

## **Inclusive Governance in Nepal: Problem and Challenges**

Rameshwor Bhandari  
rmshwr@gmail.com

Training and Research Officer  
Nepal Administrative Staff College  
Jawalakhel, Lalitpur, Nepal

\*Corresponding author; email: r.vandary@gmail.com

### **ABSTRACT**

*Inclusive governance(IG) though virtually encompasses to mainstream the marginalized groups into the broader framework of the governance policies, systems and practices; it is an integrated approach that equally manages to improve two parts of the service delivery - efficient delivery of service, and empowering marginalized communities to demand services. IG is not only about structural change and policy, but it also includes how the actors in governance act and interact with others. Nepal is constitutionally a federal republic democratic (as per the constitution of Nepal- 2015) though the issues on demarcation of provinces and number of local level government have not properly settled yet. A prominent characteristic of Nepal is high ethnic and cultural diversity. Population Census, 2011 has identified 126 ethnic groups, and 123 languages. Since enforcement of IG in this context is challenging, a mass of population still feel that they have not been able to harness the real fruit of IG. In this context, this paper takes references of constitution, national policies, bureaucratic representation and other issues to critically analyze the initiations and achievements in Nepal in shaping IG to real system.*

**Keywords:** *inclusive governance, initiations and achievements, policies, Nepal*

### **INTRODUCTION**

The term Inclusive Governance is presently a buzzword in the field of governance. It is widely used by the scholars in the fields of political science, sociology, administration and development. IG, though virtually encompasses to mainstream the marginalized groups into the broader framework of the governance policies, systems and practices; it is an integrated approach that equally manages to improve two parts of the service delivery - efficient

delivery of service, and empowering marginalized communities to demand services. IG is not only about structural change and policy, but it also includes how the actors in governance act and interact with others. The study of IG recently has become more significant as the traditional concept of governance has started to be questioned for its inability to serve and give access to all people in the society and region equally. The significance of IG has got more momentous in the regions or countries that are characterized by more cultural, racial and religious diversity. In case of Nepal, the political changes that occurred after 1990s brought the issue of IG in more robust manner though it was a discourse since long to mainstream the Women, Poor and Excluded (WEPs) to governance system.

In this backdrop, the main focus of this paper is to study the present state of IG in Nepal, a newly declared federal democratic republic in South Asia sandwiched between India and China. IG is an important aspect of governance in Nepal as it is a county with great ethnical, cultural, religious and linguistic diversity. Because of same social characteristics of Nepal, Toni Hagen (1961:59) has called Nepal “the ethnic turn-table of Asia”. Proper practice of inclusive governance is only an appropriate way to make people of Nepal feel they are treated equally by state mechanisms. In order to study the aspects of IG in Nepal, this paper takes references of political movements, constitutions promulgated in different times, national policies, bureaucratic representation status and other relevant issues to critically analyze the initiations and achievements. The paper ends with conclusions and some way forward in shaping IG of Nepal to real system.

### **GOVERNANCE IN NEPAL FROM PAST TO PRESENT: A SHORT SURVEY**

Though the ancient history of Nepal dates back to the reign of Gopal, Lichhavis and Malla rules, very few literatures are found about these periods. However, the division of people into four caste groups during the reign of King Jayasthiti Malla is significant in both societal and governance system of Nepal. His categorization of people into four broad caste groups- *Brahmin*, *Chhetri*, *Vaishya* and *Sudra* according to the nature of work they perform has have still significant favor in shaping the society and governance system of the country. Nepalese society, is argued, is divided into castes, religions and ethnic groups rather than economic classes (Berreman, 1979; Sharma 1977).

Modern Nepal dates back to 1768, the year King Prithivi Narayan Shah<sup>1</sup> annexed Kathmandu Valley as part of his unification campaign. After the unification of the Kathmandu Valley, he named the new country Nepal and declared Kathmandu as his new capital (Asia Foundation, 2012). The

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unification campaign was continued during the reign of his decedents until 1815, when Nepal signed the *Treaty of Sugauli*<sup>2</sup> with the British East India Company that fixed the territorial boundaries of present Nepal. In between this period from 1768 to 2016, Nepal has experienced quite different forms of governance.

Nepal's governance system from 1768 can be categorized broadly into six periods/stages. In the first stage of Kingship, The administration was highly centralized where source of all legislative, executive and judicial authority was vested upon the Royal Palace. The Royal Palace used all the tactics to defend State and their Kingship. Conscious of spiritual, social and cultural pluralism, economic mercantilism and instinct for national survival between the British and Chinese empires, Shah Kings defined the country's sovereignty over social and physical space and mustered all available resources to defend it (Dahal, 2010:11). The Kings had complete right to appoint anyone to the powerful public posts. The leadership acquired their status from "caste, residence and proximity to the center of political authority" (Regmi, 1995:65). This was the reason behind uprising of certain caste groups such as *Thapa*, *Pandey* and *Basnet* to the important State bureaucratic positions. Tax collection was done through the appointment of certain local elites. They were named *Mukhiya*, *Jimmawal*, *Jamindar*, *Jagirdar* and *Chaudhary*. These practices widened the power distance in the society among the people. In same line Regmi (1999:96) states that the imposition of an elite group on the local agrarian community for the benefit of *rajas*, *birta*-owners and *jagirdars* compelled the peasant to bear the costs of his own political and economic domination.

