

SpringerBriefs in Anthropology

SpringerBriefs in Anthropology present concise summaries of cutting-edge research and practical applications in all aspects of Anthropology. Featuring compact volumes of 85–125 pages, the series covers a range of content from professional to academic. Typical topics might include: a snapshot of a hot or emerging topic, a contextual literature review, timely report of state-of-the art analytical techniques, in-depth case study, presentation of core concepts that students must understand in order to make independent contributions. Briefs allow authors to present their ideas and readers to absorb them with minimal time investment. Briefs will be published as part of Springer's eBook collection, with millions of users worldwide. In addition, Briefs will be available for individual print and electronic purchase. Briefs are characterized by fast, global electronic dissemination, standard publishing contracts, easy-to-use manuscript preparation and formatting guidelines, and expedited production schedules. We aim for publication 8–12 weeks after acceptance. Both solicited and unsolicited manuscripts are considered for publication in this series. Briefs can also arise from the scale up of a planned chapter. Instead of simply contributing to an edited volume, the author gets an authored book with the space necessary to provide more data, fundamentals and background on the subject, methodology, future outlook, etc. SpringerBriefs in Anthropology contain a number of distinct subseries focusing Anthropology and Ethics, Human Behavior and Biology, and Human Ecology. Please see the webpages for each subseries for a more precise description of each.

More information about this series at <http://www.springer.com/series/11496>

Kalpana Jha

The Madhesi Upsurge and the Contested Idea of Nepal

 Springer

Kalpana Jha
Tata Institute of Social Sciences
Mumbai, Maharashtra
India

ISSN 2195-0806

SpringerBriefs in Anthropology

ISBN 978-981-10-2925-7

DOI 10.1007/978-981-10-2926-4

ISSN 2195-0814 (electronic)

ISBN 978-981-10-2926-4 (eBook)

Library of Congress Control Number: 2016963185

© The Author(s) 2017

This work is subject to copyright. All rights are reserved by the Publisher, whether the whole or part of the material is concerned, specifically the rights of translation, reprinting, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, express or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

Printed on acid-free paper

This Springer imprint is published by Springer Nature

The registered company is Springer Nature Singapore Pte Ltd.

The registered company address is: 152 Beach Road, #21-01/04 Gateway East, Singapore 189721, Singapore

Preface

The end of World War II marked the advent of ethnic disputes in the world. The explicit wars for territory transformed into implicit wars for identity and recognition, perhaps, because a part of the population still felt colonised even after the official end of colonial rule. Ever since, *identity* has been the basis for disenfranchisement of the people and thus the foundation for struggle for greater autonomy.

This text attempts to unveil the underpinning factors that gave rise to ethnic dispute in one of the newest democracies of South Asia, i.e. Nepal, with a central focus on 'Madhes'. The emergence of ethnic demands in the Tarai region (plains now known as Madhes) was witnessed in the 1950s. However, the king's coup in the 1960s sabotaged this demand. This demand was further strained in 1990 with the restoration of multi-party democracy where the people's expectations of political inclusion were high but their demands were not met. It was only with the institution of the interim government in 2006 that ethnic demands came to the forefront. Considering the brewing Madhesi sentiment to acquire identity of a Nepali in contrast to the quintessential Pahadiya (hill) identity imposed by the ruling elites this was inevitable.

What was interesting to observe in the case of Nepal was the vociferous endorsement of the ethno-territorial demands by the political parties of the far-left like Maoists which was as opposed to the eschewed attitude of the liberals like the Nepali Congress (NC) to these demands. The support base that the Maoists garnered for the '*jana-yuddha*' (lit., people's war, 1996–2006) was through the mobilisation of ethnic groups, which resulted them in emerging as the strongest party in the elections of 2008. This was followed by the recognition that if they intended to keep their support base intact, ethnic demands had to be addressed. However, the Maoists failed to materialise the claims of identity-based federalism into reality. They rather co-opted with the forces opposing Madhesi demands of recognition and autonomy.

