



Geopolitics and Federalism in Nepal's State Restructuring

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Abstract

This study explores the restructuring of Nepali into a federal system and examines the impact of geopolitics on this transition. The research addresses the question: How has Nepal's geopolitical context influenced its federal restructuring process? The study's problem statement focuses on the complexities of decentralizing power in a geopolitically sensitive region, where balancing national sovereignty and regional autonomy is crucial. The objective is to analyze how federalism and geopolitics have shaped Nepal's governance transformation. Using a qualitative research design, the study employs secondary data analysis from legal documents, historical records, and scholarly articles, following APA format. The findings indicate that Nepal's transition to federalism was driven by both internal factors ethnic diversity, historical exclusion of marginalized communities and external geopolitical pressures from neighbouring India and China. The delegation of power to provincial governments has improved local governance, but challenges remain, particularly in managing financial autonomy and addressing ethnic divisions. The conclusion highlights that federalism was necessary for Nepal to address its internal diversity and geopolitical realities, ensuring a more inclusive and sustainable governance structure. Nepal's federal restructuring is a significant case of how geopolitics and governance models interact in state-building efforts.

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Introduction

Restructuring of state for federalism refers to separating powers by decentralising the country's geopolitical and administrative system into various sub-national units, such as provinces, states, or regions. To establish such a system, significant changes must be made to the constitution, laws, and the overall constitutional structure of the country (Pant, 2009) ^[34]. Since the constitution is the supreme law, all other laws are created following its provisions, and the state is governed based on those laws. This requires formal changes in the country's administrative system, documented in legal frameworks. Nepal's 2006 People's Movement not only transferred the king's vested powers to the people but also restructured the state by decentralising the long-standing centralised monarchy (Sangraula, 2007) ^[36]. Power was delegated to local and provincial governments, replacing the centuries-old unified administration and royal system with a more localised governance structure (Mainali, 2006) ^[26]. As a result of this restructuring, regional governments were established and granted political and administrative authority.

In transitioning a country from a centralised government system to a federal one, the constitution must first be amended to reflect the country's geopolitical realities. This includes clearly outlining the distribution of powers between the central and provincial governments (Gurung, 2007) ^[14]. In doing so, authority should be delegated to preserve national sovereignty. Under a federal system, key areas such as defence and foreign policy typically remain under the central government's control, reflecting the country's geopolitical imperatives (Acharya, 2006) ^[1]. Other responsibilities, including education, healthcare, infrastructure development, and law enforcement, are generally transferred to provincial and local governments. This delegation of powers encourages regional governments to focus on effectively implementing laws and governance (Elzar, 2008) ^[9].

The success of such a federal structure is highly dependent on the country's geopolitical context, geographic features, and cultural diversity. In Nepal's case, these factors have played a pivotal role in shaping its federal system and significantly influenced the state restructuring process.

A state when undergoes restructuring to create regional or provincial units, a new government structure must be established, including mechanisms for electing legislatures and executives at the provincial level. These legislatures are empowered to form provincial governments and implement laws and policies within the framework of the rights defined and granted by the Constitution (Dehl, 2000) ^[7]. One of the major challenges during the state restructuring process is managing the financial and revenue sectors. In the early stages of federalization, the central government must delegate control of revenue sources to the provinces (Anderson, 2007) ^[3]. This allows the provinces to generate the necessary resources for local governance, thereby reducing the financial burden on the central government.

Furthermore, provincial governments, once established, have the authority to create regional courts and enforce the rule of law based on provincial statutes, thereby strengthening the legal system at the local level (Toparwin, 2009) ^[41]. In a country like Nepal, where ethnic diversity plays a significant role, it is essential to consider ethnic demographics during the process of state restructuring. The composition of ethnic majorities and minorities must be carefully addressed to avoid potential ethnic tensions or violence (Ghimire, 2019) ^[11]. Nepal's administrative structure has also been influenced by the historical Shanus system, with concerns that restructuring along ethnic lines could exacerbate caste-based divisions (Anderson, 2007) ^[3]. Thus, the process must balance administrative efficiency, financial autonomy, and social cohesion to ensure long-term stability and peace in the federal system.

