

**SOCIAL PROTECTION, CASTE AND ETHNICITY
IN NEPAL: A NEW SOCIAL CONTRACT OR AN
OLD POLITICAL SETTLEMENT?**

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SOCIAL PROTECTION, CASTE AND ETHNICITY IN NEPAL: A NEW SOCIAL CONTRACT OR AN OLD POLITICAL SETTLEMENT?

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ABSTRACT

Social protection is emerging in Nepal as a key state instrument to reduce social exclusion and inequality by providing cash and social transfers to the most vulnerable households, targeting the socially excluded and challenging inter-generational poverty. In 2016-17, over 2.2 million persons in Nepal benefitted directly from government social protection, for which NRs 32 billion were allocated. When these activities are linked to broader state-building processes, social protection can shape the social contract between citizen and state. It can reduce inequalities rooted in relations based on caste and ethnicity, countering elite monopolisation of political, social and economic capital. However, if handled merely as a technocratic approach to the effects of exclusion and marginalisation, then social protection can risk supporting an existing political settlement that maintains the positions of political, economic and cultural elites. In that Nepal retains caste and ethnic forms of social exclusion and that these have a central role in reproducing entrenched inequalities, is social protection merely a new means for supporting an old political settlement? ¹

Keywords: Social protection, inequality, Nepal, transformative change, political settlement

INTRODUCTION

The paper looks to the contribution that social protection programmes can make in a developing country context characterised by intersecting inequalities. Such programmes today go well beyond the social safety-net programmes pursued in the 1980s and 1990s and range from cash and social transfers to insurance-based schemes and risk management. Some are universal, others targeted; some conditional while others are not. A key issue relates to whether such interventions can be transformative such that they reduce household vulnerability and increase the sustainability of livelihood gains in the longer term. Transformative change in its nature requires significant adjustments to the social order and therefore involves political action affecting the positions of elites and their relationships to other social groups at national and local levels in a country.

If elites do not accept such changes and are constantly working to preserve and protect a social order with its institutions and distribution of powers, then we need to consider the possibility that social protection programmes are being

¹ A political settlement refers to 'a combination of power and institutions that is mutually compatible and also sustainable in terms of economic and political viability.' Khan (2010): p4

implemented in the presence of a political settlement between elites that works to secure their continuing dominance (Khan, 2010).

Nepal is a country possessing a social order based on deep and institutionalised inequalities. Policies and programmes that are directly or indirectly aiming at transformative change would be seeking a change in the social contract between the Nepali state and its citizens. The presence of a political settlement with a commitment to preserving the existing social order is a major challenge to social protection policies and programmes that aim to reduce social protection, but more than this, the contribution made by such social protection interventions might be a complicit reinforcement of the social order they are intended to modify.

Social protection is seeking to affect the relation between a recipient and her state. It provides for better access to a service such as health or education, for an improvement in livelihoods, in the coping with sudden shocks as with famine or flood. In many ways it contributes to a revision of the social contract between citizen and state that involves less social exclusion and a reduction in some inequalities (Devereux, S. and Sabates-Wheeler, 2007; Ducza, 2018). Interventions are often premised on the existence of intersecting inequalities that perpetuate social hierarchy, the marginalisation of specific groups and poverty for significant sections of the population (Kabeer, 2010). To bring about changes to this does require that advocates of social protection recognise the politics involved and especially in a context such as Nepal's.

The argument for taking up a political approach to social protection is not new with a number of researchers emphasising the need to analyse the politics of power involved. Studies by Pritchett (2005), Hickey (2008), Schüring (2012) and Niño-Zarazúa (2012) have questioned the trend towards adopting a technocratic approach to social protection programmes, with politics being limited to discussing the implications of the political context and whether sufficient administrative capacity is present, whether the concerned implementing agency has the capability to deliver effectively, and whether sufficient financial resources have been prioritised for the purpose (Devereux & Sabates-Wheeler, 2004; Babajanian, 2012; Rutowski, 2018). If the tendency is for social protection programmes to move increasingly towards a technocratic approach to change, then the risk is that their underlying role, albeit unintentional, is to reproduce the social order whose effects they are intended to alleviate.

To understand why social protection programmes in Nepal might have moved in this direction, it is useful to look to work on political settlements. Khan states that the common-sense understanding of political settlement as a stable agreement between elites will be viable 'if it is underpinned at a deeper level by a viable combination of institutions and a distribution of power between organisationally powerful groups in that society' (Khan, 2010:20). The political settlement needs to be mutually 'compatible' and 'sustainable' in terms of economic and political viability. Caste and ethnicity are based on strong institutional practices that reproduce and maintain power in the social order. This paper draws on secondary and primary data sources to explore whether social protection policies and

programmes are reinforcing or transforming the social order in contemporary Nepal and thereby the possible presence of a political settlement between the country's elites.

THE CASE OF NEPAL

In Nepal the institutions of caste and ethnicity have been central to the distribution of power for several centuries.² During the past three decades securing the social order underwriting this power distribution has not been easy with two 'Jana Andalans' (People's Movements) and a civil war resulting in the end of the Hindu monarchy and the establishment of a new Federal Republic of Nepal.

The return to multi-party democracy in Nepal in 1990 and the signing of the Comprehensive Peace Agreement in 2006 ending 10 years of civil war were two events that led donor agencies to increase significantly the scale and scope of their aid programmes in the country. In the decade 2010-2020, the Nepal government's Aid Management System, reports that \$12,639,246,801 were disbursed in aid provided by Nepal's development partners (multi-lateral and bilateral) and international NGOs. The aid assistance went to programmes ranging from direct budget support to sector programmes and a multitude of smaller interventions with a diverse range of aims and objectives (GoN, 2020). It is also a period that has seen the rapid rise of social protection in development policies generally, and in Nepal specifically (IDS Bulletin, 2007; Babajanian, 2012; Ducza, 2018).

The suggestion that social protection could not just alleviate the effects of poverty but work to transform the social order that produces and reproduces social exclusion and perpetuates such effects is an attractive proposition for Nepal. Donor agencies see a need to re-establish a social contract between the state and all its citizens, thereby reducing the fragility of the post-2006 state while pursuing poverty reduction and promoting economic development in one of the world's poorest countries. Social protection programmes are integral to this objective for many donors and increasingly for the Government of Nepal.³

However as previously indicated, transformative change carries political implications, not least shifts in the possession and use of power. Do the elites whose powers are secured through their relationship to the legislature, the bureaucracy, the judiciary, and their control over economic assets and resources, accept such transformative changes? Or is it that social protection programmes are not seen to carry such a threat, and that the suggestion that they might transform the existing social order is regarded by those in power as at best hypothetical? The latter case would suggest that any transformative capability that social protection

² Gender is also a power discriminatory factor in Nepal and one around which civil society organisations have increasingly mobilised since the mid-1990s.

