

## **The Imperative of Inclusiveness in Advancing Gender Liberation in Nepal: Reassessing Women's Rights and Equality**

### **Abstract**

Inclusiveness, defined as equitable access, recognition, and participation of all citizens irrespective of gender, caste, ethnicity, or social status, is central to democratic governance and social transformation. In Nepal, the discourse on inclusiveness surfaced prominently after the political transition of 2007 B.S., gaining institutional weight following the 2063/64 political change. Gender inclusiveness, in particular, remains critical for advancing women's rights, gender justice, and broader gender liberation. This study employs a qualitative, doctrinal approach combined with critical discourse analysis. The research synthesizes theoretical frameworks with factual evidence from Nepal's inclusive policies, constitutional provisions, and legal reforms to evaluate their impact on substantive equality. The analysis reveals that inclusiveness has contributed positively to enhancing representation, empowerment, and participation of marginalized groups, particularly women, over the last decade. However, its implementation remains uneven, with persistent gaps in practical application, systemic planning, and target-oriented strategies. Inclusiveness is often undermined by structural inequalities, political instability, and insufficient institutional mechanisms, limiting its transformative potential. Strengthening inclusiveness is imperative for sustaining Nepal's democratic transition, institutionalizing gender justice, and advancing gender liberation. A systematic, context-sensitive, and target-driven approach is required to transform inclusiveness from a normative ideal into a functional reality, thereby ensuring equality, ownership, and sustainable social change.

**Keywords:** Inclusiveness, Gender Liberation, Women's Rights, Justice, Governance, Equality.

### **1. Introduction and Conceptual Features of Inclusiveness**

Inclusiveness is widely recognized as a principle that ensures equitable access, representation, and participation of individuals and groups across diverse identities such as class, gender, ethnicity, language, religion, and socio-economic status within state mechanisms. It functions as a cornerstone of state restructuring, extending beyond social justice to guarantee meaningful representation and active involvement in political, economic, social, cultural, psychological, and institutional domains (Bhattarai, 2016). This approach reflects the conviction that a democratic state cannot sustain legitimacy or stability unless every section of society, especially marginalized and underrepresented groups, participates in the decision-making process and benefits from equitable opportunities. Although inclusiveness is often perceived as a transitional arrangement necessary to rectify historical inequalities, it is increasingly conceptualized as an enduring democratic requirement. In this regard, the Human Development Report (2000) emphasizes that democracy entails the fair distribution of political power to minorities and secures full and equal participation of citizens irrespective of gender, ethnicity, or status (UNDP, 2000). Similarly, Takis Fotopoulos (1997) advanced the notion of "inclusive democracy," which advocates equal distribution of power across political, economic, social, and ecological spheres, thereby embedding pluralism and diversity within governance structures. In line with this, inclusiveness can be interpreted not only as institutional reform but also as an evolving process of deepening democracy that bridges the gap between marginalized populations and mainstream state institutions. A critical dimension of inclusiveness lies in the perception and lived experiences of intended beneficiaries. As Sangroula (2007) argues, inclusion becomes meaningless when individuals or communities do not perceive themselves as genuinely incorporated into state structures, regardless of formal institutional arrangements. Therefore, inclusiveness must be evaluated not solely from the perspective of state mechanisms but also through the

lens of those who are supposed to benefit from it. This shifts the focus from procedural inclusion to substantive equality, ensuring that marginalized communities are not only represented but also empowered in practice.

Historically, the conceptual underpinnings of inclusive democracy evolved during the 1980s, driven by debates on participatory governance and diversity management. Fotopoulos (1997) elaborates that inclusiveness requires structural changes to prevent majority rule from marginalizing minority voices. Earlier, Switzerland's post-1948 practices of religious and ethnic accommodation demonstrated the foundational elements of inclusive governance in a multi-diverse society (Bhattarai, 2016). These historical experiences underscore that inclusiveness is not merely about temporary corrective measures but about institutionalizing mechanisms for equitable participation in perpetuity. Contemporary perspectives further stress the developmental implications of inclusiveness. The World Bank (2006), in its study *Unequal Citizens*, conceptualizes social inclusion as the systematic removal of institutional barriers and enhancement of incentives to broaden access for diverse individuals and groups to opportunities in development. In this sense, inclusiveness is linked to both equalities of opportunity and equity of outcome. It embodies protective and affirmative measures designed to integrate marginalized communities into the mainstream without discrimination, thereby contributing to the democratization and modernization of state structures. Inclusiveness emerges as both a democratic imperative and a developmental necessity. It seeks to transform governance into a mechanism that guarantees equitable power-sharing, resource distribution, and opportunities for all, especially those historically excluded. Its conceptual essence lies not only in political reforms but also in fostering substantive equality, enhancing social justice, and sustaining pluralistic democracy in contemporary societies.

## 2. Methodology

This study adopts a qualitative research design grounded in doctrinal and critical discourse analysis. It systematically reviews constitutional provisions, statutory instruments and policy frameworks to assess the nexus between participatory governance and substantive equality in Nepal. By examining recurring themes and power structures within legal and policy discourses, the study identifies both opportunities and systemic challenges in advancing inclusivity. This methodological approach ensures theoretical rigor and contextual relevance, offering critical insights into the structural dimensions of gender liberation within broader frameworks of human liberation.

