

# Mapping federalism in Nepal

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## Box 1: Background – administrative geography of Nepal

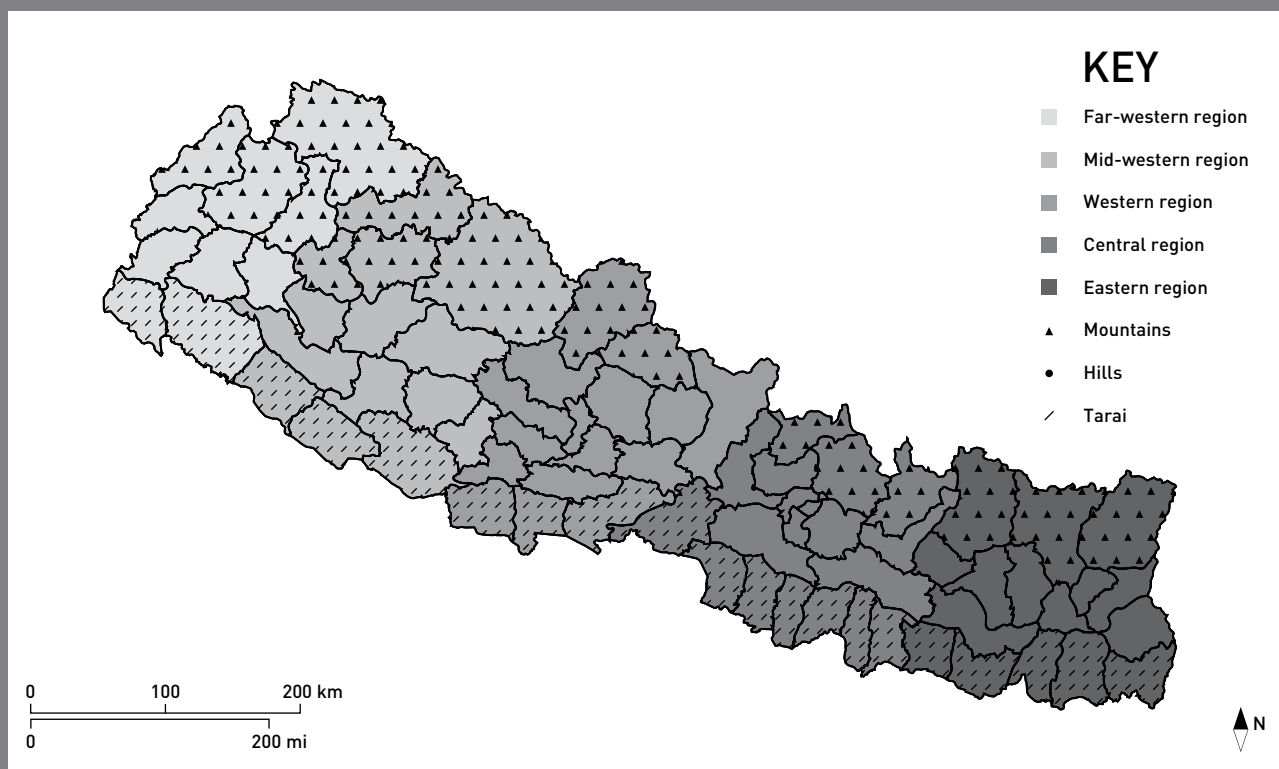
### Box Map 1: Pre-1963 Administrative Division of Nepal



Nepal was divided into 35 administrative districts until 1963 when it received its current administrative structure of 75 districts. These districts are distributed among 14 zones. The zones do not have any function in governance and are mainly used as sub-national units by government departments.

In 1972, adopting a regional development approach, the country was divided into four development regions, each running north to south: Eastern, Central, Western and Far-Western. In 1982, the Far-Western Region was split into the Mid-Western and Far-Western Regions, making a total of five. The development regions, like the zones, have had few administrative functions besides serving as another sub-national layer between the centre and the districts.

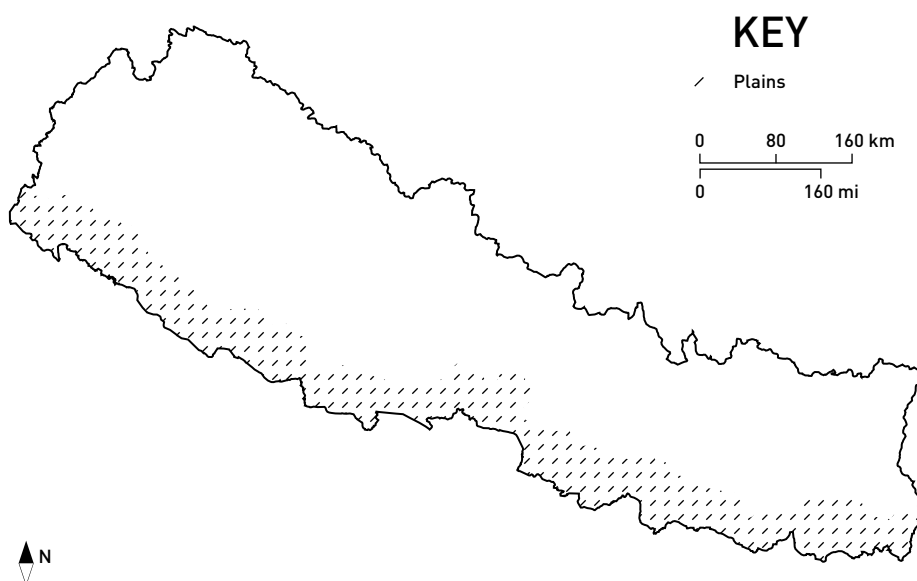
## Box Map 2: Nepal's administrative divisions before federalisation in 2015