Nepal, situated between two powerful neighbours, India and China, had to approach state restructuring with great caution due to its unique geopolitical and geographical situation (Sigdel, 2014) ^[39]. As a small country with a limited geographical area, the necessity of federalism was a topic of intense debate at the time. After extensive discussions, Nepal ultimately adopted a federal system, with the Constituent Assembly agreeing to divide the country into seven provincial states, as formalized in the 2015 constitution. Geopolitical considerations played a critical role in shaping this decision. Geopolitics, which examines how geographical factors such as location, resources, and political power

influence a nation's interactions and global strategic decisions, was a foundational element in Nepal's restructuring process (Kukreja, 2011) ^[23]. The influence of geography on national policies and actions, especially in terms of regional disputes, control over natural resources, and the balance of power with neighbouring countries, was paramount in the decision-making process. In Nepal's case, maintaining equilibrium between the geopolitical interests of India and China while ensuring internal political stability was essential (Dahal, 2007) ^[5]. These factors guided the creation of a federal system, which aimed to decentralize governance while safeguarding national sovereignty and addressing the diverse needs of its regions.

Nepal's transition to federalism illustrates how smaller nations, particularly those situated in geopolitically sensitive areas, must carefully consider both internal dynamics and external pressures (Pokhrel, 2009) ^[35]. The adoption of a federal structure was not only a political decision but also a strategic move to navigate the complex regional power dynamics and ensure sustainable governance. This approach underscores the significance of geopolitics in shaping a country's constitutional framework and state-building efforts. Geopolitics takes into account a country's location, size, borders, access to resources, and degree of economic self-reliance as foundational elements for shaping its policies and strategic decisions (Khanal, 2006) ^[20]. These elements must be considered within the context of the global or regional power balance, as well as the influence exerted by neighbouring countries. Coastal nations, for instance, often have administrative and federal systems that differ significantly from those of landlocked countries, given their access to maritime trade and broader geopolitical interests.

For a landlocked country like Nepal, situated between two powerful nations, India and China, maintaining strong, friendly relations with its neighbours is essential for its security and development. Nepal's state restructuring has been influenced by this geopolitical reality. However, due to its abundance of natural resources, Nepal has continually attracted the attention of external powers, making this a central aspect of its geopolitics. If Nepal had access to the sea, its political and strategic landscape would be markedly different. Likewise, if Nepal were not geographically positioned between two global powers, the foundational structure of its federal system might have evolved differently (Khanal, 2009) ^[22]. This underscores the significant influence geography and geopolitics have on a nation's political strategy and state-building efforts, particularly for countries like Nepal that are navigating complex regional dynamics.

Geopolitics itself is an important factor in international relations. Because some countries have been building international alliances, managing conflicts, or competing for global dominance by taking advantage of their country's geographical features. This is the most dangerous strategy of geopolitics in the world today. Some of the developed countries of the world choose countries with geopolitical constraints to control natural resources such as fuel, water, minerals, etc. Nepal is a country with resources like minerals, water resources, uranium, petroleum, forests and wild animals. Nepal has been able to use such resources very little. After the developed countries have exhausted their resources, Nepal's resources are becoming enticing. This is also an aspect of geopolitics. Disputes related to territory, borders and sovereignty often come to the fore in geopolitics. Even

though the issue of sovereignty is always raised in Nepal, Nepal has been a strong sovereign country since ancient times. At present, as many countries of the world are getting information about the internal situation of the country due to social media, they are starting to feel the negative impact on the geopolitics of the country.

Nepal has actively participated in establishing military bases, adopting flexible trade agreements, and engaging in various diplomatic negotiations. One key aspect of Nepal's diplomacy is its flexibility in water-sharing agreements with India, as seen in the Gandak Agreement, the Mahakali Treaty, and India's involvement in electricity production projects. This approach has helped maintain stable relations between Nepal and India (Shrestha, 2006) ^[38]. Similarly, Nepal's relatively limited relationship with China is also shaped by its geopolitics. Factors such as the vast Himalayan border, challenging transportation routes, cultural differences, and linguistic complexities make it difficult to foster a truly close relationship with China, despite appearances to the contrary (Gurung, 2012) ^[13]. This research is of significant importance because the geopolitical dynamics of Nepal have not been thoroughly studied. The study also seeks to explore why Nepal has not historically embraced a federal system, despite several attempts. While there have been many studies on Nepal's state restructuring, few have examined the role of geopolitics in this process. By focusing on this understudied area, the research addresses a critical gap in the literature. The primary objective of this study is to analyze the impact of geopolitics and the implementation of federalism on the restructuring of Nepal's state governance.

