

## DEBATE

### INDIA - NEPAL RELATIONS: A REALITY CHECK

At a press conference on June 20, 2016, specially organised to brief journalists about the achievements of the NDA government in last two years, the Minister for External Affairs, Smt. Sushma Swaraj (while responding to a specific query regarding India-Nepal relations), said that the ‘misunderstanding’ that had surfaced with Nepal last year had ended with the visit of the Nepalese Prime Minister KP Sharma Oli to New Delhi.<sup>1</sup> The minister added, ‘I am not saying this; Oli himself said that it (misunderstanding) has ended’.

Upon his return home after the India visit, Prime Minister Oli said that the six-day state visit to India was very successful as it had helped to clear misunderstandings between the two countries and restore harmonious relations.<sup>2</sup> He is also reported to have said, ‘Though Nepal-India relations witnessed a frosty situation for some time, his visit was successful in wiping it out, and had helped restore cordial relations’, and that, ‘such situation would not be repeated in future’.

The Nepalese Prime Minister visited India in February 2016, five months after the promulgation of the new Nepalese Constitution which was being opposed by a very large section of the Nepalese population, especially from the Terai region. Their agitation had resulted in serious disruption in the free flow of goods between India and Nepal- that had been termed by the Nepalese Government as a ‘blockade’, accusing India of imposing an unofficial border blockade - an allegation that India consistently denied.

Following the India visit, the Nepalese Prime Minister visited China from March 20 to March 27, 2016. On return,<sup>3</sup> the Prime Minister said that the agreements signed between the two countries, including one envisaging trade and transit arrangements, were significant achievements of the nation. “This treaty has ensured Nepal’s right to access sea as a landlocked nation and the right to transit freedom through the Chinese land.” “Both sides have agreed to expand land and air connectivity and improve infrastructures of land transport,” he added.

The two sides signed ten agreements and Memorandums of Understanding (MoUs), including the transit transportation agreement for third-country commerce, and explored the possibility of signing a bilateral free trade agreement. He added that China had also appreciated the promulgation of the new Nepalese constitution.

<sup>1</sup> <https://youtu.be/yHRDBDMJyhQ>

<sup>2</sup> <https://thehimalayantimes.com/nepal/india-visit-very-successful-pm-oli/>

<sup>3</sup> <https://thehimalayantimes.com/kathmandu/kp-sharma-oli-returns-home-china/>

Subsequent steps taken by Nepal to assuage the feelings of the agitating sections of the Nepalese population, only have had a limited effect. They seem to have led to a relative but fragile calm – rather an impasse. Meanwhile, the oft-repeated arguments of ‘India-locked’ Nepal, unequal India-Nepal arrangements, India’s interference in Nepal’s internal affairs etc. continue to occupy significant space in Nepalese discourse.

India has always believed that, ‘only an inclusive Constitution with the widest possible consensus by taking on board all stakeholders would result in durable peace and stability in Nepal. India’s core interest in Nepal is a united Nepal’s peace and stability which has a bearing on India as well because of the long and open border shared between India and Nepal.’<sup>4</sup>

Meanwhile, the Nepal-India Eminent Persons Group (formalised during PM Oli’s visit to India in February) held its first meeting in Kathmandu on 5-6 July 2016. Speaking to the press<sup>5</sup>, the coordinator from the Nepalese side and former Minister of Foreign Affairs, Bheikh Bahadur Thapa, commented, “All the bilateral issues and concerns between Nepal and India in different times entered the meeting. No issues have been left out”. The Indian coordinator, and former Chief Minister of Uttarakhand, India, Bhagat Singh Koshyari said that, “The meeting of our Group will find out discontents between the two countries and will recommend both governments to resolve it.”

In a subsequent development, the Maoist Party leader Prachanda announced (on July 12, 2016) withdrawal of support to the Government - though it came as no surprise. The questions that remain are: how far will a new Government help in cooling tempers? Will it lead to an acceptable solution to the present impasse?

The *Indian Foreign Affairs Journal* invited five experts to comment on the present state of India-Nepal relations and their recommendations/prognosis regarding future trends. Their views are published in the following pages.

---

<sup>4</sup> [http://www.mea.gov.in/Portal/ForeignRelation/India\\_Nepal\\_Bilateral\\_Brief\\_for\\_MEA\\_website\\_\\_Oct\\_2015.pdf](http://www.mea.gov.in/Portal/ForeignRelation/India_Nepal_Bilateral_Brief_for_MEA_website__Oct_2015.pdf)

<sup>5</sup> <https://thehimalayantimes.com/kathmandu/meeting-of-eminant-persons-group-epg-on-nepal-india-relations-concludes/>



## ***Nepal Today: Bad Politics Trumps Good Economics***

Krishna V. Rajan\*

There is nothing new about India-Nepal ties striking the occasional rough patch. Nepal's psyche is of a small, landlocked country, overwhelmed by India's cultural, economic and physical (indeed, often overtly political) influence. This, together with India's apparent inability (or unwillingness) to factor in Nepal's sensitivities in day to day dealings with its neighbour, practically guarantees abrupt downturns in the relationship every now and then.