The first ever mention of a form of federalism in Nepal was in the early 1950s. The Nepal Tarai Congress established in 1951 in the fluid political situation that followed the collapse of the Rana regime, listed among its objectives recognising Hindi as a state language, employing people from the Tarai in public service, and establishing the Tarai as an autonomous region. After

the consolidation of the Nepali state by the central administration after 1953, the Tarai Congress dropped its demand for regional autonomy. Its idea of an autonomous Tarai failed to make any headway in the popular imagination, but its call was to find resonance decades later. Map 1 provides an indication of what Nepal would have looked like in the imagination of the Tarai Congress.

**Map 1: Autonomous Tarai according to the Tarai Congress (1950s)**



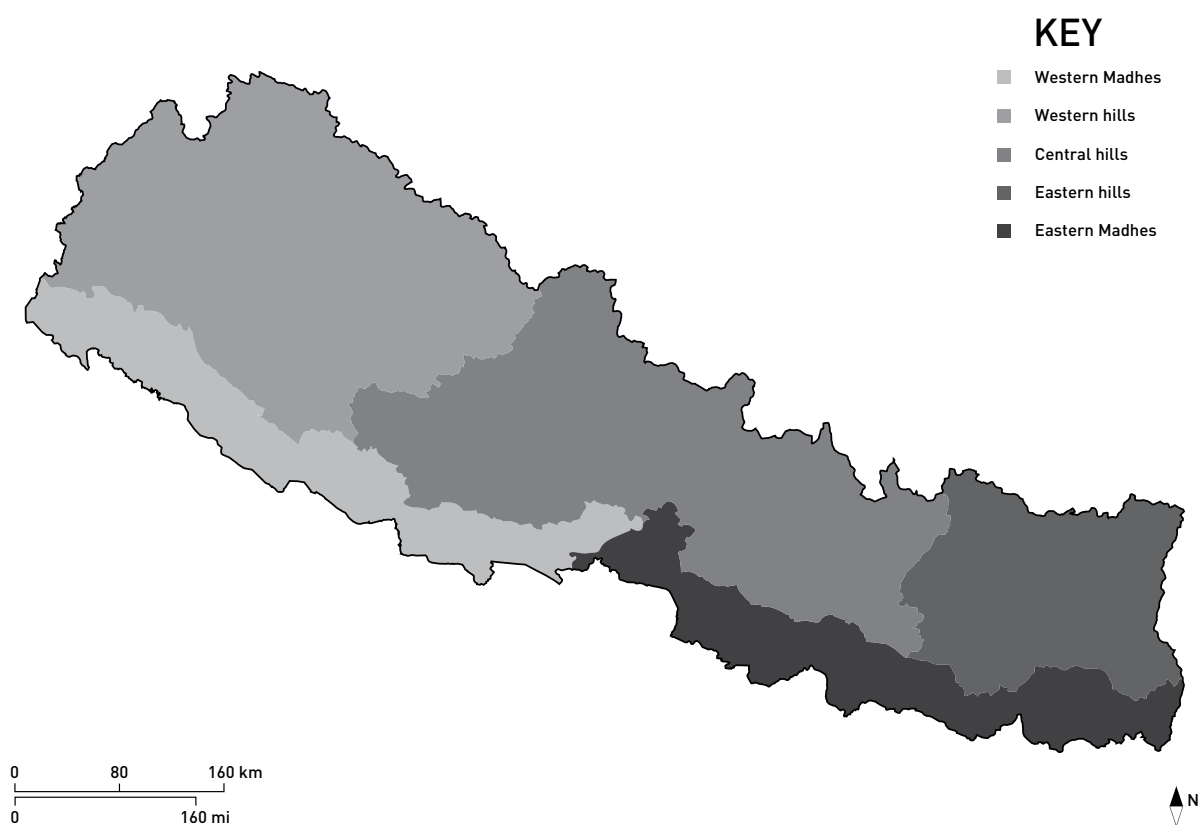
Following the restoration of democracy in 1990, there were several demands for Nepal to be devolved into a federal structure. A number of Janajati proto-parties came up with models dividing Nepal along ethnic lines, although most considered only the major groups. Among the political parties of any significance, it was only the Tarai-based Nepal Sadbhavana Party (NSP – Nepal Goodwill Party) that clearly articulated such a demand. As stated in NSP’s 1991 election manifesto:

*Since Nepal is multi-lingual, multi-ethnic and a country of different ethnicities, in order to strengthen national unity and ensure proportionate participation in the administration, Nepal Sadbhavana Party believes that there should be a constitutional provision for a federal government. This party is in favour of declaring autonomous regions in the Tarai as in the hills and*

*mountains on the basis of common language, dress, culture and geography. This is so that the majority of the marginalised groups in the hills and mountains and Madhes in the Tarai can adequately participate in the governance and administration at the provincial level and ensure the preservation and development of their language, dress and culture.*

The NSP later called for federating Nepal into five provinces: Eastern Madhes, Western Madhes, Eastern Hills, Central Hills and Western Hills. Either because it did not see any possibility of its demands being taken seriously by the other parties or because the notion was still in its infancy, the party did not elaborate further on actual geographical boundaries. Going solely by the description provided, it can be conjectured that NSP’s proposal might have looked something like Map 2.

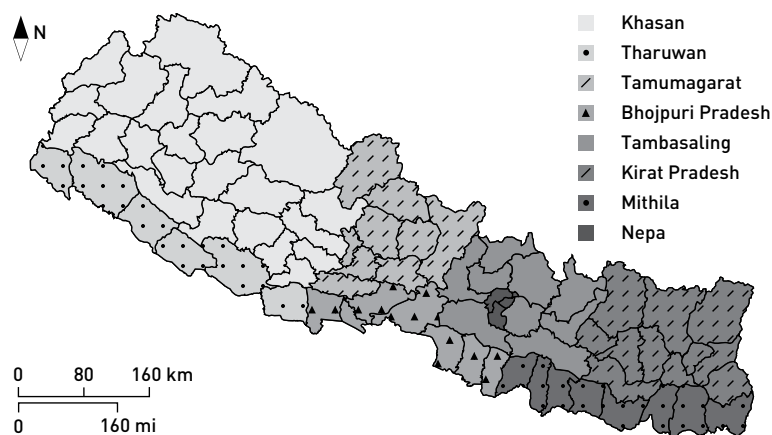
**Map 2: Federal Nepal by Nepal Sadbhavana Party (1991)**



The idea of federalism dwindled and did not become part of Nepal’s political discourse for nearly a decade and a half. But, a widely cited book from the year 2000 by social activist Govinda Neupane injected a new dimension. Entitled *Nepalko Jatiya Prasna: Samajik Banot and Sajhedariko Sambhavana (The Nationalities’ Question in Nepal: Social Convergence and Partnership Building through Multiculturalism and Federalism*, as translated by the author), the book’s cover depicted a federal Nepal that

recognised the historical origins of the major social groups and divided the country into geographical entities with more or less the same population size in each. Neupane’s proposal is all the more remarkable given that he was one of the founding members of the Communist Party of Nepal–Marxist–Leninist (CPN–ML), the forerunner of today’s Communist Party of Nepal–Unified Marxist–Leninist (UML), which has come out most strongly against the recognition of identity as a basis of federalism.

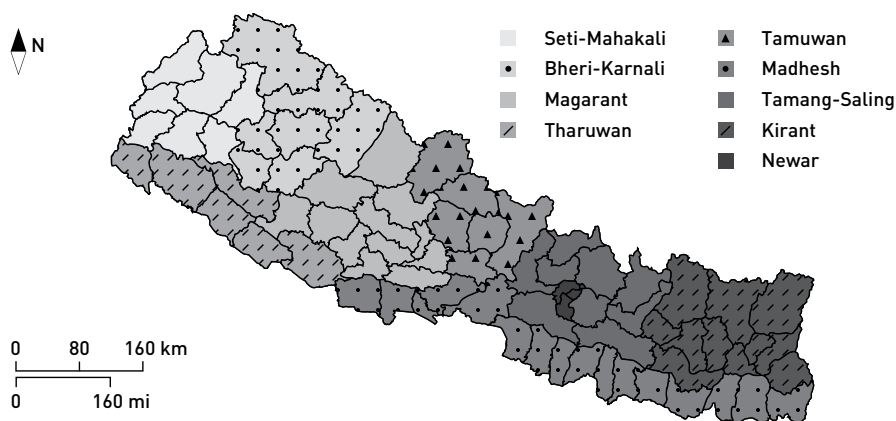
**Map 3: Govinda Neupane's model of federalism (2000)**



Then, in January and February of 2004, the Maoists made headlines when they declared the division of the country into nine autonomous regions and the formation of 'autonomous people's governments'. Seven of the declared regions were ethnic in nature in that the names reflected the historical origins of some of the country's major Janajati and Madhesi groups, while two – Seti-Mahakali and Bheri-Karnali – were not similarly named, even though these are regions historically associated with what are now

called the Khas Arya ('upper caste' groups with origins in the hills). Following the Chinese model of autonomous regions, the Maoists did not term this arrangement a federal structure. For some time, these 'governments' raised taxes and on occasion even authorised functions such as land transactions. They were formally disbanded only with the promulgation of the Interim Constitution and the formation of the Interim Legislature-Parliament in January 2007.