## 3. Results and Discussion

### 3.1 Mechanisms and Approaches to Inclusion

Inclusion is not a static condition but an evolving process of democratization and social justice, aimed at ensuring substantive equality and participatory governance. Achieving inclusiveness requires the adoption of multiple mechanisms and approaches that recognize structural inequalities and actively work toward dismantling them. Central to this process is the principle of equitable access, which goes beyond formal equality to guarantee marginalized groups a fair share in power, resources, and opportunities (World Bank, 2006). The mechanisms of inclusion are therefore designed to correct systemic imbalances while fostering a governance system that values diversity and participation. One of the most widely used approaches to inclusion is **reservation and proportional representation** within political and administrative structures. By guaranteeing seats in legislatures, public service positions, and decision-making bodies, reservations ensure that historically marginalized communities such as women, ethnic minorities, Dalits, and indigenous peoples are not excluded from state institutions (Lawoti, 2005). Similarly, proportional representation in electoral systems serves as a corrective tool to reflect the plurality of society, thereby

institutionalizing diversity in governance (Hachhethu, 2009). These measures not only provide symbolic recognition but also enable disadvantaged groups to exercise real political influence.

**Affirmative action measures** such as preference, priority, and positive discrimination are also central to inclusion. They provide targeted benefits to marginalized communities in areas such as education, employment, and economic participation. These policies are justified on the grounds of equity, ensuring that groups disadvantaged by systemic exclusion receive compensatory support to achieve substantive equality (Kymlicka, 1995). For example, special provisions for women and minorities in higher education and public service recruitment act as enabling mechanisms that bridge the gaps created by centuries of structural inequality. Another critical approach involves **empowerment and capacity-building programs** that strengthen the agency of disadvantaged groups. Investment in human development through quality education, healthcare, and skill development serves as a long-term strategy for sustainable inclusion (Sen, 1999). Targeted poverty alleviation and social protection programs are equally significant, as economic marginalization often reinforces social exclusion. By addressing livelihood insecurity and poverty, these measures reduce barriers to participation and create enabling conditions for inclusive development (UNDP, 2010). Institutional reforms such as **decentralization of power** also play a pivotal role in promoting inclusiveness. Devolving authority to local governments allows marginalized communities to engage in decision-making processes at grassroots levels, ensuring that governance is responsive to diverse needs (Sharma, 2010). Legal protections against discrimination and the enactment of inclusive laws further reinforce this process by providing a normative framework that upholds equality, justice, and non-discrimination (Kharel, 2016). Alongside these structural mechanisms, awareness and advocacy programs are essential in changing societal perceptions, challenging stereotypes, and fostering inclusive cultural practices. Finally, **targeted programs and group-specific interventions** are vital in addressing unique challenges faced by vulnerable populations. For example, interventions for persons with disabilities, women facing gender-based violence, or marginalized ethnic communities provide tailored responses that mainstream inclusiveness into development planning. These targeted approaches are complemented by broader equity-driven policies that seek to harmonize opportunities for all citizens without undermining diversity. In essence, the mechanisms of inclusion combine legal, political, social, and economic strategies to build a system that guarantees substantive equality while deepening democratic participation.

### 3.2 Scope of Inclusion

The concept of inclusion is multidimensional, extending across political, social, economic, cultural, gender, linguistic, administrative, and geographic domains. It embodies the commitment of democratic governance to ensure equitable participation, representation, and access for all communities, particularly those historically marginalized. The scope of inclusion thus reflects a holistic framework that recognizes diversity as a democratic strength while striving toward substantive equality and justice (Lawoti, 2005). While each dimension of inclusion contributes to the consolidation of inclusive democracy and sustainable development, inclusion becomes both a normative principle and a practical mechanism for strengthening social cohesion and promoting equitable justice.

- **Political inclusion** is one of the most fundamental aspects of inclusive governance, without which the broader project of democratic state-building remains incomplete. It emphasizes the incorporation of diverse communities into political decision-making processes through mechanisms such as proportional representation in electoral systems, reserved seats, and affirmative political arrangements. These measures ensure that minorities, women, and marginalized groups have a voice in governance structures, thereby reducing exclusion and fostering democratic legitimacy (Hachhethu, 2009).

- **Social inclusion** relates to the promotion of social justice and equality in public life. It requires dismantling discriminatory practices rooted in caste, ethnicity, gender, and class hierarchies, while promoting assimilation based on equal dignity and respect (World Bank, 2006). By guaranteeing access to education, health, housing, and other public services, social inclusion ensures that no community is systematically disadvantaged, and that justice is not merely formal but substantive.
- **Economic inclusion** focuses on sustainable development, equal access to resources, and opportunities for livelihood. It involves mobilization of local resources, access to credit, entrepreneurship development, and targeted poverty reduction programs for marginalized communities (Sen, 1999). Ensuring economic inclusion reduces structural inequalities, enables equitable participation in development processes, and supports long-term stability by addressing poverty as a key driver of exclusion (UNDP, 2010).
- **Cultural inclusion** underscores the recognition, respect, and protection of all religions, cultural practices, and traditional values that align with human rights and sustainable development. Cultural inclusion requires policies that safeguard minority cultures while promoting inter-cultural dialogue and tolerance. In plural societies like Nepal, such recognition is crucial to prevent cultural domination and to foster social harmony (Bhattarai, 2016).
- **Gender inclusion** represents a critical dimension, as women have historically been excluded from power structures. It encompasses the protection and empowerment of women through affirmative action, positive discrimination, and proportional representation in political and developmental institutions. Gender inclusion also prioritizes equity in education, employment, and leadership opportunities, thereby bridging gender gaps and advancing substantive equality (UN Women, 2015).
- **Linguistic inclusion** involves the equal recognition and protection of diverse languages. It ensures that linguistic minorities can access education, justice, and public services in their mother tongue, thereby preventing language-based exclusion and promoting inclusive national identity (Skutnabb-Kangas, 2000).
- **Administrative inclusion** pertains to equitable participation in civil service, law enforcement agencies, and other organized state institutions. Representation of diverse groups within administrative bodies enhances responsiveness, fairness, and accountability in governance. It ensures that state institutions reflect the diversity of society and deliver services impartially (Kharel, 2016).
- Finally, **geographic inclusion** guarantees representation and participation of people from rural, remote, and geographically disadvantaged areas such as mountain, hill, and Terai regions. It addresses structural imbalances in resource distribution and ensures that development is not concentrated in urban centers alone. Geographic inclusion is essential for balanced regional development and for addressing disparities in infrastructure, opportunities, and governance participation (Sharma, 2010).

