

# Original Research Article

## Arguments Against Federalism in Nepal: A Discussion on State Structure Reform

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### ABSTRACT

**Aims:** This study critically examines the evolution of federalism in Nepal and its challenges within the country's diverse political, social, and ethnic landscape. The objective is to explore how political parties, ethnic groups, and indigenous communities differ in their perspectives on state restructuring and national unity.

**Study Design:** Qualitative study.

**Place and Duration of Study:** This study utilizes secondary data sources from library archives, academic articles, party manifestos, public speeches, and reports published over the past decade.

**Methodology:** The study applies thematic analysis to secondary data, identifying recurring themes such as nationalism, ethnic identity, governance structures, and critiques of federalism. Sources include academic literature and public documents on political discourse in Nepal.

**Results:** The study reveals that the debate on federalism is highly contested, particularly in terms of ethnic fragmentation, socio-economic risks, and national disintegration. Political opposition to federalism raises concerns about governance, ethnic relations, and national cohesion.

**Conclusion:** Federalism in Nepal remains a complex and contested issue, with significant political and ethnic implications. The study highlights the need for more historical and cultural research to support federal restructuring based on identity, while addressing concerns about the risks posed to national unity and economic stability..

*Keywords: Federalism; geography; nationality; race; structure*

### 1. INTRODUCTION

Federalism, at its core, refers to a system of governance in which power is constitutionally divided between a central authority and various constituent units, such as states or provinces. This system aims to balance local and national interests by enabling regional entities to exercise a degree of autonomy while remaining unified under a national government (Pant, 2009). Federalism, as a political arrangement, is intended to accommodate a country's diversity, whether in terms of ethnicity, culture, language, or geography. In Nepal, the concept of a federal system is relatively new and lacks deep historical roots. Throughout Nepal's political history, federalism was rarely mentioned and did not play a central role in political movements. During the Panchayat era, and even

earlier, demands for regional autonomy were uncommon, though the Nepal Terai Congress did once call for the Terai region to become an autonomous province (Gurung, 2007). However, the political leadership of the time continued to uphold Nepal's unitary governance structure.

The conversation around federalism only began to take shape after the restoration of democracy in the 1990s. Political parties such as the Sadbhavana Party and caste-based parties introduced the idea, but the public did not embrace it at that time (Acharya, 2006). It was during Nepal's second period of democracy that discussions about federalism gained traction, particularly with the rise of the Maoist movement. The Maoists, during their underground guerilla warfare, leveraged ethnic and regional sentiments, using them as a foundation for their success and later for advocating federalism in open politics (Mainali, 2006). Yet, federalism was not a central demand of the Maoists from the outset. In their early communications and demands, including the 40-point list they submitted to the government before their rebellion, the Maoists did not explicitly call for a federal system (Samyukta Janmorcha, 1996).

The issue of federalism was largely absent even in the first draft of Nepal's interim constitution, which emerged following the Maoist insurgency. It was only after the Madhesi movement in the Terai, which strongly raised the issue of state restructuring, that federalism became a critical political agenda. The interim constitution was amended under pressure from this movement, and it was only through this amendment that federalism was included in Nepal's political framework (Elzar, 2008).

This chapter sets the stage for understanding the evolution of federalism in Nepal, a process driven not by a long-standing ideological commitment but by the pressures of ethnic, regional, and political movements that sought to address deep-rooted disparities within the country. The struggle for a federal Nepal reflects broader tensions over national unity, regional autonomy, and the need for a governance system that accommodates Nepal's rich diversity.

