

**Free and Compulsory Education Policy Practice in Ruby Valley: An Analysis of
Impacts and Inequalities**

By

Janak Raj Pant

T. U. Regd: 9-2-21-396-2002

A Thesis for the Master of Philosophy in Education Studies

Submitted to

Graduate School of Education

Faculty of Education

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Declaration

I hereby declare that, to the best of my knowledge, this dissertation entitled “Free and Compulsory Education Policy Practice in Ruby Valley: An Analysis of Impacts and Inequalities” is my own and original research work. This work has not previously been submitted to a candidate for any other degree.

I understand that my dissertation will become a part of the permanent collection of Tribhuvan University Library. By affixing my signature below, I consent to release my dissertation to any reader upon request.

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Janak Raj Pant

August, 2024

Recommendation

This is to certify that Mr Janak Raj Pant has prepared and submitted his dissertation entitled “Free and Compulsory Education Policy Practice in Ruby Valley: An Analysis of Impacts and Inequalities” for the Master of Philosophy degree in Education with a specialization in Education Studies. He has prepared his dissertation under my guidance and supervision. I recommend the dissertation to the Research Committee of the Faculty of Education, Tribhuvan University, for further procedures of his MPhil degree in education studies.

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Approval

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Acknowledgments

This study is the outcome of academic inspiration which would not have been possible without the valuable support, academic guidance and encouragement of many individuals. First and foremost, I extend my deepest appreciation and gratitude to my thesis supervisor, Professor Dr. Peshal Khanal. His academic guidance, invaluable input in course of this study have been immensely helpful to shape this work in this form. I am grateful to the external supervisors Dr. Indra Mani Rai and Dr. Kamal Raj Devkota for taking time to go through my research and providing invaluable input and constructive comments. I am equally grateful to Dr. Bed Raj Acharya, director of the Graduate School of Education Tribhuvan University for all the guidance and support I have received in course of the study. I am equally grateful to Prof Dr. Chitra Bahadur Budhathoki for his input and guidance in the course of this study.

I would also like to express my sincere gratitude to my internal supervisors Professor Dr. Bal Mukunda Bhandari, and Associate Professor Dr. Rabindra Shiwakoti for their guidance and input in my research. I am equally grateful to Professor Dr. Bidhyanath Koirala for his input, critical questions and guidance during my research.

In addition, I take this opportunity to acknowledge the invaluable contribution of all the gurus and Guruaamas who have taught me at different levels of education including Professor Dr Jai Raj Awasthi, Associate Professor Dr. Prem Phyak who have helped me to build on my inspiration and academic interest which has been instrumental in this journey.

Furthermore, I extend my heartfelt thanks to Lukman Ghala, Chiba Ghale, Phyuba Tamang, Kale BK, and all the members of the communities in Ruby Valley for accepting me in their everyday interaction and openness in sharing their insights and personal stories with me. I am also indebted to the teachers, headteachers, resource person and municipality official who shared their insights and experiences with me. I also appreciate the willingness and time of the local elected representatives who were available for informal meetings interactions and also allowed me to join on different occasions which helped me to develop an emic insight into their interactions in Ruby Valley.

Lastly, I feel proud to express my gratitude to my mother Janak Devi Pant who inspired me in my education despite limited information on all the naïve formalities I was going through. I want to thank my family my wife, Sujata, and sons, Avanish and Shreyash for their unwavering love, support, and understanding during my study.

Janak Raj Pant

Abstract

This study entitled 'Free and Compulsory Education Policy Practice in Ruby Valley: An Analysis of Impacts and Inequalities' aimed to explore free and compulsory education policy practices in Ruby Valley Municipality in Dhading District of Bagmati Province Nepal. In this study I sought to answer research questions on policy evolution, policy interpretation, negotiation and contestation in Ruby Valley that shaped localized meaning of policy. I have also considered the impact of the policy practice and how local government leadership have influenced the policy practice of free and compulsory education central in this research.

I employed blended policy ethnographies in which I engaged with the local communities using multiple strategies that varied at different stages of the research accommodating the contextual constraints of time, space, and resources. I started with virtual interaction with the local communities in Ruby Valley and in person participation in community interaction and events and observation sociocultural phenomena at the latter stage of the research.

I continued working on the theoretical framework of the study along with the progress of my study to capture the multifaceted influence different aspects as they unfolded during the study in the given complex social context including which includes multiple theoretical dimensions viz. the power structure, rent-seeking behaviour, street-level bureaucracy, survivalist priorities, discourse theory, and framing of issues that influenced the policy practices of free and compulsory education.

The findings of the study revealed that evolution of free and compulsory education is gradual and has stemmed from the initial forms of public education. I also found that the local community contribution has been instrumental in the

development of education institutions. However, as it reached the stage of free and compulsory education, there is increasing gaps between the local communities and schools, as a result some crucial issues of community ownership and management have emerged. The school community disconnect is consequence of the rent seeking behaviour among the authorities, and interest groups that seek to take use their influence in the education institutions for their personal and political interest rather than the wider community interest of quality free and compulsory education. The disconnect has not only detached the policy priorities from community needs but also hindered the local community capacity in policy participation and negotiation.

In addition, I found that the survival priorities and lack of access to information to the rights of the local communities have hindered their ability to contest weak policy implementation. Consequently, it has increased the vulnerabilities of the local communities and compelled them to tolerate illegalities in free and compulsory education policy practice and result into the misalignment between policy statement and policy action.

I conclude that the misalignment between the policy statement and policy action is not limited to the capacity gaps but to the school community disconnect and intentional misalignment between the interest of the local communities and local government authorities. The situation exposes how local communities who created the education systems are detached from the school institutions and left vulnerable by creating dual education systems based on their socioeconomic background. It exposes how weakly implemented free and compulsory education results in unequal implication to different groups of people in the community and creates accountability issues, symbolic violence and detachment from school systems with intergenerational equity issues.

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Chapter One

Introduction

This chapter establishes the foundation for the study by offering a comprehensive overview of the context and my motivation in free and compulsory education policy research and objectives of the study. Free and compulsory education is a very common topic in education literature and policies; however, its use and interpretation varied in different contexts which make its interpretation subjective and ambiguous.

Background

Historical development of education in Nepal is closely connected with the religion and culture. Indigenous communities had their own ways and practices of knowledge transfer which were significantly different from the concept and practices of the modern education. There was the influence of the most widely practiced religions mainly for rituals and philosophical practices rather than knowledge consumption for everyday purposes. Hinduism offered education in Gurukul, Pitrukul systems and Gumba offered Buddhist philosophy. In both practices, there were also some requirements for the students to be part of the education system and relatively small number of children underwent those educational practices. Brahmans and Buddhist monks who required literacy to perform rituals as well and it is important to note that during this period education was not paid service, however, the students required to follow the commands of their teachers and satisfy them in all possible ways (Shrestha & Singh, 1972).

In general, education was not considered a right instead but a privilege. As a result, until the start of the democracy in Nepal in mid 20s century, less than 2 per cent of the population was literate. Until then, government did not consider it

important to ensure access to education, instead, in many cases there were efforts to restrict access to education to maintain political dominance of the particular dynasty.

The first formal institution that offered modern education was Durbar High School. It was also free for the children of the then rulers. Public access to Durbar high school was intentionally restricted. Later in 1902 the restriction for the public was lifted, however, conditions to satisfy then rulers and commit to their service remain in practice. Education was neither recognized as the right nor were every citizen expected to attend formal education. Life skills and vocational education were primarily transferred in the family and communities in informal settings. Credit for the expansion of education institutions primarily goes to the local communities who voluntarily committed their resources and time and lobbied with the authorities to allow them to do so.

Although the term compulsory education has sporadically been for over half a century, it is still a new concept in Nepal. The first constitution of Nepal in 1948 (2004 BS) declared education free and compulsory as the fundamental rights of the citizen. The constitution was in difficult circumstances soon before significant political transition began, and it was never implemented. Later, at the time of the coronation of King Birendra on the 24th of February 1975, the then King declared free primary education while only while only 13 per cent of the population were literate (*NEPAL: Coronation in Katmandu, 1975*). After the country started transitioning into a federal republic in 2007, basic education was declared free and compulsory. In these different junctures of historical development, government disposition, financing and technical support did not remain constant. Likewise, the community interest and appetite for education also changed over time.

The right to education policy discourse initiated intensively after the Education for All (EFA) global movement led by UNESCO and other international agencies in the beginning of 21st century influenced the sectoral priorities in Nepal as part of the Millennium Development Goals implementation efforts. Universal access to elementary education was discussed widely. EFA analysis highlighted the complexities in the South Asia region and considered it as one of the most challenging regions along with some other regions due to the number of out of school children in the region and inherent complexities observed in the implementation of the Dakar framework for Action developed to accomplish the EFA goals (UNESCO, 2000).

Nepal adoption to the EFA Framework of Action in 2003 with an additional priority on the rights of the indigenous minorities and linguistic diversity the other six priorities that were retained from the global EFA Framework of Action were focused on early childhood care and education, universal primary education, youth and adult skills, adult literacy, gender equality and quality of education (UNESCO, 2000; Ministry of Education and Sports Nepal and Nepal National Commission for UNESCO 2003). Development of EFA National Framework of Action (2003) is a milestone in the policy discourse of right to education as it stresses universal access to education, however, it failed to recognize and position education as rights of the individuals which is also evident from no single reference of right to education in the extensive volume of 106 pages elaborated framework of action document.

The political transition in the country after over 12 years of unrest, concluded with interim constitution of Nepal in 2007 which was documented in the interim constitution of Nepal. The political parties agreed to explicitly include the sporadically used right to education as the free and compulsory basic education in the interim constitution of Nepal endorsed in 2007 and it was maintained with some more

explicit provisions in the first constitution of federal republic developed by the elected representatives in 2015.

This study aims at researching free and compulsory education policy practices at local level. Policy appropriation in course of translating the documented provisions in public experiences occurs as an outcome of influences and negotiations at different levels and point of times through an ongoing interaction. The study explores the nature and influences of such interactions as realized in specific socio-cultural settings. The power to make something happen and power not to make happen lies in the control of the key actors with state resources and authorities to mobilize those resources and the study explores the power to make something happen and power not to make something happen and its impact. The study is also important as it explores one of the rural municipalities that has historically performed poorly in different education indicators including literacy despite being close to the capital city.

My Scholarly Interest in Researching Free and Compulsory Education

Born in a typical rural village and educated in a public school, I experienced opportunities and challenges of the public education system. Academic background in the field of education and teaching helped me to further reflect on those childhood experiences and widen my personal exposure and interaction in quality public education which later evolved as the free and compulsory education mechanism for the state. As a practitioner in the field of education and working with the policy makers at federal level, I have had opportunities to interact with different local communities that have been affected by the weak implementation of the free and compulsory education policies. The professional engagement opportunities in the education sector in diverse roles including teaching, teacher training, and education specialist in non-profit development organizations, have helped me to widen my

reflection and enrich observation. It has given an opportunity to participate in the policy discourse, observe and understand the diverse perspectives on how policies are made, and acted upon.

My professional engagement also provided me with a long-term opportunity to observe, interact, and engage with the local communities and other key stakeholders both who have power and authorities and who lacked it. Such diverse engagement and interaction with different stakeholders have helped me to develop an emic perception and insight of the overall policy context and practice. The long-term engagement on the issues of education and reflection of my observation in the light of the free and compulsory education policy practice in Ruby Valley has made me interested in attempting this ethnographic study. I have not only closely observed the challenges due to those disparities but also the political intersection and its different impact on the different groups of people in the community. I find myself located at the centre of those issues as someone who has directly been affected at the personal level as well as closely observed and interested in the phenomena.

Working as an education specialist in the non-profit sector has provided me with an opportunity to better understand the right based approaches. It has also helped me to engage with the local communities in facilitating the right to education advocacy and becoming familiar with public frustration due to the lack of efficient mechanism to hold the state commitment in national and international forum. Professional engagement allowed me to keep myself informed of the policy process at a regional and global level and connect those initiatives with the national local policy discourse which I have researched in this study. In many cases the national policy discourse was tokenistic to echo what was being discussed at the regional and global level and lacking specific insights and actions. The study to deep dive into free and

compulsory education policies in Ruby Valley offered me an opportunity to further academize policy practices.

The issues of quality in public education have directly and indirectly affected my own academic journey and I see myself in the eyes of the local people in Ruby Valley who have been affected by the public education systems that have failed to hold their rights and aspirations true. Therefore, I believe I am the right person to carry out this value-laden research and capture the analysis of the emic perspectives of the local communities.

Education in Nepal: A Longstanding Public Concern

History of education in Nepal does not results in a steady picture of educational development. Some of the rulers intentionally put efforts to restrict access to education while others were more liberal to promoting access to education. With a number of ups and downs, education in Nepal has been a long-standing political debate. During Rana regime education has been restricted to public for the rulers' interest to suppress awareness and education so that ordinary people do not have the capacity and courage to challenge their family inheritance to the executive power. After the establishment of democracy, initiatives to promote public education accelerated and the first high-level education commission was formed to review the status of education in the country and propose strategies for expansion. Since the establishment of democracy and until the country transitioned into the federal republic, access to education expanded by and large. However, issues of equity, and hurdles for the children from communities at margin remain consistent.

After the country transitioned into a federal republic, the right to education became the political negotiations, and free and compulsory basic education was recognized as a fundamental right in the constitution of Nepal in 2015 Article 31. As

an attempt to operationalize free and compulsory education, in the spirit of the constitution of Nepal, in 2018, the Compulsory and Free Basic Education Act was endorsed. The endorsement was as per the constitutional mandate to meet the time-bound legislative requirements rather than to operationalize free and compulsory education which became more obvious as government failed to develop other policy provisions required for the practical consideration including the rules to accompany the Act Relating to Free and Compulsory Education. The central focus of the Compulsory and Free Education Act (2018) is ‘easy and equal access and continuity of all to education, and to make education universal, useful for life, competitive and qualitative’.

Right to Education Discourse in International Context

Right to education discourse in Nepal has been influenced by a number of national and international events and initiatives. The adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations in 1948 is one of the most critical aspects that influenced the right based approach globally and Nepal did not remain an exception. It turned the attention to education from privilege to human rights and stemmed the human rights-based approach (HRBA) that changed the overall state of affairs in the state obligation and priorities. UDHR required the states to adhere to the five key principles i) universality, ii) indivisibility, iii) equality and non-discrimination, iv) participation, and v) accountability. These five principles contributed to the consistent understanding of the approach in a multidisciplinary manner including education.

Since the introduction of the HRBA, it has dominantly been used as the guiding principle in policy development and implementation (Benavot & Riddle, 1988) and has increasingly been getting the attention of the stakeholders, which is

mainly attributed to the ‘growing recognition that need-based or service-delivery approaches have failed to substantially reduce poverty’ (UNICEF & UNESCO, 2009 p. 9). This has provided a framework for policymakers and bureaucrats to assess the effectiveness of policies and their impact on the most marginalized communities.

The expansion of the right-based approach in education has remained swift and steady, at least in policy provisions. Law (2007) has stated that over 170 countries used compulsory education for at least a minimal schooling year, and Besche-Truthe (2022) has conducted research with efforts to depict and analyze the trajectory of compulsory education in 167 countries with the focus on the timeline from 1970 to 2020. This shows how dominantly compulsory education has been promoted as a part of the compulsory education systems included in the legal provisions. As an effort to provide a comprehensive mapping of the free and compulsory education efforts and inform the key actors in education including the governments and international development agencies about the implementation status of free and compulsory education, UNESCO in 2020 revealed that 155 countries have guaranteed at least 9 years of compulsory education to ensure the right to education for all and eliminate inequalities in education (UNESCO 2020).

Despite the provisions for free and compulsory education globally, a large number of children have been deprived of their right to education. This had evidently been captured by UNECISO in September 2023, when the agency published the data out of the school children accounting for 250 million and which was six million increases in the previous two years (UNESCO, 2023). This exposes a harsh reality and contradiction in the realization of quality education for all as a result, despite free and compulsory education policy provisions, a large number of students are out of school. This contradiction demands a closer look at how policy practices have

evolved in free and compulsory education and where has state efforts misaligned with the community expectations and efforts.

South Asia has been known for the weakly implemented compulsory education provisions. Bangladesh in 1972 endorsed the free and compulsory education provisions, followed by Sri Lanka endorsed compulsory education in 1997 and India made provisions for compulsory education in 2002. However, it is surprising to see that despite progressive provisions for free and compulsory education, which has been the findings of the out-of-school children global survey initiated by UNICEF in collaboration with the other development partners that revealed that South Asia Region is known for the highest ratio of out-of-school children. UNICEF (2014) highlighted the out-of-school children in India, Pakistan, and Bangladesh, 'most populous in South Asia and home to the majority of out-of-school children in the region'. Multiple Indicator Cluster Survey (2019) conducted by UNICEF in collaboration with the government showed that 6 percent of the children from poorest poverty quintile are out of school which is only 1 per cent for the richest quintile of the population group.

It is also true that, despite its wide expansion of free and compulsory education, education has always been a contested public good. There are instances in which individual interpretation have varied as a public or private good depending upon their interest. Those who support education as a public good stress the importance of education beyond the group of the people who pay for it such as developing a good member of a community, or colleagues, etc. has a direct impact on the quality of the lives of the public, however, it is also true that the one who invest or purchase for it directly benefits from the knowledge and skills gained and therefore, it is a private good (Shaw, 2010).

Right to Education Discourse in Nepal

Despite a long history of education, the right to education for all does not always been smooth and steady in the history of Nepal. have As Nepal, showcases, significant legal reform in free and compulsory education, historical development has not been smooth and steady. Looking back to the history of education, attainment of education was limited to a small number of elite families until the end of the Rana Regime. The education systems in Nepal were deeply rooted in two religious philosophies Hinduism and Buddhism (Niraula, 2007). Education was primarily family and community responsibilities, and content was dominantly social, cultural values, and vocational skills. There was a strong connection between academic practices, livelihood, and cultural practices.

The then Rana Prime Minister who made a long visit to England was impressed by the education system and imported it in Durbar Highschool. He not only copied the education system and content but also borrowed experts to assist in introducing it in an authentic manner. Access to this institution was restricted to the rulers' class families and someone closely connected with them. Public access to education was discouraged and punished. Ranas fundamentally destroyed education in at least two ways, suppressed the efforts of the local community for education and introduced Western education without necessary adaptation.

Development and expansion of public education in Nepal has directly been connected with the political development. A review of such political and constitutional development suggests that the Interim Constitution of 1951, which marked the transition from a feudal autocratic system to a democratic political system, did not explicitly guarantee the right to education.

However, along with the establishment of the multi-party democracy in Nepal, education became a government priority, and the National Education Planning Commission (NEPC) was established in 1954 which analyzed the education system in the country, access to education and offered a comprehensive overview of the contemporary situation and highlighted the course of action for the consideration of the government. The estimate showed that 98% of the population were illiterate. Since then, Nepal has witnessed a steady expansion of formal education. It laid the groundwork for future educational reforms by introducing democratic principles and encouraging the development of public services, including education. Article 18 of the constitution of Nepal presented the right to education in connection with culture. It protected free basic education and the right to mother tongue education which was further expanded and enhanced in the constitutional provisions.

Before this, Free and Compulsory education in Nepal was practiced in 1963, on an experimental basis in 109 Village Development Committees (VDCs). Later, this concept was used again between 1995 to 2008 as part of the Basic Primary Education Project (BPEP) in specific geographical locations (Shiwakoti et al. 2004). Nepal underwent 12-year-long internal conflicts and a long political crisis which was resolved with the revolutionary political change in the political system from a unitary monarchy system into a federal republic in Nepal. The political change together brought changes in the other systems, at least at the policy level, and the education system could not remain an exception. Recognition of the right to education as a fundamental right and state declaration of compulsory education are among those significant systemic changes (Daly, Parker, Sherpa & Regmi, 2020).

