

# People's Experience Towards the Federal System in Gandaki Province, Nepal

\*Girdhari Dahal

## ABSTRACT

*This study examines the debate over federal systems in the Gandaki region of Nepal. People's experience towards the federal system in Gandaki Province is the key objective of this study. Within five years following the promulgation of constitution in 2015, general elections were held, and people received goods and services from three distinct governments. Through local, provincial, and federal governments, the public takes part in the process of public policy making. Since the system attempts to meet people's wants, it has received positive response from everyone. Both primary and secondary data were used in this study. Primary data was gathered through interviews, and secondary data came from research papers, books, and other sources. The finding of this study shows that local government has been effective in delivering goods and services at the local level. In the public opinion, local governments have successfully justified their existence while provincial government has failed to do so. Also, this investigation finds that the federal government does not fully adhere to power sharing. As a result, the performance of provincial government is far below par. Furthermore, provincial governments lack the innovation needed to take over the federal system, which consists of both local and federal administrations.*

**Keywords:** *Federalism, inclusive- democracy, integration, power-sharing, province.*

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## INTRODUCTION

In political science, the term “federalism” refers to both a theoretical and practical framework. Both conceptual and practical terminologies have made use of it. Federalism is one of the many philosophies that influence global governance and has to be addressed now (Tariq, Khan & Rizwan, 2018). Three significant political turning points in Nepal's history may be identified: the 1951 revolution, the joint people movements of 1990 and 2006, as well as the mandate of the democratic joint people movement and other people movements. A new federal Constitution, adopted by Nepal's Constituent Assembly in 2015, commits to create

a “Naya” (or “New”) Nepal that is more fair and inclusive. Key political developments in Nepal can be attributed to these populist movements and a federal democratic republic. Since 2015, Nepal has implemented a federal system to handle the nation’s diversity and create adequate governance, long-lasting peace, and prosperity. Nepal has a federal government and is a democratic republic. Following the acceptance of Nepal’s new constitution by the Constitutional Assembly, it is declared in 2015. A power-sharing arrangement is established between the national, provincial, and municipal administrations. Federalism is a system of institutional agreements for allocating duties, responsibilities, and powers between the national and subnational levels of government (Burris, 2015).

Efforts in Europe to develop toward both wider and deeper integration in what has become the European Union have led to a heightened interest in federal principles and an explosion of literature on the subject (Watts, 1998). It is challenging to examine federalism in the broadest sense, which is evident in both theory and practice. Both an actual and a theoretical resonance surround the phrase “federal” (Michael Burgess, 2021). As the first nation in the world to adopt a federal democratic government in the twenty-first century, Nepal. 29 countries around the world use a federal system. Nepal has now had eight years to try the federal system.

In order to give each of the constituent units’ sufficient opportunity for autonomous growth, federalism as a form of government has been increasingly widely acknowledged as the ideal form of governance for managing multiethnic governments (Obi, 2019). The federal systems respond to and deal with citizens’ interests and concerns, both inside and outside the political system, with particular emphasis on the relationship between federalism and democracy (Fossum & Jachtenfuchs, 2017). Federalism is a method for dividing up governmental powers and responsibilities. The federal framework is a means, not an end, as the founding fathers clearly acknowledged (Grodzins, 1960). The federal system is the power-sharing between the central and local governments (Watts, 2001). Federal relations are to be based on principles of cooperation, co-existence, and coordination (Shakya, 2009 and Tharu, 2020). In federalism division of powers among levels of government (Obi, 2019). Federal democracies place a strong emphasis on representation. In federal democracies, citizens are both individually and collectively represented in the central institutions by means of the corresponding sub-units (Fossum & Jachtenfuchs, 2017). Federalism has been strongly influenced by the geo-political context in which it originated; namely, the federal systems of North America. This has led to problems relating to its extension to other cases, especially

to the nation-states of Europe and Asia (Ahmad & Brosio, 2006). The concept of federalism has also been reevaluated in Asia, Africa, and Australia. India and Malaysia, both of which are characterized by profoundly ingrained multilingual, multicultural, and multiracial variety, have managed to remain cohesive for 50 and 30 years, respectively, but are now in a crucial stage in their development (Watts, 1998). In 2022 and 2023, the cultural wars in American federalism intensified, with persistent disputes between the two severely polarized political parties, among the many tiers of government, as well as between the states and the private sector (Bromley-Trujillo & Nolette, 2023). Due to its rigid version of ethno-federalism, which gives all ethnic groups complete freedom of self-determination and secession, Ethiopia is unique in the world. Different kinds of political violence are encouraged by ethno federal administrations. Although violence is encouraged by this type of system, it is actually started by regime politics (Ayele, Fuller & Raleigh, 2023).

