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Disabled Human Rights?

A critical study of the implementation of disability rights in a globalized Nepal.

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Abstract

This thesis scrutinizes the governance of the implementation of disability rights in Nepal in the realm of neo-liberal globalization, and the different power positions that are produced during the process. Within Western academia the situation for persons with disabilities in the Global South is ignored to a great extent, and the case of the Nepalese disability movement is totally absent. A field of knowledge that this thesis intends to contribute to. The governance process of the implementation of disability rights in Nepal will be examined in the light of the expansion of neo-liberal governance and the human rights discourse in the Global South. The thesis is based on a theoretical framework that incorporates neo-liberal critique of global governance together with a post-structural theorization of the State. This allows the thesis not only to examine the transnational governance process of disability rights, but it also probes the position of the Nepalese state in a globalized world. Additionally, the impact of the human rights discourse on the implementation process is reviewed, which is analyzed as an actor through Bourdieu's concept of symbolic power. In the implementation process, the various actors' power positions are taken under consideration and what political subjectivities that are produced in the process. I argue that a neo-liberal society has emerged in Nepal as an effect of the globalization of governance, and that the human rights discourse is replacing the function of the Nepalese state.

Keywords: Governance, Nepal, liberalization, human rights, globalization, UNCRPD, the State, Disability Studies, political subjectivities.

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Introduction

During the last decades, the globalization of modernity has increased and the global hierarchies are evermore palpable today (Bauman 1998). Scholars argue that neo-liberal governance in the Global South has become the norm as an effect, and the global good governance discourse is a novel form of control within the North/South relationship that needs to be addressed (Abrahamsen 2004, 1454). Neo-liberal governance techniques that are promoted by international development agencies involves a detachment of state functions from governmental activities, which in turn leads to new social structures and power positions. According to Miller and Rose (2008, 1), there is a need to inquire on the results of these social structures and power positions and what meanings and forms they take in different sociopolitical contexts.

Another consequence of the globalization of modernity is the human rights agenda, which also has become normative within global governance. Human rights are promoted and used by both major international agencies, like the United Nations and the World Bank, as well as non-governmental organizations (NGO). The human rights discourse is uncontended to a large degree within development aid practices. As an effect of globalization it has become a standardized set of norms and values and is well established in the global discourse on ethics (Hylland Eriksen 2007, 64). However, the question of where accountability is to be directed emerges when values and regulations are formed within a global discourse instead of the traditional state system (Mawhinney and Griffiths 2011, 495).

In a post-colonial and globalized world order, there is a need to study the transnational discourses which influence the construction of states and how these discourses can be used as a form of control or governance (Sharma and Gupta 2006, 20-24). Additionally, democracy and governmental activities in the Global South are often written about in "local" terms, such as "local populations", "local governments", and small scale interventions and programs, However, they are rarely discussed in terms of national schemes. As a case, this thesis will use the governance process of the implementation of disability rights in Nepal as a national scheme. The governance techniques employed in this process will be scrutinized, together with how the involved actors understand global discourses and enact them into national politics.

After a decade long armed conflict that ended in 2006 with public demonstrations demanding peace and an inclusive democracy, Nepal is now experiencing a democratization process as well as different social transformations. This process has also been enforced by the

international aid and development community, where the socioeconomic inclusion of various marginalized groups is stressed. This thesis analyzes how these social changes are governed in Nepal, as well as the influence of the human rights agenda. The power relationships between different actors involved in the process of improving the situation for persons with disabilities (PWD) will be examined, as well as the political subjectivities that are produced in the process.

Panday (2012) claims that the Nepalese government is heavily dependent on international aid in both the peace process and the restructuring of the Nepalese state polity and its bureaucracy. The financial support, expertise and social services provided by the international community have been vital for recreating a new state structure, but have also created a dependency on external actors on both governmental and civil society levels (ibid., 88, Bhatta 2012). The decentralization strategy that has been common practice within democratization and development discourse since the end of the 1980s (Schuurman 1997), has also reached Nepal and its government now has a decentralized structure.

PWDs have traditionally been a discriminated group and the Nepalese government has now identified PWDs as marginalized, since the accessibility to education, employment, public transport and infrastructure is low, and in addition false conceptions and prejudices abound (Dhungana 2006; Dhungana and Kusakabe 2010; Lamichhane 2012; Lamichhane 2013; Lamichhane and Okubo 2014). The disability issue has been ignored for a long time within development and aid practices, but is now an emerging field of actions within social change and development practices. The United Nations Convention on the Rights of Persons with Disabilities (CRPD) was written late compared to other conventions and was first adopted in 2006. The convention has been ratified by the government of Nepal together with the optional protocol, which has strengthened the rights of PWDs on the policy level. There is a bill pending in the Nepalese Parliament about to be approved, which has a rights-based approach and is written in line with the CRPD. However, there are still many issues regarding disability rights that needs to be addressed and improved.

During the last years, the government of Nepal have engaged in efforts to improve the situation, and even though misunderstandings occur, the situation is changing. In a process of social change there are numerous actors involved. As this thesis will demonstrate, the most influential groups in the implementation of disability rights in Nepal are activists from the disability movement, civil servants, and international non-governmental organizations

(INGO). The role of these three groups will be under scrutiny in this thesis, as well as the impact that the CRPD has on the implementation process.

Bhatta (2013, 170) claims that the political situation in post-conflict Nepal has created multiple power centers. A great number of external actors, such as international organizations, INGOs, and the member states of the Organization for Economic Cooperation and Development, provide social services, perform advocacy work, and influence the Nepalese government by governing through aid conditions. Bhatta claims that through these activities, external actors have become very influential in the state-building process and that their conditions are in line with their own political agenda (ibid., 172). As this thesis will show, when it comes to the case of the disability issue in Nepal there are very few external interventions. Nonetheless, the implementation of disability rights is still heavily influenced by the international human rights agenda.

Aim and Research Question

In light of the debates on neo-liberal governance in the Global South, this thesis explores a neglected area within academia, namely the governing of disability rights. The overall aim of this thesis is to explore how the implementation of disability rights is governed in Nepal and to examine the actors that shape the process. Furthermore, the power structures that are produced in the process will be interrogated, and how the actors involved translate international influences into national politics. To do so, the following research questions will be posed:

- Which actors are participating in the process of the implementation of disability rights in Nepal?
- What governance techniques are used in the implementation of disability rights in Nepal?
- How is the international human rights agenda understood and enacted by the actors involved in the implementation of disability rights in Nepal?

Relevance

This thesis is written as a reaction to the fact that the disability issue in the Global South has been largely ignored in Western academia, as well as how the case of the Nepalese disability movement is completely absent. What is referred to as "Disability Studies" is mostly based on perspectives from the Global North, which has been pointed out by Ghai (2002). While there is social science research that is conducted regarding PWDs in Nepal (see Dhungana 2006; Dhungana and Kusakabe 2010; Lamichhane 2012; Lamichhane 2013; Lamichhane and

Okubo 2014), these studies map out the situation for PWDs rather than analyzing the political activities regarding disability rights. Thus, this thesis evolves around themes that are found to be lacking in the current literature and an analysis of the Nepalese governmental scheme of improving the situation for PWD will be conducted.

This thesis will contribute to a theorization of 'the State' and what state power means in a post-colonial setting. Furthermore, it will analyze how this power is enacted by the actors involved in the implementation of disability rights in Nepal and their governance techniques. The actors' agency and political subjectivities will therefore be explored, and how this is affected by different influences. According to Sharma and Gupta (2006, 11), if attention is given to the cultural constitution of the state, one can understand "how people perceive the state, how their understandings are shaped by their particular locations and intimate and embodied encounters with state processes and officials, and how the state manifests itself in their lives." Therefore, this thesis intends to demystify the abstract notion of 'the State' into governing activities (Abrams 1988, 82), and explore how the everyday activities of the Nepalese government are performed. Thus I intend to contribute to extend the knowledge on governance in the Global South. To analyze a governmental scheme like this it is important to understand how international organizations and global discourses impact upon the Nepalese society, and hence it is highly relevant to the field of Global Studies. This study aims to extend our knowledge on the Nepalese disability movement, governance techniques of the Nepalese government and its implications, and how the actors are influenced by global discourses.

Limitations

I recognize that it is not possible to fully incorporate all parts of the process of social change in order to produce a complete image of it. However, the interactions with the most influential actors and their opinions on the implementation of disability rights provides an understanding of the process from these actors' perspective, which in turn gives us valuable information for the analysis.

A second limitation of the study is the fact that the field study was only conducted in Kathmandu. Nepal is country with significant differences between urban and rural areas, hence an urban bias is not representative of the situation in other areas of Nepal. Governance in rural areas may be enacted and reflected upon differently considering that the means are very different.

Previous research

This section will frame the thesis within the historical background of Nepal and place it within the relevant academic debate regarding democratization, social change and political subjectivities. An overview of previous research on PWDs in the Global South will also be provided.

Nepal and social change

Nepal has recently gone through an armed conflict that was started by Maoist revolutionaries to overthrow the authoritarian monarchy. The revolution was a reaction to the feudal and strongly hierarchal structure of Nepalese society that had been enforced by the Royal Family through different political institutions throughout Nepal's history as a nation-state (Hirslund 2012, 29-70). After ten years of armed conflict between Maoist revolutionaries and the Royal Nepalese Army and the Police Force, a broader political movement emerged, often referred to as *Jana Andolan II* (Second People's Movement) that demanded an end to the conflict and democracy (ibid., 56). This led to what some call *Naya Nepal* or New Nepal (Nightingale and Rankin 2014, 109). Democracy has now been instituted and the new constitution was finalized after a long political struggle in September 2015. However, vast inequalities between social groups and rural and urban areas persist.

Since the end of the conflict the general political agenda in Nepal has been to include marginalized groups, such as women and Dalits (ibid.). These changes are influenced by, and often dependent on, multilateral development agencies that often promote a neo-liberal agenda (Nightingale and Rankin 2014, 107; Panday 2012). External actors have been influential in the process of restructuring the Nepalese state, not only through bi- and multilateral development agencies, but also through a wide range of NGOs (Bhatta 2013). These interventions have led to changes in social structures and new circumstances for the Nepalese population, which will be elaborated upon below.

Gellner and Hachhethu's (2008) anthology on local democracy in South Asia is one of the most extensive collections of essays on Nepalese politics and its democracy process. The essays deal with themes such as power relationships in district politics (Kumar 2008; Pfaff-Czarnecka 2008) and ethnic politics (Dahal 2008), but also how foreign aid has influenced democracy in Nepal (Shakya 2008). Shakya (ibid.) writes about his own experiences of being employed by various development agencies and NGOs and how the various development agendas have influenced Nepalese local politics. The recent shift in the development agenda in promoting local governance has evidently had an impact in Nepal where decentralization

has been a significant part of the democratization process (ibid.).