It appears that the issue of federalism in Nepal has predominantly been raised by two key social and cultural groups: the Madhesi communities of the Terai region and the indigenous or tribal groups. Federalism is often demanded to protect the rights of these communities and to promote regional development (Ghimire, 2019). However, there is no consensus on the identification of these tribal groups or their cultural heritage. One challenge lies in the lack of scientific research to definitively determine which regions are truly indigenous and which communities can be classified as tribes. Some scholars argue that the Khas caste may be one of Nepal's ancient communities, with cultural expert Richard Waldorf providing evidence that Aryan herdsmen were present in Nepal as early as 2500 BC, based on the Gopal genealogy from the 14th century (Adhikari, 2011). According to Waldorf, the Kirant and Khas communities entered Nepal around 2000 years ago (Shiwakoti, 2013)

The main groups advocating for federalism in Nepal include the Terai and tribal communities, who base their demand for autonomous provinces on their historical connection to the land. However, the term "tribal" is relatively new in Nepal, coined during a tribal meeting in 1986. Many of these groups do not have a long history in Nepal, with some having migrated from India and Tibet 150 to 400 years ago (Sharma, 2009). There has been no scientific research on Nepal's tribal groups, and they are often identified based on mythological narratives, making these claims contentious. Limited historical evidence about these communities and their geographic boundaries compounds the uncertainty. Three primary reasons contribute to this lack of clarity: (a) the absence of written history about the people living in regions, (b) the lack of archaeological evidence to confirm the existence of

different groups in specific areas, and (c) the failure to conduct anthropological and linguistic studies that could provide historical context (Dahal, 2007). As a result, it is difficult to definitively classify Nepal's indigenous and tribal populations.

Without a scientific basis for identifying these groups, the demand for federalism tied to tribal identity remains contentious. While the push for federalism is primarily aimed at promoting the development of backward regions and communities, disputes over who qualifies as "tribal" or "indigenous" persist.

In terms of state restructuring, there are differing views on whether federalism should be based on ethnicity, language, culture, population, and geography, or whether it should be organized according to Nepal's mountainous, hilly, and Terai regions. Although political parties supporting federalism agree in principle, they differ on the specific criteria for federalism. Some parties, such as Rastriya Jana Morcha Nepal, oppose federalism outright, while others, like Nepal Mazdoor Kisan Party, suggest restructuring the state on alternative bases (Sigdel, 2014). The Rastriya Prajatantra Party (RPP) Nepal, for instance, has raised concerns that federalism could lead to ethnic conflicts, state disintegration, and economic instability. They argue for decentralization within a unitary system, which they believe could sustain the country financially while maintaining social harmony. Opponents of federalism have presented various reasons for rejecting it, which have been analyzed and debated extensively.

The main objective of this analysis is to critically assess the critique of federalism in Nepal within the context of the country's diverse social and geographical landscape. This study aims to identify the party's primary arguments regarding the potential risks linked to a federal system, especially about national integrity, ethnic fragmentation, and socio-economic stability. Furthermore, the research seeks to evaluate the implications of the party's opposition on the broader political discourse surrounding federalism in Nepal and its effects on national unity.

## **2. METHODOLOGY**

This study adopts a qualitative research design, primarily using secondary data from various sources such as library archives, party manifestos, public speeches, and academic articles. The selection of relevant materials was conducted through a systematic literature review, focusing on peer-reviewed articles, policy reports, and expert analyses retrieved from databases like Google Scholar and JSTOR. Keywords like "federalism in Nepal" and "ethnic relations" guided the search, and only sources directly relevant to Nepal's federalism and published after 2007 were included. Party manifestos and leader speeches were chosen based on key political milestones in Nepal's federal journey.

For data analysis, a thematic approach was applied, identifying recurring themes such as nationalism, ethnic relations, and critiques of federal governance. The process involved familiarizing with the data, coding recurring concepts, grouping them into broader themes, and interpreting the political discourse on federalism. Triangulation was used to cross-check the data from multiple sources, ensuring reliability and a balanced understanding of Nepal's political dynamics. Since the study uses publicly available data, no ethical approval was required, but care was taken to interpret materials objectively.

