



The Blight and Burden of Intercaste Marriage: A Case of Bitalu

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Abstract. *Bitalu is a demeaning label given by society that eventually turns into a surname. The Constitution of Nepal considers marriage a personal freedom, yet society regulates the formation of individual identity. Based on fieldwork in the Karnali region of Nepal, this study focuses on non-Dalits who, because of their marriages to Dalit women, lost their ties to their parental caste and property and were eventually ostracized as Dalits by their families and society. Society regards those couples and their offspring as “Bitalu,” a derogatory label signifying the downward mobility of caste, treating them as impure. This paper sociologically scrutinizes the social and caste dynamics surrounding the term Bitalu, as well as the struggles and implications of the label affixed to these individuals, which affect them both socially and officially.*

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Introduction

The first Legal Code of Nepal, 1854, legalized caste-based discrimination, which is purely guided by the Hindu religious ideology of caste hierarchy. As per this ideology, Dalits are considered lower in rank and treated as untouchable. After 110 years of the first Legal Code, the state banned untouchability in 1964, but it only banned it in documents, not in practice. The current Constitution of Nepal 2015 also declared caste-based discrimination and untouchability as a punishable crime (Nepal Law Commission, 2015), but the deep-rooted feeling of caste-based discrimination is still in existence. Due to caste-based discrimination, there is a vast social gap between Dalits and non-Dalits, and sitting and eating together is still not allowed, where marriage between Dalits and non-Dalits is out of imagination in Nepali society. Despite the social restrictions, some young people are breaking such restrictions and getting

involved in intercaste marriage with Dalits. Though some scholars perceive intercaste marriage between Dalit and non-Dalit as a means to eradicate caste-based discrimination, these intercaste married couples still face so many familial and social problems in their lives. As indicated by the first Legal Code of Nepal, 1854, a non-Dalit boy married to a Dalit girl, their caste was degraded as the Dalit and treated as “untouchable.” Degrading caste from non-Dalit to Dalit is called Bitalu (literally, “impure”).

Bitalu is one of the derogatory names given by society to those non-Dalit men who marry Dalit girl. From the perspective of Hindu religious ideology, caste-based relation is also based on the pure and impure, where Dalits were perceived as impure. Due to this feeling of caste ideology, if any non-Dalit is found to get married to a Dalit girl, society punishes them by ostracizing them from their caste and treating them as Dalit. This provision was not only practiced by orthodox religious people who believed in the caste system, it was also backed by the state in Nepal’s first Legal Code in 1854. Numerous changes have occurred in legal, including political and educational status as well as people’s thoughts, from 1854 to the present. The then government was authoritarian and there was no respect for people’s freedom and rights. But now, Nepal has been practicing multi-party democracy and the Constitution guarantees the liberty and rights of people and bans all forms of discrimination. This study seeks to investigate the identity of Bitalu, their status and their perceptions of dignity within personal, social and legal contexts. Bitalu are non-Dalit originally. However, after marrying Dalit girls, they were treated as Dalits in society. In this situation, how do they maintain their dignity as non-Dalit, which is bestowed upon them from their birth, along with how they react with society and relatives? The paper will primarily discuss this question.

Overall, the paper is divided into five brief sections, excluding the Introduction and Conclusion. The first section, which follows the Introduction, highlights a human rights perspective to weave together the idea of rights and dignity in the context of Dalits in Nepal. The second section, in brief, addresses the caste system in Nepal and brings out the challenges associated with intercaste marriages. The third and main section delineates the derivation of the derogatory Nepali term from *bitulo* to “Bitalu” and its labeling and functioning. The section that follows documents the forms and processes of ostracization and diverse kinds of deprivations the Bitalu face. The final section showcases the transformation of non-Dalits into Dalits and their everyday struggles.

