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Page No.14-24

## THE SOCIAL IMPACT OF STATE RESTRUCTURING IN NEPAL

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#### **ABSTRACT**

This study delves into the effects of political reform in Nepal, particularly the shift from a centralized unitary system to a federal structure. While political parties initially didn't prioritize restructuring in their agendas, movements like a decade long Maoist war and the Madhesh uprising played a pivotal role in driving this change. The research aims to understand how these political shifts have influenced Nepali society, especially in remote villages with a strong history of political activism. Combining primary qualitative data from local communities with secondary information from existing literature, the study employs descriptive and analytical methods to explore the social consequences of state restructuring over time. By examining both historical context and present realities, the research sheds light on the complex relationship between political changes and societal behavior in Nepal. Ultimately, the findings offer valuable insights into the diverse impacts of political restructuring on Nepali society, enriching our understanding of its socio-political landscape.

# **KEYWORDS**

federal structure, unitary system, political movements, federal outcomes.

#### INTRODUCTION

This article explores the state restructuring of Nepal and its impact to Nepali society. It begins by examining the

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Page No.14-24

historical importance of this process and then transitions to discussing the experiences of people residing in remote villages after restructuring the state. After Nepal abolished feudalism and liberalized democracy, the unitary system which had a long history was restructured into the federal system. Nepal has a historical backdrop of adopting a federal governmental system since ancient times. However, the formal inception of this system is attributed to the first amendment of the Interim Constitution of Nepal in 2007. In May 2008, the newly elected constituent Assembly declared Nepal Federal Democratic Republic. In 2015, the federal constitution was promulgated, which provisions a three-tier governing structure consisting the federation, the province and the local level (Article 56, Constitution of Nepal, 2015). Nepal has been divided into 7 provinces, 77 districts and 753 local levels (Census 2021). In the wake of the local level restructuring, significant changes were taking place at the local levels. Amongst them, the foremost reason was the old administrative and service delivery structure failed to reinforce the local governance effectively on the one hand.

On the other hand, the aim was to develop strong local government capacity and reduce costs by capturing economies of scale. Consequently, the old structure was replaced by the new configuration under the competencies of local governments. The development of a state hinges upon its political and administrative efficacy, directly impacting the welfare and support provided to its citizens. Administrative power remained centralized for centuries unitary governance, which lasted practically after the elections of 2017, leading to disparities in resource allocation and citizen representation. The shift towards federalism, spurred by sociopolitical movements and a growing demand for equitable treatment, signifies a pivotal restructuring of Nepal's administrative landscape. This study on state restructuring and federalism not only addresses historical grievances but also serves as a valuable resource for both formal academic discourse and informal understanding, illuminating pathways towards inclusive governance. This study explores how restructuring states affects the people residing in rural municipalities) and how events from the past, like history, shape these changes.

Nepal's transition from a longstanding unitary governance model to a federal system represents a seismic shift in its administrative framework. Rooted in socio-political movements and a growing demand for fairness, this transition aims to address historical disparities in resource distribution and citizen representation. This study investigates the present-day impact of state restructuring and federalism, delving into how these changes resonate within local communities and are shaped by historical events. Through an exploration of the intricate interplay between past grievances and contemporary realities, the research seeks to elucidate the transformative effects of reorganizing states on Nepali society. By providing insights into the ongoing transition towards inclusive governance, the study not only addresses historical grievances but also serves as a valuable resource for both formal academic discourse and informal understanding. The objective of the research is to understand how state restructuring impacts regular people in their lives and to know how changing the government directly affects the lives of everyday individuals.

