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Heritage Conservation in Nepal: Policies, Stakeholders and Challenges

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Abstract

Introduction of Ancient Monuments Preservation Act in 2013 B.S. (1956 AD) marked the provision of modern concept of heritage conservation in Nepal. UNESCO's mission to restore the Hanuman Dhoka Durbar in the 1970s was the first major international assistance for heritage conservation in Nepal. The enlisting of seven different sites from Kathmandu valley including 3 Durbar Squares, Pashupatinath, Bouddha, Changu Narayan and Swoyambhu in the UNESCO's World Heritage Sites brought Nepal to international attention in heritage conservation arena. Along with nature conservation and biodiversity conservation, cultural heritage conservation has been of interest to many national and international agencies. It is also linked with tourism and development besides the primary intention of preserving cultural and historic heritage. However, much needs to be done with regards to promulgation of effective policies and institutional frameworks to address various challenges. There is a pressing need to balance conflicting interests between different stake holders, for example – tourism agencies and the local entrepreneurs, donor agencies and government institutions, conservation works and development projects, and so on. Sometimes foreign technical assistance – that often comes along with the primary financial assistance – needs to be critically evaluated. Department of Archaeology, the central government institution in-charge of cultural heritage conservation in the country and powered by the Ancient Monuments Preservation Act, lacks adequate resources and mechanisms to oversee projects and to take care of heritage sites throughout the country. Even within heritage sites in the Kathmandu valley, some conflicts among different stakeholders – particularly between the DoA and local residents are observed. The complications of management of world heritage sites in Kathmandu valley was criticized by international agencies like UNESCO resulting in enlisting the Kathmandu Valley World Heritage Sites in the “endangered list” in 2003 which was recently been delisted. Often the underlined conservation approach in these policies is contested by residents of heritage zones. The conservation approach in Nepal – most of which is adapted from international frameworks mostly originating in different contexts abroad - needs to be evaluated in local cultural contexts. Responding to Nepal's diverse geographical and cultural contexts, the conservation policy in Nepal needs to count on local cultural institutions, cultural practices and economic bases.

Key Words: Cultural Heritage Conservation, Stakeholders and Conservation Acts in Nepal, International Agencies.

1. Heritage Conservation in Nepal: A Brief Overview

The surviving examples of cultural heritage in Nepal date back to various periods in history and they have lived significantly long period of time primarily because of the maintenance and repairs practices that were put in place by their respective sponsors. Many historic inscriptions record such maintenance practices and specific repair works carried out to these monuments (Banerjee, 1970). Often, the ruling royal family or influential ministers would occasionally grant such commissions of restoration and maintenance. Institutionally, there were *guthis* (a type of trust) associated with important communal buildings to sustain their regular functions, maintenance and renovations. Generally, the buildings of important cultural and communal values would be sponsored by a powerful (King or a social leader) and rich donor for either personal dignity or attaining 'dharma', and therefore those donors would ensure some provisions for the upkeep and repairs to ensure the longevity of such monuments. Other institutions also existed that were meant to take care of important monuments, i.e. an institution called *Chhen-Bhadel* seemed to be in existence from Malla period and it "had been carrying out repairs to ancient and public edifices in Nepal as its specific duty" (Banerjee, 1977, p. 19). Since pre 1950s Nepal was relatively isolated and the urban and rural areas were developing on their own paces, the need of 'conservation' was not critical.

