

Social Contract and Identity Politics in Nepal: A Sociological Analysis

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Abstract

This paper draws on sociological knowledge to explore and establish the association between social contract (state-citizen relationship) and identity politics in Nepal. The study delves in depth in the empirical study of inequality, participation in state mechanisms, and power dynamics that have historically shaped the state and power. This study presents a clear evidence on how class, caste, culture, gender, and geography all affect the decisions of the marginalized and disadvantaged communities in addressing long-prevailing issues of social inequality and exclusion through identity politics. The paper has carried out an analysis based on qualitative data and secondary sources such as recent journal articles, books, international and government reports, and dossiers related to the topic. The idea of federalism, as embedded in the Nepalese Constitution 2072, as a tool of state governance and a basis of the social contract, is not always wholly accepted by citizens. The increasing distrust in political parties and governance, poor service delivery, and political impunity have only further fueled the issue of identity politics in Nepal. The study concludes that for the just democratic functioning of the state and the significance of a social contract, fundamental challenges such as economic, gender, social, and historical inequalities must be addressed.

Keywords: social contract, identity politics, social inclusion, state-citizen relationship

Introduction

An analysis of Nepal's social and political journey reveals that the relationship between the state and society has never been static. From time to time, mass movements, political changes, and social struggles have redefined this relationship. From a sociological perspective, this situation can be described as a process of continuous restructuring of the 'social contract'. The core idea of the social contract is that people create a common authority to escape the state of nature, protect and coordinate it, and for this they give up some of their freedom (Magar, 2026). Here, the social contract is not just a legal document, but also a complex relationship of trust, recognition, rights, and obligations between the state and citizens. The present state of identity politics in Nepal requires a multivalent approach to recognition (Dangaura, 2023, p. 82). In a multi-ethnic, multilingual, and socially diverse society like Nepal, how such a contract is experienced and by whom is deeply intertwined with social status, power, and identity.

The political transformation that Nepal has undergone since after 2006, following the Comprehensive Peace Agreement, was not just a transformation of the system of governance, it was an attempt to rewrite the relationship between the state and society. The abolition of monarchy and the separation of governmental power into three political tiers were the key goals of federalism (Acharya, 2021, p. 21). With the establishment of the republic, the federal structure, and the 2015 constitution, identity politics began to occupy a central place in public discourse. Understanding the movements based on caste, ethnicity, Madhesi, Dalits, women, indigenous, and regional identities as demands for cultural recognition is incomplete. These movements are social voices demanding equality, respect, and participation with the state. They have questioned the limits of the existing social contract.

For a long time, state power in Nepal has been concentrated in the hands of a limited social group, and many communities, although formally citizens, have not been able to experience equal citizenship in practice (Pokharel, 2011). Despite legal equality, trust in the state has been further weakened by unequal access to education, employment, representation, and decision-making processes. Nepal still faces significant barriers to education such as poverty, cultural norms and inadequate school

facilities, especially in rural areas (Lohani, 2024). The dissatisfaction born of this experience has been expressed in the public sphere in the form of identity politics. Identity politics is understood as a new kind of politics that has emerged in the democratic life of the present-day world (Seethi, 2014, p. 274).

Political and economic opportunities clearly differ by caste and ethnicity. Hill Brahmins in particular are hugely overrepresented in politics and administration. For example, fifteen out of sixteen prime ministers since 1990 were Brahmins, one a Chhetri. There are big variations within ethnic groups and Madhesis, but some of the poorest communities fall within these broad categories invariably worst off, of course, are both hill and Tarai Dalits (Das & Hatlebak, 2010). It is unclear how prejudices, political and administrative underrepresentation and economic disadvantages are connected. Ethnic activists identify discrimination by the upper caste groups in politics and administration as a major factor (Bista, 1991)

Contemporary sociological theories provide a useful perspective to understand this situation. As Gramsci (1971) argued, the state is not simply a means of force, but rather a means of consensus. “Gramsci explained how dominance in society is maintained not only through political power, but also through cultural, ideological and moral power structures”, (Magar, 2026). Bourdieu (1991)'s concept of symbolic power shows how some identities are made 'normal' and others 'marginal'. As Nancy Fraser (1995) has emphasized, the imbalance between recognition and redistribution creates social conflict. From these theoretical perspectives, Nepal's identity-based movements are not signs of social fragmentation but rather attempts to build an inclusive social contract. “A political movement is an organized effort by a number of people to alter societal norms or governmental policies that are currently in practice”, (Gautam, 2024, p. 1). As a result, most caste and ethnic groups have formed their own organizations and involve in identity politics with the claim of ethnic federal states. In this process, most of the groups have revitalized their traditional socio-cultural practices and strengthened their ethnic identity by re-joining kin and sub-caste groups (Kharel, 2013, p 171). Nepal is experiencing a surge in identity politics and accompanying demands for federalism. Diverse groups are insistently demanding a direct say in governing their regions. Disappointed by their failure to win expanded rights and recognition during the

democratic period of the 1990s, many organizations representing ethnic and regional groups now see federalism as non-negotiable.

