

Inequality And Social Justice in Nepal: Constitutional Provisions, Theoretical Perspectives and Contemporary Challenges

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Abstract

Despite constitutional guarantees of equality and social justice, Nepal continues to experience persistent socio-economic, political, gender, caste, ethnic, and regional inequalities, making it essential to examine the constitutional framework, relevant theoretical perspectives, and contemporary challenges to achieving an inclusive and equitable society. The primary objective of this article is to critically review the constitutional provisions, theoretical perspectives, major forms of inequality, contemporary challenges, and policy and institutional measures related to promoting equality and social justice in Nepal. As a diverse, multiethnic nation, Nepal has transitioned from centuries of legally codified caste hierarchies (the 1854 Muluki Ain) and exclusionary centralist regimes to a federal democratic republic built on proportional inclusion and substantive equality. I employed a qualitative exploratory research design which reviews the categorical qualitative data was through five distinct theoretical lenses: Marxist, Liberal, Feminist, Critical Theory, and Functionalist frameworks. The secondary data were collected from journal articles and related books. It reviews the deep chasm between formal constitutional protections (specifically Articles 18 and 42) and actual ground realities. The secondary data were analyzed through a critical analysis. The analysis reveals that how traditional class structures have evolved into a "remittance and real estate" elite that exploits a fragmented migrant proletariat, and how aggressive gender and caste quotas suffer from an "inclusion-effectiveness gap" driven by elite capture. This article concludes that achieving genuine justice in Nepal requires moving beyond quantitative tokenism toward equitable resource distribution, systematic overhauls of community education, and decentralized economic opportunities.

Keywords: Inequality, Social justice, Constitutional provisions, Theoretical perspectives, Contemporary challenges

Introduction

Inequality and justice are central concerns in political science and social science. Every society struggles with the distribution of resources, opportunities, rights, and power. Nepal, as a multicultural and multiethnic country, has historically experienced various forms of inequality

based on caste, ethnicity, gender, geography, class, language, religion, and political access. These inequalities have influenced the political, economic, and social structure of the nation for centuries. After the promulgation of the Constitution of Nepal 2015, the country entered a new political phase based on federal democratic republicanism, inclusion, social

justice, and proportional representation. The Constitution promised equality before law, social justice, inclusion of marginalized communities, and equitable distribution of state resources. However, despite constitutional guarantees and policy reforms, significant inequalities continue to exist in practice. Articles 18 (Right to Equality) and 42 (Right to Social Justice) explicitly guarantee substantive equality and prohibit discrimination based on caste, gender, religion, or economic status. Articles 31–37 guarantee fundamental socio-economic rights, including education, health, food, and housing (Constitution of Nepal, 2072).

Statement of the Problem

Equality and social justice are fundamental principles of democracy, human rights, and sustainable development. The Constitution of Nepal (2015) guarantees equality, inclusion, non-discrimination, and social justice through various fundamental rights and affirmative provisions, aiming to ensure equal opportunities and equitable access to resources for all citizens.

Ideally, these constitutional provisions should eliminate historical discrimination based on caste, ethnicity, gender, religion, disability, and geographical location, thereby promoting an inclusive and just society. Theoretical perspectives such as Rawls' Theory of Justice, the Capability Approach, and the Human Rights-Based Approach also emphasize fairness, equal opportunity, and social inclusion.

However, despite these constitutional commitments, Nepal continues to experience significant socio-economic, political, gender, caste, ethnic, and regional inequalities. Marginalized groups still face unequal access to education, healthcare, employment, political participation, and public services. Weak policy implementation, institutional limitations, poverty, social discrimination, and political instability have hindered the effective realization of constitutional guarantees.

Although previous studies have examined specific aspects of inequality or social justice, few have comprehensively reviewed Nepal's constitutional provisions, theoretical perspectives, and contemporary challenges within a single framework. This study addresses this gap by critically reviewing existing literature to provide a holistic understanding of inequality and social justice in Nepal. The findings are expected to support researchers, policymakers, and development practitioners in promoting more effective policies and practices for an equitable and inclusive society.

Research Objective

To critically examine inequality and social justice in Nepal by reviewing constitutional provisions, relevant theoretical perspectives, major forms of inequality, contemporary challenges, and policy and institutional measures for promoting an inclusive and equitable society.