As Nepal opened herself to the World in the 1950s, interaction and exchange of people, goods and ideas made the pace of change faster than ever. Initially there were some *Nirman samitis* (Construction Committees) and the Public Works Department, which used to be in charge of repairs to ancient structures. Various public agencies and government departments had

undertaken some beautification and repair works of various monuments on the occasions of coronations of King Mahendra and King Birendra. At times, the repair and maintenance of important cultural heritage had been carried out in part and parcel by various community groups. Even after the establishment of the Department of Archaeology (DoA) in 1952-53, these various agencies were still undertaking such works. In fact, the first major repair work undertaken by DoA was that on Kasthamandapa. The work on Kasthamandapa was a joint undertaking between the DoA and the *Guthi Sansthan*, in which actually the *Guthi Sansthan* provided entire financial support for the repair works. Later on in 1967, the constitution of the *Guthi-Jirnodhar tatha Nirman Samiti* and its collaboration with DoA provided much leverage to conservation works. (Banerjee, 1977)

Following the establishment of DoA, the Ancient Monuments Preservation Act was promulgated in 1956 “to maintain peace and order by preserving the ancient monument and by controlling the trade in archaeological objects as well as the excavation of the place of ancient monuments and by acquiring and preserving ancient monument and archaeological, historical or artistic objects”(HMG Nepal, 1956)

“In the 1960's various missions of experts in town planning and the restoration of cultural property were fielded by Unesco and the' United Nations under the United Nations Technical Assistance Programme, to advise on the planning of conservation measures” (UNESCO/UNDP, 1981). Further in 1970s, the financial and other support from other countries and international agencies continued resulting in expansion of the conservation programs and frameworks. One UNESCO report summarizes the involvement of UNESCO in the 70s:

“Project NEP/74/003 is an expansion of project NEP/71/006 – Development Of Cultural Tourism - which started in June 1972, its main activities being conservation work on the Royal Palace, Hanuman Dhoka, in the centre of Kathmandu Square, the establishment of a Central Conservation Laboratory at the National Museum and a Conservation Project Office at the Hanuman Dhoka Royal Palace to train staff in conservation techniques and repair work.

In March 1974, His Majesty's Government of Nepal decided to extend the scope of this initial project by drawing up a Master Plan for the Conservation of the Cultural Heritage in the Kathmandu Valley. Like its predecessor, NEP/71/006, this project (NEP/74/003) has been carried out by the Ministry of Education's Department of Archaeology with the financial assistance of UNDP and the technical co-operation of Unesco. The project was approved by UNDP in July 1974, initially for a period of two months only (the time for a multi-disciplinary team to prepare the Master Plan) but was subsequently extended to December 1980.” (UNESCO/UNDP, 1981)

Though UNESCO’s missions were not necessarily geared towards policy making, they had significant influence on policy and organizational planning as well because many of the officials in the DoA were “trained” through these projects. Also, the DoA’s prime focus has been to the Kathmandu valley for which obviously the UNESCO’s master plan served as a major resource.

In terms of conservation methodology and skills, two major publications are highlighted by the same UNESCO report:

“Another basic reference work for conservation activities in Nepal is the technical report *Building Conservation in Nepal : A Handbook of Principles and Techniques*, by John Sanday, the Unesco adviser who directed first the work on the Hanuman Dhoka under project NEP//IfOO6 and subsequent conservation work under project NEP/74/003. The report, which was financed by both projects, has received wide distribution and provided invaluable guidance for conservation work not only in Nepal but also in other countries.

For the benefit of the ever-growing number of tourists who are attracted to the Kathmandu valley, the same expert prepared a booklet *Monuments of the Kathmandu Valley* which, though its publication was financed under Unesco's Regular Programme, is directly related to Project NEP/74/003, providing, as it does, the kind of information the intelligent tourist needs to make a visit to the Kathmandu Valley meaningful.”