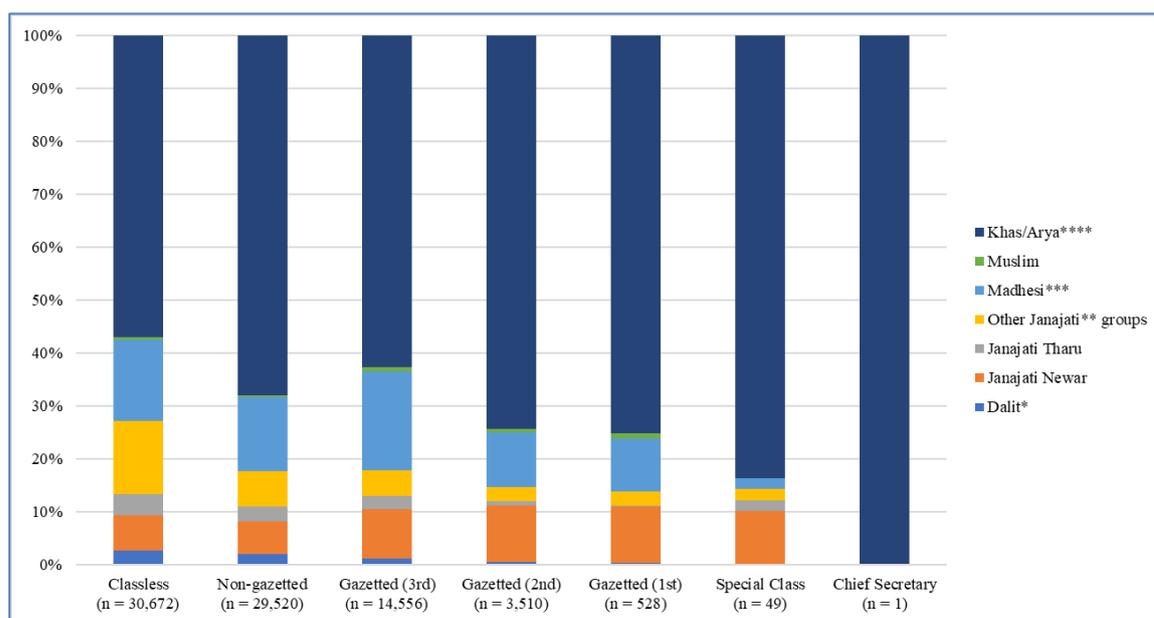
³ See <https://www.np.undp.org/content/nepal/en/home/presscenter/articles/2019/Putting-a-focus-on-social-protection.html>

interventions might carry is effectively neutralised by the political settlement existing between elites within the social order. But the social order is not static, and its effects continually produce new challenges. These were witnessed in the pressures that gave rise to the civil war and continue in the conflicts arising in the new Federal Republic.

Today the contested nature of political power around the control of government and its resources is nowhere more apparent than in the political and bureaucratic elites' struggles over authority and power as the federal constitution of 2015 sees responsibilities and resources being devolved to the new provincial and municipal governments. It is a struggle that points to a consensus remaining amongst the Brahmin-Chhetri-Newar elites in the Kathmandu valley on the need to preserve their social, political and economic interests and thereby their dominance in the governance of the country.⁴ Their hold over positions of power in the state was undoubtedly shaken by Nepal's first 'People's Movement' of 1990-91 (Gellner, 2008), further questioned in the conflict period of 1996-2006, and again by the second People's Movement that preceded the 2006 Comprehensive Peace Agreement. Yet despite these challenges, they have been able to retain their dominant position in the political and administrative institutions of central government as Figure 1 shows. From the lower echelons of the civil service and increasing in the upper levels, the Brahmin, Chhetri, Thakuri, Sannyasi groups, collectively termed Khas/Arya and predominantly in the Kathmandu valley, dominate.

⁴ Author's communications with government officers, UN national staff and university staff during residency and field studies 2001-3 and 2009-18

Figure 1. Caste/Ethnic breakdown of civil servants (2013)



Source: Department of civil personnel records, Hariharbhavan, Lalitpur, April 2013. Reproduced in Inclusion Watch, The Samabesi Foundation, Vol. 1, September-October 2016.

Notes: * a generic name originating originally from scheduled caste groups in India seeking to revoke their status as 'untouchable' at the bottom of the caste hierarchy. ** a generic name for ethnic based groups, not necessarily marginalized e.g. Newars are relatively well positioned, Tharus are not. *** a generic name for those living in the eastern terrain. **** Brahmin, Chhetri, Thakuri, Sannyasi, i.e. the dominant caste groups. See Table 3 for a more detailed presentation of Nepal's ethnic and caste categories.

SOCIAL PROTECTION IN NEPAL

Social protection in Nepal covers a broad range of welfare and development interventions with a number of objectives. The focus here is on social and cash transfers provided to individuals and their households. Schüring writes that 'SCT (social and cash transfers) primarily serve as a tool to smooth consumption when individuals face particular life cycle risks such as childhood, disability, maternity, old age, etc. and to ensure that poor individuals or households have access to a socially accepted minimum of goods and services' (Schüring, 2012:3). As such these transfers can serve to protect households falling below a socially agreed threshold; they can strengthen a household's capacity to face future shocks on the basis of more sustainable livelihoods; and they can promote a household's productive capacities leading to asset accumulation and a virtuous cycle of economic improvement.⁵

Examples of social and cash transfer programmes in Nepal include old age pensions, child grants, school or education grants, grants to pregnant women,

⁵ See Devereux and Sabates-Wheeler (2004) for a detailed discussion of these potentials and Sijapati, (2017), for the potentials in Nepal.

grants to specific groups defined by cultural identity, sometimes linked to locality. Table 1 provides a summary while Annex 1 provides a more detailed list.

Table 1. Summary of the main social security allowances in Nepal

SSA Type	Description	Benefit amount (2019)	Coverage budgeted (2015-16)	Year first implemented
Senior Citizen Allowance	Allowance for all Dalits and Karnali residents over the age of 60; all others over the age of 70	Rs. 2,000/month	1,046,273	July 1995
Single Woman Allowance	Allowance for single women 60 years or older; widows of all ages	Rs. 1,000/month	659,336	1996-97
Full Disability Allowance	Allowance for those who cannot go about daily life even with help from others with red ID card from the District Office of Women and Children	Rs. 2,000/month	30,860	1996-97
Partial Disability Allowance	Allowance for those who can go about with the help of others	Rs. 600/month	31,324	1996-97
Endangered Ethnicity Allowance	Allowance for those who belong to one of 10 endangered ethnic groups	Rs. 2,000/month	23,346	2009
Child Protection Grant (nutrition grant)	Grant for children under 5 in Karnali and poor Dalit children under 5 everywhere	Rs. 400/month	469,362	Sept. 2009
Total			2,260,501	

Source: Holmes et al (2019) and data provided by Ministry of Federal Affairs and Local Development, Government of Nepal.