This research attempts to understand the role of identity politics in Nepali politics from a sociological perspective. Through the analysis of secondary sources, this study raises questions such as why state-society relations have become strained, how identity-based claims are enacted as legitimate social demands, and how social contract can be reimagined for inclusive democracy. In this way, this study makes an academic attempt to connect human experience and structural analysis to the debates on democracy, federalism, and social justice in Nepal.

The research question for this study is to find out if there exist systemic exclusion and inclusion in Nepal's current political society and how it is being shaped identity movements of impoverished communities. Similarly the objective of this research question is to provide sociological analysis how and to what extend is identity politics affecting political inclusion under inclusive democracy and federalism.

Literature Review

The concept of the social contract is often associated with the classical political philosophies of Hobbes, Locke, and Rousseau. However, the sociological literature has seen it not as a mere hypothetical agreement but as a social relationship that develops over time between the state and society. “These three writers articulated with particular clarity a distinction between attributes of human motivation and behavior in the 'state of nature' vs. those that were the products of society with formal institutions”, (Seabright, 2021, p. 3). Durkheim linked the social contract to social solidarity and moral consensus, raising the question of how modern society is unified. Mechanical solidarity has been associated with shared norms and values within homogeneous communities, while organic solidarity has emphasized reciprocal obligations stemming from functional interdependencies within nation-states (Bazzani, 2025). Weber seems to explain the legitimacy of the state by linking it to the beliefs and beliefs of citizens rather than legal rights. The identification of legitimacy as a multi-dimensional phenomenon further enables us to distinguish different ways in which power may be non-legitimate (Beetham, 1991). These sociological perspectives help to understand the social contract as a process that is outside the law, connected to everyday social

experience.

In the critical sociological tradition, we find attempts to view the social contract in terms of power and inequality. Marxist literature emphasizes that the social contract is not equal for all but a structure that legitimizes class domination. In class society the ruling class subjects the productive forces to itself and, by virtue of its domination of the material force, subjects all other classes to its interests (II, 2007). Gramsci expands on this idea by stating that the state is not simply an institution of force but a structure that establishes domination through consent. This power is mainly exerted by the dominant bourgeois class through the medium of ideology: by working on the popular mentality via the institutions of civil society and thus establishing a hegemony using the State apparatuses (Daldal, 2014). In this sense, the social contract is not an equal agreement between the ruler and the ruled, but rather a form of agreement born of unequal power relations. Because of this inequality, some groups feel secure within the contract, while other groups feel excluded or excluded.

The literature on identity politics focuses on such experiences of exclusion. In recent decades, as the realization that class-based politics cannot address all social problems has grown, movements based on race, ethnicity, gender, language, and culture have emerged. For many millennia and throughout the world, these ethnocentric beliefs have shaped social relations across lines of what we now think of as class, race/ethnicity, gender, nationality, sexuality, religion, and more”, (Barak, 2014, p. 2). Taylor (1992) has pointed out that the lack of recognition has a serious impact on an individual's self-esteem and social participation. “The idea here is to find an alternative normative standpoint for the evaluation of contemporary economic relations that is tied to more universalizable—and hence justifiable— claims concerning deliberative democracy and the social bases of personal integrity”, (Zurn, 2005, p. 90). Castells (2004) has linked identity to power and resistance, explaining why social movements in modern society have become identity-centered. This literature shows that identity politics is not an emotional issue but a process related to deep social structures.

Feser (1995)'s contribution to understanding the relationship between the social contract and identity politics is considered particularly important. She argues that social

justice should not be limited to a question of economic redistribution but should also be linked to questions of social recognition and respect. According to her, ignoring identity weakens the social contract, but ignoring economic inequality makes identity politics itself incomplete. This provides a sociological basis for balancing both the economic and cultural dimensions to make the social contract more inclusive. “A central issue in social justice is that of identifying those differences among persons and groups which are morally significant to the distribution of benefits and burdens”, (Smith, 2000, p. 1150).