Dignity: Human Rights Perspective

The state bestows rights and dignity as fulfillment of the social and legal principles of citizenship. Governments obligated to maintain individual rights tend to be more duty-bound to fulfill this duty, while oligarchic systems often neglect these rights. In his essay, T. H. Marshall emphasized the rights of citizens, which include civil, political and social rights, all woven together into

a collective whole (1950). Individual liberty, freedom of speech, faith, property rights, and the right to justice all come under civil rights. In the case of Nepal, Dalits are hardly able to fulfill their social rights (Biswakarma, 2018). After World War II, the concept of human rights gained prominence, particularly with the announcement of the Universal Declaration of Human Rights in 1948.

Its Preamble emphasizes that freedom, justice and peace are founded on the equal rights that stem from the inherent dignity of every individual. Additionally, there are numerous international treaties and conventions protecting the rights and dignity of individuals. These include the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on the Elimination of all Forms of Racial Discrimination (ICERD); the International Covenant of Economic, Social and Cultural Rights (ICESCR); the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); the Convention on the Rights of Child (CRC), etc. Since dignity is the foundation of all human rights, all the international human rights conventions and treaties recommend that we have human rights, since we have dignity (Killmister, 2016).

All these treaties and conventions have been accepted by Nepal, acknowledging human dignity as the fundamental aspect of human rights, and it has pledged to enact them within its soil. Thus, state must protect the human rights of every individual and enable them to lead lives filled with dignity. However, the Nepali state's effort in obliterating the caste-based discrimination faced by the Dalit community is insufficient, leading to ongoing social suffering that undermines their everyday dignity and affects their interactions with others. If a dignified life is not possible for all (as argued by Doomen, 2015), what is the worth of the state's Constitution and policies that ensure people's rights and respect for justice? The process of identity formation within Nepali society is primarily determined by Hindu ideology and is characterized by the caste system. This system dictates an individual's dignity according to their designated social rank by placing Dalits among the lowest echelon of society and encouraging endogamy.

Doomen (2015) argues that the meaning of dignity is contextual, and it depends on political and social situations against the background in which actions are valued. He further argues that dignity is not possible for all human beings because human beings have a hierarchy or elevated status in nature; therefore, few may be considered dignified. In the modern era, living with dignity is a fundamental right of people, which is bestowed upon them by birth. However, dignity and respect vary from society to society and are determined by social norms and values, caste and class, religion and region, culture and custom. In Nepali society, which is highly guided by the Hindu religious ideology, one's caste determines the dignity and respect s/he belongs to. Dalits, who are considered one of the lowest ranks in the caste hierarchy, are never seen as dignified people in social spheres.

Many tend to view dignity and rights as having the same meaning, yet they vary depending on an individual's social standing. In the words of Howard and Donnelly, "human dignity, in their social and political aspects, expresses particular understandings of the inner (moral) nature and worth of the human person and his or her proper (political) relations with society. Human rights, by contrast, are the equal and inalienable rights, in the strong sense of entitlements that ground particularly powerful claims against the state, that each person has simply as a human being" (1986, p. 802). To Waldron, dignity is "sort of status-concept: it has to do with the standing (perhaps the formal legal standing or perhaps, more informally, the moral presence) that a person has in society and her dealings with others" (2012, p. 201). Similarly, Doomen argues that the concept of dignity is shaped by political and social situations and is not universally applicable due to inherent hierarchy or elevated status, indicating that only certain individuals are fully dignified (2015).

Intercaste Marriage and Bitalu

The Legal Code of Nepal, 1854, restricted individual freedom and behavior in marriage and sexual relationships, criminalizing marriage and extramarital affairs outside one's own caste. Persons' caste position would be automatically downgraded if they were married to or had relationships with someone from the so-called lower caste. Punishment provisions also differed depending on the caste and ethnic groups. While the 1962, 1990 and 2015 Constitutions changed the old policies, the social structure and customs remained the same. Despite the social stringency, there are individuals in society who boldly choose to marry outside of their caste.