Methods

This study employs a qualitative research design to examine the restructuring of Nepal's state governance and the role of geopolitics in shaping its federal system. The qualitative approach was chosen to explore complex social, political, and historical dimensions of Nepal's transition from a unitary to a federal system. The research relies primarily on secondary data, collected through a library-based method, including books, scholarly articles, government reports, and historical documents. The key sources of data were legal documents, constitutional provisions, historical records, and previous studies on Nepal's governance system. The data collection process involved reviewing relevant literature on Nepal's political history, the People's Movement of 2006, debates on federalism, and the geopolitical context surrounding state restructuring. By using a purposive sampling technique, documents and literature directly related to the research topic were selected. The collected data were analyzed using descriptive and analytical methods. The descriptive analysis helped in outlining the chronological development of Nepal's governance structure, while the analytical method was employed to interpret the influence of geopolitics on the federal restructuring process. The findings are presented in a way that links historical events, political decisions, and geopolitical factors to Nepal's state-building efforts. This methodological approach provides a comprehensive understanding of the complexities involved in Nepal's federal transition.

Results and Discussion

Throughout Nepal's ancient, medieval, and modern history, the existence of a centralized government system limited

equal access to state administration, lawmaking, and resources for various caste, ethnic, linguistic, and cultural communities, as well as marginalized regions and classes (Dahal, 2011) ^[6]. In ancient and medieval times, central rulers struggled to control the entire territory, appointing regional feudal rulers to manage tax collection and administration. Gradually, as central authority weakened, these provincial administrators became independent rulers, leading to the development of more than 50 small states within Nepal. This phenomenon mirrored the geopolitical landscape of neighbouring regions, such as the Delhi Sultanate, Vijayanagar Empire, Bahmani Sultanate, Chola Kingdom, and Rajput Kingdom. In India (Wats, 2008) ^[43]. Nepal's challenging mountainous terrain safeguarded its sovereignty by making foreign invasions difficult. Additionally, the Tibetan kingdom to the north, despite being a key trade centre, was weaker than Nepal from the medieval period onwards. This is evidenced by Nepal supplying currency to Tibet, which lacked its independent currency. The fact that Nepal's currency was used in Tibet reflects the latter's relative weakness and suggests that Tibet posed no military threat to Nepal. This geopolitical advantage contributed to Nepal's sustained independence.

At the time when King Prithvi Narayan Shah of Gorkha kingdom initiated his campaign to unify the fragmented small states into a unified Nepal, the power of the British East India Company was rapidly expanding in India. This marked the beginning of increasing geopolitical challenges for Nepal. During this period, several independent states, such as the Sikh Kingdom of Punjab and the Kingdom of Kashmir, still existed in India, with some potential to maintain their sovereignty. However, the British East India Company gradually absorbed these states into its growing Indian empire (Dua & Singh, 2003) ^[8]. Amid this geopolitical shift, the East India Company sought to annex Nepal, much like it had with other Indian states. However, Nepal narrowly avoided integration into British India due to the Gorkhali army's determined resistance during the Anglo-Nepalese War (1814–1816). Unlike other Indian states such as the Marathas, Mysore, Punjab, and Kashmir, which lost their independence following their defeats by the British, Nepal successfully preserved its sovereignty (Adhikari, 2021) ^[2]. This outcome can be attributed, in part, to Nepal's unique geopolitical position and natural defences.

One of the key factors that helped safeguard Nepal's independence was its challenging terrain and natural boundaries. In the south, dense and vast forests served as a formidable barrier between Nepal and India, making access difficult for invaders. Additionally, the Terai region, a lowland area prone to deadly diseases like malaria, remained largely uninhabited, providing no strategic value to potential invaders. These natural factors acted as protective buffers, allowing Nepal to remain independent while other Indian states were being subsumed by the British Empire (Sharma, 2009). Thus, Nepal's geopolitical advantage, coupled with its natural defences, enabled it to resist British expansion and remain the only independent state in the region, even as neighbouring territories were absorbed into the British Indian Empire. This historical context underscores the significance of Nepal's geographical and geopolitical factors in maintaining its sovereignty during a period of intense colonial expansion (Jackson, 1978) ^[17].

