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Developing and Implementing Multilingual Policy in a Federal Nepal: Opportunities and Challenges

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Lava Deo Awasthi

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LANGUAGE POLICY IN FEDERAL AND DEVOLVED COUNTRIES
Project Overview

Language is a highly significant marker of individual and collective identities. It often provides an impulse for national or community or national affirmation and claims to self-government. Provisions to recognize and accommodate linguistic differences can be particularly salient in federations, many of which have highly diverse populations. Indeed, in quite a few cases linguistic diversity was one of the key reasons why the federalism was central to a country's founding framework or the result of its constitutional evolution.

Several federal countries have designated more than one language as official (or national) languages in the federal constitution and/or legislation. In turn, the constituent units (states, provinces, etc.) may accord a similar status to one or more languages. The different designations are not merely symbolic: they usually require or lead to policies, programs and other measures to govern language use. In some nonfederal states where more than one language is spoken, a measure of authority over language policy has sometimes been devolved to regional governments (or the equivalent).

Language rules, including for service provision, are frequently an important dimension of policy sectors that are exclusively or largely the responsibility of constituent unit governments. One such sector is education. In various countries, there are calls for teaching to be given not only in officially recognized languages but also in others that are spoken by minorities that are fearful about the future of their language. Indigenous peoples in particular have concerns about the viability of their languages, many of which have a long history of suppression.

In some countries, language policies are well established and are largely uncontested. In others, the policies and/or their application are controversial – even divisive. This may be true not only in newer federations and devolved systems but also in those with a longer history. Because of their links to identity and culture (among other factors), languages can be – indeed, quite often are – a potent basis for political mobilization.

Even when political dynamics are not highly charged, pressures to change or reform language policies and programs are not uncommon. Some demands are fundamental (e.g. additional or stronger constitutional protection), while others are more administrative or technical. In light of their salience to citizens and their relevance in a range of sectors, it is not surprising that language policies are debated, reviewed and (at least in certain cases) modified.

Although there are a number of individual case studies, particularly covering countries where language has been a flash point for political division, there is a lack of comparative research. Moreover, existing comparative studies often focus on western Europe and North America. As more countries have adopted federal or devolved structures in recent decades, there is a need to expand the scope of research on language policies in plurilingual contexts.

The focus of this project is on language policy (broadly interpreted) in a range of countries that are federations or have a significantly devolved structure of government. It aims to take a holistic perspective on language policy and its place within governance arrangements. In addition to providing an overview of the country's demography, constitutional recognitions and protections, and language

laws and policies, in order to encourage comparison authors were asked to address a common set of questions:

- What potential changes to the regulation of language – constitutional, legislative, administrative – have been proposed or are currently being debated?
- What are the pressures and who are the main actors behind the proposed changes?
- Which have received the most attention and/or seem the most feasible?

We hope that the authors' responses to these questions will inform public discussion and understanding in their own countries as well as in others where similar issues are on the agenda.

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Developing and Implementing Multilingual Policy in a Federal Nepal: Opportunities and Challenges

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Lava Deo Awasthi

FAR WEST

KARNALI

Godawari

Birendranagar

GANDAKI

Pokhara

KATHMANDU ★

LUMBINI

Butwal

BAGMATI

Hetauda

PROVINCE NO. 1

MADHESH

Janakpur

Biratnagar

Introduction

In any country where more than one language is in common use, it is critical for governments to create and implement a multilingual policy. An inclusive multilingual policy not only connects the state with people and communities, but also strengthens social harmony and a sense of belonging. Lessons from around the world indicate to us that the failure to embrace multilingualism and ethnolinguistic identities may increase conflicts, political unrest and even lead to civil wars (*e.g.,* Bhattacharya 2010; Choudhry and Houlihan 2021; Sazzad 2021).