This thesis' focus is on the overarching national process of social change, and how it is reflected upon by the actors involved. A process that initiates what happens in the local level and in the end effects the citizens of Nepal. Therefore, it is vital to examine the process in order to understand the results of social change.

Disability in the Global South and Subject-making

The World Health Organization published the *World Report on Disability* in 2011, which was the first extensive report on the situation for PWDs on the global level (World Health Organization 2011). The report describes the link between disability and poverty, and claims that there exists a "bidirectional link to poverty: disability may increase the risk of poverty, and poverty may increase the risk of disability" (ibid., 10). The report also points out that the disability issue has been ignored in international poverty reduction and prevention programs, and calls for increased development programs that deal with the issue (ibid., 12).

As mentioned in the introduction, academic research on disabilities from a Global South perspective is rare. One of the most important contributions in this field comes from the anthology *Disability in Local and Global Worlds* edited by Ingstad and Reynolds Whyte (2007). The collection deals with what it means to be disabled in the Global South, and what implications this has on social processes as well as for individuals. Ingstad (2007, 253) discusses the relationship between disabilities and universal human rights. She argues that it is important to adopt the universal human rights agenda, yet it is equally important to acknowledge the social and cultural context of each setting. She continues by pointing out the dangers of elites capturing the process of advocating human rights for PWDs. The human rights discourse in the Global South is often promoted by urban elites, and not those who are most in need of the implementation of human rights. Therefore, Ingstad claims that there is a risk that the human rights struggle ends up far away from the PWDs that are living under poverty due to their condition.

Kohrman (2005) has also contributed to Disability Studies in the Global South through his work on the disability movement in post-Mao China, and how it has emerged. Through a rich ethnography, Kohrman accounts how the disability movement organization "Deng Pufang's Federation" in China has emerged in the authoritarian state and the influence the state's bureaucracy and the organization has had on the country's PWDs. The book mainly focuses on how sociopolitical formations of disability are understood in the local context of China,

which this thesis intends to do as well, however on a governance level, unlike Kohrman's everyday life approach.

A reaction to the fact that PWDs in the Global South are ignored within academia comes from Grech (2011). Grech states that the debate regarding the issue is simplified and homogenized, since the debate proceeds from perspectives created in the Global North and that the classic colonial notions of PWDs in the South, e.g. that they are weak and backward, remains (ibid., 89). Grech is critical towards the positions of PWDs within the neoliberal development agenda, where economic participation is stressed and "therefore in a neoliberal setting privileging high economic productivity based on division of labor, their contribution might always be perceived as marginal" (ibid., 95). Grech claims that it is important to examine the effects of development activities in the Global South and what new subject positions and situations are constructed.

There exists a body of literature that deals with the changes of subject positions in Nepal created by development activities. Rankin (2001) means that the common development technique of micro-credit loans directed towards rural women in Nepal has produced a large group of women who become small scale entrepreneurs and thus creates a "subjectivity of 'rational economic women'" (ibid., 20). This production of changing subjectivities can be seen as an effect of the development agenda promoted by both the international aid community and the Nepalese State. Similarly, Shneiderman (2013) describes how ethnic groups have also embraced a subject position that fits the development agenda of empowering "marginalized groups". This subject position is again produced through interventions by both governmental and non-governmental development programs and individuals within which the ethnic groups acquire a consciousness of their "marginality".

This thesis is written in the light of the social changes that are occurring in Nepal and the need to expand research on the situation for PWDs in general in the Global South and specifically in Nepal. The subject positions and power relationships that emerge through the implementation process that is steered by the development and human rights discourse will also be taken under consideration. A review of the theoretical framework that guides the analysis of these issues will now be given.

The State and global neo-liberal governance – a theoretical framework

"Power is everywhere; not because it embraces everything, but because it comes from

everywhere" (Foucault 1978, 93).

This thesis is based on a Foucauldian understanding of power. According to Foucault, power should be perceived as a process of forces that is reproduced through various relationships and strategies of contention, which are "embodied in the state apparatus, in the formulation of the law, in the various social hegemonies" (Foucault 1978, 92-94). Power and its positions is understood as fluid, and is produced, rather than exercised, in relationships of divisions and inequalities (ibid.). The understanding of power as reproduced through mutual relationships, together with post-structural readings of political subjectivities in a globalized world will permeate this thesis. The theoretical framework will be completed with Bourdieu's (1991) notion of "symbolic power" and a conceptualization of the State.

The State

Considering that this thesis is a study of state institutions and governance, a conceptualization of 'the State' and how it relates to power is necessary. Abrams (1988, 75) points out that there is a need to move away from an understanding of the state as a material being, and rather study the idea of the state. Abrams still uses the state as an analytical concept, but discusses the need to differentiate "the state-system and the state-idea" (ibid., 79). The idea of the state is where political practices and institutions of power resides and within which people are governed. Political power is produced in the understanding that the state is where political functions are performed. These practices and institutions produce processes, norms, and hierarchies, through which "a structure of opportunities for the negotiation of rights and distribution of resources" occurs (Lund 2006, 676). In other words, to understand state power, one has to analyze the governmental practices that are performed in the name of the state. Mitchell (1991, 94) calls this a "structural effect", and that the state "should be examined not as an actual structure, but as the powerful, metaphysical effect of practices that makes such structures appear to exist". Additionally, when referring to a state in a postcolonial setting, like Nepal, the idea of the state should not be seen as "a flawed imitation of the mature Western form" (Blom Hansen and Stepputat 2001, 6). Instead an inquiry of how the idea of the state became universal and what forms that idea takes in a postcolonial setting should be performed (ibid., 6-7).

Government institutions are not the only actors within the state-system. It is also important to note that the state is constructed of an assemblage of processes, discourses, and actors, and it is the effect of these actors that needs to be probed when studying the state. This assemblage creates a relation of power, which, in a post-structural sense, continuously reproduces itself

(Li 2005, 386). To study the state one needs to take these actors under consideration, and in the end, study who and what is influencing governmental institutions and public authority (Lund 2006), hence transnational organizations and agencies, INGOs, and NGOs also need to be payed attention to.

The state fosters the monopolization of universal law. However, in the globalized world these functions are not limited to the state-system. Therefore, it is useful to also analytically move the power that defines and constructs the state to other locations. Bureaucratic power resides within the state, however there is power that is produced outside the state-system within supranational agencies like the United Nations. To understand these processes it is useful to think through Bourdieu's concept of symbolic power (Bourdieu 1991). Symbolic power is produced through ideology and discourse and serves as an indirect fostering authority (Bourdieu 1991, 170). This symbolic power has an impact on the state and constructs what Bourdieu calls a "field of power", which is a "structuring structure" (Bourdieu 1999, 58; 67). In line with the concept of power outlined above, Bourdieu claims that symbolic power is exercised through a mutual relationship where the subjugated accept and reproduce the social hierarchy (Bourdieu 1991, 167). Symbolic power is exercised indirectly by maintaining social hierarchies by establishing norms and values that are recognized as true and further strengthens the hierarchies. The norms produced within supranational agencies become influential due to their symbolic value and thus produce new structures within state-systems. In this sense supranational agencies have a symbolic power to construct social realities and cultural phenomena that national governments adapt to. So the question is how this power is practiced, which leads us to the topic of governance.

Neo-liberal global governance

Governance in liberal societies is performed through the freedom of the subjects. Miller and Rose (2008, 202) write, that "[p]ersons and activities were to be governed through society, that is to say, through acting upon them in relation to social norm, and constituting their experiences and evaluations in a social form." The subject is fostered and discipline into governing itself through these norms into responsible and ethical citizens (ibid., 204). Foucault (1985, 28) writes of a "self-formation as an 'ethical subject'" and that this demands a conduct of the self. In other words, the subject is free to act according to his or her own judgement as long as it is in line with the norms of society. These liberal governance techniques have created a new form of citizenship. White and Hunt (2000, 108) claim, that "[l]iberalism governs through the regulated freedom of individual citizens in the sense that

individuals are drawn into forms of self-governance in the choices that they make". The notion of self-governance, breaks with the idea of the citizen that is subjected to the state, but rather perceives citizenship as an activity (ibid., 96). The active citizen has to take responsibility for the self and the self-other relationships, as in their relationship to other citizens as well as their relationship to governmental institutions and non-governmental actors, and in this realm the citizen's subjectivity is produced (ibid., 98).

Neo-liberal governance seeks to detach power from a center and redirect power to an assemblage of processes and functions of enterprises, organizations and active individuals. In this assemblage governance is executed by experts and bureaucrats with rational technologies and truths to ensure the welfare of the citizens (Miller and Rose 2008, 212-215). Power is performed through a network of indirect measures "that can translate the goals of political, social, and economic authorities into the choices of and commitments of individuals" (ibid., 214). It is the attempts to create well-being among citizens and the power relations that are developed with these attempts, which is the government.

According to Abrahamsen (2004), this line of thought can also be applied to international aid relationships in a post-colonial setting. Abrahamsen describes how international development aid has turned into partnership relationships, instead of donor/recipient relationships, which are governed through the good governance agenda. Global governance seeks to foster responsible subjects according to norms set up by international agencies, through governmental practices and rationalities of the "universal language of rights" (Dean 2001, 49). This has resulted in the emergence of the human rights discourse, which is both linked to the development industry and the juridical ideology of the state (Blom Hansen and Stepputat 2001, 18). The human rights discourse is strong within the global governance community and is seen as normative and "neutral" (Evans 2005, 1052). In the Bourdieuian terms outlined above, the discourse has become a symbolic power, i.e. a set of norms that are rarely contested. Therefore, the human rights discourse has also become a governance technique and a disciplining power within the global community (ibid., 1057).

Hindess claims that the post-colonial governance technique of indirect rule of nation-states in the Global South through the "good governance" agenda is a way to promote neo-liberal governance (2002, 139). Through the good governance agenda that accompanies the human rights discourse the UN institutions and other major financial agencies produce desires, needs, and social relationships, and thus produce subjectivities suitable for a liberal framework (cfr. Hardt and Negri 2013, 223). According to Abrahamsen (2004), the partnership relationship,

mentioned above, is a new form of global governance and a novel form of performing power. This type of governance is based on the freedom of the governed, which relies on their own responsibility and empowerment named as ownership. Abrahamsen argues that "using freedom as a formula of rule, partnerships help produce modern, self-disciplined citizens and states by enlisting them as responsible agents in their own development" (2004, 1460). This is not a form of domination of the aid receiving country, but rather a system of technologies that shape the subjectivity and mentality of the aid receiving country's subjects into becoming desired citizens, according to the norms of the aid donor and liberalism. In other words, international aid agencies shape the aid receiving state apparatus to shape its citizens.