**Map 4: Autonomous regions declared by the Communist Party of Nepal-Maoist (2004)**

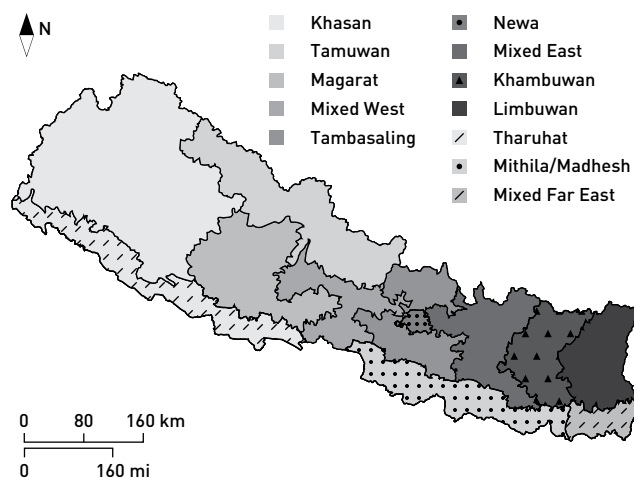


Federalism was formally incorporated into the Nepali polity in 2007 with the first amendment of the Interim Constitution, but the Maoists' 2004 demarcation appears to have influenced how the restructuring of the states was going to proceed. Various political parties, identity groups and individuals began suggesting how the country could be divided as part of the state restructuring exercise. Experts weighed in with considerations of demography and sustainability, with the models strongly influenced by the social background of the various experts (Map 5 shows a preference for identity, and Map 6 for other factors). Identity groups came up with models dealing with only

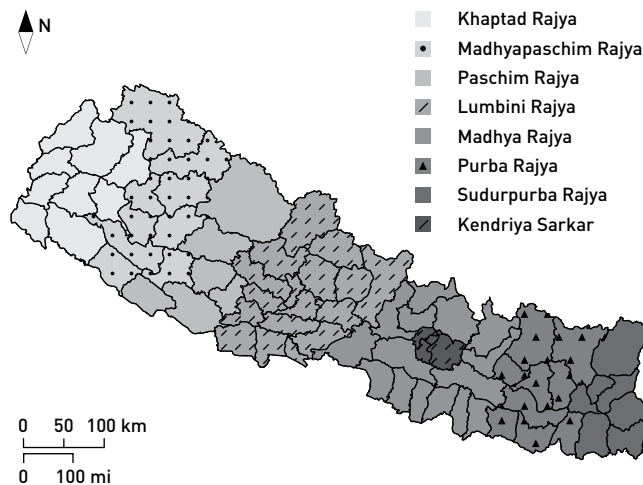
their own interests (Maps 7 and 8). Political parties had an eye on their constituencies, and Map 9 shows the two factions of the Nepal Sadbhavana Party (Nepal Goodwill Party) mirroring an identity group and seemingly quite oblivious of the heated debates on federalism taking place in the highlands of Nepal. The Maoists stood by their conception of ethnic homelands and by the time of the first Constituent Assembly (CA) election in 2008, the Maoist party had proposed 11 autonomous states, consisting of two regional and nine ethnic ones, with the Madhes ethnic state subdivided further into three linguistic units (Map 10).

## Maps 5 to 10: Examples of federal models proposed by experts, political parties and identity groups (2006 to 2008)

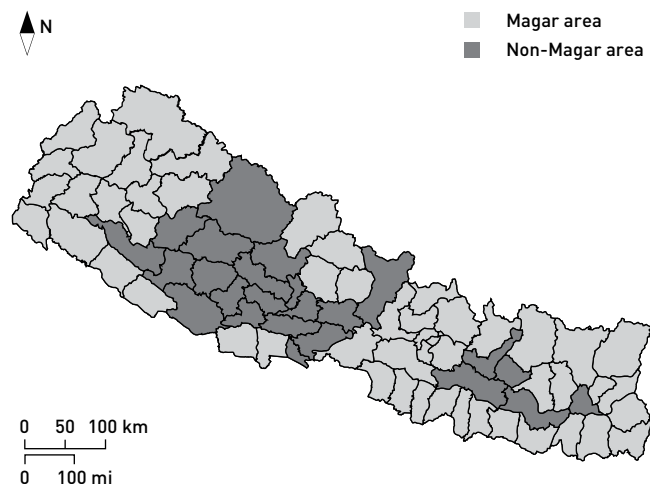
**Map 5: Federal structure proposed by geographer Mangal Siddhi Manandhar et al**