The recognition of linguistic diversity is one of the major elements in the institutionalization of federalism in multilingual countries (Mitra 2001; Smith 2008). In such states, as in other countries with linguistically diverse populations, it is a strenuous but not impossible task to develop and implement multilingual policies to address the aspirations, voices, and identities of different communities (Cloonan and Strine, 1991). This task is more critical—at both the ideological and implementational levels—in Nepal. In this country, monolingual nationalism has shaped the state's language policy for more than two centuries—in part because of the "importation of ideologies" (Awasthi 2008). Against this backdrop, the purpose of this paper is to discuss the recent updates on the constitutionalization and implementation of a multilingual policy in a federal Nepal.

This paper contains the following:

- an overview of Nepal's federal system
- the incorporation of multilingualism in Nepal's constitution
- data on the major languages spoken across the country
- suggested criteria for designating potential official languages
- a possible framework for developing and implementing multilingual policies
- a discussion of current issues in implementing multilingual policies
- some of the opportunities for a multilingual future in Nepal

The Situation in Nepal: Overview of the Federal System

A remarkable nonviolent popular movement, culminating in April 2006, ended both the monarchy and a Maoist insurgency. This movement paved the way for the drafting of a new constitution by a constituent assembly.

The period of change known in Nepal as the *Jana-Aandolan-II* (People's Movement-II) was the second phase of a multi-party campaign that had ended Nepal's monarchy and opened the political space for a federal democratic republic. In January 2007, the parliament approved an interim constitution. In turn, the constitution opened the way for "the necessary restructuring" that built an "inclusive Nepali state" (Karki and Edrisinha 2014). However, the historically marginalized Madheshis and indigenous/ethnic minorities protested the use of this text because federalism was not included. Within another year, in December 2007, the interim constitution was amended to include federalism.

The 2015 constitution restructures Nepal into three orders of government: federal, provincial, and local. There are seven provinces and 753 local government units (municipalities and rural municipalities) in this new structure. Schedule 5 lists the federal government's powers. Although that list does not mention language policy, a Language Commission was later established under article 287 of the

Constitution to recommend language policies to the Government of Nepal and to conduct research in language related areas. Schedule 6 of the Constitution lays out the powers of provincial governments. They include the preservation and promotion of languages, scripts, cultures, fine arts and religions. Schedule 8 specifies the jurisdictions of local governments, which also include the operation of schools and the preservation and development of languages, cultures and fine arts. All three orders of government thus have responsibilities for various aspects of language policy and its implementation. Nepal is one of the few federations in which even local governments have a recognized constitutional status.

Constitutionalizing Multilingualism

A 2020 study conducted by the Nepal Language Commission shows that more than 130 languages are spoken in Nepal. Distributed across four major language families—Indo-Aryan, Tibeto-Burman, Dravidian and Astro-Asiatic—these languages are spoken by 125 ethnicities/castes and 59 Indigenous communities. Nepali is the most prevalent language and is spoken by 44.6 percent of the total population. Other languages that are spoken by at least 100,000 speakers are listed in Table 1.

Table 1: Major languages of Nepal*

Language	Native speakers	Percentage of the population
Nepali	11,826,953	44.6
Maithili	3,092,530	11.6
Bhojpuri	1,584,958	5.9
Tharu	1,529,875	5.7
Tamang	1,353,311	5.1
Nepal-Bhasa	846,557	3.2
Bajjika	793,416	2.9
Magar	788,530	2.9
Doteli	787,827	2.9
Urdu	691,546	2.6
Avadhi	501,752	1.8
Limbu	343,603	1.3
Gurung	325,622	1.2
Baitadeli	272,524	1.0
Rai	159,114	0.6
Achhami	142,787	0.5
Bantawa	132,583	0.5
Rajbanshi	122,214	0.4
Sherpa	114,830	0.4

*Languages spoken by at least 100,000 persons.
Source: Nepal Language Commission (2020); Yadava (2014).