Within the good governance agenda the promotion of a strong and powerful civil society is stressed. Due to the liberal conception that state interventions should be kept to a minimum, responsibility is to be handed over to civil society (Abrahamsen 2004, 51-56). Blom Hansen and Stepputat (2001, 7) claim that NGOs and international aid agencies, in the name of development, are in the post-colonial world the main "transmitters of administrative technologies" from the Global North to the Global South. This does not mean that power is handed over to civil society, rather that the power structures are altered and a pluralistic network of actors is created within the state structure (cfr. Sending and Neumann 2006, 652).

Ferguson and Gupta (2002) have further developed the concept of governance in a globalized world order. They emphasize that there are numerous actors involved in societies today: the state, international supra-state organizations, NGOs, civil society groups, citizens and so on, and that these various groups have to be taken into account when studying the state. Subsequently, these are to be seen as an essential part of the state and the notion of the vertical power structure within the state should be eradicated. Ferguson and Gupta offer the notion of a "spatialization of the state" (ibid., 982) and mean that instead of just thinking of the state as a top-down machine that directs its power and domination on its citizens below, one needs to rethink the state into more dimensions and reconsider where power is situated within the post-modern or post-colonial state (ibid., 994). Li (2005, 386) points out that civil society groups have always been a part of societal improvement schemes, but "[t]oday they are misnamed "nongovernmental" organizations, both national and transnational, […], all elements of the hydra-headed endeavor we have come to know as "development"". The usage of civil society and NGOs in governmental activities does not necessarily mean that the organizations are fully incorporated in the governmental mechanisms, there may nonetheless exist resistance and contestations (Thörn 2016, 3). There is a need to probe and understand the everyday

practices of the state on all sites and by all actors involved in order to understand what impact the state has on its citizens (cfr. Ferguson and Gupta 2002, 984).

This creates a political landscape where actors have no fixed place, but instead fluidly move across different fields of power and influence. In this thesis it is these power positions and processes that will be studied. To do so the mechanisms and strategies used by the Nepalese government and how the bureaucracy is influenced will be analyzed. Studying how Nepalese bureaucracy is influenced by external and internal actors, will lead to an exploration of how it, in the end, shapes the conditions for the PWDs of Nepal. Therefore, this thesis explores government driven social change "as production of meaning rather than production of effective policies per se" (Blom Hansen and Stepputat 2001, 17). In other words, how the implementation of disability rights creates new meanings and social structures in Nepal. To further explore how the social structures are produced, and to analyze how contestation is acted out within these structures, the theoretical framework will now be expanded with theories of political subjectivity and agency.

Governance and political subjectivity

By further examining the institutions and process that creates the subject, our understanding of how people relate to authorities and governance is increased, as well as how power relations are formed (Krause and Schramm 2011; 128; 130-131). In this thesis, the term subjectivity will be seen as the relationship between "the personal, the political, and the moral" (Werbner 2002, 3), and the social consciousness that is created in the domain of the three. This will lead to an exploration of the subject's agency to negotiate the social and cultural structures of social change. Howarth (2013, 5) argues that the contradictory terms of dealing with structure, agency, and power within post-structuralism, leads us to a rethinking of the construction of identities. Howarth calls for a more dynamic account of subjectivity and agency, how they intersect with each other, and with social and cultural structures.

It is important to remember that Foucault does not exclude the subject from his power analysis. On the contrary, the subject is active in reproducing power relations (Allen 2002, 135). Allen writes, "for Foucault, power is a condition for the possibility of individual subjectivity" (ibid.). Individuals are part of reproducing social relationships and creating new ones, however this is done within the existing power relations. The individual also has the ability to position itself in these relationships of power, and through actions, adapted to social constraints, create change. In this sense, the subject is a part of forming itself within the given cultural and political structures. This will allow us to step away from a view of a subject with

a fixed identity and instead approach the subject as multifaceted, that produces itself in contestation with the given cultural and social structures.

To further develop the concept of political subjectivity, Rose and Novas' (2005) concept of "biological citizenship" will be used. Rose and Novas claim that with increased biomedical knowledge, a novel form of citizenship has emerged, i.e. a citizenship that is not necessarily connected to nationality or ethnicity, but rather to health conditions and rights claims. Rose and Novas describe how the access to knowledge about medical conditions has individualized citizenship, since more responsibility for one's own health is produced. At the same time as it is collectivizing, since this responsibility also creates interest groups and organizations (ibid., 441-442). According to Rose and Novas,

> [the citizenship] is generating new objects of contestation, not least those concerning the respective powers and responsibilities of public bodies, private corporations, health providers and insurers, and individuals themselves. It is creating novel forums for political debate, new questions for democracy and new styles of activism (ibid., 442).

Biological citizenship is created by authoritative measures, such as policy classification and public health interventions. In line with post-strucuralist thought, it is also produced through an active citizenship, where the individual learns about his or her condition and rights. "They are pioneering in new forms of the ethics of the self – a set of techniques for managing everyday life in relation to the condition, and in relation to expert knowledge" (ibid., 450). Considering that citizenship is connected to rights and obligations, citizenship can be thought of as political subjectivity, where an active rights claim is taking place and producing citizenship while claiming rights (Isin 2009, 383). Thinking about citizenship as political subjectivity allows a less fixed view of the subject. An approach where self-other relationships, emotions, and actions produces the subject, by subjects who adapt to a fluid and changing reality.

Globalization and the transformation of meanings

With globalization the global flows of information and values have increased and move faster over vast geographical areas. The flows and exchange of information and goods also leads to certain standardizations (Hylland Eriksen 2007, 51), which can be viewed as shared values or cultural homogenization. These flows, are according to Appadurai (1996), inconsistent and have different meanings and implications in different regions and societies. Nonetheless the flows are dependent on a shared imaginary of desires created by global discourses (Appadurai

1996, 31). These flows and imaginaries are not one force, rather they are "an assemblage of process and actors" (Collier and Ong 2005, 12).

Hylland Eriksen (2007, 64-65) writes that globalization is dependent on standardization, and that the human rights discourse is part of this standardization. The human rights discourse has become the standardized measurement of justices and ethics. The question is where these standardized measures are created. Bauman (1998, 69-70) describes globalization as a stratifying process since globalization is not detached from global hierarchies. More powerful groups can take advantage of the global flows and further strengthen their position. Even though strong and clear power relationships still inhabit the processes within globalization, complete cultural homogenization is not occurring. Hannerz (1996, 66) instead writes of "creolization", a form of cultural mixture that picks up influences that comes with global flows. Global interconnections and relationships produces new meanings and cultural forms, even though they are "marked by the constraints of inequality" (Hannerz 1996, 67). Thus global flows are analyzed in light of these hierarchies.

Boellstorff (2003) has developed a framework for analyzing the effect of globalization upon subjectivities in a post-colonial setting. Boellstorff terms the framework "dubbing culture", a concept, which is adapted from dubbing of foreign movies in Indonesia. Within Boellstroff's analytical framework, influences from the outside are understood to be altered and reinterpreted into a cultural setting, rather than copied (2003, 226). The concept thus incorporates agency, since within this process there is a constant negotiation between global power structures and the subject, that is, a negotiating that creates subjectivities. A second aspect of the framework, is that it deals with the colonial anthropological dichotomy of Sameness and Otherness, and place it in a globalized setting. Global flows that are "dubbed" into a local setting may seem similar to the "original source". But Boellstorff (2003, 231) then asks, "[i]f you study the Other and they are the same, what is there to say? Are they a proper Other at all?" He concludes that if this is the case, there must be a reason why, and this is also a reason for inquiry. In other words, if different cultures appear to become homogenized, why is that? Using Boellstorff's approach to agency and post-colonial stance will provide a good tool to think about constructions of subjectivities in relation to globalization, and how hegemonic power structures affect political subjectivities in the Global South.

This theoretical understanding of political subjectivities, together with the concept of liberal governance, is a useful tool to increase our knowledge of how subjects are formed in a globalized world. In this case, the political subjectivity of those involved in the

implementation of disability rights will be examined in order to study how external influences impact Nepalese internal politics.

Methodology

This thesis is based upon a qualitative field study during which data was mainly collected through semi-structured interviews. The thesis focus on the informants' own experience of the implementation of disability rights. The views and experiences of the informants has been the main part of the knowledge production. As Rabinow (2010 [1986], 256) states, the question of what is a "truth and its social location" and how to represent these, has always been a concern for social scientists. He continues by claiming that representations "[...] serve as means of making sense of life worlds (which they are instrumental in constructing) [...]" (Rabinow 2010 [es 1986], 257), an approach that has been used during the field study and analysis.

During the field study, the governing techniques of the Nepalese government was explored, and how the involved actors experience the relation to other actors in the implementation process. In order to analyze governance, I have carried out an analysis of how practices are managed, why these practices are conducted, and how plans interconnect with norms (Foucault 1991, 75). The concepts that exist within a governance process, such as government, power, agency, and political subjectivities, are all abstract phenomena. In order to make the concepts more approachable, the field study, with its interviews, will "illuminate the empirical reality through which political and policy rationalities actually play out" (McKee 2009, 478).

To deal with the concepts of agency and political subjectivity within the realms of the theoretical framework outlined above, the different informants' "notion of the agency of being governed" (Hansson 2013, 131) has been explored and analyzed. Focus has been upon the informants' understanding of their role in the process of implementing disability rights, and how they perceive the implementation to be performed. By investigating the agency of the different actors, the production and reproduction of power relations between the different actors will be highlighted (Hansson 2013, 137). These methods will facilitate an understanding of the informants' political subjectivity, placing their role, actions, and reflections in the center of attention.

Analytical framework

In order to answer the research questions, a research design that examines the governing process of the Nepalese government, and the essential actors involved has been conducted.

The first step was to identify the various actors involved in the process. The actors identified are civil servants at various Ministries who deals with disability issues, disability rights activists, and representatives of INGOs. Additionally, the CRPD was analyzed as a conceptual actor since the convention is referred to by all actors and has a significant impact on the implementation process. It was vital to outline the actors involved in order to understand the implementation process, and to be able to inquire as to how governance is performed in Nepal.