The second stage also named as the rule of the Rana's *hukumi shasan* started in 1846 with the up-surgings of *Jung Bahadur Rana*<sup>3</sup> in 1846 through bloody massacres. The mastermind of the massacres, Jung Bahadur started fiat family rule in the country, which continued for 104 years until 1950. The succession of Rana Prime Minister was based on the principle of primogeniture. The king held *de jure* power while Rana rulers *de facto* power (Dahal, 2012). Though known as black period in political history of Nepal, it is remembered for some notable reforms too. First codified law was introduced in 1854 though it was based upon Hindu philosophy that gave continuation to caste discrimination. The Civil Code grouped the Nepali people into four main castes: *tagadhari*(sacred thread wearing castes), *matwali* (alcohol drinking castes), *pani nachalne chhio chhito halnunaparne*(castes from whom water can be accepted and whose touch does not require aspergation of water) and *pani nachalne choichhito halnuparne*(untouchable castes) (Sharma, 1977:97). The eradication of slavery system and *sati pratha*<sup>4</sup> was principal transformations of the period. This period too was family centric and the flavor of inclusive governance couldn't be materialized.

The independence of India in late 1940s raised democratic impulse in Nepal too, and as a result of revolt against Ranas, the country saw the onset of democracy in 1951. This change marked beginning of the third stage in the history of governance of Nepal. Though the introduction of democracy was a prominent breakthrough, the ruling system was in the hands of some specific ethnic groups. The upper caste groups-Brahmin (educated mostly in Banaras, India) and Chhetri dominated the administrative and political positions. As a result, the so called democratic governance system also could not root its politics on the periphery of rural Nepal. The first general election of 1958 tried to formally stabilize the democracy in Nepal under the leadership of Prime Minister, B.P. Koirala, but King Mahendra dissolved the democratic system and introduced a party less *Panchayat* system in the country in 1960 owing to the political culture of revenge and conspiracy among the political parties. This move of the King led to the commencement of fourth stage in the governance system of Nepal. The party-less panchayat regime further intensified ties of kinship and patronage as King himself was a sole authority for the appointment of Prime Minister and other chief administrative heads. The political parties were completely restricted to carry out their activities. Panchayat regime expanded the scope of state to contain ideological crosscurrents through Nepalization, Sanskritization, nationalism, public sector economy and diversification of external relations but created “limited access order” (Snyder, 2010:287). In spite of various criticisms, this period is landmark regarding the introduction of *The Muluki Ain* (General Code) in 1963 (2020 B.S.). This Code abolished all sorts of discriminations on the basis of gender, caste and religion and made all the citizens of Nepal equal in front of law. The same Code with 12<sup>th</sup> amendment is still in practice.

Democracy was reestablished in Nepal in 1991 through the popular people’s movement led by major parties that had allied together to fight against the party less Panchayat rule. The movement brought back the country into a multi-party democratic system. The new constitution was promulgated in 1990 through which Nepal was declared “a multi-party democratic Kingdom of Nepal”. The Constitution of the Kingdom of Nepal, 1990, under “Right to Equality” stated that all citizens shall be equal before the law, and no discrimination shall be made against any citizen on the grounds of religion, race, sex, caste, tribe or ideological convictions. Though this constitution of Nepal was considered as one of best the persecutors claimed it as one of the best constitutions in the world, it couldn’t address the issues of inclusiveness properly. The people who were marginalized and excluded for long couldn’t be brought into mainstreaming governance system. The political parties were also not that much serious to address the issues of these poor and marginalized people and were focused more in the game of forming and reshuffling government. Same political activities gave fertile environment for uprising of armed Maoist movement that brought country in the state of war leading to the death of more than 15,000 citizens in a decade.

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The formal end of armed movement following the Comprehensive Peace Accord in 2006 between the by then government of Nepal led by Hon'ble Prime Minister Girija Prasad Koirala and Puspa Kamal Dahal (Prachanda), Chairman of Communist Party of Nepal (Maoist), followed by People's Movement II, gave hope not only to perpetual peace in the country but also to the establishment of inclusive governance. This last and sixth stage of governance in Nepal after 2006 is the milestone in achievements regarding inclusive governance in Nepal. Interim Constitution of Nepal, 2007 was the foundation for drafting and implementation of inclusive policies, Acts and Rules in the country. Some significant achievements have been since 2007 in shaping IG to system though it has not been achieved to full extent. The initiatives and achievements would be discussed in the forthcoming section.

