitive impact of the object of art on the viewer, he remains a social anthropologist and recognizes that the society is, ultimately, the source of this process of enchantment: "In reconstructing the processes which brought the work of art into existence, [the viewer] is obliged to posit a creative agency which transcends his own and, hovering in the background, *the power of the collectivity on whose behalf the artist exercised his technical mastery*." Gell meets Bourdieu here, when he sees the artist as the representative of his community from which he gets his status as an artist and also the power to transcend the sense that the viewer has of himself. Technical virtuosity would not be sufficient in it self to generate that power. However, contrary

to Bourdieu, Gell (43) has the merit of paying attention to "the concrete products of human ingenuity" and to the complex relationships involving the viewer and the object.[23]

The Kham-Magar chants are performed by a human agent, the shaman, but the spectators are in a position to assume that the ancestor is at the origin of his extraordinary power to sing these long chants in a non-ordinary language—a language, moreover, that creates its own universe in which the shaman is defined as a complex enunciator. In this way, the verbal virtuosity, the shaman's "attribute," sets up the conditions for the possible existence of a transcendent source of authority.

Conclusion

It should be clear that this study of Kham-Magar shamanic speech does not claim to be valid for all shamanic oral traditions in the Himalayas. The purpose of this paper was primarily to address the question of the sources of authority for shamanic speech, starting from Bourdieu's strong views on the subject of the power of speech. Where does a shaman's power come from, his community or his technical competence? I have looked not only in the cosmology of the Kham-Magar and their rituals, but also in the formal features of their shamanic speech. Like the Kuna shaman analyzed by Severi, the Kham-Magar shaman is a "complex enunciator." A thorough comparative study would be necessary to see whether this formal feature is recurrent in other examples of Himalayan shamanic speech.

We have seen how, in the consecration ceremony, the human community invests its shaman with the authority to negotiate its fate with the nonhuman holders of its prosperity. But we have also seen that speaking of the ritual imposition of the dominant vision of reality, as Bourdieu does, ignores the multiplicity of spaces for contestation that the ceremony offers in practice. And even if these spaces may have the effect of confirming the community's support to the dominant order—the only point that has been retained by anthropologists who see rituals as mainly coercive—these spaces nevertheless remain open to possible negotiations of reality.

Regarding this other source of authority, ritual speech, which is claimed by shamans but dismissed by the sociological approach as a mere artifice with no power of its own, I hope to have shown that, besides having the agonistic power over reality that any language has, it pushes that power further and succeeds in shaking the cognitive self-control of those who are listening. It establishes its own universe of truth and makes a transcendent presence possible. Whether this transcendent presence is the community itself or not, once there, it is interpreted differently by each and every individual, and acquires a certain autonomy. We are therefore in a position to nuance a little the notion of deception that both the sociologist and the linguist saw at work in the "magical" power of words. If indeed deception is at the source of all authoritative speech, this

[23] This is not the place to discuss the relevance of Gell's theory as far as art is concerned. It is rather his analysis of the technologies of enchantment and his subsequent notion of the agency of artworks that I am using here. For a radical but lucid criticism of Gell's theoretical claims concerning the anthropology of art, see Bowden (2004); and for reflections on influential sources for Gell's work, such as Ernst Gombrich's *The Sense of Order* (1979), see Derlon and Jeudy-Ballini (2010).

deception is not controlled by a mastermind. What it produces through the technical competence of the spokesperson remains open and not fully predictable.

Finally, the shamanic universe is challenged by the younger generation of villagers who have attended school, and in many cases have even been abroad. They participated in the civil war and the transformation of the Hindu kingdom of Nepal into a democratic republic in a variety of ways that included ethnic claims and the need for recognition of local cultures. These "intellectuals," as their elders call them, criticize their shamans on two conflicting fronts: on the one hand, they accuse them for being superstitious or for exploiting uneducated people's credulity, and on the other hand, they challenge their monopoly of the local "tradition." They reject the ritual part of this tradition, including the blood sacrifices, but want to retain the "wisdom" that these "stories" may convey, and on which part of their cultural claims are based. The highly formalized shamanic speech is obviously an impediment to their access to that knowledge, and they turn toward their shamans to translate the myths into ordinary language. The shamans' responses vary, but it seems that apart from being naturally reluctant to give up their exclusive power, they are simply *unable* to sum up the sung myths. Shamanic knowledge and authority are embedded in their ritual speech. I have tried to show how this speech might make sense without reducing it to mere propaganda for the ancient order of things.

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Meaning, Intention, and Responsibility in Rai Divinatory Discourse

Martin Gaenszle

In linguistic theories of what constitutes meaning in communication, or the purpose of a "speech act," the notion of intention has been a crucial ingredient. If there were no intentions, so the general argument in the field of linguistic pragmatics goes, one could not distinguish meaningless words, like babbling, from meaningful speech. This position has been expressed in formal terms by the language philosopher H. Paul Grice: "'A meant something by x' is (roughly) equivalent to 'A *intended* the utterance of x to produce some effect in an audience by means of a recognition of this intention'" (Grice 1973:46, also Du Bois 1993, emphasis mine).

According to speech act theory, as developed in ordinary language philosophy by J. L. Austin and later expanded by John Searle, speech acts are performances that can have an intended effect on other persons, as in illocutionary acts like ordering, threatening, or demanding.[1] In these cases an appellative act solicits the addressee to respond in some way. But speech acts can also be performances that are merely expressive of certain intentions, as in sentences that use verbal expressions of fearing, wishing, or hoping (Searle 1983). Intentionality is, in any case, a basic aspect of all linguistic communication and interaction. In other words, speakers are persons who have an intention to convey something to other persons; they want to "affect" the other person in some way, and the speaker as an individual agent is therefore taken to be responsible for these intentional acts and their consequences.

This view of language in early speech act theory has been criticized by linguistic anthropologists as culture-bound, because in other cultural contexts, where other notions of personhood are prevalent, the situation may be quite different.[2] In the context of the Ilongot studied by Michelle Rosaldo, for example, it is not so much propositions by individual speakers, but directive speech acts in complex social settings that are the paradigmatic case in linguistic communication. As summarized by Rosaldo, speech act theorists "think of 'doing things with words' as the achievement of autonomous selves, whose deeds are not significantly constrained by the relationships and expectations that define their local world. In the end, I claim, the theory

[1] In his original model John L. Austin distinguishes "locutionary" speech acts, "illocutionary" speech acts, and "perlocutionary" speech acts. Only the first can be assigned truth values, while the other two are primarily defined by their performative character: illocutionary speech acts have a specific conventional force, and perlocutionary speech acts bring about a certain effect (Austin 1975). It was in John Searle's reformulation of the theory (Searle 1969) that more emphasis was put on the actors' intentions.

[2] The debate is well summed up in Alessandro Duranti's introduction to linguistic anthropology (Duranti 1997:ch. 7), where he discusses at length the critique voiced by Michelle Rosaldo referred to here as well.

fails because it does not comprehend the sociality of individuals who use its 'rules' and 'resources' to act" (Rosaldo 1982:204). This has consequences for the notion of a speaker's intention, as the "force" of a speech act is not located in the individual actor alone.

In fact, more recent studies in linguistic anthropology have stressed the social embeddedness of meaning and intention in social interaction.[3] One important issue that emerged is the notion of responsibility. Who is the speaker as the source of the statement? The person who intends to convey something to others through words is also the person who makes certain claims and takes responsibility for the consequences of what is being said. Thus speech is a complex social act, often highly ritualized, in which roles and positions are negotiated. As Jane H. Hill and Judith T. Irvine point out in the introduction to their volume *Responsibility and Evidence in Oral Discourse* (1993), the focus on responsibility and the related notion of evidence (that is, claims to knowledge) in speech is in line with more dialogical approaches, which bring out the interactive and processual quality of the productions of meaning.

One case in point in which the ordinary intentionality of the speaker is absent is in the context of divination, that is, divinatory speech or prophecy (Leavitt 1997). As John Du Bois stresses, non-intentionality is especially pronounced in so-called "mechanical divination," which can be distinguished from "trance divination" (that is, oracular divination), but in both cases a suppression of intention, and thus "intentionless meaning" is involved (Du Bois 1993:53, 70 n. 8). But if it is not the speaker who has intentions, this does not mean that intentions are not involved at all. They can be attributed to a special kind of person, for example, a divinity.

The following study of a shamanic divination in eastern Nepal deals with a form of speech in which the traditional healer presents a diagnosis of the afflictions of a household: he utters in a distinctive linguistic style words that are desperately awaited by the audience as words of truth and regarded as authoritative and binding. Yet, if we ask who is this authoritative speaker, the answer turns out to be complex: we are dealing with divine speech, and several deities are involved as the sources of knowledge. Moreover, the audience also takes a crucial part in the production of meaning.

In such a situation the traditional concept of basic speech act roles is not sufficient. Since Austin and Searle, other philosophers of language have elaborated the model of speech act participants. Inspired by Ervin Goffman's work, Stephen Levinson (1988) distinguishes, for example, the roles of "spokesman" (who has no intentions of his own but contributes to form), "relayer" (who simply conveys a message)—or "ghostee" (a ghosted speaker who may have motives but is not responsible for the wording of the message). As Levinson (1988:222) concludes, it is necessary to go beyond the "bias toward dyadic interaction" involving only Speaker and Hearer, as "many of the world's social settings do not afford the privacy that makes the dyad triumph in the Western world."

In our case of a possessed shaman, the person who is the source (or author) of the message is a deity, but the actual speaker, in the sense of the utterer, is the shaman. Thus the question of intention and responsibility appears in a different light: whereas the visible agent is only a vehicle, it is a non-visible agency, a divine person, who is the locus of truth and authority.

[3] For example Marina Sbisá writes: "The speaker's intentions are often held to determine which speech act is performed, and the role of the hearer is reduced to getting these intentions right. I believe this is a limitation of the theory, since it leaves no room for collaborative achievements or negotiations about what is done" (Sbisà 2001:5).

Yet, as will become clear in the following essay, the meaning of the utterances is the result of more than one actor's intention.

Shamanic Divination: *Bakhyāune*

The following performance took place in the Mewahang Rai village of Bala (Sankhuwa Sabha District, Nepal). The Mewahang Rai are one of more than two dozen of Rai groups, speak a Tibeto-Burman language belonging to the Kiranti family, and still practice their ancestral religion (Gaenszle 2000). The session was recorded on video in April of 1988 in collaboration with two Swiss anthropologists and filmmakers and included in the edited documentary "Dewa and Cinta."[4] The performing shaman and center of activities was a Kulunge from the neighboring village of Dankhila, named Phidisai (a nickname based on his clan name), who was frequently called to Balali households as a highly respected healer. Though there were two Mewahang shamans in Bala at the time, it was quite common to invite Kulunge shamans, who are particularly numerous and regarded as knowledgeable in the area.

The ritual tradition of these two Rai subgroups is called *muddum* in Mewahang and *ridum* in Kulung language, and though the Rais' religious cultures have strong commonalities, the specific ritual practices are almost as distinct as their languages, which are mutually unintelligible.[5] However, whereas this applies mainly to the rituals of the "tribal priests," called *ngopa* in Mewahang, and *nagire* in Kulung, the traditions of the second major category of ritual specialists, the "shaman," have much more in common.[6] This figure, who is in Nepali referred to as *jhā̃kri* (or *dhāmi*), is mainly in charge of dealing with dangerous spirits, especially the spirits of inauspicious death, and other "outside," non-ancestral divinities. In Mewahang he is called *makpa* (< *mang* "spirit"), and in Kulung language *mop* (a cognate term). As has already been observed by Nicholas J. Allen in an article on the medical practices of Rai healers (1976), the "shaman" can be seen as a kind of mediator with the larger non-tribal world: he deals with spirits and deities who derive from other ethnic groups and castes and are not part of the ancestral heritage. Therefore, he also uses the *lingua franca* in the nation-state of Nepal, the Nepali language, in addressing Nepali divinities as well as in other crucial passages—like the divinatory discourse considered below. The shaman is a kind of cosmopolitan, and therefore he need not be of the same group as his clients.

The main activity of a shaman, the *jhā̃kri*,[7] is to hold a nightly seance, called *cintā*, which typically starts at dusk and continues all through the night till dawn. This practice has basic

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[4] Dewa and Cinta. Two Rituals practiced by the Rai of the Sankhuwa Valley in East Nepal. Videofilm by Martin Gaenszle, Albin Bieri, and Majanek Garlinski (1990). Zürich: Uni-tv.

[5] For ethnographies on the Kulunge Rai see McDougal 1979 and Schlemmer 2004.

[6] The terminological distinction between "tribal priest" and "shaman" is not unproblematic, as also the "tribal priest" can get possessed and also goes on ritual journeys. However, there are good reasons to employ this terminology, which has been suggested by Nicholas J. Allen (1976), in order to express the fundamental duality.

[7] A more detailled account of the position of the shaman within the ritual system among the Mewahang is given in Gaenszle 2002:63ff.

similarities all over Nepal, and as the figure of the *jhãkri* is found not only from the west to the east of the country, but also among virtually all castes (from blacksmith Kami as well as Bahuns, that is, Brahmans), the tradition has been described as a pan-Nepalese phenomenon and called *jhakrism* (see Macdonald 1976). A crucial climax of the *cintā* session, curiously awaited by the audience, is the diagnosis, called *bakhyāune*, which basically means a report or narration about something (< *bakhānnu*, vb. tr. and intr. To describe, relate. < Skt. *vyākhyāna*, s. Turner 1980:413). In other words, the divination is an account of the state of the household, it describes the "real" situation of fortune and disaster, the health and illnesses of its members, the conflicts and tensions, the imminent threats and possibilities of hope.

But before he reaches this point of contact with the divinities, the shaman first has to prepare the proper setting for the encounter. The seance begins, after the evening meal, with the construction of the altar (*thān*). The main assistant (called *ḍhole*), in this case the son of the shaman Phidisai, is responsible for erecting the altar on the veranda. The center of the altar is a construction of banana stalks, bamboo wands with frilled ends (*ghuṅri*),[8] and feathers. In front of it are placed various horns and antlers, symbols of the hunt. In the middle is set an iron trident (*triśul*), the emblem of the god Śiva, who is looked upon as the guardian deity of shamans. The altar may be interpreted as a kind of "bridge" between the worlds.[9] It consists of objects that are pleasing to the attending deities and attract their interest. These objects further include: necklaces of *rudrākṣa* seeds; a necklace made of snake vertebrae; the pure light of oil lamps (*dīp batti*); metal vessels containing ritual water and purifying leaves, like mugwort (Artemisia vulgaris, *tite pāti*); incense (*dhūp*); magical stones, so-called meteorites, crystals (*śilā*); a conch shell (*śaṅkha*) that can be sounded; a sickle (*kaciyā*) for use as a weapon against the spirits; the double-sided drum (*ḍhyāṅro*).[10]

The shaman must protect himself in a variety of ways in preparation for his contact with the spirit beings. As if he were donning armor, he puts on the clothes of a shaman (*jāmā*), and on certain parts of the body fixes leaves from the tree of life, a kind of chestnut regarded as purificatory (*musure katuj*). To fortify himself he inhales the power inherent in ginger stems. He arms himself further with a belt of bells (*ghaṇṭi*).

First the altar is consecrated in order to secure the arrival of the attending deities. To drive off the rapacious spirits of the dead the shaman throws grains of rice into the air: this is given to them as their share of food. With a welcoming gesture Phidisai pays homage to the altar as the symbolic seat of the attending deities. In order to purify his utensils, the necklace of *rudrākṣa* seeds and the bamboo wands, which are used as magical instruments, he washes them in ritually pure water. The drum too must be separately consecrated and purified with leaves in order to develop its magic potency. An image of the symbolic trident is drawn with ashes, so that the drum might bear the power of Śiva within it.

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[8] *ghuṅri* < *ghuṅrinu*, "to curl up"; this is an important ritual instrument found throughout Kiranti culture.

[9] In an early article Höfer describes the altar among the Tamang as a "materialization of, and bridge to, the Other World" (Höfer 1974:171).

[10] For a detailled description of the Tamang shaman's altar construction, see Höfer 1994:59-64.

The rhythmic tone of the drum delights the attending deities; the shaman addresses them and asks them to come. Phidisai lays the necklace made out of *rudrākṣa* seeds on the altar for presentation to the attending deities. Smelling the necklace and counting the seeds is an important part of the divination. Depending on the smell and on whether an odd or even number of seeds has been counted within a randomly chosen section, the shaman can get answers to his questions and thus see into the future of the client's house.

For further protection against the evil spirits, he puts the necklaces on himself and on the drumming assistants. Since his assistants are likewise exposed to the dangers of the spirits of the dead, Phidisai blesses them with grains of rice. The metal food plate (*thāli*, "brass dish") is another important instrument of shamans. It serves both as a magic shield to ward off evil forces and as a rhythmical instrument to flatter the deities. The grains of rice over which the shaman has spoken mantras turn into magic substances to protect the parts of the body especially prone to danger. The spirits of the dead are kept away from the altar and banned with the aid of feather-arrows.

Once the shaman, with the growing support of the tutelary deities attending him, has gained control over the rapacious spirits and has armed his own body, and those of his helpers, against harmful influences, he can begin to demonstrate the superhuman power he has now attained. For example, he is now able to touch an incandescent iron spoon with his tongue without sustaining injury. On the basis of dancing rice grains he can make divinations concerning the state of the patient: it is a good sign when they are quick to jump down, but a bad one if they are slow and hesitant. By looking through a hollow tiger bone he is able to spot witches and roving spirits of the dead. The dance of the shamans, like the rhythms of the drum, is meant to delight and flatter the attending deities. The deities are constantly conjured to appear and to give their support in the battle against hostile beings.

The tension increases noticeably, and Aitabare, the attending deity first called upon by Phidisai, slowly begins to take possession of him. Possession in this ambivalent phase, in which the shaman is partially himself but already partially the deity, is still uncontrolled. By means of the movements of Phidisai's body and utterances from his mouth, the deity signals that local impurities are still keeping him from fully appearing to the shaman. The assistant immediately begins to sprinkle purified milk. In addition, he cleanses the shaman's head with milk and later with mugwort leaves also. At the request of the deity in Phidisai's body, the helper gives him ritually pure water to drink.

All those present now wait in suspense for the moment when the attending deity takes full possession of the shaman and through his song reveals the current condition and the future of the household. Eventually, the shaman Phidisai is visibly being possessed by Aitabare, a local divinity, whose gender seems to be ambivalent. The name simply refers to the day—Sunday—of its preferred worship. The deity is sometimes regarded as a goddess, but the language of the deity itself indicates that this is not unambiguously the case. The deity, as we will see, uses a plural pronoun form, a *pluralis majestatis*, which includes a male and a female form of the divinity. Now, as the drumming stops and there is a sudden expectant silence, the shaman, apparently a changed personality, solemnly begins to speak, using a kind of formulaic and archaic Nepali

language, clearly distinct from both the spoken Nepali and the *muddum* Rai language (which is mostly used in the session):[11]

1 ma niśāni rājā hũ, ma kalyāṇ jhkreni hũ.[12]
I am the King of Signs, the Auspicious Shamaness

2 o hāmi akāś pātal ko haptawāri ghumikhelne jāne hũ.
O man, we travel weekly between heaven and earth,

3 Triśula Gaṅgā jala pāni khāi jānchũ,
I drank water from the Trisuli River and the Ganges

4 pyāsale marera gayo. [the assistant gives the shaman water to drink from a loṭā]
I quenched my thirst.

5 hāmi niśāni rājā hũ, niśāni rānī hũ, kalyāṇ jhā̃kreni hũ.
We are the King and Queen of Signs, the Auspicious Shamaness

6 yasai grihemā culā cauka bicmā,
In this house, between hearth and courtyard

7 kailāś thāna mandir thāna uṭhāi,[13]
you erected a Kailash altar, a temple altar,

8 dewa dīpa kalasa sāñci rākhi,[14]
you set up the deities' water container as a witness,

9 dān dakṣinā sāñci rākhi
you set up the offerings as witness,

10 śila-sabhā bhāegari: ke bhani ta ḍāki-bolāyo?
with a noble gathering: Why have you called me?

11 hāmi niśāni rājā hũ.
We are the King of Signs.

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[11] The following text is not a complete divination but contains its major passages. Omissions are marked with […]. The recording was not always clearly comprehensible, so there are a number of unclear expressions. I am grateful to Alaka Chudal for helping to revise the earlier version of the translation.

[12] *nisān*, "mark, sign, landmark; the flag carried in front of an army and worshipped daily by the officer who carries it [lw. H. niśān fr. Pers.]" (Turner 1980:351); *kalyāṇ*, "Happy, prosperous, well" (Turner 1980:79).

[13] *thān*, "place, shrine, temple." The shamanic altar is like a temporary shrine for the divinities.

[14] *kalaś*, "A copper water-pot used in the performance of religious rites" (Turner 1980:79).

The deity identifies itself as *niśāni rājā hũ*, *niśāni rānī* (the King and Queen of Signs), which can be interpreted as a title that refers to the "reading" of the future and thus its oracular competence. Another epithet used by the shaman is *kalyāṇ jhākreni*, which underlines the female gender and the auspicious character of the shamaness. In the following line the deity alludes to the weekly rhythm of offerings to Aitabare. The name, in fact, invokes the name of a weekly market, which takes place every Sunday. When the divinity subsequently speaks about its thirst, alluding to the water of the Trisuli and Ganga rivers, the assistant immediately offers and pours water into the mouth of the deity from a metal container. The divinity then asks: Why have you asked me to come? It has been invited to the altar, which is seen like Mt. Kailash as the abode of Siva (*kailāś thāna mandir thāna*), while offerings are presented and regarded as "witnesses" (*sāñci rākhi*, lines 8-9).

Now it is the turn of the audience in the congregation (C), the respected men (*dasa pañca*, lit. "committee of ten arbitrators," *bhalādmi*, "reputable men of good character," Turner 1980: 471), to ask questions (usually no women are speaking). The standard address of all deities is *parameśwara*, a Sanskrit form referring to the highest of deities:

C: O parameśwara, esai grihemā kasari holā?
O Supreme God, what will be the situation be in this house?

Then the divinity proceeds with its diagnosis, addressing the congregation as "*manuce*" (< N. *manuṣya*, "man," "pop. manukkhe, s. Man, mortal, person," Turner 1980:492). The superhuman agent thus speaks to the humans:

12 purba uttar sāmu bāṭo kālo bhuta kheli ghumi āune rahecha,
Coming from the north-east I see a black ghost playing around,

13 e manuce, yesai grihemā bahuta garaha kholiāune holā,[15]
O humans, the planets do not appear favorable over this house.

14 yesai grihe ta,
this house.

15 he manuce, bahuta grihe ta ujyalai cha,
O humans, there is much light over this house

16 mahārājā pratāpa bāṭo,[16]
through (your) own royal power

17 graha kholiāeko cha, e manuce,
the constellation of the planets is clarified.

[15] The verb *kholnu*, "to open" is here understood in the sense of "to uncover, solve."

[16] *pratāp*, "Glory, majesty, dignity, honor" (Turner 1980:394).

18 e dasapañca, o bhalādmi.
O you ten councillors, o you mighty men.

19 … graha kholidinchũ,
I explain the constellation of the planets,

20 bahut garaha dekhincha
many unfavourable constellations appear,

21 holā nai manuce.
So it appears.

22 bahut, manuce, e grihe garaha bahuta kholi ta baseko,
o humans, over this house there is much inauspicousness

23 dui grihe bāṭo. […]
because of the two households.

The key notion in the diagnosis is N. *garaha*/*graha* < Skt. *graha*, a term that refers literally to the planets. But understood in the context of Hindu astrology, it basically means "constellation" or "affliction." By "revealing" these afflictions the tutelary divinity reveals the truth. The deity comes to the following conclusion in its diagnosis: it sees an inauspicious planetary constellation threatening the residents, mainly because under one roof there are two households that are not yet separated. In fact, the sister of the household head, who suffered some health problems and had not been married off, was still living with her brother and her mother in the ancestral house, but the brother had built a separate hearth for his family after the household had grown bigger (five children). Thus there were two hearths in one house, and this was a situation that could only be temporary. It was time to split up.

The audience continues to ask questions:

C: Rāmro sikhāidinu paryo
Tell us nicely what the situation is.

The deity continues with the "story"—in a formal, mainly Sanskritic language. For example in the following section there are a number of terms that would rarely be used in ordinary speech, such as *birdha janani* (< Skt. *vṛddha*, "old," + Skt. *jananī*, "mother") or *karuṇ* (< Skt. *karuṇa*, "compassion"). Clearly the language is different from everyday village Nepali, as this is rather the language of officialdom, of courts and administration, which is heavily borrowing from Sanskrit but also tinged with some Urdu: for example, *sikista*, "seriously ill" [lw. H. *śikasta*

"broken, ill," from Pers.] (Turner 1980:605), or—below in line 38—*duniyā*, "world" (from Arab.).[17]

24 Sunnijāu, manuce, he dasapañca,
O listen, humans, Ten Councillors,

25 janani, birdhu janani ko kahiran kholigayaũ, bakhigayaũ,[18]
I will tell you the story of the mother of this house,

26 manuce, garaha, grihe ko
o humans, the planets of this house,

27 sunai rāni ko, e manuce, sunai rāni ko karuṇ bāṭo nai[19]
through the compassion of the Golden Queen

28 sikista paryo. […]
the situation has deteriorated.

29 Mahārudra Mahādewa gāidubo gāiduboniko[20]
For Maharudra Mahadewa, for the wellbeing of cows,

30 praṇām śaraṇa li rāho![21]
make offerings to provide protection!

31 he manuce, Lachimilāi pani, bahuta caupaya daupaya pani[22]
O humans, also for Laksmi and all four- and two-footed creatures

32 ukāsai ukāsa garnu holā![23]
do worship to achieve prosperity!

33 bācā māri ta basa na ta ho, e manuce ho.
This you should continue to promise, o humans,

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[17] The influence of Urdu on the Nepali language is due to its significance as a courtly idiom and legal language, linked to the powerful state systems in Northern India, particularly the Moghul empire.

[18] *kahiran*, "story," "description."

[19] *sunai rāni*, "golden queen," is an epithet of the territorial deity known as Poyomme in the Rai language.

[20] *dubo*, "a particular kind of grass."

[21] Skt. *praṇāma*, "obeisance"; Skt. *śaraṇa*, "protection."

[22] *caupāyo*, "four-footed," "quadrupeds."

[23] *ukāsnu*, "To take out; raise; rescue, set free; turn up (a lamp)" (Turner 1980:43). Here this verb refers to the increase of prosperity.

34 tyati nai kholi āyo, niśāni rājā hũ, niśāni rāni hũ,
This much is revealed to you, I am the king of signs, queen of signs.

35 baiṭhera gayũ. […]
That's all, we will go back!

36 o manuce, grihelāi ko kahirana ta
O humans, the story of the house

37 kholigāe ta bākhigāyũ ta, o manuce
I revealed to you, o humans.

The deity Aitabare speaks about the elder woman of the undivided household, the mother of the household head (who was absent for most of the time as a migrant worker in Arunachal Pradesh, but who was present on this occasion). Her health has deteriorated due to the "compassion" (a euphemism) of the goddess (Devi). After the diagnosis the deity continues by giving clear instructions to the household members: they are asked to perform rituals and to give offerings to Mahārudra Mahādewa (that is, Śiva), the goddess of wealth, Lakṣmī, and for the domestic animals.

C: lau parameśwari, chetcheti kahidinuparyo, parameśwari[24]
Now, Supreme Goddess, tell us clearly, o Supreme Goddess

lau parameśwari, ke ke dekhincha?
O Supreme Goddess, what do you see?

Again and again the congregation exhorts the divinity to give a detailed and truthful account of the situation. Aitabare then diagnoses the afflictions through a goddess, Sansāri Māi,[25] who is responsible for various illnesses. This deity is a version of the well-known Goddess of Smallpox, known as Śitalā, or by other names throughout South Asia (for example, Jāgrānī, "Queen of the world," Baṛī Mā, "Great Mother"; in South India: Mariamman). She is in fact a typical divinity of the larger, "outside" world, associated with big cities and the many illnesses (especially fever, coughing, sores, and pustules) that one can catch in foreign lands. Thus Sansari Mai is not an ancestral being but a translocal, or transregional goddess, representing afflictions of alien origins.

38 jagat maṇḍalmā, sunnos, e duniyā ho bhane ta
in this village territory, o listen, all the world

[24] *chetcheti* < ?*cheti*, *kṣati*, "loss, damage," the expression could not be clarified. The overall meaning was given as "accurately," "truly."

[25] *sansār*, "the universe"; *sansārī deutā*, "(Tarai) the village goddess" (Turner 1980:584).

39 esai jagata sansār prithiwilokmā
in this realm, in this earth-place

40 sansāri māi, khoki māi, dhamki māi,[26]
(from) the World-Mother, the Cough Mother, the Asthma Mother

41 solā māi, kānchi māi, pyāra māi ko rājya bāṭo[27]
the Disturbance Mother, the Youngest Mother, Beloved Mother—from their kingdom

42 o manuce bahuta sikisti paryo. [. . .]
o Humans, much illness will come.

By enumerating the various epithets of Sansari Mai, the divination gives a vivid and rather detailed picture of the threatening illnesses. This can be seen as a case of what András Höfer has described as "differential enumeration," which is defined as a combination of "categorical" and "cumulative enumeration" and is found frequently in divinatory discourse (Höfer 1994:284, 292). This pattern contributes to a detailed and complete description of a whole that the shamans strive to represent.

After Aitabare has finished the diagnosis, other divinities also enter the body of the shaman Phidisai. In the following passage he is possessed by the Spirit of the Hunt (known locally as Molu Sikāri). Now the voice and the whole gestural habitus clearly changes, the rhythm of speaking is short and impulsive: he emphasizes every word equally, with a short break after it, so that the style is a kind of staccato. Everyone immediately recognizes that this is another tutelary deity. Now the audience can go on asking questions and thus cross-check the truth of the diagnosis.

43 prithiwi rājā, rāj-dhani hũ[28]
I am the King of the World, the Owner of the Kingdom

44 yesai grihe culā cauka…je cha
in this house, this hearth, . . . whatever,

45 kailāś thāna mandir thāna uṭhāi
where you erected the Kailash altar, the temple altar,

46 ke bhani ḍāki bolāi holā? [. . .]
why have you called me there, what do you want to know?

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[26] *khoki*, "cough"; *dhamki ko bethā*, "asthma."

[27] *solā*, "a sort of trap set up by *caukidārs*, which when touched shoots the intruder"(Turner 1980:624); the goddess is seen as the youngest (*kanchī*) of 16 sisters, therefore—ironically?—the most beloved one.

[28] The word preceding *dhani*, "rich," "owner," is not entirely clear: it could also be *rās dhani*, "owner of (grain) heaps."

The name of the second deity is "King of the World" or "Universal King." This might be a surprising epithet for a Hunter Spirit, but he is the Lord of the Jungles, a true sovereign power of all territories!

C: lau parameśwari, ke ke dekhincha, chetcheti kahidinuparyo.
O Supreme Goddess, what do you see, tell us carefully!

The Hunter Spirit now gives his version of the household conflict:

47 garaha juddhe bahuta hune ta rahecha,[29]
there is be much fighting

48 nakali rāni, sunai rāni, bālasa-haru pani[30]
the Charming Queen, the Golden Queen, the Old Woman of Bala, and the other territorial divinities

49 bahuta milindaina holā esai grihemā.
they do not get along well in this house,

The reason for the problems of the house, according to the second diagnosis, is mainly due to the quarrel of ancestral divinities, the Old Ladies (*buṛheni*) of the house and land. These deities are responsible for the wealth and prosperity of the household, and therefore are also referred to as *ghar ko deutā*, "deity of the house" (Gaenszle 1992:209f.). It is interesting to note that according to local mythology, the *buṛheni* of Bala, or Balme, has been forcibly abducted as a human by Molu Sikāri, who eventually killed her so that she could join him as a spirit.

C: hola parameśwari, hāmi kehi jāndunna,
So it seems, o Supreme Goddess, we do not know anything.

hai parameśwari, manuṣya ajan.
he, Supreme Goddess, humans are ignorant

The congregation, repeating their admission of ignorance, continue to inquire. The deity continues to diagnose afflictions and even gives warnings pointing out concrete, imminent dangers.

50 tesai ko karuṇa bāṭo, manuce,
through their compassion, o Humans

51 bahuta garaha kholi ta baseko holā,
many inauspicious constellations have been revealed

[29] *juddha* < *yuddha*, "fighting, battle, conflict."

[30] *nakali rāni*, < *nakali*, "nice, charming," but also "imitated, fake," apparently an ambiguous charm; *bālasa tangma*, or Balme, is the divinity of the village of Bala. All these "queens" are territorial deities.

52 e manuce, hāni noksāni pani, esai grihe mā ta bhaibaseko cha,[31]
O Humans, even destruction has come into effect

53 caupaya daupaya lachimi pani.
on the animals and humans, and Lakṣmī,

54 Her, manuce, esai grihemā ta agnilāi pani uṭhāi dincha
Look, o Humans, they will even set fire to this house!

55 cańkho caturi baso[32]
So be careful!

56 chuṭṭai diyo bhane bhalo kuśalai dekhincha.[33] [. . .]
If you separate, then there will be much prosperity!

The second divinity speaks out a clear warning: there is imminent danger of fire. If people do not watch out, there might be a fire destroying the house. While the second deity gives some additional or complementary indications of afflictions, the diagnosis of Aitabare is basically confirmed: the two households are not getting along as the two deities of the household altars are fighting. Clearly the only solution is: they have to split up and separate!

The divination also includes possession by Sansari Mai,[34] who also confirms the general diagnosis given by the other divinities. In all cases the shaman speaks for an authoritative being who somehow comes from another world—from where things can be comprehended more clearly than in the world of humans.

Conclusion

We can now return to the earlier question: Who is the speaker? And what does he or she try to convey? Obviously, for the audience it is not Phidisai who is speaking—he is only the vehicle, the medium. One cannot say that he is not involved, as he provides the vehicle, and it is due to his competence that the deities, which are his tutelary deities, are able to speak. But he is not responsible for what is uttered through his mouth. The "true" speakers, the true originators of the speech, are the deities.

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[31] *hāni*, "destruction, damage, loss, waste; disadvantage" (Turner 1980:636); *noksāni*, "damage, loss," the expression here is a nice example of a Nepali binomial, which is similarly constructed as the binomials in Rai ritual language (see Gaenszle et al. 2011).

[32] *cańkha*, "attentive, cautious"; *catur*, "clever."

[33] *kuśal*, "prosperity, health, happiness; security, ease" (Turner 1980:102).

[34] Interestingly, the goddess Sansari Mai refers to herself as "Nepāli Rājā," king of Nepal. This confirms our interpretation of her significance as translocal, here: national.

Here we may come back to the terminology suggested by Levinson (1988). What is the actual role of the shaman in this speech event? He is the "speaker" in the sense of "utterer," but the "source" of the speech, that is, the "informational/illocutionary origin of the message" is the deity. But Phidisai is not simply a "relayer" or conveyor of the message, like the reader of a statement (for example newsreader) who has no personal involvement and motive of his own and has nothing to do with the wording or formal properties of the text. Nor is he a "spokesman" who acts without personal motives but makes himself complicit with the source and is held responsible for the wording of the message. Perhaps he comes closest to what Levinson calls a "ghostee": a ghosted speaker, in analogy to a ghosted writer, that is, a writer who has a ghost writer (1988:173). This role implies that the shaman is speaking with a desire or motivation of his own, but the wording is produced by somebody else. The motivation is, however, not to pretend that it is his message, that is, the shaman is not responsible for the content. He is personally concerned with the fate of the household, but everyone knows who the "real" speakers are.

So what is their intention? What is the intention of the divine speakers who remain invisible? Or, in other words, what is the agency attributed to the divinities? The deities have a view of what is going on—they can see more clearly than the humans—but their view is not infallible. They speak in ambiguities, not everything is immediately clear; it needs interpretation. Often it takes days or weeks until people come to a conclusion as to what the meaning is. Above all, the different deities do not speak equivocally: their diagnosis is not always as unanimous as in this example, sometimes it may be conflicting. Thus the audience is left with some clues, but also many loose ends. It is the long process of the layman's interpretation that eventually leads to some kind of village consensus (as has been well argued by Sagant in his excellent study, 1987).

Because of these ambiguities in the diagnostic discourse, a kind of verification is necessary. One cannot really trust only one deity, it may be wrong or one-sided. So in the seance itself a process of cross-checking is employed to come to a more reliable truth: different tutelary deities are asked, and thus the result is considered to have some degree of "objectivity." In other words, one does not really trust the deities as individuals: they may have their own ulterior motives. But at least the deities seem to have good intentions: they want to help the humans, and warn them of dangers. It is thus apparent that divine intentions are not absent, it is only that these intentions are less clear for humans to understand. They can only be deduced or assumed—from their vague hints given from afar.

The fact that the divine intentions are in a plurality—not one but many intentions—reveals a notion of agency that is similar to what Ronald Inden has described in terms of "complex agency" (Inden 1990) or William Sax in terms of "distributed agency" (see Sax 2006, 2009:ch. 4). Referring to the agency distributed in divine kingdoms, Sax writes: "These gods' agency is built up, as it were, from subordinate forms of agency distributed amongst individuals, families, clans and other kinds of associations in the region" (Sax 2006:481). However, the plural agency we are dealing with in the Rai shaman's case is not always of one piece, but may be torn in different directions. This seems to be typical of systems of divine affliction in polytheistic religions. Whereas in a monotheistic setting, truth and authority can only come from the one and only, or at least the major, god, it is precisely the multitude of voices that conveys authority in a non-monotheistic setting.

But what is the active contribution of Phidisai the shaman? Is he really only the "ghosted voice," who does not take responsibility for the wording (though he may have his own motives)? It is true, as we have seen, that the language is highly formulaic, that is, it consists of stock phrases and idiomatic sentences that clearly mark them as "divine": in particular the ancient, Sanskritic language style, and also the use of parallel constructions, like binomials, emphasizes the formality of discourse (cf. the classic article by Bloch 1974). But nevertheless, it is not simply a "recitation" of a fixed standard text, but active and creative instantiation of meaning that is achieved by the shaman in each performance anew: each seance is different, if not in structure, then in detail.

This leads to an analytic perspective through which one can approach the issue with a psychological framework. What does the shaman know about the social situation, and how does this affect his performance? One can argue, of course, that the shaman's work proceeds on the level of intuition and the subconscious. He usually has a good knowledge of the families and their general situation, and spends much time talking with them before and during the séance. There is no doubt that he has a fine sense of the social context and that his intuitions somehow find expression in his speech.

A fuller understanding of the efficacy of the ritual could only be achieved by combining these different approaches—linguistic, sociological, and psychological—but this would go beyond the scope of this paper. Coming back to the issue of speech acts discussed at the beginning, our case study clearly shows that the speech activity of the shaman is a complex and collaborative achievement that involves, in a context-sensitive process of negotiation, not only several social roles but also different, partly conflicting intentions. Obviously Phidisai is not the only agent in this situation of complex agency: he may be the leading actor in the play, but there are several other responsible actors, both visible and invisible, present and absent, living or dead. Reflection upon and analysis of such ontologies allows us to further expand our theoretical models for an adequate description of cultural variety in acts of speaking.

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The House of Letters: Musical Apprenticeship among the Newar Farmers (Kathmandu Valley, Nepal)

Franck Bernède

"*Etoit-il étonnant que les premiers grammairiens soumissent leur art à la musique, & fussent à la fois professeurs de l'un & de l'autre?*"
J. J. Rousseau, *Essai sur l'origine des langues*

"Is it surprising that the first grammarians subordinated their art to music and were teachers of both?"
J. J. Rousseau, *Essay on the Origin of Language*

This article explores the principles of musical discourse among the Jyāpu farmers of the Kathmandu Valley as revealed through the teaching of the *dhimay* drum. During this purely ritual apprenticeship, it is through the transmission of a corpus of musical compositions, based on mimetic syllables that are perceived as an expression of the voice of Nāsadyaḥ, the local god of music and dance, that the discourse of authority of the masters is expressed. The instrumental pieces played during religious processions originate from these syllables, which imitate the sounds of the drum. In addition, *dhimay* drum apprenticeship is inextricably linked to that of acrobatics, which includes the virtuoso handling of a tall bamboo pole. I propose to discuss here the nature of this musical language in its traditional context, as well as its recent transformations in Newar society.[1]

In 1995 when I embarked on my investigations in Kathmandu Valley, I was looking for a master musician who would be willing to teach me the rudiments. At that time Jyāpu farmers

[1] This article was translated from the French by Josephine Marchand. This study is based on research carried out in Nepal between 1995 and 2012. The first elements resulted in a university dissertation, some aspects of which have been presented in an article (Bernède 1997a and 1997b). First of all, I would like to express my deep gratitude to the late Dev Narayan Maharjan, my *dhimay* guru, for his esteemed guidance. This research would not have been possible without the help of many people, in particular Kriṣṇa Prasad Rimal, my first guide through the labyrinth of Newar culture. I also wish to thank my partners at the Singhinī Research Centre, Rameshwar Maharjan, Babu Raja Maharjan, and Ramesh Maharjan, as well as the members of Nāsadyaḥ guṭhi of Oṁ Bāhāḥ twāḥ for their generous help. I would like to express my gratitude to colleagues and friends in Himalayan studies for making editorial comments and offering generous advice at different stages of this work: Marie Lecomte-Tilouine, Anne De Sales, Alexander Von Rospatt, Kashinath Tamot, and Manik Bajracharya. I also give thanks to two anonymous reviewers for their valuable comments.

were not disposed to share their musical knowledge with anyone, even less so with a stranger. However, I was put in touch with Dev Narayan Maharjan, a master-drummer from Oṁ Bāhā twāḥ, a neighborhood in the south of the city. After we had been introduced, Dev Narayan looked me over in silence. Suddenly, he said curtly: *Ji guru kā* ("I am a master"). I nodded to show him that I did not doubt it for an instant. "No," he said, "you don't understand; I am a Master." And as if to affirm his statement he got up abruptly and took down a little cloth bag that hung from the ceiling. Opening it carefully, he held it under my nose, repeating: "You see, I am a Master!" The blood stained bag contained a freshly cut buffalo's ear. After a few moments of heavy silence, he disappeared into his attic and came back with a battered violin. Holding it towards me he said: "It's your turn now. Show me what you can do! Repair this violin and play something!" When I had gotten over my surprise, I went ahead as well as I could, repositioning the strings, which had been put on the wrong pegs. After I had straightened the bridge and tuned the instrument I put it between my legs, as cellists do, and—thinking it would please him—started playing a Newar melody that I had heard a few days before. He did not seem the least bit interested in my rather inaccurate rendition, but kept his eyes riveted on my right hand. Interrupting me to comment on my playing, he said, "Yes, the way you use your wrist proves that you are also an 'expert' in your music. Let us go to the temple of Nāsadyaḥ. He and only he will decide if I can teach you!" We went off to the temple of the god of music, and there, taking an egg out of his pocket, he smashed it against the altar and examined the contents closely. After many long minutes he turned around and said, "Nāsadyaḥ has accepted. Come early tomorrow morning, because I have to go to the fields." As this episode shows, the musical apprenticeship among the Jyāpu can only be undertaken inside the framework of a relationship with a master and under the patronage of the deity who presides over dancing and music.[2]

This article is organized into three parts. The first part presents the god of music and the *dhimay* drum that embodies him; the second part is devoted to the highly ritualized teaching of the instrument by a college of masters; and the third and last to a musicological and symbolic study of the repertoire.