## **3. RESULTS AND DISCUSSION**

The historical and social contexts of countries greatly influence the adoption of governance systems like federalism. While nations such as the United States, India, and Switzerland

have long-established federal structures based on their social histories (Dua & Singh, 2003), Nepal's transition to federalism lacks such precedent. Unlike other nations where federalism emerged from internal demands or historical needs, Nepal's move towards a federal structure appears to be influenced by external factors rather than domestic movements. Key proponents of federalism in Nepal, including the Madhesi and tribal communities, base their claims on ethnic identity and geography (Khanal, 2006). However, these demands have sparked debates about the appropriateness of federalism in a country characterized by deep cultural diversity, fluid social identities, and geographical challenges. Consequently, opponents of federalism advocate for decentralization within a unitary system to preserve Nepal's social harmony and national unity.

### **3.1 Historical and social reasons**

The history and social structure of a country play a significant role in shaping its governance systems, including the decision to adopt federalism. In countries like the United Kingdom, the maintenance of a unitary system reflects its historical and socio-cultural context (Kukreja, 2011). Similarly, the governance systems of countries like the United States, India, and Switzerland have been influenced by their unique social histories (Toparwin, 2009). The social structure of society also impacts the formation of federalism, as social groups that have coexisted for long periods often share a common consciousness and identity, shaping the federal units later established (Merkel, 1975). For instance, the political history of federalism in the United States is intertwined with its broader historical development.

Globally, federalism has emerged for various reasons. In some cases, independent units have unified into federations, such as in the United States and Switzerland. In other cases, countries like India and Indonesia adopted federalism following the end of colonial rule. Meanwhile, some nations transitioned to federalism after the collapse of communist regimes, such as Russia and Bosnia-Herzegovina (Anderson, 2007). In contrast, federalism often emerges as a response to specific social and historical needs, with no known cases of a country becoming federal without these foundational factors.

Nepal's move toward federalism, however, lacks such a long historical or social precedent. Historically, there is no strong background for federalism in Nepal's political landscape. As NCP Masal leader Mohan Vikram Singh pointed out, the Nepali people have never actively protested for federalism, and he argued that federalism could not succeed in Nepal's context. He further suggested that federalism in Nepal had been introduced due to external influences, rather than arising from a genuine domestic movement.

In Nepal, two main cultural groups tribal and Madhesi communities have been the primary proponents of federalism (Dahal, 2007). However, the social and political history of these broad cultural groups has yet to be fully analyzed, leaving gaps in understanding how federalism would function in a culturally diverse country like Nepal. Furthermore, there is limited research on Nepal's ancient cultures and recent cultural changes (Ghimire, 2019).

These communities demanding federalism often base their claims on ethnic identity, geography, administrative convenience, and cultural factors. Yet, the basis for these demands remains contentious, as there is no clear or balanced foundation for constructing a federal state based on these factors. For example, Nepal has 125 castes and 123 language speakers, but no clear criteria exist for forming robust federal units along these lines (Central Bureau of Statistics [CBS], 2011). Comparisons to other countries, such as Sudan, where caste-based federalism led to ongoing conflicts and instability, highlight the challenges of using ethnicity or language as a basis for federalism (Madjur Kisan Party, 2011).

Federalism based on ethnic and linguistic identities, while suitable in some contexts, may not be appropriate for a country like Nepal. Switzerland, for instance, built its federation around broad cultural identities, but Nepal's political history and social structure are vastly different. The social unity and religious tolerance that has existed in Nepal for centuries could be undermined by dividing the country along ethnic, cultural, and linguistic lines, risking instability and conflict. As seen in the case of Malaysia and Singapore, when local or regional identities overshadow national unity, it can lead to fragmentation (Anderson, 2007).

Ethnic diversity in Nepal is also not static, as demonstrated by fluctuating statistics on caste and language. The number of mother tongue speakers in Nepal has increased significantly over time, rising from 44 languages in 1952 to 124 in the most recent census (CBS, 2021). Similarly, the number of castes has grown, from 60 in 1991 to 125 in 2011 (Acharya and Yatra, 2011). This fluidity in ethnic and linguistic identity poses challenges to forming federal units based on these criteria.