### **NEED FOR INCLUSIVE GOVERNANCE IN NEPAL**

Nepal is a country with high diversity. The extensive ethnical, cultural, linguistic and religious diversities in the country has given a different identity to this landlocked country sandwiched between two giant emerging economics- China and India. The National Population and Housing Census of 2011 has identified 126 caste and ethnic communities and 123 languages and dialects in Nepal. As per the Population and Housing Census (2011), of the total population of 26.4 million, *Chhetris and Brahmins(Hill)* constitute 16.6 and 12.2 percent respectively. It is followed by *Magar* (7.1%), *Tharu* (6.6%), *Tamang* (5.8%), *Newar* (5.0%), *Kami* (4.8%), *Muslim* (4.4%), *Yadav* (4.0%) and *Rai* (2.3%). The left 31 percent constitutes more than 110 different ethnic caste groups. *Kusunda*, having the lowest population consists of just 273 people. As per the religion, 81.3 percent of people are *Hindus* and 9 percent *Buddhists* followed by 4.4 percent *Muslims*, 3.1 percent *Kirants*, 1.4 percent *Christians* and remaining other unidentified minority religious groups. Regarding the language, 44.6 percent of total populations speak *Nepali* as their mother tongue followed by 11.7 percent *Maithali*, 6 percent *Bhojpuri*, 5.8 percent *Tharu* and 5.1 percent *Tamang*.

As mentioned in the introductory section, IG aims to mainstream the marginalized groups into the broader framework of the governance policies, systems and practices. It is an integrated approach to improve two parts of the service delivery - efficient delivery of service to the marginalized and excluded groups, and empowering those communities to demand services. In case of Nepal, IG is a must to mainstream the diverse population into state mechanisms. It is a reality in Nepal that for centuries, some social groups have received better opportunities than others. They harness such opportunity on the basis of gender, caste and ethnicity-based practices. The

most disadvantaged have been women, Dalits, indigenous ethnic groups, Muslims, Madhesis, indigenous nationalities and those people who are living in remote areas. These groups in short can be put into the category of Women, Poor and Excluded (WPE). Such multi- dimensional exclusion faced by Nepali citizens has ultimately perpetuated unequal development outcomes as groups have been discriminated against formally and informally at all levels in society (Sigdel and Sharma, December 2013).

Table 1

*Dimensions of exclusion in Nepal*

Social Category Status	Gender	Caste	Ethnicity/ Race	Language	Religion	Geo/ Political
Dominant	Men/ Boys	Brahmin/ Chhetris	Caucasoid	Nepali	Hindi	Parbatiya: Hill dweller
Subordinate	Women / Girl	Dalit	Janajati/ Mangoloid	Other	Non- Hindu	Madheshi: Plain dweller

*Source: GSEA (2006:5)*

Most of the prominent administrative and political positions are held by two leading caste groups- Brahmins and Chhetris. The third position is held by Newars. Exclusion dimension can be ascertained from Table 1. Exclusion has been a cause and result of unequal development in Nepal. The incidence of poverty in the country has decreased in recent years, but poverty rates among excluded groups continue to be higher than the national average (INCLUDE, 2013:9). Until the development is carried out in balanced way by ensuring the access of all these population to mainstream politics and decision making mechanisms, Nepal can't achieve the development in real sense. It also should not be forgotten that IG is not only about structural change and policy, but it also includes how the actors in governance act and interact with others.

**INITIATIONS AND ACHIEVEMENTS FOR INCLUSIVE GOVERNANCE POLICY/LEGAL INTERVENTIONS**

The government of Nepal for the first time incorporated the policies and programs targeting for the development of indigenous peoples, women, *Madhesis, Dalits* and other marginalized and excluded communities in the

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Ninth Five-Year Plan (1997-2002) though the issue was under discussion since long. In this this periodic plan, the government admitted its weaknesses to accommodate these communities in the mainstream development programs of the country (Gurung, 2009).

Though the proper intervention was set from Ninth Periodic Plan, the popular People's movement of 1990 and 2006 for reestablishment of democracy set strong constitutional frameworks for promotion of inclusive governance. In addition, all periodic plans since 2000 have placed high priority on inclusive development with special focus on inclusive governance (Sigdel and Sharma, 2013). Local Self Governance Act 1999 was a landmark in promotion of inclusive governance. It had the provision for mandatory representation of disadvantaged groups in local bodies. However, it is a tragedy in governance of Nepal that no local election has been held after the implementation of this Act in Nepal. The Act became passive after the end of tenure of local elected bodies in 2002. Since, the Tenth Five Year Plan 2002-2006- also known as the Poverty Reduction Strategy Paper (PRSP), the concept of social exclusion and inclusion got sincere assiduity. Since then, policy-level interventions got priority. The drafting of Good Governance Act, 2008 and was also a policy level intervention that focused in inclusion for realization of good governance.

The Comprehensive Peace Agreement signed between the Government and Maoists (2006) and the Interim Constitution of Nepal (2007) incorporated clear provisions of Gender Equality and Social Inclusion (GESI) as a move to make the governance system more inclusive. In same line, The GoN has also been showing its commitments for GESI by ratifying a number of international human rights conventions such as the Convention on Elimination of All Forms of Discrimination against Women (CEDAW). Government had incorporated the issues of inclusion and GESI in all its 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> 3-Year Plans. The Approach Paper to 14<sup>th</sup> 3-Year Plan, 2016-2019 (F.Y. 2073/74-75/76 B.S.) has included "Gender Equality, Inclusion and Mainstreaming" as a separate component of development under "Interrelated Development Policies". It has included gender equality and women empowerment, inclusion, and excluded and marginalized caste groups under it. According to same 14<sup>th</sup> periodic plan, there has been the significant progress in women empowerment and inclusion. The percentage of women as head of family has reached 25.7 percent. Similarly, the women ownership to property has reached 26 percent and the representation in civil service 17 percentage by the end of 13<sup>th</sup> plan. The gender inequality index and HDI for women have reached 0.489 and 0.521 respectively. The percentage of Gender Responsive Budget (GRB) has reached 22.3 percent in the financial year 2015/16. This 14<sup>th</sup> plan has envisioned 23 different strategies to achieve greater women representation and empowerment.