Secondly, the various actors' actions and the way they discussed governance and the implementation process was probed in order to understand the governing techniques used. The analysis regarding the governance techniques evolved around how the implementation process is performed, what techniques is in practice and through what means?

Thirdly, I carried out an analysis of how the actors are influenced by global discourses. The relevant discourses that were examined were the human rights agenda, which the CRPD is part of, and the development aid agenda. There are no multilateral aid partnerships that support disability issues in Nepal, however, the international development agenda has a significant impact on the country in general, hence it was taken under consideration. This part of the analysis was performed in order to understand what norms are influencing the implementation process.

The actions of the Nepalese actors reflect how they adapt and translate the influences from international actors into a Nepalese context. Subsequently, the relationship between the various actors has been probed, interrogating how this relationship is experienced by the interacting parts. Additionally, I explored their self-other relationships (Eriksson Baaz and Stern 2013, 111), since their attitudes towards each other, depending upon which actors determine the conditions under which the actions are performed, together with how individuals think of their own role in the decision-making process, will all reflect the power relationships among involved actors. Additionally, the political subjectivity of my informants has been taken under consideration during the analysis. This is an important part of the research design, since it deals with the agency of the various actors, together with the structural power relations that exist within the interactions. The analytical concept of political subjectivity is used since it allows the subject more freedom to express emotions, desires, and consciousness.

In order to understand the web of interactions and power positions that societies consist of is vital to study the social structures in various sites and positions. This thesis explores how external influences impact upon Nepalese society, and in this case how the implementation process is influenced by the CRPD. Considering that the analysis is not only focusing on activities that are taking place in Kathmandu, but also global agendas and influences, I did not view the field as fixed. Instead it was approached in "a mode of study that cares about, and pays attention to, the interlocking of multiple social-political sites and locations" (Gupta and Ferguson 1997, 37). This allowed me to examine the process, and incorporate processes that are performed by actors not physically in Kathmandu.

In short, the thesis deals with who carries out the actions, how they are performed, and why decisions are made in the implementation process? This leads not only to an exploration of the governing techniques of the Nepalese government, but also provides a notion of the social structures that are produced along with the process.

All of these considerations are in reality intertwined, but in order to make the field study tangible and doable, these methodological distinctions have been made. However, during the analysis of the data collected, the various parts, actions, relationships, and subjectivities, are weaved back together in order to analyze the power positions that are produced in the implementation process.

Data analysis

Once the data was collected, the analytical process was guided by Creswell's model of data analysis in qualitative research (2014, 197). The recorded interviews were transcribed and field notes reviewed continuously. Most of the transcriptions were carried out during the field study, which allowed a first review of the data and the possibility to inquire on themes and issues that emerged during the time in the field. The themes that were found common and relevant to the research questions were: 'governance', 'responsibility', 'CRPD', 'NGO/development partners', and 'right based approach'. The initial findings were then discussed with some of the informants in order, to get a second opinion from those whose lived reality is analysis deals with, as well as to acquire further input on the material. The discussions of findings were conducted after interviews and not in connection with them to ensure that they would not color the answers given during the interviews. Once at home, the interviews were again reviewed and concurrently coded according to the above mentioned

themes (Bryman 2012, 575). With these themes in mind field notes and transcripts were revisited and reviewed through the theoretical framework.

Firstly, the analysis evolved around the two first research questions: who is involved in the implementation process, and how it is governed. This was conducted in order to map out the process, identify what actions are carried out, and the actors involved. Secondly, the data was revisited to analyze how the CRPD was talked about, and how it is engaged in Nepalese society. The third research question regards the human rights discourse. The intention has been to analyze the actions of those involved in the implementation process in the light of the human rights agenda that is at work in Nepal. The relationship between the various actors and the CRPD has been probed in order to understand how the various actors relate to, and make use of, the CRPD.

Since this study intends to encounter the theoretical framework with the lived reality of the informants, the empirical insights were continuously linked to the theoretical framework (Yin 2014, 143). The analysis was abductive, in the sense that it "[generated] novel theoretical insights that reframe empirical findings in contrast to existing theories" (Timmermans and Tavory 2012, 74). Which entails that the theoretical framework has been developed parallel with the empirical findings, and the empirical reality has brought new light to the theoretical framework, and vice versa (ibid., 180).

Field study

The data collection has mainly been conducted during a four-week long field study in Kathmandu, during which fourteen semi-structured interviews have been carried out. These interviews have been complemented with numerous informal discussions and conversations with persons within the disability movement, which has allowed me to confirm practices of NGOs and the Nepalese government. Considering the diversity of the disability movement, these discussions have also provided me with a more inclusive view of opinions among activists and those working with disability rights in Nepal. I was also invited to join a board meeting of the organization Nepal Hemophilia Society, where further insights as to the activists' thoughts and strategies were gained. Prior to the field study, a pre-study had been performed to gather relevant information, theoretical insights, and to be able to approach the field in an appropriate manner.

Interviews

Brinkmann and Kvale (2015, 6) define semi-structured interviews as "an interview with the purpose of obtaining descriptions of the life world of the interviewee in order to describe the meaning of the described phenomena". Brinkmann and Kvale elaborate upon the technique of "deliberate naiveté", where the interviewer is open to unexpected insights and new phenomena that are brought up during the interview (ibid., 33), a technique that has been applied during the interviews. Consequently, during the field study I have been critical towards my own presumptions and hypotheses. The main interest of inquiry has been the informants' own opinions and experiences of the themes, and therefore this interview technique has been suitable since it is integral for the meaning-construction of the thesis (Stern 2006, 184). Considering the limited time spent in the field, a second benefit of using interviews is that in a short period of time in-depth data can be collected (Blee and Taylor 2002, 93). During the interviews a set of predefined themes were inquired about, leaving the informants to freely answer the questions and allowing myself to follow-up on themes brought up by the informant.

The selection of informants has been made through friends and acquaintances in Kathmandu. Due to my previous engagement within the Nepalese disability movement and previous trips to Nepal, I have a well-established network within the disability sector. My contacts referred me to relevant civil servants at various Ministries, and I had a notion of which disability rights activists who was significant to my study. Since the selection was dependent on the network of my friends, it was biased to some extent. However, my friends are also activists, and are well informed of who actually works with the disability issue and was relevant for my study. Another friend is a civil servant with a long history of working with disability issues, and he introduced me to his colleagues. The selection was biased, but without these contacts the study would not have been doable and I would not have had the same access to the civil servants. The interviews conducted with other actors in the disability sector were organized by myself.

This resulted in fourteen interviews which ranged between fifteen minutes and one hour. Six civil servants at three different Ministries (Ministry of Women Children and Social Welfare, Ministry of Education, and Ministry of Federal Affairs and Local Development) were interviewed, four activists representing different groups within the disability movement, three out of four INGOs that primarily work with disability rights in Nepal, and one interview at a project office within the framework of the United Nations Development Program in Nepal

that partially works with disability issues. All of these interviews were one on one, except for two interviews. One at the Ministry of Women, Children, and Social Welfare, where my friend who introduced me stayed in the room. This was not ideal, but the interview still provided me with valuable information on the official stance of the Ministry. The interview at the United Nations Development Program was conducted with both of the staff that worked with disability issues in the office. The interview mainly dealt with their work and not personal opinions, and therefore this circumstance had little effect on the answers given. Two of the interviews with civil servants were conducted in an open-plan office environment, and most of the interviews were interrupted by others walking in and out of offices and phone calls.

A limitation to the usage of interviews in Nepal is that I do not speak Nepalese or any other locally used languages. Our common language was English. However, English was neither the informants nor my mother tongue, which could have led to misunderstandings and difficulties expressing themselves and myself, and considering the qualitative structure of the study, this is problematic. Due to previous interview experiences in Nepal, I was aware of and comfortable with accents and local interpretations of the English language, for example different expressions and sentence structures. Therefore, I chose to conduct the interviews without an interpreter, since I find that the situations and misunderstandings that may occur in an interview with an interpreter involved more problematic. For instance, that meaning may be distorted through the interpreter (Kapborg and Berterö 2002, 54-55), and the unnatural feel of talking through a third part.

Ethical considerations

The slogan of the International Disability Alliance is "Nothing about us without us"[1]. This is a statement that also needs to be taken under consideration when discussing the Nepalese disability movement. Thus, the views and opinions of PWDs has been part of the data collection, and the analysis is based upon these. Additionally, I have been encouraged to perform this research by numerous members of the Nepalese disability movement.

Since the research project deals with issues that may be considered sensitive, consent to audio recording was sought and the informants were offered anonymity in order to make them feel secure and enable them to speak freely and openly about the topic. Only one informant asked to be anonymous, however no names are mentioned in the thesis in order to ensure that the

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[1] International disability organization, for further information see:
http://www.internationaldisabilityalliance.org/en

informants cannot be traced. Additionally, I carried out a continuous reflection on how my questions and interactions had an effect on the informants.

Further considerations that were made during the field study were how power positions were enacted in the interview situation. Smith (2006, 650-651) claims that power is dynamic also in an interview situation, furthermore power shifts between researcher and informant throughout the research process. For example, the researcher is dependent on the informant before and during the interview, but regains the power position when analyzing and writing about the informant. Smith also argues that it is problematic to categorize groups of people and make clear distinctions regarding their positions of power (Smith 2006, 645), since this will fixate the view of the informant and not allow the complexity of the subject. Therefore, both the informants and the researcher-informant-relationship has been viewed as unpredictable and complex (Ackerly and True 2010, 28-29).

During the field study, I have both interacted with decision-makers, those who try to influence the decisions made, and those who are affected by the decisions made. This means that different groups of people, more or less vulnerable within society, within different parts of the studied process, have participated. A fact that has been dealt with sensitively and cautiously throughout the research process. Each subject has been represented cautiously and I have treated my representations of the informants with a reflexive doubt that has forced me to reconsider my findings and observations (Pillow 2003, 188).

Reflections on positionality

Another methodological and ethical issue worth considering is my personal support to the Nepalese disability movement's rights struggle during the last four years. This position has inevitably influenced my interpretation of the data. However, as Hale (2006, 100) maintains, social science research is never objective and often political in one way or the other. Hale therefore argues that political involvement does not necessarily lead to academic invalidity (Hale 2006, 98). It is still problematic and leads to certain dilemmas or tensions between meeting political goals and critically investigating how the same political goals are to be met. Speed (2006, 71) argues that these tensions, if reflected upon, generate a clearer image of the researcher's positionality and thus can lead to critical productivity. It has granted me access to the intended informants, and granted me valuable insights in the issue of disability rights in Nepal. These circumstances have permitted a closeness to the disability movement and others involved, but during the field study and analytical process a distances has been maintained in order to critically analyze the informants', as well as my own, actions.