This intercaste marriage between a Dalit and a non-Dalit exemplifies an individual decision to break the conventional social order, signifying a social change. The National Planning Commission's 2007 study stresses the importance of intercaste marriage, identifying it as the most effective means for social inclusion and cooperation, as it promotes intercaste cooperation and integration between Dalits and non-Dalits (NPC, 2007). Despite its importance, my study conducted in 2014 in Dhanusha district found that although intercaste marriages between Dalits and non-Dalits may lessen caste-based discrimination, the couples frequently encounter numerous challenges and pressures from the non-Dalit families and communities. After they get married, the men's social position is downgraded within the caste hierarchy, and they are labeled as Bitalu, which implies impurity. Likewise, couples often face social boycotts from their families, relatives, and community members, leading to extremely panic situations.

Regardless of the chaos and conflict between the couple and their family, breaking all the relationships, some non-Dalit parents start communicating with their daughters. It takes more than a decade to begin communication between the intercaste married couples and their parents, which leads to maintaining

their relationship directly or indirectly (Biswakarma, 2014). Likewise, the study conducted by Kansakar and Ghimire (2008) reveals that an increase in intercaste marriages between Dalit and non-Dalit individuals within the community could enhance the social inclusion of Dalits. However, it calls for a collective effort by political parties, both Dalit and non-Dalit communities and the legal system to fight against caste-based discrimination. Although marriages between Dalits and non-Dalits have the potential to reduce caste-based discrimination, the practice of caste-based endogamy remains firmly entrenched in non-Dalit communities. In Haryana, India, Chowdhry (2004) found the same situation, as mentioned above. Chowdhry remarks that

Difference and hierarchy are the two most widely acknowledged and characteristic features of the caste system. To maintain these characteristics, the principle of strict caste endogamy must be maintained. Intercaste marriages lead to a blurring of the differences between different caste groups and disturb the recognised caste hierarchies. Anyone venturing to transgress this law is ostracized or expelled from the membership of the caste group. (Chowdhry, 2004, p. 2)

Cultural or religious convictions do not just drive caste hierarchy, supremacy, and discrimination, but they are also fundamentally anchored in politics and exchanged as a means of maintaining power. It is fundamentally about control, authority, and keeping the oppressed powerless (Biswakarma, 2019). A study carried out by Biswakarma (2019) on intercaste marriages between Dalits and non-Dalits in the Madheshi community of Dhanusha District revealed that *Mainjan* (caste head) have continued the traditional caste-based untouchability. If someone from their community marries a Dalit girl, the bride's caste merges with their caste to save their son from the social ostracism. The case of Dhanusha and practices of making Bitalu to so-called high caste people is not just based on the religious or cultural ideology; it is a strategy to maintain their supremacy and a tool of oppression. Therefore, one can conclude that the caste system and the hegemony of so-called high-caste people are not based upon any religious, cultural, or ritual form. Rather, it is based on personal power and influence in society.

Bitalu: The Making and the Meaning

The word Bitalu is derived from the word *bitulo*. According to the Nepali dictionary *bitulo* means *arusanga ko chhuwachhut wa laspas ma pareko* (touched or contaminated by others), *uchhista* (the leftover food scraps), *asuddha* (unclean/impure), *jutho* (ruined) (see Nepal Pragya-Pratisthan, 2018). All these meanings act as a demeaning descriptor that represents the downward caste degradation within a caste classificatory hierarchy. When the so-called upper caste man marries the so-called lower caste woman, his caste gets downgraded to that of the woman and he is recognized as Bitalu in a society. It has long been prevalent within the Hindu community (and in some non-Hindu communities also) and is entrenched in their caste system. To prevent

the intermingling between the so-called caste and those who were believed to be untouchable, exogamy was discouraged between them. Besides this, during the field study, it was felt that the Legal Code of Nepal, 1854, was still in effect, as people continue to degrade the caste of a non-Dalit man for getting to marry with a Dalit girl.

During my fieldwork,¹ three distinct categories of Bitalu were identified. The first one is about a non-Dalit man marrying a Dalit woman, resulting in a social boycott and family rejection. The groom's parents ostracized them from their original caste for defying social norms and tarnishing the family's prestige. The couple's eviction serves as both a punishment and a warning to others, discouraging similar instances. These outcasts, who now reside in their new place, have Bitalu as their surname on their citizenship card. An elderly couple, married for more than 35 years, were forced to become Bitalu and even given official recognition with the same surname. Jaya Bahadur Budha Chhetri married a woman belonging to the Biswakarma caste, and later, he was given the surname Bitalu in his citizenship card. Ranbahadur Pun's case is similar. He was born as Magar, but eventually he became known as Bitalu.