In regards to inclusion, the Approach Paper to 14<sup>th</sup> 3-year plan has planned to increase the human development and empowerment indicators of the community backward in economic, social and cultural development. It has planned to continue capacity enhancement programs to enhance the skills and competency of women, indigenous, Madeshi, Muslim, Dalit, endangered and backward community and peasants.

Similarly, under the issues related to endangered, excluded and marginalized groups, the plan has set an aim to establish equitable society through economic, social and cultural development of this group. It has set seven functional strategies to meet the set aim.

The Constituent Assembly Member Election Act of 2007, Good Governance Act of 2008 and Civil Service Act 1993 (through amendment in 2007) incorporated the legal provisions for mandatory inclusive representation in public positions through reservation. Civil Service Act, 1993 has ensured reservation quota for women, indigenous, Madheshi, Dalit, physically disabled and backward regions. The reservation has also been implemented by all other public institutions including security forces.

The above discussion makes it clear that there is no compromise from State level in policy level for improving the status of inclusive governance in Nepal. However, whether these policies are integrated into real sense through proper institutional arrangements to real target groups or not is the matter of questioning.

## **CONSTITUTIONAL ARRANGEMENTS**

Though the Constitution of Kingdom of Nepal, 1990 had principally accepted the notion of IG, it was not realized properly until the promulgation of Interim Constitution in 2007. The Interim Constitution adopted the principles of proportionate inclusiveness for disadvantaged, downtrodden and oppressed groups, and it was materialized in the Constituent Assembly of 2008. The same principle was adopted in the second Constitution Assembly Election of 2014. This constitution had extended the fundamental rights of the citizen by including right of women, right of children, right to social justice and others. The sense of inclusive governance has been further intensified through the constitution of Nepal 2015. This constitution has included a provision of acquiring citizenship from the name of a mother. It has increased the number of fundamental rights to 31 in number. Some of the added fundamental rights include- right of victim of crime, right to language and culture, right of Dalits, right of senior citizens and right of consumers. Similarly, the constitution

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has provision for 13 constitutional bodies, eight more in comparison to the Interim Constitution of 2007. The added constitutional bodies are: National Resources and Fiscal Commission, National Women Commission, National Dalit Commission, National Inclusion Commission, Adibasi Janajati (Indigenous) Commission, Madheshi Commission, Tharu Commission, and Muslim Commission. Except the first commission, all other commissions carry out the direct functions related to inclusive governance. The provision of separate inclusion commission will definitely help for ensuring greater inclusion in Nepal. It shows that the recently promulgated constitution of Nepal is very progressive in the matter of inclusive governance. It is obvious that the changes to the constitution will lead to the passing of more laws the provisions related to constitutional provisions as constitution is the source of other laws.

In addition to the provisions of constitutional bodies, fundamental rights and citizenship, some other provisions have also helped to strengthen inclusive governance. Inclusive representative is ensured in all three levels of government- Federal, Provincial and Local. Regarding, the filing of candidacy from political parties, there is provision for compulsory representation of persons with disability too. Article 84(8) of the constitution has ensured at least 33 percent of women representation in Federal Parliament. Also, Article 91 (2) has clearly stated that either Speaker or Deputy Speaker of Federal Parliament should be female. The same provisions are there for Provincial Parliament too. Similarly, The Village Executive and Legislature (Article 215 and Article 222) has ensured the representation of women, Dalit or minority community in these State mechanisms. Regarding the top most State positions, President and Vice-President, the constitution (according to Article 70) has stated that election of President and Vice-President has to be held so as to represent different gender or communities. In addition, this constitution has the provision of “Policies regarding social justice and inclusion” under Directive Principles, Policies and Responsibilities of the State. Though no question can be raised in any court as to whether any of the provisions contained in this part is implemented or not (Article 54), but Article 52 has also mentioned that it would be the State obligation to observe the directive principles of the State and gradually implementing policies. Therefore, it would be the State guiding principles for the State to implement inclusion to greater extent.

### **INSTITUTIONAL ARRANGEMENTS**

Several initiatives have been taken by the government to mainstream inclusion through the arrangement of different institutions/ organizations. Government

set the Ministry of Women, Children and Social Welfare in 1995 as its initial move. Two years later, National Committee for Development of Marginalized, Oppressed and Dalit Class was established. In addition, National Foundation for Development of Indigenous Nationalities (NFDIN), affiliated to the Ministry of Foreign Affairs & Local Development, Government of Nepal was established, under the Chairmanship of the incumbent Prime Minister in 2002. Similarly, the National Dalit Commission has been in existence since March 19, 2002. Moreover, the National Women Commission has also been in existence from the same year to integrate social inclusion into national governance system and strengthen capacity of marginalized and excluded groups. The government after the popular People’s Movement-II (also known as April Movement, 2006) commissioned a high-level Committee on Reservation to recommend appropriate policy, mechanism and procedures for effective enforcement of reservation system. Following the recommendation of the high –level commission, the government brought the reservation policy in 2007 for inclusive representation of women, Dalits, indigenous nationalities, backward community and persons with disability in the public service of Nepal.