The cash or kind of grants delivered range from being universal in which all within a category are beneficiaries, for example all children or all pregnant women, to being targetted at a specific section based upon a set of established criteria, for example children of poor families or pregnant women in localities with high maternal mortality rates. In the case of targeted allocations, the criteria for becoming a beneficiary varies from a nationally established set that are applied locally, to an approach in which the selection and the criteria used is left to the local level, with varying degrees of community participation in the selection process. Between these are a number of hybrid approaches to targeting that combine national criteria and local decision-making in different ways.

The 1990 Constitution directed the state to pursue policies that could ensure the education, health, social security and welfare of orphans, women, the aged and disabled or incapacitated. Steps taken included a cash transfer to senior citizens over 75, to widows over 60 and to people with disabilities. The 2007 Interim Constitution directed the state to extend social protection to marginalised people

including those without land and bonded labourers. Additional temporary measures involving affirmative action for marginalised groups in the provision of education, health, housing, employment and food security. Since 2007 the government's Three-Year Plans (2007-10, 2010-13) have taken further steps to aid Dalits, Madhesis, indigenous groups (Janajatis) as well as other recognised marginalised groups, and most recently the stated aim is for a minimum social protection floor for all. But the current programmes lack a coherent approach with policies and provisions scattered across sectors (13 ministries and 3 other national government entities), localities and social or cultural groups. Legal provisions are fragmented, undermining the possibility of an effective grievance mechanism amongst other issues. Provision is also fragmented in terms of multiple providers and often inefficient delivery means.⁶ Competition rather than coherence characterises national implementation arrangements and political and electoral manoeuvrings have underwritten much that has been introduced.

Even within a single donor agency, lack of coherence across different projects is openly acknowledged. The World Food Programme uses food and cash for work schemes in remote mountain and hill districts to reduce vulnerability and improve food security in out-of-season months. Reviewing its work in Nepal and similar countries, they write: 'WFP's diverse interventions — from the stabilization of nutrition in emergencies, the provision of unconditional transfers and asset building to modelling of interventions to address climate change and enhance food security — seldom converge in a way that could help an individual, household or community to progress from food insecurity towards strengthened resilience.' (WFP, 2019:2).

In the financial year 2016-17, more than 2.2 million persons in Nepal directly benefitted from government social security schemes for which NRs 32 billion were allocated through the government, as with old age pensions, but also via a wide range of other actors including UNICEF, UNDP, WFP, the World Bank and various INGOs and their local partners.

Social identity plays quite a significant role in the social protection programmes currently implemented. Table 2 presents a summary of the types of programmes and whether or not they target on the basis of caste, ethnicity and/or locality.

⁶ Agencies providing cash and social transfers include government, various UN organisations, bilateral government partners, international and national NGOs. Village Development Committee (VDC) secretaries deliver pensions personally as cash, sometimes involving several days walk to remote villages. See Annex 1.

Table 2. Targeting based on caste, ethnicity and/or locality in Nepal’s main SP programmes¹

Type of SP programme	Schemes	Caste/Ethnic focus	Locality focus
Cash Transfers	10	4	4
In-Kind Transfers	5	1	3
Access to services	3	3	2
Social Insurance	5	0	0
Public Works	3	0	1
Employment/Skills Development	5	0	0
Livelihood	6	2	4
Care Services	1	0	0
Others	4	0	0
TOTAL	42	10	14

Source: Based on information in Annex 1.

The stated objectives of social protection programmes vary and can be several within a single programme. The alleviation of economic inequalities linked to social and cultural identities is implicit if not explicit in much of their documentation. Generally, it can be said that the social and cash transfers are directed at immediate problems of resource and service failures and usually have the longer-term enhancement of capabilities that could break forms of inter-generational poverty and vulnerability which the most marginalised and socially excluded are particularly prone to. To reduce poverty and vulnerability, a regular cash payment, better access to services, targeted employment generation can all make a difference. However, to change the ‘citizen status’ of a socially excluded group requires a change in social relations with the associated shifts in political power. In Nepal, caste and ethnicity present considerable obstacles to such a transformative redistribution of power.

CASTE AND ETHNICITY IN NEPAL

Pfaff-Czarnecka writes: ‘Since the “unification” of Nepal in 1769, its successive rulers and governments sought to cope with the unusual heterogeneity of the subjected people’s cultural and political traditions while striving to rule and forge Nepal’s image according to shifting internal and external requirements’ (Pfaff-Czarnecka, 1997, 2008 :419-20). Caste is based on hierarchy with each category defined by its relation to the others, relations that range from subservience to resistance, but where social, economic and political power is ever present. Lists can capture the heterogeneity, but not these relations of power.⁷ Bista (1991) captured the latter when he wrote eloquently of the fatalism he observed in Nepal rooted in

⁷ Listing has long been a basis for reform as well as consolidation of power and position – for example the lists of scheduled castes and scheduled tribes developed in colonial India.

an acceptance that one's destiny was determined by such factors as family, class, caste, gender, ethnicity, and similar.

Table 3, based on data from the Central Bureau of Statistics (CBS), illustrates the heterogeneity in its presentation of regional (hill, terai), caste and ethnic identities. Here, 30 out of 129 caste/ethnic groups listed by the CBS are presented. In addition to the total 129 categories named, there are 15,277 persons listed as 'undefined others' as they fell outside of these categories, that is 0.06 per cent of the country's population. But it should also be noted that it was only in 1991 that Nepal began recording data on caste and ethnicity when 60 caste and Janajati groups were listed. In the 2001 Census 103 social and cultural groups were listed (religion, caste, ethnicity, language). At this point, caste groups constituted 57.5 per cent of the population, Janajati 37.2 per cent, and religious minorities (mainly Muslim) 4.3 per cent.