Nāsadyaḥ and His Sonic Form, the *Dhimay* Drum

Nāsadyaḥ is described either as an aspect of Śiva Mahādeva, with whom he shares the Sanskrit names Nāṭyeśvara and Nṛtyanātha, or in the guise of the *Bodhisattva* Padmanṛtyeśvara (Figs. 1 and 2).[3] There is hardly a Newar locality that does not have a shrine dedicated to him.

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[2] As the following pages attest, traditional apprenticeships are here essentially community activities. My contact with the Master drummer contrasted sharply with that of the young Jyāpus. It nevertheless constituted the first immersion of my research, opening the doors of this society, which in those days were still very restrictive to outsiders.

[3] All these epithets refer to the original function of the lord of the cosmic dance (see Ellingson 1990:227). According to the Sanskritist Mahes Raj Pant (in a personal communication), the syllables *nā* and *saḥ* are thought to be contractions, respectively originating from the Sanskrit root *NĀṬ-*, "to dance," and the name *Īśvara*, "Lord." The contraction of Sanskrit syllables is frequent in Newari, a monosyllabic language. For the ethnomusicologist G. M. Wegner, the name Nāsadyaḥ is derived from the terms *nāsaḥ*, meaning "charm, charisma, inspiration," and *dyaḥ*, "god" (Wegner 1992:125).

Fig. 1. Nāsadyaḥ. Sundari coka. Royal Palace, Patan. Photo by the author.

Fig. 2. *Boddhisatva* Padmanṛtyeśvara. Mural painting in the vestibule of the temple of Śāntipur, Svayambhūnāth, Kathmandu. Photo by Stanislaw Klimek.

Primarily associated with the qualities of skill, talent, perfection, eloquence, and right action, Nāsadyaḥ is revered above all for the powers (*siddhi*) he bestows on his devotees, without which no creative act is possible. Today he is worshipped publicly mainly by Jyāpus. Nāsadyaḥ is sometimes presented as a tribal deity who preceded Hinduism and Buddhism. We shall see, however, that the characteristics of musical apprenticeship, as well as the rituals associated with it, almost certainly refer to an ancient culture of Indian origin.

At once masculine and feminine, and also, possibly, androgynous, Nāsadyaḥ is usually represented in the form of cavities in temple walls (Fig. 3). These niches (*nāsaḥ pvāḥ*) remain, to the Newars, one of the most characteristic representations of

Fig. 3 *Nāsaḥ pvāḥ*. Temple of Wangaḥ Duchenani, Kathmandu. Photo by the author, 1996.

the god.[4] Usually aniconic, they take the form of openings in the walls of the shrines. Their number and geometric configurations vary from a single triangular crevice to three, sometimes five, more or less stylized openings (Wegner 1992:126).[5] Most temples have only three, symbolizing the god and his main assistant musicians, Nandi and Bhṛṅgi. Where there are five cavities, the last two are usually associated with Gaṇeśa and Kumāra, the two sons of Śiva. In Kathmandu the few shrines that have them seem to be directly linked to royalty. This is particularly true of Maru Nāsadyaḥ Temple, situated near Kāṣṭhamaṇḍapa, which is intimately associated with the figure of King Pratāpa Malla.[6] Another shrine, located in the heart of the royal palace, is exceptional in its configuration. According to a ritual handbook it has seven openings, linked to the seven notes (*svara*) of the musical scale. It should be noted that these cavities are not the prerogative of the god of music and are sometimes found associated with female deities. I should also mention a little known aniconic representation that, in the guise of an uncooked brick (*kaci appā*), is another manifestation of the sanctified presence of Nāsadyaḥ in some temples. It is used in particular during rites presiding over the apprenticeship of *kāhā* funerary trumpets.

Nāsadyaḥ, the phonic god *par excellence*, manifests himself naturally in the form of musical instruments. In the Himalayas, only the Newar seem to have developed such an elaborate cult devoted to musical instruments. Among these, the *dhimay* drum holds an exemplary place. Because it is considered by the Jyāpu to be a tactile and sonic form of the god, it is the object of particular veneration. As the master explained to me, "Without *pūjā* the instruments only produce noise; they have to be made animate, like statues." Nāsadyaḥ can also be represented in the shape of a cosmogram (*yantra*), such as the one below, taken from a "*Nāsadyaḥ-pūjā-vidhi*" handbook and shown here as an example (Fig. 4). Its configuration corresponds exactly to that of Nāṭyeśa (a four-armed aspect of Śiva Mahādeva).

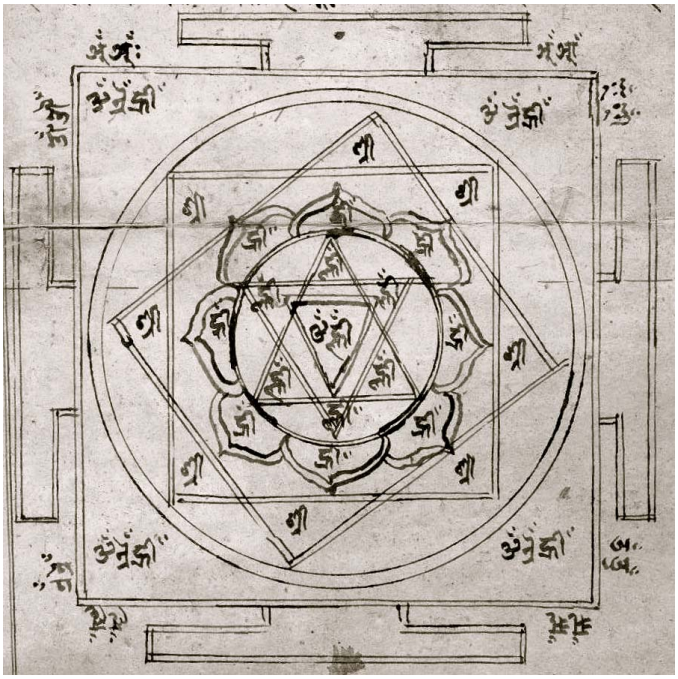

Fig. 4. *Yantra* of Nāsadyaḥ.

[4] These recesses are sometimes named *bālā pvāḥ*. According to Duwal and Maharjan (1997:5), "the slit representations of Nāsadyaḥ are called *bālā pvāḥ* when located in a shrine, and *mibhū* when found in a private house, although they have the same appearance in both cases."

[5] The existence of other aniconic deities in the Newar tradition is to be noted, in particular Lukumahādyaḥ (see Michaels 1993).

[6] It is said that "Kavīndra," the "King of Poets" (as Pratāpa Malla was known), composed his works in the upper pagoda of this temple, which was destroyed in the 1934 earthquake.

The Yearly Ritual of Nāsadyaḥ

The music god's yearly ritual reveals the highly ritualistic character of music teaching and the nature of the relationship between master and pupils. The ceremony, in the course of which the *dhimay* drum is consecrated (Fig. 5), takes part in each neighborhood of the city independently. It can be divided into two parts: the first consists of different offerings—musical, in particular—and the second is an animal sacrifice called *sī kāygu* ("take the head") in honor of Nāsadyaḥ.

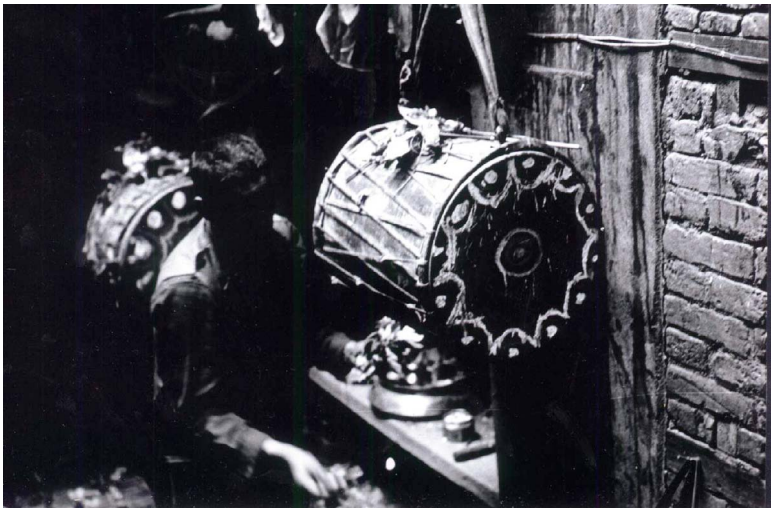

Fig. 5. *Nāsaḥ dhimay pūjā* at Tanani twāḥ, Kathmandu. Photo by the author, 1995.

To begin with, an auspicious diagram (*maṇḍaḥ cvaygu*) is drawn on the ground. The deities Gaṇeśa, Nandi, Nāsadyaḥ, Bhṛṅgi, and Kumāra are successively established. The *sukuṇḍā* lamp is lit, a *svastika* diagram is drawn in front of Nāsadyaḥ, and the ingredients of the ritual (flowers, incense, and so on) are laid before Kumāra. A cotton veil (*dhakīṃ*) is then hung in front of the temple niches (*pvāḥ*). The ceremony starts with the *abhiṣeka*, the lustration of the shrine. The celebrant, who in this context is none other than the main master drummer (*mū dhimay guru*), lays down three rice cakes (*gvajā*), which represent Nāsadyaḥ and his assistant musicians, Nandi and Bhṛṅgi. Auspicious marks (*ṭīkā*) are then drawn onto the instruments and the ritual implements. Following these proceedings, various offerings containing threads of cotton (*jajaṃkā*) are made, which represent gifts of precious clothing, a mixture of grains, meats, alcohol (supposed to be served as food for the deities), and flowers.[7] The participants throw uncooked rice (*jāki*) into the air, after which incense (*dhūpa*) and burning wicks (*itāḥ*) are presented to the deities. Finally, the black mark of Nāsadyaḥ (*mohanī sinhaḥ*)[8] is applied to their foreheads by the main guru. The clan elders recite mantras and the master gives instructions as to how the rest of the ceremony should be carried out. An offering called *baupā*, devoted to wandering spirits, concludes the first part of the ceremony.

The second part of the ritual opens with the consecration of both the butcher's knife (*nāy cupi*) and the sacrificial victim: a cock, a kid goat, or even a buffalo. In the first two cases the officiant sprinkles water on the animal's head until it shakes itself, which is taken to mean that

[7] *Samay* is a mixture of grains of rice, rice flakes, black soybeans, puffed rice, ginger, roasted meat, black grains, cake made from black grains, and alcohol.

[8] The word *mohanī* is related to the Sanskrit *mohana*, "illusion," which is also one of the epithets of the god Kṛṣṇa. As for the term *sinhaḥ,* it means "mark" or "sign of vermilion" in Newari. During the ritual, this black mark (*ṭīkā*) is placed on the forehead of all the participants. It is made from soot that comes from a burnt cloth, mixed with mustard oil.

the deity accepts the sacrifice. If a buffalo is sacrificed, sprinkling water is not considered necessary. The animal's throat is slit from top to bottom and the jugular vein is extracted. The blood of the sacrificial victim is then applied to the tympanum of the temple. Another morsel of flesh is presented to the flame of a ritual lamp and placed in a saucer. The animal is then beheaded and the head laid on the altar. The shrine is sprinkled with the blood of the victim. A lit cotton wick, extracted from the lamp, is then placed there. The flame, here, is interpreted as a tangible sign that the constituent parts of the buffalo have been reabsorbed into the five fundamental elements (*pañcatattva*). The head officiant then applies a *ṭīkā* of blood onto the membranes of the drum. The animal's head is placed in a pot and presented to the participants who use its blood to apply a *ṭīkā* on themselves. Egg whites are offered to all the deities as well as to *khyā* and *kavaṃ*, the children of Nāsadyaḥ. Students then go to the music master's house (or sometimes to the house of the clan elder, *kaji*) to receive his blessing. The animal is butchered without delay. Its head is divided according to a strict hierarchy. The horns—parts that are considered indivisible—are offered to Nāsadyaḥ as a "remnant" of the sacrifice (Skt. *śeṣa*) and are hung at the top of his temple.[9] Today this rite, which is essential for the acknowledgement of the elders' status, is the subject of controversy among the Jyāpu community, especially among those who are Buddhists. It seems to be gradually disappearing from the ritual landscape. When I asked Dev Narayan Maharjan about the origin of this sacrifice, he recounted the following legend:

> Kṛṣṇa wanted to learn the art of singing. He knew that Nāsadyaḥ was the uncontested master and that his talent depended on a precious stone that was stuck in his throat. Repeatedly, the "divine charmer" tried to convince Nāsadyaḥ to show it to him, but he always refused. However, being susceptible to flattery, one day Nāsadyaḥ ended up by spitting out the famous gem. In a flash, Kṛṣṇa got hold of it and swallowed it. It is said that the magical character of the stone gave his flute its inimitable sound. To seek forgiveness Kṛṣṇa offered to give Nāsadyaḥ a buffalo every day in compensation, which he accepted.

As Dev Narayan Maharjan liked to point out, "Luckily 'every day' for Kṛṣṇa is just one day a year for us!"

The feast that follows the ritual, which can bring together several hundred people, is concluded late at night by a session of devotional songs (*dāphā mye*) and a last tribute to musical instruments in their quality as visible and tangible forms of the divine presence. During the festivities the different parts of the buffalo's head are given to the music teachers following a strict hierarchy, thus signifying their respective musical functions. I include here two tables, which synthesize this subtle hierarchy as I observed it in two localities in Kathmandu (Oṁ Bāhā and Wotu twāḥ). It is worth noting the strict hierarchy between masters and future masters, which is borne out by granting of a different part of the head of the sacrificial animal. Each master has a particular function, the two principal masters being responsible respectively for *dhunyā* pole training and *dhimay* drum apprenticeship.

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[9] It should be noted that this sacrificial rite is not exclusive to the cult of the god of music, but conforms to most of the annual and occasional celebrations of Newar religious associations (*guṭhī*).

Status	Rank	Functions	Parts of the buffalo	Transmission
mū dhunyā guru	1	principal *dhunyā* master	right eye	1st *dhunyā* and *dhimay* student (*cobināyaḥ)*
mū dhimay guru	2	principal *dhimay* master	left eye	1st *dhimay* student
tisā māḥ guru	3	*dhunyā* master	right ear	3rd *dhunyā* student
kote māḥ guru	4	*dhunyā* master	left ear	4th *dhunyā* student
kote māḥ guru	5	*dhunyā* master	tongue	5th *dhunyā* student
kaji	6	organiser	muzzle	Hereditary office (*tuī*)
guru	7	*dhimay guru*	right cheek	2nd *dhimay* student
guru	8	*dhimay guru*	left cheek	3rd *dhimay* student
hāmu	9	messenger	right feet	volunteer
lipā guru	10	future *guru*	hooves	new student
lipā guru	11	future *guru*	hooves	new student
lipā guru	12	future *guru*	hooves	new student
lipā guru	13	future *guru*	hooves	new student
lipā guru	14	future *guru*	hooves	new student
lipā guru	15	future *guru*	hooves	new student

Table 1. Annual ritual: *dhimay Nāsaḥ pūjā* (Oṁ Bāhā twāḥ).[10]

Status	Rank	Functions	Parts of the buffalo	Transmission
mū dhunyā guru	1	principal master of the *dhunyā* pole	right eye	hereditary office
mū dhimay guru	2	principal master of *dhimay* drums	left eye	
bhusyāḥ guru	3	master of *bhusyāḥ* cymbals	right ear	
kẽpuī guru	4	master of the *kẽ* disk	left ear	
kaji	5	organiser	muzzle	
chomani guru	6	master of the *dhimay* drum	tongue	temporary, renewed every 12 years during the apprenticeships.
betā māḥ guru	7	master-acrobat	right cheek	
yākaḥ māḥ guru	8	master-acrobat	left cheek	
sī tuti guru	9	master of stilts	front legs	
hāmu	10	messenger	hind legs	hereditary office

Table 2. Annual ritual: *mū dhimay guṭhi pūjā* (Wotu twāḥ).

As can be seen from these tables, the distribution of the parts of the animal's head differs greatly depending on the neighborhood, the type of ritual, and the circumstances surrounding the

[10] During the *pūjā*, precedence of seating does not depend on age, but is decided according to the importance of the master's function.

teaching. While the eyes and the ears—the parts considered to be the most prestigious[11]—are usually distributed first, in Oṁ Bāhāh they are offered respectively to the two senior masters of the *dhunyā* pole and the *mū dhimay*. In contrast, in Wotu twāḥ, where idiophone players (of *bhusyāḥ* cymbals and *kẽpuī* disks) also have the status of "principal master" (*mūla guru*), the masters of these instruments receive the same parts. The muzzle (*tunāḥ*) is always given to the *Kaji*, whose rank in the hierarchy (6th in Oṁ Bāhāh and 5th in Wotu) depends on the number of masters preceding him. It should also be noted that the way the status of guru is obtained is also subject to variations: it may depend on the skills of practitioners, as it is in Oṁ Bāhāh, or is inherited as in Wotu. Finally, it is of note that the masters of the *dhunyā* pole always have priority over instrumentalists. These two examples suffice to show that it is difficult, if not impossible, to establish a fully unified system applicable to the entire city, and that the neighborhoods demonstrate in these matters a relative autonomy with regard to the urban territory as a whole, reminding us, if it were necessary, of their origins as villages.

Figs. 6 and 7. Singhinī and Vyāghrinī. Detail of the "Rāto Matsyendranātha Temple" paubhā, Rubin Museum of Art. C 2006-42.2 (Har 89010).

The *Dhimay* Drum of Kathmandu: an Organological Touchstone

Amidst a rich array of instruments, the *dhimay* drum stands out, without exaggeration, as the sonic archetype of the Newar world. Its playing, described as one of the oldest musical

[11] The pre-eminence of the right eye over the other parts of the head is not typical to this ceremony.

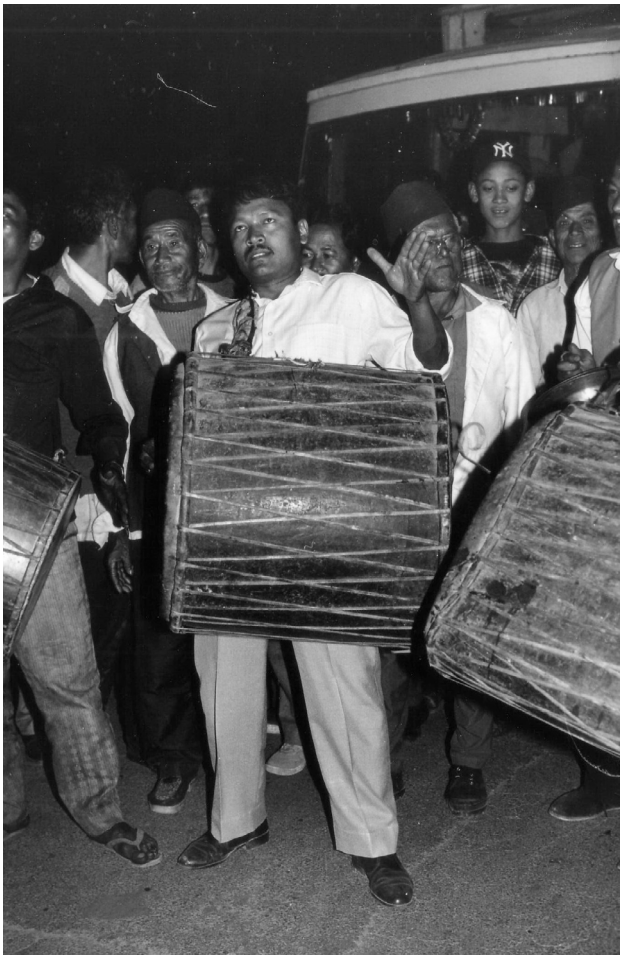

Fig. 8. *Mā dhimay*. Seto Matsyendranātha *jātrā*. Photo by the author,1996.

Fig. 9. *Yalepvaḥ dhimay*. Wotu twāḥ. Photo by the author, 1996.

expressions of Kathmandu Valley, is an integral part of the Newar identity. The perceived value of this ancestral tradition is confirmed in a myth:[12]

> At Lumbini, Buddha was plunged in profound meditation. The gods and goddesses, hoping to establish him in the valley of Kathmandu, wished to bring him out of it. Neither the songs nor the dances of the *apsarās* succeeded in troubling his concentration. So the Deva asked Gaṇeśa to play the *dhimay* drum, while Hanumān was asked to maneuver the *dhunyā* bamboo pole. Buddha eventually emerged from his meditation and was led with great ceremony into the valley. On his way, he travelled along the back of Vāsukī, the abyssal serpent, and was preceded by the Goddess Sarasvatī, who laid carpet on his path.[13]

Well represented in ancient iconography, the *dhimay* drum appears as an attribute of the gods, as it is here for Gaṇeśa. It is also placed in the skillful hands of lesser deities, such as Singhinī and Vyāghriṇī, assistants of the god of music (Fig. 6 and 7). Its powerful sound, combined with the

[12] As told to me by a master of *dāphā* singing in Kathmandu in 1995.

[13] The same myth is treated at length in Bühnemann (2015:108).

clash of cymbals, is often linked to the roaring of these two mythical figures, a lioness and tigress respectively.

Although the *dhimay* does not have a place in the scholarly repertoire, it seems to have always been highly esteemed. Malla (1982:72) has noted its participation in theatrical performances (*pyākhaṃ*) in the palace. This is confirmed by the ritual texts that I have examined, dating from the later Malla period. Known also as *dhemāsa*, it has a prominent place in many ritual handbooks, such as those devoted to the goddesses Aṣṭamātṛkā and Navadurgā.

The *dhimay* drums are mainly seen during processions, which are one of the major forms of Newar religious life.[14] In these instances, they are invariably placed at the head of the procession, followed by other drums recognized as originating in India.[15] The *dhimay* is of central importance in a pool of musical instruments that includes no less than 23 types of membranophones.[16] In Kathmandu in 1997, forty-five formations (*dhimay bājā khalaḥ*) were counted, with thirty-four in Patan (for forty-five Jyāpu neighborhoods) and eleven in Bhaktapur. Although it is mainly played by farmers, the *dhimay* is not, however, the prerogative of that caste. Sharma and Wegner (1994) point out that it is also played by the Pahariya at Baḍikhel[17] and, as I noticed, on the outskirts of urban centers by members of the Duĩ (Nep. *Putuvāra*) caste, in particular in the localities of Icaṅgu Nārāyaṇa and Lubhu.[18]

In contrast to the two other ancient royal cities of the valley, two varieties of *dhimay* can be clearly distinguished in Kathmandu: a big drum, called *mū dhimay*, and a smaller one, called *yalepvaḥ dhimay*.[19] Considered to be one of the forms of Nāsadyaḥ, the *mū dhimay* is the ritual instrument *par excellence*.[20] The *mū dhimay* is the exclusive prerogative of music masters, but when it is played by other members of the neighborhood association, they call it *mā dhimay* (Fig.

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[14] The three ancient royal cities are also associated with different instruments or with a specific repertoire: Bhaktapur is thus renowned for the playing of the *pacimā* drum, while in Patan the *dāphā-khiṃ* is appreciated above all. In Kathmandu, on the other hand, the acrobatic practices (*dhunyā*) associated with the *dhimay* drums are particularly valued.

[15] According to Thakur Lal Manandhar, (cited in Grandin 2011:108), the *dāphā khalaḥ* repertoire—the local equivalent of the devotional *kīrtana* songs of Northern India—originated in Mithila. Other Newars, however, believe that it comes from Southern India. On this repertoire, see R. Widdess (2013) on the *dāphā bhajana* in Bhaktapur.

[16] For a general introduction to the Newar instrumentarium, see Wiehler-Schneider and Wiehler (1980).

[17] Baḍikhel is a village situated in the south of Kathmandu Valley, not far from Lele, another locality where the oldest stele relative to *dhimay* drums is found. See Wegner and Sharma (1994).

[18] Totally absent from the urban centers, the Duĩ, once carriers of royal palanquins (Nep. Rājabāhaka / Putuvāra), are principally established on the outskirts of villages such as Tusāl/Tupek, in Icaṅgu Nārāyaṇa, in south-east Buḍhānīlkaṇṭha, to the north of Bodhnātha, around Lubhu, and near Purāṇo Guheśvarī (Bālāju). Their practice of the *dhimay* drum, at least as I was able to observe it, seems less ritualized than in the Jyāpu community. They are also the custodians of a tradition of masked dance.

[19] On the tradition of the *dhimay* drum in Bhaktapur, see Wegner (1986). On the same instrument in Kirtipur, see Grandin (2011:105).

[20] A shrine called *dhimay lvahaṃ*, made relatively recently not far from Svayambhūnātha, is dedicated to him. The instrument is worshipped there in the form of a stone, in the *pīṭha* manner.

8). The instrument is also called *mā* when it is associated with the bamboo pole (*dhunyā*).[21] A less common, but significant, appellation, *twāḥ dhimay* (the "neighborhood *dhimay*"), is also recorded, illustrating the instrument's prominent status as a factor of musical identity in the different territorial units.

As for the *yalepvaḥ dhimay* (Fig. 9), also known as *dhāḥcā*[22] or *cigvagu* ("little") *dhimay*, it is described as a relatively recent invention and attributed to the Kumāḥ caste of potters. This group, slightly inferior in status to the Jyāpu, yet related to them, does not have access to the apprenticeship of *mū dhimay*. According to the celebrated drummer Krisṇa Bhai Maharjan, himself of Kumāḥ origin, it was his community that created the drum—whose existence seems to have been known of for only a hundred years or so—in order to better their condition. Other explanations are also put forward: the *yalepvaḥ dhimay* is said to have come, as its name would suggest, from the neighboring town of Patan (Newari *Yala*).[23] The farmers of this town, who call it *yamipvaḥ* (*Yaṃ* is the ancient name for Kathmandu), claim it originated in the capital. Each group claims that the other is responsible for its creation! Whatever the truth, this little drum today enjoys unsurpassed prestige. The *yalepvaḥ dhimay* is above all the instrument of celebrations and festivities.

Organologically speaking, these two forms of *dhimay* are attached to the great family of *ḍhol* drums common all over northern India (see Kölver and Wegner 1992). These are cylindrical double-sided drums made from wood or hammered brass (*lī*). Their sizes, as well as their shapes, are not standardized, and vary in height from 35 to 42 cm with a diameter of 23 to 27 cm for the *yalepvaḥ dhimay*, and from 45 to 50 cm in height with a diameter of 38 to 50 cm for the mū *dhimay*.

The body of the instrument is generally thought of as a tactile form of the deity, but it is, above all, the membranes that are sacralized: they are not allowed to come into contact with the ground. Each drum skin is invested with a symbolism that is actualized in a contrasting way in each of the three ancient royal cities. In Kathmandu the right-hand skin is identified with Nāsadyaḥ and the left-hand skin represents *māhāṃkāḥ*,[24] while in Bhaktapur the left hand drum skin is associated with Haimādyaḥ, an obscure divinity who is apparently unknown outside of the city.[25] Lastly, in Patan the membranes are thought to correspond to the two aspects—wrathful

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[21] According to Surya Maharjan (in a personal communication), the *mū dhimay* is the instrument associated with the *dhunyā* bamboo pole, to which we will return later, and which, with the exception of the south quarter of Oṁ Bāhāḥ, is circumscribed by the north part of the town. As for the *mā dhimay*, it is associated with the *poṅgā* trumpets that are played in the northern neighborhoods.

[22] The term *dhāḥcā* refers to the *dhāḥ* drum of the Urāy Buddhist merchants (Nep. *Tulādhar*). This instrument presents many organological similarities with the *yalepvaḥ dhimay* of Kumāḥ. However, their respective techniques vary considerably, producing different timbres. While the *dhimay* is played with a bamboo stick, the *dhāḥ* is vibrated with a heavy hardwood stick.

[23] Wielher-Schneider and Wielher, 1980:129, n.48.

[24] The term *māhāṃkāḥ* seems to be a contraction of the name Mahākāla, a deity of "the transcending time." Several informants (especially in the southern part of Kathmandu), however, have told me that *māhāṃkāḥ* is derived from *mā*, "mother," and *kah*, "place," and means "place of the Mother."

[25] On the god Haimādyaḥ, a deity specific to Bhaktapur, see Wegner (1992:125).


Fig. 10. *Mā dhima*y drums decorated with *svastika*. Seto Matsyendranātha *jātrā*, Kathmandu. Photo by the author, 2013.

and benign (*tāṇḍava* and *lāsya*)—of the dance of Śiva Naṭarāja.[26] As we have seen, these drum skins are "animated" during sanctification rituals. These procedures are in many ways similar to the consecration of images as can be found in the Hindu world. In addition to the apposition of the *ṭīkā* of blood, which has already been mentioned in relation to the Nāsadyaḥ *pūjā*, the skins are also subject to various graphic markings (*yantra*, *ṣatkoṇa*, *svastika*, and so on), made with red and white powders, which refer to the fundamental masculine-feminine opposition pointed out above (Fig. 10).

The *dhimay* drum is never played alone but at the very least in pairs and accompanied by other instruments. However, when it is played in a group, it gives its name to the ensemble: *dhimay bājā*.[27] In Kathmandu, to be complete, *dhimay bājā* includes idiophones that regulate the tempo (*tāla*). Two varieties can be distinguished, depending on the area, neighborhood, and circumstances of execution: a pair of large *bhusyāḥ* cymbals and small discs and metallic plates called *kẽpuī* and *ghau*. Interestingly, the two elements forming the pair of cymbals (with a diameter of about 30 cm) are dissimilar. The left, supposedly heavier, lies flat in the hand; it is retained by a cord passed through the fingers in a V shape, and is linked to the feminine pole, while the masculine, right hand cymbal is maintained by a bamboo twig held in the twisted cord, and is likened to the *liṅga*. The *yalepvaḥ dhimay* group in Kathmandu and all the *dhimay bājā* groups in other areas of the valley require that they be played together. These cymbals are, in theory, forbidden as an accompaniment for the *mū dhimay* in the capital, at least in the lower part of the town (Kvane). As for the *ghau* and *kẽpuī* plates and discs, they are distinguished both by their forms and by their respective ranges: *ghau*, the more highly pitched of the two, is played in the lower part of the city, in Bhaktapur and in Patan, while the *kẽpuī* (from the Newari *kẽ*, "disc," and *puī*, the rope "handle" used to hold the instrument) is only played in the upper neighborhoods (*Thane*).[28] The playing of these instruments, which is deemed an honor because of their function as regulators of *tāla*, is often the preserve of the elders (*Thākulī*). Finally, the natural *poṅgā* trumpets should be mentioned. These instruments are also played with the *dhimay bājā* in the southern part of the city, and are used in the repertoire of devotional songs (*dāphā mye*).

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[26] It will be recalled that popular etymology holds the word *tāla* to derive from the combination of the *tā* (from *tāṇḍava*) and *lā* (from *lāsya*) syllables.

[27] In Nepal, the word *bājā* is a generic term employed to designate all the music groups. It is not exclusive to the Newar world.

[28] According to Kashinath Tamot, the vocable *kẽ* could come from *kay,* "bell metal"(Skt. *kāṃsya*).

Apprenticeship of the *Dhimay* Drum

Dhimay training is a major event in the life of the Jyāpus. Apart from the Kumāḥ potters, who are traditionally excluded, all the young people of the community are expected to participate. Although it is shared by all Jyāpus residing in the valley, the teaching follows different rules in each of the three ancient royal cities. These are much stricter in the Nepalese capital than anywhere else,[29] and more liberal in Bhaktapur and Patan, where there is no distinction, such as exists in Kathmandu, between the variety of *dhimay* drums, and where their apprenticeship is not subject to a ritual calendar.

In Kathmandu *dhimay* teaching (New. *dhimay syanegu*) is organized, in theory, every twelve years in every neighborhood of the city. It takes place during the three months of summer. The transmission of this apprenticeship—in many ways an authentic rite of passage—is mainly oral, and is wrapped in a shroud of secrecy. The sessions are held in quasi-reclusion in specialized houses called *ākhāḥ cheṃ*, or "house of letters" (Fig. 11). The word *ākhāḥ*, related to the Sanskrit *akṣara*, means "letter" but also "imperishable." It is akin to the meaning for "phoneme," defined as "le plus petit élément, insécable a-tome (*a-kṣara*) de la langue" (Padoux 1980:75). These phonemes make up a musico-ritual language.[30] In the context of Newar traditions, it is not surprising that a site of acquisition of knowledge—founded above all, as we shall see, on the word—should be called the House of Letters.

Fig. 11. *ākhāḥ cheṃ* of Wotu twāḥ, Kathmandu. Photo by the author, 1995.

[29] On the tradition of the *dhimay* drum in Bhaktapur; see Wegner (1986).

[30] We should remember that in the pan-Indian musical context, from the Purāṇa on, the term *akṣara* was the technical name given to a number of syllables corresponding to different drum strokes. Thus, the Viṣṇu Dharmottara distinguishes a certain number of syllables, among which *ka*, *ṭa*, *ra*, *ṭa*, *gha*, and *ja* (*da*?) are associated with strikes to the right side of the instrument, *ma* (*ga*?), *ha*, and *tha* to those of the left side, while *ṭha* (*da*?) on the head, *ka* (*kha?*), *ra* (*ṭha*?), *ṇa* (*ṇa*?), *dhva* (*dha*?), *la*, and *śva* (*ya*?) struck simultaneously with both hands. See Daniélou and Bhatt (1959:157 n.1).

The Theory, or "Musical Discourse"

The teaching is preceded by a collective initiation called *waḥlāḥ cvanegu*.[31] This ceremony, carried out well before the musical apprenticeships, mobilizes all the young boys between three and eight years of age in the neighborhood. The apprenticeship can be schematically divided into two main periods, which are themselves punctuated by four ceremonies, respectively called *Nāsaḥ sālegu*, *kṣamā* or *kṣamā pūjā, bā pūjā*, and *pidanegu pūjā*.[32] Each of these, accompanied by a blood sacrifice, is followed by a community feast.

The *dhimay* apprenticeship invariably begins on the Thursday or Sunday following the festival of *Gaṭhāmugaḥ*[33] and finishes a few days before the festival of Nalaḥ svanegu, on the first day of the festival of Mohani (Nep. *Dasain*). Thursday is preferred, as it is an auspicious day dedicated not only to Nāsadyaḥ, but also to Bṛhaspati, the archetypal master (*guru*) in the Hindu tradition. It starts with the propitiatory rite of *Nāsaḥ sālegu*[34] or *dyaḥ sālegu pūjā*. The objective of this ceremony is to transfer the god's energy from his temple in the neighborhood to the house of apprenticeship (*ākhāḥ cheṃ*). The principal master[35] and his students meet to establish the *kislī*, an embodiment of the god in the form of a terracotta saucer containing uncooked rice topped with a coin on which a betel nut is placed. The master first establishes his own *kislī*, considered the main one (*mū kislī*). Each student makes and keeps his own *kislī* in the house of letters and worships it twice daily throughout his apprenticeship. The first apposition of Nāsadyaḥ's black insignia (*mohanī sinhaḥ*) on the foreheads of the postulants marks the ritual with the seal of divinity. Without this any teaching would lack validity. The power conferred by the ritual is only given temporarily to the postulants; the insignia must without fail be given back to the deity at the end of the apprenticeship.[36] This is carried out at the end of the first public performance of pole raising (*māḥ thanegu*), a ceremony that marks the conclusion of the teaching and to which we will return later in detail. The process in question consists of laying the *ṭīkā* on a flower petal and then placing it on the deity's altar, thus dispossessing the students of

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[31] In Newari, the term *waḥlāḥ*, derived from the Sanskrit *ahorātra*, means "a day and night" and *cvanegu* meant "to stay, to remain." Here, the expression refers to the two days and a night spent by young children in initiation every year. For a general description of this ceremony, see Toffin (2007:86).

[32] *Nāsaḥ sālegu* designates the propitiatory rite dedicated to Nāsadyaḥ. The term *kṣamā* means "excuse" in Sanskrit and Newari. Obligatory in Kathmandu, the *kṣamā pūjā* is rarely part of the apprenticeship of the *dhimay* drum in other sites. It does not exist in Kirtipur and is optional in Patan. In Newari, *bā* means half and indicates the intermediary ritual done at the mid-term of the training. The word *pidanegu* indicates the conclusive ritual of the whole apprenticeship.

[33] The festival of *Gaṭhāmugaḥ* concludes the period of subterranean traveling of the gods and the prohibition of sound production, at least for emblematic instruments such as the *dhimay* or the *khiṃ*.

[34] *Sālegu* means "to drag" in Newari. Here the deity is accompanied from his temple to the house of apprenticeship.

[35] The principal master (*mū guru*) is, in this context, named *Nātha Guru* in reference to the epithet *Nātha*, "Lord," given to Nṛtyanātha, one of the Sanskrit names of Nāsadyaḥ.

[36] The procedure whereby the postulants "return power" to the god is reminiscent of another operation of the same type, prevalent among the high Newar Hindu priesthood castes. Dyczkowski (2004:201) points out that when a Karmacārya initiate dies, a rite consisting of giving back the *mantra* to his elective deity must be carried out.

the power with which they had been temporarily invested and that had been given to them by the god himself.

The first part of the teaching lasts about six weeks and is exclusively devoted to the acquisition and memorization of the repertoire, which, in the case of the *mū dhimay* in Kathmandu, includes about fifteen pieces.[37] These are recited forwards, backwards, in mirror fashion, and in alternating sequences. The aim of these mnemonic techniques, which consist of first isolating every segment of the musical phrase before reconstituting the whole from its parts, is to establish metric regularity while at the same time developing the independence of the hands. The number of "mother-syllables" in use today seems, however, to vary from neighborhood to neighborhood. Thus, according to Purṇa Kaji Jyāpu, a drummer from the northern neighborhood of Pyangaḥ, a new syllabary bears witness to a more elaborate classification, integrating an important number of derivatives based on the five phonemes commonly used. Thirty or so syllables would seem to be associated here with the playing of the right-hand drum skin, fifteen with left-hand playing, and four with the play of both hands. The reader who is familiar with Indian musical theories will hardly be surprised by these technical developments, which could have been inspired by *tabla* playing. Although the majority of masters from other neighborhoods seem unaware of its existence, this classification deserves to be mentioned as it bears witness, to my mind, to recent technical developments in certain less conservative neighborhoods.

These mnemonic techniques are reminiscent of other teachings, by which they were perhaps once inspired. The study of the Vedic corpus comes to mind,[38] in which different types of recitation offer similarities. Among these there exists a bodily participation (postures linked to drum strokes), which is also present in the instrument's dance repertoire (*dhimay pyākhaṃ*).[39] This without doubt facilitates the memorization of the drum repertoire (Bernède 1997a), which is regularly controlled on two levels: by the daily recitation of formulas for the master, and every week, usually on a Sunday evening, during a ritual of collective offerings in the temple of Nāsadyaḥ. While this reflects the high status accorded to human masters, these teaching methods also show an ultimate subordination to the god of music who, in the collective consciousness, remains the ultimate reference for the transmission of knowledge that is primarily religious.

The first part of the teaching concludes with the *kṣamā pūjā* ritual. This procedure is not limited to the context of music. It is indissociable from all Newar rites and ceremonies and plays a part in the sacralization of craft activities. When an icon (*mūrti*) is being made, the rite is carried out at the decisive moment when the deity's eyes are "opened." From a musical standpoint, the *kṣamā pūjā* is above all seen as a *prāyaścitta*, that is to say a process of purification of faults, here those of incorrect enunciations committed by the students during the recital of musical syllabaries. This particular ceremony, in which both students and teachers take part, is directly related to the question of right utterance. It concerns the accepted pronunciation

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[37] The ritual repertoire comprises no more than fifteen or so pieces in each of the neighborhoods of the town, totaling about 500 compositions for the city of Kathmandu.

[38] Eleven forms of Veda recitations exist. Their purpose is to impress the phonic sequence on the memory of Brahman students, independently of the meanings of the words. On this subject, see Filliozat (1992:13-19).

[39] In Newari the term *pyākhaṃ* not only means "dance," but also designates theatrical performances.

of the musical syllabary, itself envisaged by the practitioners as a complement to, or even as a substitute for, an eminently sacred word. I will return to this point later.