(UNESCO/UNDP, 1981)

The developments in the 1970s were geared towards preparing Nepal for joining the international movement of conservation, led by the Convention for the Protection of the World Cultural and Natural Heritage which was adopted by UNESCO in 1972. Nepal became a party to the convention in 1978 and subsequently Nepal's application to nominate seven monument sites in Kathmandu valley as World Heritage Sites was approved by the World Heritage Committee (established by the above convention) in 1979. However, “(t)he World Heritage Committee at its seventeenth session in 1993 expressed deep concern over the state of conservation of Kathmandu Valley site and considered the possibility of placing this site on the List of World Heritage in

Danger, following discussions on the findings of the 1993 Joint UNESCO-ICOMOS Review” and consequently “at its twenty-first session, wished, that in view of the continued deterioration of the monument zones of Bauddhanath and of Kathmandu (two of the seven monument zones protected under the Convention), to consider placing the site on the List of World Heritage in Danger at its twenty-first extraordinary session” (WHC, 1997). Accordingly, the WHC recommended Nepal Government to be consistent with the World Heritage Convention and its operating guidelines during the next amendment of the Ancient Monuments Preservation Act. In response, the Nepal Government reported positive progress on the particular recommendation and also reported other relevant acts that were in place by then.

Apart from intergovernmental agencies like UNESCO and ICOMOS, there are many individual country’s international development agencies that are actively engaged in conservation activities. Even though they may not have direct influence on cultural heritage policy as UNESCO may have (as mentioned above), their works have been noticed by wider audience nationally and internationally, and often times their working principles have placed Nepal in theoretical and practical experiments on global conservation debate.

2. Heritage Stakeholders in Nepal: Diversity of interests and challenges

A quick reference to the following cases from three different heritage sites in the country reflects the diversity of stakeholders in the heritage conservation arena in Nepal.

Case 1: Lumbini

Lumbini has been an important cultural site for Buddhists from all across the world and therefore it has seen an international collaboration for its conservation and development. It's international stake holders include UNESCO, World Heritage Centre, and other 16 countries. The Convention for the Protection of World Cultural and Natural Heritage (1972) and the Operational Guidelines for the Implementation of the World Heritage Convention (revision 2005) provided instrumental roles for UNESCO and WHC, while various countries participate as members of the International Committee for the Development of Lumbini which was formed in 1970. The international committee includes Afghanistan, Burma (Myanmar), Cambodia, India, Indonesia, Japan, Laos, Malaysia, Nepal, Pakistan, Singapore, Sri Lanka and Thailand, Bangladesh, Bhutan and Republic of Korea.

National stake holders include the Department of Archaeology, as empowered by the Ancient Monuments Preservation Act (1956) with later amendments (1988), the Lumbini Development Trust through Lumbini Development Trust Act (1985)-amendment 2003 and Lumbini Monastic Zone bylaws (2002).

At district and local levels, respective district administration and village administration has some stake as per provisions in the Local Self-Governance Act 1999. Similarly, various government agencies may have certain roles as their affiliated acts and laws would entitle them. These other associated legal provisions are Town Development Act 1988, Local Administration Act 1971,

Village Development Act 1991 for Physical Planning & Administration; Land (Survey & Measurement) Act 1961, Land Revenue Act 1977, Land Acquisition Act 1977 for Land; Environmental Protection Act 1997 for Environment, Forest Protection Acts 1961 & 1967, Forest Act 1993 for Forestry; and Tourism Act 1978, Tourism Board Act for Tourism (Weise, 2006).

Out of the complex web of laws and agencies responsible for various items pertinent to Lumbini World Heritage Site, the main responsibility gravitates towards the Lumbini Development Trust (LDT). However, a study for preparation of management plan for Lumbini noted:

“There are however several complications that need to be clarified in respect to the various layers of management (or governance), and in respect to the focus of the Development Plan. The Ancient Monument Preservation Act is still the principle act for the conservation of the archaeological sites, which gives the authority and responsibility to the Department of Archaeology. The Local Self Governance Act on the other hand gives the local governing bodies certain authority that might contradict the Lumbini Development Trust Act” (Weise, 2006, p.47).

Case 2: Kathmandu Valley

Kathmandu valley has been the focus of heritage conservation programs in Nepal since the legal provisions have been designed. Several world heritage sites and other protected monument zones here are entangled in a network of administrative and managerial roles ranging from ministries (sometimes direct orders from the minister override other administrations, the similar was the

case with the palace until recent past), Department of Archaeology, Department of Buildings and Urban Development, Department of Transportation, Traffic Police, Department of Tourism, and so on. Also, there are municipal and village administrations, the ward level administrations, local community groups and clubs, traditional cultural groups, national and international NGOs, business groups, professional firms, foreign institutions, intergovernmental organizations.