The Swiss Confederation is dedicated to the long-term preservation of natural resources as well as a just and peaceful international order. It also aims to advance the common good, sustainable development, internal cohesion, and cultural diversity of the nation (2021 Swiss Federal and Confederation). The federal principle is an organizing principle and its fundamental purpose is essentially moral (Michael Burgess, 2021).

We, the People of the United States, do ordain and establish this Constitution for the United States of America in order to create a more perfect union, establish justice, ensure domestic tranquility, fund a common defense, advance the general welfare, and ensure the blessings of liberty for ourselves and future generations. (United States, 2021).

Through power-sharing, the federal system seeks to give the people more power. The people participate in the governance, planning, and formulation of policies in this system. This study objective to assess the People's experience of Nepal's federal system of Gandaki Province. The findings of this study thus sheds light on the competencies of local governments in laying the foundation for the functioning of local- governments. The findings of this study thus provide normal information on Nepal's experience in implementing the federal government system. In Nepal, elected federal democratic governments have been in place since 2017. A research gap is an area of a problem that has not been examined. Applying a federal system in Nepal is a novel way to distribute authority and power. The results might fill a gap in the collection of knowledge.

## **DATA AND METHODS**

This study was designed using a qualitative, interpretive framework and George's paradigm of descriptive design (2008). Since the representative's opinions and views served as the basis for the analysis, the study was qualitative in nature. Data were acquired from both primary and secondary sources. The 25 respondents from Gandaki province forms the source of data for this empirical study. The respondents for this study were chosen using a purposeful, conventional, and justified sampling technique. They are chosen for in-depth interviews because they are intellectuals, active participants of the civil society, and legislators from the Gandaki province.

The internet, books, journals, and research reports were a few of the sources used to generate secondary data. Information has been gathered and examined in between July and August of 2022. There were some fieldwork activities as well. Before conducting an interview survey, all the necessary permissions were obtained from the respondents. A free prior and informed consent (FPIC) was taken from all the respondents. The respondents were also informed that the collected information will be used only for this research purpose and their personal identity will not be disclosed elsewhere.

## **RESULTS AND DISCUSSION**

Nepal is the federal democratic republic nation of the 21<sup>st</sup> century. The people of Nepal demanded for the Constituent Assembly (CA) made constitution. The first Constituent Assembly election was held in Nepal in 2008. The first general meeting of Constituent Assembly announced Nepal as a federal democratic republic nation. The second CA (2013) has been successful to promulgate the new constitution, the Constitution of Nepal, 2015. The new constitution adopted inclusive democracy. For a long time, Nepal practiced a unitary system of government which did not fulfill the people's desire for development and prosperity. The unitary system did not provide social justice to the people. In Nepal, there inhabits people of different languages, castes, religions and cultures, and they do not have the same opportunity to participate in the public policy making process. They do not have got the same opportunity to participate in governance, planning, and development activities. So, Nepal has changed from a unitary system to a federal system. The federal system means power-sharing at the policy level.

After the promulgation of the new constitution in 2015, the federal system was formally adopted in Nepal. Now, there are 753 local governments and 7 provincial governments,

in addition to the federal government, which serves as the country's main authority. The constitution grants certain rights to each of the three levels of government.

### **Local Government**

Local government is powerful and empowered as the new constitution has guaranteed 22 rights along with other concurrent rights. Local governments at the grassroots level now supply goods and services close to the people's administrative centers. At the local level, it elevates community leaders. They do, however, take part in local lawmaking and executes them within the local territory. They have used their local legislative, executive, and judicial authority (Constitution of Nepal, 2015). Daily service delivery has been handled by the local government through the ward offices. The ward chairman is crucial because they can readily supply goods and services to the population's core. Leaders of the local government are closely tied to the public since they reside there. They share a problem and work together to find a solution since they share many of the same issues and have strong bonds with the locals. Similarly, local officials use their authority to enact laws.

In the last five years, the local governments of the Gandaki province have put more than 2000 pieces of legislation into effect. The local politicians have recognized that, being close to the people, have made them more effective in local leadership and development. On the other hand, the local administration interacts with the people daily, including in the morning and evening. It demonstrates how the public feels that their local government truly represents them. Since it seeks to address and solve the local issue. Furthermore, some representatives of the people treat them with respect and are accountable for providing them with impartial, effective, and efficient services from the local level. It indicates that by institutionalizing a federal democratic system, leadership development takes place from the grassroots level.