Right to education discourse became prominent with the political reform of 2006 leading to an interim constitution in 2007 which enshrined education as a

fundamental right, and the state is obligated to provide free and compulsory education at the primary level, and free education up to secondary level. The Constitution of 2015 of Nepal not only made basic education free and compulsory, but also protected free secondary education for all, and free higher education for targeted population with disabilities or financial needs. The constitution reiterates commitment for inclusivity, access, equity, and recognition for linguistic diversity. In addition, the constitution made it mandatory for the state to operationalize the provision with required legislation within three years of the promulgation of the constitution. Despite the significant changes in the state legislation for education in Nepal which has remained an unrealized dream for many children and adults in the country. In this context, this study explores the right-to-education policy with specific focus on free and compulsory education policy practice in Ruby Valley rural municipality.

The state legal provisions have now recognized education as a fundamental right (Constitution of Nepal, 2015) and adopted free and compulsory basic education, and free secondary education policy (Act Relating to Free and Compulsory Education Act, 2018). Act Relating to Free and Compulsory Education Act (2075) aims to ensure 'easy and equal access and continuity of all to education, and to make education universal, useful for life, competitive and qualitative.' However, access to quality public education has remained a challenge for a large section of population experiencing different forms of social inequality and inequity on grounds of gender, caste, geography, language and culture.

This development of legal provisions associated with the important political transition shows that the concept of right to education evolved significantly over the centuries, transitioning from being primarily a privilege restricted to elite class people and family responsibility to becoming a fundamental right of all citizens and a state

obligation. This shift has not only changed community expectations but also redefined the scope of educational institutions at least in the policy documents. The rich history of education, which was primarily rooted in local cultural priorities and livelihoods of the people, has now been state-owned standard formal procedures.

Although the agenda of compulsory education has been influenced by different motifs and backgrounds, in general, there is a commonality that such policy provisions are based on the policymakers' views that compulsory education can solve persistent economic and social issues in access to and attainment of education (Rothbard, 1999). While access to education is usually expected to have a transformative impact, critics found that it contributed more to social reproduction in which the elites have the privilege to maintain the hegemony over the dominated class in different ways (Bourdieu and Passeron 1977; Bowles and Gintis 1976; Carnoy 1982; Katz 1975; Benavot & Riddle, 1988). Therefore, an analysis of the right to education has become an important area of research on how policy practice has evolved and who have been benefitted from those policies.

In this broad national and international context, I explore the development of the free and compulsory education policy in Ruby Valley, a rural municipality, with the lowest literacy rate in the province as per the Nepal Population and Housing Census 2021. I am particularly interested in analyzing localization and enactment of free and compulsory education amid policy appropriation, contestation, and negotiation among the community actors.

Located in Dhading district of Bagmati province, Ruby Valley Rural Municipality, has a diverse population group. The majority of population groups include Tamang, Ghale, Kami, Gurung, and Newar. A recent survey study conducted in 2022 by LI-BIRD revealed that 76.9 per cent of the population group was unable to

read and write and only 6.4 per cent population group had education up to grade 10 or higher which is significantly higher than the national average and shows the disparity in access to education (Joshi and Basnet, 2022). Therefore, the way free and compulsory education policies are being realized in the given socioeconomic settings provides valuable insights into the sociological perspectives and their implications in Ruby Valley.

Statement of Problem and Research Gap

In the current landscape of educational research, there are diverse approaches and interpretations of free and compulsory education. Some of those approaches consider right-based approaches while others are tokenistic and contribute to maintaining and reproducing inequality. This has resulted in disproportionate opportunities for different groups of people and communities. As a result, the concerns on the ownership of the state decisions, holding those promises true is important to ensure the benefit to respective communities. Accountability largely relies on the empowerment of the local communities to claim their rights in the given context.

After nearly a decade of the constitutional provisions under article 31 protecting rights to education and over five years of Act Relating to Free and Compulsory Education (2018), there is a notable gap in understanding how free and compulsory education policies have benefitted the local communities and how it is located in the legacy of the evolution of public education in a local communities with its own unique circumstances, and it is also important to explore how local communities have drawn meaning of the policy. The adaptation of the policy undergoes interpretation, negotiation and contestation and there is a need to understand the policy process and its outcome.

Leadership plays crucial roles in the policy process. Leadership commitment can enhance the policy practice in favor of equity whereas leadership indifference or specific interest may hinder participatory policy practice and may lead to challenges in the policy practices. The past studies in free and compulsory education (such as CERID, 2009; Education Watch Group Nepal, 2021) were conducted in different context and therefore do not provide changing political dynamics and operational context. There is also a gap in understanding how socioeconomically disadvantaged communities interpret and engage with free and compulsory education policies. There is limited research on the experiences and perspectives of these marginalized groups, particularly regarding the barriers they face and their perceptions of the policy's effectiveness. This gap includes an inadequate exploration of why the promises of free and compulsory education are sometimes not realized, especially in context of impoverished communities (Klees, 2018; Sellar & Lingard, 2014).

Addressing these research gaps, this study aims to provide an in-depth ethnographic analysis of how free and compulsory education policies are localized and implemented in Ruby Valley rural municipality. Additionally, it will investigate how socioeconomically disadvantaged communities experience and interact with these policies processes. By examining these dimensions, the research seeks to offer a comprehensive understanding of the practical implications and challenges of implementing free and compulsory education, thereby contributing valuable insights for policy development and reform.

Objectives of the Study and Research Questions

The overall objective of the study is to explore the localized meaning of free and compulsory education in Ruby Valley rural municipality of Bagmati province in Nepal. To accomplish this overall objective, the study explores how free and

compulsory education has gone through the different dimensions of policy process in given social, political and cultural context including policy appropriation, contestation, negotiation, acceptance of the local actors and their power to influence the policy decisions and impact of such decisions. The following research questions have been considered in the research to make the research focus more specific:

- In what ways have policies of free and compulsory education evolved in Ruby Valley?
- How are the policies interpreted, contested, and negotiated by different levels of government, local authorities, teachers, and members of the local communities?
- How do the leadership roles influence the policy positions and their enactment?
- To what extent does a gap exist between policy goals and practice?

Significance of the Study

The study contributes to knowledge building in the critical policy study in general and free and compulsory education policy and its interpretation by different stakeholders in particular. It draws the impact of the different efforts of the policy implementation which offered a background to the academia and professionals interested in the policy studies from critical perspectives in relation to the advantage on the marginalized communities. The knowledge contribution of the study offers better clarity on the free and compulsory education policy consequences and to better understanding of these consequences in relation to their enactments in the local community contexts. This also provides a critical analysis of how right to education has evolved and how different communities have been benefitted from those

provisions that provided an opportunity to better understand the policy making process in Nepal and its implementation.

Although the study has primarily been influenced by the interest to make an academic contribution, it also offers an important reference to the policymakers and policy implementers in Nepal responsible for the right to education at the federal and local levels.

Chapter Two

Literature Review

In this chapter, I review the literature related to free and compulsory education and build on the conceptual and theoretical framework of the study. First, I analyze the rationales for free and compulsory education, including philosophical perspectives that propose alternative approaches and challenge the conventional notion of such education. Next, I review past studies on the right to education in general and free and compulsory education, in particular, which has helped to make informed decisions on shaping and finalizing my conceptual and theoretical frameworks for this study. Finally, I present the conceptual and theoretical framework that underpins my research, aligning it with the objectives set in this study.

Free and Compulsory Education Policy Provisions

Analysis of free and compulsory education policy in Ruby Valley remains inadequate without exploring the harmony between the policy provisions formulated at federal, provincial and local levels and what efforts are practiced in translating such provisions into reality.

Nepal's policy on free and compulsory education, particularly under the Constitution of Nepal 2015, and The Act Relating to Compulsory and Free Education, 2075 (2018) represents a significant step towards ensuring universal access to education. The policy mandates free and compulsory education up to grade 8, free secondary education up to grade 12, and provisions for financial assistance in higher education based on the need to support marginalized communities. However, despite these progressive steps, challenges in the implementation of these policies persist. Financing in the Education sector has not improved, and regulation of private education institutions has not changed from the context that existed before the

beginning of free and compulsory education. Teacher positions have not been increased which demands the creation of the teacher position at the local level, insufficient funding, inadequate infrastructure, and a lack of teachers undermine the effectiveness of these policies. Additionally, the effective implementation of the constitutional provisions has been hindered by the incomplete legal framework to accompany The Act Relating to Compulsory and Free Education, 2075 (2018) relies in the regulation for its full-fledged operations as it has a number of provisions that are to be specified in the rule, however, the regulation has not come in the existence as government does not consider it a top priority. State priority to ensure the fundamental rights of the citizen have not been acted upon even after nearly nine years of the constitution.

The development of the Act Relating to Free and Compulsory Education was accelerated due to the mandatory constitutional requirements to have required legal provisions for the implementation of the fundamental rights and therefore it was a hasty process. A number of provisions were kept incomplete or unclear with a technical term 'as prescribed' requires rules to fulfill the majority of the provisions as they need clarity with a clause 'as prescribed', however, after nearly 6 years of the endorsement of the Act the federal government did not consider it a priority for the implementation of the free and compulsory education. The endorsement of the Free and Compulsory Education Act was also due to the mandatory constitutional provision to have legal provisions in place within three years of the endorsement of the constitutions. Although with an act, the government claimed that legal provisions have been made, they remain vague, unclear, and incomplete to ensure free and compulsory education and therefore have not been enforced. They also lack specific accountability mechanism who is to be questioned for not being acted upon.

The Provincial Education Policy of Bagmati Province 2077 BS in Nepal has officially recognized the free and compulsory education initiative, which necessitates collaboration with local governments for effective implementation. It mandates provincial governments to establish and manage educational institutions locally, ensuring free education from nursery through to class 12 and prioritizing the provision of adequate facilities for students. The policy aims to progressively convert educational institutions into technical and specialized schools while regulating private educational entities to cater to marginalized and disabled populations under government oversight. Furthermore, the provincial policy had provisions that claim facilitate the conversion of private schools into community-based institutions with governmental support to promote free school education. The policy also emphasizes improving accessibility and resource allocation for students with disabilities and those from disadvantaged backgrounds, thereby enhancing overall access to education, quality and inclusivity nationwide.

However, current implementation practices such as out of school children, large number of students enrolled in private school and public schools considered a compulsion rather than a choice. It does not indicate that these provisions are in practice and also raises questions against the implementation status of free and compulsory education. There is a notable absence of technical assistance or other forms of support to enhance educational quality, and there is not specific efforts in practice that have transitioned any private education institutions in into public institutions or mobilized them in the rural areas for promoting access as claimed by the provincial policy.

Ruby Valley Rural Municipality has developed three specific legal/policy provisions in education. Education regulations, procedures for operations and

management of schools in Ruby Valley municipality, and procedures for the distribution of the teacher grants to the schools with insufficient numbers of teachers. None of these policies are directly related to the implementation of free and compulsory education. They are more focused on basic operational issues and only on managing grants or formation of some of the committees that are required to fill the operational gaps. Although a number of provisions in these policy documents are directly related to the policy essence of free and compulsory education as provisioned in the constitution of Nepal and the Act Relating to Free and Compulsory Education in Nepal, there is no targeted strategies to maintain free and compulsory education. After nearly 9 years of federalism in Nepal, the local government does not have a technical position to hold the sectoral responsibilities, therefore, the local government has made a temporary provision of secondment of a local teacher as a resource person.

However, the resource person not being mandated civil service employee has restricted authorities and access to the policy actions which has contributed to the municipal oversight and support on education ad-hoc. The resource person recognizes his primary responsibilities as ensuring the Education Management Information System (EMIS) forms, salary distribution, and organizing examinations, however, there was no recognition of enhancing enrollment, or community ownership or quality of the community schools. Despite a number of children out of school particularly with heightened vulnerabilities such as single parents, orphans, the resource persons nor any other individuals with education authorities seem to be concerned about the dropout and access issues nor the local government has mechanism to monitor and track the number of students. Despite legal provisions for free and compulsory

education, all the children regardless of their financial status are required to pay examinations fee three or four examinations.

The analysis of the policy provisions on free and compulsory education shows that the policy provisions have remained inadequate, and vague. The policy harmony between federal, provincial and local levels is uncoordinated and not aligned. The commitments made at one level have not been reflected at another level and efforts are diverged to multiple directions making it difficult to understand the accountability mechanism for the fulfillment of those rights.

Emergence of Free and Compulsory Education

The right to education emerged with the Universal Declaration of Human Rights in 1948 and further expanded in an accelerated manner with education for all movements in Dakar. The movement influenced decisions of the states to further focus on the provisions for universal and compulsory education (Besche-Truthe, 2022). However, a closer look into the historical development of education policies indicates that compulsory education was in existence prior to the emergence of the rights-based approach in education. During that period, compulsory education was more guided from inspired with the needs of the society and nations rather than the rights of individuals (Seitzer, Besche-Truthe, Windzio, 2022) in Greece and Athens it started as absolute control over the children. Ramsey (1985) recognized compulsory education as a part of the reformation movement in Germany and has further stressed the contribution of Calvinist Holland to establish compulsory public schools in France seventeenth century. The State of Prussia was the first nation to establish statewide compulsory education provisions. More recently, compulsory education has been common to both developed high-income countries as well as the developing countries with relatively low gross domestic product.

Researching Free and Compulsory Education

Researching right to education and free and compulsory education is crucial especially with increasing privatization in education and disparities not based on interest and choices but based on the socioeconomic background of the students. The research studies carried out in this field have surfaced the implementation status of the free and compulsory education policy. Several studies on the effectiveness of free and compulsory education policies suggest gaps and have recommended strategies for the improvements in the policy practices and associated benefits such as combating child labour (Tang, Zaho & Zaho, 2020; Acharya, Kharel, Upadhyaya, & Kharel, 2024).

The policy programmes in compulsory education in Nepal were analyzed by CERID (2009) which found that the policies and programs were neither sufficient nor efficient for providing rights-based education. Although significant progress has been made since the study was carried out in the form of the constitutional provisions, and Act Relating to Free and Compulsory Education, the chaos in relation to the responsibilities accountability resulting in the realization of the policy provision remains a challenge. Gandharba and Gaire (2021) have highlighted the paradoxical situation of the right-to-education policy implementation in Nepal in relation to the implementation of free and compulsory education along with the other issues of equity and inclusion, localization, and language diversity.

A mixed method study by Acharya, Kharel, Upadhyaya, & Kharel (2024) highlighted that despite policy provisions and promises to provide free and compulsory education, there is a cost associated with formal education even in public education institutions. Such expenses are in the form of examination fees or stationery and textbooks which impose financial constraints, and it is common to get such

services delayed resulting in drop out of the students or contributing to the increased repetition rates.

However, a number of studies particularly in developing and low-income countries have also highlighted that implementation of free and compulsory education has not been as effective as policy intended by those policies which has affected the equitable access to education has been jeopardized particularly the population groups with socioeconomic disparities. Implementation of free and compulsory education does not suggest consistent findings in terms of the effectiveness of free and compulsory education policies alike.

Very few studies have focused positioning the free and compulsory research in the local community setting and researching stories from local communities in the given community settings which is important as realization of the policy provisions is not only an isolated bureaucratic procedure but also depicts that social and cultural norms and practices by large. This study is located in social and cultural settings and explores the stories of free and compulsory practices in Ruby Valley. These details are specific and offer critical and in-depth insights from the local community settings.

Philosophical Foundations for Free and Compulsory Education Research

Many research studies in the past on free and compulsory education have heavily been influenced by the quantitative comparative studies (Acharya, Kharel, Upadhyaya, & Kharel, 2024) which have more been limited to the content analysis of the policy text. As policy is more of the ideological tool and policy implementation is heavily influenced with a number of factors such as different level of policy appropriation which results into multiple interpretation of the policy provisions or interpretation in favors of the group with higher level privileges and/or partial

implementation of the policies provisions, analysis of the policy text is far from the reality in the social context (Kramer, 1975).

More recently with the increased realization of the policy implementation, anthropological and sociological approaches to compulsory education have been increasingly getting popular. Anthropological analytical qualitative research studies have suggested that there has not been a uniform approach on whether policies can be borrowed (Anderson-Levitt, 2012) it is a common trend in the field of education to borrow education policy. Philips and Ochs (2004) noted borrowing policy as an increasingly popular trend in the neoliberal global context.

A Number of research studies have a been carried out about the compulsory education from anthropological perspectives in which the phenomenon has been analyzed from cultural and humanistic perspectives. Seitzer, Besche-Truthe, and Windzio (2022) in the Introduction of Compulsory Schooling Around the World: Global Diffusion Between Isomorphism and ‘Cultural Spheres’ have found literacy and basic education inevitable for a modern state and therefore state-mandated education in the form of compulsory education is not surprising. They have also noted that the global trend is expanding from the west to all over the world. Anderson-Levitt (2012) has made it more explicit in the study Complicating the Concept of Culture as they have mentioned as the “global ideas enter a local arena, meanings are re-made not only because local actors inevitably reinterpret ideas in the context of their own frameworks, but also because they may struggle against the meanings offered or imposed by global actors” (p. 451).

In this context, this study has attempted to carry out policy analysis from anthropological perspectives in which the culture of policy making and implementation along with the negotiation has been considered (Geilhufe, 1979) so

that the research is able to include the analysis of the policy implementation in social context.

Free and Compulsory Education Research in Nepal

Research studies on Free and compulsory education in Nepal are still in emergence phase and limited studies are available. Among those research studies, the majority of them are led by civil society organizations and activists with the aim to create evidence for their advocacy and campaign. In a few cases the government departments have commissioned the research on free and compulsory education such as the then Department of Education commissioned a research on Identifying Strategies and Targeted Interventions for Implementing Free and Compulsory Basic Education which highlighted some reasons for the failure of free and compulsory education as here were indirect cost being collected even in free and compulsory education, inadequate provisions for scholarship to the needy students, and limited right to the local levels for the implementation of the free and compulsory education.

Jha (2019) has conducted a research study entitled ‘Right to free and compulsory education in Nepal: A study with special reference to India's Right of Children to Free and Compulsory Education Act, 2009’ which concluded that the Free and Compulsory Education Act, 2018 is an instrument that guarantees state obligation. However, unlike in India it does not have any implication on the private education institutions and the fee they collect from those institutions.

Civil society organizations including National Campaign for Education submitted ‘Nepal CSOs’ Submission on Right to Education to the United Nations Universal Periodic Review (UPR Third Cycle Reporting)’ in 2020 in which they articulated that the legal provisions on free and compulsory education are not translated into action with more than 3.7% of children outside education system and

with a number of issues prevailing on drop out and repetition. The report also concluded that despite the progression of legal provision on the right to education, the government priority is in decreasing trends, they have referred to the financial investment as an example to justify their claims on this.

Action Aid has published a policy paper in 2017 which has claimed that the right to education under threat by privatisation in Nepal which has presented the parental preference to private education due to poor quality in public education. The policy paper highlighted that private education is not equal to quality education, however, privatization has aggravated inequalities and challenged the right to education.

A past study on policy and practice by Adhikari (2020) based on the fieldwork conducted in rural and urban schools across Nepal reveals a mixed picture of policy practice. While there have been improvements in enrollment rates and access to education, disparities persist in terms of quality and equity. Schools in marginalized communities often lack basic facilities, qualified teachers, and learning materials, exacerbating educational inequities (Adhikari, 2020). Additionally, socio-economic factors, such as poverty and child labor, continue to hinder the effective implementation of free and compulsory education policies.