Often times, the public media comment on inefficiency of such diversity and sometimes redundant intentions on heritage conservation. For example:

“Ten years ago, the Department of Archeology had drawn a preliminary plan to restore the structure of the palace. Three years later, the German government came up with a new plan that was completely different from the previous one. Hot on its heels came a plan from the Ministry of Housing and Physical Planning and finally UNESCO came up with its own plan. No doubt, it was a case of too many cooks. The only difference was nobody lit the fire. Naturally, a few questions arise. First, which body is responsible for drawing up the plan for restoration work? Second, why were UNESCO and the German government involved in drawing plans if the Department of Archeology felt their plans did not stress the preservation of antiques? Third, is the government even aware that the differences in plans are ultimately responsible for this ruinous state of the palace more than anything else?” (Editorial, the Kathmandu Post, Monday March 13, 2000)

A controversial project on Keshav Narayan Chowk at Patan Durbar Square is a typical example of how donor agencies have played almost independently in some of the important cultural heritage of the country. While the adaptive use of an old palace compound as a museum seems

an acceptable strategy, the extensive experimentation on old facades and use of modern materials, e.g. steel in place of easily available traditional material like timber, certainly is questionable. Criticism from some Nepali professionals aside, even the donor agency's assessment acknowledged some of the controversial attempts in the project:

“The Patan Museum project was initiated during the fragile political situation in the beginning of the 1990s. As a response, it was decided to implement the project via a so-called “turn-key” approach. This approach is not well defined in the project documentation, but according to stakeholders it represents an implementation modality where all activities are planned, implemented and delivered by the donor as the key responsible entity. This approach should be seen in contrast to the norms of development assistance today as expressed in e.g. the Paris Declaration where focus is on the partnership approach, building on a high degree of local ownership, capacity development and following the priorities and guidelines of the partner country. As a result of the turn-key approach, the project was heavily dependent on Austrian and foreign experts - serving primarily as key experts and managers - but with significant involvement of Nepalese artisans, craftsmen and labourers. As foreign experts are expensive, a high degree of the project budget was used for such experts.” (Austrian Development Agency, 2007)

Obviously, the Nepalese authorities shall be held responsible for any consequences of such project because to invite and to delegate the ‘turn-key’ approach is a strategic decision taken by the government authority in the first place. Else, there is no room for complains or evaluation if

the heritage is handed over to the 'experts' for conservation. However, not all other projects proceed that way.

An example of Bhaktapur Development Project could shade more light on some of the complications and challenges experienced in this regard. A key person involved in the Bhaktapur Development Project, Yogeshwor Krishna Parajuli wrote in a regional newsmagazine:

“The German-aided Bhaktapur Urban Development and Conservation Project, initiated in October 1974, sought to tackle the problem before it became unmanageable. Bhaktapur was considered ripe for an integrated town-wide conservation effort, and a comprehensive Town Development Plan was unveiled in 1977. The Plan's approach was to preserve and restore the historic environment of Bhaktapur without ignoring the need for urban renewal and economic development. The idea was not to stop growth and development, but to channel them so that the town's character did not see drastic change. Conserving the architectural heritage of Bhatapur was seen as part of the overall goal of improving the living conditions of the inhabitants.” (Parajuli, 1992)

Reflecting his experience with BDP, Parajuli further noted:

“ The Bhaktapur Project emphasized a bottom-up approach, which incorporated awareness-raising and voluntary participation. That such an approach might not work in communities such as Bhaktapur's, where the traditional social and cultural values were changing, was not realised until it was too late.