Table 3. Caste and ethnic groups in Nepal¹

Caste/Ethnic group	Total number	Total %	Male	Female
Chhetri	4.398.053,00	16,60	2.098.534,00	2.299.519,00
Brahmin – Hill	3.226.903,00	12,18	1.546.082,00	1.680.821,00
Magar	1.887.733,00	7,12	874.416,00	1.013.317,00
Tharu	1.737.470,00	6,56	852.969,00	884.501,00
Tamang	1.539.830,00	5,81	744.868,00	794.962,00
Newar	1.321.933,00	4,99	642.352,00	679.581,00
Musalman (Muslim)	1.164.255,00	4,39	584.754,00	579.501,00
Kami	1.258.554,00	4,75	585.008,00	673.546,00
Yadav	1.054.458,00	3,98	544.370,00	510.088,00
Rai	620.004,00	2,34	293.907,00	326.097,00
Gurung	522.641,00	1,97	238.861,00	283.780,00
Damai/Dholi	472.862,00	1,78	219.297,00	253.565,00
Limbu	387.300,00	1,46	180.504,00	206.796,00
Thakuri	425.623,00	1,61	204.043,00	221.580,00
Sarki	374.816,00	1,41	172.438,00	202.378,00
Teli	369.688,00	1,40	191.633,00	178.055,00
Chamar/ Harijan/ Ram	335.893,00	1,27	169.206,00	166.687,00
Koiri/Kushwaha	306.393,00	1,16	157.846,00	148.547,00
Kurmi	231.129,00	0,87	119.710,00	111.419,00
Sanyasi/Dasnami	227.822,00	0,86	107.976,00	119.846,00
Dhanuk	219.808,00	0,83	110.371,00	109.437,00
Musahar	234.490,00	0,89	118.080,00	116.410,00
Dusadh/ Pasawan/ Pasi	208.910,00	0,79	105.910,00	103.000,00
Sherpa	112.946,00	0,43	54.424,00	58.522,00
Sonar	64.335,00	0,24	32.938,00	31.397,00
Kewat	153.772,00	0,58	76.353,00	77.419,00
Brahmin - Terai	134.106,00	0,51	69.468,00	64.638,00
Kathabaniyan	138.637,00	0,52	72.508,00	66.129,00
Gharti/Bhujel	118.650,00	0,45	56.164,00	62.486,00
Mallaha	173.261,00	0,65	88.058,00	85.203,00
TOTAL	23.422.275,00	88,40	11.313.048,00	12.109.227,00

Source: the data is taken from the Central Bureau of Statistics (CBS) Statistical Yearbook of Nepal, 2013, Government of Nepal, National Planning Commission Secretariat, 31:33

Pfaff-Czarnecka further argues that in the latter half of the 20th century, Nepal's dominant elites pursued attempts to forge a more homogenous image to benefit their position and interests as a minority ruling elite. In a hierarchical, extremely unequal and socially fragmented society, it was a part of a political strategy aimed at the centralisation and unification of Nepal. It directly promoted the Kathmandu-centric pattern of power and authority with the dominant elites using heterogeneity and diversity in the population as a basis for maintaining their high status and the benefits they derived from it.

Of particular note throughout the period leading up to the first Jana Anadalan in 1990 is the monarchy's role in securing a degree of consensus between different elites as well as securing the social order upon which they were all dependent through a combination of caste- and ethnic-based subjugation backed up by force

as and when necessary (Gellner, 2008). It was also a period in which a limited degree of economic development began to emerge in the Kathmandu valley based around tourism, construction, the service sector, and some traditional textile and carpet manufacturing. However, it was the burgeoning public administration that proved most important as it provided employment for Brahmins, Chhetris and some Newar castes in the capital (Sharma, 1986). The subsequent growth in development assistance added to this growth in the centre and the increasing dependency of the periphery on the centre's largesse, not least in the form of government programmes, projects and public sector services.⁸

Caste-based discrimination was formally abolished in 1963, but the institutionally embedded nature of caste- and ethnic-based discrimination resulted in little change occurring in practice as Figure 1 illustrated. What it did bring was a greater pressure for change, for political representation and social inclusion for those not from the dominant caste-based groups and not in the Kathmandu valley.

The first Jana Andalan (People's Movement) in 1990 brought a return to multi-party democracy and a new constitution.⁹ The constitution captured the ambiguities of the state and society at that time, on the one hand stating the country to be 'multi-ethnic, multi-lingual and democratic' and one in which all citizens are 'equal irrespective of religion, race, gender, caste, tribe or ideology' and have the right to preserve their language, script, culture and practice their own religion. On the other hand, the same constitution declared Nepal to be a Hindu kingdom, where a child can only take the citizenship of the father and not the mother, and that 'traditional practices' were protected. The fact that a mother could not give pass her own citizenship to her child combined patriarchy with a Kathmandu fear of the 'populous Terai and its peoples' relationship with neighbouring India. 'Traditional practices' were widely understood to be synonymous with casteism.¹⁰

The first Jana Andalan centred around a loose set of demands for improved political representation, improved access to public resources and services, less discrimination in public appointments, amongst others. Widespread agreement on the need for a fundamental transformation of the social order is not so apparent. Observers writing with the benefit of hindsight, suggest that it was reformist rather than a movement for radical change (Dahal, 2005; Pfaff-Czarnecka, 2008; Manandhar, 2011). Popular expectations at the time were also linked to the return to national politics of key leaders from the Nepali Congress party and from the Communist Party of Nepal-United Marxist-Leninist (CPN-UML). The third main party - the Rastriya Prajantra Party - remained a strongly pro-Hindu monarchist party seeking to preserve the existing political order. It is generally agreed that the populist sentiment lay with the belief that a return to party-based elections would

⁸ From 2007 and 2009 there was a 94 per cent increase in government projects funded primarily by aid. The peace agreement gave the possibility, but the role of aid cannot be underestimated – 31 per cent of central government expenditure in 2010, rising to 36 per cent in 2015, falling to 26 per cent in 2017 (World Bank, 2020)

⁹ Political parties had been permitted for a very short period in the 1950s prior to the King asserting partyless Panchayat rule.

¹⁰ Interviews conducted with central and local government officials by the author in 1997 and 2001.

bring a political representation that would act in the interests of the broader population. For many this included the expectation reforms to change the exclusionary nature of Nepali society (Dahal, 2005; Whelpton, Gellner, and Pfaff-Czarnecka, 2008).

One outcome was the emergence and growth of organisations based on social and ethnic identities. They began to take up issues of land rights, workers' rights, religious rights, low caste, gender and regional rights, and much more. 'Dalit' and 'Janajati' came to be used in Nepal as in India to embrace the collective identities of low 'untouchable' castes and of a range of ethnic groups.¹¹ These new organisations and associations sought to promote and project their communities' social and cultural interests, often as a political project (Whelpton et al. 2008). For example, the Nepal National Dalit Social Welfare Organization (NNDSWO) was formed in 1982 as the first recognised Dalit organisation, but only in 1991 did it begin to campaign actively against caste discrimination and for Dalit rights.¹² For organisations based on ethnic identity, political mobilisation and representation faced the challenge of reconciling an ethnic identity with a national identity. Under the armed conflict, the Maoist movement offered a degree of self-determination to secure the support of ethnic minorities, but it has not been supported in the subsequent federal structure. Ethnicity as a basis for electoral mobilisation remains as an important factor in several of the new provinces.¹³

POLITICAL PARTIES: FROM CONFLICT TO SETTLEMENT

The Maoist leadership's early electoral successes, notably in elections to the first National Assembly formed to draft the new constitution, have not been sustained. Subsequent factional divisions and declining popularity have led to tactical alliances being made in the local and provincial elections held in 2017. Thereafter, the large faction led by 'Prachandra' Pushpa Kamal Dahal formally merged with the (CPN-UML) to form the new Communist Party of Nepal. Through all the political manoeuvrings, centralised political authority has consistently been asserted and backed with a strong degree of political clientelism to secure the position of the party leadership (Lawoti, 2018).¹⁴

The aspirations of many across Nepal for fundamental social and economic changes that led them to mobilise behind the Maoist leadership in the civil war have not necessarily changed, but its leadership appears today to have joined a political settlement with other political leaders that perpetuates the old social order. This can

¹¹ See notes to Table 3.