This work, therefore, seeks to explain various dynamics involved in the ensuing Madhesi uprising. It aims to (1) analyse the repeated failings of the Constituent Assembly to draft a constitution that could institutionalise the ethnic demands, thus leading the country into prolonged transition; (2) discuss the larger geo-politics in

relation to the ethnic upsurge in Nepal; (3) illuminate the major risks and concerns surrounding the unfolding political climate in Nepal; (4) address the dynamic interplay between social, economic and political structures vis-à-vis Madhesi movement; (5) unravel the relationship between the donor regime and the state to explain the development of the movement; and (6) delve into the cultural flows across the border vis-à-vis Indo-Nepal relations.

The issues that propel my analysis are: the difference between people's expectations and the questionable direction that the political developments have taken after the *Jana Andolan-II* (People's Movement-II in 2006), the process of redefining Nepali identity, the shift in understanding Madhesi identity vis-à-vis Nepali identity, the major influential factors that shaped the Madhesi movement and the political trajectory in Nepal.

Methodology

This study was largely exploratory in nature. Madhesi identity had been studied as a purely political concern, where the social aspect of the identity construction had not been explored. Therefore, the primary objective of the study was to gain an understanding of underlying reasons, problems and motivations for mass uprisings. The Madhes issue is an ongoing and contested one and this study was conducted amidst this ongoing conflict between the state and Madhesi people, thus making it a challenge to reach any conclusion. Therefore, the best-suited approach for this study was the qualitative model. Qualitative research designs tend to work with a relatively small number of cases as "... for qualitative researchers, 'detail' is found in the precise particulars of such matters as people's understandings and interactions. This implies the non-positivist model of reality. As discussed by Silverman, the qualitative researcher stresses on the socially constructed reality and the situational constraints that shapes the inquiry. Hence it seeks to answer *why* of a particular social experience than *what* of the process" (Silverman, 2005). This is also best explained as "a field of inquiry in its own right" that "privileges no single methodology over any other" (Kamberelis, 2005).

For the purpose of this study, I consulted both primary and secondary sources of data. The first round of primary data was collected in Kathmandu. I conducted in-depth interviews with the key informants, drawing from a pool of expertise and varied backgrounds—academics, political analysts, journalists and human rights lawyers, and FGDs with local youth consisting of students, professionals and farmers to capture varied perspectives. I also embarked on a field trip of three months to three districts which were listed under the security sensitive areas of Nepal: Bara, Parsa and Rautahat. Although these districts were the core study areas, I also travelled briefly to other districts like Rupendehi and Kapilvastu to get an overview of the situation. I relied upon newspapers for primary source data, as this was an ongoing event throughout the study period. Further, I consulted online portals and studies to research observations and findings about Madhesi and ethnic politics in Nepal at large. I have also tried in this research to connect the local issue

with the global phenomenon of identity politics, keeping central focus on Madhes through consultation of various research studies and articles in newspapers and online journals. I benefited hugely from discussions with key informants, as follows, and acknowledge their contributions to this study. Their views are mentioned throughout the book, with specific comments being anonymous.