#### STATEMENT OF THE PROBLEM

Under the unitary system prevailing in Nepal since ancient times, governance was centralized around a selected

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DOI:- https://doi.org/10.55640/gjhss/Volume03Issue05-03

Page No.14-24

caste, religion, and language, marginalizing many citizens. The transition to federalism gained momentum post-1990 and intensified after the second people's movement in 2006, with various regional, ethnic, and class communities advocating for provincial autonomy. Protests erupted across the nation, particularly in the Terai region. As these movements escalated, the central government was compelled to engage in dialogue and reach agreements. Consequently, amendments were made to the Interim Constitution of Nepal in 2063, paving the way for significant restructuring of the state. This transformation marked a pivotal moment in Nepal's administrative history. The focus of this research is to ascertain the historical foundations and authenticity of state restructuring, encapsulating the following key questions:

- What is the historical nature of Nepal's governance system?
- Why emergence of the federal concept and state restructuring in Nepal?
- What is the varying impact of state restructuring on Nepali society?

### **OBJECTIVES OF STUDY**

Research objectives can generally be categorized as general and specific. The general objective of this miniresearch is to provide an overview of state restructuring in Nepal. Since ancient times, Nepal has operated under a unitary system of governance. The demand for federalism gained traction after the Second People's Movement in 2006, driven by diverse societal groups seeking local autonomy. This study aims to delve into this subject as a historical inquiry, with specific objectives outlined as follows:

- To explore the structural historical backdrop of Nepal's governance system.
- To investigate the historical origins of the state restructuring concept in Nepal and its evolution.
- To examine different impacts of state restructuring on Nepali society?

### LIMITATIONS OF THE STUDY

This study primarily delves into the historical examination of Nepal's administrative framework and the transition towards a federal system and examines the impact of state restructuring on Nepali society. Given Nepal's long-standing adherence to a unitary government structure, opportunities for broader citizen participation and governance have been limited. The exploration encompasses the evolution of federal governance, comparative analyses with global models, and the inherent challenges of implementing such reforms within Nepal's socio-political context. Nepal's federalism is primarily characterized by its administrative nature, aiming to ensure equitable development across all regions and to foster equal opportunities for all citizens. This study is dedicated to examining the implications of administrative federalism.

The adoption of administrative federalism in Nepal underscores a commitment to addressing regional disparities and promoting inclusivity in development initiatives. By decentralizing administrative powers and resources, the government seeks to empower local communities and enhance their capacity to address their unique needs and challenges. At the heart of this approach lies the aspiration to provide equal development

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Page No.14-24

opportunities to all areas, irrespective of their geographical location or socio-economic status.

Through the distribution of resources and decision-making authority, administrative federalism endeavors to bridge the gap between urban and rural areas, ensuring that development benefits reach every corner of the country. Moreover, administrative federalism is designed to create a level playing field for all citizens, regardless of their background or circumstances. By devolving authority to local governments, it seeks to empower marginalized communities and facilitate their participation in the governance process. This inclusive approach aims to amplify the voices of traditionally marginalized groups and promote their socio-economic advancement. This study delves into the nuances of administrative federalism in Nepal, exploring its implementation, challenges, and impact on governance and development outcomes. By analyzing the experiences of various regions and communities, it seeks to shed light on the effectiveness of administrative federalism in promoting equitable development and fostering social cohesion. In essence, this research endeavors to contribute to the ongoing discourse on federalism in Nepal, offering insights into its role as a catalyst for inclusive growth and participatory governance. Through a comprehensive examination of its principles and practices, it aims to inform policymaking and advocacy efforts aimed at strengthening the foundations of democratic governance and sustainable development.

### **METHODOLOGY STUDY**

This study aims to assess the effects of state restructuring through historical methods. It has applied a combination of descriptive and analytical approaches to analyze the collected data and draw conclusions. Both primary and secondary data sources are utilized in this research. Primary qualitative data is gathered through discussions with relevant individuals conducted in September and October 2020. These discussions provide firsthand insights into the subject matter. Secondary data is sourced from diverse literature including books, journals, articles, and websites. This secondary data is gathered through methods such as literature review and analysis of existing articles and policies. The research design is framed around political and social perspectives to comprehensively explore the impact of state restructuring. The collected data is subjected to rigorous analysis to uncover patterns, trends, and correlations. The findings are presented using tables or figures to enhance clarity and facilitate interpretation.