Furthermore, consideration has been taken to my background as a male European. Being white and male is a privileged position that comes with a certain power position in Nepal. As mentioned above, neither my informants' nor my own positionality is fixed in any situation, however how sociocultural positions have affected interviews and my analysis have been taken under consideration. For instance, some of the activists have expressed that my research is important since it raises their issue in the West. In other words, my research is also seen as a tool to spread the word about the Nepalese disability movement. tTus activists may have taken a more victimized role during the interviews in order to highlight their vulnerability. Additionally, civil servants and INGO representatives may have depicted their activities in a positive manner, since I will represent them within Western academia and they are dependent on support from the Global North. My positionality has continuously been reflected upon throughout the field study and taken under consideration during the analysis.

Findings and analysis

The analysis section of this thesis is structured in line with the analytical framework outlined above. The section has been divided into three parts, one for each group of actors: civil servants, disability right activists, and external actors and influences. I account for each group of actors' roles in the process and how they make use of various governance techniques. Additionally, I discuss how each group of actors relates to the CRPD. These analytical distinctions are later reconnected and an analysis of the web of actors is made, as well as of the power positions that are created in the implementation process. Finally, I discuss the notion of the Nepalese state within the realm of globalized neo-liberal governance.

Civil servants and the Nepalese government

The disability issue is a cross-cutting issue as many Ministries are involved in the implementation process. The main responsibility has been handed to the Ministry of Women, Children and Social Welfare, where a Disability Rights Protection Section has been established, where the coordination of the actions regarding the issue is taken.

The most significant aspect of the implementation of disability rights in Nepal is the practice of using disability people's organizations (DPO) in so called public-private partnerships. The organizations are used by the Nepalese government to ensure their rights and to provide services for PWDs. Through the decentralized government, economic funds are allocated to DPOs in the different districts of Nepal. The funds are allocated by the Ministry of Women, Children, and Social Welfare according to provisions stated by the new constitution. These funds are channeled through the Ministry of Federal Affairs and Local Development to the

Village Development Committees, a local governmental administrative agency that deals with administration and service delivery. This means that the local DPOs have to apply for funding from the Village Development Committee to run projects like awareness raising campaigns, but also programs for service provisions such as Community Based Rehabilitation. The DPOs apply for support from a joint fund for groups identified as marginalized; a group which includes, for example women, various ethnic groups, Dalits, Muslims, as well as PWDs. The Village Development Committee receives earmarked funds from the central government to be distributed to various representatives of these groups and from this joint fund DPOs can apply for economic support to run their activities.

The government of Nepal, in other words, uses DPOs to provide the technical and human resources to deliver services for its citizens. Within the disability sector there are examples of international actors in the service delivery, such as Handicap International and Karuna Foundation. Only local DPOs can apply for governmental funding, nonetheless the Nepalese government collaborates with INGOs. Both Handicap International and Karuna Foundation use governmental facilities to provide their services, for instance strengthening governmental health care posts to provide Community Based Rehabilitation in rural areas. The various Ministries also consult INGOs for technical know-how and practices.

The disability movement claims that the governmental funding is not sufficient, a statement that most of my informants agree with. The civil servants are also aware of this, and it is often explained with the reason that Nepal is a developing country with few resources.

> It is not enough. But we are providing it as a token fund, if we provide some fund they will be organized. They will have a space to meet, they can collaborate with NGOs and other organizations, and they can search for other funding (Interview 1.)[2]

The lack of resources was often taken as a given among the civil servants. To some degree they were frustrated about the fact, however there seemed to exist a recognition that this is simply the situation and that there is not much to be done. Some civil servants sought solutions by establishing development aid partnerships with bi- and multilateral agencies. The desire for involvement with development partnerships was more common at Ministries where this was already a common practice, such as the Ministry of Education.

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[2] Civil servant at Ministry of Women, Children, and Social Welfare.

Resources are still a problem. Now the government is trying to do the best for the disabled children, but resources are not sufficient. That is why we sometimes request resources from development partners as well, development partners are willing (Interview 3).[3]

In contrast, a civil servant at the Ministry of Women, Children, and Social Welfare, a ministry with low financial support from development agencies, explained:

We should not be dependent on the budget of the donor agency, INGOs, UN agencies. It is better if we mobilize our own resources, and rather we should emphasize better mobilization of our own resources (Interview 2).

All financial support has to be approved by and passed through the Ministry of Finance, and the civil servants at the various Ministries do not have full say in this matter. However, the civil servants' attitude towards development partnerships is important to consider in this situation. A more thorough discussion on the involvement of external actors in the implementation process is developed in the following pages. Now a discussion will be made on how civil servants engage in efforts to create opportunities for PWDs to be independent.

Producing independent persons with disabilities

Another obstacle to improve the situation for PWDs, identified by most informants, is the general public's conception regarding disabilities and PWDs. There exists a common idea that PWDs are not able to do anything and require charity support. Additionally, in rural areas, traditional and religious beliefs persist, for instance children with disabilities are seen as misfortunes due to previous lives of parents. This often means that family members with disabilities are hidden and not given the opportunity to acquire an education.

The intention is to change the views, opinions, and actions of the general public, and to make them understand the capabilities of PWDs. Through different governance techniques there is talk about creating an understanding about the abilities of PWDs, and especially to eradicate the traditional and religious understandings of disabilities. Most of the governing techniques were to empower the PWDs in rural areas and to show the general public that PWDs are able to be part of society in an independent and productive manner. The main strategies that were discussed were to improve their education, create job opportunities for PWDs, and create self-help groups for PWDs and their families.

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[3]Civil servant at Ministry of Education.

The social perspective and the social attitude is a negative tradition. To improve it we must create an environment that make [PWDs] more independent. Self-employment will be better, so creating employment for them, and creating means for independent living, is the challenge in Nepal (Interview 2).[4]

Both civil servants and activists spoke of vocational training and self-employment for PWDs as a strategy to empower them. Another example of good practice that was brought up by some civil servants were two restaurants in Kathmandu that are run by and only employ PWDs; a strategy to first of all make the individual PWD independent by generating an income, but also to show the general public that PWDs are capable of working and running a business. Through this strategy, according to my informants, the livelihood of the PWDs changes in that they have to adapt to the norm of independence in order to transform the general public's attitude toward PWDs. In other words, it is expected that the PWDs are turned into productive members of society in order to prove that they are worthy and good citizens, even though they are seen as rights bearing subjects.

Human rights approach

The informants' belief in the human rights agenda is strong. The human rights-based approach is spoken of as a given and does not seem to be questioned nor criticized. There are examples of informants who question the possibilities of implementing the rights stated by the CRPD, but that was more a question of the Nepalese government's capabilities and resources, rather than questioning the document itself.

The human rights agenda, which the CRPD is a part of, has a significant influence on Nepalese society. Human rights are discussed in regards to most social issues, furthermore, there also exists a governmental institution named the National Human Rights Commission, which is solely responsible for monitoring and promoting human rights in the country. This agenda is promoted by the international development community, on which Nepal is dependent upon, which practice what Bourdieu (1991) calls "symbolic power". The human rights agenda imposes a set of values upon Nepal that is seen by those involved as morally and ideologically correct.

During interviews and discussions the CRPD is referred to as a document that is used as guidance for everybody involved in the disability sector. The civil servants saw it as an obligation to use as a reference and to implement the rights and provisions of the convention,

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[4] Civil servant at Ministry of Women, Children, and Social Welfare.

since their government had ratified the document. "Nepal is a party to the CRPD, we must follow it" (Interview 2).[5]

The human rights agenda and the CRPD are by all means influential, which the civil servants appeared to have adapted to. The civil servants expressed a will to implement international standards and norms in Nepal in order to bring Nepal to what is considered an international level. The CRPD is seen as a set of values and norms to live up to and the forthcoming Disability Act is the domestication, i.e. Nepalese translation, of the CRPD. Furthermore, there is a strong will among civil servants to meet international standards, there is a wish to be like the 'developed West'. "Nepal is also part of the world and we need to be in line with the world's development trend and all these things" (Interview 3).[6]

There is no intention to implement the CRPD itself, but, as mentioned, it is used as a reference and a guiding tool to domesticize disability rights in the country. The civil servants spoke of it as legal backup to implement disability rights. Since there is a desire to improve the situation for PWDs, they find legal back-up in the CRPD in order to write policies that will support PWDs. Many of the civil servants talked about the responsibility of the Nepalese government and their own responsibility to support the citizens of Nepal and improve their situation, and the group PWDs has emerged as an obvious part of the Nepalese society during the last years. Nonetheless, it is a question of transferring a standardized set of norms and values into a specific cultural and social context. Even though the convention is domesticized, the values, which are being implemented, are set by an external agency. The civil servants express that the goal is to create all the relevant policies and governmental programs in line with the CRPD, thus the effect of the CRPD on domestic politics is significant and extensive.

This has been an outline of the governance techniques used from the Nepalese governments perspective, what follows is a discussion of how the disability movement is part of these governance techniques and how it relates to them.

Disability Persons Organizations and activism
The representatives from the disability movement that I interacted with during the field study were positive towards the changes that have occurred in recent years in Nepal. The government is supporting the PWDs and the support is increasing. Furthermore, the attitudes towards PWDs and their issues have improved as well. During the last years there has been a

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[5] Civil servant at Ministry of Women, Children, and Social Welfare.
[6] Civil servant at Ministry of Education.

considerable change for Nepalese PWDs. These changes are mainly evident on a governmental level, with changes in policies, a coming Disability Act, rights for PWDs in the new Constitution, and allocation of economic support. However, the perception of the DPO representatives and activists is that this would not have occurred at the same pace if it was not for the pressure exerted from them.

The changes described above are yet to be palpable on an everyday basis to any greater extent for PWDs. As mentioned, the changes are on a policy level, and there is still a need to improve the situation for PWDs in Nepal. Especially in rural areas, there are significant differences between the conditions for PWDs in the Kathmandu Valley[7] and the rest of the country. This is a matter that permeates all social issues in Nepal.