Playing, or the "Musical Gesture"

Once the theoretical elements of instrument playing have been learned, the third ceremony, *bā pūjā* (*bā* means "half" in Newari), is celebrated. This rite clearly establishes the frontier between the two main stages of the apprenticeship. A blood sacrifice (*bali*) is required to mark this phase of transition. In this case a chicken is offered up to Nāsadyaḥ and the master gives the right wing to his best student (*cobināyaḥ*). Interestingly, the animal must be stolen by the students themselves. Dev Narayan told me, "They must be stolen at night. The students must learn to overcome their fears. They must be crafty, and show their ability to act and react quickly: all these qualities are required to become a good musician." He added: "They must also be attractive, for it is by the grace of Nāsadyaḥ (and the power of his black *tīkā*) that they will be able to steal the hearts of girls."[40]

This sacrifice precedes the phase of instrumental practices. Interestingly, these are nothing more than the application of the syllabic corpus to instrument playing. It is, indeed, important to note that a progressive integration of instrumental techniques is not taught. The pedagogy here is concerned with a relation to "knowledge" in which, as a master confided in me, it is not so much discovering something outside oneself that is important, but rather revealing something inside oneself. More prosaically, the practice of *dhimay* is initially assimilated by osmosis. The trade secrets are acquired through use. Non-Newars may find it useful if I briefly describe the main elements of these playing techniques. The instrument is hung over the shoulder by a strap and is usually played standing up. The right-hand drum skin is hit with a bamboo stick and the left skin by the left hand. The instrument is held at a slight angle so as to provide a better angle of attack for the drum skins (especially for the rebound technique on the right skin, and for a better projection of the left hand). The stick is held between the thumb and the index finger. The position of the pronated hand and a supple wrist facilitate the back-and-forth movements (from top to bottom and from bottom to top), which correspond to the two dental syllables, *tā* and *nā*.[41] For obvious reasons of handling, the stick should, in theory, measure no more than 30 centimeters. In reality, their sizes vary according to the drums: the stick used with the *mū dhimay*, shorter and lighter, gives excellent vibratory results when used on large membranes, while those used for playing the *yalepvaḥ dhimay* are longer, better suited to a more percussive attack, and seem to be better adapted to the virtuoso repertoire associated with them.

Let us note, and this detail is of some importance, that the instruments are not the property of the musicians, but belong to the religious associations (*Nāsadyaḥ guṭhi*) to which they are attached. In fact, they are not practiced regularly, but only at specific required times. The

[40] For a reconstitution of this event, see Gert-Mathias Wegner's (1988) documentary film on the *dhimay* teaching in Bhaktapur. Concerning the use of stolen chicken feet, it is of note that nine-tenths of the spoils go to the *gurus* and that the rest is given to the best students. The same is true when the operation is repeated for the *pidanegu pūjā*, a concluding rite carried out before the first public performances.

[41] For a systematic presentation of the syllabary, see below.

objective here it is not so much to maintain a certain level of playing, as it is—when the time is ripe—to "reawaken" knowledge that is viewed as inherent.

Figs. 12 and 13. Masters and students, Oṁ Bāhāḥ twāḥ. Photos by the author, September 2011.

Fig. 14. *Māḥ thanegu*. Detail of the paubhā Dīpaṃkara Buddha, Rubin Museum. Photo by the author.

Acrobatic Practices

Far from being restricted to instrumental disciplines alone, the second period of teaching also integrates acrobatic practices. These are known as *dhunyā syanegu*, "the apprenticeship of the *dhunyā* pole,"[42] *dhunyā munyā*, "handling of *dhunyā*," or, more simply, *māḥ thanegu*, literally: "the raising of the pole,"[43] this last term referring to one of the figures (see below).[44]

The handling of poles and the acrobatic figures associated with them are ancient disciplines. According to Wiehler-Schneider and Wiehler (1980:92): "These poles were originally a military sign and are relics of the time of the Malla Kings, when the Jyāpu—whose caste alone play the *dhimay*—were taken into military service, together with the Nāy or Kasai."[45] Thus, the *dhunyā* seem to have been, at an ancient date, related to victory poles (*dvajā*), and their handling directly linked to the art of war. A number of informants have told me that after the fighting was over, poles were decorated with the heads and limbs of the vanquished. If the origins of this tradition are obscure, it has, however, been well documented since the later Malla period and seems to have been carried on without interruption after their fall. This is witnessed by a votive painting (*paubhā*) dated 1853 representing Dīpaṃkara, the Buddha of the previous age (Fig. 13).[46] This work, which includes two *mā dhimay*, a pair of *bhusyāḥ* cymbals, an idiophone (probably a *ghau* disc), and a *dhunyā*, gives some idea of the formations that were current at that time.

The handling of the *dhunyā* is specific to the Nepalese capital and exists almost nowhere else in the valley. Nineteen neighborhoods maintain the custom inside the limits of the ancient urban territory.[47] With the exception of Oṁ Bāhāḥ this discipline is exclusive to the northern parts of the City.[48]

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[42] The term *dhunyā* may derive from the Sanskrit root *DHĪ*—"to shake, agitate, rattle" (Renou and Stchoupak 1978 [1932] :343).

[43] The expression *māḥ thanegu* literally means "the raising of the pole," and contrasts with a similar term, *māḥ koḥthegu,* which means, also literally, "taking down the pole," a complementary figure in the cycle of postures performed by the best students at the end of the apprenticeship.

[44] The term *dhunyā munyā* (*dvaja punja* in Sanskrit) designates also "a multitude of yak tails at the top of the banner."

[45] The Nāy butchers are the custodians of another tradition of the drum, the *nāykhiṃ bājā*. See Wegner (1988).

[46] This image, a detail of a *paubhā,* comes from the Rubin Museum of Himalayan Art collection. Titled "Dīpaṃkara Buddha, *Buddha of the Previous Age*," and dated 1853, its inventory number is F1997.17.23 (HAR 100023).

[47] The 19 neighborhoods that are the depositaries of this tradition are, respectively 1) North quarter (Thane twāḥ/Thathupvīṃ): Thabahi (Thamel, two *dhunyā* groups), Lagache, Kusumbiyālāchhi, Cwasalabū, Tyauḍa, Jamaḥ, and Asan. 2) Middle quarter (Dhathu twāḥ/Thathupvīṃ): Kilāgal, Nyeta, Wangaḥ, Mahābu, Wotu, Makhā, Yetkhāṃ, Maru bahī, and Khichapukhu 3) South quarter/(Kvane/Kvathupvīṃ): Oṁ Bāhāḥ (two *dhunyā* groups).

[48] It is worth noting in passing that acrobatics are not exclusive to the Jyāpu; they are also found among other ethnic groups of Tibeto-Burman origin, such as the Rai and the Limbū, "Kirāṭi" populations of the east of the country, who share certain affinities with the Newars.

Three qualities are taken into consideration when making the poles: length, straightness, and strength. The way they are dried is also important. They are suspended above the ground to avoid contact with the damp and stretched for several weeks, until they have obtained the curve necessary for their rotational use. Today their size, which has increased considerably if we are to believe ancient representations, is between 5.50 and 6 meters. Their ideal diameter, of about 5 centimeters, must be as comfortable as possible for gripping and rotating in the palms of the hands. There is no specific procedure for the way they are selected, cut, or made. However, a consecration ritual (*dhunyā pūjā*) is carried out when the poles have taken their final form, inaugurating the end of the apprenticeship period. Their replacement does not correspond, as in other cultures, to the death of the "principal master" and they are neither destroyed, burnt, nor buried. They are replaced every twelve years for the apprenticeships. Although all the *guṭhiyār* participate in their decoration, only the eldest of the clan is authorized to give them their final forms. The poles are decorated with flags and yak tails, which are associated in some neighborhoods with the ancient Malla, or even Licchavi, dynasties. They are therefore seen above all, sometimes with a touch of humor, as a symbol of royalty. A *Maharjan*, whom I questioned in 1996 on their meaning in the Seto Matsyendranātha procession, commented its passage in these words: "The King must not fall, that would cause great misfortune, but here, at least. . . we are able to make him dance as we please." This is also true today but, as another Maharjan recently told me, "Today it is not the King who is being made to dance. . . ." However, the symbolic attributes differ according to the neighborhoods. According to the *dhunyā guru* of Oṁ Bāhāḥ, these attributes represent the *pañca* Buddhas, while black, red, or white yak tails—according to the neighborhood—are manifestations of the god Bhairava. As for the pole itself, it is closely associated with Hanumān, who, as has already been pointed out, is thought of as the lord of musical rhythm. He is represented here at the top of the pole by knotted strands of hemp. Another symbolic relationship is worth mentioning, which establishes a correspondence between the different components of the *dhunyā* and the five fundamental elements. The pole itself is thus thought to represent the element earth (*bhūmi*), while the yak tails (*cvāmvaḥ*) represent water (*jala*), the five flags (*pañca patākā*) represent air (*vāyu*), the knots in the bamboo (*tvāca*) represent fire (*teja*), and, lastly, the sound of bells (*ghaṇgalā*) corresponds to ether (*ākāśa*), the quintessence.

The teaching of pole handling is a direct continuation of drum teaching and starts on the day of the *kṣamā pūjā*. It is usual for the ritual of offerings to start early in the morning with the *Nāsaḥ pūjā* and the offering of the students' *kislī*. It is followed by a feast. The teaching lasts on average about 45 days. Teaching as such does not start until dusk. For obvious reasons of staging, and although daily sessions are theoretically the preserve of the participants, they are conducted outdoors in the neighborhood courtyard, opposite the House of Letters (*ākhāḥ cheṃ*). The private nature of the teachings is, nevertheless, signified by the ban on instrumentalists playing outdoors. The drummers are confined indoors, in an adjacent room. The guru first invites students to worship Nāsadyaḥ and Hanumān in order, he says, to sharpen their powers of concentration. Any technical advice focuses on the laws of balance ("standing straight as a pillar," in the master's words) and rotation techniques. Postulants train in three separate corpora; the first includes a wide range of individual postures and balancing exercises, and aims to confer virtuosity and stamina. The second, which involves the student swinging the pole over his head,

is valued as an "offering by gesture." According to the masters, this is the equivalent of a sonic, instrumental offering (*dyaḥlhāyegu*). The third group of figures is collective and is of another type altogether. Made up of about fifteen postures, it is devoted to the creation of a human temple whose elements, made up of the participants themselves, are destined to receive at their summit the best among them, the *cobināyaḥ*—he who has been chosen by the college of elders to become the future mūla guru, the first master of the neighborhood after the death of its current representative. In many ways this consecration of the *cobināyaḥ*, the true climax of the *dhimay syanegu*, is also the symbolic summit because, literally at the pinnacle of this human construction, he symbolically incarnates the god. Each posture is accompanied by a specific musical composition. The reader will find a revealing example of this repertoire in the notation of the *dhunyāpvah bol* (in Appendix 1). This piece is a good illustration of the conventional outline of the word/action in which each section of the choreography coincides with the mimetic syllables linked to the drum strokes.

According to Dev Narayan Maharjan, the participants' first public appearances were previously spread out over almost a month, during which period the novices visited the 32 peasant neighborhoods of Kathmandu alternately, and sometimes prolonged their tour as far as the neighboring city of Patan. This period, which was already over when I made my first investigations in 1995, was called *bvasā wanegu*.[49] Internal quarrels seem to have been at the origin of its disappearance, and in 1996 only the closing rites, carried out in the neighborhood of each group, remained. However, a new approach to my field of study (September 2011) contradicts my earlier data, and many of the performances seem to have been partially restored. Today, however, they are limited to four symbolic sites: the locality of origin of the association, the sanctuary of Svayambhūnātha, the home of the *cobināyaḥ*, and the temple of Pacali Bhairava. Carried out between the festivals of Dasain and Tihār, these four performances are similar, with the exception of the last one, which concludes with an ultimate tribute to the instruments and the chanting of an auspicious song (*mangal mye*).

In concrete terms, the closing ceremony (*pidanegu pūjā*) takes place in the symbolic center of the neighborhood, which is none other than the temple of Nāsadyaḥ himself. It is preceded by a vigil in his sanctuary—an event that, in the memory of the youngest boys, is often remembered as a moment of terror. From dawn onwards the poles are prepared and decorated in the neighborhood courtyard facing the *ākhāḥ cheṃ*. The masters attach the hemp ropes, the flags,

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[49] When I met him in March 1996, Kriṣṇa Bhai Maharjan gave me a description of the successive stages: "The group that was finishing its apprenticeship visited each of the neighborhoods of the town alternately, and was received with great pomp. After carrying out an offering of sounds (*dyaḥ lhāyegu*), the students engaged in a demonstration of acrobatics with the *dhunyā* pole. A *pūjā* to the musical instruments was then enacted by the inhabitants of the quarter that was being visited. They made offerings to the masters of large turbans and strips of cloth (*kokhā*) to the musicians. This gift of cloth preceded important feasts (*bhvāy*), and was followed by a musical performance called *maṇgalhāyegu*, 'auspicious word', or *maṇgala boli*, 'auspicious syllable'. During the performance, five sorts of cereals were offered to the participants (beaten rice, rice, wheat, whole rice, and corn). Thus, from neighborhood to neighborhood, the cereals—considered as being consecrated offerings (*prasāda*)—piled up. They were intended for the making of two types of drink (rice alcohol, *aylā* and beer, *thvaṃ*) used during the last ritual, called *litayaṃkigu pūjā,* a term meaning 'go back to.' On the last day, after these peregrinations, the masters and the students carried out a last ritual in their home neighborhood, during which the energy of the god, in the form of a saucer of *kislī*, was taken from the house of apprenticeship to the neighborhood temple. This was an opportunity for them to receive for the last time the blessings of the god, touching the *kislī* with their heads and affixing Nāsadyaḥ's black *ṭīkā* to their own foreheads. At night, all the participants met up for a last community feast."

and the yak tails in turn to the tops of the poles, "establishing" alternately the gods Hanumān, Bhairava, and the *pañca* Buddhas. The main musical offering to Nāsadyaḥ, the *mūdyaḥlhaegu*, is drummed at that moment. Balancing on the shoulders of one of his colleagues, the *cobināyaḥ* brandishes the principal pole (*mū dhunyā*) in front of the neighborhood temple. The twelve poles are joined to it and a banquet is served. Masters and students join in together. This is the start of the ceremony proper. It opens with the placing of marks on the participants' foreheads (red *ṭīkā* in honor of the Goddess and black for Nāsadyaḥ). The official presentation of the poles, then the drums, follows. These are handed out by the masters. Under the watchful eyes of members of the association (*guṭhiyār*) and family members, the students perform for several hours, making the fifteen choreographic figures associated with the creation of the human temple and engaging each in their turn in the individual handling of the *dhunyā*. The "*dyaḥlhāyegu* through gesture" is here executed by the best student at the pinnacle of this human pyramid. Below is a recapitulation of the chronology. The reader may consult the accompanying video sequences to appreciate this art in living movement.

House of Letters: Musical Apprenticeship among the Newar Farmers. Video by Franck Bernède. http://journal.oraltradition.org/issues/30ii/bernede#myGallery-picture(18)

1	*āsana māḥ*	"Founding of the sanctuary" posture (also called *mandah māh*)
2	*betā māḥ*	Posture of *betā*, vehicle of the god Bhairava
3	*sikha māḥ*	Posture of the temple tower (*sikāra*)
4	*siṃha māḥ*	Posture of the lions, guardians of the sanctuary doors
5	*lukhāḥ māḥ*	Posture of the temple's door (*lukkāḥ*)
6	*mū lukhāḥ māḥ*	Posture of the temple's main door
7	*degaḥ māḥ*	Posture of whole temple
8	*nandī/bhindī māḥ*	Posture of Nandī and Bhindī, two of Nāsadyaḥ's assistants
9	*tiṃsaḥ māḥ*	Posture of Nāsadyaḥ and his two assistants, Singhinī and Vyāghrinī, here followed by a "nameless" virtuoso posture
10	*gaju māḥ*	Posture of the temple's summit (*gajur*)
11	"nameless"	"A Nameless" series of postures created by the students themselves
12	*thanegu māḥ*	Posture of the raising (*thanegu*) of the pole
13	*koḥthelegu māḥ*	Posture of the taking down (*koḥthelegu*) of the pole
14	*dhunyā lhāyegu*	Ground posture of projecting the bamboo pole backward after having swirled it around the head. Executed by two participants.
15	*kyāk puligu*	Posture of Kyāk, one of the children of Nāsadyaḥ. Roulades performed by the youngest students.
16	*yākaḥ māḥ*	Taking someone on one's shoulders. The *cobināyaḥ*, standing on the shoulders of another student, brings back the main *dhunyā* pole from Nāsadyaḥ's temple to the House of Letters.
17	*pūjā yāyegu*	Ritual of offerings, accompanied by an auspicious song (*mangalam mye*) dedicated to Nṛtyanāth (= Nasadyah)

Table 3. Inventory of the *māḥ thanegu* postures. Oṁ Bāhāḥ twāḥ.

Fig. 15. Raising of the *dhunyā* pole (*māḥ thanegu*), Oṁ Bāhāḥ twāḥ. Photo by the author, 2011.

Fig. 16. Closing ritual of the *dhimay syanegu*. Consecration of the drums and chanting of an auspicious song (*mangalam mye*). Photo by the author, 2011.

As can be seen through these descriptions, the *dhimay* and *dhunyā* apprenticeships are revelatory in their processes of both the ritual and the martial character of this tradition. It seems worthwhile now to present the analysis of the repertoire as well as the symbolic elements on which it rests. This should allow us to understand the foundations on which the teaching of the masters is built, and the issues concerning the processional genre of which they are the custodians.

Musical and Symbolic Analysis of the Repertoire

The Syllabic Corpus and the Different Types of Strokes

Let me remind the reader that, as with most percussion of the Indian subcontinent, Newar drum playing is founded on a corpus of syllables (*boli*) and stereotypical rhythmic structures (*tāla*). In Kathmandu the mimetic vocabulary of *mū dhimay* is based on five phonemes: two are guttural, *kho* and *ghūṅ* (left hand), two are dental, *tā* and *nā* (right hand)**,** and one composed syllable, *dhyāṅ* (formed from the syllables *nā* and *ghūṅ*), corresponds to the simultaneous playing of both hands. The first of these relates to a stroke to the edge of the membrane and the second to a stroke to the middle of the drum skin. The left-hand skin is struck with the bare hand, while the right is made to vibrate with a bamboo stick whose end is rolled into a spiral.[50] The timbres that correspond to the dental *tā* and *nā* are highly contrasted in the playing of *mū dhimay*, because the stroke on the edge of the drum engenders a sound that is naturally drier than the one that comes from the center of the skin. However, they tend to merge in the playing of *yalepvaḥ dhimay*, which has less surface for resonance. As for the guttural *kho*, made by pressure of the hand on the edge of the frame, it produces a dull sound, while *ghūṅ*, which consists of a rebound of the palm on the skin, promotes resonance. Lastly, the syllable *dhyāṅ*, associating *nā* and *ghūṅ*, is made by striking simultaneously the center of the two membranes. These syllables, respectively muffled and sonorous, are thought to present a character of analogy with the type of sound the instrument emits. These five phonemes are arranged in a limited number of combinations, each one making up a unit of measure (*mātrā*). Thus fifty or so compound phonemes—comprising two, three, or four syllables—are built from the matricial phonemes.[51]

The Organization of Rhythm: the Different Tāl *or Rhythmical Cycles*

As in the classical Indian tradition, the notions of *mātrā* and *tāla* are the keystones here to the rhythmic system. It will be recalled that the term *mātrā* is derived from the Sanskrit *MĀ-*, which means "to measure," or more precisely, to "give the measure," and designates the smallest unit of rhythm or pulsation. *Tāla* (Nep. *tāl*) is the technical name of the rhythmic cycles, which make up the framework of the compositions. In Kathmandu four of these rhythmic cycles are used in *dhimay* playing. They are called *cvoḥ*, *lantā*, *partā*, and *jati*. The first, *cvoḥ tāl*, is common to the repertoires of the two types of drum (*mū* and *yalepvaḥ dhimay*). It comprises four *mātrā*, or measures, that are played with an approximate pulsation of 112/min. The three others, *lantā*, *partā*, and *jati*, are in theory the preserve of the ritual drum.[52] *Lantā* is played twice as slowly as *cvoḥ*; it comprises eight *mātrā* and is struck at about 55 pulsations/min. The two other *tāl* have alternating rhythms: *partā* and *jati* are composed of seven *mātrā* variously arranged.

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[50] This stick is given a different name in different localities. It is called *khotākathi* for the *mū dhimay* in Kathmandu (*paukathi* for the *yalepvaḥ dhimay*), *dhimay pucā* in Bhaktapur (Wegner 1986:23), and *tāḥkutsa* in Patan, a term that means "snake," according to Aubert (1988:50).

[51] For a recapitulative table of this type of composed rhythms, see Bernède (1997b, Appendix 1).

[52] There are, however, a few exceptions, in particular in the repertoire of the *yalepvaḥ dhimay.*

This theoretical classification is borne out everywhere. However, I have only seen *cvoḥ*, *lantā*, and *partā* played all over the capital, while *jati* seems to be the prerogative of the northern neighborhoods.[53] I have also noticed a fifth *tāla*, known as *garhā*, which is made up of 14 *mātrā*. It seems to have disappeared from the usual repertoire of Kathmandu, but is still occasionally heard in other localities—notably in Kirtipur, Buṅgamati, and Khokanā—in particular during the sacrifice of the buffalo. The pulsations of the tāl are classified as strong (*tāli*) and weak (*khāli*) beats. The latter are marked by idiophones specifically dedicated to each group: the metal *kẽpuī* and *ghau* discs accompany the *mū dhimay*; the *bhusyāḥ* cymbals, the *yālepvaḥ dhimay*, and the *tāḥ* jingles (small cymbals) accompany the *khiṃ* drum. As for the drums, specific syllables are associated with these idiophones, distinguishing strong and weak beats, as is shown in the table below.

Idiophones	***tāli*** (strong beats)	***khāli*** (weak beats)
kẽpuī or ghau discs	*tāinā*	*ghvāinā*
Cymbals bhusyāḥ	*chiṃ*	*chhyā*
Small tāh cymbals	*tin*	*chhu*

Table 4. Correspondences between the idiophones and their respective mimetic syllables.

In this context of performance, binary rhythms appear to be in the majority, which is hardly surprising, in so far as a large part of the *dhimay bājā* repertoire is associated with processions and therefore with the rhythm of walking. The rhythmic cycles that govern this repertoire are relatively homogeneous throughout the urban area. The order of mimetic syllables, on the other hand, varies significantly from neighborhood to neighborhood. It will be recalled that a different stroke corresponds to each syllable, and that every stroke generates a timbre, a sound color of its own. The variations in syllables are thus concomitant on variations of timbre, based on a paradigmatic rhythmic framework, which are a discreet signature marking the identity of each group (or of each locality, which comes to the same thing). Today, however, the reality of the music observed does not always correspond to the theoretical model just described. Recited syllables are often very different from the instrumental performance. Moreover, when there is no teacher able to ensure the apprenticeship, the young musicians are obliged to call in a drummer from another neighborhood, which can undermine the fidelity of transmission. Emphasis is obtained by playing on long or short syllables, on the oppositions between simple and double *mātrā*, which has the effect of creating displacements of accents, giving the compositions their characteristic "groove."

[53] Dev Nārāyan Maharjan did not mention the existence of the *jati tāḷ* during my *dhimay* apprenticeship in Oṁ Bāhāḥ. When I asked him about it, he replied, "Yes, *jati* does exist, but not here." This remark shows once again how the town's neighborhoods appear, from a musical point of view, as distinctly separate entities, even if they are all founded on a unified musical systematics.

The Technical Vocabulary

In contrast to the diversity of rhythms found in the different neighborhoods, the structure of the compositions associated with the *dhimay* drum repertoire shows little variety throughout the city. Each piece is made up of three or four distinct parts, respectively called *nyāḥ*, *gau*, *kolā*, and *twāḥlhāyegu*. This technical vocabulary can, for Kathmandu, be defined thus:

> 1. *Nyāḥ*, "to move forward in space" (Manandhar 1986:139). This term, which could be compared to the Sanskrit root *NÁ-* "drive, direct," expresses the idea of a prelude or overture. This sequence is usually repeated eight to ten times.
>
> 2. *Gau*, "change, meet, follow," designates what we might call the "development." It is subdivided into two sub-sections of unequal length. The first, in some cases extremely brief (usually three *mātrā*), acts as a bridge between the overture (*nyāḥ*) and the actual development. This second section of the *gau* is repeated twice.
>
> 3. *Kolā*, "conclude." This fragment is a sort of introduction to the final sequence. It would seem that this short composition, optional and rarely played, is the exclusive prerogative of the *mū dhimay*.
>
> 4. *Twāḥlhāyegu*, "finish, cover, close, break." The final part is the only section that is truly fixed in the arrangement of the general structure. It is played to conclude all the compositions. It represents, in a sense, the musical emblem of the city neighborhoods.

The Repertoire of the Mū dhimay

The repertoire of the *dhimay* drums comprises two distinct corpora.[54] The first, under the generic name of *dyaḥlhāyegu* (*dyaḥ*, "god," *lhāyegu*, "speak, express"), is made up, in theory, of twelve pieces.[55] It essentially consists in "sonic offerings" addressed to the gods. The second (without any specific denomination) is associated with the circuits of the processions.

Sound Offerings

The Newari term *dyaḥlhāyegu*, "word of the gods," glossed by the musicians themselves as "sound offerings," refers to a cycle of compositions that are invariably played at the beginning of every ceremony. In the eyes of the Jyāpu, the *dyaḥlhāyegu* are essentially, above any aesthetic consideration, ritual acts. As one of them confided to me, these foundational pieces are "a

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[54] The names and the number of pieces are roughly the same in each quarter of the capital. This makes it possible to give a general description, but the names of the pieces correspond to a different musical reality, in so far as it is precisely these pieces that constitute the mark of identity of each quarter.

[55] The comparative study of the repertoires in the three parts of the city shows, however, that this is not, or is no longer, true.

concentrated sonic form of *pūjā*." A list of the five *dyaḥlhāyegu* in use in Oṁ Bāhāḥ twāḥ[56] is given in Table 5.

Title of the piece	Tāl	Site and circumstances of the performance
mūdyaḥ dyaḥlhāyegu	*cvoḥ* *lantā* *partā*	In the *ākhāḥ cheṃ* and the temple of Nāsadyaḥ. Before and after any travelling inside the neighbourhood.
lantā dyaḥlhāyegu	*lantā*	In the *ākhāḥ cheṃ* during the *pūjā* to Nāsadyaḥ. In front of the other temples to the god of music.
tvācā dyaḥlhāyegu	*cvoḥ*	In front of all the temples, to any deity.
tāñtākho dyaḥlhāyegu	*cvoḥ* *partā*	On arriving at and leaving the temples, interchangeable with the *tvācā* and the *tābhunāntātā*.
tābhunāntātā dyaḥlhāyegu	*cvoḥ*	During the procession.

Table 5. The five *dyaḥlhāyegu* of *mū dhimay*. Oṁ Bāhāḥ twāḥ.

Among these five compositions, the *mūdyaḥ dyaḥlhāyegu* is the cornerstone of the repertoire. It is the only one that consecutively uses the three referential *tāl* (*cvoḥ*, *lantā*, *partā*). Exclusively devoted to Nāsadyaḥ, this piece is a virtual manifestation of the voice of god for every neighborhood. Let us remember that there is a specific *mūdyaḥ dyaḥlhāyegu* for every one of the 28 neighborhoods, the four others being those of the Kumāḥ potters who, as I have said, do not have access to the ritual repertoire of the *mū dhimay*. The four other *dyaḥlhāyegu* are collectively known as *twāḥdyaḥ dyaḥlhāyegu*, a generic term that could be translated as "offerings of the sounds of the neighborhood." Among these, the second is dedicated in priority to Nāsadyaḥ and to Gaṇedyaḥ (Gaṇeśa), but can, however, be played for other deities. As for the three other pieces, they are played when the instruments are taken outside the limits of the neighborhood. They are named according to the *tāl* that is used or formed from the syllables making up one of the pivotal *mātrā* of the musical composition itself. For example, the names of the two last are formed from the phonemes *tā* and *tākho* for *tañtakho*, and *tāghūnātā* and *tā* for *tābhunāntātā*. The latter, associated with the natural *poṅgā* trumpets, is specific to the festival of the cow (*Sāyāḥ/Gai jātrā*). Curiously, there is no *dyaḥlhāyegu* dedicated to Sarasvatī and Hanumān, the two other deities presiding over all teaching.

If we think of the considerable sacralization of the instrument, we will remember that in some areas, in particular in the lower parts of the city (Kvane), the *mū dhimay* is, in theory, played only by the main music master. Great care is taken in moving it from the house of apprenticeship to the temple of Nāsadyaḥ, in particular concerning matters of purity. On this occasion the three first sonic offerings must be interpreted successively: the first inside the house of letters, before the altar of the god of music, the second while leaving the room, and the third and last on stepping over the threshold of the house of apprenticeship. The *dyaḥlhāyegu* vary not only from neighborhood to neighborhood, but also in the different localities of the valley, which comes to the same thing if we consider that every neighborhood is in many ways a village, and that the whole town is nothing more, in the end, than the accretion of all these localities. An

[56] Of the twelve original pieces, only five of them are still played today, in conformity with the absolute necessities of the ceremonies. The musicians who still know the seven others describe them as more or less optional today.

example in Appendix 2 shows the notation of the *mūdyaḥ dyaḥlhāyegu* as it is played in Oṁ Bāhāḥ twāḥ.

The Processional Repertoire

Unlike the *dyaḥlhāyegu* addressed to the deities, which can be thought of as bridges stretched between the world of men and the world of the gods, the second group of compositions is used to mark the different stages of the processional itinerary (*patha*). Each piece is associated with a particular action (climbing up and down, circumambulations, crossing rivers, and so on.) and claims to be the sonic vehicle enabling the sacralization of the ritual space that is the town in its entirety. Their number and degree of elaboration vary according to the neighborhoods. The table below recapitulates the phases carried out every year for the feast of Guṃlā between the neighborhood of Oṁ Bāhāḥ and the sanctuary of Svayambhūnātha.[57]

Titles	**Tāl**	**Places and circumstances**
twāḥdyaḥ tābhunāñtātā	*cvoḥ*	In the *ākhāḥ cheṃ*
laṃpvaḥ	*cvoḥ*	Between the *ākhāḥ cheṃ* and the first river encountered
dhunyāpvah	*cvoḥ*	On crossing a river [57]
lāpvah	*cvoḥ*	On crossing a bridge
dyaḥ thāhā wanegu	*lantā*	During the ascension towards Svayambhūnāth
taṃpvah	*cvoḥ*	During the ascension
dyaḥ cāhilegu	*partā*	Arriving in the sanctuary
śāntipūpvaḥ	*partā*	At the sanctuary of śāntipura
tampvah	*cvoḥ*	While climbing
devalipvah	*cvoḥ*	While circumambulating (*parikrama*) around the *stupa*
pūjāpvah	*lantā* *partā* *cvoḥ*	During offering rituals
māḥpvah	*cvoḥ* *partā*	While accompanying acrobatics (*māḥ thanegu*)
laṃpvah	*partā*	Descending towards the *ākhāḥ cheṃ*
dyaḥ thāsan kvahāvayagu	*cvoḥ*	On returning to the quarter of origin

Table 6. Repertoire played during the Guṃlā festival on the way to Svayambhūnātha.

This inventory would be incomplete if I did not mention a last piece that presents the particularity of not being taught during the apprenticeship and which, according to the teachers, the students must discover by themselves. It is called *sāyāḥ yāgu* (*sā*, "cow" and *yāgu*, "do" or "make") and must be played during the festival of the cow, Sāyāḥ (Nep. *Gāi jātrā*). Its existence illustrates well an elementary principle, one that could be qualified as pedagogic: to become a

[57] Rameshwar Maharjan, in a personal communication, has mentioned the existence of another piece, *tamśipapvaḥ*, which is played by all the Kathmandu groups during their processional circuits towards Svayambhūnāth.

musician one must integrate in an autonomous way, by imitation, a new or unknown piece. Here, the composition must be reconstituted in context from direct observation. This contrasts significantly with the usual model of music teaching.

Final Remarks

Dhimay music rests intrinsically on the phenomenon of articulation, that is to say that it is above all conceived of as a signifying language. It is from the syllable—an indivisible unit of articulation having the quality of primary enunciation—that the seminal sound, the smallest unit of meaning. From these sounds spring the word, which is the smallest unit of musical discourse. Thus, the five phonemes (or "sound seeds") *tā*, *nā*, *kho*, *ghūṅ*, and *dyāṅ*, associated with the *dhimay*, are the smallest units of meaning. Over and above their mimetic functions, these "mother-syllables" are the root of the musical discourse, understood in their ritual context as mantra words (*mantra boli*).[58] These are the basis from which are elaborated their derivatives, made up of two, three, or four syllables. These aggregates are the linguistic units—the words, so to speak—that make up the composition of the musical phrases.

Some clues suggest a possible kinship between these musical syllabaries (*boli*) and the "phonic seeds" (*bījākṣara*) of rituals. Considering the porosity of the two religious forms present (Hinduism and Buddhism) and, more precisely, the influence of the tantric paradigm on these two poles of Newar tradition, a parallel with speculative data concerning the "Science of Formulas" (*mantravīḍyā*) does not seem unjustified. Some elements of this sound theology seem to infuse to different degrees in various strata of Newar ritual and artistic life. Such traces are to be found, in particular, in the worship manuals devoted to Nāsadyaḥ, and in use by the high Hindu Newar, but also, implicitly, in the processes associated with the apprenticeship of masked dances (*dyaḥ pyākhaṃ*), a field electively maintained by the farmer castes. The limits of this essay do not, unfortunately, permit me to develop this question here. Suffice it to say for the time being that the language of drums (which is similar, by the way, to that of trumpets, and rests on the same principles, but is adapted to the particularities of this class of instrument), far from being purely musical, is the vector of a language considered to be sacred, whose constitutive elements—the syllables—are invested, in the eyes of those concerned, with a form of transcendence. We can get a sense of this if we re-examine the symbolic attributes of the skin of the drum, the site of its sonic expression.

The reader will remember that the phonemes *tā* and *nā* are masculine by nature and that they are expressed on the right-hand skin of the instrument, which is a manifestation of Nāsadyaḥ. As for the syllables *kho* and *ghūṅ*, they are of a feminine nature. Lastly, the compound *dyāṅ* manifests the alliance of the poles, the union of opposites (*Śiva-Śakti*). While the dentals correspond to the ether, the labials are associated with the earth. The former are wrathful

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[58] Ellingson (1986:327) mentions the existence of a "notation of a Sanskrit syllable, called *mantra boli*," which, according to him, "is used for playing the *kwotāḥ*, or three-headed drum." It seems to me that the term *mantra boli* does not refer to a system of notation, but to the "word" attributed to the musical art in this ritualized context (see below). The expression *mantra boli saphu* is sometimes used to refer to the composition handbooks, in particular those dedicated to the repertoire of *poṅgā* trumpets.

(*tāndava*) by nature, while the latter are benign (*lāsya*). The union of the two (*misrā*), represented by the syllable *dyāṅ*, here indicate opposites transcended. These elements should suffice to show the symbolic associations by which musical practice can, in this tradition, potentially attain the status of an interior discipline.

I would add that in order to appreciate the full dimension of these processes, one should place them in the context of a general reflection on the symbolics of language as transmitted by the Newar themselves. Indeed, the elders distinguish three levels of speech. The first, "ordinary speech," brings together all the components of current language. It is called *nijī bhāsā*, "one's language." The second is *mantra boli*, or "speech of mantras." The third and last level is seen as "soundless/inaudible, and designates the language of the gods" (*dyaḥ boli*). An essential point, as several masters told me, is that musical sound belongs to the second category, *mantra boli*. This means that it is situated on a plane considered to be intermediary between the language of men and the language of the gods. This perspective is without doubt inherited from the Indian world, as reflected by the introductory chapter of the *Saṅgītaratnākara*.[59] The abundance of handwritten copies of this text is a measure of the popularity that it seems to have once enjoyed in Nepal.

The last point I address is the division between music that is considered "secret, private" and music belonging to the public sphere. Newar instrumental music, like most of the other Newar artistic forms, is divided into two main categories, referred to, respectively, as *āgam* and *nigam*. This terminology, borrowed from the technical vocabulary of the Tantras,[60] clearly divides artistic behaviors into two distinct bodies. The first is the secret domain (*guyha*) of initiatic practices. *Caryā* songs and dances, for example, in their traditional context of execution, belong to this category. The second term, *nigam*, refers to expressions of public artistic life. This two-fold division brings to light the degree to which, in the field of musical and choreographic activities, it is the teaching that falls under the domain of initiation, while its realization in the public sphere is no more than its most exterior form.

Post Scriptum

Through this exploration of *dhimay* drum apprenticeships, I have sought to illuminate the nature of the relations between the foundations of musical language and those of ritual language. Under the auspices of a collegial education, these apprenticeships derive their ultimate point of reference from knowledge that is thought to be non-human, the purely oral transmission of which is propagated by the authority words of the masters. It would, however, be mistaken to say that a field as subtle as that of ritualized apprenticeships could escape the repeated assaults of a fast-growing modernity, as it can be observed today in Kathmandu Valley. In his pioneering study of the *dhimay bājā* in Bhaktapur, Wegner (1986) expressed concern at the impact of agrarian

[59] As Ellingson (1980:435) has pointed out, "One needs only to glance at the opening chapter of the *Saṅgītaratnākara* (Śārṅgadeva n.d.) to notice such typically Tantric concepts as the elaborate symbolic-meditative analysis of the psycho-physiological basis of sound production in the body, or the characteristic distinction between 'unstruck' (absolute) and 'struck' (phenomenal) sound."

[60] In the Indian world, the term *nigam* refers to the Vedic system, while *āgam* corresponds to the sphere of Tantrism.

reforms on the musical life of the farming caste. The loss of land whose income has in the past provided for the need of the musical associations (*bājā guṭhī*) was at that time one of the main causes of the disappearance of groups and their repertoires. Thirty years later, it is now clear that many other factors were already quietly at work. I will focus here only on the most significant for my intention, and firstly on the topography of the city, the natural framework for processional expression.

We have seen to what extent the music of *dhimay bājā* was inextricably linked to the territorial units of the Jyāpus, and how the latter were essentially dedicated to a sacralization of the urban fabric. To the 32 traditional neighborhoods (*bhatis twāḥ*) that make up the heart of the old city, 33 new residential units have recently been added. This new configuration, the "65 farmer's neighborhoods" (*paiṃsāṭhi Jyāpu twāḥ*), does not seem to have led to the creation of any shrines dedicated to the god of music or traditional houses of apprenticeship. Because the associative activities of the groups always take place in the heart of the original neighborhoods, it has not been deemed necessary to implant these symbolic poles in the new neighborhoods. On the other hand, this extension of the urban territory has, in response to an ever increasing demand for music teaching, seen the birth of countless new structures, such as music schools or private "studios." In contrast to the traditional *ākhāḥ cheṃ*, these educational spaces exist henceforth as secular and pluri-musical sites of transmission, open to all. Another phenomenon, no less significant, completes this secularization of musical practices: the unification of repertoires. This is particularly the case for the *yalepvaḥ dhimay* repertoire. While many foundational pieces of the processional genre, such as the sound offerings (*dyaḥlhāyegu*), seem to be progressively disappearing from the sonic landscape of the city, the repertoire of this little instrument continues to gain favor among younger generations.

Although created by the Kumāḥ potters as a substitute for the *mū dhimay*, to which they did not have access, it is precisely this repertoire, in former times perceived as peripheral, which is increasingly establishing itself asa major emblem in the world of Newar sound. Interestingly, it is itself subject to restructuring today.[61] This repertoire now includes no more than three *dyaḥlhāyegu*, a dozen compositions, and only one surviving *twāḥlhāyegu*. This is important, because the various neighborhood sound identities manifested by the *twāḥlhāyegu* are here dissolved in favor of a single composition, henceforth symbolizing the entire city. In a way, this budding repertoire seems to be establishing itself as the sonic imprint of the new contemporary urban territory. To those concerned, its implementation serves several objectives: 1) to impose a musical cohesion on the scale of the entire city, eliminating the natural heterophony expressed in the rapid succession of instrumental ensembles during the processions; 2) to encourage mass musical demonstrations in order to support political gatherings and demonstrate Newar unity with regard to other ethnic groups.

The second point to which I would like to bring attention concerns the rules of ritual purity. Many examples bear witness to a growing distancing of the newest generations in the face of the complex apparatus of ancestral religious behaviors. In the musical context that we are examining, this distancing is seen in particular in relation to the musical instruments themselves,

[61] A collective of artistic personalities, including Nhuchhe Dangol and Rameshwar Maharjan, recently started work on this. It is interesting to consult *Nhuchhe Sir,* a documentary film made in 2012 by Samrāt Kharel on Nhucche Dangol, a quasi-mythical personality of Kathmandu's musical life.

which, as will be remembered, were believed to be a tactile form of the deity. A redirected or (some would say) iconoclastic use of the *dhimay* drums in fusion groups is instructive in this context. Just as significant are the ideas of impurity linked to saliva, which no longer seem to interest anyone in the flute ensembles (*bāṃsurī khalaḥ*). The uninhibited use of leather utensils during community feasts is another sign of the abandonment of ancestral rules pertaining to ritual pollution.[62]

Among the many factors of transformation in the Newar musical landscape, one of the major revolutions of the last twenty years is women's access to the practice of the musical instruments from which recently they were excluded. It is worth mentioning the main stages of this "opening up." Once again we must turn to the *yalepvaḥ dhimay* in order to appreciate the genesis of change in the capital of Nepal. This instrument was, from 1995 on, among the first to be taught to young women, initially in the less conservative neighborhoods (such as Wotu twāḥ), and then rapidly at the Padma Kanyā Campus of Tribhuvan University. Since then, this opening up has continued. With the exception of the *mū dhimay* and the natural trumpets (*poṅgā* and *kāhā*), which remain the exclusive preserve of men, the quasi majority of traditional Newar instruments are also played by young women.[63] It should be noted, however, that their apprenticeships, decontextualized from the rituals of the god of music, are carried out inside the new teaching structures, and not in the *ākhāḥ cheṃ*.[64]

Fig. 17. Jyāpuni of Tanani twāḥ playing the *yalepvaḥ dhimay*. Procession to the temple of Pacali Bhairava. Photo by the author, 2011.

[62] The central committee of the Jyāpus of Kathmandu recently relaxed its rules on the bans associated with feasts, in particular in terms of alimentary restrictions, but also concerning relationships. These assemblies, which were of old strictly reserved for the members of neighborhood associations, are today opening up to the castes that were once excluded such as, for example, the Nāy butchers.

[63] I limit my observations here to the context of the traditional Newar instrumentarium. To be complete, it would indeed be necessary to extend these observations to other musical forms, which, like jazz, fusion, or indeed the study of classical European instruments such as the violin or the piano, are today on the rise.

[64] New rules of purity have been established in order to validate these practices. Among them, the rule stating that female musicians may not take part in the learning, nor even approach the instruments, when they have their periods.

