

**NASC Internal Research Report**

**On**

**POLITICS OF TRANSFER: PATRONAGE AND THE INTERPLAY OF LAW IN NEPALI  
BUREAUCRACY**

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Department of Research and Consulting Services  
Nepal Administrative Staff College  
Jawalakhel, Lalitpur**

**Submitted by:**

**Tulasi Sharan Sigdel  
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# **POLITICS OF TRANSFER: BUREAUCRATIC HABITUS AND THE INTERPLAY OF LAW IN NEPALI BUREAUCRACY**

## **Abstract**

*This research examines power relations, political partition and patronage practices in Nepal's civil service focusing on the transfer of civil servants. The political complexities and dynamics have been analyzed through the ethnographic approach using three different cases to reveal how the practices of transfer in civil service are managed and manipulated by those having power connections to the political and administrative leaderships. Bureaucracy, as one of the major actors in overall governance, the everyday practices of bureaucrats has not only facilitated understanding the everyday political and social complexities but also served to analyze the ways they consolidate administrative privilege and political patronage. Mainly, focusing on three different scenarios, this study has provided a glimpse of the complexities of managing everyday administration and making systemic arrangements of bureaucracy. It has highlighted the ways power and politics are associated with transfer mechanisms in Nepal's bureaucracy and informs a political struggle, partition and patronage practices reflected in the everyday administration within the bureaucracy are not usual phenomena however such practices are being more common these days. Adopting the interpretative and descriptive approach to the ethnography of the transfer of civil servants, this study has revealed the contradictory and contested processes along with the widely variation of experiences and outcomes in relation to power and political relations which exist, operate and manipulate the process through which conjunctural formations in Nepal's bureaucracy is taking place. Due to such practices, professionalization of Nepali civil service has witnessed tremendous challenges with low morale, trust, persisting nepotism and gradually being politicized. It is shaping and reshaping because the civil servants have experienced political power*

*relations and patronage have been powerful instruments to be transferred in an office they desire to be in, for which they are being engaged in trade unions, making connection with political and higher administrative leadership to strengthen themselves to manipulate the transfer system. The lived experiences of civil servants suggest that the civil service is characterized by hegemonic power relations, power influence and manipulation (where some people are enjoying more benefits to others who do not have power connection to political and administrative leadership) which reflect deep rooted power and politics in, at least theoretically imagined apolitical, state machinery.*

## Chapter 1: Introduction

### 1.1 Introduction

Nepal's civil service has begun its journey to modernize after the end of Rana regime. With the promulgation of Constitution of Nepal- 2015, Nepali state has been restructuring its political and administrative paradigms and practices in line with federal form of governance structure. The constitution has provisioned the three tiers of government; federal, provincial and local, realigning the bureaucracy accordingly. The political dynamics, complexities and landscape of everyday administration in Nepal's civil service reflects in the transfer system which is being shaped and reshaped by its historical development and evolving landscape of political and social struggles in the federal democratic governance.

This research examines political complexities and the administration of Nepal's civil service through the lens of practices of transfer of civil service in Nepal. Bureaucracy, as one of the major actors in overall governance, the bureaucratic transfer not only facilitate to understand the everyday political and social complexities but also serve to consolidate administrative privilege and political patronage in civil service of Nepal. The complexities of managing everyday administration and making systemic arrangements of bureaucracy have been a matter of overall performance of government (Rondinelli, 1982; Andrews, et. al, 2017; Adhikari & Sigdel, 2080).

The Ministry of Federal Affairs and General Administration has prepared a guideline 2081 to make the transfer and managing employees on deputation. This guideline has considered the transfer system to be more objective, predictable, transparent, and justifiable to promote integrity, good governance and make service delivery smooth and well-functioning. However, the transfer in Nepal's bureaucracy has been widely debated and the complexities have been extensively reported in Nepali news media questioning on proper implementation of legal provisions of transfer system<sup>1</sup>.

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<sup>1</sup> To name some of the news reporting are; Controversy on transfer of employees of Ministry of Finance on Kartik 30, 2081 on [onlinekhabar.com](http://onlinekhabar.com); Durga Banjade, Undersecretary of Government of Nepal writes an oped on [onlinekhabar](http://onlinekhabar) arguing that Civil service is like heaven for a handful of people dated Baishakh 7; 2082; Nagarik News published Arbitrary System in Employees Transfer date Bhadra 30, 2080; Rudra Prasad Pandit writes an oped on [prashasan.com](http://prashasan.com); entitled major issues to be addressed in civil service act dated Chaitra 12, 2081 and many more are reflecting on undermining the legal provisions on transfer of employees transfer in Nepal

Following the democratic evolution with the end of the Rana autocracy in 1951, Nepal's civil service has gone many stages of reforms, and systemic improvements like meritocracy, impartiality, inclusive, transparent and provisions for fairness have been initiated (Adhikari & Sigdel, 2080). And civil servants have increasingly played a critical role in service delivery and making the state functionaries effective and efficient. However, pervasive political interference, politicization of bureaucracy itself, not being efficient and responsive, while widespread concerns within the bureaucracy about impartiality and justice particularly on the transfer of employees have been witnessed and reported<sup>2</sup>.