Nepali society is composed of a rich mosaic of ethnicities, languages, and cultures. In such a context, some argue that a more effective and simpler approach to governance would be decentralization within a unitary system, rather than adopting federalism. Decentralization is a viable option in many countries, including large non-federal but regionally governed nations like Japan and Indonesia (Anderson, 2007). In Nepal, opponents of federalism argue that decentralization could preserve social and cultural unity while addressing regional governance needs. Language, often seen as a secondary basis for federalism, also lacks a strong foundation in Nepal. While 44.6% of the population speaks Nepali as their mother tongue and 32.77% use it as a second language, linguistic diversity makes it difficult to form cohesive federal units. The Magar community, for instance, speaks multiple dialects of the Magar language, with significant linguistic differences even within the same ethnic group (Pant, 2009).

Ultimately, Nepal's unique social structure, characterized by the widespread distribution of major ethnic groups like the Kshatriya and Brahmins across the country, makes it challenging to draw clear boundaries for federal units based on caste or language. In this context, opponents of federalism argue that a unitary system with strong decentralization would better preserve Nepal's social harmony and stability while accommodating its rich cultural diversity.

### **3.2 Geographical reasons**

When considering the geographical structure of Nepal, there are significant arguments against restructuring the federal system. Nepal's land can be classified into four main regions: Himalayan Pradesh, Pahari Pradesh, Inner Madhesh, and Terai Pradesh. The Himalayan region comprises 16 districts, while the hilly provinces include 29 districts. Inner Madhesh contains four districts, with the remaining 16 located in the Terai region (Pant, 2009). Most of the Nepal's population resides in the Terai, while the mountains serve as the source for the country's river systems and mineral resources. Thus, establishing a federal system based solely on geographical structure presents numerous challenges.

Nepal's geographical and social connections with neighboring countries, China and India, also complicate the federalization process. The northern region has cultural and social ties to Tibet, while the other three regions maintain close connections with India. The Madhesi community, which advocates federalism, is concentrated in the Terai. However, not all political factions are prepared to support Madhesi's demands for autonomy and self-determination. Critics argue that the call for a unified Madhesi province is perceived primarily through an Indian lens, diverging from the broader national unity of Nepal (Pant, 2009). As a

landlocked country situated between two major powers, it is vital that Nepal's federal provinces are delineated to ensure balanced development and prevent the dominance of one neighboring country. Poor demarcation could undermine Nepal's independent identity and lead to vulnerabilities for both the provinces and the nation.

The motivations behind the Terai political parties' push for federalism stem from ethnic and regional disparities, with the belief that a federal structure would rectify the deficiencies of the current unitary system. For example, the Tarai Madhesh Democratic Party has called for an "autonomous region from Kanchanpur to Jhapa" (Tarai Madhesh Democratic Party, 2007), while the Madhesi People's Rights Forum Nepal seeks the establishment of a "Madhesi Province" (Madhesi People's Rights, 2007). The Sadbhavana Party has argued for a federal system that divides the nation into three parts: Himal, Pahad, and Madhesi (Nepal Sadbhavana, 2007). However, these demands are often interpreted as efforts to fragment the nation rather than foster a cohesive federal structure.

Given that the Kshatriya caste is the most populous group in Nepal, with the majority living across all regions, it becomes apparent that geographical divisions based on caste do not reflect the reality of Nepal's social fabric. Other significant ethnic groups, such as Brahmins and Magars, are also distributed throughout the country, making it problematic to base federal divisions solely on geography. Additionally, demands from groups like the Tharu, Limbu, and Rai for their own provinces based on geographic considerations lack scientific backing and do not address the broader demands of the Terai regional parties. Further complicating the federalism debate are challenges related to the demand for an intact Far West region, which has led to calls for the Terai region of the Far West to be recognized as a separate province. This reflects the complexity of crafting a federal structure that accommodates diverse demands while maintaining national unity.

In Nepal, the distribution of resources, including minerals, is unevenly spread across its diverse geography. Therefore, it is crucial to consider how resource allocation can be managed to reinforce national unity within a federal framework (Hachhethu, 2007). Even within a federal system, there is a risk that a small elite may monopolize power, leaving broader populations marginalized (Dahal, 2007). The intricacies of federalism in Nepal must account for geographic diversity, resource distribution, and historical migration patterns. The most viable path forward may involve fostering coexistence among diverse groups while prioritizing national unity over fragmentation (Pokhrel, 2009).