### 3.3 Principles of Inclusion

The principles of inclusion provide the ethical, legal, and institutional foundation for ensuring equality, fairness, and participation in democratic societies. These principles are not limited to theoretical discourse; they translate into actionable frameworks that guide governance, policy, and development.

A central principle is **non-discrimination**, which ensures that individuals are not excluded on the basis of gender, caste, ethnicity, language, geography, religion, or disability. It is deeply rooted in universal human rights instruments such as the Universal Declaration of Human Rights (UDHR, 1948) and the International Covenant on Civil and Political Rights (ICCPR, 1966), which stress equal dignity and respect for all human beings. Complementing this, the **principle of equality and equity** emphasizes not only equal



treatment but also equitable measures to address historical marginalization and structural barriers (Sen, 1992). The **principle of social justice** is integral to inclusion, advocating for redistributive policies that ensure fair access to resources, opportunities, and services. It calls for addressing systemic inequalities embedded in socio-political structures. Closely tied to this is the **principle of special protection**, which justifies affirmative action such as reservations, quotas, and targeted interventions for historically disadvantaged groups. This aligns with **positive discrimination**, a constitutional and legal tool often applied in South Asia, including Nepal and India, to promote representation of marginalized communities (Kymlicka, 1995). The **principle of proportional representation** strengthens democratic legitimacy by guaranteeing that diverse groups find voice in political and administrative institutions. It ensures that governance reflects the pluralism of society, reducing alienation and fostering participatory democracy. Similarly, the **principle of compensation** highlights the state's responsibility to redress past injustices and systemic exclusion through corrective policies and redistributive justice. Another core dimension is the **principle of sustainable development**, which integrates inclusivity with ecological balance and intergenerational equity. Development strategies grounded in sustainability not only address present needs but also safeguard the rights of future generations (Brundtland Report, 1987). Complementing this, the **principle of solidarity of the state** stresses collective responsibility, where state institutions actively protect vulnerable groups and promote social harmony. The **principle of conflict management** recognizes inclusion as a mechanism for preventing and mitigating societal tensions. Societies marked by ethnic, linguistic, or regional diversity often experience conflict when exclusionary practices prevail. Inclusive frameworks foster reconciliation, integration, and long-term peacebuilding (Lederach, 1997). Fundamentally, the **principle of human rights** underpins all others, ensuring that inclusion is not merely political rhetoric but a matter of legal obligation and moral responsibility. It ties into the **principle of participative development**, which requires the direct involvement of communities in shaping policies that affect them. Participation enhances ownership, accountability, and effectiveness in governance. Additionally, the **principle of social recognition** stresses the importance of dignity, identity, and cultural respect. It seeks to validate the contributions of marginalized communities by acknowledging their traditions, knowledge systems, and languages. Finally, the **principle of state liability** underscores the accountability of governments in implementing inclusive measures. States bear responsibility for creating and maintaining legal, institutional, and policy frameworks that guarantee inclusivity and prevent discrimination. Collectively, these principles illustrate that inclusion is multidimensional embracing equality, justice, representation, participation, sustainability, and recognition. By embedding these principles into governance structures, societies can move toward substantive equality and harmonious development. In contexts like Nepal, which is characterized by ethnic, cultural, geographic, and gender diversity, adopting and operationalizing these principles is crucial for fostering democracy, stability, and social transformation (Lawoti, 2005; Bhattachan, 2012).

### 3.4 Imperative and Necessity of Inclusion

The necessity of inclusion arises from its fundamental role in establishing a fair, just, and participatory society. Inclusive practices are not merely policy options but essential democratic imperatives that ensure every individual and community has the opportunity to participate meaningfully in governance, social life, and development processes. At its core, inclusion guarantees access, recognition, and representation to historically marginalized and disadvantaged groups, thereby strengthening democracy and promoting long-term stability (Kymlicka, 2015; Fraser, 2008). One of the most critical imperatives of inclusion is its role in deepening democracy through participatory governance. By ensuring the meaningful involvement in decision-making processes of all communities irrespective of caste, class, gender, ethnicity, or geography; inclusion institutionalizes democracy beyond procedural representation. It makes governance responsive, accountable, and reflective of the diverse aspirations of citizens (Dahl, 2020). Without inclusion, democratic institutions risk reproducing systemic inequalities and perpetuating the dominance