The euphoria generated by the spectacularly successful visit to Nepal of Prime Minister Modi in 2014, and of much of the goodwill generated by India's spontaneous and generous response to the earthquake of April 25, 2015 seems to have evaporated in the past few months. Both countries have tried in vain to dismiss this as a routine hiccup.

Perhaps it would be more realistic to acknowledge that the present phase of uncertainty is likely to last for some more time. The reasons for this are complex: some are rooted in Nepal's internal political situation, others in the severe mutual trust deficit that appears to be increasingly difficult to address as time goes on. It is noteworthy that, within days of Prime Minister Oli's visit to India - which was supposed to have "cleared all misunderstandings" - the Nepalese President - who was supposed to visit India subsequently to cement ties further, cancelled her visit at the last minute. One of the reported reasons for this cancellation was India's alleged efforts to replace Oli with another leader.

Essentially, the present crisis in bilateral ties has to do with several sets of factors. One is the short-sighted insensitivity of the main political parties (that happen to dominate in the current Constituent Assembly) towards the aspirations of one half of Nepal's population (classified in over-simplified fashion in this paper as "Madhesis" for convenience) in the new Constitution. India made no secret of its disapproval of the manner in which the Constitution was rushed through, as well as its content. Widespread discontent in the Terai was, in "Pahadi" eyes, encouraged by New Delhi. Then, there was the inexplicable urge on the part of the highest echelons of Nepal's political leadership to repeatedly provoke India with its anti-India rhetoric and posturing. Finally, there is also the equally inexplicable inability or unwillingness on the

---

\***The Author** is a former Secretary in the Ministry of External Affairs and was also Ambassador to Nepal.

part of India to correct widespread perceptions in much of Nepal that it is being deliberately prescriptive, judgemental, and intrusive in its insistence that Constitutional shortcomings should be addressed immediately by accommodating key Madhesi grievances.

In addition, there is the re-emergence of the China factor in larger than life form: more and more Nepalis than ever before seem drawn to the desirability of a much closer relationship with China at the cost of traditional ties with India; and China itself is now showing a much greater keenness to fish in the troubled waters of India-Nepal ties.

There is little doubt that the main political parties used their combined overwhelming superiority in numbers in the Constituent Assembly, to push through a Constitution which would, in effect, deny equal rights and opportunities to the Madhesis. Madhesi anger and disappointment at this betrayal is understandable, and has already resulted in dozens of deaths at the hands of insensitive security forces. Unfortunately, the Madhesi leadership is weak and fractured. In fact, it has been clear for some time that the Madhesi leaders have been more concerned with trying to keep pace with the sentiments of the people rather than leading them in the direction of realistically achievable objectives.

After several weeks of a so-called blockade of entry points on the India-Nepal border which brought the country to its knees (and for which incidentally India is blamed in much of Nepal), the agitation has now become more low key. However, it is likely to gain momentum again by September 2016, unless the main grievances are addressed.

Most observers in Nepal, even from the hill areas, are convinced that the Constitution promulgated in September 2015 is flawed, and needs immediate substantive amendments after negotiating compromises with Madhes representatives. Yet, the impasse has continued because of the apparent stubborn refusal of key mainstream leaders to entertain Madhesi demands in any substantive sense. Going by present trends, it is likely that prolonged delay in striking a mutually acceptable compromise will only lead to the rise of extremism on India's border, with very serious consequences for the security of the sub-region. On the main issues agitating the Terai – which include the demarcation of provincial boundaries, proportionate representation, inclusion, and citizenship - there has been no substantive dialogue between the two sides to date.

A further complicating factor has been the rivalry between the leaders of the main parties and within each party. This makes for an environment of

political instability and weak governance. It is a glaring reflection of mal-governance that, for more than fifteen months after the earthquake of April, 2015, the generous commitments of the international donor community have barely been utilised. The International Conference for Nepal's Reconstruction (ICNR), held in Kathmandu in June, 2015 - attended among other leaders by the Foreign Ministers of India and China - had pledged that it would meet the entire grant amount requested. The slogan of "Building Back Better" created real expectations that by coupling earthquake reconstruction with pragmatic policies to attract investment in the power sector, tourism, etc., Nepal would, at last, be able to achieve its real potential.

Unfortunately, these expectations have been belied, largely due to over-politicisation of the office of the CEO and his staff and activities, with the result that there have been inexcusable delays at every step, leading to widespread suffering of the most vulnerable sections of the affected populace. When he visited Nepal last year, Professor Kuntoro Mangkusubroto (head of the reconstruction of Aceh in Indonesia after the 2004 tsunami) said that "the three enemies of reconstruction were politics, bureaucracy and corruption". His warnings seem to have fallen on deaf ears. In other words, the early economic recovery of Nepal is a mirage unless bad politics is prevented from trumping good economics.

Nepal has been in a state of political instability for quite some time, with Kathmandu constantly agog with rumours of the government of the day being toppled by one PM-aspirant or the other.