Post-colonial sociological literature argues that it is problematic to limit the concept of the social contract to the European experience. In many developing and post-colonial societies, the social contract has remained incomplete, incomplete, crippled, unequal, and dysfunctional. “No society has a complete consensus on family issues, religion, the economy or the right way to be governed – and indeed many societies are marked by radically different views, often stridently expressed”, (Murshed, 2006, p. 140). Partha Chatterjee (2004) has highlighted the difference between formal citizenship and real participation, arguing that the relationship with the state is not the same for all citizens. “The contemporary significance of citizenship principles is particularly meaningful for the organization of cities, as this issue shows”, (Garcia, 1996, p. 7). Such a perspective helps to understand why the social contract is constantly being questioned in societies like Nepal.

The sociological literature on Nepal has long highlighted inequalities and exclusions based on caste, class, region, and gender. “Some are facing politicalfacing the political exclusion, othersexclusion others economic exclusion and some have been facing socio-facing the socio- cultural exclusion in Nepal”, (Ghimire D. 2018, p. 52). Studies by scholars such as Chaitanya Mishra, Mahesh Chandra Regmi, Krishna Khanal, and others have shown how the state-building process has been focused on the interests of a limited social group. Studies focusing on the post-2062/63 movements and the 2072 constitution have analyzed identity-based claims in conjunction with demands for inclusive democracy and a federal structure. But these chapters have often been presented in isolation.

The overall literature review makes it clear that there is a deep connection

Magar, 2026, Social Contract and Identity Politics... ..

between social contract and identity politics. Both international theoretical discourse and studies on Nepal have highlighted the fact that state-society relations are uneven and dynamic. However, sociological studies in Nepal that focus on identity politics as a process of renegotiation of social contracts are still limited. Addressing this gap, this study attempts to understand contemporary sociopolitical changes in Nepal by placing social contract and identity politics in an analytical framework.

Methods and Materials

In this study, a qualitative research methodology is used to understand complex and theoretical issues such as social contract and identity politics. The study is based entirely on secondary sources because issues such as state-society relations, social inclusion, and identity-based movements can be effectively analyzed through an in-depth study of existing ideas, debates, and documents rather than direct fact-finding. For this, books on sociology and political sociology, peer-reviewed journal articles, research reports, and academic materials published in the context of Nepal have been used. In addition, the Constitution of Nepal, policy documents, and analytical articles on social movements have been included as the main references for the study.

The study combines both ontology and epistemology. The research design for this study uses non-empirical and qualitative approach is carrying out a critical and constructive interpretation of the secondary academic sources, policy documents and discourses. This study utilizes a qualitative, non-empirical research design based on interpretive and critical textual analysis of secondary academic and policy documents to sociologically examine the historical and structural renegotiation of the state-society social contract in Nepal.

The study has adopted an interpretive and critical textual analysis approach while analyzing the collected material. In this process, concepts such as social contract, identity, recognition, power, and inclusion have been used as central analytical bases. The study attempts to understand Nepal's political changes, constitutional restructuring, and identity-based movements in a historical context. This helps to clarify how the relationship between the state and society is being redefined. Thus, this research seeks to explain the process of renegotiation of the social contract in Nepal from a sociological perspective, focusing more on structural trends, social meanings, and ideological

discourses than on empirical facts.

This study will attempt to fulfill the knowledge the gap by analyzing contemporary academic scholarship in Nepal to show how interdependent is identity politics with governance and constitutional contract. This will allow the researcher to focus on reaffirm the systemic interpretation of the relationship that exists between power and rights of minorities and disadvantaged communities.

Results and Discussion

In this section we finally look at the key findings that this study has revealed and present a socio-political analysis of the structural realities that binds, weakly per se, the social contract with identity politics practiced by the broader indigenous communities. A strong argument can be made that identity politics in Nepal is not just a tool to wield political power but it is something far more powerful in powerful instrument in reinforcing one's ethnic identity and fighting social injustice. The social contract based on federalism as delineated in the Constitution of Nepal 2072, upon close analysis showshow a document that is still in the process of being restructured and reinvented.