Political interference may reflect on varieties of ways; both monetary and non-monetary instruments to control bureaucrats (Iyer & Mani, 2009). Non-monetary incentives (Toral, 2024) like transfer one of the widely practiced instruments in the case of Nepali civil service and Nepal's civil service politically motivated and the patronage has been established at all levels (Shakya, 2009). Up to the Class III officers, they are allowed to form a union and above the Class III officers, too, transfers are motivated by the political affiliation and power relation maintained through personal or party affiliation or close connections with trade unions.

As Adhikari and Sigdel (2080) revealed that the frequent transfer of civil service leadership reflects the entrenched power relation, political patronage, power play within different groups of civil service, mobilizing symbolic power and social capitals for personal gain. It is not only from the side of civil servants but also from the political leadership to interfere with the civil service leadership to fulfill their political interests and sustain the political patronage within the bureaucratic system.

In this connection and adding on the previous study of Adhikari and Sigdel (208) on strategic relational approach to transfer of civil service leadership in Nepal, this research examines the power structure, and power relation in everyday administration in federal democratic republic of Nepal.

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<sup>2</sup> Huge debates are going on about trade union rights to be addressed in the undergoing and most awaited civil service act after the country emerged as the federal country with constitution of Nepal, 2072.



## **1.2 Objective and Research Questions**

This research aims to delve into the ways of patronage and political partition hegemonizing the transfer process in Nepal's bureaucracy particularly focusing on exploring following research questions.

- a. How do patronage and political partition have been hegemonizing the placement and transfer mechanism of civil servants?
- b. How do civil servants mobilize power relations and interplay with the law in everyday administration in Nepali bureaucracy?

## **1.3 Limitation of the Study**

This research has been conducted to understand the how the informal processes of political and patronage relations undermine the established legal mechanisms and procedures of placement and transfer of civil servants in everyday relations of Nepali bureaucracy; in itself. For this, three cases have been used. Mainly three cases which I have encountered, some issues emerged during our last research (Adhikari and Sigdel, 2080) and transfer cases have been frequently emerging in classrooms discussions directed to investigate more on the issue of transfer. Descriptive and interpretative phenomenology as a method of investigation which emphasizes the interpretation of lived experiences, and their understanding; has been adopted. Therefore, the findings may not reflect the general circumstances as such, but it gives in-depth understanding on how people mobilize their power relation to interplay with rules.

## **Chapter 2: Literature Review**

### **2.1 Theoretical framework: Habitus and Hegemony**

The theoretical contribution of Bourdieu- the concept of habitus, doxa and social field, will provide a lens to reflect and explore the ways the bureaucratic agencies interact with the state structure in Nepali, particularly focusing on placement of civil servants and transfer mechanism. This also helps to investigate on production and reproduction of power structure in Nepali bureaucracy; how they are produced, contested and negotiated in Federal Nepal. Taking the bureaucracy in general and the power struggle in transfer mechanism as a ‘locus of struggle’ (Bourdieu, 1975, p. 19), I will be exploring the ways power relations are established, entrenched and contested in Nepal’s everyday administration. With adopting Bourdieu’s theoretical contribution of habitus, Gramsci’s idea of hegemony (Glassman, 2011) this research contributes to explaining state structures, power relation and everyday administration and reflects on social struggle in both symbolic and material forms in society (Swartz, 1997; Crossley 2004). For researching on the everyday administration and power-struggle of Nepali state, Bourdieu’s idea of habitus and Gramsci’s idea of hegemony would provide the theoretical lens for understanding the democratic governance and structure-agency debate in Nepali bureaucracy (Bourdieu 1977, 1984, 1990, Bourdieu & Wacquant, 1992) and also contributes to the theories and body of literature in explaining power-politics, governance and everyday administration through examining Nepal’s federal democratic republic.