Secondly, the men who were forced to bear the Bitalu title came from their fathers. This allows them to obtain new official recognition, thereby severing their ties with their relatives. The new generation of Bitalu as treated was Dalit, and they do not bear the same degree of hardship that their ancestors experienced. They remain Bitalu even if they married, inside or outside the Dalit community, and this group included both young and old people. Some represent the second and third generations, while others are much older. Pare Bitalu is over 55 years old. His father, who was once from the Thakuri caste, eventually became Bitalu after he married a Dalit woman. Similarly, 35-year-old Krishna and his son and daughter have the official surname Bitalu, which comes from his father, even though his grandfather was Budha Chhetri. These examples show that they were humiliatingly reduced to Bitalu, representing the downward mobility of their caste as untouchables. This reveals that both the family and society have given them this identity.

1 The data on which this paper is based is drawn from the fieldwork that I carried out in Bheri Ganga and Birendranagar municipalities, in Surkhet District, Karnali Pradesh, during April 2021. The residences of such intercaste marriage couples are scattered and hard to locate. First, I scanned the voters' list of those selected municipalities prepared by the Election Commission of Nepal, for the November 2019 sub-election. And then, I used a network of researchers, Dalit activists, politicians and local elected representatives to help locate them. In the field, qualitative in-depth interviews were conducted with 45 intercaste married couples, of which 18 were Bitalu couples. The names of the research participants used in this paper are real, and I have obtained their prior consent to use their names. I, however, take full responsibility for any errors or misrepresentations that may have crept into the article.

As informed by the respondents, around 1978, the then Panchayat government mobilized teams of officials to make citizenship certificates in the village. At that time, the team was supported either by the head of the Village Council (*Pradhan Pancha*) or teachers and others. While applying for citizenship, the *Pradhan Pancha* provided the names and surnames of individuals. Officials would then make the citizenship certificate based on that information. Almost everyone has complained that none of them was asked their real name and surname. Officials wrote their names and surnames as they were informed. The society at that time was less populated than today. In a society with a very low population density, everyone knew each other, making it simple to learn about the events that took place within society. Dalit and non-Dalit marriage news also spread throughout the society. In such a situation, other neighbors or villagers who came to apply for citizenship would know that he was married to a Dalit and the staff from the team would be informed that he was a Bitalu. Consequently, these team members used to make citizenship writing Bitalu, without re-confirming it.

Additionally, those who did not apply for citizenship in the team were recommended by the then Village Panchayat (Village Council) when they applied for citizenship. Panchayats used to recommend them as Bitalu. Because of this, their surname was written as Bitalu. Former vice-chairman, Man Bahadur Wali, who has been living in Bheri Ganga Municipality, Ward 4, told me that in 1972, the survey team used to issue the land ownership certificate (*lalpurja*) and the local registrar used to issue a temporary certificate (*asthai praman nissa*) and later citizenship was obtained on that basis. Ironically, no one requested or objected to writing his forefather's real surname in citizenship instead of Bitalu, as if marrying a Dalit woman was a sin and had to be punished for it.

Third, society teased saying Bitalu to those men who married Dalit, but their name was not officially mentioned as Bitalu in the citizenship certificate. They are neither forced to write surnames nor were their father or grandfather a Bitalu. However, they are treated as Dalit and some of their family members evicted them from their home and property. There are no issues with the surname in citizenship certificates; their surnames are the same as their fathers'. This group belongs to young couples.