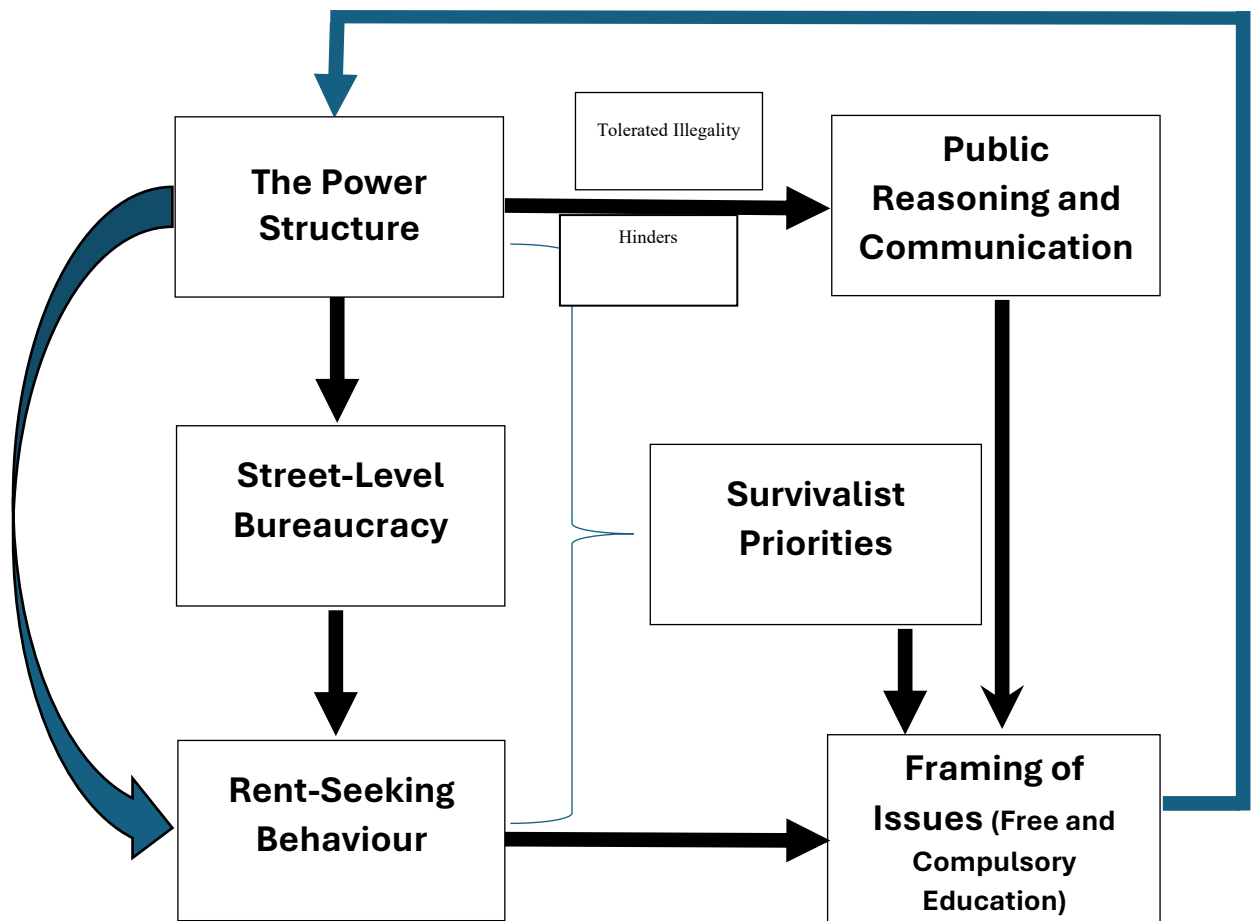
Education Watch Group Nepal (2021) has carried out a research study on right to education and role of the local government which has highlighted that Free and Compulsory Education is not implemented as schools are forced to collect fees from the students as there is not alternatives that allow access to the resource. The report has also found inconsistencies across different legal and policy provisions in the right to education that has been creating confusion.

Theoretical Framework

The theoretical framework of this study is informed of complex social realities influencing the roles and relationships among different actors. My personal and professional experiences are closely connected with the local communities and schools in different parts of the country. Working with the government authorities in the education sector with diverse roles and responsibilities helped me to further enhance and widen my understanding of overall education systems and practices. The practical insight has been useful to internalize different aspects of this theoretical frameworks and conclude my positionality as a qualitative researcher. Community interaction and engagement influences the formal practices in school-settings in different ways ways (McAlister, 2013; Gross, Haines, Hill, Francis, Blue-Banning, & Turnbull, 2015, Ammar, Sondergeld, Provinzano, & Delaney, 2021) and free and compulsory education policy practice is not an exception.

Based on my own experience in education policy practices and review of literature, I found the power structure as the key influencer and other social realities affected by the power structure as well as affecting the power structure. The unequal distribution of power has also resulted in another form of marginalization in the implementation of free and compulsory education policies. Below is a schematic presentation of the theoretical framework of this study followed by a brief elaboration of those different theories that interact with each other and creates a broader interconnected and complicated policy ecosystem with both positive and negative consequences based on the nature of practices.

Figure 1

Theoretical Framework of the Study**The Power Structure**

My personal experience from the very beginning of schooling offers a range of experiences connected with the power structure in the education system. The power structures in community are reflected in the status in the schooling practices, often resulting in disproportionate opportunities for the actors with lessor access to power. I find Michel Foucault's 1975 work, *Discipline and Punish: The Birth of the Prison*, presenting a profound analysis of power structures in modern societies. The concept of tolerated illegality provides a basis for understanding the power and its unequal exercise resulting to further marginalizations in a systematic manner (Foucault, 1975).

As in the central metaphor in Foucault's analysis is the Panopticon, a design for a prison by Jeremy Bentham, where a single guard can observe all prisoners without being seen, the federal government tends to keep the local government in surveillance and under their centrally regulated mechanism of control in practices. This creates a sense of constant surveillance, leading individuals to regulate their own behavior. Foucault extends this concept to society at large, arguing that modern power functions similarly by making individuals visible and thus controllable through surveillance technologies and practices (Foucault, 1975). Disciplinary power works by establishing norms and standards against which individuals are measured and judged. Those who deviate from these norms are subject to correction and discipline. This process of normalization creates a homogenized society where deviations are minimized, and conformity is encouraged (Foucault, 1975).

Foucault posits that power and knowledge are intertwined; power produces knowledge and vice versa. This relationship is evident in the ways institutions generate knowledge about individuals (e.g., through medical records, academic transcripts) to control and regulate them. The dynamics challenges the notion of objective knowledge, suggesting that what we know is deeply influenced by power relations (Foucault, 1975).

Critics of Foucault's theories include Jürgen Habermas, who argues that Foucault's rejection of universal truths and his focus on power relations undermine the possibility of rational discourse and emancipation (Habermas, 1987). Nancy Fraser contends that Foucault's analysis neglects the potential for resistance and agency within power structures, arguing that by focusing primarily on how power subjugates, Foucault overlooks how individuals and groups can challenge and transform these power relations (Fraser, 1989). On the other hand, Gilles Deleuze

praises Foucault's work for its innovative approach to understanding power, highlighting Foucault's concept of "societies of control" and supporting his view that power is diffuse and operates at multiple levels, not just from a central authority (Deleuze, 1988). Power provides critical perspectives for analyzing policy practices in (Vincent, Neal, & Iqbal, 2016) and how policies are strategized by the policymakers as a strategy to continue their influence (James, 2018).

Rent-Seeking Behaviour

I have always seen authorities look for direct benefits from their policy action or inaction. The communities that are not able to defend such expectations become vulnerable and have to bear the implication. Tullock (1967) calls such phenomena rent-seeking behavior, a concept that was further developed by Krueger (1974), that refers to efforts by individuals or groups to gain economic benefits through manipulation or exploitation of the political and regulatory environment rather than through productive economic activities. In the context of public goods, rent-seeking behavior can significantly distort and how resource allocation, efficiency, and equity leading to suboptimal outcomes for society.

Public goods, characterized by their non-excludability and non-rivalrous consumption, are particularly susceptible to rent-seeking behavior. This is because their provision and maintenance typically involve government intervention and funding, creating opportunities for individuals or groups to influence public policy for personal gain. Rent-seeking activities can include lobbying for favorable regulations, securing positions in the school management committees, securing benefits from construction projects in schools, obtaining subsidies, or influencing the allocation of public resources. These activities often result in the misallocation of resources, as

decisions are made based on political influence rather than economic efficiency or public welfare (Tullock, 1967; Krueger, 1974).

One of the key issues with rent-seeking behavior is that it creates intergenerational inequality benefiting the particular section of the community disproportionately and diverting resources away from productive uses and creates. Nepal having gone through autocratic rules, has faced long domination of the authorities demanding rent seeking behaviour. I have personally experienced the rent seeking behaviours of the authorities and policymakers at different juncture of life stages both personal and professional in nature. The policy interpretation and (in)action has been largely influenced by the interest of authorities. Instead of investing in innovation, entrepreneurship, or other value-creating activities, individuals and firms spend time and money trying to capture economic rents through political means. The economic interest in public goods diverts focus from equity and quality of the services. This can lead to a decrease in overall productivity and growth, as well as increased inequality, as those with greater access to political power are more likely to succeed in their rent-seeking efforts (Tullock, 1967).

Furthermore, I believe that rent-seeking behavior can create significant barriers in creating policy alternatives and resource prioritization in the areas that do not result in direct benefit to the policymaker and implementers even though there is significant benefits for local community associated with such alternative. The delayed action, or redirecting resources to the other priorities, seeking direct benefits from the allocated resources and lack of commitment and action for the effective utilization of the resources can be seen when the authorities are more concerned and busier with fulfillment of their interest. Rent seeking behavior may also influence unnecessary top-down approaches favored by the authorities and hinder wider community

participation in decision making process which I have witnessed in different roles in the education sector as a teacher, and with other non-governmental organizations.

This regulatory capture undermines the principles of equity, fairness, and competition and can lead to inefficiencies and higher resource implications for the local communities seeking services (Krueger, 1974).

Critics of the concept argue that not all lobbying and political influence should be classified as rent-seeking. Some contend that efforts to influence policy can be legitimate and necessary for ensuring that public goods are provided in a manner that reflects the needs and preferences of society. However, the challenge lies in distinguishing between rent-seeking activities that seek to secure unearned benefits and those that genuinely aim to improve public policy outcomes (Buchanan, Tollison, & Tullock, 1980).

Supporters of the rent-seeking framework emphasize the importance of institutional reforms to mitigate the negative effects of rent-seeking behavior. These reforms may include enhancing transparency and accountability in government decision-making processes, reducing opportunities for regulatory capture, and promoting a competitive political environment where diverse interests are represented. By addressing the root causes of rent-seeking, it is possible to improve the provision of public goods and ensure that resources are allocated in a more efficient and equitable manner (Krueger, 1974; Tullock, 1989). In education policy practices, rent seeking are closely connected with the allocation of the resources or

Street-Level Bureaucracy

Michael Lipsky's (1980) concept of street-level bureaucracy refers to the role of frontline public service workers who directly interact with citizens and are responsible for the implementation of public policies. These individuals, which

include teachers, social workers, and other public servants, operate with a significant degree of discretion and autonomy. Lipsky (1980) argues that the decisions and actions of street-level bureaucrats are critical in determining the actual outcomes of policies because they interpret and apply policies within the constraints of their work environments.

In the context of free and compulsory education in Nepal, teachers and education administrators at rural municipalities serve as street-level bureaucrats who play a crucial role in the practical implementation of educational policies. Despite the formal policy framework mandating free and compulsory education, the effectiveness of these policies largely depends on how they are executed by these frontline workers. They are often faced with limited resources, and diverse student needs, lack adequate access to policy procedures which require them to make on-the-spot decisions based on the limited information and training they have.

This study utilizes Lipsky's theory to examine how these street-level bureaucrats manage the challenges of implementing educational policies in different contexts. It explores how their discretionary actions and informal practices can both facilitate and hinder the realization of the policy's objectives. For example, a teacher might prioritize enrolling more students to meet policy targets but might struggle to provide quality education due to resource constraints. Similarly, school administrators might adopt policies to better suit the local context, which can lead to variations in how policies are applied across different regions and communities.

By focusing on the actions and decisions of street-level bureaucrats, this study provides a detailed understanding of the complexities involved in the implementation of free and compulsory education policies. It sheds light on the gap between policy intentions and practice, emphasizing the critical role that frontline workers play in

bridging this gap. This approach also highlights the need for policy designs that consider the realities faced by street-level bureaucrats and support them in their roles to enhance the effectiveness of educational policies.

Survivalist Priorities

The concept of survivalist priorities, as discussed by Scheingold (1974) and Gaventa (1980), highlights the pressing reality for marginalized communities who are often preoccupied with securing basic necessities such as food, shelter, and safety. Scheingold (1974) in his analysis of political culture, suggests that when individuals or groups are primarily concerned with survival, their capacity to engage in political advocacy or long-term strategic efforts is severely constrained. Similarly, Gaventa (1980) examines the dynamics of power and resistance, noting that marginalized communities frequently lack the resources and organizational capacity to challenge dominant power structures due to their focus on immediate survival needs.

In the context of free and compulsory education in Nepal, this theory is instrumental in understanding why these communities may struggle to fully participate in educational policy advocacy. Despite the legal framework guaranteeing education for all, the daily realities of economic hardship and social marginalization often take precedence over educational concerns. This survivalist approach can limit the ability of these communities to effectively negotiate for better educational provisions and hold policymakers accountable (Scheingold, 1974; Gaventa, 1980).

Framing of Issues

Erving Goffman's (1974) theory of framing provides a critical lens through which to analyze how educational issues are perceived and communicated. Goffman argues that the way issues are framed significantly influences public perception and action. Frames are interpretative schemas that help individuals make sense of and

respond to events and issues. In the case of education policy, how the need for and benefits of free and compulsory education are framed can affect the level of support and engagement from various stakeholders.

This study employs Goffman's framing theory to explore how educational policies are presented to and understood by marginalized communities in Nepal. The framing of education as a fundamental right, a tool for social mobility, or an economic necessity can shape how these communities prioritize and respond to educational opportunities. By examining the framing used by policymakers, educators, and community leaders, this study seeks to understand the alignment or disconnect between policy intentions and wider perceptions (Goffman, 1974).

Based on my interaction with the theories above, and my understanding of the social interplay among different actors, I understand that the power structure, nature of the discourse, rent-seeking behavior of the authorities and local communities' capacity to negotiate, policy access by the local communities and constraints on the street level bureaucrats shapes the nature of the policy process and outcomes from the process. When survivalist constraints exist in the local communities, it further weakens their capacity to negotiate and framing of the agenda.

I believe that the local opportunities and constraints are in constant interaction with each other and unlike a controlled environmental context one social reality is influenced by another in positive or negative way. The integration of these critical theories can connect it with the overall conceptual framework of the study provides me to understand and analyze the complex multifaceted issues of free and compulsory education policy practice. It is also used to analyze and surface immediate needs and long-term goals, and the powerful role that framing plays in shaping perceptions and actions. By incorporating these theoretical perspectives, this study aims to provide a

comprehensive understanding of the challenges and opportunities in realizing the right to education for all children in Nepal.

Below is the summary of the theories I have primarily applied in this research.

Table 2.1

Summary of Theories Applied in the Study

SN	Theory	Essence of the theory	How I applied these theories
1.	Foucault's (1975) Theory of Power	Access to power is a dynamic process shaped by ongoing discourse and negotiation among actors. A number of factors in the production of knowledge, regulation of behavior, and institutional practices, and it is always accompanied by forms of resistance.	I used power theory to analyze how different sections of the community - with higher power used discourse to dominate the right of the other with less power and how marginalized sections with less power applied survival strategies to change the dynamics through their negotiation and confrontation of such action and inaction that determined status of policy practice.
2.	Discourse Theory (Foucault, 1975), Derrida, 1976)	Discourse shapes and reflects power dynamics, influencing information sharing and contributing to	The interpretation of free and compulsory education policy is shaped by the ongoing discourse and ability to take effectively in the interplay.

		<p>inequalities. Meaning is always in a state of flux, never fully present, and always dependent on the interplay between actors and their power</p> <p>(Concept of "différance" by Derrida).</p>	<p>How language of the policy makers and disconnected discourse hinders/facilitates the ability of marginalized communities' participation in such interaction.</p>
3.	<p>Theory of Rent Seeking Behaviour (Tullock, 1967)</p>	<p>Rent-seeking behavior can exacerbate inequalities in access to public goods when the authorities leverage their power to obtain direct benefits and access to resources or exclusive access. As a result, the marginalized or less powerful groups may face reduced access to essential public services.</p>	<p>What aspects of free and compulsory education policy serve the rent-seeking behavior of the authorities and how they use it to serve their interest beyond the wider benefits of the local communities.</p>
4.	<p>Street-Level Bureaucracy (Lipsky, 1980)</p>	<p>Street-level bureaucrats often adopt policies to fit the realities of their</p>	<p>Amid the resource constraints context in which financing in education did</p>

		<p>work environments and the needs of their clients. This adaptation can be positive, leading to more responsive services, or negative, potentially reinforcing existing inequalities.</p>	<p>not change before and after free and compulsory education policy provisions are endorsed, how to local authorities, teachers and members of the management committees present meaning of free and compulsory education with the local communities.</p>
5.	<p>Theory of Survivalist Priorities (Scheingold, 1974; Gaventa, 1980)</p>	<p>The most marginalized members of the communities are constrained by pressing needs, often preoccupied with securing basic necessities such as food, shelter, and safety which limits their ability to prioritize and negotiate other longer terms rights such as education (Scheingold, 1974; Gaventa, 1980).</p>	<p>With the local communities in Ruby Valley with historical challenges of food sufficiency, how does it influence the local community participation in policy process (interpretation, negotiation and confrontation). Are there any gaps in policy process due to the survivalist priorities of the local community?</p>

6.	Framing Theory (Goffman, 1974)	Framing theory stresses the importance of how issues are presented by advocacy groups and perceived policymakers. It can either reinforce existing inequalities or help challenge and rectify them by shaping more equitable policies and public attitudes towards marginalized communities (Goffman, 1974).	How does the free and compulsory education policy process create opportunities for the local communities to engage in framing of the right to education agenda in federal context in which local authorities hold significant level of authorities and flexibilities or does it continue historical gaps with the reproduction of the equalities in which local elites disproportionately influence agenda setting and prioritization.
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Conceptual Framework of the Study

Emergence and rationale for compulsory and free education policies, at the primitive and conceptual level, are rooted in the work of Nietzsche's (1978) who has conceptualized the state as responsible for the social problems (high dropout and low retention in school in this context) and work of Weber (1964) who presented state as the legitimate authority to enforce the law for the betterment of its people in its territory as in the context of my research in the Federal Republic of Nepal. However, the implementation achievements and impact in the field of education have also given

rise to the discourse as theorized by (Foucault 1988) that recognized the multifaceted truth that has been influenced by the power and politics in its conceptualization and directing its efforts toward the strategic initiatives that intend to derive the solution to the problems.

The interconnected theoretical network that presents an interrelationship between legal, regulatory, and programme interventions has been highlighted by Ball's (2015) with the emphasis on the policy as a practice not as the text presented in the policy documents as they 'constitute discourse rather than the texts and utterances produced within it' (311). Khanal (2012) has argued policy as practice of power and further elaborated that there are two kinds of power. The first one at the supranational level that reinforces neoliberal ideology and the secondly the phenomena of contesting over power which results in uneven distribution of power among the key players. The analysis of the studies in education policy analysis has presented that policy is a matter of power, rational, and securing state privileges in a systematic manner (Ball, Maguire, and Braun 2012, Khanal 2012, Hodgson 1919). The policy is never fixed – there is no final 'once and for all'. The policy involves assemblage and reassemblage, and translation and retranslation comprised of 'fluid, dynamic and messy processes' (Clarke et al. 2015, 7 cited in Hodgson 1919).