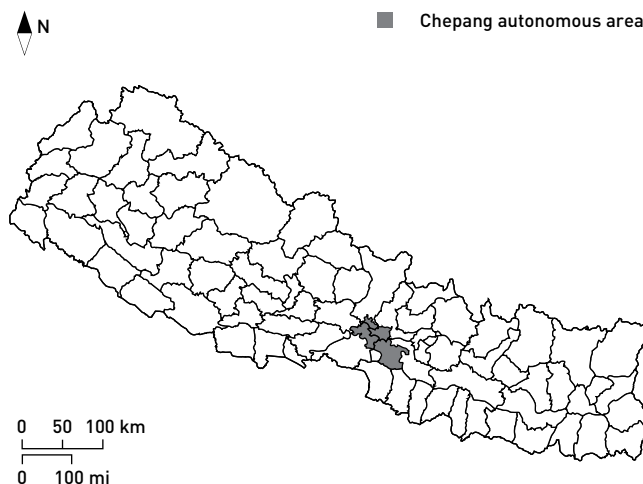
**Map 6: Federal structure proposed by lawyer Chadra Kanta Gyawali**



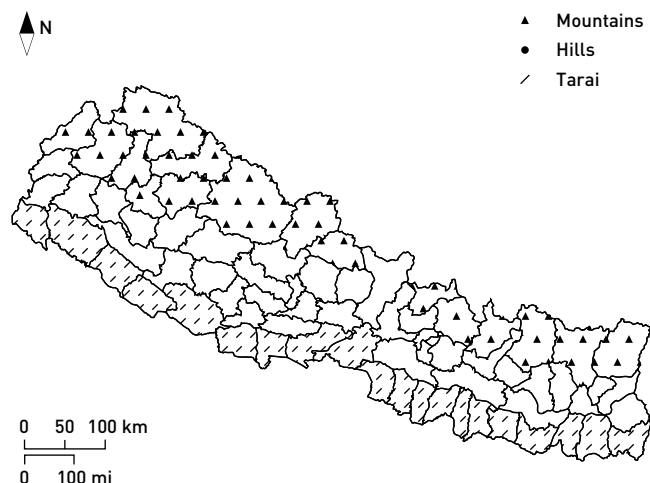
**Map 7: Federal unit proposed by Nepal Magar Association**



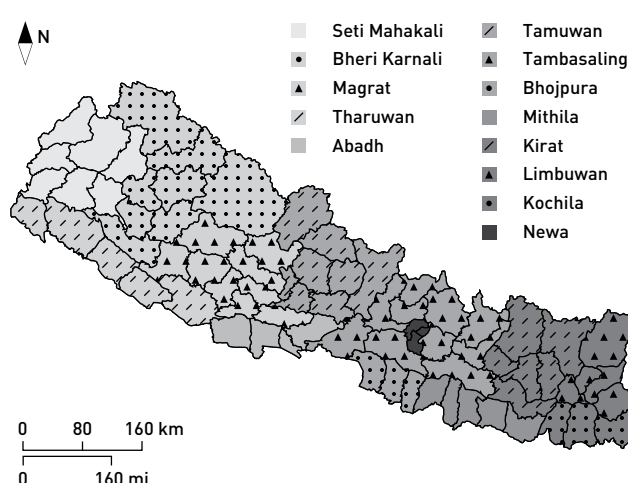
**Map 8: Federal unit proposed by Nepal Chepang Association**