Forms and Processes of Ostracization and Deprivations of the Bitalu

There is a practice and policy of adopting a husband's surname after marriage for any woman. But in the case of Bitalu, it is the opposite. They must adopt the same caste of Dalits that they marry. After marriage to a Dalit girl, their caste also converts to that of his wife, no matter how high caste he belongs to. There is also a different category within the Dalit caste. Hill Dalits and Madheshi Dalits belong to distinct caste groups. For instance, Badi, Biswakarma, Gandarva, Mijar, Pariyar, etc. are Hill Dalit and there are many subgroups in Madhesh

such as, Bantar, Chamar, Chidimar, Dom, Halkhor, Khatwe, Mushahar, Paswan, Tatma, etc. If a grandfather or father was Bitalu, there is no doubt that their offspring are also the same. There is a different category and identity amongst Bitalu, and their offspring follow the same path. For example, if a non-Dalit boy marries a Biswakarma girl, he will be treated as Biswakarma. Similarly marrying Pariyar, Mijar, or Badi is also treated accordingly. Jayabahadur Budha Chhetri, Ran Bahadur Pun Magar and Lal Bahadur Pun married Biswakarma girls, and they too were treated as Biswakarma of the Dalit caste.

Likewise, Lachheram Adhikari and Surendra Gurung married Pariyar girls; they were also treated as Pariyar. In this way, they are not only recognized as their wives' caste, but they also practice cultures, rituals and manners of the same caste. Fifty-five-year-old Pare Bitalu, whose father became Bitalu (from Sing Thakuri), married Biswakarma, and 35-year-old Krishna Bitalu, son of Jaya Bahadur Bitalu, also married Biswakarma. Man B. Bitalu and Karna Bahadur Bitalu (both of whose fathers married Pariyar) also married Pariyar and their sons and daughters also married Pariyar. Field study also reveals the fact that intercaste married couples, and their family members have no feelings of hierarchy as they try to break the orthodox caste system. Moreover, they did not restrict their son and daughter from marrying within the same or other caste. Jaya Bahadur Bitalu (his actual caste was Budha Chhetri), who hails from the then Rajena Village Development Committee of Surkhet District, relocated to Sattari, present-day Bheri Ganga Municipality, around 35 years ago to work in the construction of the Surkhet-Nepalganj road. He fell in love with a Dalit girl and got married. When his father discovered this union, he attempted to end this relationship by using various forms of greed and threats, even trying to persuade him to uphold the family honor. Jaya Bahadur refused, and as a result, he was barred from claiming family property. He never returned to his family home.

Furthermore, he was not permitted to attend his father's funeral by his brothers. Like Jaya Bahadur, Ran Bahadur Pun Magar has not returned to his parental home in the neighboring Dailekh district after his second marriage with the Biswakarma caste. Almost all Bitalus have been displaced from their father's home and have not been given their family property or any support from their kin members, and have been treated as if they were dead. Fearing physical assaults and insults, Bitalu also does not dare to contact or visit them.

The new generation, married too, has not gone through the same level as Bitalu. Despite the many obstacles they endure from their relatives and society, the new couples sometimes stay in touch with their family and relatives. However, the actions of the family and social threats make an impact on whether marriage is accepted or rejected. Parents who are somewhat indifferent to the caste system and prepared to deal with societal obstacles will shelter them in their home or a cowshed, or a separate room. The kitchen or family deity room is not open to,

but those parents who are very orthodox never accept the marriage of their son, and the couples are forced to migrate to a new place. Surendra Gurung married a Pariyar Girl. When his parents found out her real caste, he fled to Madanchaur of Surkhet District. Similarly, Jaya Bahadur Thapa also migrated from Jajarkot to Madanchaur because of his marriage to a Dalit girl. This study uncovered numerous cases of this kind.

What follows next, I illustrate forms and processes of ostracization and deprivation of the Bitalu sub-caste category.

Identity dilemma

Bitalu have lost their identity, they are suffering from an identity dilemma and are looking for a dignified identity as a result of their self-decision to live with the person they have chosen. The study carried out by Luintel highlighted that “the social identity of Bitalu...is obscured” (Luintel, 2018, p. 84). They question their self-identity and have suffered social discrimination, untouchability and humiliation due to their marriage to Dalit girls. They were made of Dalits, but in truth, they were non-Dalit before marrying to Dalit girls. Even if they claim to be Dalit, the state does not recognize them as such. When they introduce themselves at formal public events or in any other kind of gathering, they also face mockery and humiliation from people for their last name. This is the reality experienced by nearly all Bitalus.