of powerful groups. Inclusion is also indispensable for advancing equity, equality, and social justice. Social justice entails not only the absence of discrimination but also proactive measures to uplift disadvantaged groups and create conditions for equal opportunity. This requires recognizing historical injustices and compensating through affirmative measures, such as proportional representation, positive discrimination, and equitable access to resources (Sen, 2009). Such measures empower marginalized communities, strengthen their voices in public life, and build collective trust in the fairness of the state. Equally important is the role of inclusion in fostering national unity and integrity. A society where all groups feel recognized and represented is more likely to remain cohesive, even in the face of diversity and difference. Inclusive policies mitigate feelings of exclusion and alienation that can otherwise escalate into conflict, fragmentation, or political instability (Ghai, 2000). By managing social diversities through recognition and accommodation, inclusion transforms potential conflicts into constructive engagements, contributing to peacebuilding and democratic consolidation. From a developmental perspective, inclusion is central to sustainable governance. The meaningful participation of all groups in development planning and implementation ensures that resources are allocated equitably and that the benefits of growth are distributed across social strata and geographic regions. Inclusive governance thus avoids the concentration of wealth and opportunities in a few hands and instead mobilizes local knowledge, resources, and capacities for collective development (Stiglitz, 2012). This participatory approach is vital for achieving the Sustainable Development Goals (SDGs), which emphasize leaving no one behind. Inclusion further enhances national resilience by making societies more adaptable and responsive to change. In an increasingly complex and dynamic world, diverse voices contribute to innovative solutions for emerging challenges. Inclusion strengthens the social contract between citizens and the state by ensuring that governance is sensitive to the needs of all, including women, linguistic minorities, rural communities, and marginalized groups (Young, 2000). By broadening participation, inclusion transforms societal dynamism into a creative force rather than a source of division. Moreover, inclusive practices contribute to the legitimacy and credibility of public institutions. When citizens see their identities, rights, and concerns reflected in policy and governance, they are more likely to perceive state institutions as just and legitimate. This enhances trust in democracy, fosters civic responsibility, and encourages constructive participation in public activities (Habermas, 1996). Conversely, exclusion leads to disillusionment, alienation, and, at times, resistance against state structures.

Therefore, the imperative of inclusion lies in its ability to construct an equitable, meaningful, and harmonious society. It enables both individual empowerment and collective progress by aligning governance and development with principles of equality, justice, and recognition. It transforms social conflict into a competitive and creative process, strengthening the democratic fabric and ensuring that diversity becomes a source of enrichment rather than division. Inclusion, thus is not a peripheral consideration but a foundational necessity for democratic governance, sustainable development, and social harmony. It institutionalizes fairness, empowers the marginalized, enhances unity, and ensures that the governance system remains equitable, dynamic, and just. By embedding inclusion in political, social, cultural, and economic spheres, states can build societies that are both democratic and resilient, capable of addressing contemporary challenges while safeguarding the dignity and rights of all citizens.

### **3.5 Evolution of Inclusiveness**

The concept of inclusiveness in international law and human rights discourse is deeply rooted in the aftermath of the Second World War and the establishment of the United Nations. The **UN Charter of 1945** laid the foundation for equality, non-discrimination, and respect for fundamental freedoms as essential principles for peace and security. These values were further institutionalized through the **Universal Declaration of Human Rights (UDHR, 1948)**, which serves as the cornerstone of modern human rights jurisprudence. Article 1 of the UDHR declares that “all human beings are born free and equal

in dignity and rights”, whereas Article 2 guarantees that these rights and freedoms are to be enjoyed without any form of discrimination, whether on the basis of race, sex, language, religion, or social origin (UN, 1948). The principle of inclusiveness was strengthened by the adoption of specialized treaties under the United Nations framework. The **International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, 1965)** defines racial discrimination as any act that has the effect of impairing equal enjoyment of rights regardless of race, color, descent, or national and ethnic origin (UN, 1965). The 2001 **World Conference Against Racism** reiterated the moral and social imperative of rejecting discrimination as unjust and dangerous, further reinforcing the global consensus that inclusiveness is a precondition for justice, development, and peace (OHCHR, 2001). Several other key human rights instruments have consistently advanced the principles of equality and inclusiveness. The **International Covenant on Civil and Political Rights (ICCPR, 1966)** and the **International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966)** collectively recognize the indivisibility of rights and stress the entitlement of all individuals to participate in political, economic, social, and cultural life without exclusion. Similarly, the **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979)** marked a transformative step in addressing systemic gender-based discrimination and promoting women’s equal participation in public and private spheres (UN, 1979). Parallel commitments were made in labor rights through the **ILO Convention No. 169 (1989)** on Indigenous and Tribal Peoples, which acknowledged historical exclusion and called for meaningful participation of marginalized groups in decision-making (ILO, 1989). Further progress came with the **UN Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007)**, which emphasized self-determination and cultural recognition (UN, 2007). In addition to these legally binding conventions, international declarations have expanded the moral and political dimensions of inclusiveness. The **Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities (1992)** reaffirmed the responsibility of states to protect minority rights and foster conditions for their development. The **Copenhagen World Summit for Social Development (1995)** linked inclusiveness with poverty eradication, employment generation, and social integration, thereby broadening the notion of equality to encompass socio-economic justice (UN, 1995). This marked a shift from narrow interpretations of non-discrimination to a more comprehensive vision of inclusive development and social justice.

Inclusiveness has also been integrated into thematic global agendas. The **Beijing Platform for Action (1995)** emphasized gender equality and empowerment of women as prerequisites for inclusive governance and sustainable development. Similarly, the **Millennium Development Goals (MDGs, 2000–2015)** and their successor, the **Sustainable Development Goals (SDGs, 2015–2030)**, placed inclusiveness at the heart of global commitments, particularly in SDG 5 (gender equality), SDG 10 (reducing inequalities), and SDG 16 (peace, justice, and strong institutions) (UNDP, 2015). These frameworks institutionalized inclusiveness as not only a human rights imperative but also as a developmental necessity. The evolution of inclusiveness demonstrates a gradual but steady expansion from civil and political rights toward broader socio-economic and cultural rights. Initially framed within the context of equality before the law, inclusiveness has since come to embody participatory governance, recognition of diversity, and equitable access to opportunities and resources. This transformation has been driven by both legally binding treaties and normative declarations that collectively reinforce the universality and indivisibility of rights. The global trajectory of inclusiveness reflects its dual character as both a legal principle and a moral imperative. From the **UN Charter** and the **UDHR** to the **SDGs**, inclusiveness has evolved into a multidimensional concept that transcends legal equality to embrace social, economic, cultural, and political dimensions. It represents an ongoing global commitment to dismantling systemic barriers and ensuring equal participation for all individuals and communities. The progressive development of international human rights instruments demonstrates that inclusiveness is no longer an aspirational ideal

but an essential component of justice, democracy, and sustainable human development (Kisan, 2018; UN, 2015).