**Map 9: Federal structure proposed by Nepal Sadbhavana Party-Ananda Devi and Sadbhavana Party-Mahato**



**Map 10: Federal structure proposed by CPN-Maoist**

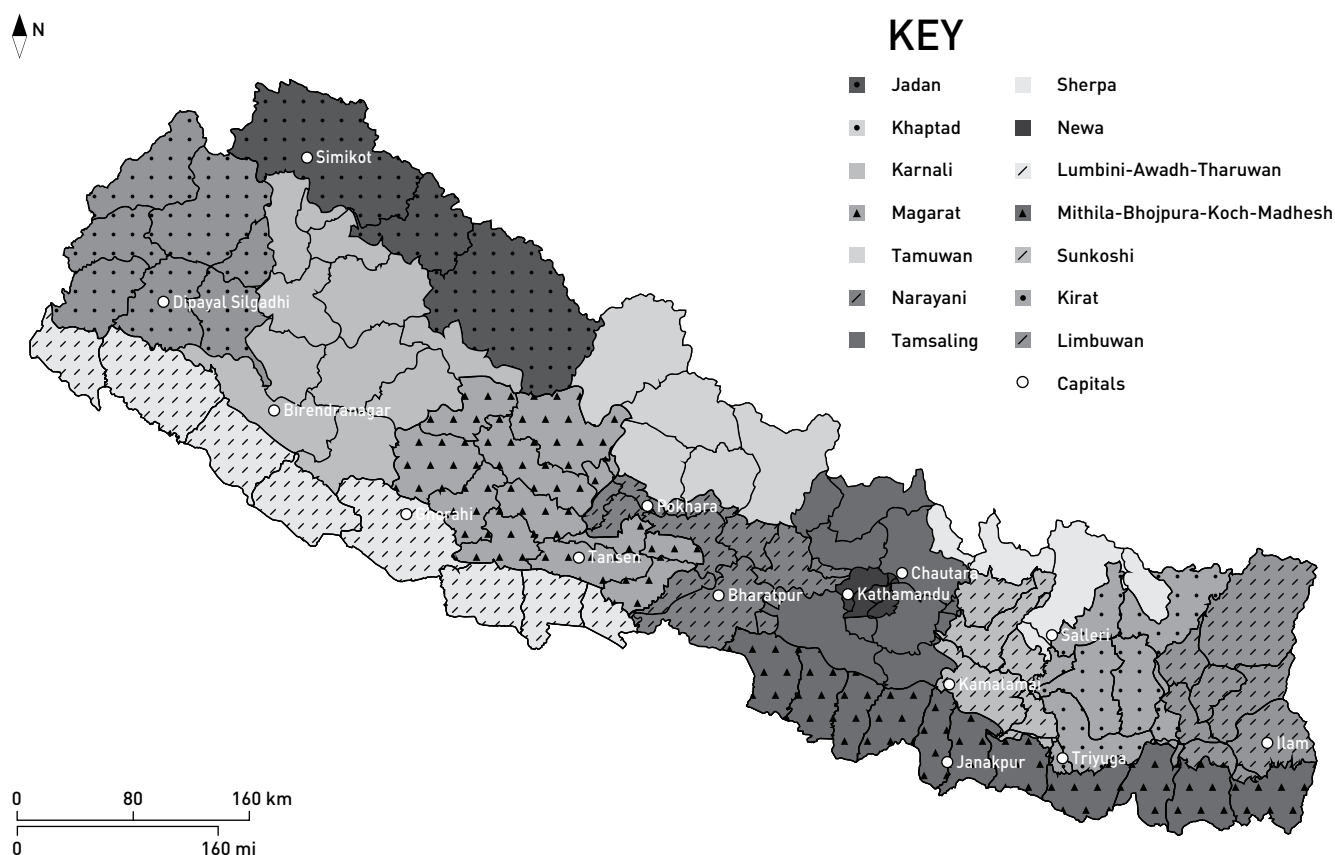


## Constituent Assemblies

The Committee for Restructuring of the State and Distribution of State Powers of the first Constituent Assembly was one of 14 committees tasked with providing inputs into the new constitution. The final report of the Committee, submitted to the CA in January 2010, proposed 14 provinces. Unlike other committee reports that were endorsed unanimously, this was approved by majority vote (a distinction that needs to be noted since disagreement on federal boundaries has continued to mar the political process through 2016). In coming up with the 14 provinces, the State Restructuring Committee considered five bases of 'identity' (ethnic/communal, linguistic, cultural, geographical/continuity of regional identity, and continuity of historical identity), and four of 'capability' (economic inter-relationship and capability, infrastructure development and potential, availability of natural resources and means, and administrative accessibility).

According to the committee's report, it received 24 different submissions on federal demarcation from different parties and CA members in the course of its deliberations. The Nepali Congress (NC) was the only major party that did not have a position on federal boundaries, although it can be assumed that the two submissions by one of its senior leaders reflected its stance. The Madhesi parties continued to display their obsession with only the Tarai, and three of the major Madhesi forces in the first CA, the two factions of the Madhesi Janadhikar Forum (Madhesi People's Rights Forum) and the Tarai-Madhes Loktantrik Party, submitted proposals that looked no different from the Tarai Congress's conception shown in Map 1. The Nepal Sadbhavana Party retained its earlier proposal (Map 9), with the only difference being a proposed division of the Tarai into five sub-regions.

**Map 11: 14-point federal model proposed by the CA State Restructuring Committee (2010)**

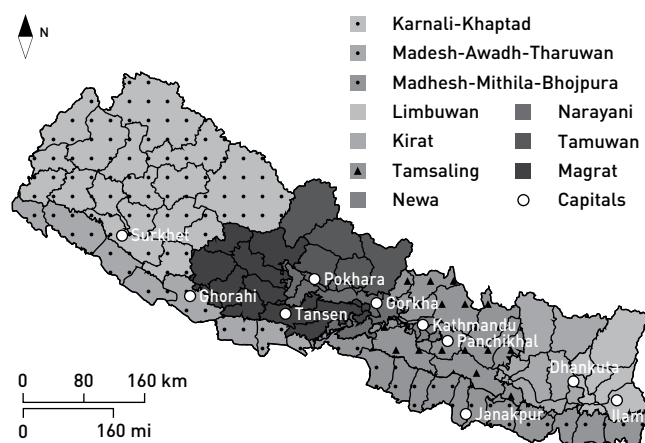


Since the CA could not agree on the report of the State Restructuring Committee, in December 2011 the government formed the High-Level State Restructuring Commission set out in the Interim Constitution. The commission was tasked with providing recommendations on state restructuring by considering the different views presented by 'political parties, different organisations, civil society, stakeholders and intellectuals'.