This study reflects the processes of traditional apprenticeships, which were founded almost exclusively on the principle of oral transmission and were passed on by a group of people who, until recently, were for the most part illiterate. With few exceptions, the rare musical handbooks in circulation were written by scholars from the high castes. These texts, to which the students did not have access, were conserved in the houses of apprenticeship or in the houses of the masters themselves. They had no didactic purpose and their only function was as aide-mémoires. The last twenty years have also seen profound changes in this area, which have marked an important turning point in the nature of the relations between masters and students. This evolution from the oral to the written has happened gradually, and not without reluctance on the part of the elders. I have observed photocopies, which at first only circulated at the end of the apprenticeships, being given more and more often to the students at the opening of the sessions. Today, they are published by many neighborhood associations. When questioned about this, young Jyāpus—who are school educated and have in most cases abandoned farming—have told me that they do not have time to memorize the music "in the old way." This state of affairs is obviously not without effect on the status of the masters who, at least from this perspective, seem to be increasingly relegated to the role of simple coaches. It must now be recognized that one of the results of the evolution of the modes of transmission of music teaching is an accelerated loss of the principles on which they were founded. The ever-increasing secularization of this traditional initiatory apprenticeship, in the center of which the sonic phenomenon was envisaged as an "intermediary world" between the world of men and the world of the gods, is all too likely to contribute to forever silencing the voices of the masters who still preserve its meaning.

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Appendix 1: *dhunyāpvaḥ* (Oṁ Bāhāḥ twāḥ).

Cvoḥ tāl (4 *mātrā*)

1	**2**	**3**	**4**	**1**	**2**	**3**	**4**
ghūṅ -	tāghū	tātā	ghūṅ -	tāghū	tātā	ghūṅ -	ghūṅ -
ghūṅ -	tāghū	tātā	ghūṅ -	tāghū	tātā	ghūṅ -	ghūṅ -
kho -	tāghū	tātā	ghūṅ -	tāghū	tātā	ghūṅ -	ghūṅ -
ghūṅ -	tāghū	tātā	ghūṅ -	tāghū	tātā	ghūṅ -	ghūṅ -
kho -	tāghū	tātā	ghūṅ -	tāghū	tātā	ghūṅ -	ghūṅ -
kho -	tāghū	tātā	ghūṅ -	tāghū	tātā	ghūṅ -	ghūṅ -
ghūṅghūṅ	tātā	ghūṅ -	tātā	ghūṅghūṅ	tātā	kho -	tātā
ghūṅghūṅ	tātā	ghūṅ -	tātā	ghūṅghūṅ	tātā	kho -	tātā
kho -	tātā	kho -	tātā	kho -	tātā	kho -	tātā
kho -	ghūṅ -	ghūṅ -	ghūṅ -	tākā	ghūṅ -	ghūṅ -	tātā
kho -	ghūṅ -	ghūṅ -	ghūṅ -	tākā	ghūṅ -	ghūṅ -	tātā
ghūṅ -	nārā	ghūṅ -	kho -	tāghū	nārā	ghūṅ -	kho -
ghūṅ -	nārā	ghūṅ -	kho -	tāghū	nārā	ghūṅ -	kho -
tā -	tākho	tāghū	ghūṅnā	ghūṅ -	tākho	tāghū	ghūṅnā
tā -	tākho	tāghū	ghūṅnā	ghūṅ -	tākho	tāghū	ghūṅnā
tātā	tākho	tāghū	ghūṅnā	ghūghū	tākho	tāghū	ghūṅnā
tātā	tākho	tāghū	ghūṅnā	ghūghū	tākho	tāghū	ghūṅnā
tātā kho -	tātā kho	tāghū	ghūṅnā	ghūghū	tātā kho	tāghū	ghūṅnā
tātā kho -	tātā kho	tāghū	ghūṅnā	ghūghū	tātā kho	tāghū	ghūṅnā
tātā kho -	tātā kho	tātā kho	ghūṅnā	ghūghū	tātā kho	tātā kho	ghūṅnā
tātā kho	tātā kho	tātā kho	ghūṅnā	ghūghū	tātā kho	tātā kho	ghūnā
kho -	tākho	tākho	nārā	ghū -	nārā	ghūṅ -	nārā
khotā	tākho	tākho	nārā	ghūṅ -	nārā	ghūṅ -	nārā
khotā	tākho	tā -	ghū -	tā -	- -	tā -	ghūṅ-
tā -	ghūṅ-	tā -	tātā	ghūṅ-			

Appendix 2: *mūdyaḥ dyaḥlhayegu* (Oṁ Bāhāḥ twāḥ)

A. *Lantāl*. (8 mātrā). Played in the *ākhāḥ cheṃ*, in front of the Nāsadyaḥ altar.

1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
ghūṅ -	tātā	khota	tākho	tā -	- -	tā -	tātā
ghūṅ -	tātā	khota	tākho	tā -	- -	tā	khota
tākho	tātā	khota	tākho	tā -	tā -	tātā	khota
tākho	tātā	khota	tākho	tā -	tā -	ghūṅ -	nā -
khota	tākho	ghūṅ -	nā -	khota	tākho	ghūṅ-	ghūṅā
tākho	ghūṅā	ghūṅ -	ghūṅā	ghūṅ -	- -	ghūṅ -	ghūṅ -
ghūṅ -	kho	tā -	ghūṅ-	kho	tā -	ghūṅ -	ghūṅā
nā -	khota	kho -	kho -	kho -			

B. *Partāl*. (7 *mātrā*). Played at the door of the *ākhāḥ cheṃ*.

1	**2**	**3**	**4**	**1**	**2**	**3**
ghūṅ	- -	- -	ghūṅ	- -	tā	tā
tā	ghūṅ	- -	ghūṅ	- -	tā	tā
ghūṅ	- -	- -	kho	- -	tā	tā
ghūṅ	tā	tā	kho	- -	ghūṅ	- -
tā	ghūṅ	nā	kho	- -	ghūṅ	- -
ghūṅ	ghūṅ	- -	kho	- -	ghūṅ	- -
tā	kho	tā	ghūṅ	- -	tā	tā
ghūṅ	- -	- -	tā	- -	tā	tā
kho	- -	- -	kho	- -	tā	tā

C. *Cvoḥ tāl*. (4 *mātrā*). Played on the doorstep of the *ākhāḥ cheṃ* and then, everywhere. *Twāḥdyaḥ lhāyegu*.

1	**2**	**3**	**4**	**1**	**2**	**3**	**4**
ghūṅ	tata	khota	tākho	tā -	- -	tā	tātā
ghūṅ	tata	khota	tākho	tā	- -	tā	khota
tākho	tata	khota	tākho	tā	tā	tata	khota
tākho	tata	khota	tākho	tā	tā	ghūṅ	nā
khota	tākho	ghūṅ	nā	khota	tākho	ghūṅ	ghūṅā
tākho	ghūṅā	ghūṅ	ghūṅā	ghū	- -	ghūṅ	ghūṅ
ghūṅ	kho	tā	ghūṅ	kho	tā	Slower	
khota	kho -	kho -	kho -	+ Reprise of the B part, Played outside of the *ākhāḥ cheṃ*			

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Imparting and (Re-)Confirming Order to the World: Authoritative Speech Traditions and Socio-political Assemblies in Spiti, Upper Kinnaur, and Purang in the Past and Present

Christian Jahoda

This paper[1] deals with authoritative speech traditions in the Tibetan-speaking areas of Spiti (in Tibetan transliteration [henceforth T.] sPi ti, sPyi ti, and so forth) and Upper Kinnaur (T. Khu nu) in eastern Himachal Pradesh, India, and in Purang (T. s/Pu hrang/hreng, and so forth), an area in the southwest of the Ngari Prefecture of the Tibet Autonomous Region (PR China) (see Fig. 1). In the distant past these areas belonged to Ngari Khorsum (T. mNga' ris skor gsum), a high-altitude region that was more or less congruent with the realm of the West Tibetan kingdom of the tenth to twelfth centuries. To a great extent it was also identical with the areas under the control of the later kingdoms of Purang, Guge (T. Gu ge), and Ladakh (T. La dwags) (see Vitali 1996; Petech 1997; Tshe ring rgyal po 2006 for accounts of the history of these kingdoms). This means that in historical, geographical, political, and cultural terms, Spiti, Upper Kinnaur, and also Purang share a lot of common ground. Therefore, in addition to exploring the social and political dimensions of authoritative speeches, I am also including the historical dimension of authoritative speech in these areas. This is also the main reason for referring to authoritative speech *traditions.*

Despite the fact that oral traditions represent a salient feature of the societies of Western Tibet that permeate various cultural spheres and activities, they have not received the attention and scholarly interest they deserve. This is also true of formal oratory in particular and also of the authoritative speech traditions that represent an important element of Tibetan oral culture. Notable exceptions are, for example, works by Charles Ramble (1998) and Berthe Jansen's unpublished M.Phil. thesis (2010). While two earlier important studies of Tibetan speech-making (Tucci 1966; Jackson 1984) were based exclusively on literary sources, the present study is the

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[1] This article is based on a paper presented at the Conference "Authoritative Speech in the Himalayan Region/Paroles d'autorité dans l'aire himalayenne," Maison Suger, Paris, November 25-26, 2011, organized by Marie Lecomte-Tilouine and Anne de Sales, CNRS. I wish to thank the organizers for hosting this event, for inviting me to take part, and for covering the costs for travel and accommodation. I am also grateful to Marie Lecomte-Tilouine and Anne de Sales for their comments on an earlier version of this paper.

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result of a combination of textual and fieldwork study that uses both oral and written texts, and primarily draws on social-anthropological and historical methods.

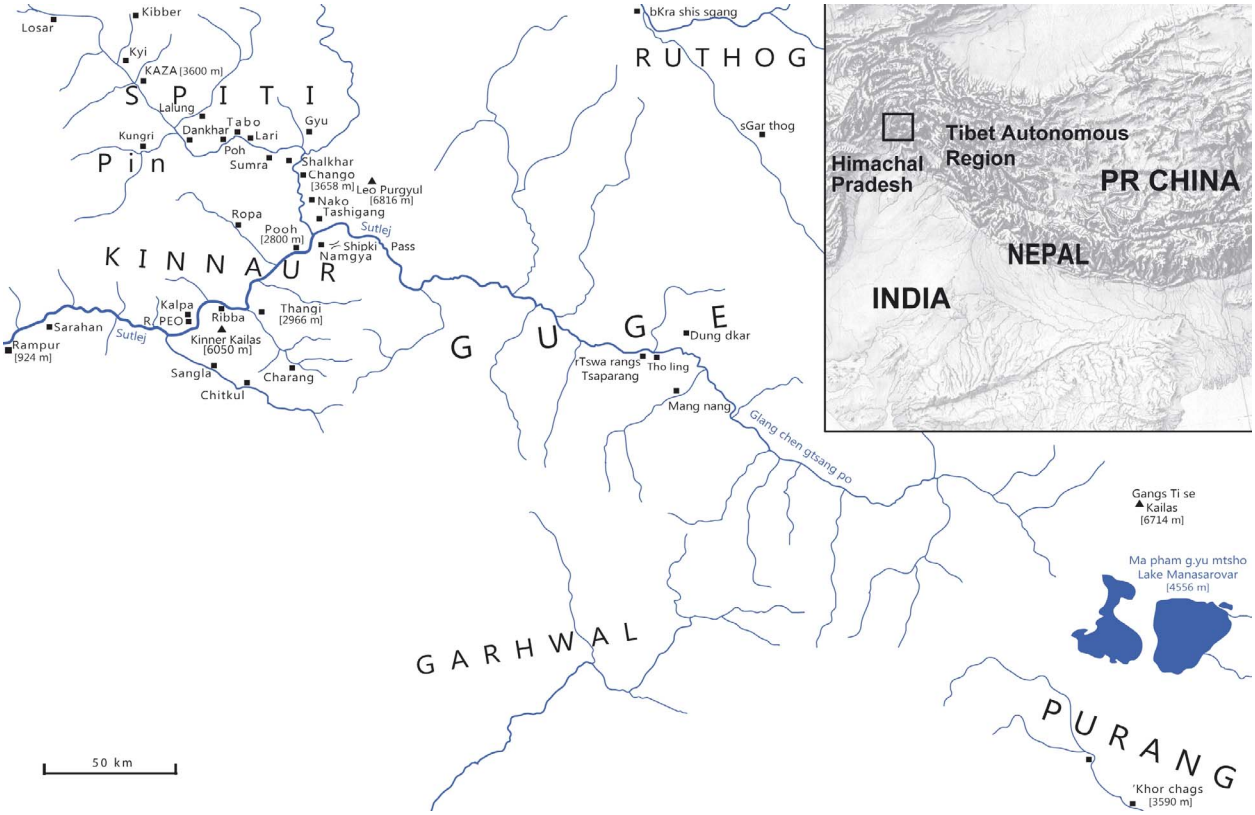

Fig. 1. Map of Historical Western Tibet; drawing by Christian Luczanits, adaptation by Christian Jahoda, 2012.

In the Tibetan-speaking societies of Spiti, Upper Kinnaur, and Purang, performances of authoritative formal and ritual speeches usually took and take place within the framework of certain socio-political assemblies, as I would like to call them. These assemblies comprised in the past, for example, more or less regular royal dynastic meetings and assemblies of high-ranking religious and secular figures that took place amongst others on the instance of consecration ceremonies of Buddhist temples. In the present we find examples of such socio-political assemblies in certain religious rituals and festivals, village festivals, wedding ceremonies, and also in performances of religious plays. In accordance with the structural setting, contexts, and functions of these assemblies, different authoritative speech traditions can be identified that were related to these assemblies in the past and present.

In Tibetan literary and colloquial language, there are various words, such as *skad cha*, *bka'* or *mchid* (both honorific forms),[2] that are used in different social or religious contexts to refer to speech or authoritative speech. In Western Tibetan honorific language, authoritative speech is commonly referred to as *molla* (T. *mol ba*, literal meaning: "to say, to speak"), both in

[2] These were the topic of Charles Ramble's paper given at the same conference. See also the various entries relating to speech in Tibetan dialects in Bielmeier et al. (forthcoming).

historical and contemporary written sources as well as in present oral usages.[3] Authoritative speeches represent an essential feature of various forms of such socio-political assemblies. Therefore, they constitute an essential element in the analysis of the social dimension of these secular and religious speech performances.

In terms of context and function, the speech traditions in the societies of Spiti, Upper Kinnaur, and Purang can provisionally be differentiated into a few main varieties: 1) those with a state-related political function that occurred in ancient periods, mainly in royal dynastic contexts; 2) those with a primarily communal political function that is mainly associated with local village contexts; 3) those with primarily mythological and religious functions that appear often in village and monastic contexts.

This provisional grouping of authoritative speech traditions and related socio-political assemblies is based on personal field research in these areas[4] and a considerable body of audio-visual recordings made by the author, Veronika Hein,[5] and other collaborators of research projects at the Austrian Academy of Sciences in Vienna. Moreover, written textual material (most of which was documented within the framework of these research projects), which relates to these speeches and partly underlies them, serves to demonstrate that, to a large extent, authoritative speeches must not be seen as being exclusively representative of oral traditions (if understood in the sense of a detached or independent sphere of orality), at least not in the areas discussed. On the contrary, it can be stated that authoritative speech traditions in Spiti, Upper Kinnaur, and Purang show notable interrelationships with written texts and textual traditions.[6]

In the following I will discuss some selected historical and contemporary examples of such authoritative speech traditions in the areas mentioned. This also serves to clarify the questions of how the Tibetan term for speech—*mol ba*—should be understood in the various different and changing historical contexts, and how authoritative speech traditions and socio-

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[3] See Jäschke's entry for *mol ba* in his dictionary: "the usual resp. [respectful] term, esp. in W. [Western Tibet], for to say, to speak" (Jäschke 1987:420). By Western Tibet, Jäschke refers in particular to Ladakh, Lahaul, and Spiti, where he and other Moravian missionaries worked and also carried out linguistic studies (see Jäschke 1987:13 and Taube 1987:110-11). See Jackson (1984:23-24) for a review of entries on *mol ba* in Tibetan dictionaries.

Regarding the question of how to differentiate speech in the sense of authoritative speech from other forms of speaking, I am following Jackson, who stated with regard to Western Tibetan dialects that "The word [*mol ba*] does not signify speaking or talking in general, but refers in particular to public discourse or speech-making" (1984:23), and that "the words *mol ba*, *mol gtam*, and *mol tshig* signified the act of speechmaking, and thus by extension they also signified the manuscripts in which speeches were set down in writing" (*ibid*.:24). In Spiti, the use of *mol ba* in spoken and written language has continued in this form in the present.

[4] Various field trips to Spiti and Upper Kinnaur between 1997 and 2009, and to Purang in 2007 and 2010.

[5] Veronika Hein's recordings are kept at the Phonogrammarchiv (Institute for Audiovisual Research and Documentation) of the Austrian Academy of Sciences, Vienna. A list of her recordings is accessible through the online catalogue of the archive (see http://www.phonogrammarchiv.at/).

[6] Vice versa, this seems to have certain implications for the question as to who comes into consideration for the function of speechmaker or orator. At least in the case of those speech traditions and contexts where speeches nowadays are closely related to written texts (for example, at wedding ceremonies), literacy (which used to be to a large extent a male domain) seems to be a necessary requirement for such speeches. Among other factors, this can be seen as an explanation of the fact that there are actually no examples of women who act as speechmakers in these areas.

political assemblies were related to each other in historical Western Tibet, so that these oratorical traditions appear to represent a strong and distinctive feature of Tibetan culture across time despite, or perhaps even because of, the numerous different facets they feature.

I. Authoritative Speech Traditions with a Primarily State-Related Political Function (Royal Dynastic Contexts)

In historical sources relating to the medieval history of Western Tibet, authoritative assemblies of members of the royal lineages are consistently mentioned as having taken place, as far as we know, not at regular fixed times but according to need and occasion. In this context, authoritative speeches (*mol ba*) or great authoritative speeches (*mol ba chen po*) are mentioned.

One of the earliest sources that contains evidence for this is Sonam Tsemo's (T. bSod nams rtse mo) *Introduction to Buddhism* (T. *Chos la 'jug pa'i sgo*) from 1167 CE (see ST, f. 316a-b). According to Luciano Petech, the translation of a relevant section, which describes an event that happened in a place along the upper course of the Sutlej (T. Glang chen kha 'bab) river in 992 CE, reads thus (Petech 1997:233):

> All the *yab-mched* [that is, members of the royal dynasty; CJ] of the Upper and Lower Areas met at sPeg-mkhar of the Cog-la region, and on this occasion a great oration [*mol ba chen po*; CJ] was delivered (. . .). The hermitage of Pa(. . .)-sgam in the Rum region was renovated.[7]

Although Petech preferred to translate the Tibetan phrase *mol ba chen po* as "great oration," he also held "a great discussion" as a possible translation. Roberto Vitali, who quoted this passage in his *The Kingdoms of Gu.ge Pu.hrang*, translated *mol ba chen po* as "great discussion" and also as "consultation" (Vitali 1996:251 n.361, and 252).

The holding of royal dynastic meetings on the occasion of important temple foundations even before 996 (that is, before the time of the foundation of the three main temples of Guge, Purang, and Maryul [T. Mar yul]/Ladakh in Tholing [T. mTho gling and so on], Khorchag [T. 'Khor chags and so on] and Nyarma [T. Myar ma, Nyar ma, and so on], respectively) is also mentioned in the *Extended Biography of the Royal monk Yeshe Ö*.[8] According to this text, such a meeting was held, in 987 in Purang, where it was decided by Yeshe Ö (alias Khri sde srong btsug btsan) in an authoritative speech or declaration to build one temple (T. *gtsug lag khang*) in the castle of Kyaru (T. sKya ru mkhar) for the protection of the kingdom (GP, f. 9b).

The word *mol ba* appears a few times throughout this text, always in relation to assemblies of leading royal figures and authoritative speeches, discussions, or consultations. As can be seen also from the realization of their results, an important and characteristic feature is

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[7] *chu pho 'brug gi lo la cog la yul sPeg mkhar du sTod sMad kyi yab mched gdan 'dzom pa'i dus su mol ba chen po mdzad / Rum yul Pa sgam gyi dben sa gsar du btsugs pa'i dus su brtsis na / lo* 3125 (cf. ST, f. 316a-b; SP, f. 297b).

[8] *lHa bla ma Ye shes 'od kyi rnam thar rgyas pa*, written by Gu ge Paṇ chen Dragpa Gyaltsen (T. Grags pa rgyal mtshan) at Tholing in 1480 (see GP; and Utruk Tsering and Jahoda, forthcoming).

clearly that these speeches were of a binding nature in legal terms. Or vice versa, one can say that socio-political assemblies of this kind functioned as meetings that were held with the intention to proclaim certain specific authoritative, legally binding statements, or communiqués of probably the highest decision-making body of the kingdom, the convention of the leading members of the royal family.

Therefore, the meaning of *mol ba* may also imply discussion and consultation as connotations, but the central meaning seems to relate to the final definitive proclamation or rather a one-sided form of communication from a high-ranking speaker (or his/her representative) to an assembly of people of more or less equal status (in the case of the royal family) and/or of lower status in other cases.

The word *mol ba* could also imply a written form of communication, for example, in cases where oral communication was not possible. This is illustrated in the *Royal Genealogies of Western Tibet*[9] by the example of Chidetsen (T. sPyid lde btsan), king of Guge Byang ngos ("Northern Region") in the mid-twelfth century, who was known as *mol mi mkhyen* ("one who is unable to speak").[10] The actual reason or circumstances for this, for example, whether he was mute, unable to articulate clearly, or something else, are not known. As long as this inability lasted, he is said to have used written notes. In the *Royal Genealogies of Western Tibet* it is said that (Vitali 1996:76):

> At the times of making speeches (*mol ba*) to lamas and ministers, he conveyed written notes for (or instead of) holding speeches (*mol ba*).[11]

It is clear from this brief overview that assemblies and authoritative speeches of the sort described were considered as important events that were put into writing at some point in time and preserved in archives. In later periods they were consulted and quoted by authors of royal chronicles and historical texts, such as *Extended Biography of the Royal Monk Yeshe Ö*, and so forth. These examples of *mol ba* drawn from written historical sources clearly indicate the use and understanding of the word *mol ba* in the sense of an oral public discourse. That its contents could be and seemingly were put into writing in certain cases if considered necessary or desired can be seen therefore, in agreement with David Jackson (1984:23) as a "special, restricted sense of *mol ba*. In its wider sense, however, it signifies the giving of a discourse by a speaker, or it signifies the discourse itself."

This aspect of a close interrelationship between Tibetan authoritative speech or *mol ba* and written texts, in particular, "the written texts of speeches whose contents included historical information," was demonstrated long ago by Jackson in *The Mollas of Mustang* (1984:23). As a result of his analysis of speechmaking manuals, Jackson (64) concludes:

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[9] T. *mNga' ris rgyal rabs*, authored by Ngawang Dragpa (T. Ngag dbang grags pa) in the late fifteenth century.

[10] See Vitali (1996:76 and 128).

[11] *bla blon mol ba mdzad pa'i dus su yi ge bsrings nas mol bar mdzad*. Cf. Vitali (1996:76) who has a slightly divergent translation (128): "When he had to communicate with bla.ma-s and ministers (bla.blon), as he wrote messages, he was able to communicate in this way."

> Histories (. . .) had an essential place in Tibetan speechmaking. Whether the history would be religious or genealogical or both was determined by whether the persons in the most important positions of the assembly had a primarily religious or political identity. A religious man at the head of the assembly necessitated a religious history. If a king was present, a history of his lineage was not to be omitted.

In this context, the question of seating positions and status becomes relevant. For late tenth-century Western Tibet, we are lucky that a visual example of such an assembly of secular and religious dignitaries, headed by members of the royal dynasty, together with a depiction of the local aristocratic elite is preserved in paintings in the Entry Hall (T. *sgo khang*) of Tabo monastery (Fig. 2).

Fig. 2. Wall paintings of rows of deities (upper registers) and historical figures (lower registers), Tabo monastery, Entry Hall, south wall; photo by C. Kalantari, 2009.

The depiction of this assembly shows a strict hierarchical religio-political order, obviously as considered appropriate for such a gathering of religious and lay figures and communities who were responsible for or involved in the foundation of the monastery. In fact, according to a recent re-examination of these paintings (see Jahoda and Kalantari 2016), this gathering took place in this form at the time of the consecration of the monastery. Due to the fact that the paintings as well as the accompanying inscriptions are datable to the late tenth century,

they constitute a quite unique contemporary evidence of such an assembly (see Klimburg-Salter 1997:Figs. 45 and 48-50; cf. Luczanits 1999:103ff).

These paintings cover all four walls of the Entry Hall and also include a depiction of the cosmological order and realm of protective deities on the west and east walls.[12] The south wall depicts the royal monk Yeshe Ö, flanked by his sons, Devarāja (T. De ba ra dza) and Nagarāja (T. Na ga ra dza), seated according to their dominant status in central and elevated positions (Fig. 3). Originally, all figures were identified by title (royal or religious), personal name (religious or secular), and clan or place name. Religious figures are on the left, lay practitioners on the right side, both in rows, again with summarizing captions. On the north wall are again depicted historical figures, structured into various seating rows according to principles of hierarchic secular status (Fig. 4). The precise observation of these principles, in particular, those concerning the highest religious and political positions—at the "superior-middle of the file" (*gral gyi gung*) and at the "head of the file" (*gral gyi dbu*)—seems to correspond closely to the specifications, as noted in speechmaking manuals (such as *Bshad mdzod yid bzhin nor bu* by Don dam smra ba'i seng ge) discussed by Jackson (1984:62ff).

Certainly, the consecration of the temple in the presence of its royal founders must have been the occasion of one or more authoritative speeches. Unfortunately, due to lack of evidence, we can only speculate about the form and content. What is evident, however, is that the underlying structuring principles of the religio-political order, as they are depicted in the paintings in the Entry Hall in Tabo monastery, to a considerable degree still play an important role at socio-political assemblies in the present. This can be seen, for example, in the attention given to the spatial arrangement of the various secular and religious dignitaries observed in the seating order practiced at village festivals or public religious ceremonies (see the examples discussed below in sections II and III). This happens, of course, in a modified or updated form, conforming to the development of religious, political, and other concepts, changed conditions, and different contexts.

Fig. 3. Nagarāja (Na ga ra dza), Yeshe Ö (Ye shes 'od), Devarāja (De ba ra dza) and other historical figures, Tabo monastery, Entry Hall, south wall; photo by C. Kalantari, 2009.

Fig. 4. Wall paintings of rows historical figures, Tabo monastery, Entry Hall, north wall; photo by P. Sutherland, 2009.

[12] See Kalantari (forthcoming) for a study of these, in part, recently uncovered wall paintings.

In the aforementioned fifteenth/sixteenth-century speechmaking manuals discussed by Jackson, speechmaking is treated according to various different aspects. Besides the historical emphasis, which is largely determined by the presence of the most important person, lay or religious, speeches are differentiated according to initial salutations and eulogies for different heads of the assembly. Seven classes of assembly leaders are associated with different typical salutations. From this it is clear that these manuals differentiate various forms of assemblies and that speeches should take this fact into account, in particular with regard to the suitable introductory salutations for addressing the persons sitting at the "head" or "high-center." On the other hand, it is also clear that, at least in the present, in village contexts and not only from the perspective of the participant observer, despite a certain degree of adaptation according to assembly and occasion, there is less variation than one would be inclined to assume, at least on the basis of the information contained in authoritative speechmaking manuals of the past.

II. Authoritative Speech Traditions with a Primarily Communal Political Function (Village Contexts)

I became aware of the existence of such speech traditions and associated socio-political assemblies as an ongoing living tradition among local communities in Spiti and Upper Kinnaur for the first time during a visit to Nako village in Upper Kinnaur in mid-September 2002. The village people of Nako, mainly members and representatives of households with full rights (*khang chen*), had gathered in the evening in the community building to celebrate the Phingri festival (Fig. 5). The exact meaning and spelling of this name—perhaps *bang ri* in Tibetan—is unclear. This festival is celebrated in the Spiti Valley and also in Upper Kinnaur usually sometime after the eldest son's (and/or the eldest daughter's) first or second birthday (according to Western concept). The celebration is organized and paid for by the child's parents, and as a rule the whole village is invited. Gifts of money are given by all participants, and each sum is recorded and read out. Various propitious offerings (such as figures made of yak butter and so forth) are made on this occasion. The climax of the celebrations is the appearance of a speaker (*mollawa*, T. *mol ba pa*) (Fig. 6) who holds a ceremonial speech expressly referred to as *molla* (*mol ba*). This is followed by singing and dancing. The main function of these celebrations, which take place in autumn time all over Upper Kinnaur and Spiti, seems to be to present the first child and potential heir to the

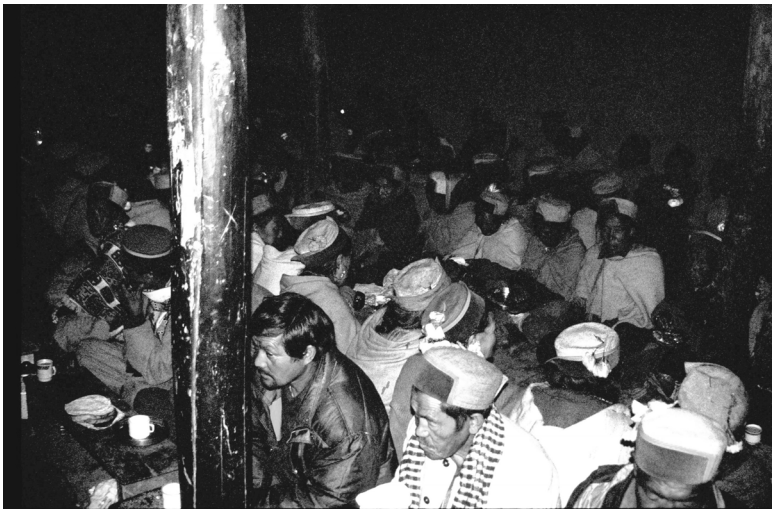

Fig. 5. Assembly of village people, Nako, Upper Kinnaur; celebration of Phingri (Bang ri?) festival; photo by the author, 2002.

village community. It is therefore quite different from Western annual birthday celebrations (although they are sometimes explained as such). Actually, the presentation of a new member and successor in a former tax-paying household belonging to the next generation who would guarantee the continuation of the family and household duties, also vis-à-vis the local village community, seems to be the customary historical basis underlying present-day Phingri celebrations.

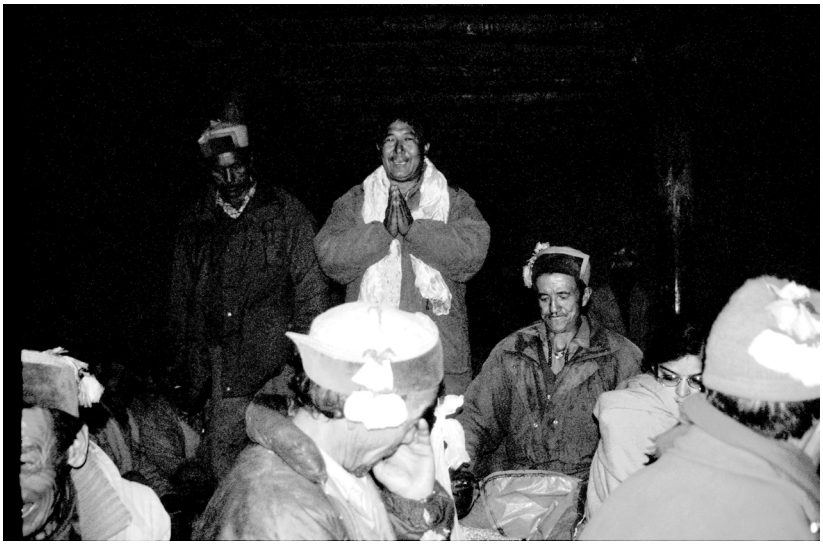

Fig. 6. Speaker (*mol ba pa*) at celebration of Phingri festival, Nako, Upper Kinnaur photo by the author, 2002.

A speech performed by a *mol ba pa* is considered as an indispensable obligation on such occasions. On the occasion of the event observed in 2002, the function of speaker was fulfilled by a village teacher, and his "speech," which only took five minutes, consisted mainly of salutations and a few words of congratulation addressing primarily the parents and their child in whose honor the celebration was held. Before starting his speech, the speaker was awarded a ceremonial scarf (T. *kha btags*) by the village headman.

More important than the length of the speech and the rhetoric qualities of the speaker was the subsequent collection of huge sums of donations, which were noted down accurately and then read out loud for approximately 20 minutes to the assembled guests.[13] At first sight, this speech and others on similar occasions, which were recorded during a project aiming at the documentation of oral traditions in the area (cf. Jahoda 2006b), appeared to be part of local oral traditions, or at least rudimentary remains thereof. In the course of further research in adjacent Spiti Valley from 2008 onward,[14] it turned out that speeches of this kind actually are not representative of an oral tradition as such but usually seem to be related to or sometimes even based on written texts. While research in this respect is still ongoing, it can be stated that so far in all observed and documented cases of authoritative speeches performed in the context of village assemblies belonging to this grouping, we did not find an exception to this rule.

The written versions of such speeches are nowadays kept in simple notebooks. The texts contained there are usually written down by the speakers themselves who also keep them, and, except for occasional borrowing to relatives and friends or new adepts, usually are the only ones to use them. In previous times, and in the case of manuscripts dating before the first half of the

[13] The money is repaid on the occasion of reciprocal invitations or visits at a low rate of interest.

[14] This research was carried out together with Veronika Hein, who made several field trips to Spiti and Upper Kinnaur and contributed a large amount of field recordings and, based on this, phonetic transcriptions and translations of oral texts.

twentieth century, also in accordance with the prestige associated with these performances, the texts that were passed on only within a limited number of families were kept as a kind of treasure (and usually kept away in locked boxes). The same high value is also accorded to wedding songs, to the knowledge of the texts and the skills to perform these songs and the respective rituals. Not surprisingly, these speech traditions are exclusively a male domain.[15]

In the present the texts used for these speeches, which are usually written in "headed" (T. *dbu can*) script, are passed on with much less restriction than previously (up to the 1990s) and circulate within a wider sphere of households that consists not only of the dominant houses with full rights,[16] but also includes households of lower social status. This development is certainly a reflection of a more general process of transformation in the socio-economic order.

One example of a text of an authoritative speech that is delivered at wedding ceremonies was recorded in 2008 by Veronika Hein in Pin valley. Based on interviews and a draft translation of the speech established by Veronika Hein in collaboration with Dechen Lhundup and additional information collected in Pin valley by the author in 2009,[17] a shortened translated version of the oral text (original translation by Dechen Lhundup in collaboration with Veronika Hein, revised and shortened by the author) is presented below. This is preceded by a few words about the owner of the text, a man from Khar village in Pin valley, at that time in his late thirties, who had started to act as speaker or *mol ba pa* a few years prior to this.

According to information provided by the speaker, he is the head of a household belonging to the dominant social class of *khang chen* houses in the village. His career as a *mol ba pa* started as member of the *gnya' bo*, the group of expert singers of wedding songs. First, he went with the elder people who were *gnya' dpon*, or leaders of the singers, and started singing with them. Then he learned the text from the book (a notebook in his possession containing the text) and from the elders. Eventually, he became himself a *gnya' dpon* and now goes to places all over Spiti, Lahaul, and Upper Kinnaur. As regards the question of how he learned the *mol ba*, that is, the text of the speech and its performance, he said: "The *mol ba* I learned from the book, the songs from the elders."

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[15] The prestige accorded to the possession of written text books—which at least nowadays seems to be strongly related to oral speech performances (in some cases perhaps even representing a precondition)—should be understood also in terms of the still ongoing historical process of writing down orally performed and transmitted texts of great esteem that were considered in danger of being lost or forgotten in the eyes of local people. Scripturalization of oral texts—understood as "the process by which a text becomes "scripture" and the powerful interests that this authorizing of text reflects and secures" (Wimbush 2015:193)—and their subsequent treatment as treasures seems to be inextricably related, at least historically, to highly valued (skilled) oral performances.

[16] These households are known as *khang chen*, literally "great house," and are to a large degree identical with the former "tax-payer" households (*khral pa*) See Jahoda (2008:9ff.) for a discussion of this type of household and see Spiti and Jahoda (2015:159ff.) for information on the historical development of these households in Tabo.

[17] On the occasion of a joint field research including, among others, Veronika Hein, Christian Jahoda, and Christiane Kalantari, a notebook containing a written version of the speech was also photographed.

The text he keeps in his notebook (Fig. 7) has 18 pages. This seems to be the average length of such texts.[18] To his knowledge, his text (which is without title) is a nearly complete copy of a manuscript kept in another place in Pin Valley. He said that the duration of the recitation of his *mol ba* would usually be around 30 minutes. An explorative recording of a recitation of this text actually took only 10 minutes.

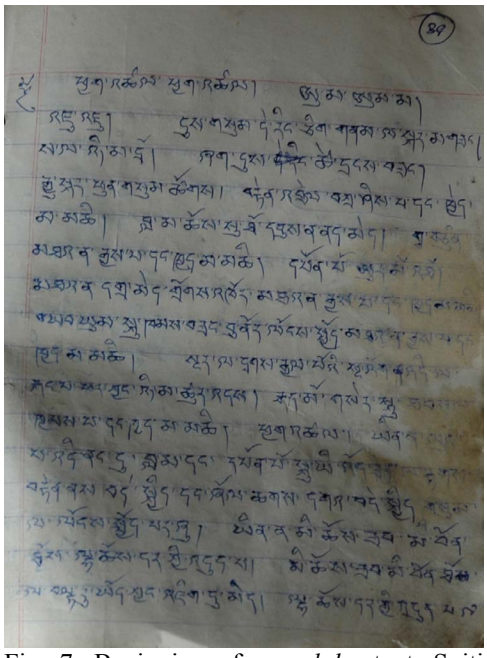

Fig. 7: Beginning of a *mol ba* text, Spiti valley; photo by C. Kalantari, 2009.

The general structure of the recited oral text is quite similar to that of an example of a celebration speech mentioned in the fifteenth/sixteenth-century speech manual discussed by Jackson (1984:62ff.). It starts with the salutation, but in comparison to the examples given in Jackson's manual that relate to royal or high-ranking heads of assemblies, this is done in a simple form, in accordance with the village context and actual assembly present on this instance. The gathered guests are referred to collectively as a crowd of people (*khrom*).

Then follows the opening, which consists of a formalized description of the gathered assembly. According to the manual, the presiding ecclesiastics heading the row would be mentioned first. This agrees with the *mol ba* text from Pin Valley where the lama's top central position is mentioned (*bla ma tho dbus na*), and then follows the monks. In the manual the monastic assembly is mentioned. Next in position and status follow men of high position in the manual, and in the *mol ba* text the local leader or lord (*dpon po*) is mentioned .

Most often, neither a real lama, in the sense of a spiritual teacher (*bla ma*), nor monks will be present at such festive gatherings. The lord or *dpon po* referred to definitely belongs to the distant past. It is clear that the *mol ba* text presents, in many ways, a social order that does not correspond to the present social reality. Actually, in terms of an idealized historical context, there are references to the period when the area was under the king of Ladakh.[19] Interestingly, the *mol ba* text also contains references to ancient concepts such as *mi chos* and *lha chos*, meaning the religion or ethical codes of men and religious (in particular, Buddhist) doctrines, respectively, which also appear in the fifteenth/sixteenth-century manuals (see Jackson 1984:76ff.).

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[18] Another written version of such a *mol ba* text from lower Spiti valley has about the same length. This text bears the title *Mol ba rin chen phreng ba*, and thereby provides evidence for the literary use of *mol ba* in the sense of authoritative speech. See also Gu ge Tshe ring rgyal po (2012:186-97). These examples of written texts in the case of authoritative speeches delivered at wedding ceremonies are further evidence for the interrelationships between the spheres of orality and writing or literacy.

[19] As a matter of fact, this period ended in 1842 when all the territories that had formerly belonged to the kingdom of Ladakh, including Spiti, were annexed to the territory ruled over by Gulab Singh, the Rāja of Jammu. After this change of political supremacy—which had already made itself felt since the mid-1830s (and was also manifest in the administrative and taxation system)—as a consequence of the Treaty of Amritsar (1846). Thus, Spiti was detached from Ladakh and became a part of British India. In 1947 it joined the Indian Union (cf. Jahoda 2009:48-49).

After the opening follows a more detailed characterization of the main figures (ideally) present at the before-mentioned normative assembly (Lhundup et al. 2009:2):

"We have a very good head lama
Because of his good knowledge
There is no disease in our valley.
Because he is so knowledgeable
We will have more and more lamas
Who will assemble here.

(Our) lord (*dpon po*) is a very good person
That is why surrounding us
We have no enemies
Around us are all friends
And the friends will increase
And never get less."

A bit later on he says (*ibid*.: 2):

"Now listen to the speech (*mol ba*):
Meme (*mes mes*, person of highest respect) is head lama (*bla ma khri pa*) and our lord (*dpon po*) is Rinpoche (*rin po che*)
Who will take the place of Buddha
They are the ones who will
Solve all our problems
They are the ones who will
Take us into the light from the darkness
They are the ones who will
Show us the way to enlightenment."

Then the *mol ba pa* requests (*ibid*.):

"Chant master (*dbu mdzad*) and you all,
please, take your seats
according to the proper seating order (*gral la bzhugs*)."

Subsequently, the young girls are addressed (*ibid*.:3):

"To the young girls gathered in the house,
they are like the noble Queen Kongjo.[20]

[20] Queen Kongjo (*rgyal mo* Kong jo) refers to a Chinese princess (*gongzhu*) who got married to a Tibetan ruler during the time of the Tibetan monarchy (see also Kapstein 2000:26, 215 n.23 and n.25). This event is also performed in the wider area in the form of a play carrying the same title.

Like the reincarnation of Queen Kongjo
they are very good workers
serving the gathered people well.
They receive the guests well.
With smiling faces to the visitors from outside
they offer nice food to them.
The boys are gathered around them like birds and
they are like mother providing equally to all the children.
The girls who have such qualities and are sitting in good order,
I prostrate to all of you!"