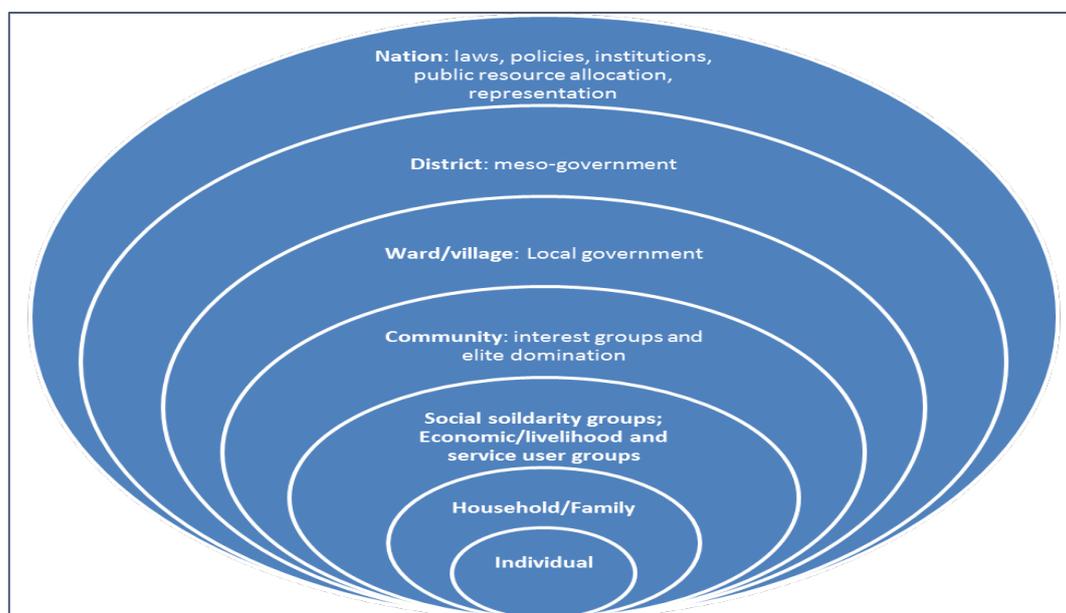
¹² The Feminist Dalit Organization (FEDO) was established in 1994 by a group of concerned Dalit Women with the vision to 'fight against caste and gender discrimination and to construct a just and equitable society'

¹³ Fieldwork interviews undertaken in 2017 and 2018)

¹⁴ The Communist Party of Nepal (CPN) has emerged from a merger of the Communist Party (Unified Marxist-Leninist) (CPUML) and the Communist Party of Nepal-Maoist Centre (CPNMC) after their tactical electoral alliance in the local elections held in 2017.

be illustrated through Bennett's analysis of the multi-layered nature of social exclusion in Nepal (Bennett, 2005). Figure 2 takes its point of departure in the micro-level of the individual, family, household, and local solidarity groups centering on caste, forestry, credit and similar, through to the meso-levels of community, ward and district and on to the macro-level of the nation. While the use of levels enables the importance of tiers of formal government to be shown, it downplays the many vertical interactions and dynamics between levels, for example the ways government officers work with local elites, village institutions, patriarchy in communities and households. What the figure does do is move from the psychological and social aspects of being an individual within different social settings, through to the national laws and policies that frame the organisation of society. Here, international conventions, companies and forms of communication shape the framework for social, political and economic practices at lower levels.

Figure 2. Sites of disempowerment and exclusion



Adapted from Bennett, 2005:14.

It is the national level that was and remains most problematical for Janajatis with their identity based upon their ethnicities and associated regional localities. Their need is to secure representation in national politics and in the institutions of government. Dalits' problems centre much more on the level of community. It is here that they face the daily struggle with institutionalised discrimination in virtually all aspects of their lives and where the many and intersecting inequalities that they face are actively enforced or secured. Whether in the local community (Dalits) or in national government (Janajatis) it is in these sites that their capacity to assert agency is most clearly and effectively obstructed. Interventions designed to bring about transformative change therefore need to consider the forms of political

power being exercised at these levels and the agents and means being used to maintain and reinforce the positions of power present.

SOCIAL PROTECTION AND SOCIAL TRANSFORMATION IN NEPAL

The extent to which social protection is having a transformative impact upon the social order in Nepal is difficult to assess. Accurate data is not readily available, not least due to the fragmented organisation and management of the programmes, but in 2012–2013 it is estimated that 2.79 per cent of the national budget was allocated to social security programmes, benefitting some 7.6 million persons out of the total population of 27 million (Sijapati, 2017:20).

How do those who face social exclusion and poverty perceive their condition in Nepal today? If Bista's fatalism (Bista, 1991) is being replaced with a new optimism, it could be indicative of a change in the deeply structured social order in Nepal. A recent study of inequality and social change studied the views and aspirations of workers drawn from five different labour groups in Nepal.¹⁵ Aspirations were used as a proxy indicator for how the workers from different social groups and different types of employment experience the social world around them. Connecting this to social protection programmes can only be tenuous, but a positive outlook and growing aspirations can be seen as indicative of economic and social changes taking place to which social protection is designed to contribute.¹⁶

The samples are small and random in terms of selection within each labour group. All the workers are from social categories in which one can find families in receipt of different forms of social protection, targeted or universal. 50 per cent of the workers interviewed are earning less than USD 30 per week when in employment. This places them in a better position than many others in a country where 41 per cent living under USD 3.20 per day and 9.3 per cent under USD 1.90 (World Bank, 2019). Possession of employment and an income undoubtedly contributes to the interviewees' expectations for their own families' future and possibly for Nepal more generally.

Without breaking down the sample into categories, the overall response was one of a positive outlook with 65 per cent reporting improvements in the households' conditions over the past 5 years and 73 per cent stating that their condition was better than their parents' had been when of the same age. 82 per cent believed that their children would have a better life than their own.