According to Choudhry and Houlihan (2021, 6), the constitutionalization of multilingualism shows the "character of the state and the cultural identity of the people within it, and may contribute to building a common sense of community among diverse peoples." In Nepal, this had begun in the 1990s.

Before 1990, two regimes, the Ranas (1846–1951) and the Panchayat (1960-1990), promoted a one-language-one-nation-one-culture ideology in education, the media and government administration.

These two regimes had banned the use of mother tongues other than Nepali in the public sphere. Multilingualism was only included in the constitution in 1990. Yet only one language—the Nepali language in the Devanagari script—was designated as the official language. The 1990 constitution further declared that all the languages spoken as mother tongues in Nepal were "national" languages. It also provided each community with the right to run primary schools in their mother tongue(s).

Language rights and multilingual policy were major provisions in the 2007 interim constitution, in which Nepal was described as a "multi-ethnic, multilingual, multi-religious, multicultural state." The government subsequently adopted policies on the use of local languages in the media and education.

In 2007 the *Gorkhapatra Daily*, the state-owned media outlet, began to publish the news and op-ed pieces in multiple languages, including Maithili, Tamang, Nepal Bhasa, Dhimal, Limbu, Rai and Tharu. Currently, the *Gorkhapatra* publishes in 38 languages. In 2007, the Ministry of Education piloted a multilingual education program in the Athapariya, Rajbanshi, Santhal, Magar, Rana Tharu, Tamang and Maithili languages in six districts (Fillmore 2020).

The transformation of Nepal took a major step when the new constitution of the Federal Democratic Republic of Nepal was promulgated on September 16, 2015. One study labelled inclusivity and democratic pluralism as "two major conceptual as well as institutional devices created under (this) federal governance structure" (Dhungel and Gonzalez 2020, 246). Like the interim constitution, the 2015 constitution defines Nepali as the language of official business. To address the voices of Indigenous communities that opposed the designation of Nepali as the official language in the 1990 constitution, the 2015 constitution stated that "all the languages spoken as mother tongues in Nepal are the national languages of Nepal." Although Nepali is still defined as the "language of Nepal's official business," the constitution provided that "the use of one's mother tongue in a local government or office shall not be barred."

The 2015 constitution includes the following major language-related provisions:
- Pursual of a "multi-language policy" is one of the policies of the state (article 51);
- "Every community" has the right to acquire education in its mother tongue and the right to open and run mother-tongue schools and educational institutions (article 31).
- "Every person and community" has the right to use, preserve and promote its language, script, and culture (article 32).
- Citizens shall not be discriminated against on the grounds of language, region, or ideology (articles 18.2,18.3)

The Language Commission was established to make recommendations on (a) the official use of languages, (b) language preservation, promotion, and development, (c) using the mother tongue as a medium of education, and (d) language research and monitoring.

The constitution (article 287) gives the Language Commission the following mandates:
a) to determine the basis for a language to acquire the status of official language and forward recommendations to the Government of Nepal
b) to forward recommendations to the Government of Nepal regarding the measures to be adopted for the protection, promotion, and development of languages

    c) to measure the standards for the development of mother languages and forward recommendations to the Government of Nepal regarding their potentials to use in education

    d) to carry out research, monitoring and studies of languages

In addition, the 2017 Language Commission Act has mandated the Commission to identify mother tongues and develop and recommend plans for their preservation, promotion, and development to the federal, provincial, and local governments. It has also been tasked to investigate and publish language histories, prepare a roster of language experts, conduct research on the use of technology in language and recommend policies to the government and other relevant authorities. The Commission has been working with the communities, universities, language experts, and government units to preserve and promote mother tongues in education and other public spaces.