The solution might seem overly harsh to some, but there is no denying the fact that strict and rigid regulations should be designed and imposed from the top if the continuity and survival of traditional townscapes of Kathmandu are to be guaranteed. The town-people must be made to accept the zoning and building regulations as they would be of any other civil regulations. They must be persuaded to accept these regulations as an integral part of their duties as citizens. In parallel, the measures must take full account of the genuine aspirations of the residents to benefit from modern facilities.” (Parajuli, 1992)

However, BDP has been praised in its effort to integrate local infrastructure development works with historic urban conservation approach (Shah, 2006). Also, the emergence of Bhaktapur Municipality as an exemplar of local government promoting conservation of cultural heritage at local level is also ascribed to the BDP.

Case 3: Lomanthang (Upper Mustang)

Upper Mustang, in past two decades, has seen lot of changes in its physical, cultural and institutional settings. It has been a testing ground for tourism, conservation and development policies and procedures. It is not yet inscribed as any national or international heritage zone, however it is a declared nature conservation area. Its designation as a national conservation area, however, has its implications only for the natural environmental realm and not necessarily for the cultural realm.

A restricted region since the Chinese occupation of Tibet in the 1959, Upper Mustang was opened up for controlled tourism in 1992 with a view that tourism could be integrated with development, and development could be integrated with conservation of nature and biodiversity. Annapurna Conservation Area Project (ACAP), under then King Mahendra Trust for Nature Conservation (KMTNC) has been the management authority for the whole Upper Mustang and other regions in the Annapurna area. The tourists were allowed on a group trekking tourism with provision of a liaison officer and 'self reliant trekking party. The entrance fee was \$700 for a 10 days period with a provision of extension up to 4 more days with additional \$70 per day. Though the 70% of tourism revenue was to be channelled back to Upper Mustang, it has been a case to fight on Upper Mustang's part for most of the recent past. However, the focus of Annapurna Conservation Area Project in Upper Mustang has been primarily in the nature and biodiversity conservation. Since the mid 1990s, not in direct control of ACAP, but somehow connected to their program, a cultural heritage conservation project was also launched. The Upper Mustang Cultural Heritage Conservation Project – with a financial collaboration between the KMTNC and American Himalayan Foundation (AHF), where AHF was practically funding almost the whole chunk of it – began with individual Gompa conservation programs, but later on also dealt with larger settlement wide programs such as the Lomanthang wall and drainage. Being a one time employee in the project, I personally feel the goals of the project to train the local people in the process of conservation was good in itself, however, to educate (beyond the training for project employed work force) local people about our perceived norms of conservation seemed more difficult. On several occasions, I felt that the Department of Archaeology – the only government authority entitled to oversee conservation issues – was at a far distance from Lomanthang, and so was even the District Administration Office at Jomsom. In such scenarios,

Lomanthang and some near by villages saw a generous financial and technical offer to conserve their cultural heritage while they always had complains about unfair distribution of economic opportunities among themselves. On one front, the communities seem to be proud of their heritage and seem willing to preserve it for future; they were also desperate to get a motor road constructed right through old settlements without any worry for structural safety of their many old structures including chhortens and city walls. Expressing his resentments on the state of local conservation and development scenario and to fetch opportunities of personal economic gains, one local resident of Lomanthang even stepped ahead to pull down a section of historic city wall adjacent to his property. Certainly, the conservation efforts in the locality had initiated a discussion about cultural heritage in this remote region, however, how to better address them at community level and how to incorporate them in development planning is yet to be addressed. I think the case of Lomanthang in particular and Upper Mustang in general by itself can summarize almost all the issues and challenges pertinent to heritage conservation policy and practice in Nepal and similar developing countries.