During the field study, nearly every Bitalu demanded that they should be recognized as one of the castes of Nepali society. Additionally, the majority of them wanted to be a part of the Dalit community because they had lived like Dalits for many years. However, some Bitalus have refused to change their surname, saying that they just desire the name Bitalu that appears on their citizenship card and neither their family surnames nor any Dalit caste. On the other hand, certain people preferred to identify through family surname rather than as Dalit or Bitalu. Despite this variation in the Bitalu’s opinion regarding their identity, the majority of them demand that the Government of Nepal should recognize Bitalu as a separate caste.

The non-Dalits who were expelled from the ancestral caste became both clanless and casteless. In this situation, the Dalits used to include them in their caste and family by providing their surname. In particular, a person of the same caste group of the Dalit community with whom a non-Dalit had married used to provide a surname. For example, if any non-Dalit men married a Biswakarma, one of the different clans (*thar*) of Biswakarma included him in their caste and clan. To obtain the caste and clan from Dalit members, a non-Dalit groom must follow the procedures. First of all, any caste member of the Dalit community needs to be ready to assimilate into their caste and clan. The groom must organize a feast as per his capacity. This ritual is called *gagri pathi*. After the *gagri pathi*, the non-Dalit groom gains recognition of the Dalit caste, and he will be recognized. These procedures are similar to *Mainjan*’s role in the intercaste

marriage in Madhesh (Biswakarma, 2019). *Mainjan* played a significant role in assimilating the Dalit bride's caste into the groom's caste.

Occupation and social network

The older Bitalu people have several labor statuses and manage their livelihoods while living in a poor economic status. Those who live in towns work for a living and run small businesses, whereas those who live in rural regions rely on agriculture. The majority of the first generation of Bitalu came to work on road construction (Surkhet-Nepalgunj highway). Since then, they have been living there. Some inherit land, while others are landless. A few of them continue to live on government land (*ailani jagga*), and occupations vary among family members. Similarly, the younger generations serve in the Nepal Army, while others work in Gulf countries, India, and in the informal sector. None of them seemed to be well-off and influential in a community. It is obvious that, having been excluded and stripped of family property, they struggled to make a living and managed to add land through their hard effort.

Bitalu were asked whether they learn the skill of Dalit's caste-based occupation. The majority of Bitalu replied that they have no skills such as blacksmithing, tailoring and cobbling, musical instruments, etc. During the interview, one Bitalu of Bheri Ganga Municipality responded that he did not know the skills. However, later on he revealed that he had learned some skills as blacksmith. He has an *aran* (blacksmith's traditional workstation) and works for his own needs only, but does not operate it professionally. This evidence shows that Dalit skills and occupation also transfer to the Bitalu.

Unlike the occupation and economic situation, Bitalus develop their social network with new people in new places. They have lost their relationship with their natal family members and relatives. But they build a network with Dalit members. Besides treating them like Dalits, they have normal social relationships with their neighbors and villagers. They are also invited for family functions and ceremonies organized by neighbors. They were also called to participate in public programs organized by any organization or local body.

Administrative and bureaucratic issues

Bitalus and their family members face administrative complications. Ganga Bahadur Bitalu, originally from Nuwakot, moved to Surkhet in search of work. There, he married a Mijar woman. Since then he has never visited his home or nor was contacted by his family members. A few years ago, his father passed away, and his brothers called him to deal with the family property. But he could not claim his share in property because he would not be able to prove that it belongs to that family due to his Bitalu surname. Similar is the case of Ganga Bahadur Bitalu and Krishna Bitalu, whose father was originally Budha Chhetri and there is a surname of Budha Chhetri in his grandfather's citizenship

certificate. Due to a mismatch of surnames between his father and grandfather, Krishna Bitalu was rejected in the recruitment process of Indian Army. He was asked why his and his father's surnames are different. Krishna was unable to convince the authorities.