At the time of writing this essay, the announcement of the withdrawal of support to the Government by the Maoist Party led by Prachanda, and of an understanding between him and Sher Bahadur Deuba of the Nepali Congress (NC), according to which Prachanda would become PM for some time under a rotational arrangement, comes as no surprise. The key question is whether a change in government can yield a solution to the present impasse through an amendment of the Constitution so that aspirations of the Madhesis and other hitherto marginalised groups can be satisfied to a reasonable extent.

The political dispensation led by the outgoing Prime Minister, K. P. Oli, showed a marked reluctance to even have a serious dialogue with these groups, resulting in an increasing polarisation between Madhesis and Pahadis which could have extremely dangerous implications for Nepal's future. The fact that the July, 2016 "deal" between the NC and the Maoists commits the successor government to amending the Constitution as a matter of priority, is a hopeful sign that this burning question will, at last, be treated with the

urgency it deserves. But it is necessary to moderate any optimism on this score, for the fact is that all the main parties, including the NC and Maoists, had initially worked in tandem to push through a flawed Constitution which went back on the assurances and commitments previously made to the Tarai-based populace.

On the whole, it could be said that the political situation in Nepal will continue to be messy in the foreseeable future. Nepal is going downhill at an alarming rate. It desperately needs a reasonably positive relationship with India, if its multifaceted crisis is to be addressed with any sense of urgency. The first step in this direction would be to restore basic trust in each other's longer term intentions. India has repeatedly said that it respects Nepal's right to have a constitution of its choice, and has neither reason nor interest to play a partisan role in Madhesi-Pahadi tensions. New Delhi was right to share its deep concerns about the process by which the Constitution was finalised and its contents formulated; though one can debate whether the style or timing of certain demarches could have been different, given Nepal's well known hypersensitivities. India will now need to try harder to convince mainstream Nepalese opinion that it is motivated solely by the desire to be helpful in Nepal's search for stability and cohesion. This would mean that the public profile of Indian diplomacy in Nepal should be more low key, and that India will give the time and space needed by the main stakeholders in Nepal's polity to find an early resolution through mutual accommodation, which will give the people of the plains a sense of ownership of the Constitution.

Key political leaders in Nepal must face up to the fact that, among Nepal's voters, there is very limited shelf-life for ultra-nationalism asserting itself through anti-India posturing. Disillusionment with the political class for inexcusable delays in delivering on post-earthquake relief, reconstruction and rehabilitation and reversing the downward economic trends is widespread and real. They need to get their act together and see India as an opportunity which should be taken full advantage of, rather than be demonised in sometimes senseless fashion. India is the fastest growing economy in a world where the global economy is undergoing major stresses, and Nepal can be a beneficiary of many of the new schemes that are under implementation. Political instability and coalition compulsions need not come in the way of a stable expansion of India-Nepal cooperation on the basis of a broad consensus in Nepal as to what is clearly in Nepal's interest. After all, the Mahakali Treaty was negotiated, signed and ratified by the Nepal Parliament with a two-thirds majority despite frequent changes of government both in Kathmandu as well as in Delhi. The reason for this was that all the main parties which discussed it threadbare,

were convinced that it was in Nepal's interest, and had a sense of Nepalese ownership about the Treaty; and India, for its part, went the extra mile to carry along all political groups at every stage of the discussion.

The Mahakali spirit is in a sense more important than the Treaty, and must be rediscovered and resurrected so that unnecessary misunderstandings do not cast a shadow on the relationship and on Nepal's efforts to achieve amicable solutions to its internal problems. Indications that Kathmandu and Delhi are again making progress on the Pancheswar project - after several delays and hiccups post the Treaty - must be welcomed.

While mega projects such as this Pancheswar project will take time to be implemented, both countries must look for innovative approaches so that visible progress is achieved in implementing people-centred projects. The Small Projects scheme introduced a few years ago, community driven schemes with modest budgets and a gestation period of less than a year, are excellent examples of the aforementioned efforts which could be expanded further.

Across the political spectrum, leaders including from the Tarai, will have to moderate maximalist posturing, and work towards mutually acceptable compromises well before the local government elections, which are to take place later this year.

There are longer term issues in India-Nepal relations which have been crying out for attention for a long time. The activation of an Eminent People's Group (with senior experts from both sides) to deliberate on such issues and make recommendations to the two governments is a move in the right direction. The first meeting (which took place in Kathmandu earlier in July, 2016), predictably, showed up the differing priorities of New Delhi and Kathmandu: speeding up economic cooperation for the former, the 1950 Treaty and a "more equal" relationship for the latter. If Press reports are to be believed, even if it served to ease some of the tensions that have manifested themselves in the bilateral environment, something positive would have been accomplished. It would be a pity if the mechanism is not utilised to enable a free and frank discussion on all matters so that the relationship can free itself of the baggage of the past, and achieve its true potential in the years ahead.

India needs to improve on the delivery of its own commitments, turn to new technologies which would give substance to the "Build Nepal Better" dream, and have the understanding and support of a critical mass of Nepal's political leaders so that they are assured that India is not playing partisan politics against anyone's interests - the best way to depoliticise India-Nepal cooperation. The challenge is to rebuild mutual trust and confidence with

Nepal on the basis that Prime Minister Modi has no wish to include Nepal in India's 'sphere of influence,' but rather wants both countries to prosper in the same 'sphere of development'. This signal needs to be clearly given in our diplomatic and political interactions with Nepal so that bilateral ties can be restored, improved, and stabilised on a long term basis.