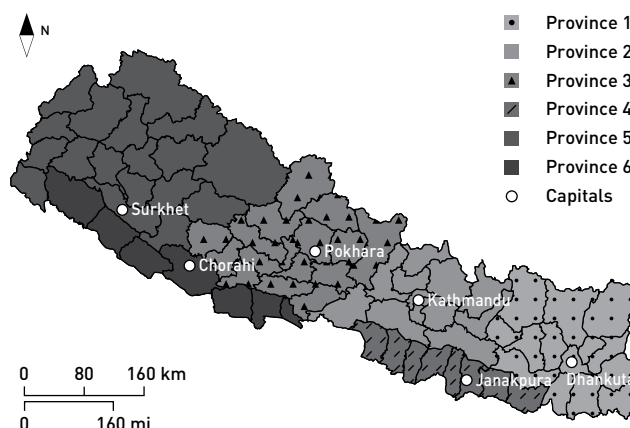
As is the usual practice, each of the four major parties – the Unified Communist Party of Nepal–Maoist (UCPN–M), the NC, the UML, and the Samyukta Loktantric Madhesi Morcha (or United Democratic Madhesi Front) – appointed two members each to the commission. Following criticism that there were no Dalits among the eight appointees, a neutral Dalit intellectual was appointed two weeks later as coordinator (and subsequently chair) of the commission.

When submitting its report to the government on 31 January 2012, the commission was split along ethnic lines. The official report was backed by the six members not from the Khas Arya group (which functions effectively as the 'upper caste' elite) and proposed a 10-province model. The three commission members belonging to the Khas Arya group (and representing the NC and UML), on the other hand, submitted a minority report that proposed a six-province model. The latter generally follows the contours of the development regions, apart from placing most Tarai districts into two provinces while merging the two western-most regions. Both reports considered the above-mentioned nine bases (identity and capability) for their respective proposals, but while the official report privileged identity over capability in delineating the boundaries, the report of the minority group granted precedence to capability instead.

**Map 12: 10-province model proposed by State Restructuring Commission (Jan 2012)**

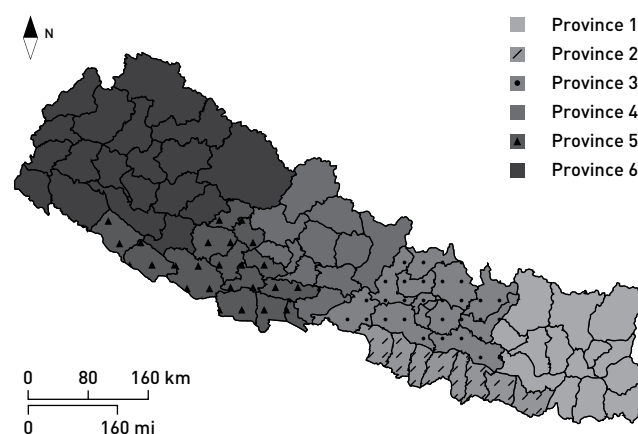


**Map 13: 6-province model proposed by minority group within State Restructuring Commission (Jan 2012)**



The deadlock over federal boundaries carried over to the second CA and some headway was made after the political compact following the April 2015 earthquake. On 30 June 2015, the preliminary draft of the constitution was presented, envisaging eight provinces that would be delineated by a federal commission at a later date. On 8 August, the four major parties agreed another deal reducing the number of provinces to six, with the names to be decided by the provincial legislatures. Civil unrest broke out immediately in the Mid-Western Region at its proposed bifurcation and two people were killed when police opened fire.