This demonstrates that Bitalu people are not only dealing with administrative problems but are also denied access to facilities provided by the state. Jaya Bahadur shared that his grandchildren were not given the nutrition allowance provided to Dalit children under the age of five. Likewise, Ranbahadur was denied Dalit old-age allowance. Surprisingly, this does not apply to all. Karna Bahadur Bitalu and his wife are getting old-age allowances from the Dalit category. This scenario illustrates the partiality displayed by the district and local level administration, which sometimes consider them as Dalits and at other times.

In addition, on 7 August 2006, the Ministry of Home Affairs issued a letter to all the District Administration Offices (DAOs) with the guidelines on procedures to issue a citizenship certificate, with one provision related to changing the name and surname. In the characterization of Dalits in their citizenship cards, hurtful and abusive terms were used, such as *kukur* (dog), *kami*, *muse* (mouse), *damai*, etc. Although, the government has introduced rules allowing individuals to change their names and surnames on citizenship cards if they wish, desk-level civil servants often discourage such changes. For the Bitalu community, the surname Bitalu is deeply humiliating in itself—one considered even lower than Dalit in a broader sense. In such cases, Bitalu and their descendants seek to remove the surname, but they rarely succeed, primarily due to insensitivity and lack of empathy on the part of civil servants. The employees of the DAO and local bodies are acting arbitrarily despite the clear rules and direction of the Ministry of Home. Jaya Bahadur Bitalu, a resident of Bheri Ganga Municipality, felt upset when he tried to change his surname to Biswakarma, a surname associated with Dalits, but he was unable to do so.

Radhika, who lives in Ward 12 of the same municipality, also struggled to write her son's and daughter's surname as her father-in-law's (who is Pun Magar), but the school refused. The ward office also did not recommend that to her husband, and she applied for citizenship with her father-in-law's original caste. Instead, their surname is written as "Pun Bitalu." Laxman Bitalu, a resident of Khajura in Birendranagar Municipality, attempted to change his citizenship card, but he was not able. His surname is mentioned as "Tamang Bitalu," as is the case with his children, daughter-in-law and even grandchildren.

In contrast, Birendra Bitalu of Bheri Ganga Municipality, Ward 4 has been recommended by the DAO that Bitalu belongs to the Dalit community. Looking at these examples, the identity of the Bitalu depends on the will and mentality of the government personnel. It is the fundamental right of the individuals to write their surname as they choose. The state also guarantees it. Due to the orthodox

and conservative mindsets of many civil servants, however, the Bitalu have no option but to face administrative hurdles from time to time, and they are deprived of the freedom legally provisioned by the law.

Identity and Dignity of Bitalu: Shifting Contexts

The governance system of a country also makes citizens aware of their rights and freedoms. During the Rana regime, citizens' rights were heavily suppressed. They were not allowed to exercise their freedom. Since the first Legal Code of Nepal, 1854 was promulgated by the Rana themselves, going against it and engaging in intercaste marriage was considered illegal. Therefore, at that time, most people who married Dalits did so in secret. Intercaste marriage had more fear and insecurity during the Rana regime than in the Panchayat regime. This fear and insecurity also caused couples to leave their native land and compelled them to live secretly in new places.

Prem Lal Dhital, 82 years, married a Dalit girl at the age of 21. During the Rana regime, no one dared to marry a Dalit. Those who married went to an unknown place and kept their residency secret from relatives and villagers. However, after the end of the Rana regime, some couples dared to contact their relatives. Dhital also spent several years living secretly; he did not dare to contact their relatives and family members. When the Panchayat regime began, he was informed that it was more liberal system and offered freedom than the Rana. Then, he contacted his sisters and maintained the relationship despite being treated as Bitalu and being restricted from being in the house of his sister and family members as well.