Regarding the political institutionalization of reservation and inclusion, Constitutional Assembly (CA) was formed after the election of 2007 which was appreciated worldwide for incorporating inclusion. The wider representation in CA can be viewed in Table 1.

Table 1

*Representation of Members of CA (2007-2012)*

Population Group	Proportion of Nepal’s Popn (2001) in %	Representation in CA (2007)	Representation Index (Out of 1)
Hill Chhetri, Brahmin, Sanyashi, Thakuri	30.9	33.2	1.0000
Hill Dalit	7.1	5.6	0.7887
Hill Janajati	28.5	26.9	0.9439
Madeshi Janajati	8.7	8.1	0.9310
Madeshi Castes	14.8	20.8	1.0000
Madeshi Dalit	4.7	2.3	0.4893
Muslim	4.3	2.8	0.6512
Women	50.04	32.7	0.6534

*Source: Khanal, 2014*

The representative status in the First CA Election was very promising. There was representation from wider level of community. This representation was

possible because of reservation quota on the basis of caste groups. Out of total 601 seats, 335 was allocated for inclusive representation while 240 for First-past-the-post (FPTP) election system, and remaining 27 for appointment of influential persons based on political consensus. The wider representation was made in CA to gather the voice of different community in CA for the purpose of drafting new constitution. However, it is an irony that only 29 women candidates could be elected in first CA from FPTP system, and the number decreased to just 10 in Second CA of 2013. This poor result in FPTP indicates that still the women need reservation in political sector for some period of time.

When the first CA could not draft the Constitution, Second CA Election was held in November 2013. The percentage of representation remained somehow similar in second CA Election too though some fluctuations were seen in some population group. In case of women representation, the percentage diminished to 29 percent from existing 32.7. The reason behind this was less representation of women from FPTP election in second CA.

## **BUREAUCRATIC REPRESENTATION**

The motto of inclusive governance cannot be achieved until the State has the proper representation of the citizen from all communities or regions of the country in its bureaucracy, the administrative mechanism of the government that is involved in policy making and decision making. Therefore scholars have long debated the composition and representativeness of bureaucracy and the extent to which its decisions reflect public interests and needs (Senden et.al. 1998: 717). The concern of representative bureaucracy is based on the assumption that more representativeness in bureaucracy ensures that bureaucratic decision-making takes account of diverse societal interests and closer links are forged with citizens and clients (Rehfuss, 1986:454). It means the representative bureaucracy helps for ensuring responsive and trust worthy public services. The voice of WPEs reaches to the State mechanisms more prominently. Jamil and Dangal (2009:194) opine that when there is more representation, the likelihood of that diverse societal interest will be reflected in greater degree in bureaucratic decision making. In same line, Bendix as cited in Lægreid and Oslen (1978:13) opined that a more representative bureaucracy poses less of a threat to a democratic system than a bureaucracy that represents a particular class or social group.

The issue of representative bureaucracy and bureaucrats' attitudes, norms and values may be said to be more relevant in the context of developing

countries, where bureaucracies are alleged to be staffed by the upper echelon of society and are hence unrepresentative of common people’s interest (Hyden, 2005). In case of Nepal, bureaucracy until last decade was considered non-representative to large extent. The blame is genuine as the bureaucracy in Nepal is being dominated by certain caste groups since long. Brahmin has the highest share in the representation. Most of the senior bureaucrats (Special Class) in civil service are still occupied by Brahmins. The second and third highest proportions are by Chherti and Newars respectively. However, some positive changes have been marked in bureaucratic representation since the introduction of inclusion policy in 2007. The amendment of Civil Service Act in 2007 has ensured the representation of marginalized and excluded groups in state mechanisms. The Act after amendment has the provision of 45% reservation seats. Considering the vacant posts 100 percent, 45 percent is fulfilled through inclusive competition exam and rest 55 through open competition. A person eligible to fight in the inclusion quota can also sit for the open competition. Considering 45 percentage as 100 percent, the inclusion is done as per the categorization in Table 2 in the examinations of Public Serve Commission (PSC) conducted for selection of candidates for civil service in Nepal.

Table 2

*Reservation percentage for Inclusion in Civil Service*

S.N.	Category	Percentage of reservation
1	Female	33
2	Indigenous Group	27
3	Madhesi	22
4	Dalit	9
5	Candidates with physical disability	5
6	Backward Districts <sup>1</sup>	4
Total		100

*Source: Civil Service Act, 1993 (Second Amendment, 2007)*

Other autonomous public organizations in Nepal have also followed the same inclusion provision through necessary amendment in their Acts and regulations. Even the security forces of Nepal including Nepal Army have been incorporating the reservation policy. However, the percentage of reservation is not the same in the security forces because of the nature of service.

The reservation policy in civil service has brought significant improvement in bureaucratic representation of different groups. Indigenous

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people, Madheshi, Women, Dalit and people from backward regions and citizens with physical disability, who did not have any or very less representation in policy making mechanisms have also has been able to make their presence in State bodies. This has helped to make the public service more inclusive. Table 3 presents the comparative figure of women representation in bureaucracy of Nepal from 2008 to 2016.