The positive nature of the findings matches national data on multi-dimensional poverty. This was measured with 2018 data to stand at 28.6 per cent of Nepal's

¹⁵ Webster & Therkildsen, 2016.

¹⁶ See Appadurai, 2004, for a discussion of the capacity to aspire.

population as against 39 per cent in 2011 and 59 per cent in 2006, just after the civil war. (NPC, GoN and OPHI, 2018).

Tables 4 – 6 and Figure 3 present the summary findings from all the sampled Nepali workers regarding their general economic condition and their expectations for the future?¹⁷

Table 4. What has been the change in general condition for families in your neighbourhood?

		Frequency	Per cent
Change	Much better	14	10.6
	Little better	81	61.4
	About the same	32	24.2
	A little worse	5	3.8
	Total	132	100.0

Table 5. Are there more poor families in Nepal today (2015) than 5 years ago?

		Frequency	Per cent
Change	Many more	12	9.1
	Few more	9	6.8
	About the same	37	28.0
	Fewer	74	56.1
	Total	132	100.0

Table 6. Are there more wealthy families in Nepal today (2015) than 5 years ago?

		Frequency	Per cent
Change	Many more	31	23.5
	Few more	48	36.4
	About the same	46	34.8
	Fewer	7	5.3
	Total	132	100.0

Source for Tables 4-6: Webster and Therkildsen, 2016:47

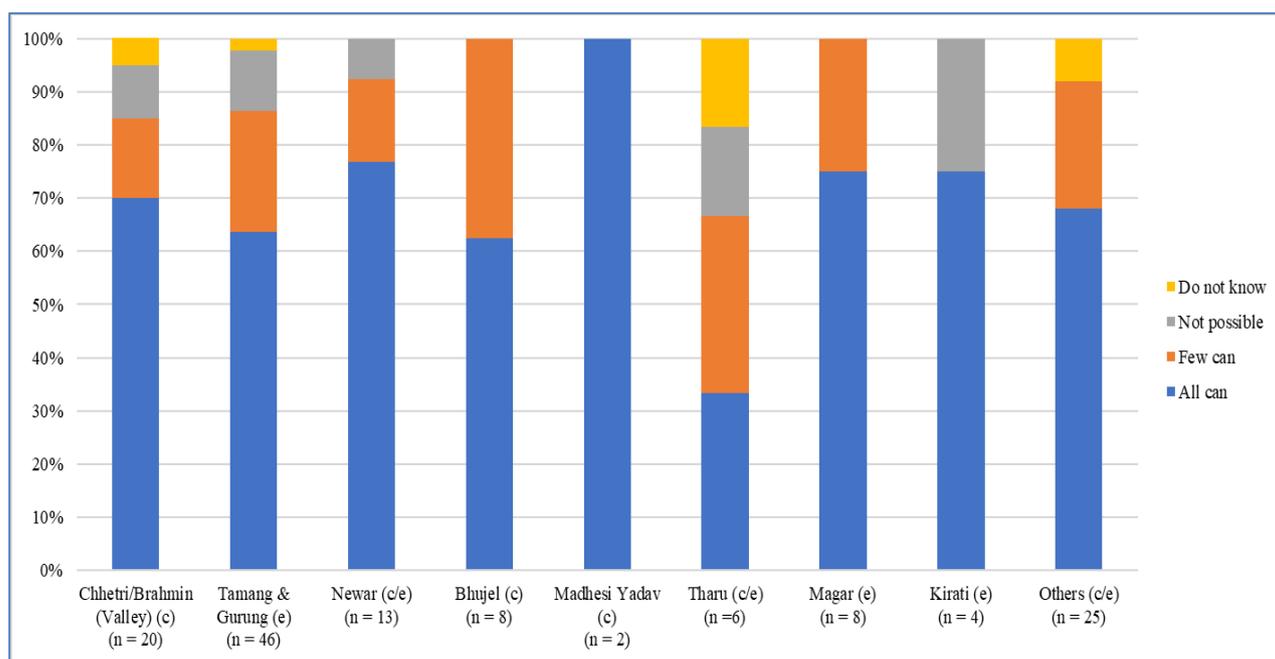
Interviewees were asked what it takes to be wealthy in Nepal today. The responses were in broad agreement across all 5 categories of workers being studied: street vendors, transport workers (on local buses), trekking porters, construction workers and agricultural labourers. Being a 'hard worker' was most important, thereafter having a good education, preferably at a private school, and having a good social network. The last was seen to be a euphemism for caste and political connections on closer examination.

¹⁷ Perceptions of growing inequality are quite central to contemporary analyses of political change in developed countries with middle- and working-class perceptions of there being losses and few gains.

As previously indicated, all five categories of workers could be described as poor, with agricultural workers clearly the poorest closely followed by street vendors. Trekking porters and construction workers earned the most when employed, in excess of USD 40 per week in some cases. All are for the most part unskilled and dependent on short-term employment contracts apart from the street vendors. Despite this, the positive view that hard work could be a stepping-stone towards a more secure livelihood condition, even being wealthy, does not point to Bista's strong fatalism being present.

Looking at the responses broken down by caste and ethnicity changes the picture somewhat (Figure 3). 73 per cent of Brahmin, Chhetri and Newari workers and 63 per cent of the workers that are from Gurung and Tamang ethnic groups see a potential for their families or families from their communities to become wealthier. For Brahmins, Chhetris and to a lesser extent Newars it is understandable due to their communities' social and economic dominance in Kathmandu valley. Figure 3 provides a breakdown by caste and ethnicity of the workers' views as to whether it is possible to become wealthy.

Figure 3. Can any poor person become wealthy?



Notes: (e) = ethnicity, (c) = caste. Chhetri, Brahmin and Newar are dominant in the Kathmandu valley.

Source: Webster and Therkildsen, 2016: unpublished data

Interviews with Gurung and Tamang workers indicated that their optimism and aspirations is due to the income opportunities arising from trekking tourism in the Langtang and Everest regions together with the rapid demographic growth of the Kathmandu valley providing a major market for their agricultural products as well as employment. With a few exceptions, most other caste and ethnic groups are

much less positive with 66 per cent seeing little or no possibility for their families' achieving a condition with greater wealth.

The data does point to caste and ethnic identity of the worker, and an element of locality, to be correlating with the economic hopes and aspirations expressed by those interviewed. This would in turn suggest that their livelihood conditions remain subjected to forms of social exclusion that reinforces patterns of access or control over assets, resources, services, and forms of employment.

TOWARDS A CONCLUSION

In discussing 'intersecting inequalities' the emphasis is on the complexity of factors that generate a set of inequalities that mutually reinforce one another (Naila Kabeer, 2010). In the case of Nepal, it can be seen that caste and ethnicity have considerable significance in determining access to services, resources, assets, employment and much more. To these should be added inequalities based on gender, locality, and religion. The argument that social protection possesses a potential to help in reducing some of these appears intuitively strong. In practice, while the institutionalised practices of caste and ethnic domination might have been shaken by the movements and conflict in the 1990s and 2000s, they do not appear to have been transformed by political and armed action and it seems questionable that they are now being transformed by social protection interventions.