Language Use and Potential Official Languages

Although there are multiple interpretations of "official language," according to one definition it is "a language (or languages) used by the government to conduct official, day-to-day business" (Choudhry and Houlihan 2021, 6). According to Korhecz (2008, 459), official activities narrowly include exercising public powers, communication among the authorities (federal, provincial, and local) and the delivery of public services and court proceedings. However, the scope of official languages goes beyond "official" state business; it also covers public education and public information at multiple levels and for a range of purposes (*e.g.*, disaster-related public service announcements, public health issues, literacy activities on climate/agriculture/law, and public hearings). Indeed, an official language "[should] encompass almost the whole public sphere" (Korhecz 2008, 459).

The constitution of Nepal requires that the state pursue a multilingual policy. In this regard, in addition to Nepali, a province may, by a provincial law, determine one or more official languages spoken by a majority of people within the province (article 7 (2)). Although this provision creates space for historically marginalized languages in the public sphere, designating official languages based on the majority of speakers is confusing and sometimes impossible. What proportion of the population is to be considered the majority when every language is spoken by less than 51 percent of the population?

Although there are no recent data on languages at the subnational level, B. N. Regmi (2019), based on the 2011 census, reports that 21 languages (including Nepali) are spoken by more than 50 percent of the residents of various local government units (see Table 2).

Table 2: Languages spoken by more than 50 percent of residents of local government units (based on the 2011 census)

Languages	Number of local governments
Nepali	359
Maithili	73
Bhojpuri	36
Tharu	13
Tamang	35
Nepal Bhasa	1
Bajjika	24
Magar	9
Doteli	29
Urdu	3
Avadhi	9
Limbu	3
Gurung	7
Baitadeli	10
Achami	3
Bantawa	1
Sherpa	3
Bajhangi	2
Kulung	2
Khaling	1
Lhopa	2

Source: B.N. Regmi, (2019)

The language distribution among the provinces varies considerably. As Table 3 shows, Bagmati province has 111 languages, followed by Province 1 (104) and Madhesh (88). Gandaki and Far Western provinces have 84 languages each, while Lumbini has 83 and Karnali has 53 languages.

Based on the data, we first calculated the effects of these three paths to multilingualism:

- **Multiple official languages province-wide:** At a threshold of 1 percent of all speakers, individual provinces would be able to have between 2 and 14 official languages:
    14 in Province 1
    7 in Madhesh
    7 in Lumbini
    6 in Bagmati
    6 in Gandaki
    6 in Far West
    2 in Karnali

    These numbers decrease if the threshold is set at 5 percent.

- **2 official languages in local governments:** At a threshold of 25 percent, 2 official languages (Nepali+one other language) could be selected by this many local governments in each province:
    118 in Madhesh
    71 in Bagmati
    62 in Province 1
    59 in Far West
    44 in Lumbini
    27 in Gandaki
    3 in Karnali

- **3 official languages in local governments:** At a threshold of 25 percent of speakers, 3 official languages (Nepali + two other languages) could be selected by this number of local governments in each province:
    14 in Madhesh
    10 in Lumbini
    7 in Province 1
    3 in Karnali
    3 in Far West
    1 in Gandaki
    1 in Bagmati

Table 3: Language situation in provinces and local governments (based on the 2012 census)

Province	Languages spoken in province	Mother tongues spoken by 1% and above	Mother tongues spoken by 5% and above	Local governments with Nepali and one other language if threshold is 25%	Local governments with Nepali and two other languages if threshold is 25%
Province 1*	104	14	2	62	7
Madhesh	88	7	4	118	14
Bagmati	111	6	2	71	1
Gandaki	84	6	2	27	1
Lumbini	83	7	4	44	10
Karnali	53	2	-	3	3
Far West	84	6	4	59	3

*Province 1 has not yet been able to endorse a name by the required two-thirds majority in the provincial assembly.
Source: B. N. Regmi (2019).