Oligarchical Rana rule in Nepal began in the 19th century and

lasted for 104 years. The Rana regime pursued a policy of appeasement toward the British East India Company, which helped maintain Nepal's sovereignty. By aligning with the British, the Rana government secured British support for Nepal's independence. Had the Ranas chosen to confront British power or adopt a hostile stance, Nepal's independent existence would likely have been jeopardized (Lawati, 2010) ^[24]. During the Rana period, Nepal faced little threat to its sovereignty from the British government in India. The Ranas maintained a close relationship with the British, which ensured political stability for Nepal despite the increasing colonial control over the Indian subcontinent. The geopolitical situation at the time allowed Nepal to avoid the fate of many other South Asian states that were absorbed into the British Empire. In 1951, the Rana rule came to an end, coinciding with major shifts in the region. India gained independence in 1947, and the partition of India and Pakistan diverted India's focus from Nepal. The newly independent Indian government, led by Prime Minister Jawaharlal Nehru, adopted a non-aligned foreign policy, which further reduced any immediate threat to Nepal's sovereignty. India's internal challenges, including the Kashmir conflict and post-partition reconstruction, meant that Nepal was not a priority in Indian foreign policy during this period (Ganguli, 1986) ^[10].

Even during the subsequent tenures of Indian leaders like Lal Bahadur Shastri and Indira Gandhi, India was preoccupied with internal issues and ongoing conflicts with Pakistan over Kashmir. As a result, Nepal remained relatively free from external pressure or intervention. Throughout this period, the geopolitics of South Asia, particularly the instability caused by the India-Pakistan conflict, indirectly benefited Nepal by diverting attention away from the Himalayan kingdom (Manandhar, Shrestha & Sharma, 2008) ^[27]. The political dynamics of the region played a significant role in safeguarding Nepal's sovereignty, allowing it to remain independent even as other nations faced external threats.

Analyzing the internal geopolitical dynamics of Nepal reveals that the country's total area is smaller than many states of India. Nepal covers 147,516 square kilometres, while the Indian state of Rajasthan spans 342,239 square kilometres. This comparison highlights that Nepal is geographically smaller than several Indian states. Given this relatively small size, it becomes important to examine why state restructuring and the adoption of a federal system were necessary in Nepal, particularly in its unique geopolitical context. Nepal is a multi-ethnic, multi-lingual, and multi-religious country, with more than 81 percent of its population adhering to Hinduism. Since ancient times, Nepal's population primarily consisted of Hindus and Buddhists, while small numbers of Muslims and Christians began to settle in the region during the medieval period. The first wave of Muslim traders entered Nepal from Tibet during the reign of the Malla kings in the Kathmandu Valley (Vaidya, 2018) ^[42]. Similarly, Christian missionaries arrived in Nepal toward the end of the medieval period to spread their faith. Today, Muslims constitute about 5 percent of Nepal's population, while Christians account for approximately 1.5 percent.

The religious groups, and indigenous communities that follow ancient animist and nature-based religions such as Bon, Prakriti, Kirant, and Musto have long been part of Nepal's cultural fabric. However, the centralised governance structure in Nepal historically marginalised many of these diverse religious, ethnic, and linguistic groups (Hachhethu,

2007) ^[16]. Over time, these communities began to feel that their identities, interests, and access to resources were not adequately protected under the unitary, centralised system. This growing sense of exclusion and inequality among various groups catalysed the movement towards federalism in Nepal. The need for a federal system was driven by the desire to restructure the state in a way that would provide more equitable representation and autonomy for Nepal's diverse communities. Federalism was seen as a solution to decentralise power and allow for greater regional self-governance, ensuring that the rights and identities of marginalised groups would be safeguarded (Neupane, 2000) ^[33]. In this context, Nepal's shift to federalism was not only a response to internal demographic and cultural diversity but also a strategic move to stabilize the country in a complex geopolitical landscape.