### **People Participation in Planning**

Locals governments prepare annual plans for things like the construction of new roads, the provision of clean drinking water, irrigation, sanitation, etc. The federal democratic republic had a bottom-up approach to planning while the unitary system had a top-down approach. In fact, at the municipal level, elected officials are choosing both their own ideas and those of others at the local level of the backward society. Similarly, women are more accountable for their responsibilities than men when given the chance in underdeveloped societies. Women now have access to opportunities and skills at the local level and thanks to them for their active participation in planning and good management in development activities (Thapa, P. personal

communication, 18 August 2022).

The public is actively engaged and enjoys taking part in the creation of laws and territorial development. For the social and economic development of the municipality, Besishahar Municipality have enacted 71 pieces of legislation (Dahal, 2022). Similarly, 69 laws have been passed within the five-year term by the Madi Rural Municipality of the Kaski district (Dahal, 2021). Local lawmakers are close to the public and benefit from their knowledge and ideas while drafting laws. On the other hand, local representatives are more accountable to the people and responsible for enacting laws that address the local concerns by using their constitutional rights. Similarly, the local government chose the infrastructure development as the road connecting the ward to the local center and the communities to the communities, people prioritize irrigation, electricity, clean drinking water, health, and education. It indicates that by institutionalizing a federal democratic system, leadership development takes place at the grass roots level. Since the local government serves as the people's government and efficiently delivers goods and services at the local level, the provincial government is not required (Baral, R. personal communication, 18 August 2022). Through local governance, the people are empowered as a whole. People were involved in the planning, budgeting, monitoring, and evaluation. So, Nepal does not require three levels of government. Province level is not required, as it is not connected to the people (Bhattarai, B. B. personal communication, 18 August 2022). Through local governments, communities of individuals gather and assemble to choose their plans. The local people, thus, is actively involved in social, political, and economic development.

### **Provincial Government**

Both the province and the federal system are new to Nepal. It is now the cornerstone of the provincial level. It contains 21 constitutional rights that are stipulated by Nepal's constitution, in addition to concurrent rights. However, members of the House of Representatives are already in charge of key ministries in Nepal. The first and subsequent province chief ministers have already led Nepal's house of representatives.

We express our determination to create an equal society based on the concepts of proportion by embracing multi-caste, multi-lingual, multi-cultural, and diverse geographic specificities, by eliminating discrimination based on class, caste, region, language, religion, and gender, as well as all forms of racial untouchability, and by protecting and promoting unity in diversity, social and cultural solidarity, tolerance, and peaceful attitudes. (Constitution of Nepal, 2015)

Although there is substantial discrimination between the governing class and the public in practice, it is constitutional in spirit high-ranking political figures and their entourage, as well as their ties to their allies and family. Similar to how government officials at high levels utilized the nation's resources, so did the Nepalese police, army, and bureaucracy. The level of living of people has not changed, or to put it another way, their quality of life has not changed.

A federal system is essential for Nepal's overall growth and the empowerment of its citizens. The federal system is the mandate of the democratic movement. The constitution of Nepal is currently a federal democratic republic. According to the constitution, Nepal will have three levels of government that will share power and responsibility among them. All three tiers of government were formed after the first election in 2017. Following then, these new-status governments began to exercise their dominance over their respective regions. People closely monitor all government operations and they are not satisfied by the performance of the provincial government. So, there is a common voice that governments at the provincial level are not required.

The term "unitary system" refers to the concept that all authority and power be used by the centre. When the King last assumed executive power in Nepal, the entire power structure was royal. Power and authority in the federal system have not yet been decentralized to the local level. The foundation of the federal system is the province. We created Nepal's three-tiered governance and power distribution system in the constitution. Because we already have an institutional power center, fully constitutional rights are still not now being exercised. In actuality, the federal government does not have complete control over security and civil service administration at the provincial and local levels. The scope of central leadership is limited, and they have not institutionalized provincial and local level leadership development at the grassroots level. Within five years, just 56 legislations have been passed in the province of Gandaki (Chuhan H., personal communication, 28 July 2022).

The left-wing government creates plans and projects such as "one constituency, one road and one home with clean water". Agriculture, tourism, forestry, and environment are all important issue for the nearby governments. However, social media did not help the federal system to evolve well. Still, the federal government still holds all the power (Basnet R., personal communication, 28 July 2022).