Language policymaking is not just a linguistic activity; rather it is a political process to ensure people's right to speak and access the public services in their mother tongues. The data clearly show that a one-size-fits-all policy will not work for all governments. Each faces a unique linguistic situation, so it is necessary to use multiple criteria to develop language policies. Bandhu, D. R. Regmi and Phyak (2017) have argued that using the language of the majority of speakers *alone* may not necessarily address the country's complex linguistic diversity. Other criteria they have suggested include these characteristics:

- multilingualism and identity
- access to public services and language rights
- language vitality (including oral practices)
- availability of resources (see also Yonjan-Tamang 2017)

The Language Commission conducted an extensive consultative process in 2021. They consulted communities, ethnic organizations, language activists, political officials and representatives, researchers, linguists, professionals, journalists, and various other stakeholders at the federal, provincial, and local levels. Then the Nepal Language Commission (2021) recently recommended 11 official languages (in addition to Nepali) at the provincial levels. These languages—presented below in alphabetical order—are as follows:

1. Avadhi (Lumbini)
2. Bajjika (Madhesh)
3. Bhojpuri (Madhesh and Gandaki)
4. Dotyali (Far West)
5. Gurung (Gandaki)
6. Limbu (Province 1)
7. Magar (Gandaki and Karnali)
8. Maithili (Province 1 and Madhesh)
9. Nepal Bhasa (Bagmati)
10. Tamang (Bagmati)
11. Tharu (Lumbini and Far West)

The Commission's recommendation was based on a framework developed in collaboration with multiple stakeholders. The criteria included the following:
- majority of speakers
- historicity of language
- status planning
- language standardization
- availability/development of a writing system
- documentation
- dissemination and delivery of basic services

In addition, these criteria have since been identified as key criteria for the selection of an official language for both provincial and local governments:
- current use or likelihood of use as a medium of education
- intensity and spread of speakers
- language vitality
- intergenerational transmission
- use of language in media and communication technology
- demand from the community

The Commission has adopted a two-step approach. First, it has recommended that a language spoken by a majority of the residents of a province be designated as an official language for use throughout a

province. The languages spoken by more than one percent of population within the province have been given an official status for a defined territory and designated functions. For example, education has been recognized as a prerequisite for expanding the functions for which a language is used to gradually develop its status as an official language at the provincial and municipal levels. The ward-level functions of mother tongues have been emphasized in educational policies and to ensure citizens' access to basic public services. Likewise, Indigenous and marginalized languages have been recommended for use as an official language at the community level within a defined territory. Moreover, the Commission has suggested the need for formulating language policy-related laws, a gradual expansion of official language(s) across territories and domains, and institutional support for the promotion of minoritized languages. However, the federal, provincial, and local governments need coordinated plans and a commitment to work with communities.

A Framework for Multilingual Policies

Governments around the globe have been able to adopt policies to protect language rights that reflect both the tolerance-oriented approach and the promotion-oriented approach (Kloss 1971; May 2014; Skutnabb-Kangas and Phillipson 2017). Using a tolerance orientation, governments *tolerate* and let citizens use their own mother tongues, without restrictions. In Nepal, the federal, provincial, and local governments have adopted this approach by allowing the elected officials to take the oath of office and participate in parliamentary debates in their mother tongue. When governments use the *promotion-oriented* approach, they allocate resources for the development of minoritized language use for official business.

Two ways of implementing multilingual policies in a federal context were identified by Mitra (2001) the thin bond and thick bond approaches. Both methods address the communication-related needs and the identities of linguistic communities. The *thin bond* approach focuses on language as the basis for communication between state institutions and the people. The *thick bond* approach takes language as "a moral bond between the state and the individual." (Mitra 2001, 52) This approach focuses on historical, cultural, and Indigenous/ethnolinguistic identities. Bhushal and Breen (2021) adapted Mitra's approach to analyze how Nepal's local governments are addressing multilingualism in their policies and practices. Bhushal and Breen distinguish between a *thin layer* (thin multilingualism that focuses on communication) and a *thick layer* (thick multilingualism that forms the identity of the state). Their study shows that, for the thin layer, the elected officials of the local governments communicate in local mother tongues and allow the citizens to express their opinions in their mother tongues. As for the thick layer, the official recognition of multilingualism is not significant but is increasing. In framing and implementing policies on official languages, the federal, provincial, and local governments can consider both the thin and the thick layers of multilingualism.