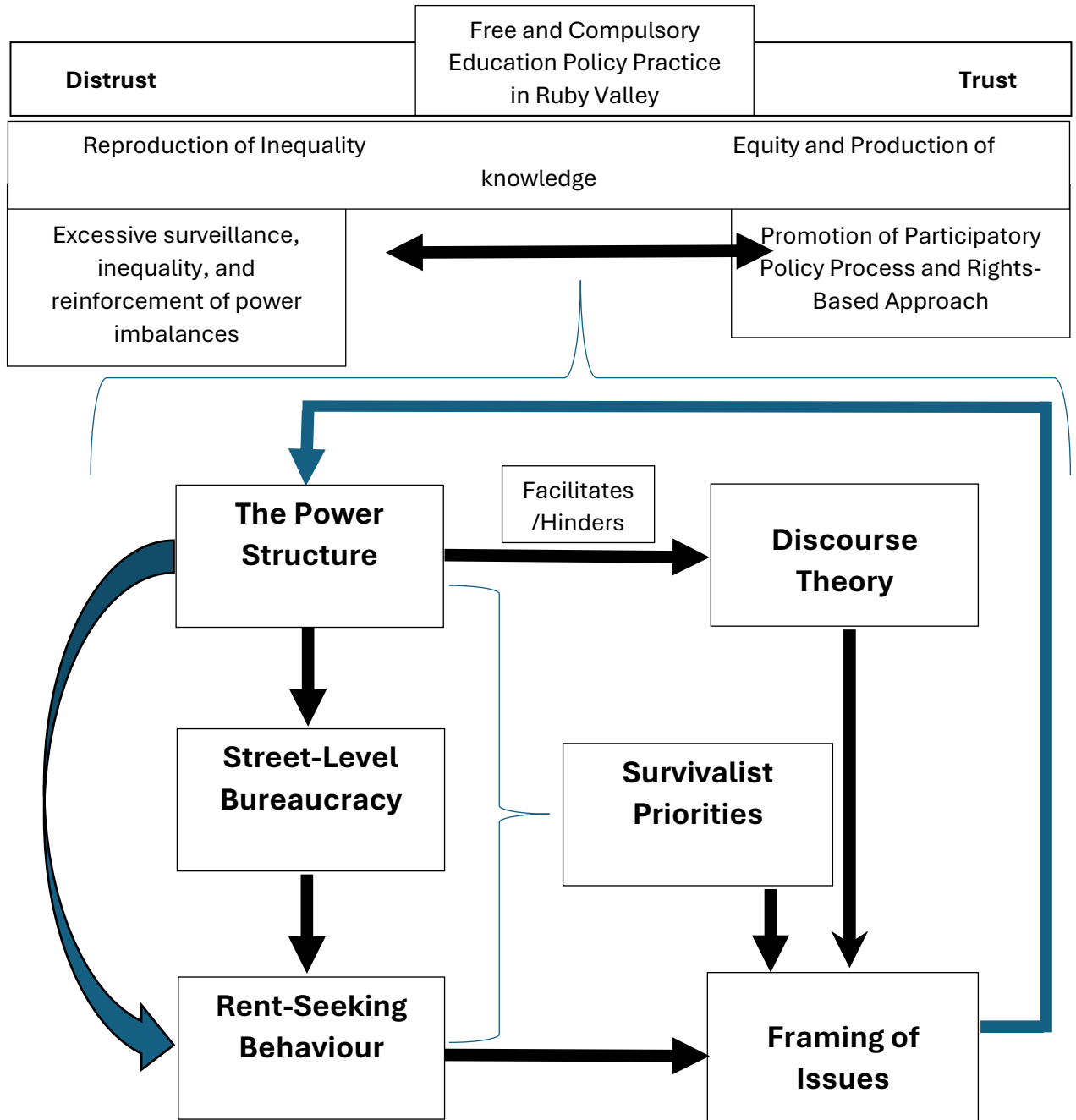
In this, ethnographic study on free and compulsory education in Nepal is underpinned by a human rights-based approach (HRBA), the theory of social reproduction by Pierre Bourdieu, and the concept of cultural capital. The human rights-based approach emphasizes that education is a fundamental human right and should be accessible to all children without discrimination, as enshrined in various international treaties (UNESCO, 2007; United Nations Human Rights Council, 2011). This framework ensures that educational policies and practices are aligned with the

principles of equity, inclusivity, and accountability, aiming to empower marginalized communities to claim their right to education.

The study is situated within the broader context of Nepal's educational policy landscape, which has undergone significant changes in recent years. The Constitution of Nepal (2015) guarantees free and compulsory education for all children up to the secondary level, aiming to eliminate barriers to education and promote social inclusion (Government of Nepal, 2015).

The conceptual framework of the study, as presented below, considers dual possibilities in free and compulsory policy practices. The positive outcomes which are triggered with the promotion of the participatory policy processes lead to equity and production of knowledge while excessive surveillance influenced by the power domination, rent seeking interest, constraints of street level bureaucrats, and failure to promote participatory discourse contributes to maintaining existing unequal practices or reinforcing such inequalities in the community. Therefore, my research moves beyond the policy content to capture the essence of the practice that can be observed from the field.

Figure 2.1
Conceptual framework of the study



I consider trust as a critical factor in free and compulsory policy practice because it has a direct and huge impact on the quality of engagement of the local communities with the authorities and ultimately ownership, acceptance, and enhancement of education. In addition, free and compulsory education policies are

targeted with the interest of quality public education for all which results in targeted support to children with different kinds of vulnerabilities to create equitable learning opportunities when trust is declined the most immediate impact is on the children and communities that are higher vulnerabilities. Declining trust towards educational institutions as Lepsius (2017) suggested that trust is based on the perception of people on the effectiveness and efficiency 'relies on the perceived effectiveness and efficiency of the institutional order to accomplish the guiding principles of an institution'.

Chapter Three

Methodology

In this chapter, I present a comprehensive outline of the methodological framework employed to enquire free and compulsory education policy practices in Ruby Valley rural municipality in Nepal. The quality study considers policy appropriation, contestation, and acceptance of the local community. This chapter begins with an articulation of the overarching research paradigm guiding the study, followed by a detailed exposition of the specific research design employed. The research design section provides a thorough and thick description of the data collection process, including the selection and description of the research site and settings. Further, this chapter elaborates on the nature and extent of field engagement, detailing the field engagement utilized for data collection. This encompasses the methods of participant observation, interviews, and reflective field notes tailored to capture the complexities of the policy practices. Additionally, the chapter outlines the ethical protocols adhered to throughout the study, emphasizing the measures taken to ensure ethical data collection and presentation. This includes obtaining informed consent, ensuring confidentiality, and addressing any ethical dilemmas encountered during the research process.

Research Paradigm

The research paradigm provides a direction to the study by providing the basis for the nature of truth, sources of the truth, and knowledge-building process. As a researcher interested in exploring sociological phenomena of right-to-education policy practices, my philosophical position in this research is critical epistemology and interpretative research paradigm. I consider analyzing, exploring and presenting the possible solution for the improvement in social affairs that ‘situates science within the

quest for social and political rationality' (Marinopoulou, 2019, p. 133). As critical epistemology is more 'concerned with knowledge that is subjective and grounded in personal and professional sociohistorical processes' (Farias, Laliberte, & Magalhães 2016, p. 234) my approach to exploring the free and compulsory education policy recognizes the historicity and contemporary implementation at the centre to draw the implicit meaning from the policy process.

As a qualitative researcher, my ontological position is informed of interpretivism which recognizes reality as socially constructed and subjective, it also appreciates that social reality may change over time, and it is possible to have multiple perspectives on a particular phenomenon depending upon our background and contexts. It denotes that the methods of the research which adopt the position that people's knowledge of reality is a social construction by human actors, and so it distinctively rules out the methods of natural science (Eliaeson, 2002; McIntosh, 1997).

I have found my research on Free and Compulsory education influenced by the dominant perspectives on social science that are centred on social problems, their analysis and possible alternatives towards further improvements in social situations. Responding social problems can be equally effective through the application of diverse strategies (Blaikie 2010 cited in Blaikie and Perist 2017) in this research I have made an attempt 'to know what is going on, why it is happening and, maybe, how it could be different'. For this purpose, I propose to concentrate on three local government units in Nepal and present an in-depth analytical presentation along with the comparison of those three cases to explore commonalities and uniqueness.

Research Design

The research design guides the researchers in making key decisions on selecting participants, data collection tools and strategies, and procedures for engaging with the participants in drawing meaning and interpretation of the information. I have chosen blended ethnographies for the study which as the name suggests are ‘informed by theories and methods used in conventional, more long-term ethnographies, but seek to deliver findings over shorter periods of time’ (Vindrola-Padros, 2021). My prolonged engagement for the last 15 years in right-to-education policy processes in different roles and capacities while working for non-profit non-government organizations provided me with a broader context, understanding of the policy context, priorities, and challenges. The informal family ties and personal relationships with the locals from the region were immensely helpful for me to be able to have access to the insights of the locals of Ruby Valley.

I divided my time for data collection for virtual engagement and in person meeting with the local of Ruby Valley in Kathmandu and visiting Kathmandu for different personal reasons followed by in persons visit to Ruby Valley to participate in local community observation and interaction with the local communities who are part of the local education and the individual. In addition to the virtual engagement over six months, I applied rapid ethnographic approaches for data collection in May for two week in person observation and interaction in Ruby valley, meeting different people form the place, having telephonic of Ruby Valley and in Nepal. I found my research as a strategy of engaging critically with real world phenomena and offering an interpretation of the realities in disruptive manner (Ball, 1994).

I chose blended ethnographic approach in which I applied rapid ethnographies (Cockburn & Jones, 1996 ; Kluwin, Morris, & Clifford, 2004) that shares the belief of

the conventional ethnographies but not the assumption of the cultural ignorance of the researcher and virtual ethnographies (Crichton, Kinash, & Kinash, 2003; Marx, & Harris, 2006) to maintain the balance in resource and time constraints and interest in qualitative research with the cultural and community perspectives in policy practices by using available technology to enrich the research. My interaction with the members of the community, observation of the policy practices and discourse to co-create the meaning of the policy practices and its impact, in Ruby Valley Rural Municipalities has been informed of my long-term engagement in policy practice at the background. I started working with the local communities on different occasions prior to building the proposal. I remained in a close connection and interaction with the local communities in Ruby Valley and the key policy makers from the rural municipalities for over the last eight months. Initially my engagement was mostly virtual, I also had opportunities to engage with the members of the communities in Kathmandu. This provided me with a great opportunity to be connected with the local communities.

My interaction with a number of locals from Ruby Valley virtually and in Kathmandu provided me opportunities to embed with the local communities. In order to complement my engagement virtually, I spent two-week time in Ruby valley in the months of May 2024. In this way, my research has been informed of ethnographies that have traditionally been used as well as virtual and rapid ethnographies. this research is Later in the month of May, provided me an opportunity to spend time interact with the wider communities and participate community settings. However, the multiple ways of engagements do not develop different ways of engagement, but effective use of the opportunities created by the recent development of the technology and use of the background familiarity of the researchers (Domínguez Figaredo, D.,

Beaulieu, Estalella, Gómez, Schnettler, & Read, 2007; Vindrola-Padros, 2021; Millen, 2000).

My decade long engagement with the diverse communities in Nepal, interaction with the diverse local communities in Nepal both policy makers and local communities affected by the policy practices was useful for me in this research. I have been actively engaged with the development organization for over 15 years as an education specialist with different organizations that worked closely with the local communities and policy makers. The past engagement and reflection of those past policy processes at the federal level, ongoing discourse at the local level helped me to pursue ethnographic study and maintain the rigour in the study.

My field engagement with the local communities was enriching as it developed ties with the communities resulted in the informal connection with frequent informal occasions of conversation after I was back from the field work which helped me to remain engaged with the communities during the analysis of the rich information collected from the field. The relationship with the families and communities in Tipling has been family-like with frequent exchanges of formal and informal sharing. I have used the longer-term background in implementing free and compulsory education among marginalized communities. Unlike conventional ethnography, I used blended approaches that included virtual ethnography and rapid ethnographic approaches in this research is in addition to virtual engagement spreading over six months, I have spent two weeks in the field with the participants and would engage for an extended period of time in a particular community.

My engagement with the local communities began before I moved to the field for data collection. First of all, I had a few individuals whom I personally knew from Ruby Valley, I started meeting them more frequently and started talking about Ruby

Valley, its cultural aspects, education, schools and how access to quality education has changed in recent years. They connected me with some of the local people who were teachers, members of SMC and other people who were interested in the issues of education. I met a few of them when they came to Kathmandu. During this conversation, I also knew that many of them had places to stay in Kathmandu and their children were studying in Kathmandu. After collecting rich details and insights through virtual engagement, I planned a two week-long field visit in the month of Jestha. The brief anecdotal summary of my field engagement is as follows.

I had a ticket for a Mustang Jeep particularly designed for hilly region in Nepal and that departed from Machhapokhari, however, I joined the jeep from Kalanki since it was more convenient for me to go to Kalanki on the way. There were two locals from Ruby Valley going in the same vehicle. One of them was a ward chair and another person was a local ward chair. I had a seat in front, next to the driver. Although it was a single seat, I was asked to share it with another passenger whom I already knew. Behind me there, one of the ward chairs of the Ruby Valley was also traveling on the same jeep. Due to the traffic jam, we reached Dhadingbesi around 1 PM where we had lunch and reached Borang in the evening at 5 PM.

I stayed at a homestay in Borang on that day. On the way, we engaged in conversation on several topics of development, federalism, and education in Ruby Valley. The ward chair shared some interesting and internal insights on free and compulsory education policies which I documented later in the evening. At Borang, the ward chair introduced me to some other locals in a tea shop, I continued my exploration conversation with children, teachers, and shopkeepers. The next day, I went to Tipling where I spent two weeks with a daily routine of meeting different people, talking with them, and joining in their casual conversation, on culture, society,

and education. I gradually lead conversations on education and developed field notes from my engagements in the evening.

During my two week-long stays in Tipling and Seltung, I engaged in conversation with the teachers, parents from different settlements, local shopkeepers, members of management committees, the resource person, local volunteers (one supported by a faith-based charity and one independent youth who had appeared in school education examination motivated to explore and understand education in her own local community), and other youth. My routine was to go out early in the morning and return to the homestay around 11 for lunch take notes for an hour and go again to join the conversation with the people in a local shop. I also visited some of the families in Ghalagu and Kamitole to meet some of the people whom I had met on the way or at the local shop but did not have sufficient time to talk with them. I find the local people caring and comfortable to share their information. I developed friendships with local people in the community with different roles such as teachers, politicians, members of the management committees, and shopkeepers. Those people supported me a lot in getting in-depth insights.

Research Setting

I chose Ruby Valley municipality for this policy study mainly because the municipality is a typical rural municipality with historical challenges to access to education and therefore, free and compulsory education is more widely needed to ensure quality public education for all.

The municipality is lagging in many of the development indicators compared to many other municipalities in the district and country including literacy and education. National Population and Housing Census 2021 (2023) revealed that the literacy rate is at 58.7 per cent which is 17.5 percentage points less than the national

average and 13.7 percentage points less than district average (male 64.6 per cent and female 52.9 per cent). The census data also showed that over 46 per cent of marriages are below the legal age of marriage, 34.2 per cent of births are not registered. In terms of the population distribution, the rural municipality has majority of indigenous communities, ethnic minorities or Dalit communities (Tamang 71.9 per cent, Ghale 15.2 per cent, Gurung 7.3 per cent, Bishwokarma 5.4 per cent, Newar 0.1 per cent and other 0.1 per cent).

Choice of the Rural Municipality is based on the historical disconnect from educational opportunities, average literacy rate much behind the national average and majority of the population groups recognized as the marginalized communities in country context and have also been recognized groups for the positive discrimination in different opportunities by the state including recruitment in the civil services. The case identified represents the local municipalities that share characteristics as they are left behind in many ways and offers adequate information for policy analysis. As Bartlett & Vavrus (2017) call them '*intense cases*'; those intense cases are not exceptional or unique to the other cases, however, they can offer rich information in terms of the implementation of the right to education from the perspectives of the communities that are socio-economically impoverished.

In my research, I concentrated on collecting data from the local communities, local leaders, civil society organizations that have been closely engaged in policy process both development and implementation, and therefore are able to offer rich insights on policy process. The research also involves engaging with the federal authorities to collect their perspectives and experiences in the right to education in general and Free and Compulsory Education policies in particular.

The proposed research contributes to providing a basis for understanding the policy context, policy process and its impact on the impoverished communities who are at risk of losing their right to education. The research also provides further insights to the practitioners and policy makers themselves to reflect the benefit from the compulsory education policy for most marginalized communities and how it affects the causal challenges in the access to quality public education.

Methods of Data Collection

Data collection methods for this research were mostly guided by the methodology suggested by Yin (2018) which highlights the need to focus on particular context with special focus on the phenomena in question free and compulsory education policy in this research. The data collection for this case study prioritized four important aspects as highlighted by Yin (2018). Firstly, the data collection involved the collection of detailed information on both policy development and the set of events in course of its implementation focusing on how and why aspects. Secondly, the data collection process ensures that it does not manipulate the behaviour of those involved and contextual aspects because they have an influence over the phenomenon being studied. Thirdly, no due emphasis is given to differentiating the boundary between the phenomenon and context.

In terms of the steps of data collection the researcher first of all developed an in-depth review of the policy provisions on free and compulsory education and started going through the recent development and interaction among different actors on the implementation of free and compulsory education.

Development of the field engagement plan was developed to make the field work productive and more effective, especially in relation to digging out the most relevant information from them and gathering documents and any other

complementary resources on education policy and its implementation so far. The researcher engaged in participant observation and interaction with the members of the local communities in the natural setting and participated in their everyday activities to develop in-depth insights into the field. Every day at the end, the field note was drafted which was used in analyzing the data from the field. I find myself influenced by the policy archeology of James Scheurich (1994 cited in Gale, 2001) in which four broad arenas are considered critical, including the conditions that make the emergence of a particular policy agenda possible, the rules or regularities that determine what is (and is not) a policy problem, rules and regularities shape policy choices, and the way policy process is regulated.

Data Analysis

Data analysis in this research progressed simultaneously with the collection of data. I used a range of techniques in data analysis. First of all, I wrote brief field engagement notes as I progressed in my data collection. I also took time to reflect on my past experience and inform my initial understanding of what was happening in Ruby Valley in free and compulsory education policy practice. I used the information and initial sense of meaning making with my advisor, peers and occasionally with the other researchers, it was helpful for me to listen to the comments and questions of my advisor, the peers and other researchers. My advisor also suggested to me that refer to certain theoretical resources that was helpful for me to capture the thick description from my observation.

Creswell (2012) suggested six steps that included data collection, preparing field notes, reading through data, assigning codes, building themes and coding the text description for the use in the research reports. Creswell (2012) also suggested the iterative use of those six steps. In this study I have broadly followed those steps of

data analysis in an iterative manner. As I progressed with my data collection, I took time to develop brief field notes, highlighted the information that aligned with my previous information, marked the new information. I used the consistently emerging information to develop codes and ultimately themes in my research. And I used the new information to further explore it and try to understand the local context and interaction among the different groups.

The data collection and analysis progressed simultaneously, and I consulted my advisors frequently to share the way I was making meaning from the information. The questions and comments from my advisors and suggestions to refer to particular aspects of the methodological details were helpful. Also, the way he questioned my conclusion helped me to go back and further enrich the details. I also engaged frequently with my peers and occasionally with the other researchers to listen to their feedback and comments.

It was not possible to record all the extensive conversation as it was extensive and it would skew the natural flow of the engagement, however, every time I engaged in the conversation, I took a brief note at least a few lines with the key codes so that I could revisit those details for further exploration and elaboration. I developed a thematic network as I progressed on and added and modified as new information was available. In informal conversation, I shared my reflection with the local people based on their role and identity such as when I was analyzing trust between community and school, I talked to the parents and local leaders who had been very close to school during the establishment and who have insights on what is happening at the moment. Then, I invited them for their comments.

After I came back from field engagement and went through the details of different themes and developed an overview of my research, I shared the outcome with some of the members of the local communities to hear their comments and perspectives which was helpful to enrich some minor details and satisfactory as it reflected the perspectives of those members of the local community which I considered the concluding step in my analysis.

Rigor and Trustworthiness

I applied multiple strategies of rigor and trustworthiness in my research. One of the strategies I applied for is member check-in which refers to an ‘ongoing formal and informal validation of data, analysis of themes and categories, interpretations and conclusions with those study participants from whom the data were collected’ (Hadi & Closs, 2016, p. 642). As I progressed in my research, I always took time to pause and reflect on the information I have obtained and how it aligns or differs from the previous information. I also looked for the alternatives ways to understand the phenomena I have observed, for example, when I do not see teachers and parents talking to each other on school issues, I did not conclude that they do not interact but explored this with the parents in other occasions such as what do they know about the school and how do they get such information if some of them are refereeing to teachers and so on. This method of triangulation helped me to enhance rigor in my research. Furthermore, I talked to my supervisor, peers and occasionally with the other researchers to share about how I am progressing.