In the ex-ante conditionalities (targeting of specific characteristics) and ex-post conditionality (monitoring conditions) it can be argued that discriminatory and exclusionary practices at the inter-household and community level are being mitigated for in some programmes, for example those targeting Dalit and poor children with conditional education grants, cash transfers to counter food insecurity, cash payments under the Maternity Incentive Scheme (UNDP, 2014; Sijapati, 2017). In the longer term, these might shift social norms and perhaps break inter-generational poverty and exclusion based on caste and ethnicity as well as gender. If so, then social protection could be a key instrument in bringing about a gradual social transformation in Nepal.

Hickey, Barrientos, and Ducza argue that the dispersed and fragmented nature of power in developing countries increases the difficulties for those seeking to reproduce potentially competing elites' dominance. If so, then it would suggest that social protection could have a degree of success in Nepal if elites remained divided.

As discussed in the paper, in Nepal securing a consensus on policy and carrying it through into the implementation of programmes requires the management of power and its distribution through institutions that currently sustain the old social order. Caste and ethnicity have been at the heart of the vertical distribution of power in Nepal for a very long time and continue to be so. In the aftermath of the conflict from 1996-2006 there has been the introduction of new political factions into the arena of pre-conflict elites, but seemingly little substantial change has occurred.

As discussed previously, events leading up to the Comprehensive Peace Agreement in 2006 suggested a rupture was underway in Nepal's politics, but the subsequent decade has revealed it to be more of a process of adjustment and accommodation, not least as key 'Maoist' leaders entered into the formal system of party-based politics in Kathmandu. It has been a change from politics rooted in the effects of intersecting inequalities in the countryside to a politics centred on control of the higher echelons of the state, with political parties playing a central role. Elections have come to replace weapons as the means with which to secure the authority to rule, and post-conflict Nepal has not seen a transformation of the social order, rather the reverse.

Albeit from an African context, Joel Migdal (1988) suggests that strong states are quite rare due to the concentration of 'social control' that is required if a ruling elite is to work successfully with the other important elites within the society, work that involves the making and exchanging of pay-offs with other elites, not least in the field of policy preferences. In such a scenario the state becomes an 'arena of accommodations'. As raised earlier, Mushtaq Khan sees political settlements involving clientelist politics that are shaped by the distribution of power and the organisation of clientelist politics. This in turn affects the ruling elites' abilities to change institutions governing the distribution of economic benefits in society.¹⁸ Elite accommodations where the elites and the arena in which they operate are small and closely inter-connected, and where clientelist politics are widely practised, characterise contemporary Nepal; evidence lies in the distribution of civil service positions in Figure 1, the lack of optimism in the workers not from Kathmandu dominant caste groups seen in Figure 3, and as argued here in the technocratic and fragmented social protection provision present in the country.

Electoral politics have influenced the provision of social protection from the mid-1990s onwards. Cash transfers such as the senior citizen allowance, single woman allowance and child protection grant have regularly been increased in size and eligibility in election times as parties pursued votes. But it has not just been at the behest of political parties. The state, through its ministries and civil servants, has continued to work to retain and secure the social order that prevailed prior to the conflict, often in the absence of coherent direction from political leaderships. As Figure 1 demonstrates, there are strong caste interests in maintaining the status quo of the old social order. In working with such programmes, the state has organised to support the longer-term interests of different elite groups.¹⁹ Those in politics have competed for positions of power but are in tacit agreement that it is they who should continue to possess political power. For social protection programmes, it is a situation that sees the individual agency that interventions involving cash and social transfers are seeking to facilitate and promote, continuing to be shaped and defined by caste and ethnicity.

¹⁸ Khan, 2010.

¹⁹ The argument made by Poulantzas (1973) in *Political Power and Social Classes* regarding the relative autonomy of the state and its role in organizing fractions of the bourgeoisie while disorganizing the working class, can be seen as in some ways as being a precursor to the political settlement approach in recent years.

In another study of local politics and democratisation, this time in Indonesia,²⁰ Henrik Schulte Nordholt described how 'changing continuities' characterise much in local politics in developing countries; that is the way that previously existing structures of thought and action exercise a persistent influence upon the politics of the present and constrain possibilities for change. The same can be argued in the role of social protection policies in Nepal; that these 'new' interventions with the objective of weakening and possibly transforming caste- and ethnic-based social hierarchies are actually reproducing a social order for which social exclusion and marginalisation are the norm. Using the example of caste-based targeting of cash and social transfers, though designed to counter social exclusion from public services and resources, by working with these categories within a hierarchical set of institutional structures that discriminate against Dalits, they reproduce the categories and the politics of exclusion and inequality that underwrite these institutions. The fragmentation of the interventions (Annex 1), the diverse ways of implementing targeting, grievance mechanisms, monitoring and the lack of accountability practised, can be seen as both causes and effects of the lack of critical engagement with the practice of social protection in Nepal.

In this way the norm of caste- and ethnic-based discrimination continues to shape and determine policy and, perhaps more critically, the practice of social protection provision as experienced by Nepal's 'yet-to-be citizens', and the difficulties they face as illustrated in Bennet's sites of disempowerment and exclusion presented in Figure 2.

Cast in this light, it is important to reassess these programmes from a critical perspective and to consider how they might be complicit in supporting a political settlement between elites in Nepal, albeit unintentionally. In giving their support to such programmes, development agencies could be demonstrating a tacit acceptance of this, facilitating and legitimising the political settlement that currently prevails. If this is the case, then social protection remains a missed opportunity for aiding a transformation in citizen-state relations in the country. Rather than transforming the social contract and thereby the political status of the individual, the programmes have the effect of aiding the old social order, accepting inequality, and leaving hopes and aspirations to be determined by social characteristics ascribed at birth.

²⁰ Nordholt, 2013.