To this end—implementing both the thin bond and the thick bond approach—we propose the following broad framework:

Functionality: The status of languages, depending on needs, should be diversified across the domains of governance. This would require identifying the areas of each government where the use of one or more languages is necessary. Such bodies include parliament, the judiciary, municipal assemblies (*gaau sabha*), public hearings, policy meetings, public service announcements, education, literacy programs, and public signage.

This kind of specification would help each government identify the languages to be used in official businesses and address the aspirations and identities of people. The specification of domains would

also help in assessing the relevance and need of languages to provide public services to the people. However, as Choudhry and Houlihan (2021, 18) rightly argue, recognizing languages as official languages "does not mean that they must be used in the same way in all areas and at all levels of government." Each government unit can adopt a flexible approach to decide on the choice of languages, according to where they are spoken and the needs of the community.

Spatiality: Language and space are interconnected. Space includes a range of places where people access public services. Hospitals, schools/universities, government (including ward and municipal) offices and the media are some of the spaces where languages play critical roles. Understanding the spatiality of language use provides governments with insights into understanding the needs and the implementation of multilingual policy.

Historical background: Language and language policy are historical phenomena: they are shaped by historical identities, social structures, and the territorial intensity of languages. Lessons from the federal countries such as Canada and India show that the historical and territorial identity of Indigenous communities can be one major basis for the designation of official languages (Bhushal and Breen 2021). In this regard, the Language Commission is working with scholars from different disciplines such as history, indigenous studies, sociology and anthropology, as well as political science, to identify the history of languages and their connection with a given territory.

Sociality: As a social phenomenon, language connects people and reinforces their sense of belonging within a particular area. Each language community is unique in its knowledge, culture, history, socialization, and values/beliefs about language. In the past, state policies often treated the sociality of language in a narrow sense by reinforcing the essential connection between language and ethnicity. This can lead to the view that the promotion of one specific language is intended to favour one specific ethnic group. In this regard, it is important for each government to analyze how the languages in their territory are helping to build connections with the people and how their status can be recognized in different domains of public services.

Access to public services: The need for multilingual policies is shaped by how the state delivers its public services. In developing multilingualism policies, each government can specify both *fixed* and *emergent* public services. Fixed public services include regular, everyday business (*e.g.,* parliamentary debates/hearings, court proceedings, public service exams), while emergent services include occasional activities such as health campaigns, cultural events, literacy activities and disaster- and health-related announcements. Each government should assess how these services can be delivered to the public in different languages, including sign language, so that they will not be deprived of information and services they need.

Practicality and possibility: Practicality is an important factor for local governments and communities to identify the available resources to implement multilingual policies in different domains. Such resources include human resources (*e.g.*, multilingual personnel, mother tongue teachers), linguistic resources (availability of translations, literature, orthography) and technological resources (*e.g.*, recording devices). Each government should assess the practicality of using as many languages as possible within its territory. The possibility factor concerns preparatory work for the future. In this context, the Language Commission, in collaboration with Indigenous communities, Nepal Academy, universities and local government, is working on the documentation and development of literacy materials in various endangered languages such as Kusunda, Tilung, Baram, Dura, Jirel, Kaike and Byasi. Although very few of Nepal's languages, including Maithili, Tamang, Magar, Limbu, Gurung and Nepal Bhasha have their

own writing systems (Yadava 2014), other communities are working on the development of writing systems and the preservation of languages through literacy classes and documentation projects. Such "language work" (Leonard 2017) has contributed to promoting the country's multilingual ecology.