★ ★ ★

## ***Nepal-India Relations Gaining Ground***

Hari Bansh Jha\*

No two countries of the world are as close as Nepal and India. The open border system between the two countries has generated immense opportunities for the movement of people from one country to the other. By providing national treatment to the citizens of one country in the other, the 1950 Treaty of Peace and Friendship between Nepal and India has allowed each other's citizens to engage in business, trade and several other economic activities, which is unique in itself.

By virtue of the 1950 Treaty, people benefit a lot from gainful employment in each other's country. They also move to the other country hassle free for education, health, pilgrimage, and other purposes. Cross border marriages taking place between the two countries on a massive scale make the relations between the two countries younger each successive year. It is on this account that the people-to-people relations between the two countries have always remained most cordial, despite the ups and downs in the relations at the government level. In view of this uniqueness, it is often said that the relations between the two countries is deeper than the Indian Ocean and higher than the Himalayas.

However, the Chinese inroads in Tibet in 1950 changed the geo-strategic relations in the region. Soon afterwards, Nepal took major initiative to sign a security pact with India through the Treaty of Peace and Friendship and allowed the Indian military to guard its northern frontier to check any possible encroachment of its territory from the north. Each country agreed to support the other in case of any threat from the third world countries. Nepal's Prime Minister Matrika Prasad Koirala even went to the extent of saying that India's defence was Nepal's defence.<sup>1</sup>

However, the honeymoon in Nepal-India relations discontinued after the death of King Tribhuvan in 1955. Nepal established diplomatic relations with China in 1956. Soon afterwards Nepal's tilt towards China started growing. Nepal accepted the Chinese claim over Tibet and the status of Nepal's embassy in Lhasa was reduced to a consulate general office. Each country set up embassies in the other country. In 1961, Nepal allowed China to construct a road between Kathmandu and Lhasa. Also, during

---

\***The Author** is Executive Director, Centre for Economic and Technical Studies, Lalitpur, Kathmandu, Nepal and was formerly Professor of Economics at Nepal's Tribhuvan University.

the 1962 War between India and China, Nepal adopted a neutral position despite its security pact with India.

Subsequently, Nepal imported sophisticated arms from China without any consultation with India, twice – first, in 1988-89 and second, in 2005. More recently in March this year, Nepal allowed China to extend its railway link from the Nepal-China border in Kerung to Kathmandu and further to Pokhara and Lumbini, which is at stone's throw distance from the Nepal-India border. It is well known that China is likely to bring its railway up to Kerung by 2020, which is closer to the Nepal-China border. In return, China allowed Nepal to use its sea port in Guangzhou for trade with the third world countries.<sup>2</sup>

Considering the geo-strategic importance of the Chinese railway inside the Nepalese territory, China appears to be impatient to work on this project. Therefore, the CAMC Engineering Company Ltd of China has already prepared a feasibility report for an electric railway line of 121 km from Kerung (China) to Kathmandu, apart from a 164 km railway line between Kathmandu and Pokhara and a 152 km railway line between Kurintar and Lumbini. Details have also been given in the report about the length of the tunnels and railway stations in all such routes.<sup>3</sup> The current Nepalese budget also allocated funds for the detailed project report for the Rasuwagadhi-Kathmandu-Pokhara-Lumbini rail network so that the construction work could begin in the next two years time.<sup>4</sup>

It is not a secret that the present leadership in Nepal wants to reduce India's influence in Nepal. Relations between the two countries have touched its lowest ebb. As such, the Nepal government signed ten agreements with China during Prime Minister Oli's visit to this country early this year; recalled its ambassador from New Delhi; and cancelled the visit of Nepalese President Bidya Bhandari to India.

Nepal justifies its closeness with China by blaming India for the economic blockade on Nepal in 2015–16. No one in the ruling circles wants to accept the truth that the blockade was imposed by the agitating Madheshi and Tharu groups in protest against the constitution and not by India.

However, a recent change in Nepal's domestic affairs has given a new twist in the Nepal-India relations. The Madheshis and Tharus, who had blocked the Nepal-India border for five months under the banner of United Democratic Madheshi Front (UDMF) changed the forms and strategy of their anti-constitution movement by forming an alliance with the hill Janajati groups

under the umbrella of Federal Alliance. In a significant development, the Federal Alliance, which is the alliance of 29 Madheshi, Tharu and hill Janajati political parties, shifted the base of Madhesh-based movement to Kathmandu to take the anti-constitution protests to a new height.

In the course of the Kathmandu centric movement, the Federal Alliance has been organising different protest programmes against the constitution in Kathmandu Valley since May 14, 2016. Towards this end, the Alliance not only picketed Singh Durbar, the main administrative wing of the government of Nepal, but also picketed the official residential building of Prime Minister K. P. Sharma Oli. Besides organising rallies in Kathmandu Valley and at Pokhara and Birgunj, the agitating groups are now involved in relay hunger strike at Khula Manch, the heart of Kathmandu Valley.