Table 3

### *Ratio of Male and Female Employees in Civil Service of Nepal*

Year	Female	%	Male	%	Total	Total %
2008	8774	11.09	70368	88.91	79142	100
2009	8713	11.96	64125	88.04	72838	100
2010	9749	13.00	65225	87	74974	100
2011	10773	13.84	67075	86.16	77848	100
2012	11679	14.67	67928	85.33	79607	100
2016 (Jan 10)	14625	17.97	66743	82.03	81368	100

*Department of Civil Personnel Records, 2013 and 2016*

Table 3 shows us that there is increasing women representation in civil service of Nepal. The percentage of female was just about 10 percent before implementation of reservation policy in 2007. Then after, female representation has been going up gradually. It is very positive change in public service of Nepal. The growing proportion is also because of increasing interest of female in sitting for exams of Public Service Commission (PSC). Table 4 shows us the comparative figure of male and female candidates for some years.

Table 4

### *Male Female Ratio of Applicants in PSC Exams*

Year	Female	%	Male	%	Total
2001/02	-	9	-	91	-
2008/09	32457	38	53,711	62	86,168
2009/10	139,963	47	160,500	53	300,463
2010/11	110,307	43	141,344	57	251,651
2011/12	113,785	42	157,792	58	271,577
2012/13	173418	47	195387	53	368805
2013/14	255234	46	305681	54	560915
2014/15	360506	60.12	239162	39.88	599668

*Source: PSC Annual Report, 2001-2015.*

Table 4 shows us that there is vast change in the ratio of male female applicants in PSC exams. Though the percentage of female applicants was just 9 percent in the FY 2001/02, it has reached around 50 percent after 2009. The percentage of female candidates was more than males in the FY 2014/15. This increment suggests that females of Nepal are now more inclined in joining the government services.

Though there is increment in number of female applicants, there is no sufficient ground for being satisfied as the percentage of candidates passing the PSC exams are still been dominated by the males. We can analyze the United Exam for Gazatted Class III Officer Examination (except Foreign Affairs and Law) conducted by PSC in 2015. Out of 334 candidates selected for the final recommendation for recruitment, more than 200 were males. If we see the merit of top 100 candidates, only 11 females were there. Most of the female candidates recommended for position of officer were from the female quota. The case for other reserved group is also the same. Madheshi and Indigenous group are at the bottom of the merit. It means that they are still far behind than Brahmin and Chhetri males in the competition. To conclude, though there are still some problems in proper bureaucratic representation, it can be asserted that it is in gradual increment phase. It may take long time for proper proper representation but we can be ensured that inclusive governance in Nepal would certainly be enhanced through improved bureaucratic representation.

### **ANALYSIS OF INCLUSIVE GOVERNANCE IN NEPAL**

It can be asserted from the above discussion that governance in Nepal is not fully inclusive though it is in the improving phase. There have been positive initiations to make the governance system inclusive through timely amendment in policies and laws, institutional arrangements and wider participation of citizens from most of the ethnic and community groups. Above all, the constitutions of Nepal have been very progressive in the matter of inclusive governance. Though the Constitution of the Kingdom of Nepal, 1991 had included some provisions of inclusive governance, the last two constitutions- Interim Constitution of Nepal, 2007 and Constitution of Nepal, 2015 are mention worthy. Interim Constitution of Nepal included the provision of proportional representation for the first time in Nepal to ensure the right and access of marginalized and excluded communities. It also established National Women Commission as the constitutional body and ensured the right of women, children and aging population through the provision in fundamental rights.

The CA election held on the basis of Interim Constitution formed a model Constitution Assembly representing people from wider community.

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It had also the representation of third gender. Though this CA failed to draft the constitution in Nepal, it fostered the greater political participation. The second CA promulgated the new constitution of Nepal in 2015 which has also guaranteed inclusive governance to greater extent. It has also envisioned separate constitutional bodies for protecting the rights of Dalit, Women, Madheshi, Tharu, and Muslim. The new constitution has ensured the representation of women, Dalit, Muslim and other indigenous people from local to central level government.

Similarly, the periodic plans of Nepal have been made inclusive friendly. Since the 10<sup>th</sup> Five-year plan 2002-06, all the plans and policies are inclusive in nature. Participation of people is ensured from local to central level through the question of real participation is always being raised. Gender responsive budget has also been introduced and its proportion has already crossed 20 percent. As the real inclusive governance is not possible without empowerment of social, economically and politically viable groups, these plans have incorporated strengthening programs too.

Regarding the bureaucratic representation, there has appeared positive changes in wider representation of citizens representing different ethnic groups/communities. There has been significant increment in percentage of female, indigenous community, Dalit, Madheshi and backward region people in the State bureaucracy. Though this change has been made possible through reservation policy, the reservation system itself is not flawless. Since, the reservation is based on ethnicity (except of 4% on region base), there have been some blame that the reservation has not been able to cater the needs of real targeted group. We can analyse this aspect from the social inclusion index of various caste/ethnic group from Table 5.