After the end of the Rana rule in Nepal in 1951, the country experienced about a decade of political instability. During this period, caste-based and ethnic tensions, as well as power struggles among political factions, marked Nepal's internal politics. At the same time, India was going through its post-independence transitional phase, which meant that Indian leaders were preoccupied with domestic issues and could not devote significant attention to Nepal. Although Nepal's sovereignty was somewhat weakened due to internal instability, the country did not face an immediate external threat due to international geopolitics. In 1960, King Mahendra, concerned about the weakening sovereignty and political instability, dismissed the democratically elected government and introduced the non-party Panchayat system, which centralized power under the monarchy (Joshi & Rose, 2004) ^[19]. At that time, India was steadily consolidating itself both politically and economically. Under the leadership of Jawaharlal Nehru, India began to strengthen its military and economic sectors. His successor, Lal Bahadur Shastri, continued this trajectory with the slogan "Jai Jawan, Jai Kisan" (Hail the Soldier, Hail the Farmer), emphasizing both military and agricultural growth. This helped India build a more stable and powerful national framework.

When Indira Gandhi took office in 1966, she pursued a more assertive foreign policy, particularly toward South Asia. Her strategy aimed to expand India's political influence in the region, positioning India as a dominant power in Asia. This was most evident during the 1971 Indo-Pakistani War, in which India played a pivotal role in supporting the independence of Bangladesh (formerly East Pakistan). Indira Gandhi's decisive actions during this period cemented India's status as a key regional power. During the 1970s and 1980s, several of India's neighbouring countries, including Sri Lanka, Pakistan, and Afghanistan, experienced ethnic violence, terrorism, and religious unrest. These regional conflicts further increased India's influence as it played a stabilizing role in South Asia. Meanwhile, in Nepal, internal unrest was also growing (Jha, 2006) ^[18]. The Maoist insurgency began in 1996, intensifying political instability and conflict in the country.

In 2001, Nepal faced one of its most shocking events: the royal palace massacre, which resulted in the death of King Birendra and his immediate family. This tragedy marked the end of King Birendra's dynasty, and his brother, Gyanendra, ascended to the throne. The political and social instability that followed further weakened Nepal's monarchy and set the stage for the eventual abolition of the monarchy in 2008.

After ascending the throne, King Gyanendra sought to consolidate power and establish an autocratic regime. He employed the narrative that Nepal's sovereignty was under threat as a form of propaganda to justify his actions. By sidelining the political parties that were committed to parliamentary democracy, he attempted to dismantle Nepal's democratic institutions. However, the political parties did not remain passive. Faced with King Gyanendra's authoritarian moves, they entered into negotiations with the underground Maoist insurgents, despite the ongoing armed conflict, to unite in their effort to end the monarchy. In 2006, a massive popular movement, known as the People's Movement (Jana Andolan), ultimately led to the downfall of Nepal's centuries-old monarchy. This movement, supported by a coalition of political parties, civil society, and the Maoists, capitalized on growing public dissatisfaction with the king's rule. Seizing this historic opportunity, various regional, ethnic, and class-based communities also began advocating for Nepal to adopt a federal system of governance through state restructuring (Nepal Sarkar Kanun Kitab Byabastha Samiti, 2006) ^[31]. The Maoists were strong proponents of this demand, emphasizing the need for greater inclusivity and representation of marginalized groups.

The federal movement gained further momentum as major political forces like the Nepali Congress and the Communist Party of Nepal (Unified Marxist-Leninist, UML) also endorsed the idea. This led to a major shift in Nepal's governance system. In 2015, the Constituent Assembly formally declared the establishment of a federal system, dividing the country into seven provinces based on state restructuring. This was a pivotal moment in Nepal's history, marking a significant transformation from a centralized monarchy to a federal democratic republic. However, the restructuring process sparked considerable debate, particularly concerning its geopolitical implications (Nepali Congress, 2007) ^[32]. One of the most contentious issues was the demand from the Terai-based Madhesi movement, which called for the entire Terai region to be unified into a single province. Some political factions strongly opposed this proposal, arguing that it could endanger Nepal's national unity and sovereignty. The Terai-centric parties, dissatisfied with the constitution-drafting process, rejected the final document, claiming that it did not adequately address their concerns (Madhesi Janaadhikar Forum, 2007). This standoff highlighted the delicate balance between maintaining national integrity and addressing regional and ethnic demands.