Knowingly or unknowingly, the formation of the Federal Alliance is in itself a major development in Nepal. Together, the Madheshis, Tharus and hill Janajatis account for over two-thirds of Nepal's population. If the Dalits are also included in this group, Nepal's 72 per cent population is against the constitution. In this respect, only the Bahun-Chhetri castes of people called Khas Arya, who constitute merely 28 per cent of Nepal's total population, seem to be supporting the constitution. What this means is that the overwhelming percentage of the Nepalese are against the constitution.

Furthermore, the shift in the base of the Madhesh movement from Terai and especially from the Nepal-India border region to Kathmandu is most crucial. Those elements who used the open and porous border between Nepal and India for infiltration of terrorists from the third world countries to India and indulged in activities related to counterfeit currency and drugs between the two countries might find it increasingly difficult to do so. Indian security agencies might find it easier to keep a close watch on such elements during the period of peace in the region.

Most importantly, India has also gained mileage in Nepal as its support base in the country has increased tremendously. This is on account of the fact that India has been sympathetic towards the cause of the Madheshis, Tharus, Dalits and hill Janajati groups ever since the anti-constitution movement started in Nepal in June, 2015. India has been making consistent efforts to advise the Nepalese leaders to make the constitution inclusive. India well realises that the constitution that ignores the aspirations of 72 per cent of the Nepalese population cannot be tangible.

During his two visits to Nepal in 2014, Indian Prime Minister Narendra Modi himself focused on the need to accommodate the aspirations of each section of the Nepalese population in the constitution. If this was not enough, India's External Affairs Minister Sushma Swaraj made five visits to Nepal to make India's views on the constitution clear. Even at the eleventh hour, India's foreign secretary S. Jayshankar made sincere effort to pursue the Nepalese leaders to accommodate the concerns of the dissatisfied groups in the constitution.

Over and above, New Delhi did not endorse the Nepalese constitution when it was promulgated on September 20, 2015. New Delhi has done so not due to any ill will towards those few political leaders who made the constitution. It is more so because it has a feeling that the constitution that overlooks the interest of the great majority of the Nepalese population cannot guarantee peace and stability in the country for a long time.

Even as recently as during the visit of Nepalese Prime Minister KP Sharma Oli to New Delhi in February, New Delhi did not feel the need to change its stand on the Nepalese constitution, though there was pressure for this from Kathmandu. India reiterated its stand on the Nepalese constitution even in some international fora as well as in the India-Britain joint communiqué and the India-EU joint communiqué.

The Indian stand on the constitution has earned more friends in Nepal. It is only the opportunist and feudal elements in Nepal who ruled the country for over 250 years that are somewhat dissatisfied with India. The overwhelming size of the Nepalese population, including the Madheshis, Tharus, Dalits and hill Janajatis find India the most trustworthy friend. In fact, those people have become more pro-India now than ever before, though it does not mean that they are less nationalist. Even among the Bahun-Chhetri castes, not all the people are anti-India. This is so because millions of them earn their bread and butter in India and are tied by religious, social and cultural links with this country.

It is merely propaganda on the part of the so called hill elites in Nepal that the entire Nepalese population has become anti-India because of the economic blockade. The common mass of the people in Nepal are quite aware that the blockade was not imposed by India, but by the Madheshi and Tharu people to pressurise Kathmandu to address their grievances in the constitution. So the common mass of the Nepalese population did not oppose India even when the Madheshi movement was at its peak in 2015–16. So much so, that many of the hill people in Nepal's border region and also in other parts of the country

openly supported the Madheshi agitation.

Of Nepal's two neighbours, it is only China that supported the constitution. Time will prove that the Chinese stand on the constitution is counter-productive, though it seems to have gained certain ground among the ruling elites in the country now. Nepal has sacrificed its own interest by giving undue concession to Beijing mostly in the transport sector in lieu of Chinese support to Nepal's new constitution. It is the Chinese security interest that is served more through the agreements made by KP Sharma Oli with China than Nepal's own interests.

Despite the fact that China wants to occupy space in India's backyard in Nepal, India's pre-eminent position in Nepal is unmatched. In this context, the Indian Ambassador to Nepal Ranjit Rae recently rightly said that no one can stop prosperous relations between Nepal and India.<sup>5</sup> This is one of the major reasons why Nepal has not been able to implement the constitution so far. Even in the past Nepal's Zone of Peace (ZOP) proposal that intended to undermine India's presence in Nepal could not become successful, though nearly 114 countries of the world, including China and Pakistan, have endorsed it. There is a feeling that the Nepalese constitution that has overlooked the interest of the overwhelming majority of the population in the country will not succeed because it does not have any support from New Delhi.

Nevertheless, New Delhi need not pamper certain elements in Nepal again who have always worked against Indian interests. Interests of the Madheshis, Tharus, Dalits and different Janajati groups who largely support India in Nepal need to be protected. Also, New Delhi needs to give continuity to its stand on the Nepalese constitution. It should use its leverage to influence Nepalese politicians to accommodate the aspirations of the agitating parties in the constitution by amending it to their satisfaction. It is in Nepal's own interest to amend the constitution in a way that it becomes inclusive.