While political parties in both the first and second Constituent Assembly elections expressed support for federalism, some groups, such as the National People's Front, opposed it (Dahal, 2011). Other parties, including the Nepal Labor Farmers Party, suggested that administrative divisions in a unitary state should guide the creation of federal units, while RPP Nepal has called for a referendum on the issue of federalism.

### **3.3 The Anti-Federalism of the Rastriya Jana Morcha**

The debate surrounding federalism in Nepal has been a contentious issue, drawing diverse opinions from various political parties. While most parties participating in the first Constituent Assembly elections have expressed a commitment to implementing a federal system, the Rastriya Jana Morcha Nepal stands as a notable exception. The party has articulated its opposition to federalism through a dedicated section in its manifesto titled "Opposition to Federal Government System." This stance was further reinforced by their organized protests, the constitutional amendment aimed at implementing federalism, culminating in a successful nationwide bandha (Ghimire, 2019).

The Rastriya Jana Morcha, founded in 1995, has roots tracing back to the formation of Rastriya Jan Morcha in 1990, a political entity associated with the Marxist-Leninist ideology. Under the leadership of Chitra Bahadur K.C., the party has maintained a cooperative relationship with the National People's Front (N.K.P. Masal) since its inception. This collaboration has continued within the Constituent Assembly, where both parties agreed to work together on various issues (Rastriya Jana Morcha, 2007, p. 6).

Opposition to federalism is a core tenet of Rastriya Jana Morcha's political agenda, particularly emphasized by the Minister General of Spices, Mohan Vikram Singh. He asserts that the Nepali populace has never actively sought federalism, arguing that such a system is ill-suited for a country like Nepal. Instead, the party has advocated democratic decentralization and local self-governance, positing that these approaches can foster greater autonomy without fragmenting national unity (Rastriya Jana Morcha, 2007, p. 6). In its manifesto, the Rastriya Jana Morcha outlines four primary reasons for opposing the implementation of a federal system in Nepal:

### **3.4 Fragmentation of nationalism**

The Rastriya Jana Morcha argues that the federalism proposed in Nepal is fundamentally based on ethnic and regional identities, which poses a significant threat to national unity and sovereignty. The party highlights historical precedents, citing the disintegration of nations like Yugoslavia and Czechoslovakia due to ethnic strife and regional divisions (Ghimire, 2019). They point to recent events, such as Kosovo's secession from Serbia, as cautionary tales about the dangers of ethnic federalism.

The party contends that once a system based on caste or ethnicity is established, it will inevitably lead to demands for separate states by various ethnic groups, potentially resulting in conflicts and exacerbating social divisions (Rastriya Jana Morcha, 2007, p. 12). They assert that such regional fragmentation threatens not only political stability but also economic development and transportation across the nation. Given Nepal's complex geographical landscape, comprising mountains, hills, and plains, the Rastriya Jana Morcha emphasizes that federalism could hinder the development of essential infrastructure and undermine the long-standing social cohesion among Nepalis.

### **3.5 Risk of succession**

The Rastriya Jana Morcha has articulated concerns regarding the potential for secession, particularly in the context of growing Indian influence (Gyanwali & Raj, 2010). The party identifies three key factors that could contribute to this risk if federalism is implemented:

### **3.6 Historical dominance of India**

The party asserts that India has systematically sought to maintain its influence over Nepal, which could escalate if federalism is adopted. They warn that India may exploit the formation of smaller states within a federal structure to undermine Nepal's sovereignty, potentially using tactics such as economic blockades or other coercive measures (Rastriya Jana Morcha, 2007)

### **3.7 Regional tensions**

The Rastriya Jana Morcha raises alarms about the ongoing animosity between the Terai and hill populations (Madhesi Janaadhikar Forum (2007)). The party claims that federalism could

exacerbate these tensions by fostering regionalist sentiments and divisive narratives, further straining relationships between different ethnic communities (Rastriya Jana Morcha, 2007).

