



Short Review Paper

India Nepal relations vis a vis Madhesi issue

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Abstract

India and Nepal share a unique relationship of friendship characterized by geographical contiguity, extensive socio-institutional relationships, along with it the common bond of a shared religion, common civilizational heritage, ethnic similarities and socio-cultural affinities have a great influence on bilateral relations. The ethnic similarity has been a cementing factor in bilateral relations, but post-2015 this is becoming a major irritant in relations. It is in this context that the study explores the Madhesi factor in India-Nepal relations and its impact on bilateral relations.

Keywords: India, Madhesi, Ethnic, Nepal, blockade.

Introduction

India and Nepal are probably the closest neighbors in the world who share huge similarities in terms of common civilizational heritage, geographical proximity, socio-cultural affinities, and common bond of a shared religion making relationship unique¹. The open border between India and Nepal has facilitated continuity and strengthened the ancient friendly bonds between the two countries.

The Socio-cultural affinity between the two countries is so close that it is difficult to distinguish between the two. Their customs, rituals, religion and behavioral patterns are so similar that it is difficult to make a distinction between them. Their food, dress, language, music, art, sculpture are not fundamentally different from each other. Nepali language's origin is traced from Sanskrit, like most of the Indian languages, and is written in Devnagari script². In fact, most of the people in terai speak Bhojपुरi or Maithili which is an Indian dialect³. Religion is an important bond that persists the relations. Nepal (only official Hindu kingdom till 2006) has predominant Hindu population and India has about 72% of Hindu population. Common religion has created a sense of brotherhood and has further strengthened Cultural ties between people of India and Nepal.

India and Nepal have ethnic similarities,⁴ The Nepalese people from the standpoint of their ethnic composition are divided into two broad categories the Indo-Aryans (Caucasoid) and Tibeto Nepalese (Mongolid)⁵. The high-caste Hindus of the first category, i.e. the Brahmins and Kshatriyas, who have always dominated politics of Nepal, are believed to have migrated from India, two groups of kshatriyas from which shah dynasty and Rana dynasty emerged. Indo Aryans constitute about 72% of the Indian population. Nepal's major ethnic groups are Chhettri (16.6%), Brahman(12.2%) while others are Magar (7.1%),

Tharu (6.6%), Tamang (5.8%), Newar (5%), Muslim (4.2%), Kami (4.8%), Yadav (4%)⁶. They are all Indo-Aryan groups in Nepal and are simultaneously found in east and south India. So Nepal's predominant population is ethnically from the same group as Indian's.

Nepal a small landlocked Himalayan country sandwiched between India and China, surrounded by India to the east west and south and by China to the north⁷. Nepal shares border with five Indian states- Sikkim, West Bengal, Bihar, Uttar Pradesh and Uttrakhand⁸. Geographically Nepal has three major divisions, the mountain region, the hill region, and the Terai region. The Mountain region of Nepal lies above the altitude of 4,877 to the north of the hill region and is covered by snow throughout the year. South of the mountain is the Hill or Pahar region has an average height of mountains about 600 to 2000 meters, although geographically secluded with tiny possibility for agriculture has lot of historical and political significance as it has been hub of socio-politico commotions in Nepal since ancient times. Kathmandu valley forms a part of hill region. To the south of the hill region is Terai (plain) region also called Madhes, is an extension of the northern plains of India that stretches from east to west along the Nepal-India border up to the south⁹.

Enmity between Nepal and British East India Company over the princely states bordering Nepal and India finally led to the Anglo-Nepalese war known as Anglo-Gurkha war (1814-1816), in which Nepal suffered a complete rout¹⁰. In March 1816 a peace treaty was formally signed between Nepal and British East India company that ended war between two and that also included territorial concessions for British, and with it Nepal lost almost one-third of its territory on the east, south, and the west of Nepal¹¹. Under the treaty, Nepalese lost of its territory, that included territory to west of the Kali River like Kumaon