Table 5

### *Dimensional and Composite Social Inclusion Index by Caste/ Ethnic Group (out of 97 Ethnic Caste/Ethnic Groups)*

S.N.	Caste/ Ethnicity	Social Dimension Index	Economic Dimension Index	Political Dimension Index	Cultural Dimension Index	Social Dimension Index	Gender Dimension Index	Social Inclusion Index
1	Kayastha	0.6540	0.6404	0.8796	0.8215	0.9649	0.5488	0.7516
2	Hill Brahmin	0.6799	0.6048	0.7020	0.9673	0.9594	0.5285	0.7403
3	Thakali	0.7198	0.6773	0.7217	0.6551	0.9090	0.6209	0.7173
4	Thakuri	0.5804	0.4773	0.6827	0.9967	0.9309	0.5633	0.7052
5	Newari	0.6811	0.6137	0.6697	0.6695	0.9013	0.5759	0.6852
6	Rajput	0.5932	0.6140	0.8106	0.7653	0.8168	0.4843	0.6807
7	Brahmin-Terai	0.5828	0.6341	0.7645	0.7533	0.8717	0.4631	0.6782

(continued)

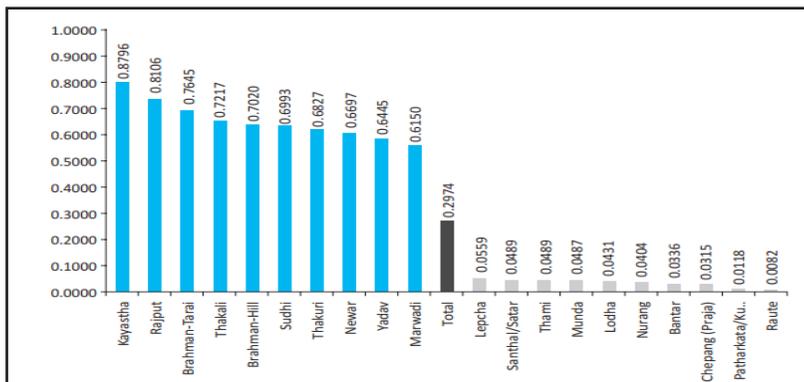
S.N.	Caste/ Ethnicity	Social Dimension Index	Economic Dimension Index	Political Dimension Index	Cultural Dimension Index	Social Dimension Index	Gender Dimension Index	Social Inclusion Index
8	Chhetri	0.5795	0.5200	0.5831	0.9849	0.8607	0.5382	0.6777
9	Synsasi	0.5747	0.5075	0.5045	0.9897	0.9145	0.5726	0.6772
10	Marbadi	0.6804	0.6673	0.6150	0.6418	0.8657	0.5318	0.6670
11	Gurung	0.6212	0.5476	0.5247	0.7183	0.8893	0.6147	0.6526
12	Baniya	0.5400	0.6014	0.5485	0.8037	0.9364	0.4548	0.6475
13	Teli	0.4897	0.5814	0.5855	0.8303	0.9073	0.4849	0.6465
14	Sudhi	0.5080	0.5738	0.6993	0.7669	0.7895	0.4561	0.6323
15	Halwai	0.5154	0.5171	0.5963	0.7913	0.9057	0.3801	0.6177
88	Kami	0.4805	0.3848	0.1878	0.6389	0.3289	0.4609	0.4136
89	Bing/ Binda	0.3087	0.3100	0.1246	0.7800	0.6294	0.3287	0.4136
90	Chamar/ Harijan/ Ram	0.3337	0.2932	0.1941	0.7966	0.5143	0.3318	0.4106
91	Halkhor	0.3782	0.3747	0.0623	0.8146	0.3344	0.4734	0.4063
92	Dusadh/ Paswan/ Pasi	0.3435	0.2759	0.2480	0.8048	0.3838	0.3578	0.4023
93	Tamta	0.3645	0.3622	0.1130	0.8282	0.3607	0.3019	0.3884
94	Patharkata/ Kuswadiya	0.3852	0.2914	0.0118	0.6699	0.4510	0.4625	0.3786
95	Khatwe	0.3345	0.3105	0.1023	0.8046	0.3907	0.2822	0.3708
96	Dom	0.2597	0.3733	0.1343	0.7027	0.2719	0.4408	0.3638
97	Musahar	0.2772	0.1840	0.0830	0.7780	0.2807	0.3612	0.3274
	Total (Average)	0.5359	0.5155	0.2974	0.8327	0.7991	0.5085	0.5815

Source: Central Department of Sociology Anthropology (CDSA) (2014)

Table 5 has presented the dimensional and composite social inclusion index for top 15 and down 10 caste/ethnic groups. Though our present reservation policy is said to be targeted to the marginalized and excluded groups, it also gives reservation to some prominent caste/ethnic groups. For example, though Kayastha, Thalkali, Newari, Rajput, Marbadi, Teli, Sudhi and Halwai are included within 15 caste/ethnic groups, they enjoy reservation under Madheshi and indigenous group. If we see the bottom 10 caste/ethnic groups, most of them belong to Dalit (considered untouchables) from Terai region. They need the real reservation; however they have very less access to it as the quota for reservation is entertained by the members of high class ethnic groups. Similarly, Newars though have access to high political and administrative positions are also enjoying the reservation in name of indigenous group. If we consider their economic index, it is higher than that of Brahmin, who are claimed to have captured major bureaucratic and political arena. Our understanding on social index can be understood from Figure 1 and Figure 2 too.