### **3.7 Cultural division**

The Rastriya Jana Morcha highlights the diverse cultural landscape in the Terai region, cautioning against the establishment of a singular Madhesi province. They argue that such a move would overlook the mixed cultural identities present in the region and ultimately lead to fragmentation (Rastriya Jana Morcha, 2007).

Additionally, the party underscores the historical socio-cultural ties between Nepal and India, which have resulted in significant family connections, particularly in border areas. The reliance of lower region inhabitants on Indian markets for trade and resources exacerbates the potential for secession, particularly if a separate Madhesi province is created with self-determination rights (Yonjon, 2006). The Rastriya Jana Morcha fears that such a situation could make the Terai region susceptible to Indian influence and potentially compromise Nepal's sovereignty.

### **3.8 Ethnic exploitation**

The Rastriya Jana Morcha posits that federalism could lead to greater ethnic exploitation rather than alleviate existing caste-based oppression. While federalism has been advocated to end caste discrimination, the party argues that dividing the country along ethnic lines will only exacerbate tensions between different groups (Gurung, 2006). They note that most regions in Nepal are inhabited by diverse ethnic communities, with no single group holding a majority (Rastriya Jana Morcha, 2007).

The party contends that establishing states based on ethnic majorities would leave many groups as minorities within those states, perpetuating cycles of discrimination and inequality (Adhikari, 2021). To address the issues of exploitation and oppression, the Rastriya Jana Morcha advocates for the dismantling of the existing feudal system and the promotion of cultural and linguistic development for marginalized communities. They propose an ethnic autonomous governance model at the village or district level, allowing local populations to manage their socio-economic and cultural affairs (Rastriya Jana Morcha, 2007).

### **3.9 Unacceptable federalism**

Lastly, Rastriya Jana Morcha dismisses federalism as an unacceptable system based on global trends. They argue that among the 200-plus member states of the United Nations, federalism has been adopted by only about two dozen countries, and many of these nations are experiencing a shift toward centralization rather than decentralization (Shrestha, 2006). The party asserts that powerful central governments are becoming increasingly important in the context of global interdependence and commercialization, leading to a decline in the effectiveness of federal systems.

In their manifesto, they characterize contemporary federalism as little more than a facade, asserting that many countries that identify as federal are not genuinely so. The Rastriya Jana Morcha points to the rise of ethnic and regional differences, civil unrest, and the fragmentation of states as evidence of the shortcomings of federalism (Rastriya Jana Morcha, 2007). They argue that in a rapidly changing world, the efficacy and relevance of federalism as a governing structure are in question.

#### **4. CONCLUSION**

This article has provided an in-depth exploration of the anti-federalist arguments in Nepal, highlighting the complex interplay of historical, social, and geographical factors that shape the ongoing discourse on state structure reform. By critically examining the positions of parties opposing federalism, the study reveals that these sentiments are not merely reactions to contemporary political dynamics but are deeply rooted in the historical marginalization of certain communities and the perceived failures of a centralized state. The arguments presented against federalism emphasize concerns about national integrity, ethnic fragmentation, and socio-economic stability, which reflect a broader apprehension about the potential consequences of federalism for Nepal's unity. The analysis also underscores the need for a comprehensive understanding of the implications of these anti-federalist perspectives on Nepal's political landscape. The resistance to federalism, articulated through the voices of various political parties and their leaders, raises essential questions about governance and inclusivity in a country marked by diverse identities and regional disparities. As the country grapples with its federal future, the insights gained from this study could inform policymakers and stakeholders about the importance of addressing historical grievances and fostering dialogue to create a more equitable and representative political framework. Ultimately, the findings suggest that the path toward a successful federal system in Nepal requires careful consideration of the unique socio-cultural context, ensuring that the voices of marginalized communities are included in shaping a governance structure that promotes national unity while respecting diversity.

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