“(T)he heritage conservation efforts in Lomanthang have been motivated by kind interests of national and international agencies (other than the local residents), and accordingly the entire funding and activities plan have been externally devised. The generous grants definitely helped in restoring the threatened monuments and offered employment opportunities in a place where virtually there were no other economic activities; but they could not enhance the community’s association with their age-old heritages. Further, it financially scared the local people making them think that the

heritage conservation is beyond their affordability both financially and technically. This prevalent feeling combined with the frustration of unequal economic opportunities in tourism industry not only detached the people from their heritage, but also gradually affirmed in them a parasitic nature.

The story of Lomanthang raises a crucial issue of integration of monument conservation with the livelihoods of the inhabitants of the place. This includes the concern for improvement of living standards in the historic settlement, provision of economic opportunities, sense of ownership through their rights in decision making and planning to implementation works etc.

In settlements like Lomanthang, where continued living through many centuries in past have contributed for preservation and continuity of cultural practices, it is important to consider the continuous facilitation of life as the key aspect of conservation. If we expect the community to continue living in these settlements tomorrow, we will have to facilitate the life at present in acceptable standards, and not by forcing them to freeze the life style such a way that they feel uncomfortable for living, resulting in a gradual decline of cultural practices. This key aspect can not be achieved by adopting a specific conservation measure, but is possible through facilitating life in contemporary needs. If the visible features get changed while facilitating contemporary life, we should be willing to accept that as an integral part of living culture. This would be possible only when our charters accept the issue of 'change' as an integral component in the process, and not as something that should always be resisted. By adopting such a measure, we will not be

departing from ‘authenticity’ and cultural conservation, but we will be more strongly paving ways for continuity of culture and strengthening the foundations for our heritages in those living settlements”. (Chapagain, 2007)

The case of Upper Mustang also presents the intertwined relationship of nature and wildlife conservation concerns with the cultural heritage conservation concerns, and this is where much can be learnt from the ACAP experience in Upper Mustang.

3. Quick Overview of Conservation Policies in Nepal

Cultural Heritage Conservation

First promulgated in 1956 and revised several times afterwards, The Ancient Monuments Preservation Act is the main legal document on heritage conservation in Nepal. It is no surprise that this law puts heavy emphasis on “ancient” and “archaeological”. As the old saying refers the Kathmandu valley as the “Nepal”, this act truly limits itself to the heritage in Kathmandu valley. Therefore, the first and foremost challenge of heritage policy in Nepal is to expand the legal provision to other regions. For expanding the conservation legislations to other regions, the policy needs a framework on administrative coordination and law enforcement in sites all over the country.

Environmental and Biodiversity Conservation

Another policy development in conservation, but in nature and wildlife sector, has been impressive in Nepal. The wild life act was introduced in 1956. Following this, the conservation programs and policies on wild life and natural sectors took many developmental turns, finally promulgating the National Parks and Wildlife Conservation Act in 1973. “The development of conservation law (nature and wildlife sector) in Nepal proceeded at a very rapid pace, from a rather humble beginning in 1957 to the enactment of a very comprehensive piece of legislation by 1973” (Heinen and Kattel, 1992). Though the NPWC Act was promulgated two decades later than the AMP Act, it has evolved various conservation and management strategies. The idea of community participation and community based protected area management have been promoted by laws empowered by the 1973 act. The idea of community participation and decision making have been introduced to the debate of heritage conservation for some time now, and Nepal’s heritage conservation policy could learn from her own policy in nature and wildlife conservation.

“Along with this rapid success in conservation and rise in tourism came many types of problems involving local residents living in and around parks or reserves. The earlier legislation, in its zeal for preservation of species and areas, effectively omitted Nepal’s rural poor from the processes of local conservation. Development administration in Nepal in general suffers from a high degree of centralization (Bhatta 1987), which can greatly impede conservation programs (Repetto 1986). Amendments and rules published subsequent to the 1973 act were partially in response to this problem, as many of them gave more power to local people to protect themselves and their livestock from wild animals and to utilize resources on a controlled basis from parks and reserves. Tourism