#### **2.1.1 Bourdieu’s idea of habitus and doxa**

Bourdieu’s ideas of habitus, field, disposition and symbolic capital provide a framework of analysis to explore the patterns of production and reproduction of everyday administration, power structures, structural violence in association with existing cultural ideologies class, power politics and relational state. The goal is to look at the formal and informal processes and practices shaping and reshaping the Nepali state and bureaucracy in a particular field of everyday administration. Here, therefore, I explore the ways of power interplay of agencies within the system of bureaucracy in the relatively more opened-up political space of federal democratic republic of Nepal

While doing so, I elaborate the concept of habitus and doxa in order to understand how socio-political relationships exist and interact. For this, the concept of habitus as ‘system of durable and transposable dispositions’ (Bourdieu, 1990, p. 53) constitutive of conditioning of existence of social agents which comprises to “structured and structuring structure” (Bourdieu, 1990, 1977) in everyday governance and democracy. This phrase is difficult to unpack but its meaning is helpful for analyzing the cultural politics of democratic transition. It is intended to suggest that people’s actions, practices, and even bodily comportments are in many respects structured by their positioning in the wider cultural politics in which they are embedded. At the same time, of course, the structuring can never be complete as people can also have agency to reflect critically and act in ways that challenge or question their social positioning. I use the concept of ‘democratic habitus’ which guides political positioning of social agents through democratic institutions, rules and regulations at the same time social agents exercise their democratic rights to oppose and challenge existing structures and practices. This helps developing an analytical framework of how people’s insertion into the practices and institutions of democracy in rural Nepal is both ‘structured by conditions of existence’, the habitus (Maton, 2010, p. 51) and adapted to reflect how people seek to renegotiate those conditions of existence and in so doing create new structures. By observing the participation of subordinate people in village level planning meeting, the state structure of participatory planning called Integrated Plan Formulation Committee, as a system of exercising liberal democracy and increasing representation of different sections of community from the bottom up, I explore the ‘formulation of habitus’ (Maton, 2010) as an exercise of ‘symbolic violence’ within the functionaries of ‘inclusive democracy’, mostly referred as great achievement in post-conflict epoch of democratic transition. I look upon negotiation and subversion in decision making which take place in everyday governance in relation to culturally embedded social agents Nepal’s everyday administration

I have been employing Bourdieu’s idea of habitus as a system of structures and principles which tends to reproduce the structures of social world and determines social relationships, an individual agency renegotiates through one’s disposition in the field. In Bourdieu’s words ‘the habitus, as the system of dispositions to a certain practice, is an objective basis for regular modes of behaviour, and thus for the regularity of modes of practice, and if practices can be predicted, this is because the effect of the habitus that agents who are equipped with it will behave in a certain way in certain circumstances. From the perspective of structuralism, the habitus acts as rules that determines and

shapes thinking and behavior of an individual whereas agency perspective suggests that individual's behavior and disposition produces and reproduces relationship and practices everyday governance and administration.

### **2.1.2 Gramsci's contribution- hegemony and power relation**

According to Gramsci, a historical bloc of the ruling class factions exercises social authority and leadership over subordinate classes through consent and coercion. In Gramscian perspective, the state power emerged from "will to class power" (Hansen and Stepputat 2001) may produce the political-cultural hegemony and social transformation strategies with consolidating class domination of the ruling class. "Gramsci talks about how class power has been produced as a 'form of state' and the history of the state has been produced as the history of a historical bloc (Hansen and Stepputat 2001:3). Many literatures dealing with state have been challenging the concept of the state as only a functional apparatus and analyze it as a powerful site of symbolic and cultural production, which are represented and understood in particular ways. The states are constructed, conceptualized, produced and reproduced through symbolic values and everyday practices of people (Cohn 1996; Comaroff 1998; Joseph and Nugent 1994; Scott 1998). Similarly, Bourdieu's work "The field of cultural production" deals with how the fields of cultural production are structured by social positioning and how social and cultural fields are constituted by the struggles over the positions in which there is struggle between the established procedures, institutions and styles of the newcomers (Hesmondhalgh, 2006). Pierre Bourdieu (1977) demonstrates how cultural systems are constituted through practices. Sherry Ortner on her article on 'Theory in Anthropology since the Sixties' claims that practice theory presented to unify the contested and heterogeneous disciplines where she concedes the practice theory with the 'Marxian legacy— namely the emphasis on domination, asymmetry and inequality as core features of cultural systems' with an injunction of practices of sharing, reciprocity and cooperation (Rankin, 2004). The practice theorists argue that the social or cultural structures exist through the production and reproduction of continuing practices that differ extensively. In a theoretical move on interpretation of culture, Geertz (1973) argues that it is produced through the public interaction as it is embodied with the public symbols through which people interact and communicate their views and value-orientation. In governance study in Nepal from Gramscian perspective, an in-depth understanding of 'general sphere of

consciousness' (Saldanha, 1988) is important where socio-cultural and economic disparities, skewed power relation and changing socio-political relations in public spaces have been effectively sharpening the differences in the consciousness, enactment and subversion in Nepalese governance and administration. The class consciousness articulates with socio-economic and popular political aspirations, understanding of class situation intersecting with social groups, mobilizing and playing popular masses in democratic politics are important to understand social reality which produce governance as a contested field in Nepalese administration and polity.