### **DISCUSSION AND FINDINGS**

Whether by design or happenstance, elements of this system were trailed to some degree in ancient Nepal. During the Lichchhavi dynasty approximately 450 CE to 750 CE, provincial governance emerged as a pragmatic solution to address the needs of people residing in remote regions, contrasting with the centralized government structure (Jha, 1970). Within these provinces, local feudal rulers were appointed to oversee administration, aiding the central authorities. While these feudal rulers operated with a degree of autonomy, they demonstrated allegiance to the central power. Yet, during periods of central weakness, these provincial rulers sometimes acted independently, albeit temporarily (Regmi, 1978). Nevertheless, when central authority was reasserted, these feudal rulers were often subdued, albeit retained as subordinate rulers. Thus, traces of feudalistic governance were evident during the Lichchhavi era. Even amidst the reign of the Lichchhavi dynasties, believed to have commenced in the early AD era, Kirat feudal rulers administered the coastal regions along the Arun and Tamakoshi rivers in eastern Nepal (Pande, 1976). Similarly, across the Gandaki river in the west, Mallapuri served as a locus for Malla feudal rulers exercising internal autonomy in governance (Kayastha, 2018). These

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Page No.14-24

feudal rulers assumed responsibilities such as tax collection, dissemination of central edicts ruler's decrees or orders, and maintenance of peace within their territories.

Throughout medieval Nepal, within the boundaries of present-day Nepal, autonomous entities such as the Tirhut state in the Terai region in 1097 and the Khas states in the west initially gained prominence. Subsequently, due to administrative challenges, twenty-two small provincial states emerged in the Karnali region and twenty-four in the Gandaki region (Subedi, 1982). Likewise, in the Terai region, the Sen kingdoms persisted for nearly two centuries after the invasion by Indian Muslim ruler Gayasuddin Tughlaq. Beginning with Makwanpur, followed by Chaudandi and Vijaypur states, a tapestry of provincial entities arose.

However, even in ancient times, Nepal was not completely unitary, despite entering modern federalism for the first time. With various periods witnessing its evolution, despite the absence of historical events defining states, provinces, or regions solely based on ethnicity. The formation of the entire Terai region seems non-existent in historical records. Even the provincial states like Mithila, Devdah, Kapilvastu, Tirhut, Makwanpur, Chaudandi, Vijaypur, etc., covering plains or hilly areas, couldn't encompass all of Nepal's plains (Ghimire, 1999). These states emerged at different times and in different locations.

During the Medieval period, the Butwal region fell under the Palpa State, while Banke, Bardia, Kailali, and Kanchanpur were part of the Khas State in western Nepal, later under the Doti State after the division of the Khas kingdom (Adhikari, 2003). Portions of the eastern Terai were under Makwanpur, Chaudandi, and Vijaypur states. When Prithvi Narayan Shah, the King of Gorkha, unified Nepal during the Medieval period, three Sen kingdoms existed in the eastern Terai. Vijaypur extended from Morang across the Koshi River to Jhapa, Chaudandi encompassed the western part of the Koshi River, and Makwanpur was ruled by the Sen dynasty (Pradhan, 1978). Territories west of the Gandaki River, like Nawalparasi, Kapilvastu, Dang, Banke, Bardia, Kailali, and Kanchanpur, were part of the Khas kingdom. Following unification, they became part of the central state. Nepal's historical division into small and sometimes large provinces, states, federations, units, and regions ultimately led to its federal form in the present day.

Prithvi Narayan Shah initiated the process of unifying more than 50 states into a single nation. In 1990, the party-less panchayat system ended, and democracy was reinstated in Nepal. The Janajati party demanded federal governance, but due to its unregistered status with the Election Commission, the demand couldn't be raised (Baral, 2007). Meanwhile, the Rastriya Janamukti Party also advocated for federalism, which materialized after the House of Representatives election (Khanal, 2009). Despite these developments, concerns persisted about ongoing caste, class, and regional discrimination, indicating a need for local empowerment.