Research Questions

This article confers the answers of the following research questions:

1. What constitutional provisions and theoretical perspectives explain inequality and social justice in Nepal?
2. What are the major forms of inequality and the contemporary challenges to achieving social justice in Nepal?
3. What policy and institutional measures can strengthen equality and social justice in Nepal?

Significance of the Study

This study is significant because it provides a comprehensive review of inequality and social justice in Nepal by integrating constitutional provisions, theoretical perspectives, and contemporary challenges. It enhances understanding of the gap between constitutional commitments and their practical implementation while identifying major barriers to achieving an inclusive and

equitable society. The findings will be valuable for policymakers, researchers, legal scholars, educators, development practitioners, and civil society organizations in formulating evidence-based policies, strengthening institutional practices, and promoting equality, inclusion, and social justice in Nepal. Furthermore, the study contributes to the existing literature by offering a holistic framework for future research on inequality and social justice.

Literature Review

Recent scholarship suggests that inequality and social justice in Nepal have entered a new phase shaped by political transformation, socio-economic disparities, and emerging environmental challenges. A significant political turning point occurred in September 2025, when widespread youth-led "Gen-Z Protests", triggered by the government's ban on social media and growing public dissatisfaction with political corruption, unemployment, and economic stagnation, resulted in the collapse of the previous administration. The movement prompted renewed national debates on constitutional governance, human rights, democratic accountability, and social justice, highlighting the need to strengthen constitutional institutions and promote inclusive governance (Nepal Protest, 2026).

The Nepal Country Inequality Report (2025) argues that inequality in Nepal extends beyond income disparities and is deeply rooted in historical, social, cultural, and institutional structures. According to the report, multiple forms of inequality intersect across caste, ethnicity, gender, geography, and economic status, reinforcing patterns of exclusion and limiting equal access to opportunities and public services (Nepal Country Inequality Report, 2025).

Caste- and ethnicity-based discrimination remains one of the most persistent dimensions of inequality despite constitutional guarantees of equality and non-discrimination. Studies indicate that Dalits, Adivasi Janajatis (Indigenous Peoples), and Madhesis continue to experience exclusion in

education, employment, political representation, land ownership, and decision-making processes. Deeply embedded caste hierarchies and long-standing social norms continue to constrain democratic participation and equal citizenship for historically marginalized communities (Nepal Country Inequality Report, 2025).

Gender inequality also remains a critical concern. Although Nepal has made progress in promoting women's rights, child marriage continues to affect approximately one-third of girls, undermining their educational attainment, health, and economic opportunities. Furthermore, children and young people remain inadequately supported by public investment; despite constituting nearly 40% of the population, they receive only around 4% of the national social security budget, reflecting significant disparities in social protection and human capital investment (Nepal Country Inequality Report, 2025).

Economic inequality is further reflected in Nepal's uneven development trajectory. While urban centers have experienced relatively greater economic growth and infrastructure expansion, many rural and remote areas continue to face limited employment opportunities, inadequate public services, and persistent poverty. This imbalance has contributed to a heavy dependence on foreign labor migration, exposing many Nepali youths to unsafe working conditions, labor exploitation, and climate-related risks in destination countries (Nepal's Unfinished Development Agenda, 2026).

Recent literature also recognizes climate change as an emerging dimension of social injustice. Climate-induced disasters, including floods, landslides, droughts, and glacial hazards, disproportionately affect geographically vulnerable and economically disadvantaged communities. Limited adaptive capacity, inadequate social protection mechanisms, and unequal access to disaster response have intensified existing inequalities, creating new forms of environmental

injustice and displacement (Nepal's Unfinished Development Agenda, 2026). Collectively, these studies demonstrate that inequality in Nepal is multidimensional and that achieving social justice requires not only constitutional guarantees but also effective policy implementation, inclusive governance, and sustained institutional reform.