(present Indian state of Uttarakhand), Garhwal (present Indian state of Uttarakhand); some territories to the west of the Sutlej River like Kangra (present day Himachal Pradesh), and much of the Terai Region¹². As a result of revision of 1816 Treaty after nine months of its conclusion, some region of Madhes or Terai (from Koshi to Rapti) was returned back to Nepal¹¹, and as a reward for co-operation to suppress the Indian rebellion of 1857 as Nepal provided troops on request of British^{11,13} a treaty was signed on 18 November 1860 between British East India company and Nepal by which as a goodwill gesture the British East India Company returned back some territories to Nepal in the western plains (from Rapti to Kali) previously ceded to India under the treaty of Sugauli^{9,11}. So this region that stretches from Brahmaputra in the east to the Yamuna river in the west including the returned territories is known as Tarai or the Madhes with inhabitants known as Madhesis¹⁴. The Madhesis are defined as the people of Indian origin or migrants of India, Madhesis share common culture and language, similar ethno-racial ties, including marital relations with people of across the border particularly with people of Eastern and Northern India, that is why Madhesis are branded as Indians not truly Nepalese¹⁵. Feeling alienated Madhesis are demanding the autonomy of the region resulting in conflict between Nepali government and Madhesis. Nepali government blames India for supporting Madhesis. In 2015 Nepal charged India of providing base to Madhesi agitation as they on their own lack strength to go to such extent. Nepal blamed India as it had overtly extended support to Madhesis in various international forums for anti-constitution movement asserting that it has 'roti beti ka sambandh' with the Madhesis. Moreover, India raised the issue of 'human right violation' in Geneva-based Human Rights, extending solidarity with the Madhes movement beyond the bilateral forum. Nepali government called these steps as a substance to embolden the Madhesi leaders^{16,15}. All this led to the climax of relations between two countries.

Origin of Madhesi issue

The demand for autonomy of Terai can be traced back to anti-Rana revolution in 1950 and with the formation of Terai congress (1950-51) the demand for autonomous Madhes got consolidated. The initial demands of Madhesis were to give autonomous status to Terai with Hindi as an official language along with other languages and proportional representation in civil services of Madhesis. With the change of government structure in 1951 as Rana regime was replaced by a coalition government (consisting of king tribhuvan shah, members of Rana dynasty and members of Nepali congress) the demand of 'Autonomous Madhes' went down and slowly vanished^{13-15,17}. With the popular uprising of 1990 in Nepal the concept of Madhesi identity was polarized, in the political discourse the term 'Madhes' or 'Madhesi' gained eminence. With the establishment of 'Madhesi Janadhikar Forum' (MJF)- a pressure group, in 1997 the Madhes movement got momentum. The main purpose of MJF was to mainstream Madhesis and larger political representation, for this they used pressure tactics on

political parties to accept their demands. With the transition in Nepal from Monarchy to democracy the issue of 'Autonomous Madhes' emerged again in 2007^{15,18}. It is called the Madhes Andolan or Madhes movement 2007. The issue centered on the non-inclusion of the term 'federalism' in the interim constitution of Nepal as MJA was promised, for them it was a step towards restructuring Nepali state that meant regional autonomy of Terai, proportional representation of Madhesis and increase in representation of Madhesis in parliament^{15,19}. With the agreement between Government of Nepal and MJF on 30 August 2007²⁰, in which government of Nepal accepted their demands they withdrew agitation. After the promulgation of constitution of Nepal in September 2015, Madhesis found it unsatisfactory and they started opposition of the constitution. They started agitation as they stated that instead of an eight province model a seven-province model with demarcation was declared that is unfair to them and a means to enslave Madhesis and other minorities in Nepal. They argued that constitution is designed in a way to give larger share to hill and mountain people (or Bahun also called Khas Brahmins) in the parliament and reducing Madhesis to low number despite their large share in population. For this reason they resented and rejected constitution giving rise to protests in the regions of Mid-west, Karnali and Madhes. The protests took the violent form killing and injuring many people in those regions^{15,21}. The madhesis were unsatisfied with the process of inclusion and representation system in the constitution, they called it a step towards their marginalisation in the political system. Moreover they were not satisfied with the provincial federal structure that was dividing the Madhes region into segments, in addition the issue of delineation of electoral constituencies and representation in constituent assembly was not done in accordance with proportional representation system. Madhesis also found the citizenship law discriminatory towards them as it snubbed the citizenship rights of Nepali woman if she marries a man from a foreign country and same was not applicable to Nepali men if he marries outside his country. For Madhesis it was discriminatory as cross-border marriages with Indians are common in this province. The issue of proportional representation was addressed with constitutional amendment bill of January 2016^{15,22} excluding the issues of provincial demarcation and citizenship law at that time.