### **2.1.3 Bob Jessop: Strategic relational approach**

Bob Jessop has contributed to understanding power relations through his idea of strategic-relational approach (SRA) and to analyzing the state power particularly within Marxist ideas. This approach emerges from ongoing debates on capital theoretical approaches which focus on analyzing how capital (wealth) influences politico-economic outcomes; and class theoretical approach which analyzes power relations based on the division of social and political classes (Jessop, 2012; Coyle, 2011; Silvester, & Fisker, 2023). As Jessop emphasizes structural mechanism alone does not shape and determine the administrative and political choices, this theoretical positioning may help to understand and interpret the ways civil servants act within the bureaucratic structure and also interplay with the existing structural provisions to implement their choices and interests of transfer in civil service. Jessop argues that state structures are dynamic and often influenced by the actors of politics and administration shaping the interests of group of people or an individual. These actions and intentions of various actors in the civil service may operate within specific historical and socio-economic context and power relationships (Silvester, & Fisker, 2023; Pastras & Bramwell, 2013; Ioris, 2012; Jessop & Morgan, 2022; Jessop et. al. 2008).

### **2.1.4 Consolidation of theoretical frameworks**

Bourdieu's idea of habitus and doxa; and Gramsci's idea of hegemony and Jessop's idea of strategic relational approach interact together, and help understanding the ways of everyday practices are being defined, structured, practiced and reshaped in the field of public administration and governance practice particularly the transfer of civil servants. Bourdieu's works help to reveal

the tension that emerges in structure-agency relations thus helps to analyze the way that shapes and reshapes everyday administration in Nepal along with Gramsci's idea of cultural hegemony which provides a lens to reflect on the nature of the relationships being defined and controlled. Similarly, Jessop's idea of strategic relations explains the state structure itself cannot determine the actions, the actions are influenced by the structure and class relations. Combined these theories together explain the ways through which administrative and governance practices are operating in everyday practices in Nepal's bureaucratic field.

## **Chapter 3: Research Methods**

### **3.1 Ethnographic narratives and empirical stories**

This research is based on both archival research and empirical evidence. Legal provisions of placement and transfer have been analyzed, and ethnographic case methods have been adopted to understand and analyze the empirical evidence that is embedded in politics and power relations (Kelsall, 2010). Olivier de Sardan presents ethnography as a powerful method for generating ‘subtle knowledge of complex situations (Sardan, 2005). In explaining the ethnographic research method, Van Donge states that it attempts to unfold the practices of ‘day-to-day life’ (Donge, 2006; Aktinson & Hammersley 1998). Using ethnographic methods, this research explains how ‘everyday administration’ is constituted in federal democratic republic of Nepal.

### **3.2 The context and cases**

The frequent transfer of senior civil servants (secretaries and joint-secretaries) and the cases of the placement of Class III Officers are interesting cases of methodological entry-point for this research. In the Senior Executive Development Programme (a six-month long training for the Joint Secretaries of Government of Nepal), I have noticed that some are transferred in 2-3 places within the time-period of six months. In the same line, the Ministry of General Administration and Federal Affairs has had 7-8 secretaries during the last four and half years.

Another case which drew my interest to engage in the study of power struggle and power relation in everyday administration of Nepali bureaucracy is that one Class III Officer had been placed, on his first appointment, in an office, however, he immediately could defy the decision and compelled the authority to be placed in the office of his interest. These cases have provided an opportunity to explore how everyday administration operates in Nepali bureaucracy. This research investigates the following questions to understand the power dynamics and cultural hegemony established in everyday administration. The cases have been collected from lived experiences of respondents mainly focusing on what makes this frequent transfer and how do some people defy the decisions of placement and transfer, and what kind of power they mobilize to undermine the existing provisions of law.

### **3.3 Research sampling and respondents**

This research has been developed on some selected cases as explained above. As the nature of internal dynamics of the bureaucracy and ethnographic research, the judgmental sampling of cases and snowballing has been used to identify respondents and empirical cases. The respondents primarily are the Class III officers, Undersecretaries and Joint-Secretaries of Government of Nepal. I followed the stories shared by the government officers, who arrive at Nepal Administrative Staff College for training, and tried to dig out how power relations operate in Nepali bureaucracy. Five cases of transfer (which are taking place out of the normal transfer mechanism) have been selected and I have discussed with fifteen officers and undersecretaries. I conducted an interview with two ex-bureaucrats and three joint secretaries for this study. The number of respondents had been limited to fifteen officers due to information saturation during the interview.

### **3.4 Analysis of information**

The empirical cases and interviews have been analyzed in relation to the theoretical frameworks explained above. The interviews and cases helped to generate the thematic areas and benefit from the theatrical frames. The themes have been analyzed in a matrix form and explained and elaborated with the narratives and empirical cases.



## Chapter 4: Data Analysis and Results

This chapter elaborates the ways the transfer of civil servants takes place in Nepali bureaucracy which highlights the historical genesis of patronizing the civil service, hegemonizing the transfer system, interplaying with the rules and political motivation.