### 3.6 Unfolding Inclusiveness and its relevance in Nepal

The development of inclusiveness in Nepal has evolved gradually through constitutional provisions, legislative reforms, and policy frameworks aimed at ensuring equitable participation of historically marginalized groups. Early milestones can be traced back to the **Interim Government of Nepal Act of 2007**, which for the first time provided women with a formal role in governance by including them in the Advisory Council. Similarly, the **Constitution of the Kingdom of Nepal (2015 B.S.)** institutionalized proportional representation in the Upper House (Bhardari Sabha), thereby establishing a foundation for more representative political participation (Bhattarai, 2016). The **Constitution of 2019 B.S.** further expanded inclusiveness by ensuring representation of both women and laborers in the National Panchayat. More substantial provisions appeared in the **Constitution of the Kingdom of Nepal (2047 B.S.)**, where Article 11 explicitly permitted special legal measures for the protection and advancement of vulnerable groups, including women, children, the elderly, people with disabilities, and socially or economically disadvantaged communities (Baral, 2012). This constitution also introduced mechanisms such as the single transferable vote system and mandatory inclusion of at least three women in the National Assembly, reflecting a more deliberate approach to inclusive governance. Institutional reforms continued with the **Civil Service Act of 2049 B.S.**, which introduced a quota-based reservation system. Forty-five percent of civil service positions were allocated through inclusive competition, distributed among women (33%), Indigenous nationalities (27%), Madhesis (22%), Dalits (9%), persons with disabilities (5%), and candidates from backward regions (4%) (Sharma & Donini, 2012). Additional provisions such as extended entry age for women and differently abled persons, shorter probation periods, and reduced service requirements for promotions further reinforced inclusiveness in public administration. The theoretical underpinnings of inclusiveness in Nepal gained prominence during the early 2000s through the **Governance Reform Agenda (2001–2005)**, which recommended introducing reservation quotas for women, Janajatis, and Dalits to ensure their mainstreaming in state institutions. Similarly, the **Local Self-Governance Act (2055 B.S.)** institutionalized the participation of women, Dalits, and Janajatis in local councils and committees, decentralizing inclusiveness to grassroots governance (Upreti, 2010). The **Interim Constitution of Nepal (2063 B.S.)** marked a turning point by explicitly recognizing Nepal as a “sovereign, secular, inclusive, and federal democratic republican state” (Article 4). It introduced robust provisions for positive discrimination, mandating special protection for marginalized groups, including Dalits, Indigenous peoples, Madhesis, farmers, workers, and those living below the poverty line (Articles 13 & 35). This constitution also expanded cultural inclusion by declaring all mother tongues spoken in Nepal as national languages (Article 5). From 2064 B.S. onward, the reservation policy extended to all government services, embedding inclusiveness into the state structure. Policy frameworks reinforced these constitutional commitments. The **Fourteenth Periodic Plan (2016–2019)** envisioned inclusive development as a national priority, focusing on expanding access for deprived groups such as Dalits, Janajatis, Madhesis, Tharus, Muslims, minorities, and laborers. Its strategies emphasized positive discrimination, capacity-building through skill development, and the promotion of linguistic and cultural diversity (National Planning Commission, 2016). Similarly, the **Good Governance Act (2064 B.S.)** underscored inclusiveness as a guiding principle alongside social justice, gender equality, and poverty reduction. Inclusiveness was also extended to the security sector. Both the **Nepal Police** and the **Nepal Army** adopted reservation frameworks, allocating 45% of recruitment positions for underrepresented groups. For instance, in the police force, women accounted for 20% of reserved seats, while Indigenous peoples, Madhesis, Dalits, and candidates from backward regions filled the remainder. Comparable patterns were observed in the Nepal Army, albeit with smaller quotas for women (Ministry of Home



Affairs, 2018). These reforms demonstrated the state's commitment to ensuring diversity even within traditionally centralized institutions.

Women's representation has emerged as a particularly significant aspect of inclusiveness in Nepal. The **Constitution of Nepal (2015 A.D.)**, under Article 38, guarantees the right to proportional representation for women in all state structures. It mandates that one-third of parliamentary seats be reserved for women, and at the local government level, either the chairperson or vice-chairperson must be female. Nepal has also witnessed landmark achievements with women simultaneously occupying the offices of President, Speaker of Parliament, and Chief Justice as an unparalleled moment in South Asia (Tamang, 2018). The evolution of inclusiveness in Nepal illustrates a steady progression from symbolic representation to structural reforms embedded in law and policy. From early constitutional amendments in the mid-20th century to contemporary frameworks of reservation and proportional representation, inclusiveness has become central to Nepal's democratic and developmental agenda. Its relevance lies in addressing deep-rooted inequalities, empowering marginalized groups, and strengthening democratic legitimacy by ensuring that governance structures reflect the country's socio-cultural diversity.