If at all New Delhi has lost any section of society in Nepal in the course of the anti-constitution movement, it is the group of opportunists. Instead, New Delhi has earned credibility from larger sections of Nepalese population, which is not a small gain.. In order to consolidate its gain, what is essential for New Delhi is to sideline the forces that indulge in propaganda about Chinese activities in Nepal, including the extension of its railway network deep into the Nepalese territory, being in Nepal's interest. It is clear as mirror that all the Chinese activities in Nepal have a strategic design that would neither serve Nepal's long term interest nor that of India.

## **Notes**

---

- <sup>1</sup> SB Singh, “Nepal and India’s Security” in Ramakant and BC Upreti (ed.), 1992. Indo-Nepal Relations: South Asia Studies Series 25, New Delhi: South Asian Publishers Pvt. Ltd, p.187.
- <sup>2</sup> Hari Bansh Jha, “Nepal-China Trade Point Deal A Himalayan Blunder”, *Daily Pioneer*, New Delhi, 09 April 2016.
- <sup>3</sup> Mukul Humagain and Anil Giri, “Two Chinese companies keen to build rail network in Nepal”, *The Kathmandu Post*, 02 July 2016.
- <sup>4</sup> Ibid.
- <sup>5</sup> “Nepal-India relations has taken new course, claims envoy Rae”, *My Republica*, 03 July 2016, <http://www.myrepublica.com/news/1323> accessed on 04 July 2016.

★ ★ ★

## ***India-Nepal Relations: Complexities, Misperceptions and Irritants***

B.C. Upreti\*

India-Nepal relations reached their lowest during the last one year, bringing about a state of utter confusion; full of allegations and diversions in multiple ways. It is not for the first time that the relations between the two countries have received a setback. In fact, ever since 1950, India-Nepal relations have had a chequered history despite age old historical, social and cultural linkages, an open border, vital trade and transit links, and a sound foundation of relations in the form of the 1950 Treaty of Peace and Friendship. Sometimes, it is highly puzzling why the two countries have come to strain relations time and again despite such multidimensional bonds between them.

In reality, there are sensitivities, expectations and complexities on both sides. India believes that Nepal is important for security reasons, particularly due to its location on the southern slopes of the Himalayas.. This is so, despite a shift in the politico-strategic landscape across the Himalayan border lands. If India's security sensitivities are ignored by Nepal, there will be problems for India. Nepal, on the other hand, carries typically small state complexities and also has too many expectations from India, both at the political and popular level. Nepal has not been able to reach any viable level of development and, as such, it hardly has any alternative to its economic dependence on India. There is also an inherent fear psychosis among the Kathmandu based power elite, about the concern that Nepal stands dwarfed against a regional giant.

Nevertheless, the founder of the kingdom of Nepal, King Prithvi Narayan Shah, described Nepal's location as being like a yam between two stones. King Mahendra thought that this concept of yam could be a blessing in disguise, and began taking advantage of Nepal's typical geographical situation in the Himalayas by playing one neighbour against another for the interest of his own country. The playing of the China card against India and promoting nationalism based on anti-India sentiments became two important instruments of Nepal's domestic politics. Nepal used both against India as and when it became necessary, damaging India-Nepal relations.

---

\***The Author** is presently ICSSR Senior Fellow and a former Director at the Centre for South Asia Studies, University of Rajasthan, Jaipur, and a former Senior Fellow, Vivekananda International Foundation, New Delhi. The views expressed are personal and do not represent that of any forum or institution.

As a result, a section of the Nepali political and bureaucratic elite has always tried to advocate China as providing an alternative to their country's dependence on India. This raises some serious questions which need careful examination. Is China really providing an alternative to India in Nepal, given the current geographical and cultural landscape? Is China interested in the development of Nepal in consonance with its traditions and culture? What are China's long-term interests in the south of the Himalayas? In other words, there are serious cultural and ideological issues associated with China's presence in Nepal. However, Nepal seems to be obsessed with playing the China card. This can have serious consequences in the long term. But, the Nepali ruling elite always seems to look for short term gains.

Nepal seems to believe that approaching China is an easy solution to her problems with India. However, this has not proved to be so. Indeed, it has become a source of irritation for India, not merely because Nepal is cultivating deeper relations with China but because it is using the China card as a pressure tactic against India. Nepal is a sovereign country, and developing relations with any other country is its right. However, one might ask why China comes into the lime light only when Nepal has problems with India. China has been providing economic assistance to Nepal, and the two countries have strong political relations. Therefore, it is a continuous and normal phenomenon of bilateral relations. However, there should not be comparisons and parallels made at the cost of damaging relations with other country.

It is very strange to note that all sections of the Nepali society, from top to bottom, accept that India-Nepal relations are unique, intimate, and multidimensional in ways which are not possible with any other country. All accept that Nepal and India have a people-to-people relationship which is rare in the history of bilateral relations. Why are there so many misunderstandings and irritants in their relationship then? There are strong binding factors between India and Nepal. But unfortunately these have been ignored, and the two countries are obsessed with political issues as well as their respective sensitivities.