Next, the old people are addressed later within the framework of royal law (*rgyal khrims*) and wedding rules (*bag khrims*), and also the leaders of the local communities (*zhang blon*, *rgad po*). Then, the local astrologer (*jo ba*), doctor (*a mchi*), artisans making jewelry, wood carvings, and carpets (*lha bzo ba*), boys who are characterized as tigers (*stag*), and kind mothers' daughters (*ma bzang gyi bu mo*) are characterized. The children are also mentioned (*ibid*.:4):

"The small kids are like precious stones of god.
They are the traders of needles thread.
They are the thieves of radish and barley pop.
The beloved children of the parents,
They are the wealth of the village
I prostrate to you!"

Finally, the guests named as having come from all the four directions and making the celebration very enjoyable are honored. Like in this case, in a number of passages of this speech, similarities and congruences with songs performed at weddings are recognizable in terms of topic, language, and symbolism.

The next part of the speech deals with cosmology and geography, which are also treated in the *mollas* in Mustang. Besides visits to the first (that is, most important) monastery and village, also the first pilgrimage is named—which is the one to Mount Kailas (Gangs dkar ti se).

After mentioning various other holy places, devotion to Buddhist deities and teachings is expressed. This section dealing with *lha chos* is followed by a short one dealing with topics related to *mi chos* (*ibid*.:6):

"The best wealth is gold
The best food is digested well
Rain is very precious in summer
Sun is very precious in winter
Our best partner is beer (*chang*) and liquor (*a rag*)."

Then the jewels of the sky, the middle realm (thunder and lightning), and the earth (rainbow) are named and praised. Finally, "a very good speaker is praised as the jewel of the seating row (*gral*)."

As a conclusion, the teachings of Buddha, the history of Tibet and the kings of Tibet, and the diffusion of the *dharma* are praised, and prayers are offered to the lineage of past Buddhas, kings, lamas, deities, and bodhisattvas to the ten directions and the world, Mount Kailas, and Lake Manasarovar (T. *mtsho* Ma 'pham), and with joined hands, the speaker addresses all of them.

According to the informant, this *mol ba* text is basically used for five different forms of assemblies or celebrations where it would be delivered in slightly different oral versions. Thus, there would be two different forms of *mol ba* for wedding ceremonies, depending if it is a patrilocal or matrilocal marriage (*bag ma*, *mag pa*), a different one for Phingri festivals, and different ones as a closing speech of Kanjur (T. *bKa' 'gyur*) recitations and as a closing speech of the performance of mask dances (T. *'cham*) in Pin Valley.

In conclusion, the main concern of this kind of authoritative speech is the order of the cosmos, the normative religio-political order of the society, and different religious, political, and social functions, all of which is presented in terms of an integral hierarchical structure. This is explicitly expressed and even referred to on the occasion of assemblies through the spatial arrangements of the seating order. The strict observance of vertical and horizontal hierarchies is most notable.

III. Authoritative Speech Traditions with Primarily Mythological and Religious Functions (Village and Monastic/Buddhist Contexts)

There are various different forms of speech, including certain authoritative recitations and speech songs that belong to this grouping. Examples of such forms and associated assemblies appear in the framework of the performance of plays (*rnam thar*) by groups of Bu chen ("Great Sons," ritual performers adhering to the tradition of the Tibetan saint Thang stong rgyal po) (Fig. 8) that are still very popular in Spiti and also in Upper Kinnaur.[21] Also full recitations of such stories (for example, *Gling bza' chos skyid* and *'Gro ba bzang mo*) and also of *'das log* stories (accounts of "those who return from death") by Bu chen performers can be included here (Fig. 9). In both cases, the popularizing effect, also in terms of language (strong or prevailing use of local colloquial language instead of the standard Tibetan of the written texts), is a highly important aspect that is enlightening for the interrelationship between written textual or literary and oral traditions.

[21] Among the plays and rituals performed by the Bu chen from Pin Valley are *Chos rgyal Nor bzang*, *sNang sa 'od 'bum*, *rGyal mo Kong jo*, *Gling bza' chos skyid*, and others. The tradition of performing these plays (of which literary texts in the form of printed books and manuscripts are kept in a number of households in the area) is also known in Purang and is still practiced there in Khorchag village. See Tshe ring rgyal po (2015d:264ff.).

Fig. 8. *Mes mes bu chen* during the performance of a play (*rnam thar*), Pin valley, Spiti photo by C. Kalantari, 2009.

Fig. 9. *Mes mes bu chen* during the recitation of a *rnam thar* story, Tabo monastery, Spiti photo by C. Kalantari, 2009.

It is also possible to classify certain forms of speech song as belonging to this category. An example of such a speech song or hymn (also related to a written version) that is recited more than sung is constituted by the performances of a lay village priest in Pooh in Upper Kinnaur on the occasion of the Sherken festival (see Jahoda 2011a for an account of this festival) (Fig. 10).[22] The lyrics of these "songs," or more precisely, the text of *one* written version (in standard Tibetan) of them was first edited, translated, and analyzed by Giuseppe Tucci (1966:61-112). Many of the themes, which inform the speeches described before, and the hierarchical order of religious, social, and cosmic levels, *lha chos*, *mi chos*, and so on, are also found here. In contrast to the aforementioned occasions, the performance of these speech songs takes place within a twofold wider framework, first outside in various ritual places within the sacred landscape of the village area, and second, as an explicit assembly of human beings and, in particular, also of gods. The latter are present in various forms, including by way of trance mediums (Fig. 11; see Jahoda 2011b for an analysis of these aspects in relation to the meaning of the festival).

Fig. 10. Performance of ritual speech songs by a lay village priest; manuscript detail, Sherken festival, Pooh, Upper Kinnaur; photos by the author, 2002 and 2009.

Fig. 11. Dabla (dGra lha) trance medium, *dog ra* ground, Sherken place, Sherken festival; photo by C. Kalantari, 2009.

[22] The exact relationship between this written version (dating from the last few decades, presumably a copy of an older written version) and the one performed orally in 2009 still needs to be clarified in detail. An explorative recording of a small part of the speech songs made in 2002 in the home of the priest by Dietrich Schüller and Veronika Hein together with the author showed that, at least without prior rehearsal of the songs (which he seems to do before the oral performance during festival time), he tried to adhere to the written text as much as possible.

The speeches of such trance mediums are also known as *mol ba* and, until today, constitute one of the main authoritative speech traditions that we find in Spiti and Upper Kinnaur, and in the past, also in Purang. I would like to briefly illustrate this form of speech tradition with reference to the speeches held by the trance medium of the female protective deity of Tabo monastery, Dorje Chenmo (T. rDo rje chen mo) (Fig. 12 and 13).

Fig. 12. Dorje Chenmo (rDo rje chen mo) trance medium performing a ritual speech (*mol ba*), Tabo, lower Spiti valley; photo by the author, 2000.

Fig. 13. Trance medium of the protectress Dorje Chenmo (rDo rje chen mo), Namkhan Festival, Tabo; photo by P. Sutherland, 2009.

This deity speaks to smaller or larger assemblies of the village people, including sometimes monks as well, on various occasions and in various places, also in the old temple (*gtsug lag khang*) of the monastery. The function of the trance medium or speechmaker is fulfilled has long been fulfilled by an illiterate man. Between 1997 and 2009 I was witness to a number of such speeches and performances by this trance medium. The performances and the speeches are of considerable length, usually at least some 30 minutes, sometimes up to one hour. As far as I know, no written texts exists that underly the speeches of this trance medium or are produced thereafter.

Contrary to what one might expect, these speeches are characterized by a stable sequence. Also, in terms of content, the main themes do not vary to a great extent although a certain variation according to assembly, festival, or demand is recognizable. To some degree, the

speeches also take up recent events, for example, matters that relate to the Dalai Lama or Lochen Tulku, that is, the present incarnation of the Great Translator Rinchen Sangpo (T. *lo chen* Rin chen bzang po). Often, the behavior of monks in the monastery and the behavior of the village people is heavily criticized. Most of the problems occurring in the village or affecting the village people, like diseases, inauspicious rain, and so on, are seen as the outcome of their morally bad behavior.

Interestingly, as in the case of the *molla* tradition in Mustang and elsewhere, also in the case of the speeches of this trance medium, history plays a considerable role. As was stated by Jackson (1984:76ff and *passim*), the importance of histories in the *molla* relates to the origins of the institution with which the important personage is identified. In our case this is the foundation of Tabo monastery, and the important personage is, on the one hand, the protective deity, and on the other hand, the Great Translator Rinchen Sangpo, who is said to have brought her from India and, according to local oral traditions and texts, installed her as protectress in Tabo monastery in Spiti as well as in Khorchag monastery in Purang, another early Buddhist temple in Western Tibet (cf. Jahoda 2006a).

The *mol ba*-s of Dorje Chenmo's trance medium usually contain several references to the origin of Tabo monastery and Rin chen bzang po's and Dorje Chenmo's function in this. In one speech on the occasion of an offering ritual to local divinities (*lha gsol*), Dorje Chenmo, speaking through her (male) trance medium, said: "You should act well with respect to the owner of the *gtsug lag* (*khang*). Which I am of ancient times, isn't it? I am the owner of the *gtsug lag* (*khang*)."[23] In the same speech, the Great Translator Rinchen Sangpo was referred to as the chief religious personage with respect to Tabo monastery. It was also stated that "our *gtsug lag* (*khang*'s) name was also given by him," and in this context Rinchen Sangpo was also named as "owner of the *gtsug lag* (*khang*)."

These are interesting historical details, as the name of the monastery (dPal ldan bkra shis bde gnas), which is only found in the so-called Renovation Inscription at Tabo describing major renovation works carried out in the 1030s by Jangchub Ö (T. Byang chub 'od), is nowhere mentioned in relation to Rinchen Sangpo (see Steinkellner and Luczanits 1998:16ff.). Actually, none of the inscriptions in Tabo mention him at all. The only evidence that he was active in Tabo at some time is contained in a short reference in the so-called middle-length *Biography of the Great Translator Rinchen Sangpo* (T. *Lo tsha tsa ba rin chen bzang po'i rnam thar*) by Pal Yeshe (GK, f. 44a2-3).

In addition, this speech also contained references to debated religious questions and touched worldly and even political matters, for example, the political position taken by the present incarnation of the Great Translator Rinchen Sangpo (as member of a political committee in the central government at Delhi).

As usual, the appearance of the deity and the speech of her trance medium took place on invitation by a representative of the assembled villagers—"(We) worship (you), come knowing god (*lha*)!"—and actually in the form of a dialogue, although the village representative hardly added more than "(We) worship (you)" (*phyag 'tshal*) from time to time. The villagers who were

[23] *gtsug lag gi bdag mor khyed rang tshos yag po byas dgos / gna' snga mo'i red / ma red / gtsug lag gi bdag po nga red*/ (unedited transliteration of the speech by Dechen Lhundup, Tabo, based on a sound recording by the author in February 2000).

usually addressed as "you worldly people" (T. *khyed rang 'jigs rten tsho*) were characterized as not understanding how to behave properly according to Buddhist rules and no longer adhering to the main purpose of living from a Buddhist view, that is, to help others. Another reason for the villagers' present problems as identified by the deity/trance medium, was that "For many years now Dachang (T. *zla chang*), New Year (T. *lo gsar*) and Lhabsöl (T. *lha gsol*) [that is, the three main village festivals] were not celebrated at the right time." The villagers were also reminded to give appropriate offerings to one local deity (Gangs sman) residing in Tabo who occupies a central function in the Lhabsöl rites.

Throughout the deity's speech, self-descriptive declarations were given followed by augural statements[24]:

> You worldly people, if you perform in a beneficial way for others like in former times, you have to perform in a good way for others at the three times [past, present and future].—(We) worship (you).—You worldly people, if you believe in me or not, for me it makes no difference. If I go inside the trance medium (T. *lus g.yar po*) or not, it makes no difference (to me). If I enter into his body, it is of no benefit (to me) and if I do not enter, it is no loss (to me) either. Now, you worldly hell beings (T. *'jigs rten dmyal ba can*), you will not understand this. Now, you are going to meet a very bad kalpa.

Furthermore, the villagers were constantly reminded and admonished to hold the present incarnation of the Great Translator Rinchen Sangpo in high esteem (notwithstanding the fact that he had married and become a political figure):

> Now, our monastery's chief, always acting for the purpose of others is the Tulku (*sprul sku*) of the Great Translator (*lo chen*) Rinchen Sangpo. You should not distrust Lochen Rinchen Sangpo. He was given a position in India. He will now become a worldly being, although you should not talk like that. What happened to him, this is due to his former lifes' karma. It depends on his mind. Wherever he goes it is okay. If he stays with lay men or women, it is okay. There is no desire in him. You worldly people, do not talk like this. Do not distrust him. If you have mistrust, it will not be good for you. One year, water does not always come (from the river), rain does not alway fall. Concerning this, I am not alone. All of the gods (literally "bodyless beings," T. *gzugs med*) of Spiti say like that. You should confess (your sins) to Spiti's Lochen Tulku. Relationships with him are not good [implying that this caused the problems with water, rain, and so forth in the village]. He is a powerful owner of the ten stages (T. *sa*, S. *bhūmi*; that is, a bodhisattva). Nowadays, whatever you do, the head is the Dalai Lama (T. *dbu chen rgyal ba gong ma*). Whatever I say or not say about him it is not appropriate. Below him, the Tulku, nobody is equal to him. His name is popular.

Also (at that time) debated heterodox religious practices were addressed in the speech:

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[24] Translations are author's unless otherwise noted.

> Right now, I am able to help you but due to other gods' influence it happens that I cannot help you. If I speak like this there are also those gods [like Shugs ldan according to local informants] with different ways as that approved by Lochen Tulku and His Holiness the Dalai Lama: these are the *lha*, *klu*, many different kinds of these. Now, you will not understand this. What I tell is not an explanation, it is the time [characteristic] of an old (meaning: bad) kalpa. If you lay people listen I will do good for you. If you do not listen it makes no difference to me." (. . .)—(We) worship (you). We do not understand, that is why we are offering to these gods (*lha*). You are the protectress of Tabo monastery, protectress of the teaching (of the Buddha). You are the chief protectress of Lochen Rinchen Sangpo's religious teachings.—"If you call him in front of you, it is okay. Even if you go in front of His Holiness the Dalai Lama (rGyal ba gong ma) all day and your mind is not good, it will be of no benefit. Nowadays, some people say: I did this, I did that. The main thing is to have a good mind, this is very important. If one does not have a good mind even if one goes into retreat year after year there will be not much benefit. Having a good mind, even if one does a little work, there will be big merit. What one will do or not do, it mainly depends on the mind, isn't it? It is like that. This is what I say. Now you, some will be happy with what I said, but some will not be happy. What you will do or not do, it is yours. The lady sovereign (*bdag mo*) of the gTsug-lag(-khang) has spoken.

Similar historical information relating to Dorje Chenmo and the Great Translator Rinchen Sangpo as in Tabo, that is, the foundation of the monastery being related to the Great Translator Rinchen Sangpo who installed Dorje Chenmo as protectress of this institution, also turned up at the Namtong festival in Khorchag monastery in Purang in 2010. This festival is celebrated in Khorchag on the twelfth day of the first month of the Tibetan calendar, which is the time, according to oral tradition, when Rinchen Sangpo performed the consecration ritual of Khorchag monastery, and the day when the female protective deity Dorje Chenmo was appointed by him as protectress of the monastery.

The various ritual performances by monks and lay people during the Namtong festival not only serve to celebrate and recall the foundation of the monastery but also the original establishment of a certain religious, namely Buddhist, order of the local society. In fact, in key scenes (such as the ritual appearance of Dorje Chenmo; see Fig. 14) they can be seen as a re-staging of the founding of the monastery (see Jahoda 2011b: 389-91, 394; Jahoda 2012:42f. and Tshe ring rgyal po 2015c:212ff. for accounts of this festival).

Fig. 14. Protectress Dorje Chenmo (rDo rje chen mo), Namtong festival, Khorchag monastery, Purang; photo by P. Sutherland, 2010.

Until forbidden some 40 years ago,[25] there used to be a trance medium of Dorje

[25] The actual reason for this ban was (as elsewhere in the Tibet Autonomous Region) most probably "because of laws against 'feudal superstition' (Ch. *fengjian mixin*)" (Diemberger 2007:92), *rmongs dad* in Tibetan (see also Diemberger 2005:157-58).

Chenmo also in Khorchag who appeared on this and other occasions. From interviews with old people in Khorchag conducted by Tsering Gyalpo and the author in 2007, it became known that on the occasion of the Namtong festival, the trance medium also used to deliver a speech (*mol ba*). As in Tabo, Dorje Chenmo—or Dorje Yudön (T. rDo rje g.Yu sgron) in the Ngor school tradition to which Khorchag belongs—is conceived as the owner (*bdag po*) of the monastery. According to the informants, this was also stated previously by the trance medium in the *mol ba*.

Deviating slightly from the socio-political assemblies discussed above (mainly on account of their improvised, often outdoor setting) there are assemblies that take place in response to natural calamities as a result particular and urgent demand. Assemblies of this kind are closely related to what might be called "religious engineering," and in the past are recorded to have taken place in case of great economic or life-threatening dangers, for example, flooding.[26] In the present, assemblies were recorded to have taken place, for instance, on the occasion of landslides, which often block roads and endanger the lives of human beings. An example of modern religious engineering was documented in 2002 by the author together with Veronika Hein, Dechen Lhündup, Dietrich Schüller, and Sonam Tsering near Nako village in Upper Kinnaur. At the center of a large assembly of lay people and high-ranking local religio-political figures was the ritual consultation of Rarang *devī* speaking through a trance medium, as well as the ritually staged public appearance of the reincarnation of the Great Translator Rinchen Sangpo (a native of Shalkhar village). The social, spatial, and ritual order defining this gathering followed "traditional" models (that is, known from the recent and more distant past to have been practiced in the area on the occasion of public speeches by religious leaders or public appearances by trance mediums). While the speeches per se did not impart a new order, the whole setting and political framework of the assembly was no longer local (for example, non-Tibetan origin of the speaking deity, religious and communal leaders of local Himachal Pradesh descent, or even from the central government in Delhi) clearly part of a wider, even national, socio-political order. In this case—characterized by a changed overall political and socio-economic context but at the same time by a continuing vitality of long-established religious concepts, such as the cult of local deities and reincarnation lineages—certain forms of socio-political assembly and related forms of authoritative speech were adapted to the modernizing conditions and utilized within an ongoing process of transformation and integration of the old order into a new one.

IV. Conclusion

As a conclusion to this brief overview and based on the material discussed, I would like to indicate some main aspects that appear to be relevant for a theoretical consideration of authoritative speech traditions in areas of historical Western Tibet.

In my view the degree of authority accorded to a speech is, first of all, a question of status, either of the one who speaks (self-evident in the case of royal or leading religio-political

[26] Such instances, including authoritative speeches by famous statues, are reported to have taken place, for example, in Khorchag (Purang) in the sixteenth century. See Tshe ring rgyal po (2015a:18 and 2015b:60).

figures, as discussed in section I) or of the one on whose behalf someone (for example, a trance medium or *mol ba pa*) speaks, who can also be a local protective Buddhist deity (such as Dorje Chenmo) or a social group who shares the same belief system.

A second point that seems of importance to me in this context is visibility, in particular, visibility of social structure. This becomes essentially manifest on regular and/or formalized socio-political assemblies, which are the usual occasions for delivering authoritative speeches. The visual setting and spatial structure of the assembly where a speech performance is delivered is often a better indicator for its authoritative nature than what is said in terms of content. The reason for this lies conversely again in the order of the speech that is clearly and predominantly characterized by a sequential expression of a hierarchical normative structure. Therefore, although the speaker himself is part of the actually present assembly, he can be seen at the same time as mouthpiece of an ideal assembly structured according to an ideal normative order. The speech serves to represent, and in case they are missing at this point in time, to add and complement, in a formal way, all ingredients regarded as constitutive of such an ideal assembly. In this way, authoritative speeches also serve to highlight social hierarchy.

Content or what is said in authoritative speeches in terms of symbolic or metaphoric description of particular social groups often seems to be accorded comparatively lesser importance by the audience than status or structure-related aspects *per se*. This becomes apparent, in particular, on the instance of speeches or speech songs where the performance of the text is based on a written text that is well known to the audience and repeats more or less performances of the same or a slightly different text heard before. In addition, not seldom, speeches performed, for example, on the occasion of wedding ceremonies as well as speech songs (for example, in the case of the Sherken festival in Pooh) are often so low in volume that only a few people can even hear them. In other cases, due to the specific language of the speaker, the audience does not fully or only fragmentarily understand what is said or meant. This seems to be true in the case of trance mediums whose language, besides using local dialects, often, at least in part, reflects the presumably local origin of the deity speaking through them and, together with certain idiomatic expressions, is referred to as "god's language" (*lha skad*).

I agree with what David Jackson (1984:87) stated many years ago with respect to the mythological, historical, cosmological, and geographical passages of the *mollas* in the case of Mustang, that in many respects, the function of authoritative speeches is that they re-confirm or "impart order to the world." As this element also pervades all major aspects that appear to be constitutive for the authoritative speech traditions in Spiti, Upper Kinnaur, and Purang, such as history, mythology, cosmology, geography, and society (that is, the social structure of the local community, in particular, also as it is present in the framework of certain socio-political assemblies, and as it is represented in the formalized introduction of the assembly during the speeches), the validity of this statement seems to apply in much the same way as well to these areas.

Thus it is established that in a number of areas belonging to historical Western Tibet (mNga' ris skor gsum) and other areas where Western Tibetan dialects were/are spoken, such as Mustang, the most common word used to refer to authoritative speeches in the sense of oral public discourse was *mol ba*. This usage is found in historical sources related to different historical periods. Field research in Spiti, Upper Kinnaur, and Purang brought to light that the

use of this word and the practice of speechmaking continued to play an important role on different social occasions and is based on the same basic meaning, that is, the sense of a one-sided proclamation from an authority figure to equals and subordinates that takes place within the framework of different socio-political assemblies.

Royal dynastic meetings, assemblies of high-ranking religious and secular figures, and religious rituals and festivals figured among the various public contexts where such authoritative speeches were held in the past. In the present, village festivals, wedding ceremonies, and performances of religious plays are important occasions for speechmaking. Consonant with these different historical contexts and occasions, it becomes evident that speechmakers belonged to different social strata (political leaders such as kings; members of the dominating landowning households) and that their speeches were legitimated by different political, social, or religious powers, the latter as in the case of authoritative speeches by trance mediums who are considered to be the mouthpiece of a divine bodiless speechmaker.

Regarding the interrelationships of these authoritative speech traditions in Spiti, Upper Kinnaur, and Purang with written texts and textual traditions, it is evident that there is a certain range of interaction, transition, and mediation between the oral and literary spheres, although in many cases, the historical processes of that interaction need to be clarified. It is clear that this interaction, transition, and mediation, wherever it took place in the recent past (speeches by trance mediums for which no written form was found to exist represent an exception), was in the hands of literate men belonging to the dominant stratum of landowning households (largely identical with the former tax-paying sector of the society).

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The Authority of Law and the Production of Truth in India

Daniela Berti

Authors who have analyzed the linguistic mechanisms by which power is exercised in a formal setting have focused on courtroom interactions and on the strategic use of language in a legal context. Courtroom studies have been undertaken since the 1980s and 1990s by authors working on ethnomethodology or conversation analysis (Atkinson and Drew 1979; Matoesian 1993; Conley and O'Barr 1998; Drew and Heritage 1992). By drawing mostly on Foucault's notion of "micro-power" (1977:26-27), these authors have studied how lawyers and judges regulate the turn-taking process, the role of silence, the forms of questioning or of interrupting, and the imbalance of power that emerges from courtroom dialogues. The aim of these works has been to study how power is concretely enacted in a day-to-day situation by examining the face-to-face interactions that constitute courtroom proceedings and the microdetails of discursive practices. Here, power is seen as emanating from courtroom-defined speaking roles, from linguistic mechanisms of talk in the courtroom, and from professional speech styles. It is the power to control a setting where rules and turns of speech are very different from those in everyday conversation, where some are authorized to speak and others are restricted to giving answers, and where, by using a legal technique of interrogation, professionals transform a dialogue into a self-serving monologue (Conley and O'Barr 1990:21).

Some of these works focus on the "rigidity" of court interactions and on the asymmetrical distribution of communicative resources (Conley and O'Barr 1990:21). Others have shown the more creative, improvisational nature of these features of speech, the "relative narrative and conversational freedom" of the lawyer and the witnesses that enables them to produce various strategies to utilize these interactions for their own pragmatic purposes (Gnisci and Pontecorvo 2004:967). In a case-study involving an Italian political leader, Gnisci and Pontecorvo show, for example, that although the formal asymmetry of roles during the hearing might make the legal professional appear as the "powerful director of the conversation" (2004:982), observations of trial interactions reveal that the witness disposes of various devices to make their point: they can change the topic, broach other topics, comment on evidence, modify the duration of turn, or interrupt. Within this study they show how a form of arena for verbal combat is created with the witnesses orienting their strategies to give an "elaborate answer" that not only aims at satisfying the requirements of the question, but also at imposing their own line of argument. The authors also note that although one option available to the witness is to simply provide no information at all, by saying that he or she does not remember or by evading the question, there are few replies

of this kind compared to elaborate answers due to the negative effect they may have on the witness's credibility (Gnisci and Pontecorvo 2004).

This article draws on this idea of shared control over trial interactions between witnesses and legal professionals to analyze a criminal case observed at Shimla District Court in Northern India. In this case, the complainant along with other prosecutor witnesses turned hostile during the trial and denied all previous accusations. Unlike the high-profile Italian case mentioned above where witnesses were linguistically equipped to engage in a "war of words" (Gnisci and Pontecorvo 2004:981) with the legal specialist, the case analyzed here is in a setting where the linguistic authority of the legal professionals, who speak English and who have mastered judicial procedures, starkly contrasts with the poor content of the replies given by the witnesses, who do not understand English and are completely unfamiliar with juridical notions. By focusing on the mechanism of narrative production and on how oral and written statements are produced in court, I will show how the witness's replies, even though they consist in simply nodding or saying "I don't know" or "It is not true," succeed in demolishing the prosecutor's case and in preventing the judge from convicting the accused. More generally, the case analyzed here demonstrates how the power of language in a trial situation does not necessarily rely on rhetoric and persuasion, but on specific procedural rules that determine the evidentiary value of what the witness says even when their credibility is challenged in court.

The question of the effect that procedure may have in the acquisition of truth has been addressed both in the field of courtroom ethnography (Scheffer 2010; Latour 2004) and more generally by authors who have focused on the study of talk and interaction in institutional contexts (Atkinson 1979, 1982; Atkinson and Heritage 1984; Drew and Heritage 1992; Dupret 2006; Ho 2008). Conversation analysis in particular has attempted to uncover the "often tacit reasoning procedures and linguistic competencies underlying the production and interpretation of talk in organized sequences of interaction" (Hutchby and Wooffitt 2008:12). The primacy of procedure has also been argued in the field of legal history. Langbein, for instance, has shown how the increasing technicality of procedure in English Crown Courts had the effect of silencing the accused, leaving case-making to the control of the lawyer (Langbein 2003). Although this may be equally true regarding the Indian courts inherited from the British, the case presented here shows how witnesses, in spite of their ignorance of legal procedure and even of the language of the court, may end up disrupting the rules of evidence followed in criminal proceedings from the inside.

Filing a Complaint

In September 2007 a young married woman from a rural area, the mother of a two-year-old daughter, was taken to Shimla hospital by some of her in-laws. Anjana, as she was called, suffered burns to 90 per cent of her body and died in hospital a few days later. She had allegedly committed suicide in her marital house by pouring kerosene over her body and by setting herself alight. According to the version given by her in-laws, as soon as they heard her cries, they broke down the door, which was closed from inside, placed blankets over her body, and rushed her to hospital. When the investigations had gotten underway, a diary was found in the woman's

bedroom. Some pages had apparently been written by Anjana about her decision to kill herself.[1] One passage read as follows (suicide note, in court file):

> My marriage is a lie. A relationship based on lies will always remain a sham. I could have never imagined that I would end up marrying a person who is a drunkard and a bad man. Neither his presence nor his absence from the house makes a difference . . . .

In another passage, Anjana wrote about the lack of affection from her in-laws, and recounted in detail the clashes she had had with her mother-in-law. At the end of this section she addressed a man named Sunny, whom she called "brother" and who, according to her, was in the police (suicide note, in court file):

> Sunny, if you consider me your sister, then leave my daughter with my parents or with the Orphanage House. I see no point in living, and I pray to God that he will send me back and I will take my revenge. You are in the Police, so I hope you will render justice.

After Anjana's death, an FIR (First Information Record) was registered by the police on behalf of her father, which accused the husband and mother-in-law of maltreating his daughter and of harassing her with incessant dowry requests. The case was then considered by the police as a "dowry case" and framed under section 498a, "subjecting a married woman to cruelty," punishable by three years' imprisonment and under section 306, "abetting the commission of suicide," which carries a sentence of 10 years' imprisonment.[2] The victim's husband and mother-in-law were brought before a magistrate and placed in police custody, although they were later released on bail.

Here are some passages from the FIR that were written by the police in Hindi on behalf of Anjana's father (First Information Report in court file, my translation):

> I organized my daughter's marriage according to Hindu custom . . . . After the marriage, Anjana led a normal married life. For the last six months Anjana's husband and mother-in-law started harassing her for the dowry (*deja ke liye tang kiya*). They used to taunt her saying that her father didn't even include bedding in her dowry.

In the report, the father also referred to some arguments that took place between Anjana and her mother-in-law. The complaint ends with the sentence (First Information Report):

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[1] Suicide notes are frequently found in such cases, though their authenticity is often challenged in court either by the prosecutor or by the defense lawyer, depending on what is written in the diary. In the present case, the note had been legally authenticated as belonging to Anjana.

[2] Srinivas (1984) calls the "new dowry" the money or property the husband or his family demands from the bride's family after the wedding. These demands, which may be protracted even years after the wedding, may end in the girl's murder (presented as an accident) or her suicide.

> I believe that Anjana's husband and mother-in-law harassed her to such an extent that she was helpless and thus she poured kerosene over herself, set light to herself and tried to end her life. Legal action is to be taken.

The story reported in the FIR is a reframed version of an interaction between the complainant and the police officer.[3] Formulations used in the report, for instance that the in-laws used "to harass" the woman saying that her father "didn't even include bedding in her dowry," are very common in these cases and appear to correspond to a conventional style of writing aimed at producing an "authoritative document" (Komter 2006) on which the investigative process is based.

It is worth noting that in India, as in other adversarial systems, or common law systems where the opposing sides must both collect and submit evidence as well as cross-examine witnesses, police officers are independent of legal officers, and investigations are led under their own authority.[4] Although some high-ranking police officers have their offices within the court complex and sometimes, as in Shimla, even next door to the prosecutor's office, the prosecutor is not supposed to become involved in the investigation until the *challan* (charge sheet) is presented to the court.

During the investigations, the relationship between the police officers and those questioned (the accused and witnesses) is one of power because the police represent and are empowered by the state authority.[5] According to section 161 of The Code of Criminal Procedure (2006 [1973]:84), for example, a police officer may "examine orally any person supposed to be acquainted with the facts and circumstances of the case . . . [He] may reduce into writing any statement made to him in the course of an examination."

The people I spoke to during my fieldwork often referred to the police's habit of readily reverting to physical violence or other forms of abuse. They also presented police officers as open to negotiate with one party or the other involved in a case and to formulate the case in a particular way in exchange for some form of compensation. The police officers' authoritative position during the investigation is very often overturned at the time of the trial, during which the prosecutor's witness, even the one who filed the complaint, starts contradicting or completely denying what is written (on their behalf) in the police report. By referring to some sequences of the trial which involved Anjana's husband and mother-in-law, I analyze an example of how the police report was deconstructed by the witness during the trial and the way this situation was managed by the Court.

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[3] Although I do not know what was actually said between the police and the complainant in the case here (since it took place two years before), I have based my observations on other cases that I was able to follow at Shimla police station during my stay.

[4] Since 1973, the police in India have been a separate agency from the prosecutor.

[5] This is very different from what happens in inquisitorial systems where, at every stage in the criminal law process, legal professionals monitor all the police officers' decisions regarding the case (Komter 2002).

Hostility on Record

The trial took place in 2009, almost two years after Anjana's death. Anjana's father, an illiterate man, was summoned by the prosecutor to repeat before the court what he had supposedly said to the police. He had travelled in from the countryside and was waiting outside the courtroom along with some members of the in-laws' family who were also scheduled to give their testimony the same day. Before being heard by the Court he had been called to the prosecutor's office to be reminded about what he had said to the police during investigations. I did not attend this meeting, but when the trial began, the prosecutor looked rather worried. In the courtroom, lawyers were attending the hearing. The two accused stood at the end of the courtroom near the entrance.

The judge addressed the witness in Hindi and asked him to repeat an oath: "What I will say I will say the truth, on behalf of *dharma*." He then asked him some preliminary questions and, after each reply, he dictated in English to the typist the content of the question-reply interaction by reformulating it in the form of the witness's first-person narration. The first lines of this transcription go as follows (court file):

> Stated that Anjana was my daughter. She was married with accused Susheel. Her marriage took place 5 years back. She gave birth to a female child who is now 4 years old. After the solemnization of her marriage Anjana resided to her matrimonial house peacefully.

The use of English creates a barrier between the judge or other legal professionals and the witness, who does not even understand the language into which the judge translates the witness's replies before dictating them.[6] The judge plays an active part in the interactions, questioning witnesses at length, especially when he estimates that the prosecutor is not doing his job properly. This is in keeping with a specific Supreme Court directive whereby a District Judge must not be a "silent spectator" during the hearing in *Shyam Narayan Singh and Ors. vs. State of Bihar* (Abidi 1993:16). It also reflects the judge's need to dispose of all the information he requires to write his decision. In fact, although a Session Judge is the highest authority at District level, his work is supervised by High Court and Supreme Court judges, who can completely overturn his judgment and censure him if he makes any mistakes.

At the very beginning of the trial, when Anjana's father started by saying that his daughter lived happily with her husband in her marital house, the judge seemed puzzled. "Did your daughter ever complain to you?" The judge asked him. "No, Sir," the father replied. The judge, in a solemn tone of voice and looking at him sternly, dictated to the typist in English, "My daughter never complained to me or to my family members of any cruelty to her at the hands of the accused." Then, again shifting to Hindi "What did you say in the statement to the police? What did you dictate?" "I didn't say anything," replied the father, "I said to the police whatever they [the in-laws] told me; they told me that there was just some disagreement between them, I only said that, and nothing else."

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[6] It should be noted that there is no popular jury in Indian Courts, which renders discussions much more technical and juridically oriented than in a trial with a jury.

The judge, visibly annoyed, dictated in English: "The accused did not maltreat my daughter at any time after the marriage nor did I state the same facts to the police." He then dictated in English to the typist a conventional formula to indicate that the witness had turned hostile (court file):

> At this stage the learned Public Prosecutor put forth a request that he be allowed to cross-examine the witness because the witness has resiled from his previous statement. Request allowed.

The formula indicates a shift in the rules for questioning the witness. Technically speaking, it indicates a shift from the examination-in-chief, during which the witness is asked open questions, to the cross-examination where the questions presuppose the answers and to which the witness must reply "yes" or "no." In fact, the passage mentioned above shows how the judge had already used a leading question by asking the father, "Did your daughter ever complain to you?" This was his immediate reaction to what the father had just said that Anjana had been living happily with her husband and her in-laws. The judge no doubt wanted to see how far the witness would go in denying all the accusations before dictating the conventional formula, indicating that the witness was now going to be cross-examined.

The shift from examination-in-chief to cross-examination implies much more than merely a different way of formulating the questions. It points to a radical change in the relationship the witness has with the prosecutor, from being someone who supports his case—and in this case who actually lodged the complaint—to being the main cause for the prosecutor's defeat. The witness will in fact be declared "hostile," which is a way of saying that he is lying to the Court. In fact, the formula mentioned above "At this stage . . ." implies that the witness is no longer to be trusted. To say that a witness is "hostile," that he has retracted or contradicted his previous statement, is to "cast doubt on his credibility"—another expression commonly used in judicial jargon.

The reason for writing this formula in the court report is not to inform the witness, as the witness does not even understand the language in which the formula is dictated. As a matter of fact, this kind of formula has first and foremost a written value. By going through the evidence records, any legal professional can immediately see the point beyond which the witness' credibility is challenged. In the court report of the hearing, these passages are clearly visible because the typist conventionally marks them in bold print and in a separate paragraph "Cross-examination (or 'xx') by Sh . . ., learned P. P. (Public Prosecutor) for the State."

Although the request is always formulated in the report as if made by the prosecutor, in this case (as in many others), it was the judge who decided to use it. After the judge dictated the formula, the prosecutor looked frustrated and resigned. It was clear that, as he had already surmised after his meeting with the witness, he regarded the case as already lost. He said to the judge, "Sir, he has now reached a compromise with the accused . . ." The judge, however, was not ready to give up. He looked at the witness straight in the eyes and asked him directly, in a very disappointed tone of voice, "Did you come to a compromise with them?" The father replied nervously: "Yes sir, there is talk going on between us."

The existence of a private compromise between the parties is very frequently assumed by a judge in cases where the witness turns hostile, although it is rarely revealed explicitly during

the trial. Even in this case, however, where the existence of a private arrangement was admitted by the complainant, the trial proceedings could not be suspended. In fact, the offenses that had allegedly been committed by the accused (abetment to suicide and maltreatment) are considered to be "not compoundable"; they cannot be compromised by the parties. The trial then proceeded and followed all the regular stages.

As if ignoring what the father had just said, the judge continued with the cross-examination. He asked him many questions, trying to get him to confirm his previous statement. "Did your daughter tell you that they [the in-laws] told her that she did not bring any bedding from her father's house?" "No Sir," replied the father. The judge dictated in English (court file):

> My daughter never complained that she had not brought the bedding from the house of her parents in dowry. [Confrontation with portion A to A of the statement . . . in which it is so recorded].

In the court report this last sentence is recorded in brackets at the end of the dictation. This is another conventional way of recording the fact that the witness is not to be trusted. By recording the reply given by the witness in court and by comparing it to the statement he had previously given to the police, the transcription enabled the judge to point out the contradiction. The formula [confrontation with . . .] is again expressed in English and pronounced in order for it to be put on record rather than to be actually understood by the witness.

The judge continued to ask in Hindi, "Did the police read the statement that you'd made? Were you shown the written statement?" "No Sir." "You just tell us whether you said this to the police or not?" said the judge, irritated. "No Sir," said the father. The judge dictated to the typist in English: "The statement EX.PW-1 was not read over and explained to me by the police. I am quite illiterate and only know to put my signature."

This last sentence was dictated by the judge as a logical implication of what the witness had said; that he did not know what was written in the report that the police had written on his behalf and had asked him to sign. This sentence is commonly used in such a situation and appears to be a ready-made formula. The judge then continued to dictate in English (court file):

> I had not stated in my statement that 6 months prior to her death, the accused had started maltreating and taunting Anjana for not bringing dowry or even bedding (confrontation with portion A to A of statement Ex. PW-1/A in which it is so recorded).

The judge, then, addressed the father in Hindi, "Look, her mother-in-law and her husband were mistreating her. This is all you told the police. Did you tell the police this in particular?" "No, I didn't tell the police," replied the father.

The judge then continued dictating (court file): "Nor did my daughter complain to me that the accused had started treating her with cruelty nor did I make such a statement to the police. [Confronted with portion B to B of statement Ex PW-1 /A in which it is so recorded]."

At the end of the cross-examination, after the witness had denied many other points which were mentioned in the police report, the judge, rather annoyed, asked him: "Then why did you register the case with the police?" "It was a mistake," said the father. "Now tell me," said the

judge, "have you reached a compromise or are you just telling a lie?" "Yes, a compromise has now been reached," replied the father, "and I am telling the truth."

The witness had already admitted at the beginning of the hearing that a compromise had been reached although the judge had not put this information on record. Then, as a conclusion to the written report of the hearing, and without asking the witness any further questions, the judge dictated in English to the typist (court file):

> This case has been made by me by mistake. It is not true that due to compromise now I am deposing in favour of the accused to save them from legal consequences.

The use of the formula "It is not true . . ." used at the beginning of the last sentence, "that I (the witness) am deposing in favour of the accused . . ." allows the judge to suggest on record that the witness has just denied that he "is telling a lie" because of the compromise he has reached with the accused.

The procedures used to write up the cross-examination enable the judge to ensure that the major points in the police report figure in the evidence record that is drafted by the court—implicitly, through the witness's denial of the questions put to him during the cross-examination and through the references made in brackets after each sentence. The result is a two-layered narrative or a "dual truth": one is clearly disputed by the judge but is legally binding and leads to the acquittal of the accused; the other is a counter-narrative, tangentially evoked in the transcript of the verbal exchanges at the bar, and pointing to facts that the judge deems plausible but devoid of any legal value—a rhetorical device (Wolff 1995) that allows judges to suggest that they have not been deceived (Berti and Tarabout, forthcoming). The truth thus established is then restricted to a procedural truth.

The witnesses' attitude of turning hostile in court is routine in India, with no action usually being taken against them. A reason often suggested to explain the recurrence of this attitude is that the statement given to the police is not signed by the witness and therefore is of no legal value.[7] However, even in cases such as the one presented here where the witness, who is also the complainant, had to sign the report, no action was taken against him. In fact, when I questioned judges or prosecutors on the topic of hostile witnesses, the prevalent attitude was one of resignation.

In order to prevent witnesses from turning hostile, a former Session Judge in Shimla tried to adopt a practice which became a bone of contention, especially among defense lawyers. Instead of first questioning the witness during the examination, the judge dictated directly to the typist what was written in the police report that was in front of him. Defense lawyers in particular were uncomfortable about the situation and the atmosphere in court was very tense. When the judge was transferred to another court, the lawyers breathed a sigh of relief because they could once again hope to win their cases easily.

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[7]According to section 162 of The Code of Criminal Procedure (2006 [1973]:84) "No statement made by any person to a police officer in the course of an investigation under this Chapter, shall, if reduced to writing, be signed by the person making it."

The Production of a Counter Story

The witness's father was then cross-examined by the defense lawyer even though he now fully supported the accused. The consensual interaction the witness had with the lawyer strongly contrasted with the one he had just had with the judge. To each question, the father replied in the affirmative and the lawyer (or alternatively the judge) dictated to the typist (court file):

> It is correct that the accused never demanded any dowry from me till the death of my daughter Anjana . . . It is correct that my daughter never complained of any cruelty to her at the hands of accused. It is correct that the accused treated my daughter Anjana like her own daughter.