itself, if properly controlled, can provide conservation incentives to local people by providing sources of income (MacKinnon and others 1986, McNeely 1988, Richter 1989, Whelan 1991). However, the situation in Nepal is far from equitable and there are park people conflicts reported throughout the country, some rather severe (e.g., Heinen 1992). For example, Sherpa and others (1986) reported that much of the profit from tourism in the Annapurna Conservation Area goes to traditionally wealthy families, who can afford to set up tea shops and hotels. Such is also the case around Chitwan National Park. This shows the great need for rural development schemes integrated within the framework of reserve management to promote conservation and to allow a greater number of people (all of whom are likely to incur costs) to benefit from their proximity to protected areas (e.g., West and Brechen 1991).” (Heinen and Kattel, 1992)

Other Relevant Acts and Laws

Various legal provisions have direct or indirect consequences on heritage conservation process. Since its inception, the conservation of cultural heritage has been seen closely associated with tourism and hence the tourism regulations and development plans have direct consequences on motives and means of conservation. The local development acts, the codes regulating buildings, roads and other infrastructures have crucial links with the present condition of heritage sites and its surroundings. In the decentralization process, the self governance act reflects to a certain level the basic rights of individual and groups to meet their current aspirations and this certainly has direct connection to the present and future of any cultural heritage of any community too. The

real challenge seems to be a coordination mechanism to acknowledge various overlapping areas among these acts and laws.

4. Some Observations on Heritage Conservation in Nepal:

Trends of Conservation Practice

First trend of conservation from ancient history to early modern history was that the conservation effort was almost entirely sponsored by King (or for that matter the government). The second trend that is seen in recent decades (typically after 1970s) is a major involvement of national and international agencies including UNESCO and other donor agencies. In between these two main trends, there is also a third trend which exists everywhere but rarely noted in discussions; the initiatives of local private and public agencies; for example – repairs and restoration works sponsored by locally affluent and rich persons or families and the same done by collaborative efforts within communities. Associated with this third trend are various cultural entities and events that support such conservation efforts, i.e. youth groups in a community organize or take advantage of cultural events to raise funds to support any repair works in local temples or other communal buildings, the guthis and local administration support community efforts to maintain any structures of practices of heritage importance. However, the national policy for conservation lacks a clear stand on such local initiatives. Not specifically falling under these three trends, yet a major constitution of a heritage and heritage practice are the people who create, care for and carry forward the legacies of these heritages. And often the people are not

given any acknowledgement in these heritage policies (This is a problem not just in Nepal, but also in many other or almost all countries in the World).

Stakeholders and Interests

As indicated by various policy intentions, the visible stakeholders in heritage conservation include DoA, NTB, Municipal governments/departments, Conservation Area Management Authority, Businesses groups, Academic Institutions, Donor Agencies, International inter-governmental agencies, National NGOs, International NGOs and occasionally other agencies. Their interests are also very diverse to include archaeological objects and sites, presentation of people, place and culture; infrastructure development and service provisions, environmental management, financial benefits, educational and exploratory knowledge accumulation, exhibition of generous welfare missions, promulgation of universal values and control of cultural preservation, expansion of individual country's foreign assistance program and the host country's quest for garnering more foreign aids and support on various sectors. However, the interest of local people, their quest for living comfortable lives amidst confusion between tradition and modernity has been either ignored or not properly understood.

Emerging Voices

Many voices are raised to incorporate informed and participatory local approach for conservation in developing countries. In case of Nepal, while the official representatives of the Department of Archaeology are seen presenting the "ancient" and "archaeological" mind set of

heritage conservation, some professionals have been arguing for the need of embracing the interdisciplinary nature of conservation works, specially by DoA and other conservation oriented agencies. Also, the conservation approaches have been criticized for being responsive to donor agencies and inter-governmental agencies rather than the inhabitant people. Recently some voices from within the DoA itself have argued for an alternative view point on the prevalent approach of conservation in Nepal:

“..While donor agencies provide various supports on heritage conservation, they also exert direct and indirect pressures on national policies. These donor agencies including UNESCO have themselves carried out some conservation works in major monuments in World Heritage Sites (in Kathmandu Valley) using cement, steel and techniques like cement concrete ring beams. However, now they now argue for restricting private homeowners in the Heritage Zones from using cement and concrete, they argue for just repairing old homes as in existing condition rather than reconstructing them. If not followed, they even threaten to put the World Heritage Sites in an ‘endangered list’. Even though many of their recommendations have been implemented, they often make big issues on some private homes being dismantled or someone added a cantilever projection etc. Nobody ever pays attention on how far these restrictions are actually practical. In the context of majority of population being economically weak and that most of them build a home out of their life times savings, we (DoA) are not getting public support just because of all these restrictions that we impose up on them. Instead, people take advantage of government holidays to build and complete their homes that are not compliance with the regulations. We need to understand that once a home is built, it is practically very

difficult to get them torn down. How much of them have we been able to control and torn down? We do not have to blindly follow those restrictions just because UNESCO recommended them. We need to think...whether the importance of our heritage increased only after we placed them on the World Heritage List? ...In fact, long before that, our heritage sites were famous and had been noted by various visitors. Also, have we ever kept track of how much of donor or foreign aid is truly utilized in conservation works and how much of it actually goes back in paying the foreign experts?However, we can not just blame them for all these, it is primarily our responsibility. If we ourselves do not become aware of and take initiatives on conserving our heritage, we will always be obliged and dependent to others.” (Shrestha, 2002; my translation from Nepali original)

5. Conclusion

The above statement by a government officer in Nepal emphasizes a major challenge in heritage conservation. Moreover, the above discussion has highlighted the following observations:

- The terms ‘ancient’ and ‘archaeology’ have been driving aspects of the heritage policy and authority in Nepal.
- Nepal’s cultural heritage policy has largely been based on recommendations and plans derived from international intergovernmental agencies like UNESCO and UNDP.
- Since the beginning of development of cultural policies and institutions, the accountability has been inclined more towards international agencies, donor agencies and tourism.

- Even though there have been commitments to make the cultural policy geared towards people's interests and rights, the attitude of conservation prevalent in conservation policy often does not exhibit the same.
- Even though multidisciplinary work and collaboration has been advocated, there is no adequate interlink between the practice of conservation and potential lessons from one arena of conservation (environmental and biodiversity) to another (cultural heritage).

At fundamental level, conservation approach and policy in Nepal should start from questions like 'whose heritage', 'for whom it to be conserved', and 'how and who should be responsible for conservation' to restructure the existing conservation policies. If the answers to all these questions are primarily revolving around the people of Nepal, the attitudes and policies of conservation should evolve accordingly. However, we do not live in isolation in present era of globalization and therefore we do not necessarily have to avoid the network of universal and world heritage. The need is to recognize appropriately the values, goals, rights, responsibilities and means of cultural heritage conservation and the policies should reflect the same. The approach can sustain itself only if it is integrated with other national and local policies rather than just being responsive to international norms, and by taking into confidence more local stakeholders than international group of consultants. Responding to Nepal's diverse geographical and cultural contexts, the conservation policy in Nepal needs to count on local cultural institutions, cultural practices and economic bases.

Post Script

As this paper is being submitted (September 21, 2008), news reports are coming from Kathmandu accounting protests in Kathmandu valley against the government's lack of cooperation with traditional *jatras*. Keeping aside the diverse political ideologies, the policy makers should keep in mind that a country's identity is associated with its cultural heritage and traditions. While some traditions need to be changed, some traditions deserve continuity with incorporation of timely changes. The policies shall neither be geared towards 'over conservation' to freeze the time by avoiding changes (as some of the past attempts have been), nor it shall follow 'anti-conservation' attitude to discard the cultural heritage. During this transition phase for charting a new path for Nepal, the debate on cultural heritage and their conservation definitely deserves due attention.

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