### **3.7 Inclusiveness in the Constitution of Nepal**

The Constitution of Nepal (2015) establishes inclusiveness as one of its foundational principles, embedding it within the **preamble** and subsequent articles. The preamble explicitly commits to safeguarding and advancing social and cultural solidarity, tolerance, and harmony while recognizing the country's multi-ethnic, multi-lingual, multi-religious, multi-cultural, and regionally diverse characteristics. It envisions the creation of an egalitarian society built upon principles of proportional representation, inclusion, and participation. The ultimate goal is to secure economic equality, social justice, and prosperity by eliminating discrimination based on class, caste, region, religion, language, and gender, as well as abolishing caste-based untouchability (Lawoti, 2014; Constitution of Nepal, 2015). Article 3 defines the Nepali nation as a collective entity composed of people from multiple ethnic, linguistic, religious, cultural, and regional backgrounds, bound together by allegiance to national independence, territorial integrity, and prosperity. This reinforces inclusiveness as an integral element of Nepal's identity. Similarly, Article 4 characterizes the state as an independent, indivisible, sovereign, secular, inclusive, socialism-oriented, and federal democratic republic. These constitutional provisions ensure that inclusiveness is not only a social aspiration but also a legally enshrined political and institutional commitment (Hachhethu, 2020). The recognition of linguistic diversity is another significant feature of inclusiveness. Article 6 acknowledges that all mother tongues spoken in Nepal are national languages, thereby granting equal status and dignity to linguistic communities that had historically been marginalized. Similarly, Article 12 allows Nepali citizens to obtain certificates of citizenship by descent with gender identity, in the name of either the mother or father. This provision challenges entrenched patriarchal norms and affirms gender equality in citizenship rights (Manandhar, 2019). Constitutional provisions extend inclusiveness to socioeconomic rights. Article 18 guarantees equality before the law, mandating that no discrimination shall occur on the basis of gender in matters of remuneration and social security. The same article ensures equal rights to ancestral property for offspring, irrespective of gender. In addition, Article 20 grants indigent citizens the right to free legal aid, while Article 31 affirms free higher education for persons with disabilities and economically disadvantaged citizens. These provisions operationalize inclusiveness by combining social protection with affirmative measures for marginalized groups (Khanal, 2017).

Women's rights are explicitly protected and advanced under Article 38, which guarantees equal lineage rights without gender discrimination, proportional inclusion in all state structures, and special opportunities in education, health, employment, and social security through positive discrimination. It also

affirms equal rights for spouses in matters of property and family affairs. This demonstrates a holistic approach to gender inclusiveness, ensuring both substantive and formal equality (Tamang, 2018). The Constitution also provides targeted guarantees for marginalized groups. Article 40 secures the rights of Dalits, while Article 42 affirms the right to social justice, particularly for communities historically excluded from governance. Article 43 strengthens this commitment by guaranteeing social security for vulnerable populations, including the elderly, single women, and disadvantaged communities. Moreover, Article 51 outlines state policies that direct the government to adopt social justice and inclusion as guiding principles in governance and development (Bhattarai, 2016). Inclusiveness extends to the structure of the federal political system. Article 84 requires that the President and Vice-President represent different sexes or communities, institutionalizing diversity at the highest level of state leadership. Provisions for proportional representation are further embedded in Article 70, which mandates the election of 110 members to the House of Representatives through proportional electoral systems, treating the country as a single constituency. Article 86 requires that each provincial electoral college elect at least three women, one Dalit, and one person with disabilities or from minority groups. Similarly, local governance bodies are mandated to include women and minority representation: Article 215 ensures that rural municipalities include four women members and two representatives from Dalit or minority communities, while Article 216 guarantees five women and three Dalit or minority members in urban municipalities (Constitution of Nepal, 2015). Institutional mechanisms further reinforce inclusiveness by establishing constitutional commissions dedicated to marginalized groups. These include the **National Women Commission (Article 252)**, **National Dalit Commission (Article 255)**, **National Inclusion Commission (Article 258)**, **Indigenous Nationalities Commission (Article 261)**, **Madhesi Commission (Article 262)**, **Tharu Commission (Article 263)**, **Muslim Commission (Article 264)**, and the **Language Commission (Article 287)**. These commissions are tasked with promoting and protecting the rights of respective groups, advising on policies, and monitoring state compliance with mandates of inclusiveness (Koirala, 2021).

The Constitution of Nepal institutionalizes inclusiveness across political, economic, social, and cultural dimensions. By guaranteeing proportional representation, linguistic recognition, gender equality, socioeconomic rights, and the establishment of specialized commissions, the Constitution provides a comprehensive framework to address historical exclusions and structural inequalities. Its provisions are not only symbolic but also practical, creating binding obligations for state institutions to implement inclusive policies. Thus, inclusiveness in the Constitution of Nepal serves as a cornerstone for building a participatory, equitable, and just society in a context marked by diversity and historical marginalization.

### **3.8 Positive Impacts and Essentiality of Inclusion in Nepal**

The principle of inclusion has become a cornerstone of modern governance, particularly within Nepal, where the demand for equitable representation across social, cultural, ethnic, and gendered lines has been one of the most significant political and social transformations of the past two decades. Inclusion in governance is closely tied to the concept of **diversity management**, which emphasizes harnessing the diverse identities and capacities within a state to strengthen its institutions and promote social harmony. This approach reflects the idea that state institutions should mirror the demographic and cultural mosaic of the society they serve (Sharma, 2020). By integrating marginalized communities into the state mechanism, Nepal has made notable progress toward fostering social justice, reducing inequalities, and advancing democratic consolidation. The origin of inclusive governance can be traced back to the critique of “limited meritocracy,” a system rooted in the United Kingdom’s civil service framework that historically favored elites by relying solely on educational qualifications as the benchmark for public service entry. While this model perpetuated privilege, its evolution into inclusiveness reflects a global shift towards fairness and substantive equality in governance (Kumar, 2019). In Nepal, inclusiveness

became central after the People's Movement of 2006 (2062/63 B.S.), which paved the way for a federal democratic republic. This transformation redefined the state structure by institutionalizing proportional representation, thereby ensuring the political visibility of previously excluded groups, including women, Dalits, Madhesis, Janajatis, and other marginalized communities (Lawoti, 2010).