The establishment of a multi-party system in Nepal prompted an outcry against caste, regional, gender, and religious discrimination, alongside a call for inclusiveness. This period also witnessed gradual progress regarding state restructuring and federalism. In the 40-point demand letter submitted by the Jan Morcha Nepal to the Government of Nepal on January 24, 1996, the necessity to end ethnic, linguistic, religious, and regional

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Page No.14-24

discrimination was emphasized (40-point demand letter of Samyukta Jan Morcha Nepal on February 4, 1996). During this process, concerns arose regarding Nepal's unitary state system, citing its role in perpetuating discrimination against many Nepali citizens. The issue of ethnic, religious, and linguistic disparities gained prominence during the ten-year Maoist insurgency. Following the second People's Movement in 2006, there was a notable push for restructuring the country towards federalism. Consequently, the Interim Constitution of Nepal in 2007 underwent amendments on July 13, 2008, highlighting state restructuring in Article 138 (Government of Nepal, 2011). Subsequently, a 43-member committee on state restructuring and power sharing was established. Ultimately, the constitution announced on September 20, 2015, restructured Nepal's state apparatus, establishing three tiers: central, provincial, and local administrative units. This marked the end of Nepal's longstanding unitary system and heralded the era of federalism, bearing significant historical importance.

Despite the historical significance of state restructuring in Nepal, the populace has yet to witness the anticipated changes in their daily lives. Governmental commitments to address the concerns raised by various marginalized groups, including indigenous peoples, women, Madhesis, Dalits, and others, have not been effectively implemented. While the democratic government's policies appear ambitious, they have fallen short of meeting the needs and aspirations of these marginalized communities (Upadhayay, 2015). Although state restructuring aims to enhance the well-being of citizens, the reality in remote villages paints a different picture. Despite the historical precedence of prioritizing the welfare of the people, living standards in these areas remain largely unchanged. Despite the apparent focus on population welfare, tangible improvements in the lives of those residing in remote regions have yet to materialize.

It was beyond imagination to reach the unreached communities of rural Nepal from Kathmandu to Dang, Rolpa and Rukum. People living in these districts are hopeless in their lives. In contemporary times, vestiges of discrimination persist in several districts, Rolpa being among them. Despite efforts toward progress, discriminatory practices endure in various spheres of societal interaction, including temples, streams, and public spaces. This entrenched discrimination not only reflects a failure to evolve but also serves as a poignant reminder of the challenges that continue to thwart equitable development (Based on a discussion with Thakur Tharu). Dharma bd Dhami). Rolpa, like many other regions grappling with historical biases, bears the weight of discrimination in its cultural and communal spaces. Temples, revered as symbols of spiritual unity and sanctity, paradoxically serve as arenas where discrimination rears its ugly head. Whether through exclusionary practices or unequal treatment based on caste, gender, or socio-economic status, these sacred sites often perpetuate social divides rather than fostering inclusivity and harmony.

Streams, too, carry the burden of discriminatory practices, with certain communities facing restrictions or ostracization from accessing water sources based on deeply ingrained biases. Such discrimination not only denies individuals their fundamental right to water but also exacerbates socio-economic disparities, as marginalized communities are further marginalized by the denial of basic resources. Moreover, public places, which ideally serve as hubs of communal interaction and cohesion, are marred by the shadow of discrimination. Whether in educational institutions, marketplaces, or administrative centers, marginalized groups often encounter barriers that impede their full participation in public life. These barriers, whether explicit or implicit, reinforce existing power dynamics and hinder the realization of a truly inclusive society.

Compounding the issue is the stagnation in the state of development, which exacerbates the persistence of

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Page No.14-24

discrimination. Despite the passage of time and ostensibly progressive initiatives, the developmental landscape remains largely unchanged in districts like Rolpa. The lack of new progress reflects systemic challenges and entrenched inequalities that impede the equitable distribution of resources and opportunities. This stagnation not only perpetuates the cycle of poverty and marginalization but also undermines the aspirations of communities striving for a better future. Without meaningful progress in socio-economic development, marginalized groups are left vulnerable to exploitation and exclusion, further entrenching discriminatory practices and widening the gap between the privileged and the marginalized.