The central theme of Marxist ideology is the populist dictator. Therefore, during the first ever election after federalism, we, the leftists, were in power. Leftists won nearly two-thirds of majority in the federal, provincial, and local governments. We worked to provide

basic public goods and services to the people while also attempting to raise their standard of living. Huge disparities between the rich and the poor can be seen in the words “Huda Khane and Hune Khane.” All people are created equal, and the people’s movement calls for equal access to resources in the fields of employment, health, and education. (Adhikari, N., personal communication from October 22, 2022).

The Nepalese unitary form of governance failed to address the main problem and voice of the people in rural places. The provincial government is currently in close proximity to the people, a noteworthy accomplishment for Nepal. Leftists were given their first opportunity to lead a provincial government. The people disliked the unitary form of administration. In a federal system, more things are good while fewer things are negative.

A federal system is one that values inclusive democracy and has long practiced power sharing. By planning, passing laws, and influencing local issues, we are engaging and empowering. Our town is relatively backward in terms of social movements, and we feel that women and members of certain ethnic groups are particularly underrepresented at the grassroots level of policymaking (Jalari, S. personal communication, 18 August 2022). Currently, the state province solely includes the heads of political parties. They are heavily influenced by central power politics and do not stand firmly in the issues of the province. Even, the election process is more expensive (Phari, D. personal communication, 18 August 2022). Simple and sincere candidates are not given a ticket. Since the values and standards of the federal democratic republic do not exist, the representatives are not autonomous and elected members utilize budgets in an improper way. We should have established good policies instead of distributing funds to members of parliament (Gurung, M., personal communication, 18 August 2022). Province is not required, and local governments alone should be powerful because there is no proof after five years (Thapa, K., personal communication, 18 August 2022).

The responders’ thoughts and the aforementioned reasoning are divergent. The leaders of the political parties are at the provincial level, but they are not getting enough favor from the general public and intellectuals. They argue that local governments are sufficient to meet public needs at the grass roots level and province governments are a burden to the nation, it has been used just as a tool to manage cadres by the major political parties.



## Comparison Between Local and Provincial Governments

Table 1

*Relation to the People as per the Level of Governments*

<b>Local Government</b>	<b>Province Government</b>
22 constitutional rights	21 constitutional rights
Council enacted laws.	Legislation produced laws
Changed from the prior stature	New monument
Accountable to the people	People elected body
They were elected	
People to need a strong local organization	Program to link people is lacking
Local officials who are accessible to the people	It is not required.
People Government	Governmental parties are in power
It will fulfill people's interests	It is a burden to the people

Table 1 displays the rights and obligations of municipal and provincial government actions throughout the last five years. Through the constitution, the federal system distributes power and authority to the various levels of government. The new constitution of Nepal has been proclaimed by Nepal's three-tier government. Local-level first federal practice is preferable. However, the province is not ideal because it is disconnected from the public. The responders represent various government levels as well as various segments of civil society, including intellectuals. The province is the foundation of the federal system, according to the elected representatives. The argument put forth by some representatives is unnecessary. There is adequate local government to facilitate the easy supply of products and services to the people. Nepal's economic development makes the province burden some. Only members of political parties are given numerous opportunities. The quality of people's lives, however, has not changed. Similar to how social security and social justice are not available to the whole public, neither are education and health.

It is a brand-new idea and Nepali political suture. It started with the unified people movement in 2006. Because the unitary system has been used for a long time and is not competitive in Nepal. People are aware that a unitary system does not distribute power fairly and that a single, powerful central government has systematically discriminated against them. Different types of people, including those who identify as caste, religious, or linguistic minorities, are not properly included in government policymaking or development initiatives.

In accordance with the 2015 Nepali Constitution, the people are in charge. Thus, starting

with the constitutional assembly elections in 2008 and 2013, as well as the local elections in 2017, the people have been exercising their sovereign rights. The three types of governments are given more power by the federal political system through power sharing. Long before decentralization, local administrations operated as a unitary organization. Although the provincial governments are a new organization, they are ineffective in Nepal. It is in no way related to the people and their plans or objectives. It has made an effort to establish its basis. Nepal's provinces are its "white elephant" (don't try to solve it; just guard it). Why our governance structure lacks effective management. The province is now the only activist management center for political parties that governs without a vote. People are currently paying double and triple taxes as a result of tax increases. The people oppose it, and its job is beginning with a poor message and a lack of connection to the public and government (Baral, B. personal communication, 18 August 2022). Similarly, to this, it is not necessary for intellectuals to observe and research at the provincial level. Although it is viewed as a pillar of the federal system by the major political parties. Independent political parties' issues at the provincial level are not yet necessary outside of the election of 2022, such that national support and the emergence of national parties in parliament were provided by the people through their vote. The biggest burden on Nepal is the 550 members of the provincial parliament, the 7 provincial cabinets, their secretariats, and the employment they require as key government servants. The province and its administration are only under the control of political parties, which burdens the Nepali people and economy.