The positive impacts of inclusion in Nepal are manifold. Firstly, it has **strengthened the representative character of the state**, making institutions more reflective of the country's diverse demographics. Secondly, it has contributed to the **institutional development of democracy** by promoting participatory governance systems where citizens feel ownership in decision-making processes. Moreover, inclusive practices have advanced **social justice** by extending opportunities and protections to disadvantaged groups, thereby reducing historical patterns of discrimination (Bhattachan, 2015). Inclusion has also enhanced **national unity and integration**, as recognition of diverse identities fosters belongingness within the broader framework of the Nepali nation-state. Furthermore, inclusive governance has supported **conflict transformation and peacebuilding** in Nepal. Given the root causes of the Maoist insurgency (1996–2006) were largely tied to exclusion and inequality, policies promoting representation and access have played a vital role in post-conflict stabilization (Upreti, 2012). At the same time, inclusiveness contributes to **poverty reduction and sustainable development** by ensuring marginalized groups access resources, education, and employment opportunities. Such measures create a more competitive environment by allowing individuals from disadvantaged backgrounds to demonstrate their potential, challenging entrenched hierarchies of privilege. Another significant contribution of inclusiveness lies in its ability to **promote cultural assimilation and respect for identity**, while simultaneously advancing the ideal of substantive equality. This balance between preserving diversity and fostering collective solidarity has helped Nepal build an equitable society that values both individuality and shared nationhood (Khanal, 2018). Inclusiveness also facilitates **policy-level participation**, ensuring voices from varied communities influence the formulation of laws and development strategies. This not only enhances governance outcomes but also strengthens accountability and transparency within state institutions. In addition, inclusiveness has reinforced the **concept of nation-building** by legitimizing the Nepali state in the eyes of its citizens. Representation of excluded groups in governance and administration cultivates a sense of **ownership in governance systems**, which is essential for reducing inequality and safeguarding democratic resilience. Such ownership ensures that the state does not merely operate as a tool of dominant elites but as an institution responsive to the aspirations of all citizens, thereby reinforcing legitimacy and public trust.

In today's Nepal, inclusiveness has become an indispensable element of democratic practice. The demand for proportional representation from various caste, ethnic, linguistic, religious, cultural, and gender groups reflects the deep-seated need for equitable recognition. As Bhandari (2019) argues, substantive equality and democratic governance can only be achieved through meaningful inclusion, where sovereignty rests with people who are diverse in identity but united in aspirations. Thus, the essentiality of inclusiveness in Nepal extends beyond mere representation and inclusion is a transformative process that underpins democracy, national integrity, social justice, and sustainable development.

### 3.9 Negative Aspects and Loopholes of Inclusiveness

Although inclusiveness is fundamentally recognized as a transformative principle that ensures access, representation, and participation of all social groups in state mechanisms, its misapplication or politically motivated execution can undermine its intended goals. Ideally, inclusion should reduce structural discrimination and empower marginalized communities. However, when it is implemented without sufficient research, clarity of purpose, or guided by vested interests, it can generate unintended adverse consequences that contradict its spirit (Khanal, 2020). One significant weakness is the **inability to reach**

**truly marginalized groups.** While inclusiveness is designed to benefit disadvantaged populations, in practice, opportunities often get captured by relatively privileged segments within those groups. For instance, reservation policies in Nepal have disproportionately benefited elites from certain castes, genders, and regions, leaving the poorest and voiceless still excluded (Nyaupane, 2018). This creates a paradox where inclusion intended for the marginalized consolidates the power of already advantaged subgroups, perpetuating inequalities within marginalized categories themselves. Another major challenge lies in the **difficulty of determining fair standards and benchmarks for inclusion.** Identifying who qualifies as “marginalized” can be complex, particularly in a heterogeneous society like Nepal with 124 caste and ethnic groups, multiple linguistic communities, and varied regional disparities. Such ambiguities often lead to **misunderstandings, conflicts, and disputes over entitlement,** further fragmenting social harmony. Instead of resolving historical injustices, poorly designed inclusion policies can exacerbate inter-group competition and resentment (Lawoti & Hangen, 2013). The **erosion of meritocracy** also emerges as a recurring critique. When inclusiveness prioritizes quotas over competence, it risks weakening professionalism, service delivery, and institutional efficiency. This has been linked to growing dependency on reservations rather than fostering competitive capacity among disadvantaged groups. In extreme cases, excessive reliance on quotas can generate an “inclusive error,” leading to **brain drain** when meritocratic individuals feel disincentivized and migrate abroad for better opportunities (Gurung, 2019). Furthermore, inclusiveness can **strain national integrity and cohesion** if it is perceived as fragmenting rather than uniting the polity. When specific communities repeatedly receive reservations not only for entry but across multiple career stages, resentment builds among other groups. Such practices risk deepening divides, fostering a sense of inequality in career development, and cultivating inferiority complexes among individuals who feel excluded or tokenized. Instead of empowering the marginalized, such outcomes can reinforce divisions and perpetuate dependency cycles. Another loophole is the **excessive expenditure of state resources** on implementing inclusive measures without adequate monitoring and evaluation. Policies designed without cost–benefit analysis often drain state finances but fail to yield proportional transformation for the disadvantaged. The benefits disproportionately flow to the elite within marginalized groups, creating what scholars call the “creamy layer” phenomenon whereby resourceful individuals capture the lion’s share of opportunities, leaving structurally impoverished groups untouched (Subedi, 2021).

The Nepali experience reveals that **economic transformation, not merely political access,** is essential to meaningful inclusion. Political participation by a few elite representatives cannot uplift entire communities living below the poverty line. Hence, the current reservation framework requires recalibration to prioritize the economic empowerment of disadvantaged groups across caste, class, gender, and region. Without such restructuring, inclusiveness risks remaining a symbolic principle rather than a transformative one (Bhattarai, 2017). While inclusiveness remains a cornerstone of Nepal’s democratic restructuring, its weaknesses ranging from elite capture, erosion of meritocracy, resource inefficiency, and intra-group inequality underscore the urgency of reform. To address these loopholes, Nepal must design more precise, evidence-based, and economically transformative inclusion policies that genuinely empower the voiceless and poor, rather than reinforcing the dominance of already privileged elites.