Addressing these complex issues requires a multi-faceted approach that acknowledges the intersectionality of discrimination and development. Beyond mere policy reforms, there is a pressing need for grassroots initiatives that empower marginalized communities and challenge existing power structures. Education, awareness campaigns, and community-led interventions can play a pivotal role in dismantling discriminatory norms and fostering social cohesion. Furthermore, inclusive economic development strategies that prioritize marginalized communities can help address the root causes of discrimination by providing avenues for economic empowerment and social mobility. By investing in infrastructure, healthcare, education, and livelihood opportunities in underserved areas like Rolpa, governments and civil society organizations can mitigate the structural inequalities that perpetuate discrimination.

Ultimately, the eradication of discrimination and the promotion of inclusive development require sustained commitment and collective action at all levels of society. By challenging entrenched biases, advocating for policy reforms, and investing in marginalized communities, we can move closer to realizing a society where every individual is treated with dignity, respect, and equality. Upendra Nepali from Rolpa conveyed that despite the state's reorganization, traditional thinking remains unchanged, with state agencies remaining inactive despite no shift in mindset. (Based on a discussion with with Upendra Nepali). People living in these communities have dreamed of living in a different place with many facilities and high earnings, but their dream is only dreaming not reality. Struggling with multiple problems is a daily routine of people living in rural Nepal.

People knowingly and unknowingly are becoming victims and living physically, socially, emotionally, and economically painful lives. Though, the country's system has been changed from a Monarchy to a republic but no change in the lifestyle of rural people. Rolpa and Rukam people had made a special contribution in the period of Maoist insurgency, expecting positive changes in the future. Hoping to see the changes in society, they supported the Maoist revolution by providing food and shelter. We meet different people who face problems and live miserable lives. (Based on an interview with Laxmi Dangi). The restructuring of the state is challenging issues along the lines of federal structure. Marginalized communities have their problems of social inclusion in every sector of social life. According to the 2021 Census Data, a total of 2.2 million Nepalese was living in aboard, out of which 81.28 percent were male and 18.72 percent were female. Nepal's government has not been successful in promoting a bottom-up approach. In the 15th Five–Year Plan (2019-2023), one of the major objectives of the plan was to create employment opportunities in the country, but the country miserably failed to deliver the expected results on this front. Every year, youths leave the country are migrating to aboard for job due to lack of employment opportunities through legal and illegal channels. The youth population leaving in search of better prospects and Nepal's workforce is dwindling. This migration can be one of the long-term repercussions on social and economic development of the country.

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Page No.14-24

Table 1. Report on final approved list skill wise from 2020-07-16 to 2023-07-16 (Government of Nepal, 2011)

S.N.	Skill Type	Approved number of men			Approved number of			Total number of approved		
		women								
		2022-	2021-7-	2020-	2022-	2021-	2020-	2022-	2021-7-	2020-
		07-17	16 to	07-16	07-17	7-16	07-16	07-17	16 to	07-16
		to	2022-	to	to	to	to	to	2022-	to
		2023-	07-16	2021-7-	2023-	2022-	2021-	2023-	07-16	2021-7-
		07-16		15	07-16	07-16	7-15	07-16		15
1	High Skilled	227	110	55	30	15	6	257	125	61
2	Professional	1049	627	226	104	53	20	1153	680	246
3	Semi-Skilled	55466	50067	14427	5089	4261	1156	60555	54328	15583
4	Skilled	463204	268456	65869	43542	23433	4557	506746	291889	70426
5	Unskilled	179247	261702	74665	23369	21366	5717	202616	283068	80382
	Grand total	699193	580962	155242	72134	49128	11456	771327	630090	166698



Figure 1. Report on final approved list skill wise from 2020-07-16 to 2023-07-16 (Government of Nepal, 2011)

From the data of the Department of Foreign Employment (DOFE) we found that a staggering number of more young individuals ventured aboard for foreign employment. DOFE figure represents that increase of labor approval of high skill and total number of labor approval is increased in last three fiscal years.