### 4.1 Historical genesis and patronage of transfer of civil servants in Nepal

Professionalization of Nepali civil service gone tremendous changes from Rana regime to reintroduction federal democratic republic. However, Nepal's civil service still characterizes with low morale, trust and persisting nepotism (Meyer-Sahling et.al. 2018). Transfer system is one of the causes of those problems. Nepal's civil service has always been a serious debate though there are legal Mechanisms to operate. Nepal Civil Service Act, 1993 marks an important achievement on for systemic reform on the transfer and promotion of civil service employees in Nepal (Adhikari, 2014).

For the inter-ministerial, the Ministry of Federal Affairs and General Administration has prepared a working procedure on transfer of employees, mostly the administrative service groups. Service groups like revenue, accounting, auditing, foreign services etc. the respective Ministries and agencies manage transfer within their service groups. In the case of transfer, the structural provisions and legal procedures spell the transfer generally<sup>3</sup> for the two-year term.

However, the civil servants who have access to power have been manipulating the transfer system. One of the respondents recalls back to the history where he has learned how the employees having connection to higher administrative authority or political leadership have undermined the transfer systems and legal provisions. During the Rana regime, there were no modern mechanisms of managing civil service employees where the rulers hired, transferred and fired the employees as they wished. With the introduction of democracy, there are number of reforms initiated to modernize the civil service. Several administration reform commissions have been formed right from Butch Commission 2009 BS to high level administrative reform commission 2076 which have recommended to make the placement and transfer transparent, justifiable, and the need of the

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<sup>3</sup> In special circumstances like health issues, special need of the expertise of the employees or so, they may be transfer before the two-year term, may be on deputation or so.

organizations (Ghimire, & Ashraf, 2016). The suggestions from these commissions are adopted and partially implemented to develop the structures and legal provisions, however they are implemented selectively as per the interest of the rulers. This is due to the power influence from the employees themselves and the interest of the higher authorities in both politics and administration. Not all the acts of transfer of civil service employees are justified as per the legal systems or the rational thoughts. These acts are motivated and impacted by the power relations of the employees. This opinion of the respondent highlights the acts of manipulated transferred have historical genesis and, as Jessop's theoretical contribution of strategic relational approach, it explains that state structure alone cannot determine the state function, where social class and capital relations may influence actions and decisions.

The interviewees I talked with remember the powerful employees manipulating the transfer system right from the Rana regime to the democratic republic. To quote one of the interviewees,

*Patronage and political partition have historical genesis in Nepal's administration system. During the Rana regime, in fact there was no system and ad-hoc decisions of the rulers and higher-level administrators spoiled the administration. After the introduction of democracy, number of reform commissions have been formed and number of suggestions to make the civil service efficient, effective and transparent. During the panchayat system, rulers selectively provided better opportunities to the employees who had connections to the palace and panchayat leaders. After the panchayat regime, civil service got more politicized. The civil service act 1993 provided trade union rights and trade unions are formed in line with political ideology. This has led to a different form of patronage, political partition and power relations have been impacting the transfer mechanism. Though it is little different from the Rana regime and Panchayat time, the patronage and political partition have been evolving in different forms.*

It does not mean that the system does not work, however, the experiences of the civil servants still expose the systems and legal procedures being manipulated according to the power relations, political partition and party patronage. The lived experiences of civil service employees unfold that largely the number of recommendations made to strengthen public administration have led to several initiatives to the government system. However, the changes were largely neglected, and state structures have been manipulated. The historical hegemonic bloc within the civil service of

Nepal has been able to manage themselves in the power center and entrenched the patronage in different forms. The legacy of Afno Manchhe and Chakari from the Rana regime have been deeply rooted in Nepal's everyday administration, in different forms in recent days, through party unions, political influence, party relations and social connections.

#### **4.2 Hegemony and power politics beyond state structure in transfer of civil servants**

Hegemony and power politics in Nepali civil service is widely debated in Nepali news media for last a decade<sup>4</sup>. The complexity and dynamics of civil service transfer in Nepal are the interplay of law with the culture, politics, and power relation. The higher level of bureaucrats, union leaders and politicians have been trying to maintain existing power relations not only through exercising the state power but also through maintaining the social and political class relations in informality which are formalized through the state structure (Gramsci, 2020; Durey, 2015). In similar vein, Jessop (1990) highlights the state power being exercised not determined by the state structure alone, but also by the social and political informality and dynamic interaction between state structures and social forces.