### **3.10 Strengthening Measures for Effective Inclusion in Nepal**

The quest for inclusive democracy in Nepal necessitates the formulation and implementation of robust measures that ensure meaningful participation and representation of historically marginalized groups. Inclusion cannot be realized through symbolic provisions alone; it requires structural reforms and practical mechanisms that guarantee access to opportunities, resources, and decision-making processes. To make inclusion effective, Nepal must adopt policies that address systemic inequalities and ensure that the benefits of governance reach disadvantaged communities in a substantive, equitable, and sustainable



manner (Lawoti & Hangen, 2013; Subedi, 2021). One of the foremost measures is the adoption of **affirmative action policies**, such as reservation and special protections for disadvantaged groups on the basis of class, gender, ethnicity, and regional backwardness. These policies are vital to address structural barriers and ensure access to education, employment, and governance. However, reservations should be carefully designed to prevent misuse. For instance, opportunities should not be monopolized by privileged elites within disadvantaged communities, and beneficiaries should not be allowed to transfer these advantages indefinitely to their descendants. Instead, a principle of “one-time benefit” could ensure fairness while widening opportunities for others in need (Khanal, 2020; Gurung, 2019). Furthermore, inclusion should not be limited to quotas or reservations but should be supplemented with **long-term empowerment programs**. Such programs may include leadership development, skills training, educational reforms, and economic empowerment initiatives aimed at transforming structural inequalities. While reservation can serve as a short-term corrective measure, sustainable inclusion requires the institutionalization of empowerment strategies that promote self-reliance, confidence, and agency among marginalized populations (Bhattarai, 2017; Nyaupane, 2018). This dual strategy of short-term affirmative action and long-term empowerment ensures both immediate access and sustainable liberation from historical disadvantages.

A critical dimension of effective inclusion lies in **gender equality and women’s liberation**. Nepal has adopted inclusive provisions within its Constitution, yet gender disparities remain deeply entrenched in cultural, economic, and political structures. To address this, equal opportunity policies must also extend to household dynamics, ensuring that women enjoy equal rights in property ownership, employment, and decision-making. Provisions such as ensuring that only one spouse benefits from reservation at a time may further prevent duplication while ensuring broader coverage. Moreover, empowerment programs focusing on women’s education, reproductive rights, and political leadership are indispensable for bridging gender gaps and fostering substantive equality (Subedi, 2021; Bhattarai, 2017). Another vital measure involves **poverty alleviation policies** that directly target marginalized communities. Poverty remains one of the strongest barriers to inclusion, disproportionately affecting women, Dalits, indigenous nationalities, and rural populations. Inclusive governance requires prioritizing poverty reduction through targeted development programs, microfinance initiatives, and social protection schemes that uplift disadvantaged groups. By addressing economic marginalization, inclusion efforts can transition from mere symbolic representation to substantive transformation of social realities (Khanal, 2020; Gurung, 2019). Effective inclusion also depends on **institutional reforms and accountability mechanisms**. Policies and frameworks may be in place, but weak implementation often undermines their potential. Strengthening monitoring systems, ensuring transparency in resource allocation, and institutionalizing mechanisms for grievance redress are crucial for bridging the gap between policy and practice. Without accountability, inclusion risks becoming rhetoric rather than a lived reality for marginalized citizens (Lawoti & Hangen, 2013; Nyaupane, 2018). Finally, inclusion should be seen not only as a matter of **justice and equality** but also as a **prerequisite for national unity, stability, and sustainable governance**. The success of democratic consolidation in Nepal depends on the equitable participation of all citizens, particularly those historically excluded from the state apparatus. By promoting equitable opportunities and substantive justice, inclusion becomes a transformative process that empowers individuals, reduces social conflict, and strengthens the foundations of democracy (Khanal, 2020; Subedi, 2021). Thus, effective inclusion in Nepal requires a multifaceted approach that combines short-term reservations with long-term empowerment, ensures fairness in the distribution of opportunities, addresses gender and economic disparities, and strengthens institutional accountability. While Nepal has formally embraced inclusivity, its substantive realization depends on the genuine and sustained application of these measures. Through such holistic strategies, Nepal can achieve meaningful equality, social justice, and the ultimate liberation of its citizens.

#### 4. Conclusion

The pursuit of an inclusive society in Nepal demands that every individual, regardless of class, caste, gender, ethnicity, or region, is genuinely represented across social, economic, political, and cultural spheres. True inclusivity cannot be achieved through the protection of the already privileged but through the empowerment of those historically marginalized and deprived of opportunities. While the state holds a critical responsibility in creating enabling structures, sustainable change requires equipping individuals and communities with the capacity to participate meaningfully in national life. Inclusion thus serves as a transformative instrument that guarantees identity, access, representation, participation, and empowerment, ultimately contributing to collective progress and liberation. Reform at the policy, institutional, and implementation levels remains essential to dismantle entrenched inequalities and bridge systemic gaps. The long-term aspiration is the eradication of discrimination rooted in caste, class, gender, region, religion, and other forms of social hierarchy, thereby fostering a society grounded in justice, equity, and fairness. This transformative process is not only about rectifying structural injustices but also about advancing gender liberation as an integral part of broader social emancipation. Broadening inclusiveness is indispensable for sustaining Nepal's democratic consolidation, strengthening gender justice, and propelling gender liberation. Inclusivity, therefore, is not merely a developmental agenda but an ethical and political imperative, guiding Nepal toward a future where liberation, dignity, and equality are realized for all.

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