Historical Restructuring of the Social Contract in Nepal

The Nepali state has historically been exclusionary and unaccountable (Malena, 2015, p. 6). One of the main findings of this study is that the social contract in Nepal is not a single political agreement but a process of continuous historical restructuring. “There is a history of such states being united and divided by force or power”, (Ghimire, 2022, p. 233). Western social contract theories such as Hobbes, Locke and Rousseau are based on the assumption that the legitimacy of the state arises from the consent of the citizens. “The social contract answers the question of the origin of the society”, (Economides, 2018, p. 19). However, in the Nepali context, the social contract is often guided by convention, tradition and power structures rather than the voluntary consent of the citizens. The relationship between the state and the citizens has long been based on obedience and subordination rather than moral consensus.

Despite repeated revolution and political changes that occurred in 2007, 2036, 2046 and 2062/63 and 2082 each was an attempt by citizens to bring about a new social order and contract. The issue in each of these changes remainsremain the same: how can the majoritycan majority of marginalized communities participatecommunities can

participate in the decision-making in decision-making process, receive justice and opportunities that are fair and impartial. This gap in what state has missed to deliver and what citizens are seeking has given rise to identity politics.

Identity Politics: Reaction to the Social Contract or Re-imagining?

This study interprets identity politics not only as a negative challenge to the social contract but also as an attempt to reimagine it. “As the ethnic groups became conscious of their marginalization, they formed ethnic organizations and started fighting for their rights”, (Pokharel, 2011, p. 2). Identity politics in Nepal is often portrayed as a factor in creating ethnic, regional or linguistic divisions. However, from a sociological perspective, identity politics is seen as the collective voice of historically invisible groups, which seeks to redefine their relationship with the state in new terms.

The issues raised by identity-based movements such as citizenship, equal representation, secular state, dignity and respect, cultural recognition and access to resources – are fundamental foundations of the social contract. The study shows that when the state formally claims that all citizens are equal but fails to realize that equality in practice, identity politics becomes an alternative means of questioning the social contract. In this sense, identity politics is not a dissolution of the social contract; rather, it is a powerful process of exploring the possibilities of new consensus by further exposing its incompleteness. "The transition of the Nepali state from a monolithic Hindu kingdom to a secular federal republic demonstrates that identity-based mobilization is not a fracturing force, but a systematic attempt by marginalized groups to renegotiate a historically exclusionary social contract" (Hachhethu, 2023).

Conflicting State of Nepal's Constitution (2072) and Social Contract

The social contract based on strong features such as federalism, inclusive democracy, secular state and proportional representation as delineated in the Constitution of Nepal 2072, upon close analysis show a document that is still in the process of being restructured and reinvented.

The Constitution puts an uncompromising emphasis on social justice and equality but the lack of good governance and poor services delivery has disoriented and disillusioned the voters and citizens which is one of the main reason for the Gen Z protest that took place across the country. Not to mention the 10 years People's War was

the result of the citizen's dissatisfaction and anger that were also expressed during the Madhes during Madhes movement, the Tharu movement, and the numerous indigenous-tribal movements that have taken place time and time again. As Nepal's foremost legal document, the Constitution or the social contract is both a source of hope and contention. "While the 2015 Constitution formally institutionalized federalism to decentralize power, the ongoing friction over resource allocation and regional boundaries illustrates how traditional elite power structures continue to resist the comprehensive execution of this new social contract (Lawoti, 2019; Shneiderman et al., 2016)."

Federalism, Identity, and the New State-Citizen Relationship

Federalism, inclusive democracy, secular state and proportional representation have emerged as the most important dimension of the social contract in Nepal. Federalism is understood not only as administrative decentralization, but also that of financial and decision making independence and autonomy. The provincial structure has given place to local identity, language and cultural diversity within the state structure, which has made the state-citizen relationship multi-layered.

However, there is a grave shortcoming in its implementation. The center-provincial power dispute, unequal distribution of resources and lack of administrative capacity have further weakened the effectiveness of federalism. The study shows that when federalism cannot be transformed into an experience of improving the standard of living for citizens, identity politics becomes re-empowered. This further confirms the deep interrelationship between the social contract and the state structure.

Social Exclusion, Power Structures, and Identity Politics

This study identifies social exclusion as one of the deepest structural causes of the emergence of identity politics. With unequal access to state opportunities based on caste, class, gender, language, and geography, citizens are forced to express their dissatisfaction through collective identities. The study concludes that while the social contract formally promises equality, in practice the power structure has not fulfilled that promise.