Theoretical Perspectives

Marxist Perspective: From a Marxist perspective, inequality is fundamentally rooted in unequal ownership and control of economic resources. Marx (1867) argued that capitalist society is divided into two opposing classes: the bourgeoisie, who own the means of production, and the proletariat, who sell their labor for survival. This class structure enables the ruling class to exploit workers, resulting in economic inequality that reinforces political, social, and cultural inequalities. Marx maintained that justice under capitalism primarily serves the interests of the dominant class rather than ensuring genuine equality, and he advocated for class struggle leading to a socialist society free from exploitation (Marx, 1867). In the Nepali context, Marxist ideas have significantly influenced political movements, particularly the Maoist movement, which highlighted issues of land inequality, caste-based oppression, social exclusion, and regional marginalization. Contemporary Nepal also reflects Marxist concerns through its unique socio-economic structure. Rather than a traditional industrial bourgeoisie, economic power is concentrated among financial elites, real estate investors, and manpower agency owners who largely control the economic benefits associated with foreign labor migration. At the same time, millions of Nepali workers constitute a fragmented migrant proletariat, compelled to seek employment abroad due to limited domestic economic opportunities. Although migrant workers contribute substantially to the national economy through remittances, they often face labor exploitation, unsafe working conditions, and limited social protection, illustrating

how structural economic inequalities continue to shape social justice in Nepal.

Liberal Perspective: The liberal perspective views social justice as the protection of individual rights, equality before the law, and equal opportunities within a democratic system. Classical liberal thinkers such as John Locke and John Stuart Mill emphasized individual liberty, the rule of law, limited government, and the protection of fundamental rights, arguing that justice requires equal legal treatment rather than complete equality of outcomes. Expanding liberal thought, Rawls (1971) proposed that a just society should be organized according to two principles of justice, chosen from behind a hypothetical "veil of ignorance," where individuals are unaware of their social status, wealth, gender, or abilities. Rawls' Equal Liberty Principle guarantees every individual equal basic freedom, while the Difference Principle and Fair Equality of Opportunity hold that social and economic inequalities are acceptable only if opportunities are equally accessible to all and inequalities benefit the least advantaged members of society (Rawls, 1971). In Nepal, liberal democratic values are reflected in the Constitution of Nepal (2015), which guarantees fundamental rights, equality before the law, democratic governance, and the rule of law. Part 3 of the Constitution enumerates 31 fundamental rights (Articles 16-46), while Article 18 explicitly guarantees equality before the law and equal protection of the law, prohibiting discrimination based on origin, religion, race, caste, ethnicity, sex, physical condition, or marital status (Constitution of Nepal, 2072). These constitutional provisions embody liberal ideals by seeking to ensure equal rights, protect individual freedoms, and promote equal opportunities for all citizens within a democratic and inclusive society.

Feminist Perspective: The feminist perspective explains social justice by focusing on gender inequality and the patriarchal structures that systematically disadvantage women in social,

economic, political, and cultural spheres. Feminist scholars argue that women have historically experienced discrimination in education, property ownership, employment, political participation, and social status, limiting their equal opportunities and rights. Drawing on the concept of intersectionality, Crenshaw (1989) emphasizes that gender discrimination often intersects with other forms of marginalization, such as caste, class, ethnicity, and disability, creating multiple and overlapping forms of inequality. Feminist theory further highlights persistent issues such as unequal access to education, restrictions on property rights, gender wage gaps, unpaid care work, underrepresentation in leadership and decision-making, and gender-based violence. In Nepal, feminist perspectives remain highly relevant because, despite the constitutional guarantees of equality, inclusion, and proportional representation under the Constitution of Nepal (2015), women continue to experience unequal wages, limited political representation, violence, and socio-cultural discrimination. Although the Constitution introduced affirmative measures and gender quotas to address structural inequalities, feminist standpoint theory suggests that deeply entrenched patriarchal norms continue to shape informal institutions and power relations, limiting women's meaningful participation in governance and decision-making. Studies indicate that formal constitutional rights alone are insufficient to dismantle longstanding patriarchal systems, as women continue to encounter barriers in translating legal equality into substantive equality in everyday life.

Critical Theory

Critical theorists such as Max Horkheimer and Jürgen Habermas argue that social structures and dominant ideologies reproduce inequality. Critical theory seeks emancipation from oppressive systems. Jürgen Habermas, representing the second generation of Critical Theory, looked for a concrete way out of this trap. He focused on language and human interaction. He argued that modern institutions

(government bureaucracies, capitalist markets) which he calls the System have colonized the Life world (our everyday spaces of family, community, culture, and free conversation). The System forces us to act out of strategic, self-interested calculations rather than genuine human connection (Habermas, 1984). His emancipation happens when communities reclaim the Life world from bureaucratic control through open, democratic, and undistorted communication.