After the end of the Rana regime and the establishment of the Panchayat system, the Panchayat regime was considered somewhat liberal. As a result, intercaste marriages were perceived to be a bit more relaxed. Similarly, after the restoration of democracy in 1990, some bold individuals were seen openly appearing in public and reestablishing contact with their families. Some were even found to have returned to their ancestral homes.

The 2015 Constitution of Nepal ensures that every citizen will be treated equally. Discrimination based on caste, religion, language and geography is unlawful and punishable by law (Nepal Law Commission, 2015). However, discrimination has not been completely ruled out by society, where Dalits continue to struggle for a dignified living. Even after the enactment of the new Constitution, caste degradation following Dalit and non-Dalit marriages still indicates the continuation of the Legal Code of Nepal, 1854. Bitalu continue to struggle in a society marked by deprivation, exclusion, humiliation, non-recognition and an identity crisis. This has led to a growing sense of uncertainty and differences in their co-existence, whether they are Dalits, non-Dalits, or descendants of their original parental castes, yet having no regrets about marrying Dalit women.

All that worries them is how society has treated them and how it continues to do so. As Jaya Bahadur and Ran Bahadur woefully express, “even if we write our original surname, society never accepts us as non-Dalit, nor do they stop us from discriminating.” Due to their marriage to Dalit women, they underwent discrimination from their families, relatives and society. Their quandary reveals that they are living an undignified life and are constantly searching for dignity. Almost the first (old-aged non-Dalit being Bitalu by marrying Dalit) and the majority of the second generation of Bitalu offspring felt that society disrespected them. They stated that they and all human beings are equal in rights and dignity. However, they were constantly humiliated by society’s mistreatment and seldom managed to get away from it.

Karna Bahadur Basnet, 70 years old, has married Mankala BK, making her as his fifth wife, and he is proud of himself. He encountered no hurdles or hassles while obtaining his citizenship certificate. Both he and his wife share the surname Basnet on their documents. He does not see himself as Dalit; however, he is recognized as Bitalu within society. Similar is the case with Surendra Gurung. Dignity as a sort of status concept highlighted by Waldron (2012) varies in the case of Bitalu. In Nepali society, an individual’s dignity is determined by their position and status. The so-called upper caste man who was once reputed in society became disreputable after marrying a Dalit woman. Consequently, he experiences a decline not only in his caste but also in his social status and dignity.

Conclusion

The matrimonial rule codified by the first Legal Code of Nepal, 1854, continues to govern the marriage choices of non-Dalits. As per the act, if anyone marries a woman of a so-called lower caste, their caste degrades to the woman’s caste. The society 172 years ago was more authoritarian, orthodox, conservative and uneducated. The common people had no idea of human rights and individual freedom at that time. Their actions were largely shaped by their family and the societal conventions that guided them in determining their deeds. The present time is considerably different, with people globally expressing deep concern for protecting human rights and the dignity of all people. In alignment with this commitment, Nepal has ratified its new Constitution, pledging to uphold the rights and dignity of minority communities. Nevertheless, the struggle and the ostracism faced by Bitalu for simply marrying outside the caste showcase the profound ills and injustices of Nepali society, manifesting a serious flaw in our respect for individual rights and dignity. Nepal ratified various human rights convention and despite the new Constitution, the practice and prevalence of Bitalu demonstrate the irony of the time we are living in. In the name of Bitalu, those individuals, households and families find themselves engulfed in despair and desolation, suffering a profound loss of their identity on mental, social and administrative levels. My field observations and Doomen’s (2015) argument

clarify the case of Bitalu that their equal dignity is not possible because they are at the bottom of the hierarchical caste division.

Although being born in an untouchable caste does not render them acceptable, their status and identity changed, similar to what Marshall (1950) suggests “dignity in dilemma.” They are referred to as Bitalu as they dared to marry the Dalit and, at the same time, violated social standards. This singular reason has led society to exclude and label them as Bitalu, signifying their status as outcasts and untouchables. Moreover, the government too failed in timely understanding and ignoring their voices and suffering, looking at them merely from the eyes of patriarchal law, in technically limiting them in the official records and granting citizenship.

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