The experience of Dalits, women, tribals, and marginalized communities in particular shows that the social contract is not just a question of legal status, it is also a

question of social respect and dignity. When the social contract fails to provide citizens with a sense of respected existence, identity politics takes the form of a strong moral resistance. In this sense, identity politics is not only a struggle for power, but also a struggle for the restoration of social existence.

Table 1

Key Dimensions of Identity Politics and Social Contract in Nepal

Dimensions	The state of the social contract	Identity political reaction
Citizenship	unequal access	Citizenship movement
Representation	Limited inclusion	Proportional demand
Resource distribution	Centripetal	Federal autonomy
Cultural recognition	Dominant culture	Cultural identity

Young Generation, New Social Contract and Identity Consciousness

Another important aspect that the study shows is the changing social consciousness of the younger generation. Nepali youth are demanding a social contract based on opportunity, transparency, and respect rather than traditional identity. Education, foreign employment, and digital media have connected their consciousness to the language of global social justice and human rights. The study shows that they are using identity strategically and contextually rather than as a fixed and innate identity. This shows the potential for making the social contract more flexible, dialogic, and participatory, where identity can become a basis for cooperation rather than division.

Table 2

Understanding the Social Contract from a Generational Perspective

Generation	Priority of the social contract	The role of identity
Old	Security and stability	Caste/Region
Medium	Inclusivity	Collective identity
Youth	Opportunity and honor	Strategic identification

Social Trust, State Legitimacy, and Identity Politics

This study clearly shows that the effectiveness of social contracts depends on

Magar, 2026, Social Contract and Identity Politics... ..

social trust. In Nepal, identity politics tends to intensify when citizens' trust in the state is weak. Corruption, impunity, and poor public service delivery have severely weakened the moral basis of the social contract.

This malaise has led to the emergence of identity-based organizations as alternative representative structures. The study shows that identity politics is not only anti-state, but also a major means of creating pressure for state reform. It warns the state that formal legitimacy alone is not enough; the social contract must also provide tangible justice in the daily lives of citizens.

Table 3

The Relationship Between Social Trust and Identity Politics

Indicator	High state	Low state
Faith in the state	Weak identity politics	Strong identity
Service flow	Collaboration	Resistance
Perceived legitimacy	Consent	Disagreement

Future of the Social Contract: The Potential for Inclusive Coexistence

The study concludes that social contract and identity politics in Nepal are complementary to one another. Identity politics responds to the gaps that exist in the spirit of social contract versus its implementation. “The issue of inclusion has historically been sensitive in Nepal, especially in terms of ensuring representation of Dalits, indigenous peoples, women and Madhesi communities”, (Magar, 2026, p. 43). If theIf, the state can embrace the demands of identity as a basis for dialogue rather than a source of division, then a new form of social contract is possible.

Despite the inclusive nature of Nepal Constitution 2015 which ensures 33% for women, Dalits, Madhesis, and indigenous groups, the upper levels of political parties are still occupied by elite and upper caste groups of Nepal which has led to their lack of access to resources and their low participation in decision making. Based on this empirical data, we can argue that identity politics will remain an important political tool for the disadvantaged groups in Nepal for a long period of time (Drucza, 2016).

According to the overall conclusion of this study, the social contract of the future must be based on the acceptance of pluralism, the assurance of equal opportunities, and the reconstruction of trust between the state and citizens. Only when this is achieved can identity politics become a strong indicator of democratic maturity, not a crisis.

Magar, 2026, Social Contract and Identity Politics.... ..

Conclusion

This study implemented a sociological perspective to analyze the existing relationship between social contract and identity politics in Nepal and how they affect each other. Any legal document however complete at the given time may have to go through restructuring and Nepal's social contract as embodied in Constitution of Nepal 2017 clearly is in the process of change and transformation. In a country like where social injustices, wealth inequality, disproportionate opportunities and limited political representation still exists, identity politics is used as a political strategy to address these citizen concerns. In fact identity politics does not negate the precedence and importance of social contract, but rather a complementary instrument to right the wrong and an opportunity for dialogue between state and its citizens.

In conclusion the study shows a sustainable trust between the state and its citizens can only be built through the timely and immediate restructuring and rebuilding of the social contract. The issues associated with identity politics focuses on acceptance of cultural, social and linguistic diversity, ensuring equal opportunities and addressing social, economic and historical injustices. Identity politics provides an opportunity for inclusive dialogue between state actors and citizens and governance reform rather than sowing a division or distrust. It is not a crisis for democracy but an opportunity for better democracy and governance and a new basis of consensus between the state and its citizens.

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