1. Tula N. Shah, Executive Director of Nepal Madhes Foundation (NEMAF), Kathmandu, Nepal
2. Dipendra Jha Advocate Supreme Court and Chairperson of Tarai Human Rights Defenders Alliance (THIRD-Alliance), Kathmandu, Nepal
3. Lal Babu Yadav, Professor of Political Science at Tribhuvan University and CA member from UML, Kathmandu, Nepal
4. C.K. Lal, journalist and political analyst, also an established columnist based in Kathmandu
5. Krishna Hacchhethu, Professor of Political Science at Tribhuvan University, Kathmandu, Nepal
6. Bijay Kumar Jha, Retired school teacher and civil society member from Rautahat district, Nepal
7. Rudra Narayan Jha, Human Rights Activist, Rautahat District, Nepal
8. Umesh Lal, Activist from Kalaiya in Bara District, Nepal
9. Shailendra Kumar Gupta, Chairperson, Federation of Nepali Journalists (FNJ), Rautahat district, Nepal
10. Gopal Shivakoti (Chintan), Human Rights Lawyer and member of Unified Communist Party of Nepal
11. Ramesh Dhungel, historian and cultural expert
12. Niranjan Sharma, former lecturer of history at Faculty of Social Work, St. Xavier's College, Kathmandu
13. Upendra Thakur, local journalist with the Kantipur Television, Bara district, Nepal
14. Nihar Nayak, Expert, Nepal Chapter, Institute of Defense Studies and Analysis (IDSA), New Delhi
15. Sangeeta Thapliyal, Professor, School of International Studies, Jawaharlal Nehru University, New Delhi
16. Babu Yadav, politician, Sadbhawana party, Bara District, Nepal
17. Hira Lal Agrawal, local businessman based in Bara District, Nepal

Mumbai, India

Kalpana Jha

References

- Kamberelis, G. & Dimitriadis, G. (2005). *On qualitative inquiry: Approaches to literacy and language research* (An Ncrll Volume). New York: Teachers College Press.
- Silverman, D. (2005). *Doing qualitative research: A practical handbook*. London: Sage Publications Ltd.

Acknowledgements

The success of any project is dependent on the encouragement and guidance of many others, and mine is no exception. This book has been an intense journey of ups and downs and the form it has taken today would have been impossible without some of the following people, all of whom need a very special word of thanks.

I would like to express my gratitude to my research guide and mentor, Dr. P.K. Shajahan, for his invaluable support, guidance and most importantly for creating an environment of intellectual freedom which allowed me to discern and engage with the topic without any hesitation or fear. I would also like to express my gratefulness to the Director of Tata Institute of Social Sciences (TISS), Prof. S. Parasuraman, for graciously supporting this project financially.

Words are enough to express my thankfulness to my parents for their endless and unconditional support. Without their motivation, encouragement and love, this project would never have reached completion. I am forever indebted to them. I would also like to thank Mr. Prem Chandra Jha, Mrs. Renu Jha and Mr. Kashi Kant Mishra for being my home away from home. Further, I would also like to convey my sincere thanks to Mr. Deepak Thapa for his support. I express my sincere gratitude to Neha Choudhary for her editorial support, to Sneha Bhati for all the midnight discussions in our Mumbai apartment, Arati Gupta and Dipti Sherchan for being endless sources of encouragement, and friends who have provided me with a vital support system throughout my research. I am greatly indebted to all my research participants from Kathmandu and the other districts, for without their cooperation and support, this work would not have been possible. I thank them wholeheartedly for taking time out of their hectic schedules—their contribution to this project is immeasurable and a thank you is not enough.

About the Book

This book is set against the burning issue of ethnic uprisings in the Madhes region of Nepal and analyses debates on the idea of contemporary Nepal. The limited view of Nepal as a primarily hill nation with Nepali-speaking people ignores the vast ethnic and linguistic diversity of the country. It has particularly rendered stateless the Madhesi community which inhabits the plains bordering India and shares closer cultural affinity and marital ties across the border. Increasing demands for ethnic and territorial autonomy by the Madhesis suggest the need for redefining the idea of Nepal and establishing Madhesi identity as Nepali identity while at the same time addressing the deeply contested idea of regional versus social identity in the region. This book uses narratives from the Madhesi community including prominent Madhesi analysts and activists, to define their identity as well as their aspirations in a democratic Nepal. It also provides a perspective on the internal dynamics of caste and language of this region and their possible impact on consolidating ethnic identities in Nepal.