> It is much more difficult in the rural areas, because still they are not very familiar with disability issues. And also, it is a social phenomenon, and that is much more difficult in the rural area (Interview 4).[8]

The difference is manifested in many ways, but the access to resources is the most substantial difference. Even though the government now provides economic funding, human and technical resources are still lacking in rural areas. For instance, the capacity to write proposals to acquire the funds is not always available within DPOs. This leads to difficulties in collecting funds for rural DPOs, since they also have to compete with other marginalized groups who apply for funding from the same source. My informants point out that this is a major obstacle for the DPOs outside the Kathmandu Valley and that strengthening organizational capacity is a common strategy among the various organizations across the country. Thus, resources are spent on indirect measures in order to apply for funding, instead of being spent on services for PWDs.

As mentioned above there is enormous discontent with the current governmental economic support provided to DPOs. All the DPOs that were visited in Kathmandu state that they cannot run the organization solely on governmental funding. For example, the only organization that works with autism in the country, Autism Care Nepal, collects governmental support. The organization works both as an awareness raising and rights advocating group, and provide services such as education for children with autism and autism spectrum

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[7] The Kathmandu Valley is nowadays an expansion of Kathmandu, due to increased urbanization. There are great differences when it comes to the access of social services for those who live inside or outside the Valley.
[8] Disability rights activist.

diagnosis. However, the governmental support is far from adequate to cover the organization's activities and they are dependent on support from abroad, for example, from INGOs in Sweden and Denmark, and the Australian Embassy in Kathmandu.

Another problem for the DPOs that emerged is exemplified by the Nepal Hemophilia Society. Like Autism Care Nepal, the organization is the only one that provides sufficient medication for persons with hemophilia[9] and advocate for their rights. Nepal Hemophilia Society is registered in Kathmandu where the central office is located, but has regional offices to support the rural population. Since the organization is registered in Kathmandu, it can only collect funds from the Development Office in the capital city, and not in the districts where they have regional offices. This means that the organization collects about 7000 USD to support the national population of persons with hemophilia. Since this is not enough, the organization is also dependent on support from abroad and international organizations.

The governmental funding is well met by the DPO representatives and activists, but in terms of practical changes the impact of the funding is negligible. All of the larger DPOs, including the national umbrella organization National Federation of the Disabled Nepal, are dependent on international funding in order to continue with their activities. The governmental funding is nonetheless seen as a step in the right direction, and the activists point out that it is an indication that the Nepalese government is paying attention to the disability issue. The current governance strategy to implement disability rights adopted by the Nepalese government is to provide the DPOs with funding, so that they in turn can provide their members with services. However, since the funding is not enough, this means that the system is not adequate. The activists and DPO representatives also had the idea that the government should be responsible for ensuring the rights of, and providing services for, PWDs. Nonetheless, they seem to have little faith in the government's capabilities of creating a substantial improvement in the near future, however they have a long term vision that the government should assume their responsibility.

The governance technique of using DPOs to implement the rights and providing services to PWDs, not only has its limits, but there is also a risk of creating inequalities within the disability movement.

> Who can enforce, or who can force local level parties or authorities, they can also get more money. Those who don't pay the authorities visits, they can't do anything.

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[9] A medical disability.

[…] Those who are attached with the authorities, personally, or organizationally, they can get more money and more services through the local government. There is no actual system developed, they provide their service only on contact basis. That is a problem (Interview 6).[10]

It is clear that the DPOs that have the means to advocate and call attention to their cause within their local government are the ones who are strengthened by economic funding. In the end there is a risk that this will lead to local and national inequalities within the disability movement, and that certain DPOs will have an organizational advantage over other DPOs. The National Federation of the Disabled Nepal is making an effort to overcome these inequalities by creating DPO committees in each district. A joint committee from where the DPOs can apply for support and then redistribute the resources among the DPOs within the districts. Through this practice the National Federation of the Disabled Nepal claims that the resources will be equally distributed and all the different categories of disabilities will be covered. At the moment there is a strong solidarity within the disability movement, where the disability issue is seen as a unifying cause and identity and solidarity is promoted by the movements leaders (Interview 4, Interview 5). Nevertheless, the risk remains that when different groups and DPOs compete for funding and attention from local government authorities conflicts may emerge, and the responsibility is put in the hands of the disability movement to avoid conflicts.

The activities of the disability movement are directed by the CRPD, which is seen as a guiding document and is omnipresent in the discussions regarding the implementation of disability rights. The relationship between the CRPD and the disability movement will now be discussed.

The disability movement and the CRPD

As Nepal had ratified many other international human rights instruments. […] why should not CRPD be ratified? And when the CRPD was ratified, then we could start to claim our rights (Interview 4).[11]

Nepal ratified the CRPD in 2009. This was an initiative that was taken and advocated by the disability movement. According to an experienced disability rights activist in Nepal who also was a key person to introduce the CRPD, the process behind the ratification of the convention

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[10] Disability rights activist.
[11] Disability rights activist.

was driven by the National Federation of the Disabled Nepal. Which means that in this case there was pressure from two different sites on the government to enforce the human rights agenda and the CRPD. One from internal activists and the other from an external agency. The activists does not speak of any direct involvement on the part of the UN. However, the human rights agenda driven by the UN is well established in Nepal and has been an influential discourse since the end of the armed conflict in 2006.

The CRPD is seen by all the activists and DPO representatives as an important support for their rights struggle. Since the human rights agenda is influential on the governmental level, the convention is a useful tool for the activist to improve their situation. By claiming the rights that are promoted by the international community, they acquire extra leverage in their negotiations and struggle.

> CRPD is a very strong instrument. Tools to tell the rights to develop in Nepal, what kind of rights. Documentation, policies, rules and regulations, accessibility for the disabled. The main tools will be the international rules and regulations, like CRPD. After following these documents, the government of Nepal is compelled to follow that document (Interview 6).[12]

The disability movement is clearly influenced by the CRPD. My informants within the disability movement find both legal back-up and moral support in the convention. Since the Nepalese government has ratified it, PWDs have the opportunity to claim the rights that the government has committed to ensure. The representatives of the disability movement I have spoken to all agree that the progress that has occurred during the last years are due to the ratification of the CRPD, in combination with their own advocacy work. This means that the CRPD has a major impact on the Nepalese disability movement and influences how they work and word their struggle. The term 'rights based approach' is well manifested in the movement and used by everybody who deals with the issue. I argue that the international human rights agenda is a powerful influence that is difficult to resist in Nepal. The disability movement is dependent on the support from the international development community, which promotes the human rights agenda, and therefore the agenda more or less has to be adopted by the Nepalese disability movement. However, in line with Boellstorff's (2003) concept of "dubbing culture", the CRPD has not been adapted to Nepal without reflection. The act embracing the CRPD and applying it to the Nepalese context is premediated and the PWDs

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[12] Disability rights activist.

find their agency in this act. The CRPD may be hard to resist, but it has also been used for the disability movement's benefit.

For instance, the activist mentioned above, who was part of introducing the CRPD in Nepal, translated the convention into Nepalese and wrote a book about the importance and benefits of it, as a part of the advocacy in connection to the ratification process. Additionally, he told me that one strategy of the Nepalese disability movement is to convince civil servants and politicians that disability-friendly infrastructure and accessible buildings will be beneficial for all citizens. Which is in line with the nation-building discourse that is strong in post-conflict Nepal.

The CRPD is one of the external influences in post-conflict Nepal, other external actors, and the lack there of, will now be discussed.

External influences

International non-governmental organizations

Another group of actors in the governance of disability rights and service provision are the small group of INGOs. Even though there are only five INGOs who solely work with disability rights, this group is influential.

As mentioned in the introduction, Nepal is dependent on development partnerships and a large number of NGOs and INGOs that have a development agenda are active in the country. However, the number of INGOs and development agencies working with the disability issue are few. There are merely five INGOs that directly and solely support PWDs or collaborate with DPOs, and the United Nations Development Program has only one project that partially works with the disability issue. These five organizations have only a little influence on Nepalese society as a whole. However, these organizations have a large influence on the implementation of disability rights and influence how the disability issue is discussed in the country. Two of these INGOs directly provide services for PWDs, such as Community Based Rehabilitation or distributing assistive devices, and the other organizations support partner organizations that are service providing. The social and health-care services provided by INGOs have an effect on the Nepalese society in practical terms, and have an evidential and result-based impact on society. The two INGOs visited that provide services, Handicap International and Karuna Foundation, both had the ideology of using their resources to strengthen governmental facilities, with the vision that the government should take over the management of these in the future.

All the organizations visited stated that they have a close and well established cooperation with the Nepalese government, and the civil servants interviewed during the field study were all positive towards collaborating with INGOs. INGOs are at times called upon for consultations or asked to provide services in times of need. For instance, Handicap International was asked to provide rehabilitation services in effected areas after the great earthquake in April of 2015.

The organizations that rather focus on advocacy work and influencing policies and legislations have an impact on the policy and legislative level, which in the end is a major influence. The Swedish organization MyRight, with an office in Kathmandu, played a central role in the drafting of the forthcoming Disability Bill. Additionally, they organize what they call a "steering committee", a group of representatives of DPOs and representatives from relevant Ministries that meet on a regular basis to discuss the improvements and needs of the disability sector. According to those involved, this has had a positive effect on the disability sector. The activists spoken to state that it has been helpful for the disability movement, since it has provided a forum where they can discuss their issues with governmental representatives.

The organizations that focus on advocacy do so by mainly supporting DPOs so that the DPOs in turn can perform advocacy work and launch awareness campaigns. The activists are very positive towards these external influences, since they get necessary support, in terms of funding, technical advice, and knowledge. The DPOs representatives with whom the issue has been discussed are in short positive towards the involvement of INGOs in their activities. They not only get support, but also there is talk of "international exposure", getting in touch with the international disability community to learn about practices in other parts of the world.

Much like the activists in Nepal, they find useful support for their cause in the CRPD. All of the INGO representatives I interacted with state that their activities are human rights based, and all of the organizations use the CRPD as a guideline for their work. The representatives saw the domestication of the convention as a long term process, but the CRPD standards are perceived as a desirable goal.

> It is a wonderful vehicle to create a positive environment and awareness in the country. […] It is very much close to the developed Western countries, so the standards set in the convention are a little too high in some cases. I don't mean we should not strive to that standard, but in countries like Nepal, where there are no structures, no beginning, no social protection mechanism in place, I think sometime

the ambition is too high. So that they may give you some false impression in some cases, but it is still one of the beautiful tools to reach for the government, to reach to the people, to reach to the media, everywhere (Interview 7).[13]

A problem, by no means unique for the case of Nepal, is the uncertainty of INGO's continued engagement. There is a risk that MyRight will have to end their engagement in Nepal after 2017 due to lack of funding. During a discussion with the representatives of MyRight in Nepal, they claimed that if MyRight needs to end their engagement, they will leave a vacuum. They claim to be the most influential INGO on a policy and governmental level, in terms of knowledge regarding the issue, and the network of civil servants and activists that they have established. A board member of National Federation of the Disabled Nepal, expressed her concern about this risk, since she considers the support from MyRight to be very important for the Nepalese disability movement. The MyRight representatives mean that if they leave the country there is no other currently active organization or agency that can fill their resource space.