Despite these internal divisions, Nepal's political parties eventually agreed that adopting a federal system through state restructuring was essential for safeguarding the country's sovereignty and promoting national unity. The 2015 constitution, which enshrines the federal system, has become a key document ensuring Nepal's sovereignty and territorial integrity (Ghimire, 2019) ^[11]. Nepal also successfully navigated the complex geopolitics surrounding the constitution's implementation, securing both internal and external support for its federal framework.

Constituent Assembly and Federalism

After the election of the Constituent Assembly in 2008, the first meeting, held on May 28, 2008, formally abolished the monarchy and declared Nepal a republic. This historic decision marked the end of centuries of monarchical rule and

set Nepal on a new path toward democracy and federalism. Subsequently, on July 13, 2008, the Interim Constitution of 2007 was amended for the fifth time. One significant amendment was made to Article 138, where a new subsection was introduced that mandated the restructuring of the state (Lawati, 2010) ^[24]. This amendment emphasized that the old internal borders of Nepal would be redefined and reconstructed to accommodate a federal structure.

To facilitate this process, a committee was formed with the task of studying and proposing a framework for state restructuring. The committee's work was based on extensive consultations with Nepalese citizens, scholars, and geopolitical experts. Its goal was to design a system of power distribution that would not only reflect the country's internal diversity but also safeguard Nepal from potential negative impacts stemming from the complex geopolitics of South Asia. Drawing from these consultations, the committee presented a report recommending a three-tiered administrative structure for Nepal (Gyanwali & Raj, 2010) ^[15]. The country would be divided into three levels: the central (federal) union, provincial states, and local administrative units. The report proposed that the central union would oversee the country's legislature, executive, and judiciary, as well as the federal constitutional commissions, which would be vital for maintaining the integrity of the state. At the provincial level, the report recommended the establishment of a provincial executive, legislature, and judiciary, ensuring that each province would have its autonomous governance structure. Additionally, the local level would consist of village councils and municipalities, which would exercise the administrative powers devolved to them by the provincial governments. This structure aimed to decentralize power and promote local governance, making the system more responsive to the needs of the people. Throughout the entire process of restructuring the state and defining provincial and local boundaries, the committee was careful to prioritize geopolitical considerations. The new administrative divisions needed not to inadvertently destabilize Nepal's delicate position within South Asia (Pokhrel, 2009) ^[35]. The restructuring aimed to strengthen the country's unity and internal cohesion while minimizing any potential geopolitical risks associated with the federalization process.

According to the report by the State Restructuring and Distribution of State Powers Committee, Nepal's governance system at the time was unitary, with centralized power. The recommendation to restructure Nepal into a federal system was made to reflect the unity and diversity of Nepali society, taking into account the demands voiced during the 2006 People's Movement and the aspirations of marginalized communities. The committee emphasized the importance of promoting self-governance by clearly defining the rights and responsibilities of different levels of government within the new state structure. In its recommendation, the committee proposed restructuring Nepal as a sovereign nation by considering various factors such as geopolitical, geographical, ethnolinguistic, cultural, and territorial autonomy (Khanal, 2009) ^[22]. This approach was not seen as the creation of a new state but as an internal transformation of the existing state structure. The goal was to ensure that the restructuring would be permanent, acceptable to the majority of the population, and aligned with both internal and external geopolitical conditions, the global environment, and the sentiments of the

people.

The report also clarified that the concept of 'border' in the context of state restructuring referred to the internal administrative borders of Nepal, not its international borders. The intention was to redraw internal boundaries in a way that would strengthen Nepal without affecting its relations with neighbouring countries (Gyanwali & Raj, 2010) ^[15]. The committee was mindful that any internal restructuring should not create tensions or disruptions in the region and that Nepal's sovereignty should be safeguarded through a balanced approach to both domestic and international factors.