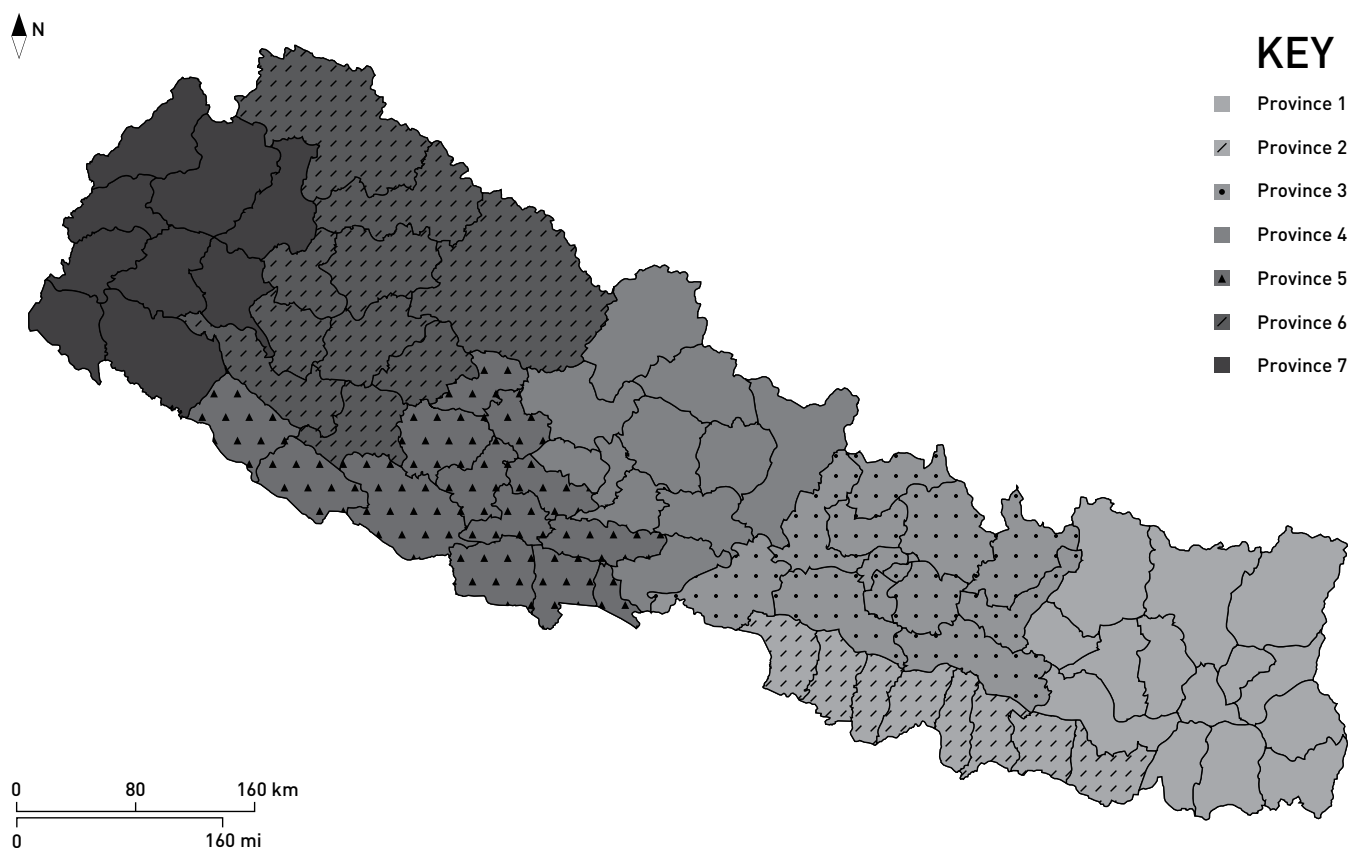
**Map 14: 6-province model agreed upon by the major political parties (August 2015)**



In response to the protests, the four political parties decided on 21 August to divide the proposed Province 6 into two, making a seven-province model. Despite the sometimes violent demonstrations that continued in various parts of the Tarai against the proposed delineation and the deaths of dozens of people, this was the model that was finally adopted when the new constitution was promulgated on 20 September 2015.



Map 15: 7-province model agreed upon by the major political parties (August 2015)



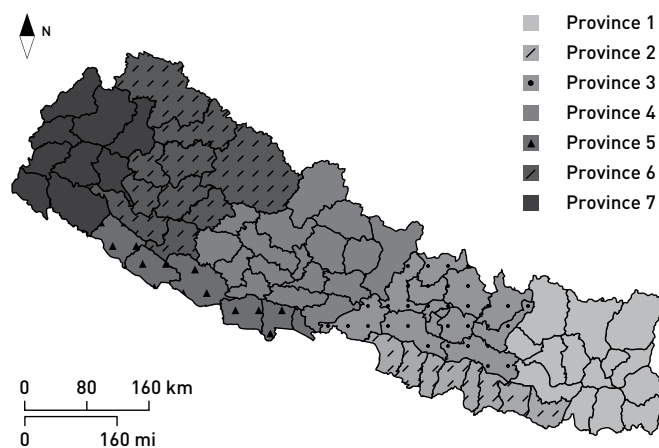
Apart from the inclusion of some hill districts from the Western and Mid-Western Regions in Province 4, the provision of Provinces 6 and 7, and the transfer of one district from Province 5, the six- and seven-province proposals look remarkably similar to the minority report of the State Restructuring Commission.

Dissatisfaction with the provincial boundaries has continued to run high in the Tarai after the new constitution was adopted and more deaths occurred during crackdowns on demonstrations. The Madhes-based parties have remained adamant that no elections will take place without revision of the federal boundaries. On 29 November 2016, the ruling coalition of the CPN-Maoist Centre and the NC introduced a constitutional amendment that separated the hill districts from Province Number 5 and merged them with Province Number 4 to transform Province 5 into a wholly Tarai province. Protests broke out immediately in the districts that had been detached from Province 5. At the time of writing the amendment had not yet been passed.

#### Sources

Map 1: Harka Gurung, *Nepal: Atlas & Statistics* (Kathmandu: Himal Books, 2006)  
 Map 3: Govinda Neupane, *Nepalko Jatiya Prasna: Samajik Banot and Sajhedariko Sambhavana* (Kathmandu: Centre for Development Studies, 2000)

Map 16: Proposed amendment to provincial boundaries (November 2016)



Map 4: 'Maobaad bata Jatibaad tira', *Himal Khabarpatrika*, 16–30 Fagun 2060.

Maps 5 to 10: Pitamber Sharma and Narendra Khanal, *Towards a Federal Nepal: An Assessment of Proposed Models* (Kathmandu: Himal Books, 2009)

All maps redrawn by Soapbox.