

Constitutional scheme of Federalism in Nepal

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Abstract:

Federal Democratic Republic is the basic constitutional scheme of the Constitution promulgated in 2015. The initial issue about the constitutional scheme is the synchronization among federal, democratic and republic concepts to collectively frame a plan to achieve the roadmap to implement federalism in Nepal.

A study on '*Constitutional scheme of Federalism in Nepal*' is conducted to seek out the answers regarding the appropriate constitutional scheme of federalism with respect to the constitution of Nepal. The research is based on doctrinal research supported by questionnaires. It has rigorously discussed the constitutional scheme of federalism in major countries like India, United States of America, Switzerland and South Africa. It explored the potential measures to manage the multicultural, multiethnic and multilingual aspirations under the constitutional scheme of the federalism. The paper spoke on the mindset or scheme of the political actors work during the formulation of federal democratic constitution. The study tried to understand the distribution of power, formation and function of the government along with the possible challenges to offer a framework which would help the political parties for proper implementation the constitution through timely reforms.

The research recommended for identifying the constitutional scheme of federalism within the concept of Federal Democratic Republic of Nepal through in-depth close-door dialogues among senior political leaders to assess the extent of mismatch between the scheme and the letters of the constitution. It suggested to carry out an assessment on pin-point to identify mismatch between such scheme and the constitutional/legal provisions while implementing the new constitution. Further, it proposed to build a consensus on the need for amending the constitution as a tool for making the new constitution more workable. In addition, convincing the political parties to take constitution reforms process as part of constitution-making process and convert the constitution amendment as flexible and dynamic process is another recommendation forwarded by the study.

Although the constitution provides a systematically planned blueprint of the constitutional scheme about federalism, Nepal need to practice such cautiously negotiated settlements with respect to implementation of constitutional scheme of federalism in the country argued the report.

Tags: Constitution, federalism, constitutional scheme.