Functionalist Perspective: The functionalist perspective views inequality as a necessary and beneficial feature of society that contributes to social order, stability, and efficiency. According to the Davis-Moore Thesis, social stratification exists because different positions in society vary in importance and require different levels of skill, education, and responsibility. Individuals are motivated to undertake the time, effort, and sacrifice needed to fill these critical positions by the promise of greater rewards, such as higher income, prestige, and authority. From this perspective, inequality functions as an incentive mechanism that ensures the most capable individuals occupy the most essential social roles, thereby promoting the effective functioning of society (Davis & Moore, 1945). Applied to the Nepali context, this perspective suggests that differences in occupational status and rewards may encourage educational attainment, professional specialization, and economic productivity. However, functionalism also acknowledges that when inequalities become excessive and opportunities are distributed unfairly due to caste, gender, ethnicity, or regional disparities, they cease to serve a functional purpose and instead contribute to social exclusion, reduced social mobility, and social conflict. Thus, while moderate inequality may motivate achievement, persistent structural inequalities in Nepal challenge social integration and undermine the realization of an inclusive and just society.

Historical Context of Inequality in Nepal

The historical roots of inequality in Nepal can be traced to the unification of the country under King Prithvi Narayan Shah in 1768. During the unification process, Nepal was described as a "garden of four varnas and thirty-six castes," symbolizing a culturally diverse society. However, in practice, political power and state authority became concentrated in the hands of the Khas-Arya elites, particularly Hill Brahmins and Chhetris. The state introduced the *Jagir* and *Birta* land tenure systems to reward military commanders and loyal officials with land grants. As a result, many indigenous communities (Janajatis) lost their traditional communal land rights, including the *Kipat* system practiced by the Limbu people. These policies transferred land ownership from indigenous populations to high-caste elites, creating a system of unequal access to economic resources and transforming many formerly autonomous communities into tenant farmers or landless laborers.

A more institutionalized form of inequality emerged during the Rana regime (1846–1951) with the promulgation of the Muluki Ain (Civil Code) of 1854 by Prime Minister Jung Bahadur Rana. This legal code formally organized Nepalese society into a rigid caste hierarchy based on Hindu social principles, despite the country's ethnic, religious, and cultural diversity. The code classified the population into five hierarchical categories: Tagadhari (high-caste Brahmins and Chhetris) at the top, followed by Namasingha Matwali (non-enslavable alcohol drinkers), Masina Matwali (enslavable alcohol drinkers), Pani Nachalne Chhoi Chhito Halnu Naparne (impure but touchable groups), and Pani Nachalne Chhoi Chhito Halnu Parne (untouchable Dalits) at the bottom. These legal classifications determined people's access to political power, education, occupations, property rights, and social status. Dalits experienced severe discrimination through legally sanctioned

untouchability and exclusion from education and public life, while several indigenous communities faced restrictions, including the possibility of enslavement. Consequently, the *Muluki Ain* institutionalized social, economic, and political inequality that continued to influence Nepalese society long after the legal abolition of caste-based discrimination.

Methodology

This study adopted a review-based exploratory research design with a qualitative and descriptive-analytical approach to examine inequality and social justice in Nepal from constitutional, theoretical, and contemporary perspectives. The study relied exclusively on secondary data collected from the Constitution of Nepal (2015), relevant laws and policies, government publications, peer-reviewed journal articles, books, reports of national and international organizations, and other credible academic sources. The literature was selected through a systematic review of publications related to inequality, social justice, constitutional provisions, inclusion, and Nepal, prioritizing sources with academic credibility, policy relevance, and thematic alignment. The collected data were analyzed using critical analysis, whereby information was categorized into major themes, including constitutional provisions, theoretical perspectives, forms of inequality, contemporary challenges, and policy and institutional measures. As the study is based solely on secondary sources, its findings are limited by the availability, quality, and scope of existing literature and do not incorporate primary empirical evidence.

