

Federalism and Ethnic Identity in Nepal: A Critical Examination

Ganesh Kumar Basnet¹, Shobakar Bhandari¹

Faculty of Humanities and Social Science, Madan Bhandari Memorial College

Article Info.	Abstract
<p><i>Corresponding Author</i> Ganesh Kumar Basnet</p> <p><i>Article History</i> Received: February 12, 2025 Accepted: April 10, 2025</p> <p><i>Email</i> ganeshbasnet1979@gmail.com</p> <p><i>Cite</i> Basnet, G. K., & Bhandari, S. (2025). Federalism and ethnic identity in Nepal: A critical examination. <i>Shweta Shardul</i>, 21(1), 31–35. https://doi.org/10.5281/zenodo.15710422</p>	<p>This article presents an overview of ethno-federalism and its implementation in Nepal. It examines the practice of ethno-federalism within its historical context, constitutional provisions, challenges, and prospects. The study is primarily based on a conceptual and narrative literature review, drawing on liberal political philosophy, a contemporary institutional approach, and a descriptive and analytical methodology that relies mainly on secondary data sources. Ethno-federalism is one of the major political outcomes of the Second Mass Movement of 2006. The 2015 Constitution of Nepal stands as a significant example of the inclusion of ethnic groups within a federal governance framework. It provides for the integration of various ethnic communities into the national governing system by establishing multiple ethnic commissions. The constitution also emphasizes inclusive representation to address historical marginalization and to ensure that diverse voices are reflected in governance. However, Nepal must strive to maintain a balance among federal, provincial, and local governments to promote both ethnic autonomy and national unity—ensuring that federalism fosters inclusive development rather than deepening divisions.</p> <p><i>Keywords:</i> ethnic identity, inclusion, constitution, mass movement, autonomy, mainstream</p>

Introduction

Nepal, a multi-ethnic, multi-lingual, multi-cultural, and multi-religious country, has undergone significant political transformations in recent decades. One of the most notable changes is the adoption of a federal governing system, which was institutionalized with the promulgation of a new constitution in 2015. The constitution envisions the creation of an egalitarian society, stating: “recognizing the multi-ethnic, multi-lingual, multi-religious, multi-cultural and diverse regional characteristics, resolving to build an egalitarian society founded

on the proportional inclusive and participatory principles” (Preamble). This federal constitution has not only recognized Nepal’s multi-ethnic character but also acknowledged ethnic identity. By introducing Nepal as a federal democratic republic, the constitution laid the foundation for ethno-federalism in the country. Nepal’s federal model is unique because it incorporates elements of ethno-federalism—a system in which federal units are demarcated based on ethnic identity to ensure political representation and autonomy for marginalized groups.

Under the fundamental rights of citizens, in the section on the Right to Social Justice (Article 42), the constitution provides for the inclusion of various ethnic groups in governing authorities. It states: "... Dalit, indigenous people, indigenous nationalities, Madhesi, Tharu, minorities, persons with disabilities, marginalized communities, Muslims, backward classes ..." (Article 42.1) shall be included in national governing bodies through the principle of inclusion, thereby acknowledging their ethnic identities within Nepal's federal governance system.

Ethno-federalism in Nepal emerged as a response to the long-standing demands of Indigenous communities (Adivasi Janajatis), Madhesis, and other marginalized groups for greater inclusion in governance and policymaking. While this model aims to address historical injustices and promote social harmony, it has also sparked debates over national unity, administrative efficiency, and the political identity of marginalized ethnic communities. This study explores the practice of ethno-federalism in Nepal, examining its historical context, constitutional provisions, challenges, and prospects.

Historical Context of Ethno-Federalism in Nepal

Monarchical Centralized System

A high risk of secession prevents the formation of alliances between minority ethnic groups and regime-change agents from the dominant ethnic group (Breen, 2018). For centuries, Nepal was ruled under a centralized Hindu monarchy dominated by high-caste Bahun (Brahmin) and Chhetri elites (Bista, 1979). The contemporary governing system promoted a homogenized national identity based on the Nepali language, Hinduism, and the culture of the hill elites, which marginalized ethnic minorities such as the Janajatis (indigenous groups), Madhesis (plains people), and Dalits (lower castes).