### **Bonds of Nature, Religion and Culture**

Nature has placed India and Nepal as parts of a single geographical region which are inseparable from each other. The Tarai region of Nepal is a part of Indo-Gangetic zone while the hills and mountains form a part of the larger Himalayan ranges. The two countries share resources, biodiversity, environment issues and the challenges of climate change. The open border

provides continuity and strength to the bonds of nature between the two countries. The religious and cultural linkages between the two countries are also age old and intimate. Both are part of the same civilisation. The social fabric and the cultural traits of both countries are similar. Both carry immense religious and cultural value for each other.

However, this oneness and togetherness in the socio-cultural field has not been helpful in building bridges between the two countries. It is a fact that soft power diplomacy plays an important role in overcoming political biases and conflicts. But, in the case of India and Nepal, the socio-cultural intimacy is mere rhetoric in the political realm. It may be very important at the people-to-people level, but it has failed to influence political relations between the two. The idea of socio-cultural bonds working as pressure groups in resolving contentious bilateral issues has hardly been explored.

### **Imprints of Multi-Dimensional Relations**

India-Nepal relations are multidimensional, and are therefore complex in certain respect. There are political, strategic, and economic dimensions to India-Nepal relationship. At the same time, there are dimensions like social, religious and cultural. The latter is what makes people-to-people relations between the two countries intimate and inseparable. Both dimensions are important in understanding India-Nepal relations. The concerns of the two countries are not merely political and strategic but also have to do with other issues such as trade, transit, sharing and exploitation of river waters and other resources, migration, open borders, etc. As a landlocked and small power, Nepal is always sensitive about these issues, and expects India to be generous and helpful. India's negative responses at times become irritants in the relationship between the two countries. When more than one issue comes up, then the situation becomes complicated. One could even say that, at times, some of such attempts are made deliberately.

However, what is more important is that the informal channels of the relationship between the two countries operate independently from the compulsions of the 1950 Treaty. The socio-cultural exchanges at the people-to-people level are not affected by the political tangles between the two countries. It is for this reason that the breakdown of the relationship between the two does not affect the people at large - so long the situations such as the closing of borders or a blockage in Tarai (as it happened in the recent past) do not arise.

### **Diverse Perceptions**

There are also perceptual differences between the two countries. India's perception is that Nepal is strategically important in the Himalayas for its own security reasons. Nepal also had this perception as long as it also felt a common security threat from the north. However, now it no longer subscribes to the notions of a security threat from the north of the Himalayas. This perceptual difference is a source of tension between the two countries. In other words, Nepal's own perception of India is not consistent; and there is also no common perception between them. In fact, there are diverse perceptions based on individual and regional interests. The Kathmandu power elite look towards India for support when entering the power structures of their country. They want India's support for their establishment. Their perception of India depends on India's response. The hill people believe that India can help in catering to their basic needs, whether it is food, electricity, petrol, cooking gas, etc. So they are concerned about trade, transit and other related issues, and easily blame India for any obstruction in the smooth flow of goods and materials from the south.

The perception of the Tarai people is different. They have emotional attachments with the people on other side of the border. They look at the Indian economy as an alternative source of sustenance. In their perception, greater interaction with India and smooth bilateral relations would be in Nepal's interest.

### **Politics over Treaty**

There has been much mudslinging over the India-Nepal Treaty of Peace and Friendship despite the fact that the Treaty is a very comprehensive document, facilitating the livelihood of people of the two countries in each other's land. However, Nepal is not satisfied with the Treaty and there are voices against it. The people of Nepal have taken maximum benefits of the Treaty; yet Nepal began to ignore the provisions of the treaty in the 1960s, and even demanded a review of the Treaty in the mid-1990s. Nepal's argument is that it is an unequal Treaty which was signed in a context which does not exist anymore. However, apart from the political rhetoric, Nepal has not been able to provide any draft proposal to amend the treaty. It is also not clear whether Nepal would like to amend the Treaty, merely delete certain provisions of the Treaty, or replace it by another treaty.

The whole idea of reviewing the Treaty of 1950 is not subscribed to by different political groups and academics in Kathmandu. The UML raised the

issue of the revision of the Treaty when Man Mohan Adhikari formed the government in 1994. But, he was not at all clear as to what needed to be done. So it proved to be a mere political slogan. The Nepali Congress has not expressed any opinion regarding the Treaty. The Maoists made this issue more complicated by demanding a review of – and even scraping – all unequal treaties agreed to in the past. They also seem to be using the Treaty as an instrument for political gains. India has made it clear that it is ready to discuss any proposal submitted by Nepal regarding the 1950 Treaty. Among the academics in Kathmandu, there are many who believe that there is nothing wrong with the Treaty. The issue of revision of the Treaty was last discussed between the two countries as far back as 2002. Thus, all in all, Nepal is not serious about the revision of the Treaty – it only wants to use it as an instrument for domestic political gains. The fact remains that Nepal knows very well both, the benefits of the Treaty as well as the implications of its withdrawal. Yet, politics is played over and over again on the issue of the Treaty. And, no doubt, this will continue until Nepal gains political stability and democratic maturity.