In case of Nepal's civil service transfer procedures, state structure and power relations are meshed which makes the process very complex and dynamics. In the opening of programme of six month's duration of Basic Administration Training organized for newly appointed Class III officers of Nepal, the senior bureaucrats highlighted unnecessary pressure from the politicians which has been making the everyday administration more complicated and difficult. They were mainly highlighting the political parties and political leaders pressurizing to interplay (explaining legal mechanisms differently to different people) with law to favour the officers who are connected political leaders through social and political grounds. The Minister of the Ministry of Federal Affairs and General Administration, Raj Kumar Gupta highlighted that he has been in trouble many times managing the political pressure he has to entertain with. He said that the civil servants do

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<sup>4</sup><https://www.onlinekhabar.com/2024/10/1559760/withstood-pressure-in-transfer-now-all-local-level-employees-reach-minister-gupta>; <https://ekantipur.com/news/2024/07/25/civil-administration-distressed-by-political-animosity-52-42.html>; <https://www.onlinekhabar.com/2025/01/1602653/employees-are-being-transferred-based-on-political-beliefs-maoist-affiliated-employee-trade-union>

not come to the ministry to meet me with their problems rather they come with political leaders<sup>5</sup>. Bhanu Bhakta Joshi, former minister of the Ministry of Federal Affairs and General Administration, had shared similar experiences on the complexity and dynamics of transfer of civil servants. Not only the ministers, but also the secretaries and joint secretaries do have similar lived experiences. One of the joint secretaries of the government of Nepal had faced complication for his own transfer and while transferring the civil servants under his jurisdiction. He reflects; the system does not work. This experience of highest authority for managing transfer of civil servants exposes the intricacy of political-administrative dichotomy and complication<sup>6</sup>. If the structurally trusted authorities face difficulties making the system function, a big question arises who manipulates and how does this take place?

In this connection, two dimensions come into the surface; those who have connection to political power, they mobilize those powers to manipulate and interplay the laws and act in their favour. They either establish a network through party-lined trade unions or have direct connections with political leaders or maintain close connection with administrative leaders. This is not limited to everyday administration within a bureaucratic system. It goes far beyond and reflects in the everyday life of people, social functions and rituals. This has been deeply rooted in social and political spheres. One of the events I encountered in social life provides an avenue to understand the downgrading of their trust in the system, and the ways they think and establish their relations with political leadership to mobilize the relationship when needed to transfer.

In a marriage ceremony of student, who has recently passed public service examination non-gazetted officer. The bridegroom's brother-in-law (bhenaju), who is also active in politics, is my friend. There were some district level political leaders attending the ceremony. I had no idea that the bridegroom had that much political relations. I asked the bridegroom's brother-in-law (bhenaju) about the connection for inviting the political leaders in the marriage ceremony. He replied to me;

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<sup>5</sup> <https://www.prasashan.com/2024/12/11/619275/> (सामान्य प्रशासन मन्त्री गुप्ता भन्छन् - कर्मचारीहरू नेता लिएर सिंहदरवार आउँछन्)

<sup>6</sup> <https://deshsanchar.com/2024/06/24/931116/> (राजनीतिक दबाबले स्थानीय तहमा कर्मचारी सरुवा अन्योलमा छः मन्त्री जोशी)

*He (bridegroom) does not have political connection. He has recently passed the public service examination and has been placed in an office located in a remote area. He is very honest and does not have any linkage to both political and administrative leaders. He will request me to help transfer him, and I have to ask for help from the district level political leaders (because I don't have political connection to higher level). So, I invited them though the bridegroom does not know any of them personally. I thought that when I ask the leaders to help make his transfer to more convenient places, they will ask me who the employee is. Then it will be easy for me to introduce him to the political leaders saying that to help for transfer of the guy whose marriage he has attended.*

The other two interviewees, one Class III officer and one undersecretary, elaborated the ways they are maintaining relations with the union leaders in the civil service. Both have had similar objectives and experiences of making connections to union leaders and to political leaders through union leaders. Answering my questions, why do they need to make such informal connections though there is a very clear provision of transfer mechanisms and procedures, they replied if they do not make connections, they will be left out. The system does not work. Though there are provisions, there are some ambiguities and excuses to play with laws and manipulate the structural provisions. Everyone tries to manipulate and tries to be in a better office (Ramro office<sup>7</sup>). If no connections are established, they will be transferred to remote regions or to offices where they are not interested in working. In Bourdieu's lexicon the habitus (the structuring the structure) and bureaucratic field have been often reflected in structure-agency relationships. And these bureaucratic fields and administrative relationships have been hegemonized through social, political and class frameworks. The structural mechanisms of transfer in civil service also offers an interesting field of investigation of the ways the process has been hegemonized. These inferences highlight the contemporary political and social relations (both class and capital in Jessop's idea) that operate in the civil service of Nepal. As the process of hegemonizing the transfer, it has also reflected the struggle of interactions with the interests of political and social class within the system.