We decided not to cast our ballots in the provincial elections. However, we do want to strengthen the current provincial organization even though we lack electoral symbols. We haven't talked about abolishing the provincial system, as the Rastriya Swatantra Party (RSP), which won the most recent election in 2022, had suggested. Democracy is puzzled by the fact that, despite its problems, things might get better. It's interesting to note that these young leaders are affiliated with a newly formed political party called, which hasn't yet adopted a clear stance on federalism and secularism, two fundamental principles of Nepal's democracy and constitution. When asked why he didn't vote for provincial candidates, he cited the fact that his party wasn't competing in those elections and his concerns with the existing provincial structure. 22 November 2022 (Kathmandu Post)

Nepal benefits more from a two-tier federal government because it is a developing nation. Their natural resources have not been utilized for their over-all development. Only main political

parties at the provincial level, as well as the management of minor political parties' leaders and members. It has invested a significant sum of money in the operation of the secretariat as well as the administrative system for the Ministries. Despite the fact that they misused a large sum of money and spent it nationally, they did so (Gurung, G. personal communication, 18 August 2022). The 2015 Nepali constitution outlines 21 rights as well as concurrent rights for provincial governments. First impressions of the provincial government are not favorable; they have not successfully connected sound public policy to the needs of the people. Similar to it, a common adage is "morning show the day." Province of Gandaki has no distinct tasks that are open to the public. Local government does, however, provide goods and services to the people on a regular basis. Despite the ineffectiveness of the provincial government (Sharma, P. personal communication, 18 August 2022).

In reality, political party operations do not adhere to democratic values and standards of the federal system. Similarly, they are not accountable to the people and only knock on doors during election seasons. The representatives of the widely elected parties then demonstrate their standing as feudal lords (Dawadi, D. individual correspondence, August 18, 2022). Provincial legislators, who follow federal legislators at their own pleasure, distribute the 50 million budget in their constituent area. The Gandaki province government once refused to handover the budget in the name of province parliamentarian. However, the budget did not pass without it. The job of a legislator is not to persuade the people that laws are necessary for progress (Sundash, S.K., personal communication, August 18, 2022). The vehicle tax management system law passed by the Gandaki province has resulted in a 400% tax hike. As a result, the Gandaki province passed a law that only served to increase interest among people. The Gandaki province implemented this unpopular tax, and the Gandaki province government corrected and revoked that law.

Province government is not vital in the Nepalese context is the general perspective of the public. Because it has not created effective sustainable development policies. Every day, thousands of young people relocate to foreign countries in search of employment. The Nepali government has not established any industries to generate jobs. According to some elected provincial members, province governments are unnecessary and a burden on Nepal. Although the government has made three attempts, none of the problems have been fully resolved to the public's satisfaction.

## CONCLUSIONS

The evolving democratic system works well with a federal structure. In 2015, Nepal, which had previously employed a unitary system, implemented a federal system following the promulgation of the country's new constitution. The local government created laws in accordance with their constitutional rights, which is completely a new practice for Nepal. 22 rights were granted at the local level by the constitution. It serves as the foundation for a democratic federal republic. Compared to the prior political system, it is far better. Because there was no local authority or power. Only decentralization and delegation of power to the local level are used by the center. Solely two of the respondent's views on the federal system, according to the researcher's empirical knowledge, are true in Nepal, since the province level only affects political parties and has no direct contact with the general people. However, in the province of Gandaki, favoritism and nepotism were utilized to abuse power. The people's actual experience is superior than corny capitalism's overall influence on the formation of provincial governments. Power sharing is merely a theoretical concept; in reality, no one is connected to any plans, projects, or implications.

The prior unitary system of government was managed by the federal government, along with the civil service, Nepal police, and Nepali army. Despite the province level's new structure and the addition of more delegates, there is little actual data to support good policy and lawmaking. The provincial government has not yet established direct contact with the public. By the way, the province has taken more time to pass laws and lacks a successful framework for connecting workers and people. In a similar vein, the public observes that they only employ outdated national resources and facilities. And they don't run any programs to draw in newcomers. Similar to how they were, they also benefit from favoritism and nepotism.

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