Figure 1

*Top and bottom Ten Social Groups in political dimensional index (among 97 caste/ethnic groups)*

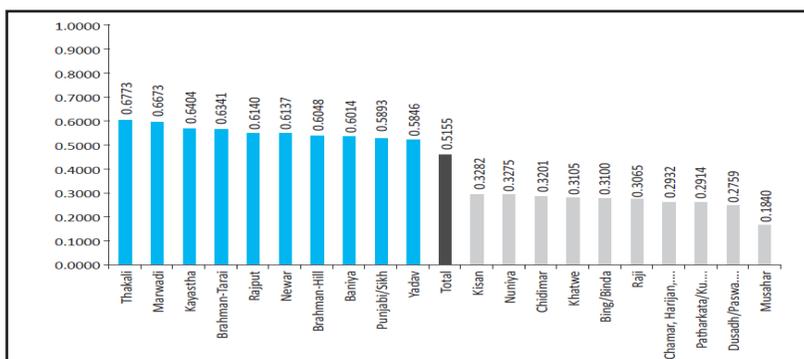


Source: Central Department of Sociology Anthropology (CDSA) (2014)

Figure 1 again declares that Kayastha, Rajput, Brahmin-Terai, Thakali, and Brahmin Hill are at the top of the political dimension. Among these 5 ethnic groups, Brahmin-Hill is only the ethnic group that doesn't get reservation in State mechanisms. It is interesting that all other 5 groups enjoy reservation facility. Chhetri, who is kept in same position in most situations with Brahmin-Hills, is not included in top ten category of political dimension.

Figure 2

*Top and bottom Ten Social Groups in economic dimensional index among 97 caste/ethnic groups*



Source: Central Department of Sociology Anthropology (CDSA) (2014)

Again the economic dimension index has somehow similar findings. Thakali, Marbari and Kayasta are in the top three positions. Newar and Yadav are in top ten positions in this dimension too. These findings suggest us that there are some flaws in the reservation policy under inclusive governance. It needs some amendments. The real target group is to be determined and addressed properly. Otherwise, there would certainly be some questions in this regard. It has already been 9 years that the inclusion reservation policy has been implemented by PSC. There is a provision of reviewing the policy in the interval of 10 years. Therefore, necessary changes are to be made in the upcoming review to harness inclusive governance in real sense.

To sum up, there is no doubt that governance system in Nepal is becoming more inclusive. It has ensured the participation of citizens from diverse community from local to central level government. The recent policies and laws are being IG friendly. The traditional central governance system is being replaced by decentralized federal government through the implementation of new constitution. However, there are number of hurdles way ahead in shaping inclusive governance to real system. There are still dissatisfaction of certain ethnic groups regarding the rights and access. Genuine demands are to be addressed so that the newly declared constitution along with federalism would be implemented properly.

## **CONCLUSIONS**

Inclusive governance is an integrated approach that equally manages to improve two parts- efficient delivery of service, and empowering marginalized communities to demand services. IG is not only about structural change and policy, but it also includes how the actors in governance act and interact with others. Implementation of inclusive governance is a must in Nepal as it is culturally and ethnically diversified country. Until and unless citizens from all spheres of society feel their presence and participation in governance mechanisms, they do not have the feeling of trust and ownership towards governance system. For enhancing the same trust and ownership, the government of Nepal has identified various approaches of inclusion to mainstream the marginalized and excluded groups. Though complete inclusion has not been achieved yet, concrete initiatives have been taken after the turn of this century. The initiations put forward after the April Movement of 2006 and Comprehensive Peace Accord between Maoist and Seven Party Allies have been prominent in this regard. The last two constitutions of Nepal- Interim constitution of Nepal, 2007 and Constitution of Nepal, 2015 have contributed a lot in institutionalization of inclusive governance to greater degree. The reservation policy has been implemented

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in all public institutions after 2007 though is not cent percent flawless. The State plans have been set in line with the ethos of inclusive governance. To sum up, many achievements have been met though still a lot more attempts are to be undertaken. The upcoming amendment of the constitution which is under discussion among the political parties will certainly shape the IG to new height. For this, there is necessity of positive and constructive support and collaboration from government, political parties, civil society, media, individuals, international communities and others.

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- 1 Backward areas include seven districts of Mid-Western Hills (Achham, Jajarkot, Mugu, Humala, Jumla, Kalikot and Dolpa)

(Endnotes)

- 1 Shah King from Gorkha kingdom, who unified numerous small states into a single nation and started Shah regime in Nepal.
- 2 A treaty signed between Nepal and British East India Company to end the battle between the two sides at a place named Sugauli, near Butwal of present Nepal. Nepal lost about one-fourth of its territory from the treaty
- 3 The first Rana Prime minister who came in power through two massacres named *KotParwa* and *Bhandarkhal Parwa*, resulting from a power struggle between the various factions within the palace.
- 4 The ill tradition/culture in which wife/wives were burnt along with dead husband in the same funeral pyre of husband