Contents

1	History of Nepal Amid Contentions: The Rise of Madhesi Identity	1
	The Inception of Nepal: Foundation of an Unequal Society	3
	The Beleaguered Peace Process and Democratic Transition	5
	References	7
2	Ethnic Awakening in South Asia: Drawing Analogy with Nepal	9
	India	11
	Pakistan	12
	Sri Lanka	15
	China	16
	References	22
3	The Construction of Nepali Identity: Onset of Madhes Struggle	25
	The Question of Origin	27
	The Nation States of Naya Nepal	29
	Professing Unity Differently: Redefining Nation States	32
	The Rise of Madhesi Identity	34
	Tarai and Madhes	38
	Madhes Andolan 2007	41
	Faulty Constitution of 1990, Madhesi Upsurge and the Question of Language	44
	Constitution of Nepal 2015 and Madhes Movement 3	47
	References	52
4	Democratic Innovations, Globalisation and Identity Formation	55
	Globalisation and Ethnic Upsurge	57
	Globalisation Enters Nepal: Land Reform Experiment by USA in Nepal	59
	Congruity of Democracy, Globalisation and Nation States	62
	References	64

5	The Vulnerable Sovereign	65
	The Ambiguity of Sovereignty	66
	India's Concerns	67
	Madhesi: The Scapegoats	71
	References	74
6	Contemporary Politics: Directions and Dilemma	77
	The Rise and Fall of Maoists	78
	Leadership	81
	Madhes and Leadership Deficit	83
	The Seed of Fragmentation in the Madhesi Parties	84
	People's Aspirations	90
	Transitional Complications	91
	References	94
7	End of a Rebellion or Beginning of New Era of Revolution?	97
	References	103
	Appendix A: Agreements Between the Government of Nepal and the Agitating Janajatis and Madhesi	105
	Appendix B: Caste and Ethnic Groups of Nepal	109

About the Author

Kalpana Jha worked as a Research Associate at Social Science Baha. She is currently working on the study of *Borderlands, Brokers and Peacebuilding in Sri Lanka and Nepal: War to Peace Transitions* viewed from the margins at Martin Chautari, Nepal Commissioned by the School of Oriental and African Studies, University of London. She is a former research fellow of the Tata Institute of Social Sciences, Mumbai. She was also an internal and regional security intern at the Institute of Peace and Conflict Studies (IPCS), New Delhi. Her research interests include international relations in South Asia, ethnic and regional conflict as well as democratisation and political transition of weaker states. She is currently working on a book review essay on Pakistan's political trajectory and democratisation for the *Journal of Asian Security and International Affairs* (JASIA) and her book review of *Parties and Political Change in South Asia* (ed. James Chiriyankandath) has been published in the JASIA. She has also co-authored the Nepal chapter entitled "Nepal: Country of minorities" in the South Asia State of Minorities Report 2016 published by the South Asia Collective, Misaal Center for Equity Studies, New Delhi. She has written several commentaries and op-ed pieces on the Madhesi issue as well as on Indo-Nepal relations.

Acronyms

CA-I	Constituent Assembly I
CA-II	Constituent Assembly II
CDO	Chief District Officer
CIA	Central Intelligence Agency
CPA	Comprehensive Peace Accord
CPN(M)	Communist Party of Nepal (Maoists)
CPN-UML	Communist Party of Nepal (Unified Marxist-Leninist)
DFID	Department for International Development
ECDC	Electoral Constituency Delineation Commission
EU	European Union
FDRA	Federal Democratic Republican Alliance
FPTP	First-Past-The-Post
MJF	Madhesi Janadhikar Forum
MJF(L)	Madhesi Janadhikar Forum (Loktantrik)
NC	Nepali Congress
NGO	Non-Government Organisation
OBC	Other Backward Castes
PSC	Public Service Commission
RPP	Rashtriya Prajatantra Party
SAARC	South Asian Association for Regional Cooperation
SPA	Seven Party Alliance
Ta Ma Lo Pa	Tarai Madhes Loktantrik Party
UCPN(M)	Unified Communist Party of Nepal (Maoist)
UDMF	United Democratic Madhesi Front
UK	United Kingdom
UN	United Nations
US	United States
USAID	United States Agency for International Development
USSR	Union of Soviet Socialist Republic