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<sup>7</sup> They have their own categories of government offices and geographic locations

### 4.3 What makes the transfer? Structure-agency debate in Nepal's bureaucracy

Civil Service Act and Civil Service Regulations 1993 are important legal instrumental mechanisms and tools for governing the everyday administration of civil service. These legal provisions have played a pivotal role in managing the transfer of civil servants. Over the years, many reforms have been made to make the administration transparent, justifiable and strengthen the administrative capacity (Bajracharya & Grace, 2014). The Ministry of Federal Affairs and General Administration has also prepared a working procedure, 2081. However, the Ministers themselves find complexities in implementing these acts and procedures due to political pressures<sup>8</sup>.

The transfer is a regular act of re-allocation and shifting of civil servants for two years term (in normal conditions) in an office or in geographical regions, and it is a regular process of the government. However, the Ministry is facing difficulties despite these structural mechanisms and legal instruments. Then, a question arises if the Ministers find it difficult to make the transfer system smooth as per the legal provisions, who influences the transfer of the civil service employees.

As I have discussed in the theoretical framework, some of the inferences I encountered while conducting interviews with my interlocutors suggest that the state structures and not determine the whole process of transfer. There are some anecdotes which suggest the ways power relations operate and influence the everyday act of transfer in Nepal's bureaucratic habitus and the field. One of the civil servants (newly appointed Class III officer), immediately after completion of Basic Administration Training<sup>9</sup> was placed in an office. He received the letter of placement; however, he was not interested in attending the office because he thought the office was in a remote area. Government officers are allowed travel time (*Batoko myad*) to arrive at the office. The officer had

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<sup>8</sup> <https://www.onlinekhabar.com/2024/04/1465383> (मन्त्रीहरूले सहसचिव रोजेपछि सरुवामा सास्ती), <https://www.ratopati.com/story/433631/transfer-of-employees-at-local-level-uncertain-due-to-political-pressure-minister-joshi> (राजनीतिक दबाबले स्थानीय तहमा कर्मचारी सरुवा अन्योलमा छ: मन्त्री जोशी), <https://www.prasashan.com/2024/12/11/619275/> (सामान्य प्रशासन मन्त्री गुप्ता भन्छन् - कर्मचारीहरू नेता लिएर सिंहदरवार आउँछन्)

<sup>9</sup> It is an induction training organized for the newly appointed officers of Government of Nepal. Having passed the competitive examination of the Public Service Commission, officers have to attend six-months training programme before their job placement.

already worked in the government system in the lower positions (non-gazetted officer) and had worked as a trade-union member affiliated to a political party. He mobilized all his political power and class relations to revert the decision of the Ministry. Within a week, he was successful in reverting the decision of the Ministry and received another letter from the Ministry informing him that he was placed in another office in deputation (*Kaaj*).

One day, when I was in Singhadurbar to attend a meeting, I met another Class III officer from the same batch who had been placed as the Chief Administrative Officer in one of the rural municipalities. He was feeling difficulties while working as Chief Administrative Officer in his first appointment in civil service of Nepal and wanted to work under experienced civil servants for sometimes. Therefore, he wanted to be transferred to offices. He elaborated on his efforts for making his transfer. According to him, he has already visited the Ministry four or five times, in a year, to request the chief of Employees Administration Department (*Karmachari Prashasan Mahasakha*), other officers working in the Department, and the secretary as well. However, he was not successful in this endeavor. He looked a little embarrassed about not being successful and he had a feeling of embarrassment in his mind because he failed to do so because he does not have connections to higher political leaders and he has no power to influence the administrative leadership, too. The one who had political power relations could change his placement within a week. I have been trying for a year, I trusted the system and requested accordingly. Such situations directly and indirectly have been pushing me to change my thoughts and encourage me to make political relations to influence the administrative systems of bureaucracy.

These cases reflect something unusual in the everyday administration in Nepali bureaucracy. I wonder how one could change within a week, and another is struggling to do so for a year. There are two questions. How the functioning of the state structure operates in the everyday administration in civil service of Nepal? And what kind of agency one of the officers mobilized to change the Ministry's decision within a week and why the other is struggling for a year?

While having formal interviews and informal talks with Joint-secretaries and undersecretaries, they have shared their experiences, where they agree that there are few such cases in civil service (which may not have to be generalized). Such behavior should not be interpreted as usual phenomena; however, they agree that such uncommon phenomena have become more common these days. Interpreting the lived experiences of those two Class III officers, and the experiences

of Joint-secretaries and undersecretaries, public opinions the Ministers have shared in news media suggest understanding that the political power relations have been weakening and shadowing the state governance system and functioning of administrative structures in civil service of Nepal. The political hegemony of trade unions, the union's political affiliations or political partition and social relations to the higher authorities; both political and administrative, have complex and complicated relations as we see in the theoretical contribution of Gramsci's hegemony, Bourdieu's contribution in structure-agency debate and strategic relational approach of Bob Jessop (Durey, 2015). Sometimes the structures determine the everyday administration whereas in some cases, the agencies having power connections or political affiliations to higher authorities may undermine the systems and state structure which manipulate the state decisions favoring themselves.