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ANNEX 1

1. Cash transfers	Benefit	Implementing arrangement
Senior Citizens' Allowance	All persons aged 70+ receive Rs 500/month.	Ministry of Women Child and Social Welfare (MoWCSW)/ Ministry of Federal Affairs and Local Development (MoFALD)
Single Women's Allowance	Widows, Dalits and Karnali residents aged 60+ receive Rs 500/month.	MoWCSW/MoFALD
Disability Allowance	Disabled persons 16+ receive Rs 1,000/month (fully disabled) or Rs 300/month (partially handicapped).	MoWCSW/MoFALD
Endangered Ethnicities Allowance	All household members receive Rs 500/month.	MoWCSW/MoFALD
Child Protection Grant	Rs 200/month per child under five for up to two children for all Dalit families and all families in Karnali	MoWCSW/MoFALD
Maternity Incentive Scheme (CCT)	Pregnant women receive Rs 500 in Terrai, Rs 1000 in hill regions and Rs 1500 in mountain regions as transportation costs plus Rs 300 provided to health professionals and Rs 1,000 reimbursement to facilities. Free delivery care provided in 25 low HDI districts.	Ministry of Health and Population MoHP//DFID
Senior Citizen Health Treatment Programme	Cash transfers to senior citizens above 65 years	MoWCSW
Natural Disaster Emergency Relief	Cash and in-kind transfers in flood and landslide affected areas	Ministry of Home Affairs (MoHA)
Strengthening Decentralized Support for Vulnerable and Conflict-Affected Families and Children (CCT)	4000 households in 5 districts receive Rs 1,000 per month for 12 months.	MoWCSW/ADB
Subsistence Allowance for those Martyred or Handicapped in the Conflict	Rs 360,000 million provided to IDPs. Rs. 60,000 per year as livelihood support for families of martyrs plus an educational allowance for children up to the age of 18 for up to three children. For those injured during the fighting with more than 50 per cent disability receive Rs 100,000, those injured less than 50 per cent receive Rs 80,000, those fully disabled Rs 200,000 – this is a lump sum amount. Those with a member of family still declared “disappeared” receive 100,000 per family. In addition to the 1 million for those killed, the widows receive Rs 25,000.	Ministry of Peace and Reconstruction (MoPR)
Tax Exemption and Debt Relief	For women, Dalits, disabled, poor farmers, disaster- and conflict-affected	Ministry of Finance (MoF) and national banks
2. In-Kind transfers	Benefit	Implementing arrangement
Conditional In Kind transfer through Food and Cash for Assets activity	Food and cash is provided to highly food insecure households through an asset creation programme. This programme also creates opportunities for improved agriculture production in food insecure districts.	MoFALD/World Food Programme (WFP)
Public Food Distribution System	Food storage/distribution in select districts	Ministry of Agriculture and Cooperatives (MoAC), Ministry

		of Commerce and Supplies (MoCS), Nepal Food Cooperation (NFC),
School Meal Programme (SMP) and Maternal Child Health Care (MCHC) Programme	School children are provided with nutritious mid-day meals and pregnant and lactating women and young children provided with take-home rations of nutritious food.	Ministry of Education (MoE), MoHP, WFP,
Karnali Fortified Food Distribution Programme	All children aged 6-23 months in Karnali are provided with a nutritious food supplements.	MoHP
Iodized Salt Distribution	Supply of salt to boost nutrition	MoHP and Salt Trading Corporation (STC)
3. Access to services	Benefit	Implementing arrangement
Education for All	Dalits, Karnali children, girls, children from marginalized groups, conflict-affected children and children with disabilities receive scholarships. Representation of socially marginalized parents in the School Management Committees and Parent Teacher's Association (SMC/PTA) and increased gender representation	MoE
Free Health Services	Free services available in health posts and sub health posts, primary health centres, and district hospitals. Forty listed drugs are available free of cost. Free maternity services; free dialysis and cancer treatment for endangered indigenous communities, citizens over 75 and children under 15 years of age.	MoHP
Housing programme	1000 Dalit and Muslim households in three Terai districts are provided with low-cost housing.	Ministry of Planning and Physical Works (MoPPW)
4. Social insurance	Benefit	Implementing arrangement
Employee Provident Fund	Workers in Government and organizations with 10+ employees receive pension and work-related disability payments, scaled according to their contributions.	Government of Nepal (GoN)
Gratuity	Government employees serving three years or more and retiring are entitled to gratuities at different rates depending on their length of service	GoN
Civil Service Pension Scheme	Civil servants with 20+ years of service and armed forces personnel with 16+ years of service receive monthly benefits and lump sums based on service and salary.	GoN
Work Injury Insurance	Mine workers and those employed by organizations with 10+ employees receive lump sums based on salary and service.	GoN
Citizens Investment Fund	Formal sector workers receive returns on voluntary investments	GoN
5. Public works	Benefit	Implementing arrangement
Rural Community Infrastructure Works (RCIW)	295,000 households receive cash or food in return for 50-70 days employment annually in unskilled and low skilled public works.	MoFALD/WFP
Karnali Employment Programme	Aims to provide 100 days employment for 100,000 people in Karnali.	MoFALD
Youth Self-Employment Scheme	100,000 youth and adults to receive 100 days employment.	Ministry of Labour and Transport Management (MoLTM)

6. Employment/Skills Development Programmes	Benefit	Implementing arrangement
Poverty Alleviation Programme	Poor people provided with employment opportunities	National Planning Commission (NPC)/World Bank (WB)
Technical and Vocational Education Training (TVET)	Skills training for poor and disabled people	MoE, MoLTM
Assisted Migration	Subsidized loans for economic migrants	MoLTM
Technical Education for Dalits and Poor Girls	Skills Oriented Training	MoE
Child Labour Elimination and Child Labour Reform Programme	Child rights protection	MoLTM
7. Livelihood Programmes	Benefit	Implementing arrangement
Ultra Poor Programme	Income generation support in 10 districts	MoAC
Fertilizer and Seed Transportation Subsidy	Ongoing programme in 14 districts	MOAC
Subsidy on Chemical Fertilizer	100,000 tonnes of fertilizer provided per year to farmers with less than 4 bigha of land in the Terai and less than 15 ropanis of land in hill districts.	MoAC
Community Livestock Programme Income	Income generation support for Dalit and Kamaiya families	MoAC
Kamaiya and Haliya Rehabilitation Programme	Land access to landless and historically marginalized households	Ministry of Land Reform and Management (MoLRM)
Leasehold Forestry Programme	Land access is provided to food-insecure communities living in areas adjacent to degraded forests.	Ministry of Forest and Social Conservation (MOFSC)
8. Care services	Benefit	Implementing arrangement
Social care services for children, senior citizens, PWDs and women	Services for poverty and vulnerability reduction	MoWCSW, MoH, MoE
9. Others	Benefit	Implementing arrangement
Special Provisions for People with Disabilities	Fifty per cent discount on transport fare in public land transport, and domestic flights Free health checks-up to persons with disabilities in government hospitals Five per cent quota reservation in civil service and four per cent in private sector companies (according to the Disabled Protection and Welfare Act) Custom tax waiver to import specially made four wheel scooters and assistive devices for persons with disabilities.	MoLTM MoHP MoGA MoF

Source: Development Advocate Nepal September 2014, Levelling the Playing Field: How do we make social protection more transformative? UNDP, Year 2 Issue 1:14-15.