State Restructuring and Geopolitics in the Constitution of Nepal 2015

After extensive debate and discussion, the Second Constituent Assembly of Nepal successfully announced the new constitution on September 20, 2015. This constitution was distinct from the previous six constitutions created in Nepal, as it was designed to reflect the will of the people in its structure and the distribution of state power (Khanal, 2009) ^[22]. The document emphasized that Nepal's foreign relations would prioritize cordial relations with all neighbouring countries, with geopolitics serving as a fundamental guiding principle in shaping this foreign policy. The distribution of state power within the constitution was not based on caste but rather aimed at administrative convenience. According to Part Five, Article 56, Clause 1 of the Constitution, Nepal is structured with a three-tier administrative system. Additionally, Article 56(5) allows for the establishment of special structured or autonomous areas for social, cultural, or developmental purposes based on federal laws.

Furthermore, Article 57 explicitly outlines the rights of the Union, State, and local bodies, delineating their respective powers. Article 58 mentions that local associations can exercise rights concerning subjects not explicitly listed in the constitution. Regarding the distribution of resources necessary for the functioning of the provinces, provisions were made to ensure that the Union, State, and local levels could utilize the rights associated with the designated areas outlined in the constitution.

Demand for Federalism in Nepal

The demand for a federal government system in Nepal was primarily driven by regional and ethnic differences. Ethnic oppression was a significant issue, and there was a widespread call for its end. Additionally, regional development was imbalanced, leading to concerns that the state had neglected remote and backward areas, which sparked the Madhesh movement. Initially, there was a strong push for dividing Nepal into federations based on caste. This demand stemmed from a robust sense of identity tied to ethnicity and language, which posed challenges to nation-building (Tamang, 2009) ^[40]. Various groups advocated for structuring the state based on different criteria, including ethnicity, language, religion, and regionalism, and they sought to have these considerations enshrined in the Constitution (Nepal Communist Party Maobadi (2007) ^[29]. Experts also argued that geopolitics should be a crucial factor in restructuring Nepal's state system.

India, Nepal's neighbour, is known for its linguistic, cultural, and social diversity, which has historically prevented the

establishment of a unified political system. Therefore, it was essential for Nepal to study India's federal structure, both historically and in its current form while considering the regional geopolitical context before establishing its federal government (Nepal Communist Party (UML), 2007) ^[14]. Ultimately, Nepal opted for a federal structure that mirrors certain aspects of the Indian model. In India, federations, unit states, and regional units are based on linguistic, religious, and cultural factors that defy centralization. Nepal recognized these issues as secondary to the primary considerations of state restructuring (Nepal Sadbhawana Party (2007) ^[30]. While the constitution acknowledges the importance of ethnicity, language, and regionalism in the restructuring process, it is inaccurate to claim that Nepal's federal structure is identical to India's. The geopolitical contexts of the two nations differ significantly.

While formulating its federal system, Nepal prioritized geopolitics, but India lacks a precedent for developing federalism modelled after other Asian countries. Thus, it is natural for there to be differences between the federal structures of Nepal and India. Moreover, Nepal emphasized the principles of administrative ease, adaptability, and accessibility in its federal framework (Tamang, 2009) ^[40]. Consequently, the restructuring of the state and the establishment of federalism in Nepal were directly influenced by geopolitical considerations, and these elements were duly reflected in the constitution.

Conclusion

The transformation of Nepal from a unitary system of governance to a federal system was essential to address the country's inherent diversity in caste, language, religion, culture, and geography, while also responding to external geopolitical influences. With neighbouring countries, particularly India, successfully employing a federal system, the gradual improvement of Nepal's economy heightened the demand for a similar governance structure. The movement for federalism aimed to rectify historical ethnic and regional disparities, allowing marginalized communities that were previously excluded from administrative processes to gain a sense of belonging and identity. Implementing a federal system was intended to actively engage diverse populations, especially those who have long been disadvantaged, in national decision-making, all while considering geopolitical factors. By guaranteeing local governance through a clear separation of powers, the federal structure was seen as a means to empower the Nepalese people, ensuring that their rights reached them at the grassroots level. This restructuring was viewed as vital for national strength and prosperity, drawing on successful governance models from other countries.

Nepal's approach mirrors that of India, where the Prime Minister serves as the executive head within a parliamentary framework. The establishment of a federal system in Nepal, as outlined in the current constitution, is pivotal for the country's geopolitical standing. Thus, like many nations worldwide, Nepal is inextricably linked to geopolitics. The decision to divide the country into seven provinces, despite its smaller size compared to some Indian provinces, underscores the profound influence of geopolitical considerations on Nepal's governance structure.

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