The trial interrogation and transcription techniques, particularly during the cross-examination, provided the defense lawyer with an effective means of allowing the witness the possibility of confirming what the lawyer wanted to put on record.

The lawyer's aim was also to provide a plausible reason for Anjana's suicide. "Anjana was a very beautiful girl," he told me during a conversation. "She married a man who was not good-looking and had not had any education." Anjana's "beauty complex," or, as the lawyer put it, her "superiority complex," was evident in the note she left in her diary which, according to him, showed how "she was of a particular stature and intellect," but also that "she was suffering from depression."

> She thought she could have made a much better match than with this person whose status was not likely to improve . . . . She was also short-tempered and got annoyed about petty matters. She used to leave the house without telling her mother-in-law or her husband, and used to stay away for two days . . . .I have come to know . . . even if this is not on record for the case . . . that the victim had an extramarital relationship with the police officer, Sunny, whom she called brother in her diary.

The picture the lawyer gave of Anjana's personality—for example, the fact that she was "short-tempered"—partly corresponds to a standardized, script-like version that is commonly used by lawyers in such cases.

During the trial, the lawyer strove to bring out this picture of Anjana's personality through the questions he put to the witnesses.[8] In cross-examining the father, he also referred to an episode described in the police report according to which Anjana would have been slapped by her mother-in-law. He wished to suggest that the reason given in the report, that this slap was related to dowry demands, had been completely invented by the police. Here are some passages from the court interactions translated from Hindi (court file):

> Lawyer: This Anjana was "short-tempered" (this expression is used in English)
> The father nodded.
> Lawyer: Your daughter told you that she was slapped. Did you ask her why she was slapped?

[8]Although I was not been present at any encounter between the lawyer and the witness, I know from the conversation I had with the lawyer that he had instructed the father about the way to reply at the hearing. On the importance of lawyers preparing the witnesses for the court interaction, see Kidder (1973).

> Father: I don't know.
> Lawyer: She was your daughter, and they [the in-laws] also loved her like their daughter.
> Father: Yes, sir.
> Lawyer: If the youngest makes a mistake, it is the duty of the elders to scold them and to bring them back to the right path.
> Father: Yes, sir.
> Judge, puzzled by the lawyer's question he addressed the lawyer in English: What has that to do with the case?
>
> The judge did not accept this kind of defense and asked the lawyer to stop asking that kind of question.
>
> Lawyer, to the judge: Nothing sir. There was a misunderstanding between the mother-in-law and the daughter-in-law. The point about the slap is that this was recorded by the police against the witness's will and in order to make a stronger case. That's the way it works.
>
> The judge looked at the witness who said quietly "I don't remember anything sir."
>
> Following the lawyer's explanation, the judge then dictated in English: "I don't know whether under police pressure I stated that my daughter had disclosed to me that she had been inflicted slaps by her mother-in-law in order to make out a case against the accused."

The idea that a witness's, or even, as in this particular case, the complainant's statement was written under police pressure is also frequently suggested by lawyers. It corresponds to a discourse which some judges in India often hold, according to which the police do not hesitate to "exaggerate" the facts reported by the witness in order "to make the case stronger" (Berti 2015).

While talking to me about the Anjana case, the lawyer told me that when a woman commits suicide, the police systematically make reference to dowry demands and dowry harassment "to attract" sections 306 and 498a.

> The statement in the FIR is written in such a way that it meets the necessary conditions for the case to be investigated. They need to meet the village people's expectations and to show them that they are the real protectors of the locality . . . If a person loses their life in such a terrible way and the police do not take any action it would give a very wrong message, especially in the village where the events took place. Thus a case is registered in order to calm the situation.

He also told me that, sometimes, police officers register a case in favor of one party or the other due to the relations they entertain with them, or with the intention of obtaining some financial compensation from the parties.

The idea that the police had invented the case against the accused was again suggested when the investigative officer was cross-examined. At the end of the cross-examination the defense lawyer dictated on his behalf:

> It is incorrect to suggest that in order to meet the provisions of Section 498-a of the Indian Penal Code, I manipulated the accused falsely and falsely recorded the statements. It is wrong to suggest that in connivance with the witness [the father], I had made a false case against both the accused.

The theory of a "false case," which was explicitly denied but implicitly suggested by the text the lawyer dictated, was not completely shared by the judge. In a conversation I had with him in his chambers, he told me that, though he was of the opinion that the father had "manipulated the dowry issue," he was personally convinced that Anjana had been maltreated by her husband and mother-in-law. He also appeared to be touched by what Anjana had written in her diary and interpreted the woman's act as the result of incompatibility between her personality and the in-laws' attitude toward her. He also added, however, that though "morally" he was convinced of "the veracity of these facts," he needed to be convinced "from a legal point of view," and in this case, the evidence was not enough to prove the allegations. With the complainant and other prosecution witnesses all denying what they had supposedly stated to the police—that Anjana had been harassed by her in-laws—and with Anjana making no reference to dowry demands in her diary, the prosecutor's case could not be proved.

Whether the dowry issue was raised by the police or by the father, the case shows the encompassing effect of the implementation of dowry legislation. As Vindhya pointed out for Andhra Pradesh, the primacy given to dowry-related violence hides the other reasons for abuse suffered by women (Vindhya 2000). In her research on the reaction of the judiciary system to dowry deaths, Vindhya notes how, despite legal recognition of the criminal nature of non-dowry harassment, the judiciary perception of the institution of marriage and womanhood reinforces the view that violence against women in the home is a matter that belongs to the "private domain of the family," rather than to the state. She also shows how, if it is proved that a woman has committed suicide for any other kind of harassment other than dowry-related demands, she will be defined by the court as "emotionally over-reactive," and "prone to suicide at slight provocation"—all kinds of expressions that have also been evoked in Anjana's case.

At the end of the trial, the accused (the husband and the mother-in-law) were acquitted. In a 15-page ruling, the judge stressed the fact that the main prosecution witnesses were now on the side of the accused. This is a short passage from his order (*State of Himachal Pradesh vs Neelam Safri & Susheel Kumar* 2009):

> In view of the evidence discussed above, there is no evidence on record based on which it can be concluded that any of the accused committed the offences for which they stood charged. Even, PW 1 [Prosecution witness number 1], the father of the victim, has turned hostile and [. . .] has not deposed any fact showing the involvement of the accused in the commission of alleged offences. . . . In view of the findings recorded, the prosecution case fails. The accused are acquitted of the charges.

Due to the compromise that had already been reached by the parties, to which the father referred at the beginning of the trial, there was no way for the judge to prove that Anjana had been abetted to commit suicide due to harassment by her in-laws about her dowry. Consequently, all the initial allegations about dowry demands that were reported in the police record did not

become effective since all the prosecution witnesses had denied in Court ever having made such allegations. Even though all the prosecutor witnesses were declared "hostile," the counter story they gave before the judge—that the accused had never mistreated Anjana—became effective in determining the judicial outcome. As Kidder (1973:124) noted in his work on civil courts in Bangalore, the case shows how "room for manœuvre is provided by relationships and procedures operating at several levels simultaneously."

Conclusion

In a volume entitled *Authority without Power: Law and the Japanese Paradox,* Haley refers to the German distinction between *Authoritat*, intended as legitimacy or "entitlement to command" and *Macht*, meant as the "capacity to coerce" (1991:13). He notes how, although these two concepts are often used synonymously, their distinction is crucial for the political and legal context he analyzes. He argues more specifically that, despite the pervasive presence of the State's authority in Japanese public life, the State's capacity to coerce and compel its subjects is relatively weak. As a result, Japan relies principally on extralegal informal mechanisms of social control as a means of maintaining order in society.

A similar distinction between authority and power may also be made in the case at hand. We have seen how despite the judge's authority to conduct the trial and to make a decision, he is forced by the rules of evidence and of procedure to give a verdict that is against his personal opinion. Informal extra-legal negotiations that took place between the parties occurred once the judiciary process had already been set in motion, which led the prosecution witnesses to turn hostile.

The problem of witnesses withdrawing their previous statements is particularly relevant in an adversary system of justice under which the court "has no independent fact-finding apparatus but [. . .] is dependent on the contending parties for the presentation of evidence" (Galanter 1989:xxxii). In common-law countries this issue has been the object of a very long debate mostly focused on the possibility of one party disproving or impeaching his own witness's credibility (Bryant 1982). In England until the nineteenth century, for example, the idea of cross-examining one's own witness was forbidden by some courts, though opinions might diverge on the matter.

In India the practice of cross-examining one's own witnesses is standard routine due to the almost systematic tendency of prosecution witnesses to turn hostile. We have seen how the "principle of orality" and the questioning technique enable the witness to contradict what is written in the police report. On the other hand, the practice of putting these contradictions in writing using various formulae also gives consistency and ensures durability in these interactions. These transcripts will in fact be critically examined by the appeal judge (at the High Court or Supreme Court level) many years after the trial when no witnesses will be heard in court. As a matter of fact, a witness's statement may sometimes not be "effective" at the time of the hearing, yet prove to be relevant later on when appeal judges re-examine the case on the basis of what has been "put on record."

Appellate Courts in India are far from unanimous about how to deal with the statements of prosecution witnesses who have turned hostile, and, in their rulings, they may give opposing directives. For example, in a case similar to the one presented here, although a trial judge at a Court in Hyderabad convicted the accused despite the prosecution witnesses turning hostile, the appeal judge reversed the judgment on the grounds that the judgment did not comply with the principles of burden of proof (Katkuri Ravinder Reddy And Anr. vs State of A.P., Through Its . . . on 20 September, 2004 2005 (2) ALD Cri 36):

> Be that as it may, in the present case, almost all the witnesses were declared hostile, but despite the same, the learned Judge recorded findings holding the accused guilty of the offences charged with, placing strong reliance on the presumption. This approach adopted by the learned Judge definitely is not in conformity with the settled principles of burden of proof in Criminal Jurisprudence. Hence, this Court has no hesitation in holding that the findings recorded by the learned Judge suffer from the legal infirmity and are liable to be set aside. . . . the prosecution miserably failed in establishing the guilt of the accused . . .

Judges, in fact, find themselves in a delicate position. On the one hand, they are the court's superior authority, yet, on the other hand, they themselves are the "source of authority," since they have to interpret the rule of evidence and guarantee that procedures are respected. As the example presented here shows, the primacy assigned to procedure rendered effective the witness's spoken words even when they were not considered to be true.

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Engendering Minorities in Nepal: The Authority of Legal Discourse and the Production of Truth

Barbara Berardi Tadié

Introduction: Mobilizing Rights in Nepal

Since the promulgation of the 1990 constitution, conflicts over the rights it enshrines have proliferated in Nepal. Throughout the same period, negotiations between social groups and political institutions have been increasingly phrased in the language of rights, echoing the growing importance of the "rights-based" approach in the international development circuit.[1] Although this is a general trend world-wide, what is peculiar to Nepal is that, besides articulating the dialectics of some of the major social conflicts unfolding in the country, the discourse on rights was also at the core of the drafting of the new constitution and one of the main tools of the "New Nepal" building process. In this article, I will underline three features of this discourse and its mobilization in Nepal.

The first is its close connection with the sphere of law and, more generally, with legal discourse. Rights are indissolubly linked to the law and legal discourse is one of the frameworks within which the public debate unfolds in Nepal nowadays; as a result, the judiciary is playing an increasingly important role in social struggles. The centrality of law in the new form of the Nepali state was already stated in the preamble to the 1990 constitution, which solemnly underlines the commitment to "transform the concept of the Rule of Law into a living reality," a commitment reiterated by the interim constitution (2007) and confirmed by the newly-promulgated constitution (2015).

The second feature is the predominance of group rights over individual rights in the Nepali context; indeed, individual rights granted in the 1990 constitution had not proven very efficient in addressing the rights gap in Nepali society, and the debate over rights was dominated by the issue of group rights (Gellner 2001; Malagodi 2013), which became a central theme in the

[1] In the 1990s a shift occurred in the global development paradigm, as the Cold War economic model was replaced by the post-Cold War rights-based model. The international development actors selected respect for human rights as a key indicator through which to evaluate development and reframed international relations accordingly (Cowan, Dembour, et al. 2001:12): "As the human rights regime becomes increasingly entrenched at a global level in international declarations, conventions and agreements which are negotiated, implemented and monitored by national, international, and transnational institutions, this understanding of rights as a structuring discourse seems increasingly persuasive. Many analysts already talk about human rights culture as a core aspect of a new global, transnational culture, a *sui generis* phenomenon of modernity."

conflicts surrounding the drafting of the new constitution.[2] The appropriation of the language of rights for collective action, by caste and ethnic groups and social movements alike, is also linked to the third feature: the growing presence in Nepalese public debate of allegedly non-political groups, such as civil society associations, organizations, federations, and the like, alongside political groups. These associations are admittedly constituted in order to "raise the voice" of the people they represent and to advocate for their recognition and rights in the public arena.

These "voices," however, need to be legitimized in order to impose their presence in the social field, and to establish their claims and viewpoints on social realities. Such a legitimization is sought by activists through different strategies and at different levels: the social, political, and legal ones. I will here give an example of these dynamics in the legal arena by considering the use of a specific tool, Public Interest Litigation (PIL). This tool was conceived to facilitate access to justice on behalf of marginal and disadvantaged sectors of the population, who were prevented from resorting to the courts by their weak social position and lack of education or by their lack of economic means.[3] Through an analysis of one of these litigations, I suggest how local associations attempt to mobilize the power of the law to legitimize their own counter-discourse about rights, that is, their own "discourse of truth," according to Foucault's terminology, about a specific social reality.

The question of "truth" is constantly highlighted by local associations, and can be considered a key term in their claims and self-representations (as well as one of the central issues in the debate on New Nepal). Beside the study of the structures underpinning discourses of "truth," pertaining to the domain of epistemology, Foucault (2009) points out the interest of investigating forms and conditions through which the subject represents himself/herself and is recognized by others as saying the truth: following this approach, I will consider how the power

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[2] In 2006, a large-scale people's movement, known as Jana Andolan II, restored multi-party democracy in Nepal after four years of direct rule by King Gyanendra. The Comprehensive Peace Agreement (CPA) that followed, signed between the major parties and the rebel Maoist Party (CPN-M), put an end the decade-long Maoist insurgency and led to the restoration of the parliament. The latter promulgated an interim constitution in 2007, abolished the monarchy and declared Nepal a federal republic; general elections were held in 2008, but the constitutional assembly thus formed failed to pass a new constitution—primarily because it could not resolve the issue of the federal structure—and was dissolved in 2012. Another constitutional assembly was elected in 2013 and produced a new constitution that came into effect in September 2015.

[3] This procedure originally began in the United States and has by now become widespread almost everywhere in the world, but it has developed in a very specific way within the Indian context. The exceptional character of the Indian PIL lies in the relaxing of procedural requirements and *locus standi*, the rule imposing a direct relation between the litigant and the court, according to which only the aggrieved party is allowed to demand legal remedy. As opposed to this rule, and in order to guarantee a legal representation to under- or non-represented groups or interests, Indian judges allow a third party (individuals or social actions groups not directly affected by the alleged violation) to take the matter to the Supreme Court, acting *pro bono publico*, that is, on behalf of disadvantaged sectors of the population or public interest issues.

Moreover, the relaxing of procedural requirements enables the elimination of financial and bureaucratic obstacles linked to the filing of a writ petition, because, in this case, courts' attention can be drawn even by writing a letter or sending a telegram. Thus, in order to permit fuller access to courts, Indian PIL has been marked by a departure from procedural rules. This explains why civil society associations and social activists that—by definition—work on behalf of disadvantaged groups or public interest issues have, since its creation, utilized PIL as a privileged tool to achieve social justice. Nepal has not only fully adopted, from a juridical point of view, these developments of the Indian PIL, but has actually enshrined this procedure in specific provisions of its 1990 (art. 88), 2007 (art. 107), and 2015 constitutions.

of law is enlisted in the construction of discourses that are given, and are received, as discourses of "truth."

This power of the law cannot be overemphasized: as Bourdieu (1987) has shown, the law shares with other authoritative discourses the mechanisms of symbolic efficacy, and its specific acts of codifying, naturalizing, and instituting, are socially recognized as producing truth. This power of uttering the truth, of resolving conflicts and negotiations by publicly proclaiming the truth about them, is embodied in the judgement of a court (838):

> The judgment is the quintessential form of authorized, public, official speech which is spoken in the name of and to everyone. These performative utterances, decisions publicly formulated by authorized agents acting on behalf of the collectivity, are magical acts which succeed because they have the power to make themselves universally recognized. They thus succeed in creating a situation in which no one can refuse or ignore the point of view, the vision, which they impose.

The case study I will focus on here tells the story—and suggests the limits—of one of these "magical acts" in contemporary Nepal, through which the authority of the legal speech has transformed certain socially invisible and unnameable people into an official community.

The Case: Context and Implications

This recent PIL, registered as *Sunil Babu Pant and Others v. Nepal Government and Others*,[4] is one of the most sensational legal cases ever discussed in Nepal and has had echoes all over the world. It was filed against the government by a group of local NGOs[5] at the Supreme Court of Nepal in 2007. It concerns the rights of LGBTI, or Lesbian, Gay, Bisexual, Transgender, and Intersexual people;[6] the consortium that filed the petition was headed by Blue Diamond Society (BDS), the most important Nepali association active in the field of LGBTI rights.

BDS was founded in 2001 and, since its creation, has been very active in advocating LGBTI rights. Initially focused on the sector of HIV prevention, the organization has progressively widened the scope of its activities to include human rights programs on behalf of LGBTIs, which culminated in the filing of this litigation.

The main objective of the petitioners was to obtain legal recognition of LGBTI rights: to this end, while denouncing social discrimination, abuses, and ill-treatment against LGBTI people as well as the state's inefficiency and reluctance to protect them, they demanded the amendment of discriminatory laws, the promulgation of new ones to specifically uphold LGBTI rights and the formal decriminalization of homosexuality. It should be noted that homosexuality was not at that time, in the National Code (Muluki Ain 1963), considered as a crime in itself, but belonged

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[4] Writ No. 917 of the year 2064 BS (2007 CE).

[5] Mitini Nepal, Cruse AIDS Nepal, Parichaya Nepal, and Blue Diamond Society.

[6] The terminology used in this case and in this context varies between LGBT and LGBTI.

to the larger category of "unnatural intercourses," *arū aprākritik maithun* (Chapter 16 on "Bestiality," *paśu karani-ko*). In particular, this chapter specifies that sexual relations with animals, as well as other "unnatural intercourses," shall not be practiced, and are punishable by a maximum penalty of up to three months imprisonment, or by a fine not exceeding 100 rupees (Fezas 1983:338).[7]

Indeed, the opposition natural/unnatural is central to the procedure: in this regard, one may suggest that the symbolic task of this PIL was to transform individuals with "unnatural" orientations into "natural" persons, whose rights are protected by laws. As we shall see, however, the legal recognition of LGBTI rights also entailed—not unambiguously in the specific context of Nepal, with its 102 officially recognized minority and caste/ethnic groups—the recognition of LGBTI people as disadvantaged minorities because, in order to successfully enlist the power of the law by resorting to the PIL procedure, and thus to legitimize their claim to LGBTI rights (which is tantamount to validating their own discourse of "truth" about non-heteronormative sexualities), activists themselves need to be legitimized as representing a group.

Because such a process of legitimization takes life through the legal discourse, the text of the litigation offers a good example of how the authority of the legal discourse can shape social realities in a context of conflicting public meanings. The present analysis will therefore focus mainly on the text of the judgement itself, with the aim of exploring some mechanisms through which legal discourse may transform dominant public meanings by legitimizing (or de-legitimizing) public representations, that is, by establishing the "truth" about them.

In particular, I will try to show how the power of the law (in what seems currently to be one of its most authoritative forms, the language of rights) has been enlisted by the activists and deployed by the Nepalese Supreme Court, through the three acts of codifying, naturalizing, and instituting highlighted by Bourdieu, in order to introduce new gender and sexual categories into the public discourse, and thus to institutionalize a "new" minority based on these categories.

I also wish to point out the central role of activists and associations (as well as the ambiguities tied to this role), within the transnational proliferation of gender/sexual categories,[8] in disseminating the "language of rights." I would finally like to suggest that the modalities of such a creation of a gender/sexual minority may, in the specific context of Nepal, jar with local experiences of non-heteronormative sexualities. Such a dissonance, however, must be set against the undeniable importance and success of this PIL, which has transformed LGBTI people from individuals with "unnatural" orientations, into "natural" persons whose rights are protected by

[7] There is no evidence of the use of this statute in Nepali legal records after the promulgation of the new Muluki Ain, in 1963, when the chapter on sodomy of the old Muluki Ain was suppressed and "crimes against nature" were incorporated in chapter 16 (see *infra*) (Fezas 1983:338).

[8] On the increasingly global phenomenon of the proliferation of gender/sexual categories and identities, as well as their "officialization" in public discourses, see, for instance, Altman (1996 and 1997); Jackson (2000); Broqua and Eboko (2009).

laws, and whose newly-acquired visibility comes out in such events as the gay pride parades held in Kathmandu and other cities, which would have been unimaginable only a few years ago.[9]

The Articulation of the Litigation: Positions and Discourses of the Petitioners, the Respondents and the Court

Let us now take into consideration the text of the litigation, starting with the incipit of the activists' petition, in which they present their discourse on non-heteronormative sexualities and lay the foundations of the "new" sexual/gender minorities, through a collective coming out (NJA 2008:262):[10]

> We, the petitioners, are involved with organizations which represent a minority of people in terms of sexual orientation and gender identity. We have been denied by the . . . society, law and state mechanisms a proper position in the community. [We are] Expressing our dissenting view with the prevalent social structure and norms as well as with the legal provisions adopted by the state, based on the interest of the majority people, i.e. heterosexual male and female persons. Because of such practices and provisions, we have many instances of being ourselves subjected to physical and mental torture. We, the four petitioners, representing at least 60 thousand people, are demanding an appropriate place in the society and the recognition of our rights.

Such a statement ran directly counter to the socio-cultural denial of non-heteronormative sexualities at the time of the litigation: in 2004, for instance, as opposed to the figure of 60,000 LGBTI people claimed by the petitioners,[11] a senior officer of the Kathmandu police declared that "homosexuals are maximum 150 in our country, and we know what to do with them" (BDS 2005:3).

Looking now at the position of the respondents,[12] we may note that they enact the opposite strategy. Firstly, we do not find in it the polemical opposition to the activists' claims

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[9] Although gay pride parades started a little before this strategic litigation, at that time they were not presented as such by the activists organizing them: held during the Gaijatra (the "Cow Festival," held in memory of the recently deceased), they were justified as funeral processions commemorating the HIV/AIDS victims. This is one of the elements suggesting the strong connection between recognition of the LGBTI minority and HIV-related activities, as highlighted below (see Conclusion). However, besides its association with death, there is also another aspect of the Gaijatra that should be underscored, in order to appreciate its recent appropriation by the LGTBI community, that is, its carnival-like subversion of the social order. The festival is traditionally filled with jokes, songs, satire against authority, mockery, and humor, and people often cross-dress.

[10] Page numbers refer to the English version of the original Nepali text, published in 2008 in the *National Judicial Academy Law Journal (NJALJ)*. However, for the purposes of this paper, I have utilized the text translated by BDS, and have re-translated from the Nepali version the points whose content was unclear. This explains the minor differences (mainly corrections of grammar and spelling mistakes) as well as some more important textual variations between the *NJALJ* version and the one quoted here.

[11] 300,000 is a more recent figure claimed by BDS (see Conclusion).

[12] The respondents in the case were the following: 1. Office of the Prime Minister and Council of Ministers; 2. Legislature-Parliament; 3. Ministry of Law, Justice, and Parliamentary Affairs.

which characterizes other, earlier PILs in Nepal: in this case, the respondents limit themselves to denying the alleged infringement of rights denounced by the petitioners, claiming that the state has imposed no obstacles upon them and that they are "independent and able to enjoy all the constitutional and legal rights to be obtained in the capacity of a person" (NJA 2008:265). They further assert that ". . . in case the petitioners were treated in a discriminatory manner . . . and . . . [in case of any] violence against them, there seems to be no restrictions depriving them from having remedy, specifying their sexual identity distinct from a male or a female" (NJA 2008:264). They also emphasize that "only concerned individuals can enter into the court for the enforcement of such legal rights, with evidence in case of infringement" (*ibid.*).

In other words, the respondents' position consists in denying that the issue is a collective one and in presenting it as a purely individual matter. By stating that "only concerned individuals can enter into the court for the enforcement of such legal rights," they deny the *locus standi*[13] of the petitioners, because this kind of representative *locus standi* can be used only by individuals or associations advocating for public interest or representing a group (a procedure authorized by article 107(2) of the Interim Constitution). This strategy indirectly underlines the preeminence of group rights over individual rights in the Nepali context: what is at stake for the respondents is not the recognition of the individual rights of LGBTIs, which seem to remain a rather abstract (and irrelevant) category for them, but the potential recognition of the rights of LGBTIs as a group, and therefore the validity of their recourse to PIL.

Let us now come to the discourse of the Court which, it should be noted, parallels that of the activists. For this reason, I will consider here the activists' and the judges'[14] discourse jointly because, unlike what occurs in other PIL cases, they happen to coincide in this litigation, having the same structure and a very similar content; one might even interpret the judges' discourse as an expansion, a strengthening, of the activists' discourse.

The judicial discourse starts by summarizing the themes of the litigation and the respective positions of the litigants. Judicial reframing of narratives is a constant characteristic of litigations and has a specific function: to produce juridical facts. Indeed, "[s]ince juridical facts are the products of juridical construction, and not vice versa, a complete retranslation of all of the aspects of the controversy is necessary, in order, as the Romans said, to *ponere causam* (to "put" the case), that is to institute the controversy as a lawsuit, as a juridical problem that can become the object of juridically regulated debate" (Bourdieu 1987:831-2).

In order to state their case, the judges formulate the main questions structuring the litigation in the following way (NJA 2008:266):

> 1) Whether the writ petition concerning the rights of homosexuals and the people of third gender, considered as a minority (on the basis of gender identity or sexual orientation), falls under the category of public interest litigation (PIL) or not?
> 2) What is the basis of identification of homosexual or third gender people?

[13] See note 3.

[14] The Supreme Court Division Bench for this litigation was composed by Justice Balram K. C. and Justice Pawan Kumar Ojha.

3) Whether it happens because of the mental perversion of an individual or such a characteristic appears naturally?
4) Whether the state has made discriminatory treatment with the citizens whose sexual orientation is homosexual and gender identity is third gender, or not? and
5) Whether the order as sought by the petitioners is worth issuing or not?

Let us now consider how the above-mentioned questions concur in articulating the operations of codifying, naturalizing, and instituting, through which the court enacts its authoritative speech about non-heteronormative sexualities.

Codification: The Power of Naming

This operation starts by taking into consideration the first question of the *ponere causam* ("Whether the writ petition concerning the rights of homosexuals and the people of third gender, considered as a minority, on the basis of gender identity or sexual orientation, falls under the category of PIL or not"). In answering this question, which justifies the overall procedure, the Court firmly asserts that the petitioners do have *locus standi*, therefore affirming that they represent a group and thus implicitly nullifying the defense strategy of the government (NJA 2008:266, 268):

> It is a constitutional duty and responsibility of the state to make the deprived and socially backward classes and communities able to utilize the opportunity [of using PIL] and to enjoy the rights equally as other people do, according to the principles of distributive justice and social justice. In our judicial practice, the issue of social justice is being recognized as an issue of public interest or the issue of public interest litigation (PIL). Definitely, because of many reasons including social, economic, cultural, etc. as well as the inaction of the state, the question of the protection of the rights of disadvantaged people or groups falls under the category of PIL.
>
> . . .
>
> The third genders shall still be considered as a disadvantaged class of citizens, because of social perception and social behavior towards them, as well as lack of education, knowledge and economic backwardness within the society of third gender [people].

Once they have established that the "third genders" are a disadvantaged class of people and are thus entitled to resort to PIL, that is, once they have officially acknowledged their existence as a "backward and disadvantaged" community, the judges move to the second question structuring the *ponere causam* ("What is the basis of identification of homosexual or third gender people?"), in order to properly define the difference between sex and gender, as well as the various categories of LGBTI people. The latter should be codified and defined in order to be explained and, eventually, "legitimized." To this end the Court engages in a process of categorization of non-heteronormative sexualities, by deploying an impressive taxonomic effort, focusing firstly on the LGBTI minority as a whole and then on the various categories composing it.

These categories, whose utilization is so recent in Nepal, are conceived and defined by the judges through an almost literal Nepali translation of the corresponding English terms:[15] *mailasamalingi*, ("female homosexual"), *purushasamalingi* ("male homosexual"), *duilingi* ("bisexual"), *tesro lingi* ("third sex"), *antarlingi* ("intersex," or people affected by Disorders of Sex Development, a condition where the appearance of external genitalia is atypical in respect to the gonads or chromosomes). In this sense, judges are here not only writing a historical page of the Nepalese jurisprudence, but also inaugurating a new page in the Nepalese vocabulary.

By deploying this effort, through the codification of the categories composing the sexual/gender minorities, the judges enlist the inherent performative power of the legal discourse, namely its specific linguistic efficacy: the power of naming, a power that "creates the things named, and creates social groups in particular. It confers upon the reality which arises from its classificatory operations the maximum permanence that any social entity has the power to confer upon another, the permanence which we attribute to objects" (Bourdieu 1987:838). This public utterance, that makes things real *simply by saying them*, and which makes it therefore possible to speak about, think about, and admit a conduct that had previously been tabooed, is one of the specifically symbolic effects of the law (Bourdieu 1987).

If the power of naming, however, makes possible the materialization of a certain reality, the actual form which the latter will acquire depends upon the "names" that are chosen, that is, the sources upon which the classificatory operation lies. In this regard, it is worth noticing that the judges perform a long review of the international literature concerning the subject, an operation of definition and codification carried out with great accuracy and detail. Indeed, the bibliographical sources the Court draws on are very eclectic, ranging from UN reports and Covenants to the *Cambridge Advanced Learner's Dictionary*, as well as Wikipedia entries, but they mostly consist in UN treaties or international human rights publications, which will eventually—as we shall see—constitute the basis of the "discourse of truth" on non-heteronormative sexualities as ratified by the Court. Among these sources, the *Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity* (2007), elaborated by an international group of human rights experts, is particularly relevant. These principles, which affirm binding *legal standards* with which all states must comply, have become an important tool for judges, lawyers, and activists all over the world. Their use here is revealing as it suggests the complete alignment of the

[15] Nepali definitions are not utilized; if such an omission is perfectly understandable in the case of the Nepali terms that have derogatory connotations (for example, *chakka*, a very derogatory term for effeminate males, or *hijra*, transvestites or transexuals, and so on), the exclusion of terms employed by LGBTI people to represent themselves or their partners is more problematic. A UNDP/WI survey (2014) of these terms reported the local use of at least 21, non mutually exclusive, different definitions. As far as transexual/transgender people are concerned, one of the most common local terms is *meti*: "In Nepal, some LGBTI members speak of being a *meti*—a semi-urban, even modern term appropriated from Darjeeling, that does not take its ideas about transgenderism from the globalized models of sexual identities. *Metis* are usually transvestites, who were born male but who do not identify as men. They seek the company of men, whom they call *ta* or *panthi* or 'real men,' who desire sex with *metis* but who elude the homo-hetero binary altogether. The phrase '*dui atma bhayeko*,' or 'two-spirited,' is also in use in Nepal, a concept that not only implies an almost mystical consciousness but also draws on local imageries of androgyny" (KC 2008). This omission of local self-representations seems to be indicative of an (at least partial) non-coincidence between global and local representations of non-heteronormative sexualities (see Conclusion).

Nepalese judiciary (and civil society associations) with the positions of the UN[16] and other transnational institutions, as opposed to more conservative attitudes characterizing some of their judgements of the 1990s.[17] It also suggests the way in which such evolutions in Nepal are linked to a transnational network of activists, which includes national and international associations as well as individual activists and pro-active judges. This associational network, of which the *Principles* are one of the products, can thus be considered as the site where the discourses of "truth" of world-wide activists meet and coalesce. In this regard, it is perhaps worth mentioning that one of the signatories of the *Yogyakarta Principles* is Sunil Babu Pant, the former executive director of BDS and himself the petitioner of this litigation.

Naturalization: The Legal Construction of Normality

After this taxonomic operation of codification, the court undertakes a "normalization" of non-heteronormative sexualities. This, the second act manifesting the symbolic efficacy of its authoritative discourse about gender/sexual minorities, is, from a "technical" point of view, related to the third question of the *ponere causam* ("Whether it happens because of the mental perversion of an individual or such a characteristic appears naturally?").

This legal normalization[18] can take place because the law has the power of imposing (and thus disseminating) the conception of normality it has endorsed, a conception that results from the application of specific juridical standards. In this sense the case illustrates the authority and the strategies of the judiciary in defining (or re-defining) what is normal and what is moral.[19]

But let us see in more detail how this authority is enacted in our litigation, starting with the juridical standards applied by the Nepalese judges. As it emerges from the text of the PIL, the legal construction of normality is centered here on the demonstration of the non-pathological and non-immoral dimension of sexual/gender non-conformity.

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[16] The UN position itself was until recently not lacking in ambiguity: if the UN system de-pathologized homosexuality back in the 1980s, it is only very recently (June 2011) that the UN's Human Rights Council passed its historic resolution condemning violence and discrimination against gays, lesbians, and transgender people.

[17] Although such an alignment was theoretically established by the Nepal Treaty Act 2047 (1991), decreeing that internationals treaties ratified by the country are tantamount to national laws, in several early PIL cases related to gender justice filed during the 1990s the Court did not automatically apply international treaties; see, for instance, the famous PIL known as "Daughter's Property Rights" (PIL of Meera Dhungana on behalf of FWLD v. HMG, Ministry of Law and Justice, Writ No. 3392, 2052, Decision No. 6013 of 2059, Timalsena 2003:164-74), where the Court did not draw on the tenets of the CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women, ratified by Nepal) to define women's right to equality, evoking the risk of social disruption inherent in suddenly upsetting "traditional norms and values."

[18] The normalizing role of the law has been repeatedly underlined. See, for instance, Bourdieu (1986); Lochak (1993); Dupret (2001).

[19] Indeed, morality and normality are linked in an ambiguous relation, as normality, that is, what refers to "nature" and common sense, enjoys a status that is considered as legitimate in itself and—for this very reason—morally desirable. Law proceeds from this double dimension of legitimacy and morality and at the same time creates it (Dupret 2001).

Such a demonstration, which is organized around several oppositions (natural/unnatural, science/superstition, customary perceptions-assumptions/international legal standards), is based, again, on the review of a large amount of documents, that constitute the juridical standards of the litigation. These standards pertain to two main categories: medical, psychiatric, and neuropsychiatric documents, as well as international legal treaties and judicial decisions, abundantly quoted throughout the litigation. This double benchmarking has a precise function in the economy of the judicial construction of "truth": to confer to the latter both the scientific authority of positive science and the normative authority of ethics.

Indeed, as again Bourdieu suggests (1987:818), the enactment of this double authority is a central feature of the power of law, through which the latter can appear as "a system of norms and practices founded *a priori* in the equity of its principles, in the coherence of its formulations, and in the rigor of its application, . . . and thus capable of compelling universal acceptance through a necessity which is simultaneously logical and ethical." So, relying upon this double authority, the Court can now produce a series of statements through which it articulates its discourse of truth about non-heteronormative sexualities. This concerns, first of all, their non-pathological dimension (NJA 2008:274, 281, and 280):

> Scientific evidences are backing up to establish that [homosexuality/transsexuality] is a natural process in the course of physical and emotional development of a person rather than a mental perversion or a psychological disorder.
>
> . . .
>
> The medical science has already proved that [homosexuality/transsexuality] is a natural problem rather than a psychiatric one. We cannot ignore facts that are proved by the medical science. Any provision that hurts the reputation and self-dignity as well as the liberty of an individual is not acceptable from the human rights point of view. The fundamental rights of an individual should not be shrunk on any grounds like religion, culture, customs, values etc.
>
> . . .
>
> There are also opinions in the society stating that sexual activities among the homosexuals and transsexuals are not natural; they do not have reproductive capacity; it is a social pollution; therefore, such unnatural relations . . . shall not be legalized. Such opinions are based on the traditional approach of gender identity that recognizes only male and female.

We can note here an opposition between medical science and human rights, on the one hand, and religion, culture, customs, and so forth, on the other hand. This opposition also characterizes the discussion about the ethical and moral dimension of non-heteronormative sexualities, which is based on encyclopedic references and a detailed analysis of recent international legal treaties and foreign judicial decisions (for example, by the Australian court, the European Court of Human Rights, the Constitutional Court of South Africa, the Supreme Court of United States of America, and the Constitutional Court of Ecuador) that have decriminalized homosexuality (NJA 2008:274, 278):

> After considering the above-mentioned various international legal contexts, it seems that the traditional norms and values in regards to the sex, sexuality, sexual orientation, and gender identity are changing gradually.
>
> It is an uncontroversial fact that only two sexes—male and female—are being recognized on the basis of sex in our traditional society. . . . Homosexuals and third gender people are also human beings like other men and women and they are also the citizens of this country as well . . . The state should recognize the existence of all natural persons including the people of third gender other than men and women and it cannot deprive the people of third gender of enjoying the fundamental rights provided by part 3 of the Constitution.

It is important to underline that what has disappeared from this case (and more generally from the series of PILs that began in the 2000s) is the reference to the values of Nepalese tradition and religion, which were sometimes evoked in the first generation of PILs (1990-2000), according to the survey I have conducted. In the present approach we no longer find the call to protect the traditional social system or the religious order, as was the case in certain less recent PILs on gender issues: on the contrary, when evoked, "customs" and "traditions" have, as is the case here, negative connotations, as they are considered as obstacles in the path of truth, and more specifically the "international truth," as the normative power of morality now seems to be firmly grounded in the international human rights standards. The following statement of the Court is a clear example of this position (NJA 2008:280-81):

> We . . . should gradually internalize the international practices regarding the enjoyment of the rights of an individual and practices of respecting the rights of minorities in the changing context of global society. Otherwise, our commitment towards human rights will be questioned internationally, if we ignore the rights of such people only on the ground that it might be a social pollution.

Thus, this legal construction of normality involves, interestingly, a deconstruction of traditional morality, as enshrined in orthodox Hindu values. It should be noted that the latter values constituted the basis of the first legal code of the country—the Muluki Ain (MA) of 1854—which can be considered, according to Höfer (2004 [1979]), as a "codification of traditional social conditions," as well as a means to officially impose these "social conditions" (that is, the caste system, religion, and values of the Hindu Parbatya rulers) on the overall population of Nepal.[20] In this sense, the old MA was not only the epitome of orthodox Hindu values, but also the instrument ensuring the perpetuation of a Hindu caste society by means of the most stringent

[20] "The MA's idea of social order consisted of a single social universe recognized in terms of its people of various *varna*s, the four traditional social classes of Hindu societies, and *jāti*s, a term that refers both to castes and ethnic groups in the MA, residing in its territory. People of all castes as well as multiple ethnic, cultural and linguistic groups were all made inclusive parts of it, and ranked in a hierarchy of the high to the low. The basis for the gradation of high and low was embedded in the Hindu ideology of 'pure-impure,' a ritual notion" (Sharma 2004 [1979]:xxii).

laws possible (Höfer 2004 [1979]; Sharma 2004 [1979]).[21] It is therefore not surprising, when one knows the importance of the control of sexual intercourse for the preservation of ritual purity and social hierarchy in Hindu caste society, to find that "more than one third of the MA deals with sexual relations, both inter-caste and intra-caste. The scrupulous accuracy of the legislator amply confirms the importance these relations have for the maintenance of the hierarchy" (Höfer 2004 [1979]:35). This is particularly evident in the chapter "On Sodomy" (*gār mārā-ko*)[22] of the old Muluki Ain, which was suppressed in the 1963 edition.[23] This chapter, analyzed by Fezas (1983), considered sodomy from the point of view of the caste system, and was divided into two parts. The first specified the different penal and socio-religious sanctions (penalties)[24] according to the respective castes of the active and passive sodomites, while the second dealt with the degree of contamination that sexual intercourse or commensality with the culprit entailed on his wife and children, as well as with the consequences of such a contamination on their social and familiar status (Fezas 1983:309). Sanctions varied according to the hierarchic gap between partners: intercourse obeying the hierarchical order was punished by a moderate fine; intercourse contrary to the hierarchical order[25] was more severely punished and could entail enslavement, caste degradation, and branding,[26] the more so if commensality was also involved.[27]

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[21] "The old MA [was] the epitome of orthodox Hindu values, and given to protecting the pre-1951 political order of Nepal as well as the social and religious values it had stood for" (Sharma 2004 [1979]:xv).

[22] Literally: "On he who hits the anus." For a detailed philological analysis, see Fezas (1983).

[23] Following the legal abrogation of the caste system (Civil Liberties Act 1955), the 1963 reform of the Muluki Ain led to the suppression of all the passages of the Code regarding caste relations, thus reducing the latter to one fifth of its original length (Fezas 1983).

[24] As Gaborieau (1977) points out, there was a complementarity in the Nepalese system between the king, supreme judge who decides in the last resort, and the Dharmādhikār, the brahman expert in law. This complementarity emerged also at the level of sanctions, which were of two sorts: punishments (*danda*) imposed by the king, and penances (*prāyaścita*), executed under the direction of the Dharmādhikār.

[25] And especially those infringing the "purity border" between groups whose water can be accepted (*pāni calanyā jāt*) and those whose water cannot be accepted (*pāni nacalanyā jāt*).

[26] Branding was evidently directed at avoiding water commensality (and the resulting necessary expiations) between the degraded member and those of superior castes (Fezas 1983:317-18).

[27] As specified in § 10 of this chapter (Fezas 1983:313):

"If [a man belonging to] a high caste sodomizes [a man belonging to] a caste whose water cannot be accepted [but] which does not need purification after contact (whose contact doesn't require purification aftermath):

- if he has not taken rice and water from the hand of the person [he has sodomized], a fine of 100 rupees shall be imposed on him, [and] after having had him accomplished a pilgrimage to Kāsi [or] Muktināth, he shall be granted an expiation (*prāyaścit(t)a*);
- if after having sodomized [him] he has consumed rice and water from the hands of the [passive sodomite], he will not obtain expiation (*prāyaścit(t)a*). He must be, after having had him marked with the letter [indicating] the caste of the person whose rice [and] water he has taken after having sodomized him, assimilated to [a member of] the caste of the latter and free him; the passive sodomite shall be punished with a fine of 50 rupees."