I ensured to compensate for the in-person engagement by virtual engagement to internalize myself with the education policy practice in Ruby Valley. The in-person field engagement helped me to blend the information for virtual engagement and expand my interaction with the wider community in the given social and cultural

setting. Reflexivity was another approach that helped me to make meaning from my observation and continue questioning myself on the interpretation and explore other possible alternatives and corroborate it for confirmation. As reflexivity is defines as ‘subjecting researchers own practice to the same critical analysis that they apply to their research studies’ (Hadi & Closs, 2016, p. 642), I applied the information and awareness of my engagement of a policy researchers in over last years in rural communities in Nepal to draw conclusion from my interaction with the communities in Ruby Valley. I also applied triangulation strategies to confirm new information over the course of data collection. It usually includes seeking multiple and different information sources or using different data collection techniques to obtain information about the same phenomenon.

Ethical Consideration

The research informants shared the purpose of the research and how their participation will contribute to the right to education research and my academic pursuit. In the course of the research, I ensured the ethical consideration of a social science researcher to ensure that my research does not pose any harm to my research participants. Participation in the research was voluntary for the informants and this was communicated clearly with the participants. Anonymity and confidentiality of the participants was maintained by using pseudonyms to ensure anonymity.

The observation and interaction with the participants were done in a natural setting with an effort not to interfere with the natural ways of being and doing. As data collection may involve students below the age of 18, in which case the tools were adjusted to suit their needs and sensitivity including appropriate measures for child protection mechanism and consent of their parents or legal guardians.

Chapter Four

Free and Compulsory Education Policies: Evolution and Interpretation

In this chapter, I have concentrated on the first two research questions that examine the evolution of free and compulsory education policy in Ruby Valley and meaning of these policies in the local communities. I have immersed myself in the local community and reflected the policy evolution and interpretation from the perspectives of the local people. Observation and participation of formal and informal community interaction helped me to develop these emic insights.

Antecedent of Public Education in Ruby Valley

One of the first aspects of free and compulsory education, I noticed in Ruby Valley, was the disconnect between school and local community. I did not see the local community ownership of the school. The parents did not know what was going on in the school except what they could see from outside. It seems they were not interested in school and activities in the school. However, as I continued having interaction with them, I found strong interest in understanding school activities and expectation that they have not been able to express with the teachers, head teachers and other key persons responsible for the management of the school such as members of the school management committee and elected representatives of the local government.

On the day of Buddha Purnima, most of the teachers, members of the SMC, local leaders, and everyone else were in Gumba for the celebration of Buddha Purnima. They were talking with each other about a number of different topics including family, weather, crops, and so on but I did not hear anyone talking about school and education. There are plenty of other opportunities to interact and collaborate in the community among teachers, parents, members of the school

management committees and elected representatives of the local government.

However, they do not use such opportunities to talk about schools and education.

As I continued my observation and interaction with the members of the community, I did not see any one of them visiting school. The parents shared that they did not see any purpose of visiting school. Some of them complained that there is no point in visiting school. A few of the parents also complained about visiting school long ago, which became a waste of their time as the teachers called them to collect the report cards of their children but when they went to the school, they handed over the report card which they could not read and understand. They shared that their children who were in school would anyway bring it home and did not see the purpose of being asked to go to school. They consider it was a waste of time. Although they shared, they would prefer parents visiting school, I did not see any information they had developed which they could share with the parents which justified the parents' complaint.

However, when I engaged with the parents informally, I talked to them about issues of education and asked what they felt about those issues, I found them keen to talk about such issues, came up with really great idea about improving schools were ready to offer different kinds of support for enhancing school initiatives at the community level.

One of the reasons for such disconnect was lack of understanding of the school procedure. They do not feel that their ideas are worth enough for the school to listen to and therefore would not be valued. Once I was sitting with a local ward chair in his own grocery, a parent very interested in the education of his children came for some grocery shopping in an informal conversation and asked if I could share some of his concerns for quality education with the local government representative when the

local government representative was a few meters away from us. I noticed he was not comfortable talking to the ward chair himself.

My interaction with the local elderly people who took initiatives to establish school in the local community revealed that it was not the case during those early days of school establishment. At that time there were at least small groups of people who were committed to school development, and they worked as a pool between the local community and school. There were not many formal meetings but still the school was owned by the local community and support in needs was available.

As I continued to engage with the local community and interact with them, I redirected my focus towards who established the school, what influenced such initiatives in Ruby Valley. If the local community is equally detached from the very beginning or any circumstances have resulted in increasing such disconnect. Although different public schools in Ruby Valley have different stories, I found the story of Tipling typical to showcase the local community aspiration, initiatives and ownership. The story of Tipling is heroic and involves a lot of hard work keen interest in establishing school and its management. Tipling is one of the most rural communities in Ruby Valley rural municipality, even at present the community has preserved its traditional lifestyles and sustained with a rural setting. Except for a few groceries, and a homestay the local communities engaged in substance farming for their livelihood.

An elderly resident, now in his 70s, reminisced that around 2020 BS (1963 AD), a fellow villager began imparting informal education to local children in an open space on a voluntary basis. He gathered children in Seltung in an open space and started tutoring basic literacy and numeracy skills. Utilizing self-composed poems on scraps of paper and Nepali alphabet exercises, the sessions lacked formal textbooks or notebooks. Such classes were sporadic and conducted in the morning and in the

evening hours. Other members of the community also offered moral support and volunteering in need.

The initial individual efforts catered for interest among other parents in general and inspired them for education institutions. Although many children were interested in such classes, later gradually students could not continue it for long. The level of interest and commitment was diverse at that time. The volunteer encouraged both boys and girls to participate and had no expectations for the remuneration, for him the children's attendance was sufficient as a reward. Some of the students joining such classes left after a few days to support their parents in subsistence farming, while others continued for several months.

Although the efforts of the local volunteer did not last long, it instilled an inspiration among the locals for institutionalizing a local school in Seltung and the local leaders started exploring options. Finally, after a decade-long effort the local community was able to get government support to establish a local school in Tipling. It was possible due to the political leaders from the neighboring village who had access to the government administration and were keen to support the local community. The management responsibilities of the school were largely with the local communities including the incentives to the teachers except partial financing support received from the government.

The specific time of school establishment of school across different communities in Ruby valley varied, however, the struggle and efforts aligned with each other. In addition, the local community also shouldered burden for the incentives of the teachers to a large extent with the parental contribution raised locally. The teachers were from other parts of the country and their food and accommodation responsibilities were mostly covered by the local communities. There was a strong

sense of commitment and ownership. Likewise, the school leaders were nominated unanimously and were purely committed to the development of the school without any expectation of the personal benefits.

I found Ruby Valley built on the local efforts of the local leaders who were inspired by the education and development of the community. Such leaders were based in the local community and respected by the members of the community. There was trust and confidence in their efforts and capabilities. However, leaders themselves relied on the strengths of the community to exercise the strengths they had. There was a reciprocal relationship and a great sense of complementarity. An elderly local member of Ghale community in Tipling shared recalled his experience in those days and shared frustration for the unwanted shift in recent years in the following words:

Everyone was hesitant to be in the school management committee not because they were not interested but because they feared not being able to uphold community expectations, the one who is trusted had to take the responsibilities because of the community pressure on them. This is what happened to me when they nominated me for the position. Now, time has changed, they think more about their benefits than the school benefits, the nomination is more influenced by the political authorities not by local people.

At that time, deep rooted interest of the local community in literacy and numeracy was the key catalyst in establishing public education in Ruby Valley. The local community volunteers who had some exposure to education in other communities and had gained basic literacy were the ones who initiated public education. The story of a school establishment in Tipling from a local volunteer's barefoot efforts to establishing a school with the community efforts is inspiring and illustrated evolution of public education in Ruby Valley. In my interaction, I found

that the local community felt disconnected from the school systems, the teachers in the public schools do not enjoy being in the community. However, in those days despite many kinds of hardships, they enjoyed working in local schools which the members of the community think were because the local community was able to give them a sense of connectedness which was possible due to the close ties between school and community.

Another major dimension in the expansion of public education in Ruby Valley is enrollment and attendance of the children. After the schools were established, all the parents were not equally interested in and capable of sending their children to schools. Cost of attendance, household chores, and supporting families in subsistence farming were some of the hinderances in enrollment and attendance of the children. On the one hand those who put so many efforts were frustrated with parental indifference and not being committed in sending their children to school, while parents felt compelled to prioritize the immediate family needs and circumstances that require their children support in subsistence farming or other household chores.

The role of the local youth and educated people was critical in overcoming some of these challenges. Some of them did not see value in sending their children to school as they did not see much value in it. Local youth and educated people in many cases made contributions to enhance acceptance and increase enrollment and attendance. In some cases, such initiatives were harsh and compelling in nature. Among those harsh initiatives, the youth in Seltung led by a local teacher was very compelling. They seized the utensils and only return them to the family once they enroll their children and start sending them to school. This made a significant difference in enrollment of the children. However, biases for boys over girls were still important. The teacher who was leading the campaign was also not sending his

daughters to the school. Although they did not explicitly initiate the campaign for the attendance and enrollment of boys, they assumed that enrollment and attendance of boys more important and primarily being considered.

The parental spontaneous initiatives for enrollment and attendance increased after the families started going out for employment as they found the educated people were making more money, getting more comfortable jobs, and receiving better social reputation and access to information and travel convenience. Those breadwinners of the families convinced their families of the education of their children back home but at the same time they also felt deceived by the poor quality of education in Ruby Valley and started bringing their children to other cities with the expectations for better education. This is still ongoing in an accelerated manner and has changed the dynamics of the local community's engagement in the local schools.

The members of the local communities that relied on the local public schools are now divided those who are capable of making decent income to afford their children's education are primarily educating their children elsewhere in private schools, those who are able to secure some support from the charities have sent their children with those support and those who have enrolled their children in the local public schools are doing mostly so because their do not see any other alternatives.

After careful analysis of the evolution of education in Ruby Valley, I found that the local community ownership was very strong in the past and it gradually weakened over the period. Those who were in management positions in the past were perceived to have been committed to the enhancement of the school, however, most of the people in management are primarily inspired by their personal or political benefits rather than the making public education accessible and enhancing the quality of the public education which are the basic tannates of free and compulsory public

education. Those who still keep school interest at center are small number and not able to influence the major decisions.

The disconnect between school and communities is not only in management and operation of the school but also curricular practices. The education and livelihood of the local communities are inherently connected with each other; however, in practice I observed an artificial disconnect between education and community needs and aspirations. Although the disconnect existed from the very beginning, it has been more explicit at present for a number of reasons including income and employment. I found the frustration among the local people who spent a number of years in school but found those who failed and dropped out of school making significantly better income with a few months of training. They felt deceived and confused as they had spent many years with the hopes of a better quality of life and employment. I observed that this confusion has hampered the motivation among the children and their families, especially those who do not have huge academic expectation to go for the administrative and academic orientation.

In my interaction with the parents, teachers and local leaders, I did not find that the education system being successful in offering practical values and leads with examples that would help clarify the chaos among the parents and children. I did not see the children, parents and even the teachers having some clarity on the purpose of education; many of them relate it to employment and very few of them had clues about what their career aspirations were. I found it interesting that most parents did not believe that higher education has resulted in higher integrity or morality but expected opposite relationship in their experiences. Therefore, education has been considered for the sake of education. A local who is also employed in a government position shared that:

To be honest, I do not see any reasons for student to spend so many years in school; after all, they will end up with going to Arab [abroad employment in gulf countries] for labor work. The earlier they go the earlier they will settle.

Everyone working in education systems is informed of the local realities, however, they do not see their role to contribute to the improvement. There is no indication that leadership of the school management, municipality authorities or headteachers have been able to influence the aspiration of the local communities or facilitate purpose of education. Although there are unmet expectations in terms of quality and access to education, parents do not see it important to engage with the teachers, head teachers, management committees or municipality authorities to explore local solutions. I did not feel school and education practitioners worried about the challenges in making the purpose of education clear to the students and other members of the local community. The schools were indifferent about how they are perceived in the community.

Despite the fact the higher number of individuals in teaching positions are local than at the time of the school establishment but this has not been capitalized to enhance the ties between school and community. I found education and teaching one way information transmission and without taking opportunities to serve the local community. I did not see the school serving the community's interest but its own interest. It is not clear who is benefiting from that school's interest. The teachers and management do not bother about it either.

Most parents who are in the position to understand the employment opportunities and job market consider the quality of public education in Ruby Valley too weak to hold the aspiration of their children therefore they have sent their children elsewhere. I consider this among the biggest barriers in the implementation of free

and compulsory education. The free and compulsory education is not only not accessible for all the children but substandard for those who have access to it. The public consideration of its substandard quality defeats the purpose of the free and compulsory education which is essentially ensure the rights to quality public education as the fundamental rights of the citizen.

The historical development of education in Ruby Valley provides critical insights into the role the local community played in establishing public education systems in Ruby Valley. From my observation and interaction, it was evident that the education in Ruby Valley evolved from spontaneous, voluntary efforts, characterized by its public-oriented, tuition-free model. The community's active engagement in operational and managerial roles underscored their commitment to education, independent of whether their own children were enrolled in the school at any given time. However, this paradigm has shifted in recent years. Presently, the management and operation of schools in Ruby Valley are increasingly influenced by the potential for financial gains, often through contracts associated with funded projects such as construction or procurement.

Some local leaders view school management as a means to further their political agendas, leveraging control over resources and power. Many of these leaders, whose children are often enrolled in schools in cities, demonstrate a superficial grasp of educational issues that are disconnected from the concerns of local parents. These parents, burdened by the inability to send their children to better schools elsewhere, grapple with feelings of frustration and guilt over the perceived substandard quality of local education. Their dissatisfaction is compounded by a sense of resentment towards local leaders who have failed to take meaningful steps towards improvement. The initial voluntary efforts in education by local leaders were untainted by personal,

financial or political motives. However, the shift towards leveraging educational institutions for personal gain has impeded the collaboration between schools and communities for the expansion free and compulsory public education for all the children.

Key Essence of Free and Compulsory Education

Act Relating to Free and Compulsory Education (2078) stated in its preamble that the key essence of free and compulsory education is ‘to ensure easy and equal access and continuity of all to education, and to make education universal, useful for life, competitive and qualitative’. In this context, I tried to explore the key essence of education in relation to the local community in Ruby Valley. The provisions on the free and compulsory education policy mandatorily required all the children attending school.

In the beginning everything looked good and in order. The teachers and parents shared that all the children go to school. The leaders of the local municipality also shared that in the past there were many out-of-school children, however now everyone is attending school. After a few days, I was taking shelter in a local shop at the Kamitole as it was raining heavily. A child and a woman also came to take shelter to the same shop. I started talking about education and school. The women shared that it has been tough for her to manage schooling for her 4 children after her husband is missing. Her children have enrolled but they are not regular. Also, she finds it difficult to manage uniform and stationery for her children. She shared that a number of children have dropped out of school, but I won't be able to meet many of them because they have moved elsewhere for work. I found it more critical because those children who dropped out are also exposed to the risk of child labor.

As I continued engaging with the local community, I met many parents of the children and a few children who have dropped out of the school. The mandatory requirement of the Act Relating to Free and Compulsory Education has never been. However, this has never been the case in Ruby Valley, and I did not find the local authorities concerned about such gaps. The school and municipality acknowledge some out-of-school children; however, they lack the information on the number of students and specific reasons they are not able to attend. Neither is there any programme of plan for bringing those children back to school.

The local authorities and leaders are not approachable by most of the members of the community not because they are away from the community but because they do not feel connected with them, lack information on the administrative procedures practiced in education. This has hampered the power of the local community to confront government negligence in the implementation of free and compulsory education.

Most of the policy discussions are among the authorities without significant opportunities for the local community to share their experiences and expectations. Such discussion is shaped around teacher management and benefits, school infrastructure or maintaining compliance with the federal government reporting requirements such as submission of the flash data which is annual submission of the student enrollment. Local communities are not aware of the policy commitments of the government to free and compulsory education and therefore are not able to claim their rights referring to such provisions.

Although Ruby Valley municipality has violated the fundamental rights of free and compulsory education provisioned under Article 31 of the constitution of Nepal to the citizens by not implementing it, it remains free from any type of confrontation.

The requirements to pay examination fees at least four times every year are also widely accepted regardless of the income of the family. This has disproportionately affected the most vulnerable families in terms of income and orphans and single parent families.

There is no private education institution in Ruby Valley, however, there is a significant influence of the private education institutions due to issues they have closely observed in the public school and failure to produce good results in the examinations. Parents who are sending their children to public school and cannot afford the private school they blame themselves for not being able to have a decent income and consider it as a matter of stigma. Negotiating improvement in public education is also affected as many parents consider public schools are as a privilege rather than the rights of the local communities.

The interpretation of free and compulsory education in Ruby Valley has been synonymous with the education for poor and marginalized groups of the community. Every household aspires to enroll in private education institutions which are called institutional schools and require huge expenses to afford living expenses in nearby cities or in Kathmandu and tuition and other miscellaneous expenses. The local community, leaders, and bureaucrats know the reality; however, they take it for granted. They are proud of keeping schools operational though the quality is not excellent.

The rich segments of the population do not raise concerns because they feel relieved about being able to send their children to relatively better schools and the poor segment of the community does not raise their concerns because they do not have confidence and trust that their voices will be heard. They shared their concern

with me openly and confidently, but I never observed the local community members sharing their concern with the policy makers.

In local cultural gatherings the elected representatives, teachers, parents, and members of the school management committees frequently meet and have extended conversation on a number of topics, but they do not really enter the topic of education. The parents do not initiate such conversation because they think they do not understand the system well and what they share might be irrelevant or naïve. When I asked them, the parents admitted that they have never shared such concerns with their local leaders or teachers or the officials in the municipality. The teachers and elected leaders do not initiate because they do not feel it important to seek community feedback and plan together. The school management committee do not initiate such conversation as they themselves do not have much clue about what is going on in school and how and when they can influence the policy decisions. In most cases their role is to agree with the decisions and sign the minute. They frequently do it even when they are not able to attend meetings in order to ensure there is not administrative hinderances due to the required attendance.

The way local government and schools have implemented free and compulsory education in Ruby Valley contradicts with the rights-based approach (UNCESO, 2007, Tomasevski, 2003, United Nations Human Rights Council, 2011) and promote inequality. The local children's access to education is solely based on their socioeconomic background, those who have financial capacities go to private schools, those who do not have strong financial backgrounds go to public schools and those who cannot afford to go to public schools have dropped out or are at risk of drop out. The policy intention has been defeated in the way it is operationalized and does not contribute to equity in education.

I find the policy provisions tokenistic and unattended, none of the parents have any information about the policy provisions. Although the education officials have some vague ideas about the education policies of the local government, I did not see any indication of those officials about the understanding of those provisions. I did not find any indication of any of the efforts to implement the free and compulsory education policy provisions. Nobody working at the local level shared that they have every have had ward chairs, and other employees have a specific understanding about those provisions and how to implement them. In my observation and interaction with the local communities, the awareness among the local communities in relation to the importance of education has improved significantly, however, the state intervention remains stagnant. Some of the local people think the quality of public education has deteriorated. It shows that policy content is not enough to bring desired change, but the individuals and their intention is more important than any other aspects.

Despite the improved policy provisions, unequal education opportunities remain unresolved due to the diverging interests of the actors and lack of capacity among the families who cannot afford alternatives due to their lower socioeconomic status. While possibilities for social production and reproduction existed, the imbalanced power structure in society has resulted in the failure to maintain human rights-based approaches through the effective implementation of free and compulsory education. Actors' interests and ability to influence the state priorities are found to be the key in this process.