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Page No.14-24

## **CASTE BASED DISCRIMINATION**

Law has prohibited caste-based discrimination in Nepal, but it is not found in ground-based reality. From Rolpa, Dharma Bahadur Damai shared that he built the houses but not allowed to enter as it was handed over to owner because of caste based discrimination in his village. He added that he couldn't answer his small daughter's query about caste discrimination. Dharma feels discriminated against because he feels a lack of freedom in many things. The issue of caste discrimination is improving gradually but has not stopped. 32 years of Upendra Nepali feels discrimination as people avoid him in their house. Upendra shared discrimination depending to different people. What we found from by observation that perspective of local government representative to Dalit people has not changed yet. They are deprived of many opportunities although they deserve it. (Based on a discussion with Dharma Bahadur Dhami and Upendra Nepali).

### WOMEN'S STRUGGLE

Women have house after marriage when her husband support her physically, socially, emotionally, and psychologically. If woman doesn't get support from her husband, she has no house and leaving alone. Women have no right on their parental house after marriage. Women are double marginalization through gender discrimination and poverty as well. In our trip we met many women who have feeling that they have no house.

From Rolpa, while interviewing 51 years old Laxmi Dangi, I was totally shocked with her story. Her husband has been contactless for 18 years and she is caring for her two children (son and daughter). She remembers how she became impressed when his husband proposed her by cutting his finger. Laxmi is doing agriculture work from morning to night, but she must take a loan to fulfill daily needs. Though Laxmi does hard work in farming it is not enough for food also. Every year she added loan. In the rural area they are taking loans in heavy interest. Similarly, from Rukum, Dhati Sonam BK, she had done love marriage but after not giving birth to son her husband leaves her. She has taken the responsibilities of the whole family. Dhati and Laxmi are staying in their born house which they feel is not theirs. They feel so happy to get support from their brothers.

What we found that women who are uneducated, love to do agriculture which is best and only one option they see. But doing struggle in agriculture is becoming a way to live life and engaged. Agriculture is not promoting their life economically. (Based on a discussion with Laxmi Dangi and Dhati Sonam BK).

### **YOUTHS PERSPECTIVES**

Next generations are not seeing the future in their own village. They became frustrated by seeing their parents' work which is not enough for food also. Due to not seeing opportunities in their own land they are forced to leave. Every year by taking loan in higher interest they go to foreign land for the opportunities. But unfortunately, foreign land is also not as their imagination to everyone. Many of them are unable to pay loan and returns with having physical problems.

# **WORKING IN OTHER LAND**

Ganga Chaudhary from Dang shared that it is difficult to do farming and not enough to have food also. Besides farming she works in others' houses for alternative income. (Based on an interview Ganga Chaudhary). We found that people have no land to do agriculture. They do agriculture depending on others. While doing agriculture in other land they do the full investment and benefit is sharing. We have found many are doing agriculture in others land which is becoming hurdle to do benefit and income due to several impact.

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Page No.14-24

#### CONCLUSION

Nepal is facing a serious social and political crisis in the process restructuring. The demand for federalism in Nepal gained traction post-2006, following a peaceful movement for democracy restoration. Political parties, particularly those contesting the 2008 Constituent Assembly elections, pledged to adopt federalism to foster inclusive development and curb regional and ethnic marginalization. The shift towards federalism was expedited by historical events, including the monarchy's downfall, and demands for regional autonomy spurred by the Maoist insurgency. Nepal's unique social history, geographical context, and cultural diversity underscore the challenges of transitioning from a unitary to a federal state. The pursuit of federalism in Nepal is driven by the need to address regional discrimination and caste oppression inherent in unitary governance, with the aim of advancing participatory democracy, equality, and political inclusivity. This revision aims to enhance clarity, coherence, and readability while maintaining the original content's integrity. The formulation and effective implementation of policy is the need of today. The government should play a proactive role to promote by adhering to the policy.

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