As this extract of the chapter "On Sodomy" shows, in case of intercourse contrary to the hierarchical order, sanctions were more severe for the active sodomite than the passive one, thus suggesting the idea that sodomitic relations were considered as aggressions of the passive sodomite, which were to be punished the more severely as the hierarchical gap was greater between the two parties.

Proceeding from the same logic of preserving caste hierarchy, the second section of the chapter on sodomy specified that the status of the culprit's wife did not incur any detriment if her husband had been sodomized by somebody whose caste status was equal or superior to his own, but was degraded if her husband had been sodomized by an inferior or had sodomized a man whose contact necessitated purification. In short, degradation of caste status did not proceed from the act of sodomy itself but rather from the contact, which entailed a voluntary impurity (Fezas 1983:330-31). In this sense sodomy, as well as the other kinds of "unnatural sexual intercourse"—incest, adultery, rape, perversion—mentioned in the Code, constituted a threat to the social order and hierarchy. Such illicit or unnatural practices imply varying degrees of fault, generating an impurity that can be transferred to other people and entail a degradation in caste status both for the persons immediately involved and—eventually—for their offspring and their fellow caste members (Höfer 2004 [1979]:35). This explains why these infractions must be dealt with by the legislators.[28]

Such is the conceptual basis of the old Muluki Ain, which partially survives in the present version, despite the many amendments and radical revisions it has undergone. It is precisely in order to eliminate these "lingering vestiges" (Sharma 2004 [1979]:xxvii) of Hindu legacies of the old Muluki Ain, still reflected in the new code of 1963 (especially concerning gender issues), that activists have, since 1990, regularly utilized PIL as a tool through which the government can be made to amend discriminatory laws. More broadly, activists have used these legal struggles as an arena where the dominant traditional morality concerning gender roles can be officially contested.

The intention of the judiciary (and the activists), in this case, was to effect a revolutionary legal, and eventually social, transition from a notion of "natural" sexual relations established by traditional morality (that is, those permitted in the context of legitimate marital relations and ensuring social reproduction and the protection of social hierarchy) to one defined by international legal standards (that is, based on the concepts of citizens' rights, human rights, individual sexual orientation, personal choice, privacy) (NJA 2008:275):

> There is a legal provision for the criminalization of same sex marriage in the name of unnatural coition in our country. However, the sexual preferences and choices of every individual cannot be defined unnatural coition. Hence, it is the appropriate time to think to decriminalize and destigmatize the same sex marriage by amending the definition of unnatural coition.

In short, through this litigation, the underlying morality defining natural sexual relations officially shifts from a relational logic of group alliances, social reproduction, and the preservation of social hierarchy, according to which any form of extra-marital intercourse (homosexual or heterosexual alike) is, in fact, "unnatural," to a logic relying on the legal

[28] This also explains the high degree of social exclusion faced by "third gender" people, who are often evicted by their families or otherwise excluded from the common activities marking integration in the social group, especially ritual activities and commensality. As a "third gender" member of BDS comments (BDS 2005:106): "My family members are traditional and they could not believe in the law of nature. Therefore, my parents do not even drink water from my hands; they do not allow me to participate in social functions. We sexual and gender minorities are facing this bitter situation everyday."

concepts of person, privacy, and rights. The revolutionary operation attempted by the judges was therefore to make a transition from a notion of "normal and licit" sexuality conceived as a collective matter (because its consequences bear on the group) to one conceived as a private, individual matter, whose consequences bear only on the individual (NJA 2008:280):

> The right to privacy is a fundamental right of an individual. The issue of sexual activity falls under the definition of privacy. No one shall have the right to question how do two adults perform the sexual intercourse and whether this intercourse is natural or unnatural. If the right of privacy is ensured to the sexual intercourse between two heterosexual individuals, such a right should equally be ensured to the people of third gender having different gender identity and sexual orientation as well. Therefore there should not prevail such a situation where the gender identity and sexual orientation of the third gender and homosexuals would be overlooked by treating the sexual intercourse as unnatural. When an individual identifies her/his gender identity according to the self feelings, other individuals, society, state or law are not the appropriate ones to decide as to what type of genitals s/he has, what kind of sexual partner s/he needs to choose and with whom s/he should have the marital relationship; rather it is a matter falling under the sole right of self-determination of an individual.

It would be a mistake, however, to assume that this opposition reflects a more general dichotomy in the approach to sexuality and gender non-conformity, opposing customary norms, typical of traditional societies, to formal legal systems protecting individual rights, typical of the rule of law. On the contrary, the legal criminalization of sodomy was introduced in many countries only during the colonial period, and exactly coincided with the diffusion of the rule of law, as was the case in India for instance, where the British rulers introduced section 377 of the Indian Penal Code criminalizing "unnatural relations" in 1861,[29] an article that was only very recently (2009) abrogated.[30]

In this sense, the real opposition dominating this litigation is not one between customary norms and the rule of law, but one between the "morality of tradition" and the "morality of human rights." Indeed, the idea of an emancipation based on gender identity is deeply entrenched in the language of rights, which emerges in this litigation as the authoritative discourse about non-heteronormative sexualities.

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[29] Sodomy, in the few classic normative texts (śāstra) overtly mentioning it, was considered a minor offense: according to Manusmṛti, for instance, sodomy was a moderately severe religious fault, atoned for by penance; the Arthaśāstra and the Yājñavalkyasmṛti punished it with moderate sanctions (fines), probably imposed only on the active sodomite (Fezas 1983:317-22). Although the Kāmasūtra alludes only briefly to it, it is interesting to note that in the 1935 Bombay edition the editor specifies that sodomy was a "perversion against nature" and that the "present government" (the British) was adopting increasingly harsh sanctions to eliminate this practice (323).

[30] It should be noted that the amendment to the Indian Code—again obtained through a PIL filed in 2009 by Naz Foundation (a prominent Indian NGOs advocating for LGBTs' rights) in the Delhi High Court—was passed shortly after this landmark decision of the Nepalese Supreme Court, and that its passing was probably made easier by the international approval the latter had received.

Institutionalization: Ratifying the Rights of LGBTI People

The final act needed for the institutionalization of the *tesro lingi* as a juridical entity and the ratification of LGBTIs' rights, is articulated through the last two questions formulated by the Court in its *ponere causam* ("Whether the state has made discriminatory treatment with the citizens whose sexual orientation is homosexual and gender identity is third gender or not?" and "Whether the order as sought by the petitioners is worth issuing or not?").

In order to deal with the first point, the Court, quoting and reformulating the discourse of the petitioners, lists a series of abuses LGBTI citizens have been subjected to, along with the concomitant rights that these abuses have infringed (NJA 2008:275):

> The petitioners have alleged that the state has made discriminatory treatment of citizens whose sexual orientation is homosexual and gender identity is trans-gender. The contentions of the petitioners also seem that the people of this community are being victimized by the family, [and by] domestic, social as well as state violence; they are deprived of the social, economic, cultural, political, and civil rights as well; they have been humiliated in the society and family; they have been deprived of the enjoyment of services and benefits provided by the state; and they have also been deprived of the basic rights such as employment, marriage, and citizenship, etc.

In this way, the Court—following the activists' approach—reformulates in the language of rights some of the social and legal consequences of the traditional attitude toward the "third gender." In particular, it should perhaps be specified that the "deprivation of basic rights" (such as citizenship) here mentioned, is one of the legal consequences of social discrimination in Nepal: we have seen that, traditionally, the "non natural" condition of gender non-conformity is a source of pollution and shame for the whole social group and that, for this reason, non-conforming individuals are often forced to leave their families. From a legal point of view, such an eviction implies not only that they will be divested of their right to ancestral property and inheritance, but also that they will be prevented from obtaining citizenship or other legal certificates, as the latter can only be issued if they are acknowledged by their relatives (through the Relationship Verification Certificate, Nata Pramanit).[31]

Thus, in order to institutionalize the new minority, such a legal and administrative "invisibility" needs to be officially acknowledged, and structurally—as well as symbolically—reversed, which is exactly what the judges attempt to do in this PIL. The need for such a reversal explains, for instance, the emphasis on introducing the mention of a "third gender" category into official documents, census forms, and so on (NJA 2008:281):

> The legal provisions like the chapters "On Bestiality," "On Marriage," "On Husband and Wife" of the Country Code (Muluki Ain), 2020 (1963 AD) as well as other provisions incorporated in other statutory laws in regards to the citizenship, passport, voter list, security check, etc. and our legal practices have not only refused to provide an identity to the people of

[31] More generally, the legal exclusion of "third gender" individuals is ubiquitously present in the Muluki Ain, which maintains a deeply "gendered" structure, as most of its rules are strictly defined along gender lines and according to gender traditional roles (that is, "son" or "daughter," "husband" or "wife").

> third gender but also declined to accept their existence as well. It seems apparent, analyzing the situation, that the people of third gender are not living their lives easily according to their behavior and character because of the attitude of the administrative body and social context as well.

But the Court here goes beyond the simple recognition of legal discrimination: it also denounces the abuses and ill-treatment perpetrated against sexual minorities, highlighting the causal link between suffering and deprivation of rights. This is a recurrent feature of the language of rights, where suffering and social exclusion are recodified in terms of "human rights violations." Not surprisingly, such a parallelism between rights infringement and the denunciation of suffering is also typical of this type of litigation (PIL), which can in fact be considered as a consequence of the language of rights. We can appreciate the power of this legal acknowledgement through the tremendous impact that this litigation has had on the press and in other public arenas, where the discussion of these previously tabooed subjects suddenly became legitimate.[32]

This systematic connection between suffering and infringement of rights has another important consequence: the framing of social problems as injustices, a device that lies at the very basis of the language of rights. One of the consequences of this device is the professionalization of social problems because, once they are framed as injustices, they become the prerogative of a group of professionals upon whom lies the responsibility for their redressing in court. It is therefore not surprising that, apart from the judiciary, the great protagonists of the PILs that have marked the "era of rights" in Nepal have been Nepalese human rights associations, largely composed of lawyers. And even when they are not mainly composed of lawyers, as is the case of BDS, the work of these associations in developing, structuring, and disseminating the human rights discourse cannot be underestimated. It is enough to mention, as far as this litigation is concerned, how this discourse has been progressively articulated within BDS, together with its main strategy: the parallel systematic denunciation of rights violations and of the suffering that these violations entailed, which has effectively undermined the taboos surrounding the verbalization of these "unspeakable" matters. In this respect, the endorsement and ratification by the Court of such a discourse on suffering and rights violations is a very important achievement for the activists, and can be read as the official dismissal of a culture of silence, as well as a proof of the authority of the language of rights.

It should be noted however that, despite the many references made by the Court to the interim constitution, the source of this authority ultimately emanates from the international normative framework. This explains why, in order to be authoritative, the Court's denunciation of human rights violations needs to be buttressed by the international discourse on rights: the judges, after mentioning the articles of the interim constitution guaranteeing the protection of

[32] See Khanna (2009) for India.

fundamental rights, extend the discussion to the international legal framework on human rights violations, quoting extensive passages on discrimination and ill-treatment of sexual minorities.[33]

This reference to the international context, while allowing the Court to affirm that "incidents of ill-treatment against the third gender and homosexuals are taking place not only in Nepal but also at the . . . international level as well," also legitimizes the pertinence of the application of the international legal framework to the Nepali context. The Court can thus explicitly enlist the authority of the "universal norms of human rights" contained in the international treaties and conventions ratified by the Nepalese government,[34] which are tantamount to national laws (NJA 2008:276):

> Nepal has shown its commitment towards the universal norms of the human rights by ratifying the significant international conventions adopted for the protection of human rights. . . . Being a party to these international treaties and conventions, the responsibility to implement the obligations created by instruments to which state is a party rests on the Government of Nepal according to the Vienna Convention on International Treaties, 1969 and the Nepal Treaty Act, 2047 (1991 AD[CE]).

The recourse to the superior and exogenous authority of the international treaties is, again, a constant feature of PILs in Nepal, together with the role that the international evaluation missions concerning human rights protection, an integral part of certain treaties ratified by the government of Nepal (like the CEDAW for instance), have played in supporting the "discourse of truth" of the activists and in reinforcing the latter's power of negotiation vis-à-vis the government and the Court itself.

To return to the judges' discourse: after the official denunciation of discrimination, which represents the last passage needed to legitimize the activists' "discourse of truth" on gender and sexual non-conformity, comes the verdict itself, which summarizes the previous steps of codification and naturalization, and culminates in the endorsement of the petitioners' demands. Technically speaking, the verdict constitutes the answer to the last question of the *ponere causam* ("Whether the order as sought by the petitioners is worth issuing or not"), and is articulated according to the major demands of the petitioners, namely (NJA 2008:281):

> 1) the amendment of existing laws to ensure that the third gender people (under which female third gender, male third gender and intersexual are grouped) shall not be discriminated on the basis of sexuality, as well as the promulgation of new legal provisions to provide such people with a gender identity as per the concerned person's self feelings;

[33] For example, in the following instance: "members of sexual minorities are disproportionately subjected to torture and other forms of ill treatment because they fail to conform to socially constructed gender expectation. Indeed, discrimination on grounds of sexual orientation or gender identity may often contribute to the process of the dehumanization of the victim, which is often a necessary condition for torture and ill treatment to take place" (from the Report of the Special Rapporteur of the United Nations).

[34] Nepal has already ratified the International Convention on Elimination of All Forms of Racial Discrimination, 1965, the International Covenant on Civil and Political Rights, 1966, the International Covenant on Economic, Social and Cultural Rights, 1966, the Convention on Elimination on all Forms of Discrimination against Women (CEDAW), 1979, and the Convention on the Rights of the Child, 1989.

> 2) the protection of the fundamental rights of LGBTIs by making appropriate legal provisions enabling them to live their lives with freedom as other heterosexual people and by recognizing them legally and socially as minorities (on the basis of their sexual orientation) being entitled to constitutional protection from the state and society.

As this second demand shows, the petitioners base their request for protection of LGBTI people's fundamental rights not only on "appropriate legal provisions," but also on their recognition as minorities "entitled to constitutional protection." The Court endorses this vision, where LGBTI people are not only considered as individuals deprived of their rights but also emerge positively as a group with its own identity, whose position is similar to that of the other castes, religious and ethnic groups that make up Nepal's society (NJA 2008:278):

> According to the data published by the Center Bureau of Statistics/Government of Nepal in 2005, there are different religious groups in Nepal such as Hindu, Buddhist, Muslim, Kirat, Jain, Christian, Sikh, Bahai and others. The state cannot discriminate these religious groups. According to the data of the Government of Nepal, there are 102 identified ethnic groups and castes in Nepal. As the state cannot discriminate on the ground of religion, race and caste, similarly it cannot discriminate on the basis of sex also. Not to be discriminated on the basis of sex is a fundamental right of every citizen.

This excerpt inverts the historical evolution of the language of rights, where group rights are conceptually derived from individual rights: here, on the contrary, it seems that the Court needs to previously refer to the rights of the ethnic/caste/religious minorities as guaranteed by the constitution in order to then derive from them the individual, fundamental rights of "every citizen." This reveals that, once more, the only way to accommodate these individual rights within the Nepalese society is to ascribe them to collective entities, that is, minorities. To this end, the Court, ratifying the approach of the activists, turns gender non-conformity into the defining element of a minority whose rights can be claimed and negotiated.

In keeping with this approach, the Court, in its verdict, then issues an order to amend discriminating existing laws, and to promulgate new ones in order to "ensure an appropriate

environment" for LGBTI people to enjoy their rights.[35] The Court also stresses the need to avoid further discrimination in the future legislation/constitution, in a judicial comment addressed to the constituent assembly (NJA 2008:285): "it looks necessary to keep a clear provision in the new constitution guaranteeing that no discrimination will be perpetrated on the ground of gender identity and sexual orientation, alike to the Bill of Rights of the Constitution of South Africa." Finally, it concludes the verdict by mentioning the question of same-sex marriage, by instructing the government to form a committee in order to study "legal provisions and practices of other countries regarding the gay and lesbian marriage" and "international instruments relating to the human rights, the values recently developed in the world in this regard, the experience of the countries where same sex marriage has been recognized and its impact on the society" (286).

The word "rights" rings through the verdict like a mantra: the centrality of the language of rights could not be clearer. In fact, one could hardly find one single sentence of the verdict without the word "rights" in it. The language of rights emerges from the litigation as the most powerful language, and indeed, its authority cannot be denied: through its power, those who were only "invisible people" are now an official minority.

Conclusions

This PIL displays in condensed form the stages through which the activists' discourse on sexual orientation and gender non-conformity has become a discourse of truth. It shows how the judicial operations of codification, normalization, and institutionalization have been instrumental in this process. It also shows how the overlapping authorities of the scientific medical discourse, of the international juridical framework, and of the language of rights concur in structuring and empowering the activists' claims and the parallel discourse of the judges.

I would like to suggest, however, that they also concur, in a more problematic way, in defining the morphology of the "new" LGBTI minority and its official representations. In particular, as far as the scientific medical discourse is concerned, it should be noted that its link

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[35] "There should not be discriminatory constitutional and legal provisions that restrict the people having third gender identity from enjoying their fundamental rights. The LGBTI people generally have normal characteristics. They should not be deprived from the enjoyment of their fundamental rights only because of their sexuality, which means they are not attracted by the people of opposite sex as heterosexual persons and because of their cross dress. The state should make necessary arrangement for the people of third gender. . . . If there are legal provisions that restrict the people of third gender in enjoying the fundamental rights and other human rights provided by Part 3 of the Constitution and international conventions relating to the human rights, which Nepal has already ratified and applied as national laws, with their own identity, such provisions shall be considered as arbitrary, unreasonable and discriminatory. Similarly, the law enforcement function of the state shall also be considered as arbitrary, unreasonable and discriminatory" (NJA 2008:282).

"All fundamental rights provided in Part 3 of the Interim Constitution of Nepal, 2063 (2007 AD[CE]) from Article 12 to 32 have been guaranteed to every Nepali citizens and persons. The enjoyment of these rights with their own identity is a fundamental right of the petitioners as well though they are a minority. . . . The people with third type of gender identity other than male and female and different sexual orientation are also Nepali citizens and natural persons as well, so they should be allowed to enjoy the rights with their own identity as provided by the national laws, constitution and international human rights instruments. The state has the responsibility to ensure an appropriate environment and legal provisions for the enjoyment of such rights. It does not mean that only men and women can enjoy such rights and other people cannot enjoy them only because of their different gender identity and sexual orientation" (NJA 2008:283-84).

with LGBTI people is double: on the one hand, as the litigation shows, activists and judges alike use it to establish the "truth" about non-heteronormative sexualities, that is, its natural and non-pathological dimension. On the other hand, we have to acknowledge the specific role that international aid programs on HIV prevention have played in the "coming out" of the LGBTI minority. It is not a coincidence if the only way to register BDS, in 2001, was to declare it as an association involved in HIV prevention, as the relevant governmental department (the Welfare Council) had refused to register the association under its real *raison d'être*, the advocacy of LGBTI rights (BDS's staff, personal communication, 2011). At that time, the only way of openly speaking about homosexuality in Nepal was through the medical discourse on the spread of the virus. However, if these programs were the starting point of sexual/gender non-conformity verbalization and recognition in Nepal (for example, through the identification of "groups at risk"), they eventually also imposed their specific terminology (like MSM, that is, "men who have sex with men") and their essentialist stance on local self-representations. The very idea of a gay or MSM "community" was initially introduced in South Asia by international agencies and organizations, in line with their programs' implementation strategies and exigencies, as Shivananda Khan[36] aptly remarks (2010:160):

> A range of international and national agencies working in the field of HIV have recognized that, for effective and sustainable strategies to prevent the spread of HIV and to control emergent epidemics in a range of localities, countries and regions, MSM should be seen as a vulnerable "group" or "population," and their sexual health concerns need to be addressed in ways that enable "community-based" responses.

Through this logic, MSM has often been taken to mean a specific and exclusive sexual identity in opposition to heterosexuality, where MSM form an exclusive and bounded group/community: "Too often programmatic decisions are taken within this limited view of what is essentially a behavioural term, while agencies and individuals speak of an 'MSM' community" (157).

Thus, the recognition of the LGBTI people has been tied to their integration into the development industry of Nepal and to their formatting according to the essentialist template imposed by this industry, which has conditioned the overall struggle of the activists. From the HIV prevention programs to the more recent rights programs, the terminology, sectors of intervention, and representations have depended on donors' priorities, approaches, and categorizations, in a process that does not necessarily reflect local perceptions and self-representations. As Boyce and Pant note in relation to the category of MSM, in what was perhaps the first ethnographic enquiry on this issue in Nepal (Boyce and Pant 2001:9):

> Preliminary indications are that a considerable number of men who have sex with men in Kathmandu are married and/or have female sexual partners other than their wives, including in some instances women who sell sex. . . . Indeed it is misleading to conceptualize men who have

[36] Khan is an Indian activist and the founder of the Naz Foundation, a prominent activists' organization advocating for LGBTI rights in India.

> sex with men as a distinct and contained target population. Male-to-male sex does not exist in isolation. Rather sex between men takes place within socio-sexual networks and sexual activity patterns that are intimately integrated into the sexual lives of the so-called "general population," of which men who have sex with men are themselves a part. This is particularly so in a country such as Nepal where sexual culture is such that there is no firm or predictable division between men who have sex with men and men who have sex with women.

Overall, research in Nepal and India (Boyce and Pant 2001; Tamang 2003; Khan 2010; Khanna 2009; Coyle and Boyce 2015) has largely confirmed this divergence between Western categorizations and South-Asian same-sex subjectivities and sexual practices, highlighting how the latter may not be conceived as an explicit aspect of identity but as an implicit aspect of intimacy, "querying but not necessarily overtly countering apparently hetero-modes of kinship and community" (Coyle and Boyce 2015:9).

The institutionalization of the LGBTI minorities in Nepal entails therefore an ambiguous process, as the local, multiform, indeterminate (and individual!) ways in which sexuality can be experienced and represented are being compressed into the dominant European-North American framework of understanding sexuality, historically constructed through the bio-medical register,[37] the binary opposition between homosexuality and heterosexuality, and the language of identity rights, which are at the basis of the process of legitimization of non-heteronormative sexualities in Nepal (Cowan, Dembour, et al. 2001:11):

> To the extent that claimants are compelled to use a certain language of rights in pursuit of what they need or want, and to portray themselves as certain kinds of persons, when these may be alien to their self-understandings, it is evident that rights discourses are not ethically unambiguous or neutral. While emanating an emancipatory aura, their consequences both for those who use them and for those asked to recognize them are more contradictory. . . . This is the paradox of the language of rights, the ways in which rights discourses can be both enabling and constraining.

Though such a strategy can be politically efficient, its symbolic, psychological, and social implications remain problematic, as, in order to obtain the legal recognition of a minority whose rights can be asserted, it ties sexual and gender non-conformity to the bio-medical premise according to which desire determines identity.[38]

Certainly, this process has enabled the activists' discourse to acquire authority, reinforcing their claims for their rights. In this respect, it seems, the transformation of LGBTI individuals into "sexual and gender minorities" was unavoidable, not only as it reflects the general position of the LGBT global movement, but also because it was consonant with the logic of the identity politics that is now dominant in Nepal, where group rights have more weight than individual rights. It is interesting in this connection to note that, somewhat ironically, the activists' essentialist strategy to assert their existence as a minority stresses and validates the

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[37] Foucault (1976). See Khanna (2007) for an analysis of the construction of sexuality through public health interventions in the Indian context.

[38] On this point, see also Khanna (2009).

same principles on which the conception of ethnic groups and castes are based in Nepal. As Gellner (2001:190) writes: "What all Nepali political parties, pressure groups and revolutionaries seem to agree on is an essentialist view of the . . . divisions they argue over. All seem to agree that everyone in the country: (1) belongs to one and only one ethnic or caste group; (2) is born in that group; (3) cannot change their group." These features also affect the activists' and the judges' conception of the new gender/sexual minority, by linking it to "birth" or "nature" and making it a feature that is essential in the definition of the individual's identity.[39]

In this context, the institutionalization of new minorities based on sexual orientation and gender identity marks a major departure from local practices of non-heteronormative sexuality,[40] which are "not always reducible to culturally explicit and socially evident claims to identities, or fixed across entire lifespans" (Coyle and Boyce 2015:9-10). While bolstering rights, such a process may turn fluid local practices into markers of globalized identities.

Epilogue

The authoritative dimension of the discourse mobilized by the activists and the judiciary through this PIL can be measured through the multiple impacts that this litigation has had. There is, firstly, a social and psychological impact: whoever discriminates against or abuses LGBTI people is now liable to legal prosecution; more and more people are starting to overtly oppose the culture of silence and shame surrounding their sexual orientation, calling for their rights and denouncing cases of abuse (with the support of the BDS legal team), as is shown by the tremendous growth of BDS, which—under the name of Federation of Sexual and Gender Minorities[41]—boasts up to 40 local branches and at least 120,000 members. Nowadays, around 300,000 community members are regularly in touch with the Blue Diamond Society and its partner organizations, accessing services and sharing information, according to the last figures provided by BDS (BDS staff, personal communication, 2011).

Secondly, there is a political impact. A few months after this litigation (April, 2008), Sunil Babu Pant, founder and former executive director of BDS, who submitted the petition to the Supreme Court, was elected to the first constituent assembly, where he advocated for gender/sexual minorities' rights to be included in the new constitution. The election of the first openly gay lawmaker (with more that 15,000 votes), as well as the inclusion of LGBTI people's rights in the agendas of the main political parties, demonstrate how sexuality has become a political

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[39] See also Boyce and Coyle (2013) on this point.

[40] The increasing influence of Western categories is suggested for instance by the difference between the Boyce and Pant enquiry on same-sex terminology in 2001, when only a few people identified with the acronym LGBTI, and the more recent UNDP/WI survey (2014), when ninety-two percent of the sample chose one of the following seven terms as defining their primary identity: third gender, *meti*, gay, lesbian, bisexual, heterosexual, or MSM. See also Tamang (2003), who notes the progressive adoption of the term "drag" by *meti*s, compared to the older generation's use of "going as a girl." This author also notes the "shame" of certain *meti*s in BDS to admit that they had intercourse with women.

[41] This name echoes the "Federation of Indigenous Nationalities" (NEFIN) formed by the ethnic groups of Nepal, another sign of the way in which LGBTI people have adopted the dominant identity politics of the country.

object in Nepal. In the same year, the Nepal government (Minister of Finance) allocated a 3 million NPR budget to the "community"[42] (marking the first governmental recognition of LGBTI minority). The report of the commission in charge of the issue of same-sex marriage, as per the Supreme Court directive, was issued in 2015 (February). The report recommended legalization of same-sex marriage and elimination of discriminatory provisions from the civil and criminal codes.[43]

Thirdly, there is a normative impact, resulting in the inclusion of the third gender category in official documents and procedures: in 2010, the Nepal Election Commission permitted citizens to register as "third gender" in their electoral certificate, "without requiring the registered gender to match any other documents but basing the registration process entirely on self-identification as per the court's order" (Bochenek and Knight 2012:32). In 2011, the third gender category was also included in the basic data form of the 2011 National Census.[44] In 2012 the Government of Nepal officially instructed district offices to issue citizenship documents listing male, female, and other genders: LGBTI people can now obtain official documents (passports and ID documents), with the mention "others" in the sex line, if they so choose;[45] a choice backed up by the 2015 order of the Supreme Court to the Government to issue passports for three genders (Knight 2015).

But the most far-reaching impact, which can be directly related to the 2007 judgement, is the inclusion of the rights of sexual and gender minorities in the new constitution of Nepal (issued in September 2015), a historical achievement both for the LGBTI activists and for the judges who (first) legitimized their rights, converting their voice into a "discourse of truth" now enshrined in the country's constitution.

However, the transformation of these rights into a "living reality," to quote the preamble of the 1990 constitution, will now depend on the capacity of "New Nepal" to tackle present

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[42] As related on the BDS web site http://www.bds.org.np/23-2/.

[43] TKP 07-08-2015.

[44] The census, however, failed to provide figures on "third gender" (see Knight 2011): although this failure was blamed on administrative and logistical problems, two others factors may be suggested. The first is a terminological one, as many LGBTI people do not define themselves as "third gender" (UNDP/WI 2014). This definition is interpreted in diverse ways, either including all sexual/gender minorities or merely transgender, but is usually refused by non-transgender people. The other factor is the unwillingness of many individuals to identify as "others," because if this *volonté de savoir* finds its justification in the economy of development programs and in the politics of identity (where numbers are strategic for advocacy), it is often felt as an embarrassing and intrusive procedure from a personal perspective (see Knight 2015 on the issue). Here again we find an opposition between the logic of development/rights and personal perspectives.

[45] Recently Saurav Jung Thapa (August 2015), in the blog for the Human Rights Campaign (HRC), reported that "11 transgender people chose this designation on their citizenship documents to date, which is a prerequisite before seeking a passport with the same designation."

patterns of patriarchy and social and gender hierarchies, which, it can be argued, lie at the very root of the discrimination against LGBTI people.[46]

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[46] It is worth mentioning, in this regard, some results of Naz Foundation researches on Indian LGBTs (Khan 2010:159): "One of the central issues that have arisen . . . is that often it is effeminacy and not the factual knowledge of male-to-male sexual behavior that leads to harassment and violence. That harassment and sexual violence results from the fact that many *kothis* [male transexuals] do not live up to the expected normative standards of masculine behavior. It is this belief that leads to the notion that those who are feminized can be exploited and abused, and that being feminized somehow weakens the person, a notion often harbored by the *kothis* themselves. Accepted notions around effeminacy are therefore one of the major factors that lead to disempowerment and opens *zenanas/kothis/metis* to abuse and assault and to a refusal of service provision." Similar conclusions have been drawn in the Nepalese context (BDS 2005:104): "Those who are seen traditionally as masculine enjoy their sexuality and control those who are not masculine. Non-masculine sexuality is there to be dominated and used. Thus sexual rights and sexual health rights of non-masculine people are denied." See also Tamang (2003) on the relation between patriarchy and homo-erotic behavior in Nepal.

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Authority, Status, and Caste Markers in Everyday Village Conversations: the Example of Eastern Nepal

Pustak Ghimire

This study sets out to detect the various markers that express forms of caste and community belonging, and, more generally, hierarchies in the language used in ordinary social interactions in villages in the hills of eastern Nepal, and how the somewhat rigid codes of civility that govern village society and language have recently evolved. The study is carried out from a socio-anthropological perspective rather than a linguistic or a literary one.[1]

Before discussing the topic in detail, I characterize the site of my research, which is the Khotang District. Firstly, it is a mixed society: the autochthonous Chamling Rai represent 39 percent of the population, Chetris 22 percent, Brahmans 9 percent, Newars, Magars, and other Himalayan communities about 5 percent each, and Dalits also 5 percent. The identity of the Chamling Rai has been preserved by their specific religious rituals and an exclusive relationship with their ancestral land. Other indigenous "Himalayan" communities (Magars, Tamangs, Gurungs, and Newars) have their own identity and rituals but they are not regarded (and they do not consider themselves) as autochthonous in Khotang.[2] Like caste people (Brahmins, Chetri, and the craftsmen caste), they are "guests" in a land that is not "theirs." Brahmin-Chetris, who are numerically equal to Chamling Rais in a large number of Village Development Committees (VDCs), draw strength from their comfortable economic position and centuries-old cultural and religious affinities with the elite who wield power in Kathmandu. This local diversity is reflected in their language: caste people speak only Nepali while indigenous communities, who use their

[1] I am grateful to the Fernand Braudel International Fellowships for Experienced Researchers Fellowship (Braudel-IFER) for giving me the opportunity to continue my research on religious practice in Nepal at Oxford for one year—the first draft of this paper was written during the Fellowship tenure. I am also thankful to Marie Lecomte-Tilouine and Anne de Sales for their comments as well as to Bernadette Sellers (Centre national de la researche scientifique, CNRS) for proofreading the draft.

[2] According to the official terminology, a distinction is made between Adivasi Janajati, or "indigenous" ethnic groups, and the Brahmins-Chetri and Dalits, who are not regarded as "indigenous." Although commonly used, this wording is rather unsatisfactory in the local context: in VDCs in the Sapsu Khola valley where fieldwork was conducted, it appears—if one is to believe the genealogical data kept by priests on the lineage cult and marriages is correct—that Chetri from neighboring localities, followed by their Brahmin priests and craftsmen, settled there twelve or thirteen generations ago, in the seventeenth century; the Magars arrived at the end of the eighteenth century, and the Newars in the late nineteenth century. Only the Rai are "autochthonous"; the other groups whether they be "indigenous" (the Adivasi Janajati) or "Indo-Nepalese" are regarded locally as "latecomers." While I prefer the term "Himalayan communities" to characterize the Adivasi Janajati, I will respect common usage, despite its ambiguity.

mother tongue to talk among themselves and Nepali with other groups as the vernacular language, are usually bilingual.

Secondly, this society is somewhat homogeneous in terms of its standard of education and daily lifestyle. Local community leaders are merely farmers who are slightly richer than their neighbors. Before high schools were created in the 1970s and school textbooks became commonplace, ordinary people had an oral village culture and there was virtually no room for a written culture, books, or newspapers; indeed, reading was associated with Brahmin *purohits*, headmen with administrative responsibilities, and later on with teachers. Nevertheless, due to increased access to education and emigration, this society, which for centuries was purely agricultural, has become more diversified: land ownership is no longer their exclusive source of wealth. Farmers now compete with civil servants (predominantly teachers), enriched migrants, Gurkhas who retired decades ago, and construction workers now in the Middle East, who engage in local trade when they return home. The increasing diversification of local society has induced changes that, as we will see, are discernible in the language.

Thirdly, the structure of this society is basically non-egalitarian. The family is patriarchal and authoritarian to varying degrees: elders have precedence over young people, and men over women. Caste people are stratified into internal categories: in most VDCs, although there are few Brahmins, they carry more weight than their number would suggest since they have capitalized on education and they claim to be superior in local hierarchies; most Chetris are well-off farmers; "craftsmen" castes of cobblers, tailors, and blacksmiths occupy a middle position as far as their wealth is concerned, but do not benefit from any social esteem. Chamling Rai, who make up the relative majority in most villages, have often held the local power; they have never forgotten that the country is theirs nor what the "latecomers" owe them. Communities and castes compete with each other to maintain or to gain the local supremacy, and each head of the family strives to be treated by others with the respect he deserves. In this society where community, caste, age, sex, notability, wealth, and education combine to assign everyone their rank, language works as an expression of implicit hierarchies that shape the legitimacy of speaking out and the choice of words.

Fourthly, albeit plagued by frustrations and biases, the village regards itself as a big family, which makes for a harmonious environment and precludes any physical or verbal abuse. Language is, to a certain extent, codified to maintain courteous relationships between individuals. In the case of Khotang, it is a "restricted code" as defined by Bernstein (1964:63), where what is transmitted verbally makes reference to the other person in terms of their status or local group membership. What is said reflects the form of the social relationship and the basis on which it is shared. For villagers, as within a family, conflicts can be avoided as long as everyone respects their given place. In this respect, language reflects first and foremost the assigned position: to express in an expected manner means accepting a person's rank in a big family; to speak out can be a challenge that can upset the others, as it suggests that the "transgressor" misunderstands his position, or feels dissatisfied with it.

When society is based on the acute awareness that individuals can only express themselves in the framework of traditional codes that are assigned to his age, sex, caste, or community, and their social position, there is little room for an "art of speaking well," a notion that perhaps makes more sense in a diversified urban society shaped by legal affairs or the

intellectual prestige of an elite. It does not mean that the concept does not exist in the minds of people, but at the village level, nobody has yet attempted to define it. There is, however, unquestionably a wrong and bad way of speaking, and more generally, a manner of behaving inappropriately that is reflected in the language. People regard this as incompatible with the exercise of any kind of authority, as we will see in the last part of the article that addresses the authoritative speech of notables. But authority, whether official or moral, hardly derives from a person's way of speaking, and the mastery of language is not a source of power. It is an additional (and minor) requirement demanded of those who are vested with authority, along with the probity, the generosity, and the dignity also expected of them.

This is perhaps less true for the language of religious officiants (not the subject of this study), which answers its own logic, though its specificity should not be overestimated. Of course the Brahmin pundit draws his authority from his memorization of the Sanskrit holy texts and his capacity to repeat them, but he can lose everything if his purity is impugned or the reputation of his family tarnished. For the shaman, the knowledge of the sacred formulae of *muddhum*, the Great Tradition of Kiranti worship, is of course a prerequisite, and he cultivates this art to impress the audience in delivering his words even though he will ultimately be judged by his results in exorcizing evil spirits and curing the ill, not by his eloquence or the dramatization of his magic tricks. Women possessed by Goddess Bhagavati, the number of whom has multiplied in recent years, hold their own impressive prophetic discourse that is perhaps close to the "performative speech" studied by J. L. Austin (1962). However, their authority is ultimately based on their belief—which is shared by their followers—that they have actually been "chosen" by the Great Goddess who speaks through their words. And they can only maintain this conviction by locking themselves away in an ascetic lifestyle involving weird spiritual exercises (Ghimire 2016). As for the Maoists, who do not simply form a political movement but also a cult that developed a quasi-religious discourse, their abstruse rhetoric and repetitive slogans hypnotized their captive audience for seven years. Their success, however, owes little to the power of words: as Chairman Mao wisely noted: "political power grows out the barrel of a gun." In these last cases, as Bourdieu noted (1991:107): "The power of words is nothing other than the *delegated power* of the spokesperson, and his speech—that is, the substance of his discourse and, inseparably, his way of speaking—is no more than a testimony, and one among others, of the *guarantee of delegation* which is vested in him."

While, as I argue, the language of villagers is essentially a mirror reflection of identities and hierarchies, except in times of (individual or political) crisis when transgressive attitudes emerge, the impact of the dramatic changes of the last decades should not be underestimated. In a more diverse and fluid society, when the democratic procedures to select local officials upset the traditional authority-obedience relationship, the accepted rules are reconsidered. In a context where people have lost their points of reference, language gains a certain degree of autonomy and, through its uncertainties, becomes a valuable marker of the changes taking place.

I first discuss the specificities of multilingualism in the region where Chamling, a language spoken by the autochthonous Rai, and the Nepali language coexist. We will see that, though the Chamling language is closely linked to the oral religious tradition of the *muddhum,* this group's daily language is surprisingly mutable and flexible. The growing awareness of the importance of this language among its speakers parallels the decline in its use. As for the national

language, Nepali, its various dialectal variants tend to combine to form a "Creolized Nepali" that is spoken by villagers from various groups.

Second, I review the complex use of terms of address and honorific pronouns in the common Nepali language. In a society where the use of personal names is limited to administrative contexts, terms of kinship are widely used to mark the positions of interlocutors: there is some interplay between seniority, affection, and social status in this code. Pronouns also mark a wide range of nuances in relationships, which allow a wide range of combinations. Recent changes challenging the validity of the caste system will be examined in this context later in this study.

Third, I demonstrate how the standard of authority has evolved, and how within several generations it has shifted from virile authority to a more formal one based on moderation and restraint. Among the other effects it has had, this shift tends to banish vulgarity from public interactions; it was formerly inherent in the popular culture of the various ethnic groups.

Rise and Decline of Bilingualism

In eastern Nepal, several local languages are spoken. Autochthonous idioms are of Kiranti origin but the use of Magar, Gurung, Tamang, and Newar languages, spoken by groups that apparently settled later, should not be minimized. All are spoken concurrently with Nepali. This bilingualism, however, is limited to indigenous groups, since Brahmins-Chetri castes only speak the Nepali language. Sometimes, Brahmins-Chetri may at least acquire a passive knowledge of the language spoken by their neighbors in a few VDCs where there are not enough caste people to make a compact settlement (village or hamlet) or when a family, as a result of a quarrel with members of its clan, decides to settle in a village inhabited by an indigenous community. The history of bilingualism in indigenous communities, which is still only based on hypotheses, remains to be written.

Two points, however, should be underlined. Firstly, though evidence is rare, it can be inferred from witnesses of the nineteenth century that the Nepali language became the vernacular language at an early period.[3] In Khotang, it seems likely that Nepali was spoken by all Rai men and a majority of women as early as the nineteenth century. In the first half of the twentieth century the Nepali language extended to Magars, which are locally a marginal community.[4] Several factors have contributed to making Nepali a *lingua franca*.

Autochthonous Rai (also called Khambu) populations scattered between Everest and the eastern Terai are made up of more than fifteen groups, basically clans with a common ancestor, that reside in a given area with their own religious rituals, each of them speaking their own language that others cannot understand. None of these Rai linguistic groups, which have never

[3] This impression is confirmed by Hodgson (1874:1-2): "the only language of southern origin spoken in these Hills is the Khas or Parbatia, brought into them by colonies from below (twelfth to fifteenth century CE), now so generally diffused." This remark appears in an essay published for the first time in 1828.

[4] In the VDCs this study focuses on, the last person to speak only the Chamling language (one of the many Rai idioms used in the region) was an old woman who was born around 1900 and died in the 1980s. The last of the Magars who could not speak Nepali at all died in the 1990s.

formed political entities, have taken precedence over the others or imposed their language on other communities, whether Indo-Nepalese or indigenous.[5] Associated with farming and technical innovations that were supposedly introduced by Indo-Nepali settlers long before the conquest (Sagant 1976:39-41; Regmi 1965:548-49; Dollfus et al. 2003:303), the Nepali language was no doubt used for trade and spoken by indigenous males who, as early as the nineteenth century, descended to the Terai plain or to India to work on plantations or in mines during seasonal migrations. It was also the language of administration and of the elites at the small Rajput courts in the Terai, such as Makwanpur, Chaudandi, and Vijayapur, where, by this time, Kiranti headmen had made their place in the entourage of the Sen Dynasts (Hamilton 1971 [1819]:128ff). When the country was unified in 1774, the Gorkhali rulers, like their Sen predecessors, entrusted these Limbu and Rai local rulers with administrative, judiciary, and fiscal duties. As their officers needed both to have a good command of the Nepali language and to mediate between the many different communities they were in charge of, headmen helped to spread the Nepali language among their dependents. Hence Nepali is practiced just as much in very remote mountain communities, in homogeneous Rai settlements, as it is in the mixed villages in the lower valleys. Though Nepali, however, was the administrative language used for official correspondence at the time, it had not become the dominant idiom among the common people through any direct action by the Nepali government, and even less so through coercion. When schools opened in every village of the Sapsu Khola valley in the 1970s, almost everybody could already speak Nepali.