India and Madhes

India shares a roti-Beti relationship with Tarai (Madhes) as people are connected through marital relations and daily economic activities from daily shopping to big enterprises that are facilitated by open-border^{15,23}. These ties characterized close and unique India-Nepal relations. This equation started changing in 2015 when political meanings were associated with the Madhesis relationship with India. The Madhesis found September 2015 constitution against them and they start protesting against it. The India-Nepal border was used by the Madhesis to assert their demands. Referring to security issues caused at India-Nepal border due to Madhesi agitation, India

closed its border. This led to virtual undeclared blockade by India²⁴. Though India denied such allegations but this four-month blockade put the relations to its climax following Madhesi agitation giving new direction to India-Nepal relations. India openly criticized the Nepali constitution by expressing its concern on the issue of Madhesi²⁵. Nepal held that being a sovereign country the constitution-making and promulgation process are its sovereign matters that nobody should interfere in it. Nepal clearly maintained that India cannot interfere in domestic affairs of a sovereign nation in the name of democratization^{15,26}. It was perceived as Indian intervention in Nepal and a hurdle in its constitution making process^{15,27}. Nepal discarded the Indian notion that it holds a special position or privilege in Nepali political affairs²⁸. While acknowledging Indian role in the political transmutation of Nepal²⁹, Nepali political leaders perceived Indian meddling as an intervention³⁰ as India informally conveyed a seven-point Constitutional amendment in support of Madhesi groups. Such developments were regarded as an interference with landlocked Nepal's sovereign and internal affairs and a negative attitude towards democracy establishment in Nepal³¹. But India maintained its stand for Madhesis and espoused that as a guarantor of 2008 pact between Nepal government and Terai (as it was done with Indian mediation) it could not turn deaf towards the unmet demands of one set of signatories in the pact, second as a democracy it could not ignore the violence and killing of peaceful protesters at doorsteps³². But Indian role was highly criticized as the interference of external force in the affairs of a sovereign state. The constitutional amendment bill in January 2016 addressed the issue³³, but this event shook India-Nepal relations to the core. With it, India lost its role and credibility in Nepal³⁴. It also paved way for Sino-Nepalese closeness in an organic way. The 2015-2016 Blockade brought hardships to common people pushing closer China-Nepal ties. It is presumed that with it India lost its privileged position to China in Nepal putting an end to period of 'special relations' that used to be hallmark of bilateral relationship³⁵. No doubt India took many steps after that like frequent high-level visits, addressing the long unmet demands of Nepalese for example revision of treaties including 1950, regulating open border etc, to revive relations³⁶, but the former position India used to enjoy seems unattainable. Post-2015 augmented anti-India sentiment in Nepal, Nepali nationalism has become synonymous of anti-India sentiment. There is also a change in the foreign policy perspective of Nepal from dependence on India to independence and free from any influence. The Sino-Nepalese relations are growing in an organic way that seems irreversible.

Conclusion

India is making efforts to revive its relations with Nepal that completely broke down after Madhesis Blockade in 2015. The unofficial blockade affected the India-Nepal special equation that used to form the basis of their relationship. This has resulted in Nepal's tilt towards China. The Sino-Nepalese cooperation is growing in such areas which earlier used to be

India's monopoly, like the hydro-power projects. Moreover, Nepal's joining in the 'Belt and Road Initiative' has added to apprehensions of India due to security concerns. This has a significant impact on India- Nepal relations. Nepali political leaders believe that no doubt Madhesis have Roti-Beti relationship and cultural affinities with India, but this does not provide valid ground to India to interfere in the sovereign affairs of Nepal as Madhes is an internal part of Nepal. Instead of assigning political contours to Madhesi affinities this should be used to build strong relations between two countries. India should reconsider its Nepal policy keeping into consideration the changing political context of Nepal.

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