In my interaction with the policy makers, I found that they have interpreted it in a subjective way at their own convenience. They have considered the average financial capacities of the members of the local community to make policy decisions. I did not find any consideration or targeted strategies for the children and families

with lower income levels and other vulnerabilities such as single-parent families, and orphans. As a result, most of the out of school children, irregular and children at risk of school drop-out are from such kinds of vulnerabilities.

Those who are in the position to make decisions, have better income and employment consider themselves different from most other members of the community, the children from such families are studying in other cities in private schools. They define free education not based on the needs of those who are studying in the local public schools but from their own perspectives. Therefore, they do not consider it important for the local education policies to facilitate the miscellaneous expenses except the monthly tuition fees. Instead, they present what they are doing as the free and compulsory education or consider it a responsibility of the federal government.

As a justification, the teachers, and municipality officials and elected local government representatives claim that the fees being charged for examinations are *minimal and all the parents can pay* therefore it can be called free, however, charging minimal is not same as free and what is minimum largely depends upon the income of the family. For many families without any income except subsistence farming or children who are orphans or single parents, paying examination fees four times a year has also been challenging and in many cases has caused a drop out. Kamal BK (name changed) from Kamitole dropped out recently because he could not afford the uniform, his neighbor also dropped out from grade nine because he did not have bus fare to go to his school where he has obtained a scholarship for his studies, and missed his examination form which caused drop out since he did not want to repeat his grade and school could not enroll him in the next grade as he missed to complete his form.

Although the issue does not appear to be directly due to financial implications financial, it has a direct connection with financial hardships and free quality education in local communities would be very helpful for such children to continue their education. This anecdotal evidence is a tip of the iceberg since many children who dropped out have been out of the communities in search of work for the livelihood for their families.

I found that the local government's inability to implement free and compulsory education has differently affected different groups of people in the local communities. Groups with lower incomes have a more direct adverse impact due to the poor quality of education, in some extreme cases they have dropped out or are at the risk of drop out. The children at drop out and at this risk of drop out are usually the children from single-parent families, children from families with unstable incomes, and children who are staying in extended families or with their grandparents for various reasons such as parental divorce, death of the parents, and so on. The families that are sending their children to private schools in cities are considered less affected, but I consider them equally affects as well since they have to spend huge portion of their income in the private schools for the education of their children and which is not necessarily of the better quality in all cases.

My analysis of the local education system in Ruby Valley revealed demand from the local community and the capacity of the schools and the government mechanism that need to be present to effectively implement free and compulsory education. However, since the local community does feel that they have the ownership of the local public school they do not consider themselves to be in the right position to demand such rights. The school and local government lack capacity and do not feel pressured to adequately use the available capacity to the full extent. On top of

that, limited dissemination efforts for the free and compulsory education and gaps in the technical assistance from the federal government that have worked on developing policy positions at federal level have been another reasons to keep the local free and compulsory education status in chaos.

Despite resources gaps in free and compulsory education, the current context of free and compulsory education can be improved. For such improvements, the local government and school capacity, community capacity on negotiation and demanding the free and compulsory education can enhance the implementation of free and compulsory education, It is also important to note that the policy discourse are federal level during the constituent assembly and afterwards has not moved downwards even after nearly a decade has the issues is hotly debated at federal level. The failure to communicate the provisions and lack of accountability efforts reveals that the political actors raised these concerns from tokenism rather than inspired by the need to change and improve.

Lack of Participatory Planning: Weakening School Community Ties

The local government does not feel that the federal government considers it important to engage with the local governments in policy-making process, nor have they benefitted from the dissemination efforts. I did not find the teachers, resource persons or other municipality officials keeping themselves updated about the key strategies of the education sectors. They are focused on some of the key compliances that they are required to submit to the upward officials such as flash data, conduct examination, distribute the teachers grants and so on. I did not observe any planning or discussion going about enhancing quality or ensuring access to education for all the children.

In my conversation with the key education officials in the rural municipalities and teachers shared their ignorance of the key policies in relation to education sector plans, free and compulsory education policies and other government commitments. They have heard some of those provisions but do not know what is committed within those policies and what their role is for effective implementation. The federal agencies are detached from the local government and vice versa except the budget disbursement. One of the officials in the rural municipality shared that:

I have been working in a similar role before the federal structure started and I have never seen the federal government's efforts to disseminate the policy provisions. They never visit the place like ours, many of them return from the district headquarters even when they are supposed to come to the rural municipality office. As a result, the policies they make are not irrelevant for us. With our long professional experience, we have also learned to do the administrative procedures in our own ways. Often, we walk opposite directions.

In my observation during the research and working in the education sector previously, I have never observed the dissemination efforts being organized to disseminate the policies and facilitating the planning of the local government towards ensuring the policy intent except some sporadic initiatives at federal level which are limited to small number of selected local governments. Even such programmes lacked specific action strategies and systematic follow up. The local government is not resourced to do such initiatives. The municipality has still maintained an office space in Dhading Besi and they were planning for the teacher examination in the district headquarters Dhading Besi because they did not have a subject expert in the rural municipality. Instead of inviting subject experts to the municipality, the local officials,

candidate and head teacher move to Dhading besi for the recruitment process. The teacher recruitment which should ideally be taking place at school ended up taking place in Dhading Besi after three months of the position was vacant without any clarity how long it may further take to fulfill the position.

The local authorities and schools' relationship with the members of the communities was also hierarchical. They do not feel it is important to engage the members of local communities in the planning process. A limited number of people are involved in the planning process and information is not shared adequately even among the local leaders. One of the ward chairs shared that:

The main problem is the lack of transparency, the plans are kept confidential and shared with a limited number of people. As a result, nobody in the community owns those initiatives. Lack of ownership causes a lack of support and ultimately municipality plans fail. I am an elected representative; however, I am not involved in the planning process. The education committee is ineffective because the members of the committee lack visions, and they do not want to listen to our input. They do it intentionally; they do not care about education and development; they care about their interests.

Although in most cases, the local communities played crucial roles in the establishment of the schools in the past, the schoolteachers and management committees and local municipalities do not see value in engaging the parents and members of local communities in planning process. They do not share the existing policies and plans with the parents. Parents also do not feel comfortable approaching school to request information. Those who are engaged usually have some specific interest not enhancing education but financial gains. As a result, people avoid such engagement to show that they are not engaged in any financial interest. The elderly

people who have played a crucial role in the establishment of the school have done everything possible to save school resources. They felt accountability to the school and treated school resources with the highest level of integrity. Mgma Ghale from Tipling shares that who was one of the members of the school management committee who worked for the establishment of the community schools shared that.

We did everything to save school resources. When we received grants from Dhading, we stayed in a cave on the way back home to save the school resources. These days people are fighting to get into positions to save money from school, they do it with the grants, I have stopped going to school these days. I don't like this.

The detachment between school and communities is also explicit when another elderly person who had been a member of the school management committees shared the following:

During the first few decades of the school establishment, we teacher came from far and local community hospitality made them feel so homely that they forgot about their hardships and emotionally attached. Despite the long walk every time they go home, it is difficult to get food and basic amenities in Ruby Valley, they worked until their retirement. These days, the living has improved a lot compared to those days, but teachers request transfer before they complete one academic year as result we have to spend so much time on teacher recruitment. Currently five teacher positions are vacant.

I also heard the teachers feeling isolated and not supported by the community.

The head teacher of one of the public schools in Ruby valley shared that:

We struggle to get necessary support from parents, those who send the children to local schools are the poorest households and they never take

concern in school activities and education of their children. Also, they never support us in demanding resources from the rural municipalities. As a teacher, financial support from the municipalities is directed to the schools where school management committees are in their favour.

Al though this contradicts with how parents feel about their engagement and my own observation about how prepared and creative the schools are in engaging parents in school activities, the concern of detachment has causes issues in ownership. A parent who was very upset after knowing his children had not been learning in school and felt that the teachers' irregularity and the municipality negligence are the major causes behind poor learning of the students, he shared his frustration in the following words.

They [elected representatives] only prioritize the projects that may benefit those leaders financially, however, we cannot do anything. I am not educated, and do not know the government procedures. We try to approach them for improvements, and they always say, 'we are working on it', however, I have never seen any improvements. I feel frustrated and depressed.

This shows that the school communities disconnect has resulted in information gaps. The communities are not informed of the expectations and the role they can play in enhancing education in public schools and lobbying for free and compulsory education. The schools are also not aware of the potential support they can leverage from them. This disconnect has hindered the performance of the local schools and minimized the potential for free and compulsory education.

In local communities it is widely accepted that the roles in school management as a means to further their political influence, leveraging control over resources and power. As engagement in school management is directly related to personal gains,

they put every effort into keeping it in control and exclude from the rest of the public by not sharing the information or distorting information or imposing other ways of discouraging participation such as making decisions in other platforms than in communities or school gathering. One of the head teachers in the local communities shared that:

The members of the [school] management committee are tokenistic, they come for meetings from far away, and the decisions are taken elsewhere, and the meetings are to document and endorse. Mostly the key decisions are guided politically by their party leaders in the municipality. Many members of the school management committees do not have any clue about such decisions, initially, some of them raise concern because they want to be part of such a valuable discussion, however, as they gradually understand the political interest and nexus behind. They find it difficult to challenge those leaders at the individual level, they accept it.

He further added that the political parties keep a small number of selected representatives in the committees who are heard by the authorities, and they are used to exerting influence on the school activities. A few local people were having a casual conversation in a local tea shop sharing that the majority of the members of school management committees are non-parents unlike the commitment to change them into parents, they were blaming the rural municipality and political leaders for this deviation in the formation of the school management committees.

The above conversation among local people reinforced the school policy which has been developed to accommodate the individuals who are interested in accessing school management committee positions for their personal interest rather than the improvement of the schools. As I explored the policy discourse on this, there

were proposals to revise the policy to allow only the parents in school management committees, except the invited children, teacher representatives, and one local leader, however, they were not successful because most of the local leaders wanted to use this as an opportunity to use for their own personal interest or in the interest of someone close to them. One of the ward chairs of Ruby Valley municipality highlighted that:

We wanted to revise the local policies to ensure only parents can become members of school management committees so that they genuinely start a discussion on the education agenda because it affects their own children, but we could not do this because the majority of the elected leaders don't like this idea. It is clear why they do not like this idea because the people they favor will not be able to join the school management committees as they are educating their children in private schools in the cities.

In the past, the school management was integrated with the community mechanism. However, there has been significant shift in the interest and nature of local leadership who engages in the management of education. The fundamental difference currently is that the leaders are primarily motivated by a personal interest of a financial nature such as monetary benefits from the grants received in school during their tenure for construction, or political interest to remain connected in the community and being able to influence the local appointments of teachers.

Many of these leaders who are fighting for positions in management and whose children are often enrolled in schools in cities demonstrate are not interested in the management of the schools but in the name and fame along with any other financial gain such as funding for construction or furniture and so on. The initial voluntary efforts in education by local leaders were untainted by personal, financial or

political motives. The members of the community in general are not interested in and engaged in the school activities nor in the management issues. De Weger, Van Vooren, Luijkx, et al. (2018) after an extensive review of the literature concluded in their studies that '*meaningful participation* of citizens can only be achieved if organisational processes are adapted to ensure that they are inclusive, accessible and supportive of citizens' which is true in the case of the citizen participation in free and compulsory education in the Ruby Valley as well. The shift towards leveraging educational institutions for personal gain has resulted in a lack of interest in the local community to engage in education planning, management, and other support to the educational institutions in Ruby Valley.

The interest group uses two major strategies to keep the wider community disconnected from the interventions in the school, they share minimal information, and they choose to share the information in distorted manner. One of the members of the former school management committee shared that:

It is difficult to understand what is going on in school, they never share the information, and sometimes they invite meetings for one purpose but make decisions about one another agenda because they do not want us to give them enough time to think about and understand the issues. I raised the concern in the committee frequently, however, it did not change.

The former school management committee added that the reasons he could not continue tenure of the member of school management committees was his demand to request the information widely. Lack of sharing information is not only in school management, but also more critical in rural municipalities. One of the ward chairs shared that:

The issue of information sharing is more critical in rural municipality procedures. I am chair of a ward, but I struggle to access the right information. It is difficult to validate the information and understand what is going on. There are a number of strategies they apply, inaccurate information, incomplete information, delay in sharing information, and not sharing information at all.

The information gap has hampered community ownership and participation of free and compulsory education. The main reason for declining interest in schools is a lack of understanding of what is going on in the school and how the local community can contribute to those initiatives. The findings in relation to community participation is aligned with past research findings such as Watt (2001) has claimed responding to the community's "concerns, needs and interests of communities in education planning and management can help to generate strong demand for education, and improve enrolment, attainment and achievement" (1).

There are other various research studies that have shown that there is a direct and positive correlation between access to quality public education and community engagement in different parts of the world (DeSteffanno, 2006; Henderson & Mapp 2002; Epstein, 1997; Mozumder & Halim, 2006). The changing dynamics in public education show that weakening community engagement and ownership revealed that free and compulsory education policy practice is not progressing for the wider benefit of the local communities. Therefore, an important step to enhance free and compulsory education policy practice navigating ways to enhance community engagement in school activities by facilitating parental access to the decision-making process and empowering them with the school procedures and managing the interest groups' access to education institutions.

Increasing Dilemmas and Declining Trust in Free and Compulsory Education

The free and compulsory education discourse evolved after the country's federal structures were initiated. The constitutional provisions in 2007 Ad and 2015 made it mandatory for the government to operationalize free and compulsory education. There were diverse opinions who favored and tend not to favor free and compulsory education for various reasons. Some of those reasons cited frequently were the lack of adequate resources. The political leadership, particularly the forces interested in radical shift and interested in justifying over a decade-long conflict were keen on free and compulsory education, however, once they got into the government with the responsibilities of the fulfillment of those expectations of the communities, these agenda got less prioritized and favored the utilitarian approach rather than the right based approach.

The dilemmas of professionalizing teaching have resulted in huge damage. The restrictive attitude in education was visible in planning the teaching workforce in the education sector. The teacher positions remain inadequate, the state priority is not increasing the number of required teachers but to manage in an ad-hoc basis by recruiting teachers in grants who do not receive minimal benefits as determined by the government. As a result, at the moment a number of teachers in Ruby Valley are in federal, provincial, and local government grants. Since those teachers find their position insecure irrespective of their performance, they prioritize their next job over teaching in their current jobs.

The secondary school in Tipling had five teacher positions vacant as teachers on those different grants left towards the end of the academic year in search of other jobs and preparation for the permanent teacher positions. After two months, the rural municipality was still trying to work on the recruitment procedures. This is one of the

reasons the children who attend those public schools find waste of their time by attending the public school as they have been returning home without a single class for the last one month and which is likely to continue for another few weeks at least. The irregular classes are not specific to the school in Tipling, in another school due to teacher absenteeism, the students did not receive their grades for the examination conducted before the school education examination (SEE). The main purpose of such an examination was to provide feedback on their performance and input for further enhancement, but the teachers were not available to go through their answer sheets. This has hampered trust in public education in Ruby Valley.

Most of the dropouts in recent months were due to financial hardship in the family followed by poor performance in their schools. However, the local government is still in a dilemma if it is worth making basic education free and compulsory. They have recently seen an alternative to provide scholarships for students in higher education. This agenda has been favored by many politicians because it directly offers benefits to someone, they are close to while making basic education free and compulsory is not appealing because they have already enrolled their children in private schools. One of the local government representatives shared that:

Instead of increasing investment in basic education, this year, we have started supporting the students in university level. We have offered them scholarships and this approach has been favored by the local leaders. Spending more on the basic level is not very useful because there are very few children and those who are enrolled are also gradually moving to school elsewhere. Some of the schools have only 2-3 students.

The approach sounds very popular; however, it is problematic because the children who have remained in the local communities are the ones who need the most

support from the state due to their socioeconomic hardships. Also, the local government representative shared about starting a residential school with low fees and local government contribution, however, it seems more problematic for the children who are already at risk of dropping out for not being able to pay tuition fees. I have tried to capture the key factors increasing dilemmas in free and compulsory education in the diagram below.

Figure 2

Factors Influencing Increasing Dilemmas in Free and Compulsory Education

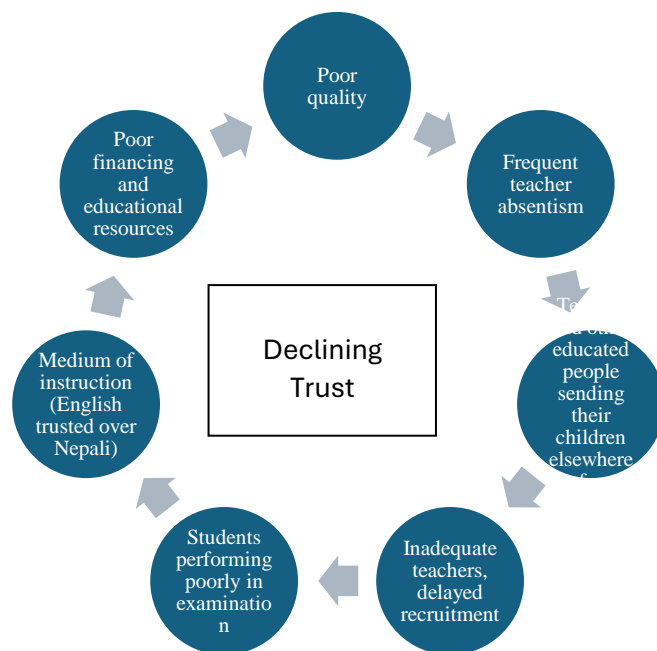


The multiple dilemmas in education have caused declining trust in education. As I know secondary level students' school free and compulsory education. Student enrollment in private schools has been increasing, and it has accelerated in the last ten years. Enrollment in public schools has decreased because an increasing number of children have opted for private school enrollment elsewhere. Through my observation of the school data and conversation with the teachers, I found that this is declining in all the schools. The school in Seltung had around 360 students enrolled 10 years ago;

however, it has decreased to 240. One of the primary schools has only four students enrolled from early childhood education to grade five which was above 60 students 10 years ago. The decrease is mostly due to migration and most of the migration was influenced by the search for quality education for children. The situation is similar in many of the schools in the rural municipality and in some schools, it is even worse, and the local municipality is exploring the option for school merger. This is primarily because the children are enrolled in private school as long as their parents can afford it. Below are the factors that I find primarily responsible for declining trust in free and compulsory education.

Figure 3

Factors Leading to Declining Trust in Free and Compulsory Education



The local government representatives who have authorities for the implementation of the sectoral priorities at municipal level have heard about free and compulsory education provisions but are not specifically sure about their requirements

and state obligations. They are in dilemma whether to pursue the focus on education with long-term return or look for shortcuts that may result in immediate attention of the local communities which might be more important for their political engagement and career.

Chapter Five

Leadership Influences and Gaps in Free and Compulsory Education

In this chapter, I have focused on the leadership influences in free and compulsory education policy practices in Ruby Valley rural municipality. In addition, the chapter builds on the other gaps observed in the implementation of the free and compulsory education policy.

Leadership Priorities and Free and Compulsory Education

My first encounter with one of the ward chairs, in Kathmandu made me feel that the local government is very committed to education in Ruby Valley, However, as I continued my engagement and interaction, I found most of those priorities were an inventory of the wish list. I did not find any documentation or public discussion on those priorities. Such priorities also differ from person to person within the municipality structure and even. I also experienced that the same person shared different perspectives most of the time as they usually spoke on the top of their head. As I tried to differentiate what local government representatives have wished for and what they have actually planned, it was helpful to find out the specific initiatives. Towards the implementation of free and compulsory education the grants allocated for the temporary position were specifically planned and were very helpful to waive the tuition fees of the students. They had also allocated some miscellaneous grants for the schools, which was helpful to have some extracurricular resources for the schools, secure compound in the schools, etc. However, in relation to enhancing free and compulsory education, I did not observe significant policy discussion going on.