Analysis

The Panchayat Regime (1960–1990): Cultural Assimilation

The historical development of inequality in Nepal demonstrates that state policies often reinforced social, cultural, and regional disparities rather than promoting inclusion. During the

Panchayat regime (1960–1990), the government's nation-building strategy, encapsulated in the slogan "One Language, One Dress, One Nation," emphasized cultural assimilation over multicultural recognition. Although intended to strengthen national unity, the policy privileged the language, culture, and traditions of the dominant Khas-Arya population while marginalizing the identities of indigenous nationalities, linguistic minorities, and religious communities. The exclusive promotion of the Nepali language in education, administration, and public institutions created educational and socioeconomic disadvantages for non-Nepali-speaking populations, while the designation of Hinduism as the state religion limited the public recognition of Nepal's religious diversity. Furthermore, despite the abolition of the legal caste hierarchy through the 1963 *Muluki Ain*, structural inequalities remained largely unchanged because meaningful reforms in land ownership, political representation, and access to state institutions were not implemented. Similarly, the state's treatment of the Terai/Madhesh region reflected longstanding

regional disparities. The hill-centric governance model frequently overlooked the political, economic, and cultural aspirations of Madheshi communities through restrictive citizenship policies, limited access to state institutions, and uneven development priorities. These historical patterns illustrate that inequality in Nepal has been sustained not only by caste-based discrimination but also by centralized governance, unequal distribution of resources, cultural homogenization, and regional exclusion, the consequences of which continue to shape contemporary debates on social justice, inclusion, and federalism.

Constitutional and Formal Solutions Since 2015

Fundamental Rights

In legal and academic writing, the fundamental rights specified in the Constitution of Nepal (2015) are cited by their specific Part and Article numbers. All of the rights you mentioned are housed under Part 3: Fundamental Rights and Duties (Constitution of Nepal, 2072).

Table 1
Fundamental Rights

Fundamental Right	Constitutional Article	Specific Scope & Protections
Right to equality	Article 18	Guarantees all citizens are equal before the law. Explicitly allows affirmative action/quotas for marginalized groups.
Right against untouchability and discrimination	Article 24	Criminalizes any form of discrimination or untouchability based on caste, race, descent, or community in both public and private spaces.
Right to employment	Article 33	Guarantees every citizen the right to choose their employment, alongside the right to unemployment assistance as provided by law.
Right to education	Article 31	Guarantees free and compulsory education up to the basic level, and free education up to the secondary level from the state.
Right to health	Article 35	Guarantees every citizen free basic health services from the state and equal access to clean drinking water and sanitation.
Right to women's rights	Article 38	Guarantees equal lineage rights, reproductive health rights, protection from violence/exploitation, and proportional participation in state bodies.
Right to Dalit rights	Article 40	Mandates proportional representation for Dalits in all state agencies, alongside free education, land distribution for landless Dalits, and housing.
Right to social justice	Article 42	Guarantees socially backward, marginalized, and minority groups the right to participate in state structures based on the principle of inclusion.

Fundamental Right	Constitutional Article	Specific Scope & Protections
Right to social security	Article 43	Guarantees indigent citizens, incapacitated persons, helpless single women, disabled individuals, and children the right to social security.

Inclusive Representation

The Constitution introduced proportional inclusion in state bodies. Women, Dalits, Janajatis, Madhesis, Tharus, Muslims, and marginalized groups are guaranteed representation. Inclusive representation in Nepal has undergone a massive transformation, shifting from a centuries-old unitary state dominated by traditional elites to a federal democratic republic built on the foundational concept of proportional inclusion. This transition was largely driven by the 10-year Maoist insurgency (1996–2006) and various identity-based movements, such as the Madhesh movements, which culminated in the landmark 2015 Constitution of Nepal (Constitution of Nepal, 2015).

The Legal Framework: The Mixed Electoral System

To promote inclusive political representation, Nepal's Constitution of 2015 introduced a mixed electoral system for elections to the federal House of Representatives and Provincial Assemblies, combining the First-Past-the-Post (FPTP) and Proportional Representation (PR) systems. Under

this arrangement, 60% of the seats are filled through the FPTP system, in which candidates are elected by securing the highest number of votes in geographically defined constituencies, while the remaining 40% of the seats are allocated through the PR system, where political parties receive seats in proportion to their nationwide vote share. To ensure the representation of historically marginalized communities, political parties are required to submit closed candidate lists that reflect Nepal's demographic composition across legally designated social clusters. The allocation of PR seats follows mandatory inclusion quotas established by the Election Commission in accordance with constitutional and legal provisions, thereby promoting the participation of women, Dalits, Indigenous nationalities, Madheshis, Tharus, Muslims, backward regions, and other underrepresented groups in legislative bodies. This mixed electoral system represents an important constitutional mechanism for advancing inclusive governance, reducing historical political exclusion, and strengthening democratic representation in Nepal (Freedom House, 2023; NepalLaws, 2023; Pokharel, 2024).