Key Current Issues

Despite a growing multilingual consciousness, language policy discourses in Nepal are still shaped by a monolingual mentality that reinforces hard boundaries among languages in terms of ethnicity, caste, schooling/education, and territory. The creation and enactment of equitable multilingualism policies require a strong political commitment and ideological consistencies that go beyond constitutional protections to embrace multilingualism as a norm. Language policy scholars have consistently argued that macro level policies are often (mis)interpreted and implemented inconsistently because different actors have diverse ideologies and agency (Johnson 2013; McCarty 2014). Nepal's constitution has provided a flexible space for each government to develop multilingual policies. Yet, there are three major paradoxes and inconsistencies among the three orders of government.

First, the constitutionalization of multilingualism and language rights is not fully embraced in government offices, education, and the public spheres. The monolingual mentality that reinforces the so-called "inequalities of multilingualism" (Tupas 2015) is still a powerful force in shaping language policy discourses and practices. The federal, provincial, and local government units and their institutions appear to have contributed to expanding the functions of Nepali and adding English as a *de facto* official language, thus reducing the space and role of indigenous and ethnic minoritized languages. To take just one example, the use of English is increasing in tender notices, transport vehicle symbols and numbers, and in public announcements.

Second, the federal, provincial, and local governments currently lack a political commitment to ensure citizens' linguistic rights through multilingual policies. At the centre of this issue lies the view that considers multilingualism as a problem and disregards the importance of indigenous/minority languages in building a just, equitable and inclusive society. One major example is the ongoing obsession with English as a medium of instruction (EMI) practices in education (Seel, Yadava and Kadel 2015).

In 2007, the Ministry of Education revised its medium of instruction (MoI) policy, which had legitimized the previously *illegal* use of monolingual EMI teaching in private schools. Further, the Act Relating to Compulsory and Free Education-2018 tends to devalue children's fundamental right to education through mother tongue as provided in article 31 (5) of the constitution. The act stipulates that the medium of instruction for school education shall be Nepali, English or both languages. It states further that "mother tongues" can also be used as a medium of instruction. This has weakened the constitutional commitment to ensuring the use of mother tongue as a medium of instruction in basic education.

The constitutional provision for mother tongue education is likely to be sandwiched between English and Nepali. Indeed, many local governments are now switching from Nepali/mother tongue medium to English medium from the early grades and, to this end, are providing public schools with funds and additional resources (Sah and Li 2018; Phyak and Sharma 2020). EMI policy has even become a political issue. For example, the mayors of Suryabinayak municipality and Birgunj metropolitan city, among many other local governments, have included EMI policy in their education reform plans (Phyak and Ojha 2019). Contrary to the significant body of knowledge about the negative impact of EMI in children's educational achievement (Dearden 2014), the growing EMI obsession not only reflects the

state's monolingual mentality but also violates children's right to speak and obtain education in their mother tongues. More importantly, this trend reflects an extremely narrow understanding and lack of awareness about the importance of multilingual policies for equitable and sustainable education (Ministry of Education, 2016).

Third, privatization of education has created another challenge to implementing multilingual policies in education (Fillmore 2020; Phyak and Sharma 2020). Historically, private schools did not follow the official policy but instead promoted EMI. They did not implement the multilingual education policy launched as a pilot plan in 2007 (see above); nor did the government monitor them. This practice is promoting a view that EMI is necessary for quality education, and public schools across the country are increasingly adopting EMI policies, with support from local governments. In the process, parents are misinformed about the importance of multilingualism, and EMI is romanticized as quality education.

Opportunities for the Multilingual Future

Despite the challenges just discussed, there are also opportunities to develop and implement multilingual policies in Nepal's federal context. First, the historically marginalized Indigenous/ethnic communities have been working actively, drawing on their ideological strengths, towards creating a multilingual public sphere. The Nepal Federation of Indigenous Nationalities and various ethnic organizations have been collaborating with the Ministry of Education, the Language Commission, and the Nepal Academy. In addition, local governments are engaged in documenting languages, developing literacy materials, and implementing mother-tongue education in schools. The resources, knowledge and activism of communities are building a strong foundation for multilingual policies.