All the INGOs that were visited during the field study believed that the government is responsible for enforcing and implementing the rights of PWDs. The organizations all support and/or cooperate with the government, either through using and strengthening government facilities while performing service delivery or by providing technical support. One of the INGOs, Abilis Foundation, does not cooperate directly with the government, but supports DPOs to improve their advocacy work with government. The organizations believe that the government should be able to provide sufficient services for its citizens by its own means in the future. Therefore, the INGOs run their programs with and through government facilities, with the idea that it will strengthen the Nepalese government's capabilities while providing services for PWDs. Like Blom Hansen and Stepputat (2001) claim, the INGOs transmit knowledge and agendas from the Global North to the South. The organizations enable the flow of the human rights agenda, and additionally provide the government of Nepal with directives as to how to implement the rights for PWDs.

Aid partnerships
There are many international actors involved in Nepalese society and they play an influential role in civil society and within the government. However, there are few actors from the international development community involved in disability issues. Apart from the five

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[13] INGO representative.

INGOs mentioned above, there are only two bi- and multilateral agencies working with the issue. The United Nations Development Program in Nepal runs an electoral project that partially deals with the disability issue, and the Australian development aid program supports certain DPOs on a small scale. Considering the number of development partnerships that exist in Nepal, there is little attention payed to the disability issue. The reason for the lack of attention to the issue is simply identified by activists as a lack of awareness within international agencies and NGOs. Many informants claim that it is an emerging issue and that the number of agencies that acknowledge the issue is increasing, but that there is still a need to sensitize them on the issue.

Most of my informants desired greater support for the disability issues from bi- and multilateral agencies. The civil servants seem to see it as a tool to generate more resources for their Ministry and to gain more weight and importance to the issue they are working with. The activists and INGO representatives share this opinion; they viewed potential support from development agencies would strengthen their voice. At the time of my visit, the Nepal Hemophilia Society was discussing a planned visit to the World Health Organization to raise awareness of the issues regarding hemophilia in Nepal. This was discussed as a strategy to pressure the Nepalese government through the World Health Organization. If the agency would understand the issue of hemophilia they would in the end discuss the issue at the Ministry of Health and Population. In other words, the international agencies are believed to have great leverage in negotiations and are seen as strengthening their own voice.

Furthermore, activists and INGO representatives have little faith in the Nepalese government's capabilities to ensure the rights of PWDs, rather they believe that the involvement of development agencies will provide the Nepalese government with sufficient resources to improve the situation for PWDs. An activist from National Federation of the Disabled Nepal stresses the point that there is a need of enormous resources in order to implement disability rights, resources that the Nepalese government does not have. She gives the example of building a disability friendly and accessible infrastructure. Considering the current state of the Nepalese infrastructure this is a huge project, as most of the country's infrastructure needs to be rebuilt in order to become accessible. The activist claims that the Nepalese government needs to make further efforts to attract development aid to the disability sector.

> [There is a] lack of advocacy from the government. They have to initiate work with
> disability issues, they already work with women issues, Dalit issues, children issues,

youth issues, why not disability issues? Why not bilateral cooperation? We do not have any bilateral cooperation from the government, you know. They give no priority to disability issue (Interview 5).[14]

In other words, there is a common view that there is a need for external actors to support the government in the process of implementing disability rights. It is stated in the *Action Plan for Disability 2006-2016* written by the government of Nepal that the government should strive to expand the international and regional assistance in the disability sector. "Policy will be adopted to promote international and regional assistance expansion in Nepal by emphasizing development and empowerment of people with disability" (Ministry of Women, Children and Social Welfare 2006, 116). This goal has not been accomplished, and the DPO representatives I spoke to expressed a frustration that the Nepalese government did not make greater efforts to attract development partnerships. An additional document that supports the involvement of international cooperation in the disability sector is the CRPD, where article 32 deals with international cooperation (United Nations 2006, 24). Since the Nepalese government has signed the convention, it is also obliged to attract development partnerships regarding disability issues.

The Ministry of Education receives support from bi- and multilateral partnerships and some of these funds are allocated to the implementation of inclusive education. However, on matters other than education, there are no signs of support from development agencies.

After the outline of the governance of the implementation process is performed, the analytical fragmentations will now be reconnected in order to analyze the process and its implications.

Weaving the web of actors.

Liberalization of society and the State

It is evidently a neo-liberal social structure that has emerged in Nepal. In line with Foucault's (1985) thoughts, this social structure has led to a self-formation of the subject where the individual PWD bear responsibility for her-/himself. The governance techniques applied by the Nepalese government allocate not only funding, but with the funding, the responsibility of implementation is allocated to the DPOs as well. The redistributed responsibility is the most apparent effect on Nepalese society from these governance techniques. PWDs have to organize themselves politically to claim their rights, and DPOs are also responsible for the

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[14] Disability rights activist.

majority of the service provision. The National Federation of the Disabled Nepal, with support from INGOs, is monitoring the implementation, and the disability movement has been driving force behind the whole process. To be able to claim rights and receive services the individual PWDs have to organize themselves in local and national organizations.

The allocation of funds can be seen as a way of fostering the PWDs in Nepal to become responsible citizens. Since only funding is allocated, the way they are to be spent is up to the DPO members, which leaves the DPOs with considerable freedom and responsibility. There are policies regarding what kind of programs will be granted funding, which directs the DPO-members to conduct desirable programs and choices. In other words, the DPOs are given the freedom to adapt to these policies and to negotiate the assemblage of actors in this process (Rose and Miller 2012, 212-215). As White and Hunt (2000) suggest, this has indeed turned citizenship in Nepal into an activity, the rights claiming citizens need to continuously work in order to maintain the process and uphold their rights.

All of these activities are performed with the blessing of the Nepalese government and its civil servants, who express that they are willing to support the implementation of rights. Nonetheless, the responsibility is handed over to PWDs. Part of the reason why this social structure has emerged is due to the Nepalese government's lack of resources, but I would also argue that it is due to the agenda of the external actors; external actors, who follow the common development agenda of decentralization, encourage the engagement of civil society actors in development activities. The good governance techniques and decentralization promoted by international agencies impact upon the subjectivities of those involved, as claimed by Abrahamsen (2004), Hardt and Negri (2013), and Hindess (2002), and this issue will be elaborated below.

The Nepalese government is, in other words, implementing the rights of PWDs, however they are acting out their power through DPOs and INGOs. The DPOs and INGOs are tools of power, which are given the notion of freedom of action, however the organizations are in fact controlled through norms and are therefore forced to adapt to the governmental system. Since Nepal is undergoing a process of social change, new power positions also emerge within the new social structures. Power positions which now will be discussed.

Power positions

It is important to note that the progress within disability rights is a complex process. It is a result of the combination of an active disability movement, support from the international

community, and the willingness of civil servants to change the situation. This creates an assemblage of actors, who all hold different power positions which are under constant negotiations. The various actors, in various sites, are engaged in a mutual relationship and interactions of influence and power. Below I will provide an outline of these positions of power.

The most ubiquitous power structure in the process is the CRPD, considering that all actors involved are influenced by the CRPD and that everybody appears to be positive towards the document. It is an overarching structure that incorporates and influences all actors, in all sites. The civil servants witness that they are obliged to use it as a document of reference, since the Nepalese government has ratified the document, but also that they find it useful. The INGO representatives finds that it is a useful tool as well and referred to the usage of it as a given. The disability movement finds support in the convention and state that their voice in the rights claiming process is being strengthened by it.

The relationship between the civil servants and the disability movement is multifaceted and reciprocal. In the end the civil servants have the last say, since it is they who actually formulate and submit policies to the system of approval and allocate the funds for DPOs. Herein lies their position of power towards the disability movement in the traditional sense, where power is directed downwards. Nonetheless, the members of the disability movement and the INGO representatives also hold a position of power that can be directed towards the civil servants. The civil servants are also dependent on the DPOs in order to conduct their work, since the current system is based on the usage of DPOs. Furthermore, the civil servants are dependent on the knowledge of the DPOs and their relationship with the international development community. Additionally, if the civil servants can fulfill their obligation as outlined in the CRPD they must meet, in some sense, the demands of the activists, supported by the INGOs.

The CRPD is part of the human rights agenda, which is deployed through the symbolic power of the international development community (Bourdieu 1991). Considering Nepal's dependency on the international development community, both in the general society and within the disability movement, the Nepalese citizens have to adapt to their terms. The CRPD is not actively imposed upon Nepal by any external forces, on the contrary, it has been chosen by the Nepalese disability movement to impose the convention upon themselves. Nonetheless, I argue that the CRPD can be understood as a powerful actor in the age of globalization. In line with the theoretical framework on neo-liberal governance, power is enacted by experts,

which in this case takes the form of the CRPD, and that it is accepted by the subject. Understood in this way, the CRPD is a powerful actor that lures the Nepalese citizens to conform to it, since it promises improvements and better conditions for the PWDs.

The members of the disability movement have to work within the structures of the Nepalese state with low resources. Seen through the lens of Allen's (2002) theorization of agency, the members of the disability movement have struggled to be recognized by the government and in this process reproduced the power relationship, and in this process new political subjectivities have evolved. The disability movement is dependent on the civils servants and policy-makers to change their social situation, but they are at the same time part of creating the very same social change. This means that the members of the disability movement have to create a subject position that fits their advocacy work; namely a subject position that is a suffering victim in need of governmental support, yet is able to care for her-/himself and become a productive citizen if given that support. This subject position has been termed a person with disability in need of rights.

Since all the actors have to relate to the CRPD, the political landscape of the implementation of disability rights in Nepal is shaped by it. In other words, the relationship between the civil servants, the activists, and the INGOs constructs an intricate web of actors, actions, and negotiations that are all taking place within the realm of the human rights agenda. However, the Nepalese actors are not just passively accepting the human rights agenda, they actively construct their political subjectivity within these structures.

Political subjectivities

As Allen (2002) states, the individual's agency is dependent on power relations and the acts of reproduction of these power relations. Within the constraints of social structures, the individual can act and position her-/himself in relation to others within the structure in order to find agency and to bring about change. In this process of intentional choices and moral positions, political subjectivity is produced along with the reproduction of power.