The second point worth noting is, although the Rais were able to maintain their local dominance in many localities where they held a majority, even where their local position remained unchallenged, the Rais did not try to impose their language on the other communities who had, at best, a passive understanding of the autochthonous language. This question deserves an explanation.

Every Rai language is primarily the language of *muddhum*, the language of domestic worship, the vector of an exclusive dialogue between the Rais and their ancestors and spirits.[6] Members of other communities, who are not supposed to communicate with deceased Kirantis, have no reason to understand it and much less reason to speak it.[7] When a Brahmin-Chetri or a Magar is affected by a malevolent Rai spirit, he is advised to call a Rai shaman. If he implores the spirit directly in the language of *muddhum*, people say that this will cause disasters. Thus, the ancestral language of the Rais is essentially a component of their ritual identity. It explains both its resilience and, ultimately, its marginalization. It was not until the 1980s that Kiranti intellectual and nationalist circles realized that a language is not only the vector of dialogue between ancestors and their progeny, but also an instrument of cultural and political influence.

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[5] About the fragmentation of the Rais, see Schlemmer (2004:41-44); Gaenszle (2000:2-12, 38-41).

[6] This point is highlighted by all the studies devoted to the Rai (Allen 1978:237-56; Gaenszle 2000:112-57, 223-312; Nicoletti 2006:37-38).

[7] The remark applies to all the components of the "Rais' mosaic." These concepts have hindered attempts at linguistic unification that nationalist Kirantis were calling for.

Besides, each Rai language has a dual character. *Muddhum* is a "relic language," preserved for ritual dialogue with ancestors who impose on the living a scrupulous respect of the words of *muddhum* that are comparable to ritual Sanskrit holy texts. The Kiranti oral texts compiled by Karen H. Ebert and Martin Gaenszle reveal striking similarities that suggest that the recognized special value of the wording matters just as much as the substance of the myth (Ebert and Gaenszle 2008).[8] It is worth noting that should the go-betweens ("*kopi*" in Chamling language) who are asked to arrange a marriage become tongue-tied and mispronounce the sacred words of *muddhum,* the bride's parents' blood would boil. Kicked out by the outraged family, they would sheepishly explain to their instigators that their mission failed because they mixed up the sacred formulae.

However, when the Rais chat on their veranda, in the fields, or at the fountain, their colloquial language, which has little to do with the words of *muddhum,* is surprisingly informal. The ethnologists, who have tried to find the place where the "purest" Rai language is spoken, have admitted that this concept does not make sense. All these idioms, each exclusively oral, are conspicuous for their flexibility and mutability (Gaenszle 2000:48). Syntactic structures are indeed important but an additional factor may play a role here: the vocabulary of Chamling-Nepali-English dictionaries attests to the lexical wealth of this original Kiranti language in the fields of nature, kinship, family, and feelings. However, when Rais want to express general ideas, they routinely add words borrowed from the Nepali language, and even from English, which combine with the Kiranti syntax. If necessary, they switch from Chamling to Nepali.[9] When I collected the sacred words of *muddhum* from the oldest Chamling men, the record was punctuated with explanations, glosses, and digressions in pidgin Nepali-Kiranti. These explanations in this mixed language were necessary to clarify the meaning of *muddhum*, not only for me but for my informant too!

If, at the present time, all Rai and Magar adults can speak their mother tongue, young people neglect it. The knowledge of *muddhum* may confer a certain prestige, but it is limited to a few erudite tradition-lovers, to a handful of fierce nationalists, and to the shamans. The decline of *muddhum* among young people as a language of knowledge and authority is inseparable from a broader disregard for the traditional forms of ancestral worship. Since shamanism is affected by a "crisis of vocations" (Ghimire 2010:213-44), the rituals and dialogue with the ancestors have become a special mission assigned to a senior member of the clan who has not emigrated. Despite the lack of shamanic skills, his knowledge of the *muddhum* makes him not so much a "village priest," as he is sometimes misrepresented, but a reliable neighbor whose knowledge of the words and the rites are required by the related families for life-cycle events.

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[8] Schlemmer (2004:174-77) calls "le parler ancien," this ritual language, "archaïque, pur, à l'usage strict et formalisé" that differs from the everyday language.

[9] The same situation obtained in the year 1980 with the Mewahang Rai (Gaenszle 2000:36-41).

The persistence of the Magar language has different reasons. Its linguistic conservatism was both a cause and a consequence of their long-lasting economic and social marginalization.[10] Yet, the recent opening up of the community, the late schooling, and the mass expatriation have precipitated its decline.

In the last decades, the Kiranti and Magar nationalist leaders have realized that their languages were doomed to marginalization if they remained confined to ritual dialogue and family conversations. To deliver a clear, well-constructed, elaborate political speech in a Rai language, however, is a real challenge. Three years ago I attended a meeting in Diktel of the *Kirat Rai Yayokkha* devoted to the linguistic question. I could understand everything since the debate was in Nepali. During election time, Rai and Magar leaders like to harangue their brothers in their mother tongue, but after the slogans calling for communal solidarity, they switch quickly to Nepali. When a Chamling litigant submits a dispute to a Chamling umpire, he often begins presenting its petition in his mother tongue. As these preliminaries, however, make the part of the public that cannot understand uncomfortable, the litigants go into Nepali. In any event, it is not uncommon for a group, whether Rai, Magar, or Newar to suddenly start to converse in their communal language to make an individual from another community understand that he is not welcome. Reasoning, however, is rarely extended to its conclusion when a conversation is conducted in Chamling or Magar language, since as soon as one of the speakers switches to Nepali, the others follow.

The Rais are used to hearing and speaking an unwritten mother tongue, which has several local variants and is sometimes spoken in relatively close localities; these differences are simply regarded as local markers.[11] They attach no importance to any correction to their colloquial language, whether it be their native tongue or Nepali, as an element of refinement and distinction. This is not the case with English, which is now required for jobs abroad. In the lower part of Temma VDC, villagers clubbed together to bring back a Darjeeling-born Rai who supposedly teaches the purest English and who gives private tuition. Those who do not use her services (the vast majority) have to buy grammar books and a dictionary and to work hard at their English at home.

Vernacular Nepali: The Gradual Standardization of Local Variants

Nepali is the language of inter-community relations and, more generally of social relations, which contrast with family relations. But what is really meant by Nepali? Except for caste people whose mother tongue is Nepali, the *lingua franca* of the Hills was learned in early childhood by listening to others, at least until schools opened in the 1970s, to meet the basic needs of communication of a mixed society or to comply with administrative formalities. For this

[10] The Magars' migration to Khotang seems to have occurred in two stages. They came from western Nepal centuries ago and settled in the foothills around Udayapur, where they provided soldiers to the Rajput princes of the Makwanpur State. In the eighteenth century, a part of this Magar community migrated, perhaps for economic reasons, in some upper valleys of Khotang (Ghimire 2010:451-54).

[11] For the Mewahang, see Gaenszle (2000:37-38).

reason, it has long been a kind of pidgin or Creole Nepali that bears the marks of its speakers' mother tongue.

In villages, accent and syntax are not significant elements of identification since everybody knows everybody else. When a villager meets a stranger, physical features (Mongoloid for Himalayan groups, Indian for caste people) matter more than language. Furthermore, when a villager begins to speak to a stranger, he asks him straightaway to introduce himself, in order to situate himself geographically and socially. The usual set phrase is: "My dear, don't I know you? *(Maile nānī tapāĩ lāi ciṇna sakina?)* Which village do you come from? *(Tapāĩko gāun kun ho?)* Whose son are you? *(Tapāĩ kaśko chorā?)*." When I answer, I introduce myself as P. Ghimire, the son of H. P. Ghimire, who used to live in J., a locality of my Village Development Committee, and the brother of H., the headmaster of the senior high school. The language, the accent, and the syntax merely combine to confirm my statements. A suspected imposture will provoke a feeling of uneasiness but not a quick reaction.

Each group has its unique accent. Because the Magars of Khotang swallow vowels and nasalize consonants, their Nepali sounds guttural and nasal. The Chamling Rais of Khotang make an intrusive use of the vowel U instead of A: when others say *U bhanna khojcha* ("he tries to say"), or *U gaṛna khojcha* ("he tries to do"), the Chamling pronounce this *U bhunnu khojcha* and *U gaṛnu khojcha*. Similarly, the Magars of eastern Nepal, but also the Bantawa Rais, the Puma Rais, and some Chamling Rais from the north and south-west of Khotang have their own way of placing tonic accents and they tend to harden consonants: their accentuated Ḍ and Ṭ are characteristic.[12]

There are more significant syntactic variations and turns of phrases. When the Chamling Rais and Magars speak Nepali, they have little concern for conjugating verbs whether in the past, present, or future, and, above all, they are indifferent to the use of singular and plural forms.[13] Where a Brahmin-Chetri says "the goats have come" *(bākhrāharu āe)*, a Magar or a Chamling says "the goats has come" *(bākhrā āyo),* combining a plural subject with a singular verb. Of course, everyone understands the Chamlings and Magars when they speak Nepali, but if the sometimes patronizing Brahmins-Chetri are to be believed, the former's language is not the most correct.

Craftsmen castes have their own way of pronouncing words. For the verb *lyāunu,* which means "to bring," they say *lĩunu*. They are fond of making noises with their mouth as well as speech sounds and expressions of their own, such as "*muĩ muĩ muĩ,"* the equivalent of the French "*eh bé!*" or the English "Uh oh!," which conveys surprise, doubt, and discontent. Due to the negative image of Dalits, the other communities are displeased with these intonations.

High-caste people tend to consider that the way they speak Nepali is the correct one. This irks the Rais and Magars, who are quickly vexed by their pretentious neighbors. When they want to parody a Brahmin, they add strange plural forms, complicated turns of phrase, and obsolete

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[12] Though every Rai language varies from village to village, the differences are not such that they can be regarded as different dialects. On this instability, see Gaenszle (2000:16-17) and Hardman (2000:30-31).

[13] In the case of Kiranti languages, this may reflect the difficulty of switching from one language whose morphology is based on a complex combination of affixes and suffixes to the specific way of conjugating Indo-European languages.

words to their sentences to produce a comic effect. The Rais, Magars, and even the Chetri make fun of the linguistic archaisms the Brahmins are fond of, such as the word "*rān*," when "*rahechan*" is perfectly correct in modern Nepali. To caricature one of their tendencies, the Brahmin would say "*uśkā baccā dherai rān*" meaning "He had many children," whereas Chetri would say "*uśkā baccā dherai rāchan*," while the correct form in Nepali is "*uśkā baccāharu dherai rahechan.*" Each community preserves linguistic specificities that are ultimately a string of inaccuracies.[14] These differences are minor and permanently maintained because most daily conversations take place in the same neighborhood, and because no individual would try to emulate the particular way another community talks.

This situation confirms an observation made by Bourdieu, who noted that "in the absence of objectification in writing and especially of the quasi-legal codification, which is inseparable from the constitution of an official language, 'languages' exist only in the practical state, that is, in the form of so many linguistic habitus, which are at least partially orchestrated, and of the oral productions of these habitus" (Bourdieu 1991:46). Does all this in fact really matter?

On the one hand, a Nepali taught and spoken in schools (but not at home) by teachers and students exists today but is a fairly recent phenomenon. This Nepali taught at school is ultimately the language spoken by the Brahmins-Chetri living in the Kathmandu Valley, and the language you hear on the radio, which is now heard by almost every household. As this specific language tends to undergo grammatical standardization, accents become less perceptible. On the other hand, in Khotang there are many ways of speaking Nepali, each one specific to a given community, but these variations do not constitute dialects. They are merely local variants of a creolized Nepali language. Nobody lends any importance to these peculiarities. Each community stands out due to its specificities regarding rituals, food and drink, gestures, manifestations of courtesy, jokes, and so on. The singularities of the language are not the most significant. Priority is given to passing on a message, which is understood by everybody, in a respectful way as is expected in village society, where each member has to stay in the place assigned to him.

A Complex and Unstable Protocol Reflecting the Crisis of Hierarchies

In Nepal, hierarchies are associated with a complex caste protocol. This protocol is embodied in forms of greeting and the differential use of *tapāĩ*, *timī*, and *tã* to express the "you" form, among other things. Forms of greeting are borrowed from kinship vocabulary regardless of any community or caste status, and of any social position. The village world is like a large family where everyone finds his assigned place. People hate to be called by their personal given name, a situation that may happen when two individuals have an argument:[15] "Who are you to call me by

[14] For example, to say "we haven't done anything," the Rai says "*hāmīle kehī garīngnā*," the Magar says "*hyāmle kyāhī gṛyāna*," and the Brahmin-Chetri says "*hameṛle Kehī garīuna*," while the correct form is "*hāmīle kehī garenaũ*."

[15] Nobody likes to be called by his or her name. The only exceptions are among students of the same age. An older person can call a younger one by his name, preceded by *bhanja/bhatij* ("nephew") for a boy or *bhanji/chori* ("niece") for a girl, but the younger person will never say the name of the older one. Exceptions may, however, occur.

my name?" (*mero nām kāḍhera bolāune timī ko hau*) is the usual (angry) reaction. The given name has administrative value that has no place in a village social context.

The form of greeting is dictated by the respective ages of the people concerned but also by the relationship that my own parents had with the person I am talking to. Normally, if my parents say uncle or aunt to Brahmins and Chetri, but also to Rais and Magars, I say "grandfather" or "grandmother." I will say "ritual-father" (*mitbāu*) or "ritual-mother" (*mitāmā*) if my parents have made a pact of friendship (*mit*). "Elder brother" (*dāju*) or "Sister-in-law" (*bhāujū*) of *mit* is expressed by the same words. If my parents say "elder brother" (*dāju*) or "sister-in-law" (*bhāujū*), in such a case, I am obliged to greet them as "elder uncle" (*baḍābāu*/*ṭhulobuvā*) or "elder aunt" (*baḍīāmā/ṭhulīāmā*). If they are younger than my parents, I call them "younger uncle" (*kākā*) and "younger aunt" (*kākī*). It is the reason why I address as "paternal uncle" (*kākā*) a Magar who was formerly a mayor of my VDC, since my father called him "younger brother." At the same time, I address as "maternal uncle" (*māmā*) another former mayor, a Chamling Rai, since my mother called him "elder brother" and my father "brother-in-law." In return, both of them call me "nephew" (*bhatij* and *bhānij*). This familiarity has nothing to do with personal feelings since none of us can choose the form of greeting. When I forget the special ties my parents have with my interlocutor, I am scolded good-naturedly by the offended person ("Have you forgotten how your mother greeted me?"). When I talk with people of my own generation, if I do not know their exact age, I take heed and call them "elder brother" or "elder sister." To children, I say "little brother" (s*āno bhāi)* or "little sister" (*sānī bahinī*).

Outside their own caste, however, no one greets a Dalit as "father," "mother," "uncle," or "aunt," since it sounds deferential or familiar. To an old and respectable Dalit man, my parents would say "eldest" (*jeṭhā*) or "youngest" (*kānchā*). My generation would greet him as "elder brother" (*dāju*) and his wife as "sister-in-law" (*bhāujū*) or "elder sister" (*didī*). This in itself is not a mark of contempt since this greeting is rather impersonal. Associated with the use of the informal "you" (*timī* or *tã*), however, this greeting attributes to the Dalit a permanent position of junior member of the village family. This position is made more evident by the demonstrations of respect that are required of lower castes. When they address a married Brahmin-Chetri, Rai, or Magar, they have to call them "master" or "mistress" (*mukhya* or *mukhini*), a greeting that today has fallen out of use in other communities: it reminds the Dalits that they remain, at least formally, dependents and clients vis-à-vis Brahmin-Chetri, Rai, and Magar. If the person they talk to is not yet married, the Dalit says "elder" (*jeṭhā jeṭhī*), "younger" (*māilā māilī*), or "youngest" (*kānchā kānchī*).

There are two exceptions to these standard rules, which make everybody, whether a Brahmin-Chetri, a Rai, a Newar, or a Magar, a member of the village's big family.

Teachers are called "Masters," "Master," or "Sir" in English-Nepali by their students, and that sticks for life.[16] A female teacher will be called "*gurū āmā*," which sounds archaic; "Miss" in the English way is now considered appropriate. When I recently returned to my village, some young adults used the respectful "Sir" to address me because I had briefly been their teacher in the early 1990s. The same rule applies among teachers, whether a friendly or hostile relationship

[16] "Teacher" is gaining the ground instead of "master" because since the mid-1990s, this greeting is also used to address "tailor-masters" who are often from the craftsmen caste of Damai. However, teachers, the progressive wing of village society, are somewhat embarrassed by the confusion.

prevails: I call "H. Sir" the former headmaster of the high school and in return he calls me "Sir," since I was one of his assistants. These customary courtesies express the spirit of the corps of teachers.

The other exception is the mark of respect due to a Brahmin *purohit*, who is always called "*guru*" by his Brahmin-Chetri clients. Meanwhile, the Magars call their priest "*puret*," a corrupted form of *Purohit*. They also call him "*bāhun bāje*" ("old Brahmin"), which sounds familiar and has ceased to be a gratifying term of address. However, the context itself counts: when a Magar mayor or deputy mayor welcomes his *purohit* into his house or when he visits the priest, he bows and touches his feet and sometimes prostates himself, calling him "*guru*." But when the priest and the elected official meet in a social and civic context, the relationship becomes secularized and is soon reversed: the priest will be the first to greet the mayor, and, according to their age, they will call themselves "elder" or "younger brother" as equals should do.[17]

Since administrative forms of greeting, like "Mister Mayor," are not commonly used, the chairman of the Panchayat, now the Village Development Committee, is necessarily the grandfather, father, the uncle, or elder brother of his constituents, regardless of their caste or community, just as he is the *mukhya* of Dalits. The implicit assimilation of village communities to an extended family gives the relationship between the official and his constituents a paternalistic flavor.

While it is easy to identify the spirit that governs forms of greeting, the customary courtesies that govern the use of "you" (in French *vouvoiement* and *tutoiement*) can be a headache just as is the case in French: there are no set rules, and practice changes from one community to another.

In Nepali the most polite way of saying "you" is *tapāĩ* or *hajuṛ*. Similarly to the French *vous*, it implies distance and respect. While *tapāĩ* is always formal, there are two informal "you" forms, similar to the French *tu*. The "major" one, *timī*, is fairly egalitarian and friendly. The "minor" one, *tã*, is clearly non-egalitarian, but it is also used to express affection. These three forms of "you," *tapāĩ*, *timī*, and *tã*, coexist.

The Brahmin makes a point of using the most polite form of "you," *tapāĩ*, with almost everyone. First, he uses *tapāĩ* with anyone who is older than him: father, mother, grandfather, grandmother, uncle, aunt, older brother, and older sister. This applies to members of all the other communities, with the significant exception of the Dalits. The Brahmin also uses *tapāĩ* when he speaks with boys and girls of the same age, including his high school classmates from the age of 14 or 15 years. In return for this extensive use of *tapāĩ*, the Brahmin-Chetri expects to be addressed with the most polite form of "you" by everyone. But a Brahmin husband uses the "minor" informal "you" (*tã*) when he speaks to his wife, to his younger sisters, and to his own children: indeed, *tã* is the emotional vector of family privacy but it is a permanent reminder of the age and gender hierarchies that are the backbone of the Hindu family. The use of the more egalitarian *timī* is residual: an older brother uses it when he speaks to his younger brothers, a

[17] Louis Dumont (1966:320) explains this inversion of hierarchical status: the priest ranks himself lower in the hierarchy of state power because the warrior-king is both the Head of State and elected by God. However, in some royal rituals the king bows down before his priest; here the two authorities and the two different sources of hierarchy coexist and, therefore, one would be incomplete without the other.

teacher uses it throughout his life with his former students, and the Brahmin-Chetri also uses *timī* when he speaks to a child no matter what community he is from.

For many years, this pervasive use of *tapāĩ* was an element that caricatured the Brahmins: it seemed just as strange and outdated to other communities as the very formal use of *vous* between parents and children can be among the French aristocracy and "grande bourgeoisie" families. If criticism directed at Brahmins-Chetris is to be believed, this immoderate preference for *tapāĩ* would reveal their inability to enter into an equal and relaxed relationship, both inside and outside their caste. If the Brahmin-Chetri cherishes *tapāĩ*, other communities find it difficult to follow rules, whatever they may be. Perhaps because their respective mother tongue is not governed by any restrictive rules, the Rais and Magars tend to hesitate between *tapāĩ*, *timī*, and *tã* when they speak Nepali.

Among Rais, a husband and wife who converse on equal footing generally use the egalitarian informal "you," *timī*, but when they argue, they switch to *tã*, which is rather insulting in this context. When parents use *tã* with their children, the children use *timī* with their parents. Both are loving and respectful, and the distance between parents and children that exists in Rai families is less pronounced and formal than in caste families. Outside the family, uncertainty prevails: though a Rai uses *timī* with his equals, older people, especially notables, appreciate it when young people use the more formal *tapāĩ* with them.

Among Magars, the rules are slightly different: in general, they approve of familiarity and more so than Rais; consequently, they have a preference for *tã*, the most informal "you," and they seemingly ignore the formal "you," *tapāĩ.* As with high castes, however, the relationship between husband and wife is clearly an unequal one: the husband uses the "minor" informal "you," *tã*, to talk to his wife, who, in return, uses *timī*, which is more respectful.

Though the Himalayan communities of Rai and Magar have a less stilted way than Brahmins-Chetri of approaching other communities, the practices have evolved over the years. Chamling Rais, who in the past married within the neighborhood, now go very far away to find a partner. I recently attended a Chamling wedding where the affined families did not know each other. They began to talk as usual, mixing up the Chamling and the Nepali languages and using, in the latter, the informal egalitarian "you," *timī*. But no matter how hard the guests tried, they did not get on very well. They gradually came to prefer Nepali to the Chamling language, as it provides the ability to switch more elegantly to a more formal code, *tapāĩ* setting a distance between them that corresponds to cool relations. Conversely, in conversations that include different communities, pidgins of Chamling and Magar that are riddled with Nepali words, the creolized Nepali, and the Nepali taught in school, tend to become intermingled. If caste people can easily stick to the formal *tapāĩ*, since the use of *timī* and *tã* would embarrass them, Rais and Magars rapidly lose their bearings: when their confidence is boosted by alcohol, a sporadic *timī* or *tã* mixed with in the more formal *tapāĩ* surreptitiously emerges.

Finally, Dalits ignore the formal *tapāĩ* when talking to each other. Adults use the informal egalitarian *timī*, regardless of sub-caste or sex. Parents use *tã* to speak to their children and young people use *timī* to address older people. In the past, whatever their age and local position, Dalits were forced to use the formal and respectful *tapāĩ* whenever they talked to members of other communities (Ghimire 2011:336-38). In return, caste people, Rais, Newars, and Magars called them by the informal "you," *tã,* which is in this case less affectionate than disdainful. Since the

1980s, however, the egalitarian "you," *timī*, which is more gracious, has gained ground at the expense of *tã*.

The Maoists, who controlled Khotang between 2002 and 2006, began to alter the use of these terms of address. Determined to root out all traces of inequality, they fought the combined use of the formal "you," *tapāĩ*, and of the informal "you," *tã* (Ghimire 2013:131-34), since the first is contemptuous when a superior speaks to an inferior.[18] They tried to replace this vestige of the past by the reciprocal use of *tapāĩ* or *timī*, both being egalitarian forms that they cherished. This attempt, which affected both gender and caste relations, provoked great exasperation: an elderly Chetri who used *tan* to talk to his wife was horribly humiliated in front of his family by a band of young Maoists who had settled in his house; refusing to repent, the old man replied to the young masters, as I was told, "they had no lessons to give him on how to behave with his wife, nor did he need to be told how to make love with her. And if they wanted to impose on him formal respect, which had nothing to do with true love, he would henceforth use *tapāĩ* with his wife on a basis of reciprocity." At the same time, the Dalits, encouraged by the *māobādīs*, had abandoned the formal *tapāĩ* and had begun to call the Brahmin-Chetri, Magar, and the Chamling Rai by the informal *timī*. These transgressions occurred in a climate of widespread suspicion: many Maoist fighters of Dalit stock, who tried to impersonate Brahmin-Chetris when they occupied the houses where they could hide from the army, revealed their identity by their preference for the informal you, *timī,* in a context where it sounded inappropriately familiar (Ghimire 2011:337). Experienced as a verbal aggression, the reciprocal use of *timī* is now associated with caste fraud by Dalits and with the intrusions of the revolutionaries in family privacy.

Today, the use of the formal you, *tapāĩ*, is gradually becoming standard, as is the case in cities, since it no longer upsets anybody. It is the rule outside the village of origin, where it has spread at the same pace as the most neutral greetings like *dāju* ("elder brother") or *didī* ("elder sister"). In the village, the reciprocal form of respect, *tapāĩ*, which tended to be the normal form in inter-caste conversations, now prevails, even with the Dalits: equality is respected, courtesy is impeccable, and distance is maximal (Ghimire 2011:338).[19] Derided in the past as a sign of arrogance, the frosty courtesy of the Brahmin-Chetri is now part of good manners that relieve and inspire the Kirantis and Magars: not a model in itself, but a neutral form that nobody could find offensive in times where old practices are challenged.

Authoritative Speech Reflects the Changing Values of the Notable

Until now, I have attended to the form rather than to the substance of the language. I now review the discourse of political authorities. The authoritative speech of Kiranti headmen was originally characterized by two conflicting aspects: gentleness and brutality. The leader can not only "purr like a cat" (*birāloko bolī*) but also "roar like a tiger" (*bāghko garjaṇ*). This reflects the

[18] Was this ambition reminiscent of the French Jacobins' motto at the height of the Revolution: "*Citoyen, ici on se tutoie!*"?

[19] In my last fieldwork in 2010, only very old and stubborn people still used *tã* when addressing a Dalit.

double, ambivalent nature of his role. The headman is first and foremost the eldest of a clan (*pāchā*). As the head of an extended family, he wields a multifaceted authority over the members of his clan (*dāju bhāi*), which extends to his dependants in other communities, who have an obligation of gratitude when they are granted the right to cultivate a portion of the ancestral land. His duties as administrator and judge, which are conferred by the Crown, confirm his authority as custodian of customary family law. The headman's attitude is sometimes motivated by generosity, sometimes by self-interest, and often by ongoing competition with other headmen. This relationship is complex because clan solidarity, personal interests, and affective exchanges may contradict each other.[20] He is at the same time a big brother who protects his community, who establishes his authority first through his self-confidence and by the services he provides for his constituents. However, he can also be a crabbed and vindictive bogeyman who bullies them, even if he keeps up appearances.[21] In this respect, the local ruler hardly differs from the shaman who successively cajoles and defies the spirits, coaxes, and overcomes them in order to impose his will.

As the first duty of the ruler is "to say who is right and who is wrong" (*ko sa̐co ko jhuṭo*), he should be self-confident and his words should be "courageous and assertive" (*shāhasi ra hakki*). His language is that of a levelheaded judge, distinguished by the clarity of his thought (*śpaśṭatā*) and impartiality (*niśpakshyatā*).[22] His forcefully spoken words (*kharo sabda)* must not show any sign of hesitation. However, if his arbitration is challenged, the ruler of today, unlike chieftains of the past, will not immediately show his wrath. On the contrary, he will simulate fatigue, he will remember that his authority ultimately rests on the consent of the people, and will threaten to drop them, since he knows the litigants cannot cope without him: "If you refuse to listen to me or you do not follow me, sort it out among yourselves, and do not disturb my peace and quiet. I am sick and tired of hearing your recriminations. I know who is right and who is wrong." ("*Maile bhaneko suṇdainau ra māṇdainau bhane timī harū āfu-āfumai mila, malāī bheṭna naāo, timīharūko jhagaḍā pherī suṇnu naparoś. Ko sahī ra ko jhuṭo cha bhaṇne malāi panī thāhā cha.*") This oscillation between authority and consensus reflects the leaders' often complex position inside their community, and the sometimes unstable position of their community in the village hierarchy.

Conversely, as a rule in all communities, poor families must exercise a high level of discretion, retreating into the background when notables speak and, unfailingly resigned,

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[20] See Sagant (1978:75-78).

[21] See Sagant (1980:246-47, 258-61).

[22] The two adjectives *śpaśṭatā* and *niśpakshyatā* express the requirements for becoming a judge in a village. No one would go and ask a person to play the role of judge if he or she has a reputation of being unclear (*aśpaśta*) and biased (*pakshyatāti*). In villages, most cases (except murder) are handled by an informal system of justice: mediation and reconciliation in the presence of at least five people (*panca bhalādmi*) who (are supposed to be *śpaśṭa* and *niśpakshya*) act as mediator between the victim and aggressor so that the litigators agree to reach a compromise, to find a middle-path solution, and to accept an informal verdict that is pronounced by the *panca bhalādmi*. In the past, leaders were indeed subjected to contradictory expectations. The Kiranti desired arbitration in their favor at the expense of other communities. All their clients, including natives and Indo-Nepalese, expected headmen to protect them from rival headmen. At the same time, all valued "the impartiality," which is the cardinal virtue of a good leader. Held by a binding code of values, most leaders forced themselves to preserve their image. Others, who gave it up, had the reputation of temperamental judges (Ghimire 2010:521-42).

respecting the latters' words. To explain this "natural" restraint, the internalized shame of the poor matters more than their acceptance of the balance of power. In villages, poverty goes hand in hand with extremely low self-esteem and an acute sense of powerlessness. Of course, no villager has ever denied that a poor man can be wise. Privately, he will be greeted for his "common sense" and "sincerity" while, officiously, the leader will be stigmatized for his "arrogance" or his brutality. Whether he is right or not, a poor man, however, does not have the personal authority required to be heard, at least in public conversations. If he stands and talks, his opinion cannot prevail over those more powerful and wealthier than him because his voice is swallowed in the hubbub, in total indifference. By contrast, even the "one whose family has grown too fast" (*tuppābāṭa palāeko parivāṛ*: literally pushed from the top without background, with no manner) can contradict prideful or haughty hereditary notables: upward mobility that provokes deference (and envy) ensures a person to be heard by others. A retired British Gurkha, made wealthy by his comfortable military pension, speaks louder than a less well-paid Indian Gurkha. Although both succeeded at university, the words of a permanent teacher are like Gospel truth, while the opinion of a jobless graduate, regarded as a "failure," is of no value. This remark applies to all communities and circumstances, except the Dalits: whether rich or poor (most of them belong to the village middle-class), and often appreciated as individuals, members of lower castes have no standing to contradict the views of others; they may be heard, but rarely listened to, and when they are listened to, hardly credited for the proposals they make. In a word, they are not so much silent as inaudible.

In the specific context of Khotang, where they represent a minority in many villages, the language of the Brahmins-Chetris is as ambiguous as their local position: although fairly educated, *purohits* epitomize a fossilized and declining knowledge; while firmly grounded in the village's middle class, not all upper-caste people are rich; moreover, Brahmins-Chetris people are the losers of the mass expatriation process, their land base has declined over the last thirty years, and they usually do not count for much in many municipalities. Torn between their excessive self-esteem and the historic antipathy of the other groups, Brahmins-Chetris prefer avoidance to social affirmation: they have often endured the brutal joviality (which hardly conceals threats and resentment) of their indigenous neighbors with cold detachment, bland courtesy, and complicated sentences filled with unfamiliar words. This thoughtful gentility hardly inspires confidence. The Rais and Magars are people whom they consider "as slippery as an eel" (*māchā jasto ciplo*), who suspected of being "two-faced" (*bhanāī ra garāī pharak bhaekā*), and who speak an "elusive language" (*leghṛo pasāṛne bolī*). They interpret rambling civility and convoluted speeches as a congenital duplicity when Brahmins-Chetris adjust their language to the local balance of power (Ghimire 2010:497-507).

A local leader, the Rai headman in the past, the former Gurkha who had later become the informal "justice of peace" in the village, and most recently a member of the municipality, must refrain from any subtlety when addressing the public at large. When somebody says that "you speak in a literary style!" (*tapāĩ sāhītyik tarīkāle boḷnuhuṇcha!*), don't take it as a compliment. You will be rebuffed: "All right, do not indulge in literature!" (*bhayo bhayo dherai sāhītya nachā̃ṭa!*). Higher studies are intended to prepare for expatriation, not to speak well. Local politicians, even Kiranti leaders, inspire the same mistrust as the crafty Brahmin-Chetri: they are suspected of seducing folk with their clever rhetoric simply to gain influence. Only teachers can

speak a more sophisticated language without sounding pedantic. “Our teachers speak the language of philosophers” (*hāmṛā shiksyakharu dāṛsanīkko bhāṣā boḷchan)*, villagers proudly say. This solicitude persists despite the harassment and humiliations inflicted on some of them by the Maoist during the years they controlled the countryside around Khotang. The truth is that most teachers are boys and girls from the area who studied at university and they are the first in the family to be educated to such a degree, a source of joy and pride for their families. Nobody in the village can forget the elation felt among the whole Magar community in Temma VDC when the first Magar graduate from the village was appointed as a high-school English teacher. A teacher is first and foremost a child from the country who returns there triumphantly. For his family and neighbors, he necessarily speaks with words of wisdom. Conversely, nobody pays any attention to what a teacher coming from a remote district and reluctantly appointed for two or three years in the village, might think and say. Outsiders count for little.

Since the politicization of local public life is quite a new phenomenon, it may not be surprising that the political language now borrows heavily from religious attitudes that still impregnate village society. Like the religious discourse, whether *muddhum* or brahminic mantras and prayers, the political speech likes formulas of unknown origin, the obscurity of which is an essential feature of effectiveness. Reinforced by quotations from *Das Kapital* and the *Communist Manifesto*, Maoist political speech turned out to be aggressive because some people genuinely thought that the complexity of their world could be explained by indigestible but irrefutable arguments that sounded “new.” The respect due to all sacred formulae of the *muddhum* and the Vedas prepared the ground for a resigned and casual acceptance of abstract reasoning and unintelligible wordings, at least when the Maobadis wielded local power.

Nobody can win hearts with abstruse language and therefore it is a requirement for a leader to get the laugh out of the public. Villagers appreciate a good sense of humor, but jokes must always conform to the rules: they must not shock women, nor give young people bad ideas, nor must they disrespect the elderly. Only Kiranti chieftains in the past, the Maoists, and the politicians today indulge in highly controversial transgressions: to laugh and to provoke hilarity at the expense of the weak is the ultimate goal of the powerful, a mark of their omnipotence; humiliated, the victim, who can no longer hold his head high, opts for public submission, then a shameful withdrawal into isolation, and sometimes flight from the village. Because humor can be a cruel weapon in a society where appearances and reputation matter more than anything else, the use of jokes is defined and confined. When a local party leader holds a political meeting, his speech abounds in proverbs, quotations, anecdotes, and stories drawn from village folklore, most of them fairly innocent. Village culture is imbued with references to the Indian epics, most of all to the *Mahabharata*. Electoral competition transposes the struggle between the Pandavas, courageous and caring, and the Kauravas, selfish and destructive: is it not a battle between the members of a family, some good, others misled? In addition to this Manichean dimension, the *Mahabharata* provides a full range of colorful characters like Sakuni, the uncle of the Kauravas, laughable, opportunist, and evil, the natural incarnation of the political opponent. On the other hand, the corpus of Kiranti myths does not lend itself to humor. Neither the sacred languages of *muddhum*, nor the myths of the ancestral worship filled with characters situated in an indistinct past, provide easy matter for jokes. And nobody will laugh at the malevolent spirits hidden everywhere, waiting to bring disease and death. While, thanks to Maoist insurgents, Marx

entered the local repertoire, it is still easier to make the audience smile with Indian stories. Thus the language of politics remains impregnated with the Hindu culture, maybe more so than the general language itself.

If common people like a good folksy and non-controversial sense of humor, anger, and vulgarity are badly looked upon. Nowadays, a ruler must meet growing expectations regarding good behavior and good manners. Like the Brahmin *purohit*, a politician now impresses his constituents by his aloofness, uses his words thoughtfully, and shows compunction in a meditative atmosphere. This claim for dignity arose in the 1960s when a new generation of retired British Gurkhas took over from the heavy-handed headmen and *mukhiyas*. Though not all were exemplary, most Gurkhas were taken to discipline under the Union Jack. As their rise to notability went hand in hand with a general demand for self-control, their more polished manners slowly prevailed over a rougher lifestyle. Unlike the puritan Brahmins-Chetris whose words are highly controlled, Rais, Magars, and Dalits talk passionately, knowledgeably, and eloquently about sex. Their curses and swearing, colorful and florid, return obsessively to the female sexual organs (called the "sunflower" in the village) and the tireless virility of the male. But nowadays, exaggerated machismo and locker-room jokes may be embarrassing: at school, teachers try to purge the language of children of their early acquired coarseness; women have undertaken to discipline their father, brothers, and husband. In this context, bad manners and dirty words can become a social handicap. A former mayor at the time of the Panchayat, the most frank and honest man, plagued by a crude language he could not be cured of, was consistently blackballed: still appreciated for his rightness (villagers call on him to give private arbitrations), he does not fit the demanding image of a local official of today.

To become and remain a ruler, the local notable, now a politician, should be a slick and smart seducer, sometimes a deceiver. Though he is supposed to speak on everyone's behalf, the local leader of the 2010s targets specific publics and specific communities. No occasion is lost to show that he commands all the local languages and their variants: Rai leaders will speak Chamling with their clan brothers, but they will surprisingly master the most complicated and archaic forms of the Nepali language when they speak with a Brahmin pundit, simply to imply they are in no way inferior. Today, the best candidate for an election should permanently adjust his language. He knows that, like the *purohit* or the shaman with their clientele, he is trapped in client relationships that work both ways: dependents who humbly beg the ruler can dismiss him when he no longer satisfies their needs, as they do with the "religious specialists" they consult. When retaining public favor in an increasingly competitive society is the ultimate goal, there is no single elitist way of speaking, but definitively an opportunistic way (if not a populist one) to switch from one language to another in order to stay on the right side of the listener. Henceforth in highly politicized village society, the leaders of today suit their language to their audiences, their clients, and their voters.

Conclusion

Can speech be regarded as a major instrument of political power? Bourdieu noted (1991:72): "The linguistic relation of power is never defined solely by the linguistic competences

present. And the relation between the weight of the different agents depends on their symbolic capital, that is, on the recognition, institutionalized or not, that they receive from a group." In a rather unsophisticated village society where civility matters more than urbanity, the quality of speech matters less than the position of the speaker, hence the extreme attention paid to a protocol that governs both formulae of address and the gestures of respect. Thus, language tends to reflect rather passively the balance of power between communities, between castes, between age groups, men and women, between rich and poor farmers, between "big men" and dependents. However, the nature of the authority exercised by local rulers has dramatically changed since the Democratic Revolution of 1990: they are now engaged in a permanent competition arbitrated by the voters who, at least in Khotang, are not likely to elect the same team that disappointed them twice. Moreover, the Maobadis terrorized and ridiculed the notables who did not seek safety in the cities of the plain. Since the language of authority is now the language of an increasingly weak local leadership, it adapts to the changing circumstances and to the various circles. It expresses less than before the position of strength of a traditional leader but instead the necessity for the speaker to seduce and to convince the listener.

While authoritative speech is adjusting to the gradual changes affecting hierarchies in the village, the language spoken by ordinary villagers is also changing. Since education among the masses has spread everywhere, the standard Nepali spoken by the Brahmins-Chetris of Kathmandu now competes with the many variants of the creolized Nepali specific to each village. This process cannot be dissociated from the rise of the teaching profession. Since the 1990s, the language of power has gradually shifted from traditional notables and retired Gurkhas to teachers who strive to impose the language they master. This language, school-level Nepali, cannot be dissociated with the ideals they carry: belief in the progress of the human mind, modernism, and now republicanism. The standardization of Nepali, associated with a demand for grammatical, social, and moral correctness and the dissemination of the new values go hand in hand. However, the prestige recently gained by the teaching profession is already being challenged by expatriates. These *nouveaux riches* pride themselves on having neglected higher studies. For parents who decide to send their sons abroad from the age of sixteen, the command of school-level Nepali has definitely little value, at least less than a good practice of English. That puts in perspective, at least for the future, the success of standard Nepali, which should not be overemphasized. Furthermore, it should be underlined that since 2000, following rural electrification, eastern Nepal has moved on from the pre-Gutenberg era to the computer age: the oral language of young people is now fashioned by radio, and the written language by the Internet, more than by teachers.

While the school-level Nepali language is gradually becoming the natural vector of political speech, it coexists with "new sectarian languages." As I underlined in previous studies, religious sects, heterodox Hindu cults, and even Christian converts are now gaining ground in the mountain villages in eastern Nepal. They share with the Maoists a propensity to forge a common language that is incantatory, repetitive, and obscure. At the margins of the village life, these sectarian authoritative speeches provide an outlet for villagers whose self-expression is still held in check: they allow Dalits, women, the jobless, and all kinds of dropouts or people of lower status, to speak authoritatively, at least in their inner circle. These marginal languages for

marginalized groups bloom and decline. Their vitality, which should not be underestimated, reflects the complexity of a very unstable society.

When I started this study, I underlined the basic conformism of village society which imposes on everyone its codes of linguistic civility, while remaining indifferent to correction, and more generally to the "art of speaking well" which has developed in urban areas. I now emphasize a new phenomenon that gradually appeared with the democratization in the 1990s and accelerated with the Maoist regime of the last decade. Today three registers coexist: village Nepali with its idiomatic expressions spoken in familial and local circles; mainstream Nepali, reserved for inter-caste conversation; and finally, chosen languages, each corresponding to specific identities, some religious and traditional such as the the Rais' *muddhum* and the Brahmins' Sanskrit, others, particularly in political and social fields, ephemeral and transitory. Codes of civility are in greater flux now more than before. These linguistic uncertainties go hand in hand with the need to find a new balance between castes, genders, social groups, and the slow and painful emergence of individualism in a still rigid communitarian society.

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