Table 2
Cluster Group and Percent of PR Seats

Cluster Group	Mandated Percentage of PR Seats
Khas Arya (Hill high-caste groups)	31.2%
Adivasi Janajati (Indigenous nationalities)	28.7%
Madhesi (People of the southern plains)	15.3%
Dalit (Historically marginalized castes)	13.8%
Tharu (Indigenous group of the Terai)	6.6%
Muslim	4.4%

The Constitution of Nepal (2015) explicitly mandates that women must make up at least **33%** of the total members elected to the Federal Parliament across both FPTP and PR systems combined.

Achievements in Diversity

Nepal's constitutional and legal inclusion policies have significantly transformed the country's political and administrative landscape, making it one of the most demographically diverse systems of representation in South Asia. The implementation of structural quotas has contributed to substantial progress in gender and social inclusion, with women consistently occupying approximately one-third of the seats in the Federal Parliament. At the local level, legal provisions require that either the Mayor or Deputy Mayor of each local government be a woman, while ward committees must include Dalit women, thereby expanding the participation of women and historically marginalized communities in grassroots governance. Similarly, reforms in the public sector have promoted greater diversity through the Civil Service Act, which reserves 45% of new civil service vacancies for candidates from underrepresented groups under the inclusive quota system. These measures have broadened access to political leadership and public administration, contributing to more representative governance and addressing longstanding patterns of exclusion in Nepal (Freedom House, 2023).

Key Challenges

Despite Nepal's remarkable progress in expanding political inclusion through constitutional quotas and proportional representation, recent political science research identifies a significant "inclusion-effectiveness gap" that limits the transformative impact of these measures. Although legal provisions have created opportunities for women, Dalits, Indigenous nationalities, Madhesis, Muslims, and other marginalized groups to participate in governance, political party leaderships—still largely controlled by traditional elites—often use proportional representation (PR) lists to reward affluent individuals, family members, or loyal party insiders rather than authentic grassroots representatives, thereby fostering elite capture and tokenism (Gautam, 2023). Furthermore,

a pronounced divide exists between the First-Past-the-Post (FPTP) and PR electoral systems, as mainstream parties typically nominate wealthy men from dominant communities for directly elected FPTP seats while relegating women and marginalized groups to PR lists. This practice has contributed to a two-tier legislative culture in which PR-elected lawmakers are frequently perceived as having less political influence, weaker decision-making authority, and reduced access to development resources. Additionally, the inclusion of the historically privileged Khas Arya community within the constitutional reservation framework alongside historically disadvantaged groups has generated intense national debate. Critics argue that extending affirmative action to a group that already enjoys substantial representation in the judiciary, executive, bureaucracy, and political leadership undermines the original objectives of social justice and the reservation system by diluting benefits intended for historically marginalized communities (NGO Federation of Nepal, 2025).

Federalism

Following the promulgation of the Constitution of Nepal (2015), the country adopted a federal system with three tiers of government, federal, provincial, and local, to decentralize political power, administrative authority, and public resources (Constitution of Nepal, 2015, art. 56). The primary objective of this restructuring was to reduce long-standing regional inequalities, strengthen local governance, and promote meaningful grassroots participation in decision-making (Adhikari, 2020). To advance social justice and inclusion, the government implemented a range of policies, including reservation systems in public service, scholarships for marginalized communities, social security allowances, quotas to enhance women's political participation, and inclusive policies in education and employment. In addition, several important legal reforms were introduced to address discrimination, violence, and social exclusion, such

as the Caste-Based Discrimination and Untouchability Act, the Domestic Violence Act, the Human Trafficking and Transportation (Control) Act, and the Right to Information Act. Together, these constitutional, policy, and legal measures represent Nepal's commitment to promoting equality, protecting human rights, and fostering a more inclusive and socially just society.