The recognition of individual ethnic identities began with the end of the Rana regime in 1950. Although King Tribhuvan Bir Bikram Shah pledged to acknowledge ethnic identity with the promulgation of the *Interim Government of Nepal Act 1951*, the enactment of *The Constitution of the Kingdom of Nepal 1959* marked the return to a centralized system of governance. Even the multiparty democratic system institutionalized by *The Constitution of the Kingdom of Nepal 1990* failed to address ethnic identity in line with the expectations of the Nepali people.

As a result, Nepal experienced a ten-year Maoist insurgency that highlighted the need for ethnic recognition and inclusion. This movement ultimately led to the Second Mass Movement, which brought an end to the monarchy and introduced a federal system of governance with the declaration of Nepal as a Federal Democratic Republic, as enshrined in the *Constitution of Nepal (2015)*. With the promulgation of the new constitution, Nepal began its political restructuring under a federal system, recognizing the identities of its diverse ethnic communities.

Rise of Ethnic Movements

Nepal was ruled by the Rana family under a tyrannical and centralized regime from 1846 to 1951. This system excluded other ethnic groups from political power and denied them recognition of their distinct identities. Although democracy was introduced in Nepal following the end of Rana rule in 1951, it failed to adequately acknowledge or address the identity of ethnic groups. The 1990s witnessed a rise in ethnic activism, especially after the restoration of multiparty democracy in 1990. Indigenous groups such as the Limbu, Rai, Tamang, Magar, Gurung, and Tharu, along with Madhesi communities, began demanding autonomy, recognition of their languages, and proportional representation in state structures.

The First Mass Movement in 1990 sought full democracy and recognition of ethnic autonomy, but it fell short of fulfilling the people's aspirations for ethnic identity. As a result, a disillusioned faction formed the Communist Party of Nepal (Maoist) and launched an armed revolution against the prevailing governing system to fight for ethnic identity and inclusion. The Maoists mobilized and united various ethnic groups across Nepal, promoting hopes of achieving autonomous ethnic recognition within the governance structure. The Maoist insurgency (1996–2006) further amplified these demands. Their emphasis on ethnic rights eventually led to the inclusion of federalism in the Comprehensive Peace Agreement of 2006.

Constituent Assembly and Federalism Debates

Following the abolition of the monarchy in 2008, Nepal entered a prolonged and contentious constitution-drafting process. The First Constituent Assembly (2008–2012) failed to promulgate a new constitution due to disagreements over the structure and nature of federalism. While the intention was to provide autonomous identity to various ethnic groups through a new federal system, it proved challenging to restructure the nation in a way that fully satisfied every group's demands. Consequently, the first assembly was dissolved without reaching a resolution.

The Second Constituent Assembly (2013–2015) ultimately succeeded in adopting a federal structure that recognized collective ethnic identity, though not without controversy. In particular, Madhesh-based parties expressed dissatisfaction, arguing that the constitution did not adequately acknowledge the Madhesh region as a distinct and unified federal unit, as they had demanded.

While some groups advocated for identity-based federal provinces, others feared that such

divisions might weaken national unity. The final compromise was a mixed model—some provinces were named after ethnic identities (e.g., Province No. 2 became Madhesh Province), while others were assigned geographical names.

Constitutional Provisions on Ethno-Federalism

The Constitution of Nepal (2015) established a federal system comprising seven provinces, each with its legislature and government. Key provisions related to ethnic-federalism include:

Recognition of Ethnic and Linguistic Diversity. The constitution acknowledges Nepal's ethnic and linguistic diversity by recognizing all indigenous languages as national languages, while Nepali remains the official language (Articles 6 & 7). The preamble affirms the sovereign right of the people and their right to autonomy.

Autonomous Authority at All Levels. Article 56(6) ensures that all levels of government—federal, provincial, and local—have autonomous and sovereign authority. Part 20 of the constitution outlines the interrelationship among these levels, demarcating their respective powers and responsibilities.

Linguistic and Cultural Inclusion. Provinces are authorized to adopt one or more additional official languages spoken by a majority within the province, promoting linguistic inclusivity and regional representation. Article 32 (1, 2, & 3) guarantees the right to preserve and promote local languages and cultural practices. These provisions demonstrate Nepal's commitment to preserving cultural and ethnic identities while striving to maintain national unity through a balanced federal framework.