In my conversation with the resource person, head teachers, teachers, parents and members of the school management committees, ward chairs, it did not sense they were aware of the government commitments and priority. Those who were

informed of the provision had vague ideas about it but did not feel it was important to bother with the details because they consider themselves not in a position to take them into action. They municipality officials and resource persons also consider this federal government responsibility as they do not have capacity and resources to implement the provisions developed at the federal level. This shows weakness of accountability of the free and compulsory education policy.

I found very few of the members of the local community and local leaders are keen on issues of education. This is because many of the local people who have sent their children to private school because they do not have any hopes of improvement from local school do not see the agenda is related to them. As I never heard the local people talking about the issues of education unless I started the topic with them, I asked the owner of a local homestay if she had ever heard anybody talking about enhancing the issues of free and compulsory education. She was well informed about the local discourse because most of the informal meetings take place at her tea shop. Her response not only showed how less frequently those topics are discussed but also how indifferent the part of the community is about quality public education in general.

I don't know why but nobody talks about making local school better, my niece [pointing at her niece] has just appeared in SEE examination, I don't think she did well. I have never been to school. I never sent my children to this school.

She did not know if the private schools in Kathmandu offer a better quality of education, but she seemed to be happy with her decision and progress of her children so far. During my stay in Ruby Valley and interaction with the elected representative, I found the elected representatives were more concerned about the infrastructure development. A few of them were more interested in education than others but I still

felt it was more like what they wished them to invest the portion of the resources for improvements or dedicating their time to initiate improvements.

Some of the priorities they were considering did not sound realistic to me, one of the ward chairs shared with me that they were thinking of visiting to Finland to understand their education system, I found it strange that they were not having discussion in community level for the improvements but thinking of visiting Europe. This contradicted with their excuses of not having enough resources for improvement. It clearly appeared to be an outcome of low priority in education. They favored investing more in construction than education and other services. There is a strong perception in the local community that the reason for such preference is due to the interest in making their work visible, and the personal benefits associated with the work for someone who is close to those in authority and their political parties.

In course of my interaction and observation of the community interaction and policy discussion in different formal and informal contexts such as local shops, school level meetings and interaction between local leaders and members of the community revealed that the local leaders find construction and infrastructure work more appealing than the education. In education, they consider recruitment of the teacher as the biggest achievement, and which is also delayed significantly. There is multiple recruitment needs every years in most schools and recruitment takes a few months each time resulting in prolonged gaps in academic activities in schools.

The parents who send their children to community schools were worried about the neglect of the leadership, however, they were not in the position to raise these concerns among the local leaders. They do not think they understand the administration well enough to share their feedback or question their decision. Some of them are afraid of the leaders that they may take such questions and concerns as

personal attack or defamation of their efforts, which I believe is genuine as the local leaders try to protect their efforts and showcase improvement they have initiated.

However, there was no indication of those improvements in the schools, the members of the local community did not feel such improvements. Two volunteers working in the local community in Tiplin who had also observed the schools elsewhere felt the local school are deceiving people in the name of free and compulsory education and adversely affected the potential of the student. I find multiple reasons for not being able to raise their concern. First, there is simply no practice of doing so. There is a lack of understanding that such issues can be raised with the political leaders to demand. Secondly, they are not well connected with the local leaders, and they have hesitation in saying that the response might not be positive, or it may be regarded challenging their efforts. Likewise, some of the local members of the community do not have faith in the local political leaders that they care about improvement in education as a priority, because they are perceived to be influenced by their personal interest that public interest. One of the parents shared that:

All the leaders have sent their children to private schools; therefore, I don't think they really care about the quality of the schools in our community. They care about their political interest, head teacher nomination and formation of [school] management committees but don't care about improving school.

This was confirmed by Head Teacher II, as he shared his and other teachers' preference on selecting the school management committee members.

We favor having the school management committee chair who is connected with the political leaders so that he can leverage the resources for the school rather than looking for someone whose parents' trust. We have to be strategic on this otherwise it is difficult to manage school effectively.

Sharing resources in education is not a political priority and it is slightly relieved when someone is closely connected with municipal leaders in the school. The municipal policy priority also justifies the claims about education, not the top priority of the leadership. Ruby Valley rural municipality has developed three policies in education, and they are primarily focused on formation of the school management committees, distribution of teacher positions to the schools, and education rules for operational requirements. However, none of these three policies prioritize free and compulsory education and enhance the rights to equality public education.

The local political leaders and authorities with the municipal authorities for education agree that they have not been able to operationalize free and compulsory education but see the other priorities more pressing than educational needs. Therefore, they are compelled to prioritize more resources to the other priorities. Since free and compulsory education commitment is by the federal government, they claim that this should proceed with the federal government.

The political leaders at federal level are aware of their policy inaction on free and compulsory education and the education minister acknowledges with media about lapses free and compulsory education policy implementation and committed to initiate its effective implementation in future.

My observation showed that leadership has huge influence in free and compulsory education, however, they are not aware of the priorities. Because they came from political background and there is little support to help them understand the priorities on those different aspects and how it may add value in the longer run. Most of the policy decisions they have taken are based on personal experience and public pressure. However, since there is little exposure on free and compulsory education modality it is difficult for them to navigate. In addition, they are also influenced by

the return from such investments and how does it enhance their political positions in the future. Therefore, the development efforts that are visible, have quick impact and public satisfaction such as improvement of the road quality are preferred over education. Local people also widely perceive leadership decisions are also influenced by personal interest such as the opportunity to create work for the cadres who have dedicated their support in those political campaigns. I did not feel leadership is committed to making free and compulsory education a priority.

Increasing Symbolic Violence in Free and Compulsory Education

The leadership failure to prioritize enhancement of free and compulsory education has resulted in symbolic violence in children. Symbolic violence is a concept developed by the sociologist Pierre Bourdieu to describe a form of non-physical violence manifested through the imposition of dominant cultural norms, values, and beliefs on marginalized or subordinate groups. Analysis of free and compulsory education revealed that the dual education systems and the children who have dropped out due to the poor socioeconomic status of families who are not adequate to afford free and compulsory education have resulted in this form of violence.

One of the parents, Kale Tamang, shared that he has enrolled two of his children in the local school, but this makes him feel stigmatized and sad about the future of his children. He shared the reason behind this situation in the following words:

The local community schools have so many challenges, many teacher positions are vacant, the teachers are frequently absent, and those who are present also do not spend their time with students in the classroom, they frequently see them outside the classroom. The quality of education is very

poor, that is why they [teachers] have sent their children to the cities and our children are studying in the local schools. Since our children have got poor quality of education, and I am helpless, saw. My poverty is killing me every day.

As I continued my observation and interaction with the local community and schools, I saw neglect in multiple steps. Teacher recruitments were delayed for no reason. On the day I returned from the village, one of the teachers was also coming back. He planned to stay halfway, which was a few hours walk and easy to manage even after school break, but the teacher decided to leave the school early in the morning immediately after the prayers. I left the place around 2 PM on the same day and found him staying in a hotel on the way. I felt like he wanted to get rid of the school as soon as possible.

The school management was tokenistic, one of the members of the school management shared that we had to go to the meeting leaving behind our household priorities, most of the things were already decided and we signed the document and returned. I do not think it is worth spending so much time for signature. I think he was true in the sense that most of the members were non-parents and some of them were more responsible in making decisions than others in practice. It was possible because of their position in the rural municipality and lack of active participation and contestation of other members in the decision-making process depending upon the agenda. Those who are not relevant to schools have a hold over the school agenda.

This time we wanted to update the local education policy to have only parents on the school management committee, but you can see that still majority of the members are non-parents, and we could not update the policies because the local leaders themselves wanted to have non-parents manage the school.

Maybe they have an interest in school but not in education. [he was indicating financial resources and other indirect personal benefits of being members].

The neglect was not only in the policy provisions but also in the timely implementation of the policy practice. In one of the local community schools, five teachers' positions were vacant since Chaitra as some of them resigned to explore other opportunities, and some of them got transferred or accepted jobs elsewhere, however, until the second week of Jestha, they had not been able to conduct screening test which only requires 7 calendar days assessment notice and local examination could be organized at the municipal level. The head teacher was expecting the new teacher to join in the month of Ashadh which is the time first term examination of the students is scheduled, however, it will not be possible for the local school to organize tests in many subjects because the students will not have attended a single class of those subjects. Nothing looked normal in education, but everything felt normal by the parents, students, and teachers because this was common.

The local communities have already lost hope in the local public education and do not consider it for them and do not want to manipulate the system. The most critical part of the community context exhibits the dilemma of the local community towards education in general and the right to education in particular. Free and compulsory education is disconnected from the local realities not because it is irrelevant but because many other foundational practices are almost non-existent. This has direct connections with how formal education evolved in Ruby Valley, and how it is managed.

The political intersection in public education is extreme, however, investment and commitment to enhance public education is not a top priority for the political actors, concerns, and interests. Therefore, public education institutions have failed to

ensure free or compulsory education and convince the local communities that they are capable of offering quality education.

The Harsh Realities of Free and Compulsory Education Policies

Local governments are left with the responsibilities without any support and resources both financial and human resources for the effective implementation of free and compulsory education. A local secondary level teacher is assigned in the role of the resource person with operational responsibilities such as compiling education data and suggesting rural municipality on education priorities. However, s/he is not authorized to make decisions and exercise authority for teacher recruitment or other responsibilities mandated to the civil service employees. I did not notice any technical support available from the federal government except for budget release which one of the rural municipality officials shared in the following words.

I have been in this role for the last 18 months, and before that working as a teacher for the last 29 years, I have not seen any targeted support for the operationalization of the free and compulsory education or implementation of the sector plan except the financial resources which are minimally inadequate for the operations of the school. My understanding is that this is the policy of the federal government, and they might have ways to implement it, but I cannot say when and how it will be executed.

One of the staff members of the local government shared that local levels have historically faced all kinds of bureaucracy that still exist in the sector. He shared about the torture he had to face due to the operational complexities in the operations of the local school which justifies the lack of funding for education and also suggests why free and compulsory education have not been a reality in the way it was envisioned by the legal provisions under fundamental rights in the constitution of Nepal and free and

compulsory education act at the federal level. The instance occurred before the federal structure was operationalized, but the financial resources and allocation have remained largely same. As this has been a significant story that illustrates the financing reality, irresponsible government, and helpless local levels, I would like to present it in detail.

Local community in Seltung had long been deprived of education opportunity as children have to walk too long for their age to Borang which would take around 2 hours to go and even more to return as they would have to walk uphill. Members of the local community were able to establish a local community school, however, they did not get a sufficient number of teachers, and parents did not have sufficient financial resources to contribute to teacher salaries. Local level (village development committees at that time) did not have resources that they could spend on recruiting teachers and paying their salaries.

As this issue became critical local-level leaders and officials in the Village Development Committees agreed to allocate some financial resources in the name of the construction of the school field but use it for teacher salaries because that was a more critical need for the operations of the school than construction of the field.

The government rules and regulations irresponsible to the local needs were not informed of such realities or the authorities with such responsibilities did not care. They had to violate the procedures for the operations of the schools, and it was after free education policy provisions were documented under constitutional provisions. Someone who was not successful in getting direct benefits from resources complained to the Commission for the Investigation of Abuse of Authority complaining about the case as misuse of financial resources. A team of investigators including civil employees, a special police force trained for the purpose, and other officials went to

the local level for investigations, and they policed the local officials. The local government officials explained the scene that it was a chaotic moment. They were very boastful, looked very smart, walked very fast, and seemed to take action immediately. However, as the officials had not done anything in their favor except sustaining the local school explained the details, the officials finally looked at the reality, verified the details, and returned. Finally, they closed the case. However, they had to face hurdles in and cross the set provisions in trying to keep local schools operational which should have been the responsibility of the state in a lawful and respectful manner.

As in the instance above where local authorities have to manipulate the provisions to maintain the school operations, in the country where education is expected to be free and compulsory up to the basic level and free up to the secondary level including free higher education to the needy communities and groups. This duality between the policy content drafted with very progressive promises and implementation not only remains weak and hollow but problematic. Teacher retention and availability in public schools in Ruby Valley highlights significant context for dualities of policy provisions to improve but the practice remains stagnant or even deteriorate in many ways. One of the ward chairs shared that the quality of public education in Ruby Valley is deteriorating despite the claim of the government in its improvement in policy provisions.

For the children who are not able to afford stationery, school uniforms or pay examination fees, it has not even been possible to access those public schools which are abandoned by many other children because they were supposed to offer sub-standard education. Children of Thulimaya shared that she has four children enrolled in the school, but they only go to school occasionally because they do not have

stationery and uniforms and this makes it impossible for them to participate in school activities. Occasionally they are returned by the teachers because they also need to support her in her household activities. By principle, in a state with provisions for compulsory education, where families are not able to afford education expenses, a support mechanism is a must. However, it is surprising that local leaders, despite knowing this reality think that this is the problem of a family and not necessarily something the local government can respond to. Their excuse is that there are only a few families and children like this in their communities, which might be true, however, for those children and families being small in number does not make any difference except for making it more complicated for them to be able to attend school.

Although it is not clear, how many children are there with such circumstances, the family is not alone, as another child from their neighborhood whose father works as a blacksmith for subsistence, could not enroll his child in grade nine, as he could not manage finances for him to go to Chitwan (the neighboring district) where he was studying with the support of charities because he could not manage travel expenses and he has no one in the community to approach for such support. The family could not afford to enroll the child in the local school as well because they did not have any financial resources for stationery, examination fees, and other indirect expenses of attendance. The child will likely remain out of school due to financial hardships which defeat the purpose of free secondary education, and therefore policy content and practice are contradictory.

This shows that the children have access, but it is not free because they need to pay the examination fee and the way it has been managed does not create ease of access to quality education but a tokenistic manifestation of the education services which requires significant improvements for its effective implementation.

Chapter Six

Results and Discussion

In this chapter, I present the results and discussion of my study of free and compulsory education policy practices. The critical reflection I present in this chapter is in the realm of the theoretical context and an attempt to theorize the findings from the study.

Results

Along with the historical development of public education in Ruby Valley has aroused awareness on the importance of education. Despite increased awareness, community ownership of schools has decreased. Among different reasons for such disconnect, I found policymakers interested more about their personal benefits than enhancing quality of free public education has been the key concerns. A number of children have dropped out of school, but I did not observe any targeted programmes planned or under discussion. Increasing numbers of children are moving to private school every year due to the lack of trust in the quality education provided by the local public school and this has not been a concern for the local authorities, teachers or head teachers. The occasional discussion among the teachers, municipality officials and elected representatives is focused on persuading rather than enhancing the quality of the local schools. The lack of ownership of the community and poor quality of the public schools have caused the other challenges of declining trust, school and local government accountability for free and compulsory education as the rights of the local community.

Unequitable education opportunities have stigmatized the parents and children for being compelled to go to public education. The ways they experience the remarks about the poor quality by other stakeholders, or the appreciation of private education

is not only tempting for them but has also caused guilt among the parents for not having enough income to support their education and stigma for the children for being part of such substandard quality of education.

There is a changing dynamic of community participation in the management of the local public school. During the days of establishment people were more inspired by the needs for their own children's education. Over the period most of the people who are responsible for management have their children in private schools in cities outside Ruby Valley.

In this section, I explore the evolution or historical development of public education in Ruby Valley and its relationship with the conceptual development of free and compulsory education policy practices at present. I have analyzed the policy evolution in connection with the roles of the local community played in the past and at present and how it has shaped the policy practices for the benefit of the local communities. I have tried to integrate the key aspects of community participation, ownership, and trust towards free and compulsory education.

In course of my exploration, I encountered increasing dilemmas and declining trust in free and compulsory education in Ruby Valley. The public schools that are expected to offer free and compulsory education for all are widely perceived to have been offering sub-standard quality education. As a result, the students in those public schools feel stigmatized and the students feel guilty for not being able to have access to the private schools. Instead of appreciation for being part of the local public schools, they feel neglected, uninspired in this journey. The experience symbolic violence due to the weak implementation of free and compulsory education policies.

Discussion

The school inability to realize the free and compulsory education policy has resulted in public frustration. The local government failure to ensure right right-based approach for equitable access to education as envisioned by the constitution of Nepal and lack of the mechanism to disseminate and enhance local government capacity in the implementation of free and compulsory education has resulted in the frustration of the local communities, and declining trust in public education system. Provincial government support is limited to offering some grants for temporary teacher positions and lack coordination and does not meaningfully facilitate coordination and capacity building for free and compulsory education.

The weak implementation of the public education system in general has created gaps in the implementation of free and compulsory education. Dysfunctional dissemination systems have made most of the members of the community unaware of the state commitment for free and compulsory education which has negatively influenced the policy negotiation at the local level between the local communities and school and local governments.

The weak implementation of free and compulsory education has resulted in the reproduction of inequality and injustice in Ruby Valley by creating dual educational opportunities for individuals based on their socioeconomic backgrounds. For this purpose, the policy practice in free and compulsory education in Ruby Valley revolves ‘between the cultural production of knowledge and the reproduction of social power’ (Stoddart, 2007) and engages critical discourse (Agger 1998; Best and Kellner 1991; Eagleton 1991). Since the key actor background, positionality, and interest is critical in shaping policy practice, I consider policy as a tool to materialize the actor’s interest and to influence state priorities in favor of those who have access to resources

and information (Russell, Borick & Hyde, 2023; Hill & Varone, 2021; Howlett, Ramesh & Perl, 2020; Knill & Tosun, 2020; John, 2018; Sabatier & Weible, 2018; Shafritz, Dye, 2017).

Long-Standing Issues of Communication, and Trust

The study revealed that gaps in policy dissemination from higher levels of authorities to lower levels and between government authorities and local communities are historical issues. In the past, such gaps were more concentrated on financing, operational, and legal provisions and created by politicians and bureaucrats to prevent marginalized communities from the state resources in various ways and contexts (Scott, 1998; Foucault, 1975, Bourdieu, 1991; Butler, 1997, Sen, 1999). In the case of free and compulsory education policy implementation in Ruby Valley as Foucault (1975) discusses in his *Discipline and Punish: The Birth of the Prison* the power structures, including those within schools, rural municipalities, and other individuals with institutional access to state resources have used mechanisms of control and communication to manage and restrict access to resources so that they can use their discretion on prioritization and management of resources. Local communities have tolerated illegality which been useful for those in the authority to maintain status-quo and prevented from the realization of the right to education.

There is a limited level of awareness among the local communities about the state commitment for free and compulsory education because of the lack of the clear and accessible mechanism to disseminate the state commitment to the local communities, and low level of literacy in the rural communities in Ruby Valley. The local communities are not aware of their rights under free and compulsory education policy provisions and blame themselves for not being able to afford private education

opportunities as an alternative which they consider of better quality than the public education that is offered by the local public schools.

They have some expectations from the schools and municipalities which they are unable to articulate because they are busy with their survival priorities, do not find the government procedures accessible, and are afraid of violating the limitation by speaking inappropriate language and demands with the school or municipality procedures. The way they have experienced the subject matter with technical jargon and showing a number of ways to make the conversation difficult to understand for the local communities.

Therefore, the members of the local community share their frustrations with me but they find it difficult to articulate with their the local government authorities who are from the same communities. Those reasons are aligned with the complication and hurdles in communication in bureaucratic politics (Peters, 20010) that consider communication barriers as an strategies to maintain authority and control; gatekeeping (Kurt, 1947) in which limited information is shared to create barriers in community empowerment and distorted communication (Habermas) which make it difficult for the local communities to confront in right time with the rights authorities. As result of such barriers, tolerated illegality (Foucault, 1975)

The interest and power of the politicians and bureaucrats have created communication gaps to serve their personal interest and retain power which creates restricted access of the local communities to information. Consequently, it make difficult for local communities to build in the internal insights of what is feasible in free and compulsory education and how to raise voice to claim it. Therefore, increasing dilemmas in free and compulsory education and declining trust in free and compulsory education start with the lack of transparent communication. Survival

priorities of the local communities limit the local community capacity to delve in the details of navigating strategies to overcome such hurdles and rent seeking interest and behaviour in the bureaucrats is motivation to persist with efforts to maintain such barriers.