Contemporary Practices and Ground Realities

Despite significant constitutional, legal, and policy reforms, Nepal continues to face major challenges in achieving social justice and equality. Caste-based discrimination persists in both rural and urban areas despite legal prohibitions, with many Dalits still experiencing exclusion from temples, public spaces, and social interactions, while recurring incidents of violence against Dalits highlight the gap between constitutional guarantees and everyday reality. Economic inequality has also widened due to the urban concentration of employment and development opportunities, unemployment, inflation, and unequal access to productive resources, resulting in urban elites benefiting disproportionately compared to rural populations. The lack of sufficient domestic employment has driven large numbers of Nepalese youths to seek work abroad, where many migrant workers face exploitation, unsafe working conditions, and inadequate legal protection, although remittances have substantially increased household incomes while simultaneously creating economic dependency. Gender inequality remains a persistent concern, as women continue to experience domestic violence, child marriage, human trafficking, workplace discrimination, and unequal wages, and despite increased political representation, meaningful decision-making power largely remains concentrated among men. Furthermore, corruption and elite capture undermine the equitable distribution of resources and weaken public confidence in governance, as influential political and economic groups often dominate state

institutions. Digital and educational inequalities also remain significant, with unequal access to technology, internet connectivity, and quality education between urban and rural areas (Chand et al., 2024; Devkota et al., 2021). These disparities became particularly evident during the COVID-19 pandemic, when the rapid shift to online learning exposed severe infrastructural deficiencies that prevented many students, especially those in marginalized rural communities and community schools, from accessing education (Dahal & Mishra, 2024; Gurung & Paudel, 2021). Moreover, Nepal's education system continues to reflect deep socioeconomic disparities, as private schools generally offer superior infrastructure, English-medium instruction, qualified teachers, and technological facilities compared to community schools, providing students from economically advantaged families with greater educational opportunities and long-term competitive advantages (Dahal & Mishra, 2024).

Inequality in Different Sectors of Nepalese Society

Many community schools, particularly in rural and remote areas of Nepal, continue to face serious challenges, including inadequate infrastructure, shortages of qualified teachers, limited educational materials, poor internet connectivity, and weak management systems, resulting in lower educational outcomes for students from poor and marginalized communities. Educational inequality is further reinforced by disparities related to caste, gender, language, and geography, as Dalit, Madhesi, Janajati, and remote mountain communities frequently encounter barriers to accessing quality education. Likewise, children from low-income families often discontinue their education because of poverty, child labor, or insufficient family support. The COVID-19 pandemic exposed and intensified Nepal's digital divide, with students in urban private schools generally able to continue learning through online platforms, while many rural and

economically disadvantaged students lacked access to electricity, internet services, smartphones, and digital literacy. Although the Constitution of Nepal (2015) guarantees the right to education and the government has introduced scholarship schemes and inclusive education policies, their implementation remains uneven across the country. Consequently, reducing educational inequality requires effective enforcement of inclusive policies, greater public investment in education, improved infrastructure and management of community schools, continuous teacher training, equitable distribution of educational resources, expanded digital access, and targeted investment in rural and marginalized areas (Gurung & Paudel, 2021). Ensuring equal access to quality education is essential for promoting social justice, enhancing human capital, and achieving sustainable national development in Nepal.

Conclusion

The analysis of inequality and social justice in Nepal demonstrates that, despite remarkable constitutional and legal progress, significant disparities continue to exist between formal commitments and practical outcomes. The Constitution of Nepal (2015) established a transformative framework by introducing federalism, fundamental rights, inclusive governance, proportional representation, and social justice provisions aimed at addressing historical inequalities based on caste, gender, ethnicity, region, language, and economic status. These reforms have expanded political participation and strengthened the legal foundation for equality and human rights. However, persistent caste discrimination, gender-

based violence, economic inequality, corruption, labor migration, educational disparities, and the growing digital divide indicate that constitutional guarantees alone are insufficient to eliminate deeply rooted structural inequalities. The persistence of elite capture, weak institutional implementation, and unequal access to public resources has created a substantial gap between constitutional ideals and the lived experiences of many marginalized communities. Recent civic movements, including the youth-led protests of 2025, further underscored public demands for accountable governance, transparency, employment opportunities, and equitable development, demonstrating that legal reforms must be accompanied by effective implementation and responsive institutions. Therefore, achieving genuine social justice in Nepal requires moving beyond symbolic inclusion toward comprehensive structural reforms that strengthen institutional accountability, improve the implementation of proportional representation and inclusion policies, expand quality public education and digital infrastructure, reduce regional and economic disparities, generate sustainable domestic employment, and ensure equitable access to opportunities and public services. Ultimately, Nepal's democratic future and long-term social stability will depend not only on the strength of its constitutional framework but also on its capacity to translate constitutional principles of equality, inclusion, and justice into tangible improvements in the everyday lives of all citizens, particularly those belonging to historically marginalized and disadvantaged communities.

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