Inclusive Representation

Nepal's constitutional framework emphasizes inclusive representation to address

historical marginalization and ensure that diverse voices are heard in governance. The proportional electoral system guarantees meaningful representation for marginalized communities—such as women, Dalits, Indigenous groups (Adivasi/Janajati), and Madhesi—in both federal and provincial parliaments (Articles 84, 176, and 222). Additionally, reserved seats in government bodies actively promote participation from these groups, countering systemic exclusion. This approach not only strengthens democratic legitimacy but also fosters equitable policymaking that reflects Nepal's social and ethnic plurality.

The *Constitution of Nepal* stands as a significant example of ethnic inclusion within the governing system. It provides for the incorporation of diverse ethnic groups into the mainstream governance structure by establishing various ethnic commissions within the constitution itself (Part 27). The creation of the National Women Commission (Article 252), National Dalit Commission (Article 255), National Inclusion Commission (Article 258), Indigenous Nationalities Commission (Article 261), Madhesi Commission (Article 262), Tharu Commission (Article 263), and Muslim Commission (Article 264) embodies the constitutional commitment to inclusive representation of different ethnic communities in national governance.

Furthermore, the constitution not only guarantees the inclusion of all ethnic communities in policymaking and execution but also establishes mechanisms to monitor and study inclusion practices. The National Inclusion Commission is empowered to conduct research, provide recommendations, and review national policies to ensure the protection of marginalized communities' rights. It also advises the government on the formulation, amendment, and timely revision of laws for minority groups

(Article 259). The federal structure introduced by the current constitution—coupled with the constitutional inclusion of ethnic commissions—further reinforces the core principles of ethno-federalism in Nepal.

Provincial Autonomy

Nepal's federal structure grants provincial autonomy, enabling provinces to exercise legislative authority over key sectors such as education, language, culture, and local governance. This decentralization allows federal, provincial, and local governments to develop policies suited to their specific demographic and cultural needs. For example, Madhesh Province, with its predominantly Madhesi population, and Karnali Province, with its strong Indigenous identity, have used this autonomy to implement policies that reflect their unique ethnic and linguistic heritage. The constitution makes clear and detailed provisions regarding the duties and authorities of all levels of government (Schedules 5, 6, 7, 8, and 9). This flexibility not only enhances local governance but also helps preserve regional identities within a unified federal framework.

Challenges of Ethno-Federalism in Nepal

Despite its progressive aims, ethno-federalism in Nepal faces several challenges. Identity-based tensions continue, as communities like the Tharus in Lumbini and the Madhesi argue that current provincial boundaries do not adequately reflect their distinct identities, leading to protests and demands for boundary revisions (Mallik, 2024). Administrative and financial constraints further complicate implementation, as many provinces lack sufficient resources and struggle with unequal resource allocation from the federal government.

Additionally, the rise of ethnic nationalism has contributed to political polarization, with some politicians exploiting identity politics for

electoral advantage, thereby risking national cohesion (Dahal and Ghimire, 2012). Uneven development across provinces has exacerbated disparities, with economically marginalized regions struggling to assert their rights, while others continue to push for greater autonomy.

Future Prospects of Ethno-Federalism in Nepal

The success of Nepal's ethno-federal system depends on addressing key structural and social challenges. Strengthening provincial governance through enhanced financial autonomy and administrative capacity is essential for effective service delivery. Balancing ethnic recognition with national unity remains critical, requiring policies that foster inclusive citizenship while respecting cultural diversity. Marginalized groups—including Dalits, Janajatis, and Madhesis—must experience meaningful representation beyond symbolic inclusion, with language policies implemented thoughtfully to avoid social fragmentation. Economic decentralization is equally vital, ensuring that federalism reduces historical inequalities through targeted investments in infrastructure, education, and healthcare in underdeveloped regions. If these challenges are addressed effectively, ethno-federalism could fulfill its promise of creating a more equitable and inclusive Nepal.

Conclusion

Ethno-federalism in Nepal represents an ambitious effort to reconcile the country's diverse identities with democratic governance. While it has empowered historically marginalized communities, challenges such as administrative

inefficiency, ethnic tensions, and economic disparities persist.

For ethno-federalism to succeed, Nepal must carefully balance ethnic autonomy with national unity, ensuring that federalism fosters inclusive development rather than deepening divisions. The coming years will be critical in determining whether this model can deliver lasting peace and prosperity within Nepal's complex social landscape.

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