There are primarily two strategies I find applied by the authorities to make communication difficult and inaccessible, gatekeeping of the information sharing the minimal information often incomplete and inadequate. The gatekeeping is not only the case of policy implementation but starts with the policymaking as in the case of the act relating to free and compulsory education (2018), the legal provisions are drafted in ways that it is incomplete without the accompanying rule which has not yet been released. Another strategy applied is distorting the communication which becomes convenient for the authorities with the first strategies in place and makes it impossible to draw conclusions from the findings. I find the one of the fundamental issues of the free and compulsory education policy practice is due to the lack of access to information and communication channels that not only restrict access to free and compulsory education but also freedom of expression and access to resources in general. This condition is perpetuated by state mechanisms.

As a result of the barriers in communication local communities are not aware and informed of the key policy provisions. Although the local authorities have access to the policy content, the higher level of the government authorities at the federal and provincial levels, they do not get support to understand the policy content and key essences in relation to their liabilities to free and compulsory education. Public education is not the priority of the politicians and bureaucrats, nor it has been owned by the local communities due to the issues of access, therefore, free and compulsory

education is going through a critical phase of ownership despite its benefit and significance for enhancing equity and justice through quality public education.

History of education shows that the local communities that were primarily responsible for establishing public education with scarce local resources have not found it difficult to offer minimal support while it is being mostly financed by the state, which has also been influenced by lack of transparency and access to information and perceived interest of the actors who have captured the management of the resources and local communities fails to challenge such attempts due to the lack of the clarity on the what is possible and what is not possible. They have not been able to challenge the low priority of education because inadequate information has created an illusion and declining trust in education.

The decline in trust is not an overnight process, it has been the outcome of longer-term and 'repeated interactions which lead to beliefs and expectations underlying trusting behavior' (Bormann, Niedlich, & Würbel, 2021). Therefore, we can conclude that the quality of public education has repeatedly failed to hold the policy commitments in practice and information has been one of the barriers that limited the capacity of the local community to challenge or navigate ways of enhancements, which resulted in the declined trust. Trust not being static, it is possible to regain enhancing communication and eliminating measures of gatekeeping and distorted information. However, the positive side of this is that it can be improved with continuous efforts for improvements.

Past studies on education and public administration show that the phenomenon is not new or specific to the communities in Ruby Valley, however, with poor literacy, and almost no presence in bureaucracy the local communities have been deprived of such access historically. The federal structure offered an opportunity to

offer relative access to a factor of the local communities, however, the group now turned into creamy layers resulting in reproduction of longstanding inequality and injustice. Free and compulsory education is a manifestation of the same unequal social structures and practices and efforts to resolve such issues cannot resolve without working on enhancing effective communication between state mechanisms and local communities.

Survivalist Priorities over Framing Issues

Ruby Valley is among the rural communities with food insufficiency and none of the households are self-sufficient. According to Joshi and Basnet (2022) over 50 per cent of the local population is food sufficiency for less than six months. Marginalized communities that are focused on immediate survival priorities such as securing food, shelter, and safety find it difficult to engage in longer-term priorities, planning and advocating their rights. This prioritization of immediate needs over strategic longer-term negotiation often limits their ability to effectively claim their rights even when such rights are documented and protected by the legal provisions because they have other pressing needs that keep them engaging. This concept has been differently presented in different theories. Freire (1970) critically examines on how oppressed and marginalized groups can be so preoccupied with survival that they lack the resources and time to engage in critical consciousness and advocacy.

Likewise, Peet and Hartwick (2009) in *Theories of Development: Contentions, Arguments, Alternatives* provided a comprehensive overview of development theories, including discussions on how marginalized communities prioritize immediate needs over long-term advocacy. The contribution of Sen (1981) in entitlement and deprivation has also shed light on the limitation posed by poverty and famines on broader social and political activities, including advocacy.

Momentary social-political shifts, longer-term political transitions over the past few decades, and rapid socioeconomic changes have made it difficult for the local communities in Ruby Valley to follow and position the community voice on the right to education including free and compulsory education. In addition, instead of prioritizing organizing together for shared and amplified voice, members of the local communities find it more relevant and useful to focus on their livelihood priorities and explore alternatives to quality public education. As claimed in the framing theory developed by Erving Goffman and applied to social movements by scholars like David Snow and Robert Benford, communities in Ruby Valley struggle with framing their issues in a way that resonates with their needs and relevance for free and compulsory education policies for ease of access to quality public education promoting equity and justice and garners wider attention which has adversely affected the free and compulsory education policy practice and local community ability to organize effectively for the same. As a result, although reliable data is hard to obtain with no systematic tracking, it is easy to notice the increasing trends towards private education institutions which remain consistent after the free and compulsory education.

Since the local communities are not able to negotiate the right to education and contest the choice of political leadership and bureaucrats, the implementation efforts of the existing policy provisions have been ineffective, delayed and neglected. The basis for such a conclusion includes financing models of education remaining stagnant, the administrative models not improving, there is a delay in the federal education act and at least three education sector plans have faced hurdles due to the delay. This has been realized in different actions such as delays in rules to operationalize act relating to free and compulsory education (2018) or the

government's attempt not to disclose the high-level education commissions report (2019) which received significant media attention and civil society contestation, or no significant financial resources despite the significant expansion in policy provisions enhancing public education which also required resources to effectively implement public education such as responding an inadequate number of teachers. In the absence of all such efforts, the free and compulsory education policies remain a tool for political publicity rather than a transformative agenda.

Rent-Seeking Behavior in Free and Compulsory Education Policy

Analysis of the free and compulsory education policy in Ruby Valley showed the symptoms of the street of bureaucracy, issues of principal agents, and rent-seeking behaviour which have hindered the implementation and outcome of the free and compulsory education policy. There is an undeniable role of street-level bureaucrats, civil employees, and teachers who directly interact with and engage with the local communities (Lipsky, 1980; Lipsky, 2010; Bardach, 1977; Denhardt, & Denhardt, 2003).

However, the federal and provincial governments developing policy documents without effective attempts to disseminate with the rural municipalities or guidance to ensure adequate teacher positions or coordinating efforts for quality public education is an outcome of street-level bureaucracy. Likewise, the rural municipality considers that since the policies are developed at the federal level and rural municipalities lack resources and capacity, they expect that the federal government should have a plan to effectively implement it.

Street level bureaucrats have further space to exercise their discretion because there is a lack of oversight of the higher level of authorities or and mechanism for public to seek accountability to state commitment. The accountability mechanism is

intentionally kept loose because it does not directly affect their rights children of that class of people usually attend private school which are beyond the scope of the free and compulsory education, and they do not get any additional financial incentives by enhancing the quality of free and compulsory education. The local community perceives that resource prioritization in other sector creates direct benefits to the authorities by creating work and income for their cadres or themselves. This has led to actions driven by financial incentives rather than ideological beliefs.

There are local leaders of different political ideologies some favoring radical shifts in the policy procedures and other more gradual development priorities, however, the priorities undertaken by those leaders or their political parties have been primarily to meet their own financial interests, this rent-seeking behaviour involves politicians using their positions to secure economic benefits for themselves or their supporters, often at the expense of the public good (Krueger, 1974; Congleton, Hillman, & Konrad, 2008; Stiglitz, 2012; Woronkowicz, & Hutter, 2018).

The rent-seeking behavior is not only common among politicians but also the upper-class people who seek the favor of the politicians to get access to positions such as chair of the school management committees and leverage resources using those positions in their own favor without necessary efforts and concern on enhancing quality public education in general and free and compulsory education in particular.

All these diverse contexts and behaviors have reinforced unequal power sharing and benefit a small group of elites, including wealthy individuals (in the local context) influential organizations (the charities), and individuals (local politicians) who hold a disproportionate amount of power and influence over political decisions. Privatization is an outcome of benefiting a small group of individuals. Although a large number of local communities follow the trend of enrolling their children in private schools, they

still have to invest a huge portion of their income and also have to end up with low-quality private education institutions without significant gains while the small number of local elites are able to get support from charities and other alternative sources for their higher education.

To overcome these challenges, it is essential for the authorities to find mechanisms for effective accountability, strategies to promote coordination and collaboration enhance trust and credibility in the education of the community, and showcase consistent efforts that encourage communities towards education services so that the local community feels integrated and able to understand and challenge the existing issues and complexities rather than relying on accepting whatever is offered to them.

Policy Fraud in Free and Compulsory Education

Going through the multifaceted and complex operational framework for education, I concluded that state authorities may go to the extreme of policy fraud when the accountability mechanism is unclear and weak. The marginalized communities' loose negotiation capacity when information flow is hindered, opportunities for empowerment are limited, and local communities are divided on the agenda due to the perceived petty benefits over the transformative agenda for wider community interest. Policy failure is not always due to the lack of capacity for poor planning or inadequate financing but more importantly because of the lack of priority, community engagement, and intention to seriously enhance the policy practice for equity.

Fraud is usually extreme to use for policy inaction; however, the ways free and compulsory education policy have been arranged and stakeholders remain indifferent to resolve the issues, it does not differ from the fraudulent activities that take place in

any other contexts. Therefore, free and compulsory education policy is best described and concluded as a policy fraud designed to miscommunicate the international community about the state efforts and for the political publicity to claim the achievements rather than to bring changes in the lives of the local communities by allowing them to exercise their rights. In addition, it is not due to any compulsion or ignorance or incapability but intentionally create confusion among the stakeholders.

Local community actors are in dilemmas as they do not have access to information that is again not disseminated among the public, and those who have access to information do not see viable options to advocate for the changes since it is too far from their immediate context (Rossouw, Mulder, & Barkhuysen, 2000). There is no indication that free and compulsory policy as implemented in the communities has created any transformative impact, instead, it has resulted in enhancing inequality and risk of intergenerational inequality. A review of past policy research shows that it is not very frequent to research policy failure from fraudulent activities of the policymakers and authorities who hold responsibility for the development, and regulation of the policy processes and it might be worth considering this as a possible research focus in future exploration in other areas of the public policies.

The Thesis: A Fusion of Dilemmas, Dualities, and Deviation

The local communities are at risk of intergenerational deprivation and marginalization due to the state's inability to effectively implement free and compulsory education. The human rights-based approach is not new, policy intention in the development of free and compulsory education has primarily been influenced by the right based approach in course of its development from the very beginning.

However, operational provisions have been left vague and unclear. The local community is not able to engage in healthy negotiation and confront the discriminatory

state response to the free and compulsory education, because they lack communication strategies and policy spaces that are relevant to raise their concern. They also blame themselves for the gaps rather than irresponsible state efforts, because of the lack of access to policy provisions and lack of understanding of the right-based approach.

The duality and dilemmas are not always incidental but are often intentionally used by the authorities to maintain their influence and domination over the local communities. The charities that are working in the area are not able to introduce transformative impact but minimal incremental assistance. Such assistance is also often influenced by the privileged section of the communities due to the unequal social structure and issues of access to such mechanisms. Although there is huge expectation of the local communities from such initiatives, I did not see the transformative agenda to respond to the key issues in free and compulsory education.

Chapter Seven

Conclusion and Implications

Conclusion

My conclusion from the study policy development and policy practice, although interrelated, are two distinct procedures. Policy development is primarily influenced by the interest of visibility whereas the enhanced policy practices are outcomes of the deep commitment of all the actors and their active participation in policy negotiation. The negotiation is productive when it is healthy. When communities are weak in negotiation process, the meaning of policy is twisted from its essence resulting in weak implementation favored by the authorities as per their convenience.

A number of factors have influenced weak community positioning in policy process including historical practices of community participation and transparency. Historical policy practices and creating space for community participation, transparency in decision making process and encouraging members of the community to share their perspectives and experiences. It is inherently difficult for the members of the local community to spontaneously demand the spaces or raise their concern with the authorities, although they may be physically in the same communities. Policy access is not always about how distant the decision-making process is but how disconnected such processes are and how welcoming the authorities are about the voices of the local people.

In the federal context, especially when local procedures are evolving, the responsibilities of the federal government are to offer guidance on the public participation in local government processes. This helps to transform the essence of the federal mechanism, however, in reality, the federal government strategies are getting

rid of the complex policy commitments by handing over to the local government without creating space and coordination for promoting good practices. This results in developing local elites in the decision-making process and leading to tokenistic policy provisions that cannot change the policy practices. Free and compulsory education in Ruby Valley is one of the tokenistic policies developed at federal level with no operational existence in the local level.

Leadership has a direct positive and negative impact on the policy procedures. When leadership is more focused on their personal interest, fail to prioritize the public opinion on policy processes, focused on making popular decisions rather than strategic decisions for transformative impact, they tend to contribute to reproduction of inequality. Because the personal interest of the local elites and the most marginalized section of the community are often non-alignment. In Ruby Valley, the local leaders' interest in enhancing higher education scholarships and provincial government providing temporary teacher positions in grants instead of facilitating the provincial coordination and capacity enhancement for free and compulsory education show the popular policy choices rather than strategic move for enhancing free and compulsory policy action.

Free and compulsory education policy is non-existent in Ruby Valley none of the students receive free education, they have at least examination fee as the direct expenses that they need to pay, and other indirect expenses also required to afford their education which has direct implication on the parents and families. When families fail to manage resources there is not an alternative support mechanism that they can apply for, therefore, the free and compulsory education policy is a token for visibility. However, there are ample of opportunities to work on the current non-existent situation and move towards regaining trust in public education and enhancing

free and compulsory education. The first step towards such an initiative is opening up the avenues for participatory planning. Small increments of the resources and changing intent from community education institutions moving from personal interest to community interest can change the overall local dynamics in favour of creating opportunities for enhancing free and compulsory education in Ruby Valley.

Implications

Free and compulsory education is intended to ‘ensure easy and equal access and continuity of all to education, and to make education universal, useful for life, competitive and qualitative...’ (FCBE Act, 2018) has undergone significant deviation in its implementation. As in this research, we look at the ‘policy as an external, pre-existing reality that acts on and constrains people, it is taken, underpinned by constructivism, to be an emergent reality in a continuous state of construction and reconstruction’ (Khanal, 2013). Such deviations are both in relation to access and quality. There is no community mechanism to ensure access of all the children to make education universal as claimed by the policy provisions and there is no indication that it has been a priority. Likewise, in relation to quality, the community perceives public education as a substandard version of education and finds it hard to accept it has been useful for their children, especially in preparing them for a competitive country context, therefore, quality is questioned.

The policy provisions for free and compulsory education are being developed based on the standard of the middle-class people in terms of financial capacity and both who have financial capacity above middle-class rural economy with at least some form of employment and income consider the public education irrelevant for them because it is too low in quality while those that fall below that middle class and have challenges in meeting their daily financial needs have challenges to meet the

basic stationery, uniform and fee to be paid to sit in the examinations and gradually drop out from the school system. Although the local authorities lack specific insights or data on the number of children and families facing such challenges, they are to some extent aware of such families and children which they do not readily expose. They do not bother to spend their time developing a support mechanism to respond to such barriers in implementing free and compulsory education. There is poor commitment and ownership of the local community.

Lack of access to information has paralyzed the local communities to claim their rights to education. They feel deceived by the shrewd behaviour of political leaders and government officials creating sub-standard versions of education and have lost their trust that education will improve. Although it is a longer-term initiative, it is not impossible to regain trust in public education if sincere efforts for improvements are exercised. There is neither any indication that the local community is empowered enough to claim their rights nor any indication such efforts are being exercised by the local governments. This shows challenges in policy contestation and policy appropriation producing outcomes in favor of the most marginalized communities. However, considering the past a few decades changes in education and exposure of local people in Nepal and abroad, it is possible when at least minimal support to get access to their rights and ways to demand is navigated.

There are three major challenges in free and compulsory education policy practices privatization in public education and failure to maintain the quality of public education and enhance the community ownership for public education management. Those three challenges are interrelated, in a complex causal relationship with each other.

The biggest challenge in the future prospects of free and compulsory education lies access and quality of education. Currently, both of these aspects have been challenging but with limited initiatives to respond. There are at least three groups of the parents – the first one who are sending their children to the public school but regret that situation, because their perception of the public education is sub-standard and does not meet the needs and aspiration of their children, the other group of parents who are not able to send their children to the public schools regret the situation because they cannot afford the minimal expenses that incur in attending the public education which is supposed to be free and compulsory and therefor a clear support mechanism for the same. The third group of parents who send their children to private schools feel proud for being able to do so, but at the same time regret because they have to invest significant amount in the education of their children and have to migrate to the cities for the same purpose. In this way ineffective implementation of education has caused a number of challenges. This has broadly created frustrations among the parents about the inefficient government mechanism.

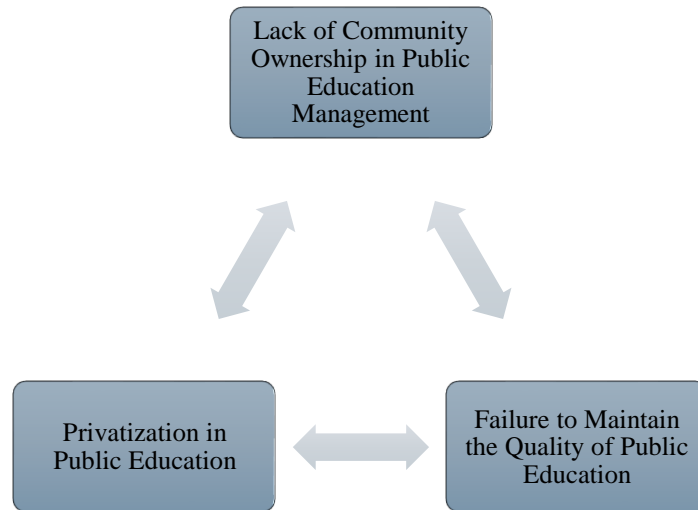
Considering the implementation of the free and compulsory education policy, it has made some changes while many of the policy priorities remain unaddressed which shows that it is towards the policy failure. Analyzing the nature of the policy that has been formulated at the federal level and moved towards the subnational level (Norris et al. 2014) to create a local university tailored to respond to the local needs and context (Sausman et al. 2016) Some inherent challenges that have not been addressed are ensuring consistency in its interpretation and implementation.

In the context of Nepal, the major gaps in policy implementation include specifying accountability mechanisms in the federal government system which is dispersed in roles and responsibilities. Policy accountability became a more critical

issue as it has been challenging due to the street level symptoms in which the authorities at different levels and responsibilities blame the other layers for the failures while protecting their positions and contributions.

Figure 7.1

Interrelationship Between Lack of Community Ownership, Quality and Privatization



Those who go to public school consider that they have been deceived with substandard quality of education, while those who have challenges to be able to access education are frustrated because they do not have any support to entertain their rights to education.

There is widespread understanding among parents in Ruby Valley that the quality of public education which aims to be free is that of substandard quality. Therefore, the public education has been compulsion for the children and families who lack financial capabilities and do not have access to the other alternative. Without significant improvements, the public education will be the source of reproduction of inequality and intergenerational marginalization rather than fundamental rights for enhancing equity.

Lessons for Rural Communities: Insights for Broader Application

The key lesson learned from the policy practice is community participation is weakening which is important to enhance the effective implementation of the free and compulsory education policy and promoting right based approach is education. This will not only support aligning the policy and practice but also empower the local community in claiming their rights.

The local community in Ruby Valley is not well informed of the free and compulsory education policy. In fact, local authorities are not aware of the essence and provisions of free and compulsory education. Neither the technical staff have gone through the sectoral plan that outlines the mechanism to translate the policy nor do he think it is important to look at it because there are no resources or flexibility available to respond to the massive issues in education that are not clear from outside of the system engagement. Policy negotiation and contestation are within the sight of the local community considering the limited access to information they have currently. In addition, as an increasing number of parents prioritize enrolling their children in privately funded schools the prospects of future engagements are significantly weakening.

I conclude the key lessons learned from the policy study that a policy is the outcome of ongoing interaction between actors' interest and their ability to influence state priorities (Agustina & Nur Aini, 2023). Misleading interpretation and weak implementation of the documented policy provisions of the free and compulsory education policy is the outcome of misalignment with the actors' divided interests and ability to influence.

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