Second, local governments, although not many, have adopted both "tolerance-oriented" and "promotion-oriented" approaches (Kloss 1971) to the use of local languages in their official business. Bhushal and Breen (2021) have observed that local governments adopt a "nobody is forbidden" approach to provide space for local languages in different meetings and discussions of the policy committees, management committees and day-to-day administrations. Some local governments also invite the representatives of linguistic communities to share their views in their mother tongues. More importantly, some have adopted a promotion-oriented approach by creating and implementing multilingual policies. For example, by considering the number of speakers and the historical continuity of the language, Mangsebung Rural Municipality (Ilam) has implemented Limbu as an additional official language for its Ward 5, and Falgunanda rural municipality (Panchthar) has introduced Limbu as official language for the entire municipal area. Similarly, Halesi Tuwachung municipality (Khotang) has introduced the Chamling, Waambule and Tilung Rai languages as official languages for specific wards. These experiences provide valuable lessons for the federal, provincial, and local governments and the Language Commission on how to proceed with multilingual policy development and implementation.

Third and most important, the constitution has given local governments jurisdiction for the "preservation and development of language, culture and fine arts." This provides the state and the Language Commission with space to engage with the local communities and governments on the promotion of indigenous/minority languages. This is reflected in the work of the Language Commission with local governments such as Phidim Municipality, Temal Rural Municipality and more than 20 other local governments. This bottom-up approach has been helpful in supporting local governments' efforts to develop and implement multilingual policies in multiple domains such as education, municipal meetings, public service sectors including hospitals.

Conclusion

The constitutionalization of multilingualism in Nepal has created opportunities for each government unit to develop and implement multilingual policies that take account of linguistic rights, historical identities, and citizens' right to access public services in their mother tongues. In this context, the growing activism, advocacy, and multilingual aspirations of indigenous/ethnic minority communities can be a major resource. The agency and knowledge of language communities should be recognized and given a greater role in the policy-making processes of the federal, provincial, and local governments. As May (2014) argues, the state should be focusing on bridging the gap between the constitutionalization of linguistic rights (*e.g.*, constitution) and practices.

New laws, particularly at the provincial and local levels, are considered necessary to open up space for the use of additional languages in government offices, schools and universities, and public services such as health, security, transportation, and public service exams. The work of the Language Commission will be critical in developing language policies that recognize and promote the multilingual ecology of the country. By adopting a bottom-up approach, the Commission is documenting endangered languages such as Kusunda, Tilung and Baram, and developing textbooks and other reference materials for mother tongue education in collaboration with communities, municipalities, and the Ministry of Education.

At this stage, we believe that amendments to laws are necessary to address inconsistencies in the policies and functions of the federal, provincial, and local governments. One such inconsistency concerns the medium of instruction policy and the implementation of EMI in schools in the Education Act. In addition, each provincial assembly needs to adopt legislation on the official status of language(s), as required by the constitution. For its part, the federal government should take the necessary steps to fund language preservation, promotion, and development activities. The government should also pay attention to the use of sign language.

Laws on these and related matters will help achieve the state's responsibilities, as specified in the constitution, to provide for multilingualism in the public sphere. They will also help governments invest resources in corpus and acquisition planning and in research on languages. Although the efforts of the government units, particularly at the municipal level, offer agency to implement multilingual policies, such efforts are not sufficient for the implementation of equitable multilingual policies. What is more urgent is the political commitment to translate the constitutional provisions into practice. This commitment must be present in all governments, in the bureaucracy and throughout communities. Rather than a top-down approach, governments should adopt flexible, bottom-up policies that allow each of them to accommodate as many languages as possible in multiple domains. A successful multilingual policy in Nepal depends on a careful plan for development and implementation that responds to the needs of the citizens in every area.

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