#### **4.4 Power, politics and political patronage in administration**

Power, politics and political partition have been deeply rooted in Nepal's civil service. The transfer mechanism and power politics refer to the state institutions, the processes and the dynamics which shape operation of the everyday administration in Nepali bureaucracy. Notably, the transfer processes have been characterized by deep-rooted historical relations from the Rana and the Panchayat regime. After the reinstatement of the multiparty democracy in 1990, the forms of patronage in administration have been reshaped by party politics and party patronage along with the historical genesis of *Afno Manche and Chakari* system.

The civil service act and regulations have entrusted civil servants with legal rights to establish trade unions in line with the political ideology and party affiliations. During Rana and Panchayat regime, the *Chakari* system mostly operated through praising the higher administrative authority and the Palace. However, after the introduction of democracy, the system did not abolish rather reproduced through party affiliations. The experiences of the interviewees I talked with reflect the ways the politics and party patronage operate in everyday administration, especially in transfer mechanisms.

While interviewing and having informal talks with the respondents, they realized that most of the civil servants want to be placed the Ministries, Departments and urban centric offices. It does not



mean that people do not want to be placed in remote regions. But those who want to be in the urban centric offices or the Ministries or in those offices which they think are more important try to find out the ways to manipulate and influence the regular transfer system. For this reason, they make political affiliations and commit to supporting politically though civil servants are supposed not to be politically motivated.

One of the respondents remarked that the frequent changes in the government have made the transfer more complicated, unpredictable and politically motivated. For the reason to get transferred to the place the bureaucrats want to be in, they are either directly engaged in politics either through trade unions or indirectly make connections to political leaders or trade union leaders. For this, they must manipulate the regular transfer process for which they engage in political connections or establish relations with higher administrative leaders. Another way of politicizing and patronizing the transfer system is the direct engagement of the politicians themselves and the interests of businesspeople operated through politicians or higher administrative authorities. In recent days, the political landscape in Nepal is often marked by coalitions and alliances, reflecting the fragmented nature of party ideology and highly motivated to control through state power. The governments are frequently changing, and state/public authority has been fragmented. This is how the transfer process has become very complex, complicated and more politically motivated.

## Chapter 5: Conclusion

This research concludes with summarizing the arguments and reflection highlighting the ways power and politics associated with transfer mechanisms in Nepal's bureaucracy. This research informs of political struggles, partition and patronage practices reflected in the everyday administration within the bureaucracy itself. In this research the interpretative and descriptive approach to the ethnography of the transfer of civil servants, which allow for the emphasis on transfer of civil servants as contradictory and contested processes and widely differentiated experiences and outcomes in relation to power and political relations, informally manipulating the process and conjunctural formations (Grayson & Little, 2017; Peck, 2024) in Nepal's bureaucracy.

Professionalization of Nepali civil service has witnessed with tremendous changes however it still reflects low morale, trust and persisting nepotism because the civil servants have experienced political power relations and patronage are transferring the civil servants. Employees having been engaged in trade unions, connection with political and higher administrative leadership are being able to manipulate the transfer system. As the bureaucrats are exercising political and social power relations to get transferred to the office they wanted to be working in, the patronage practiced rooted in the historical context has re-established in different forms. Public authorities are struggling to effectively and justifiably exercise the state power exercise. The state structures and authorities have been somehow limited to making formal approval of the decisions which are already fixed or made in informal settings. Structurally, the state power lies in the state structures. However, there are multiple power centers characterized by the political manipulation or *Chakari system* which have made the transfer very complex and complicated. It has resulted in the

fragmentation of public authority like the arguments Nightingale et.al. (2018) have made in their work.

This ethnographic approach on transfer of civil servants points towards an understanding of the ways the bureaucrats having connection to political power influence the transfer mechanism through interplaying with legal provisions in legal procedures. It also questions who makes the transfer and how transfer system has been influenced through informal connections or in other words it has been hegemonized. Bringing the theoretical arguments of Bourdieu in structure-agency debate in the transfer mechanism, it has arisen questions if the structures operate according to the provisions made. When the Ministers and entrusted administrative authorities have not been able to fully implement the structural and systematic procedures of the transfer system within the bureaucratic realm itself, it offers more avenues for further research on the ways of “restructuring the structures” in everyday administration.

The stories of three different scenarios elaborated in data analysis and result section suggest that everyday governance within Nepal’s civil service is characterized with hegemonic power relations, power influence and manipulations where some people are enjoying more benefits to other (having no power connection to political and administrative leadership) feeling deprived, demotivated, and directly and indirectly try to build political power relations. This is because of the power and politics deeply rooted in, at least theoretically, politically neutral state machinery. This is how the transfer process has become very complex, complicated and more politically motivated, rather than systematically operated.

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