Rose and Novas' (2005) concept of biological citizenship can be applied to the DPO members and disability right activists in Nepal. In order to be recognized as a group and receive rights and services, the group has claimed the identity of PWDs as described above. The group has in fact constructed the issue of disability rights in Nepal. The National Federation of the Disabled Nepal and other DPOs have been the driving force to place the issue on the political agenda, and affirm that it is still payed attention to. In this sense, the group is not only formed

around the issue, the group and the individuals within the group are given the responsibility to deal with the issue. Thus, both their actions and their subject positions are shaped by the issue, and their citizenship is constituted through these actions. Thus an active citizenship, discussed by Isin (2009), is necessary to maintain and increase their rights. Additionally, PWDs in Nepal need to be members of DPOs, not only to advocate for their rights, but also to receive the benefits of the rights already gained. By promoting this identity, a political subjectivity is produced, since a constant negotiating with the self and others what their identity is and how their citizenship is to be constituted. I do not argue that the PWDs of Nepal have a fixed identity, but rather that it is an identity that is promoted by themselves in order to position themselves in relation to the government and Nepalese society. Since PWDs have to be part of a DPO in order to receive services and actively claim their rights, they are indirectly forced to take on this identity.

It is also important to keep in mind that the usage of the CRPD is an intentional choice made by those involved, because they see the benefits of doing so. In their view, there are benefits of using the convention. The activists and the INGO representatives feel that their voice is strengthened if they receive international support, and particularly support from an influential agency like the UN. Additionally, the civil servants receive guidance in the process of policy writing, and support in their will to improve the situation for PWDs. In line with Werbner's (2002) view on subjectivity, the actors' personal lives are effected by the everyday practices of the government, their political activities through their rights claims and acknowledging the rights of others, which the informants also expressed as a moral standpoint. In other words, they use the symbolic power of the human rights discourse to their own advantage. In line with Allen (2002), they are actively forming the political and social landscape of Nepal, as well as their own political subjectivities, even though it is within the constraints of the human rights discourse.

The fact that the CRPD is omnipresent in the process, which is accepted by the Nepalese actors to such a great extent, brings Boellstorff (2003, 231) question to mind: "[i]f you study the Other and they are the same, what is there to say?" In agreement with Boelstorff's concept, I argue that the Nepalese actors have "dubbed" the convention into their own sociopolitical context. The concurrent act of claiming a certain universality by all the actors, I interpret as way of translating the convention to fit within a culturally and socially specific context. The Nepalese actors negotiate the global human rights agenda and the international development community by embracing it and claiming to be a part of the global community.

As argued above, this is equally an act of subjection to global forces, but also an act of dealing with the situation and gaining benefits. The Nepalese actors claim a subject position of being part of the global community and thus claims to have equal rights.

The question is, how much freedom do the involved actors have to relate to the convention? And what effect the influential CRPD has on the Nepalese state?

The state of Nepal

In line with Gupta and Ferguson's (2002) description of the transnational state-structure, this leads to an analysis of power where positions of power are not crystalized and in fixed positions. The governmental practices of Nepal are shaped by the various sites and actors that are involved in the Nepalese political landscape. Positions of power are interchangeable and sites of actions are fluid. Actors and positions of power are found in Nepalese governmental offices and DPO offices, as well as UN offices and offices of INGOs in the Global North. All of these actors contribute to the bureaucratic practices that provide Nepalese citizens with rights and services. This means that all actors involved contribute to the assemblage of processes that produces disability rights within the given structures. These actors reproduce the idea of human rights, and in contradictory terms, the supranational process also facilitates the reproduction of the idea of the state.

Even though a neo-liberal social structure has emerged in post-conflict Nepal, the general opinion, both among my informants and most of the people I interacted with in Nepal, is that the Nepalese government should do more for its citizens. This means that "the myth of the state seems to persist in the face of everyday experiences" (Blom Hansen and Stepputat 2001, 2), and that the traditional conception of the state still remains in these times of liberalization and globalization. In this thesis a bundle of practices has been mapped out, in order to analyze the process of governance that upholds the idea of the state.

DPOs and INGOs have a major role in the implementation process, providing services that are traditionally provided by the state-system. Due to the liberalization of the Nepalese society, this group has been handed substantial responsibility. However, the DPOs and INGOs still have to, and wish to work, within both the idea and structure of the state. They all refer to the state as something that should re-emerge, or that needs assistance until it is capable to reclaim its responsibility.

Most noteworthy is the role of the abstract CRPD and the human rights discourse. As mentioned numerous times, it is pervasive and influences all of the sites and actors engaged in

the implementation process. I argue that the human rights discourse has a similar position as the state identified by Bourdieu (1999). The human rights agenda functions as a norm setting agency, and the bureaucratic practices of Nepal are obligated to adapt to its values. The symbolic power of the human rights discourse for all intents and purposes is a disciplining and "structuring structure" (Bourdieu 1999, 67). All the actors involved in the implementation of disability rights are relating their work to the CRPD and adapt to the convention's norms. These are functions that are traditionally understood as state functions. However, if one recognizes the state, in Mitchell's (1991) terms as "a metaphysical effect", the role of the state is easily interchanged into the human rights discourse. In these terms, the impact of the human rights discourse is stronger than the impact of the Nepalese state.

The symbolic power of the human rights agenda does not have a specific center where it is directed from, rather it is part of the state-structure that Ferguson and Gupta (2002) describe. The informants did not speak much about the UN per se, but rather of the CRPD as an actor. The question now is where, in this network of actors, the citizens of Nepal should turn to in order to claim their rights? The Nepalese state is continuously referred to as the node in the network, however I argue that globalization has created multiple nodes in the state-structure and that power is distributed in various sites, where the influence from the human rights discourse is strong. Is the Nepalese government a facilitator of the CRPD and the human rights discourse? Why has such a state-structure emerged? Is a society based upon the norms of the human rights discourse emerging in Nepal? What implications does this have?

Conclusions and recommendations for future research

After analyzing the governance techniques used by the Nepalese government, I suggest that the Nepalese society has experienced a process of neo-liberalization. The responsibility of implementing rights for PWDs is assigned to the PWDs and DPOs, thus producing a demand for an active citizenship in order to enjoy social their rights. This situation forces PWDs to actively struggle for and maintain their rights, instead of focusing on making a living or enjoying the rights gained. A need for a continuous maintenance of the self and the citizenship is required (Foucault 1985), and the responsibilities are by all means detached from the state functions and redistributed it to individuals and DPOs and NGOs (Miller and Rose 2008). This means that individuals are dependent on creating their own knowledge regarding their rights within the given structures. As Bauman (1998) claims, globalization has not liberated the global hierarchies, but rather made them more visible. It is very clear that the freedom of choice of the Nepalese PWDs is limited to the global discourse of the human

rights agenda. In order to gain rights, they have to adapt to the structures of the CRPD, at the same time they also find agency and power within these limited structures (Allen 2002).

Neo-liberalization has come about due to the involvement of the international development community which promote this social structure. The Nepalese government's lack of resources and dependency on the bi- and multilateral agencies has resulted in an adaptation to the social models of the international development community. Even though there are few international actors involved in the implementation of disability rights the process is still influenced by international discourses. Firstly, through the decentralized governmental system promoted by the international community, and secondly, through the influential CRPD and its human rights agenda. These external influences have led to a transnational state structure (Gupta and Ferguson 2002), where global influences are in constant interaction with the Nepalese sociopolitical everyday life. The increasingly influential role of these transnational norm producing actors, require us to rethink the role of the state in the current globalized reality.

I suggest that in Bourdieuian terms of the state as norm producing and fostering, the Nepalese state has in some instances been replaced by the human rights discourse, since the discourse in itself is norm setting (Bourdieu 1999). The human rights agenda is everywhere to be found in Nepal, and I would argue that a human rights society is developing. The symbolic power of the CRPD is influencing the implementation of disability rights on all sites and everybody involved have to adapt to it (Bourdieu 1992). Moreover, I argue that the convention is replacing functions traditionally held by the state. The convention is producing norms that Nepalese citizens adapt to and embrace, which further creates a dispersed social structure with power to be found in multiple sites. The convention aim at improving the situation for PWDs, and I do not claim that it is wrong to implement the norms and values of the convention. However, I do argue that it important to perceive the convention as a social actor and to further explore the implications it has on societies in the Global South.

Future research

A good example that leads us into the need for further research is a story told by a representative of the National Federation of the Disabled Nepal. She told me how the disability movement was invited to a meeting at the Ministry of Women, Children, and Social Welfare, the ministry responsible of coordinating the implementation of the disability rights. Even at this responsible ministry, the meeting was scheduled to be in a hall on the fourth floor in a building without an elevator, which of course mean that many of the persons with physical disabilities could not reach the hall. The representative told me that after long and

intense discussions everybody had to cram into an office on the ground floor and she concluded that "everyday we are shouting in different places" (Interview 5). The story is a good example of the advocacy work that the Nepalese disability movement has to perform on a daily basis, the obstacles they meet in the process, and the lack of understanding that their issues are handled with.

There is a need to examine the reality for the members of the Nepalese disability movement and what strategies they employ to improve their situation. To further explore what the governance techniques employed by the Nepalese government have on the Nepalese society in general, and the impact on PWDs in particular. Additionally, neo-liberalization structure society into various groups of marginalized people who struggle for rights through the same means, hence inequalities within and between social groups may emerge. This is an issue that has only been touched upon in this thesis, but needs to be taken under consideration in future research. In order to understand the risk of division within the disability movement and between various social groups, it is necessary to analyze emerging conflicts associated to governance techniques together with the movement's and society's strategies to overcome that risk. Moreover, it is also necessary to study the impact on the everyday lives of PWDs. That is, how the lived realities of Nepalese PWDs are experienced and how they adapt to the human rights agenda. Additionally, there is a need to explore how the governance techniques are performed and understood in rural areas of Nepal.

Furthermore, it is important to investigate what implications the power of the human rights agenda have on Nepalese society and its citizens; what global flows have an impact on the everyday lives of PWDs in Nepal, and to what extent. Where do the citizens of Nepal turn to claim their human rights, when the human rights agenda in itself is a power structure without a clear position or site. These questions are important to consider in future research, not only to extend our knowledge about the situation for PWDs in Nepal, but in addition to enhance our understanding of global power structures and the situation for social movements in the Global South more generally. When it comes to disability rights in Nepal and the Nepalese disability movement there are many knowledge gaps to be filled.

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