### **Political Instability, Fragmentation, and Expectations**

Nepal's domestic politics has adversely affected India-Nepal relations. Nepal has been passing through a critical phase of prolonged political transition. Many larger issues – like the implementation of the Constitution, federalism, the Madhes tangle, etc. – are still unresolved. There has always been a tendency in Nepal to tag its domestic failures to external factors. Whenever a serious crisis erupts in the domestic politics of Nepal, the India-Nepal relationship becomes a victim. If India intends to help Nepal in overcoming the crisis, it is blamed for interference in the internal affairs of the country. If India wants to keep its distance, then it is criticised for not being sensitive to the problems of a neighbour.

The political space of the country is highly fragmented. There is no consensus regarding vital issues of national importance. There are 45 political parties operating in the country; but all the parties and individual leaders are indulging in power games. The short lived coalition governments that have come up over the last one decade clearly reflect fragmented nature of the politics of power in Nepal. In this power game, many political leaders, parties, and political aspirants look towards political circles in India; and when they come across India's lack of concern regarding their expectations, they turn anti-India.

It is very interesting to note that in every governmental change – which are so frequent – India is accused of being responsible. This is true even for the present crisis. While this speaks about the lack of confidence among the political actors in Nepal, it is indeed very frustrating for India.

### **The Role of Media**

The media is a powerful instrument in making and influencing public opinion. In Nepal, the media has been responsible for adversely affecting the dynamics of India-Nepal relations. The Nepali media hardly has any independent status, with there being a very strong nexus between them and different political parties. The media generally takes up the line of its mentor political party. There are, invariably, several instances of rumours, misinterpretation of facts, and false news. One can find a lot of negative news about India and India-Nepal relations in the Nepali media. In fact, there are vested political interests which encourage the media to play such a role. The fact is, that in any future betterment of India-Nepal relations, the media will have a big role to play.

Moreover, memories seem to be very short. This puzzles all those who understand the dynamics in India-Nepal ties. The overwhelming enthusiasm in Nepal during the visit of Prime Minister Modi, India's all out and the quickest possible support to Nepal at the time of devastating earthquake in that country are recent events that elevated hopes for better diplomatic engagement in future. Yet, the rise of the Madhes issue seems to have obliterated all memories, and India has been blamed for everything happening there. Such coverage of the media in Nepal creates a lot of irritants for India.

### **India's Problems**

There is no doubt that India lacks clarity and consistency in its approach towards Nepal. There have been allegations about India being reactive instead of being proactive towards its northern neighbour. Many Indian projects have not been completed in time – although Nepal has also been responsible for this many a time. But it is also a fact that dragging India into the political bickerings of Nepal and laying all blame on it is counterproductive. It is irritating to all those who are sincerely working for the development of Nepal. For them, Nepal's approach is frustrating. However, there are many brighter aspects to the India-Nepal relationship. These aspects need appreciation in order to build a brighter future of the relationship between the two countries.

To conclude, there are very strong foundations of India-Nepal relations. The deep rooted socio-cultural linkages that the two countries possess comprise a rare repository in the arena of bilateral relations. But unfortunately, all these and many other aspects of India-Nepal relations are overshadowed by personalised politics and short term gains. For a brighter India-Nepal relationship, Nepal needs stability, development, and a mature political leadership. On the other hand, India needs to follow a clear, consistent, transparent, and more cooperative approach towards a close neighbour.

★ ★ ★

## *Nepal's Democratic Polity and India*

Sheel Kant Sharma\*

Nepal's glacial democratic processes and the profusion of mutually incompatible aspirations among its numerous political parties and factions have dominated headlines for the past eight years. Since the elections in 2008 in which the Maoists took part and won as a political party (and not as a militant outfit), the years have been marked by less governance and even lesser development work, both of which Nepal sorely needs. It's enormous potential as a tourist destination, as the repository of vast hydropower, and the innate strength of its almost 30 million people remain either untapped or neutralised by endless differences and divisions among the members of the governing elite.

The latest crisis, brought about by withdrawal of support to the Prime Minister by the Maoists, is not new and such crises have been witnessed many times before. It is the same actors who come up in different garbs, seeking the same perks of office and power but presenting fresh alibis for their actions. One of the avowed reasons generally understood about Prachanda pulling the rug from beneath Prime Minister Oli's feet is no different from the demand being made since 2008 about quashing the due process of law against erstwhile Maoist militants for human rights abuses and other criminal conduct. Three months ago, it was the Nepalese Congress that hoped to move in with Prachanda's support; and now it is the latter who claims the support of the Nepali Congress as well as the Madhesi MPs. As regards what will happen to the outcome of the budget session of the assembly is hardly uppermost on people's minds even though it may be still far from fulfilling its avowed purpose. Oli's fall might pave the way for Prachanda's return to power after the lapse of six years. However, no one can say with certainty as to when such a change might actually take place, and for how long it will endure. This time round, the ensuing instability may once again have to be explained in some trite, all too familiar terms to the people of Nepal.

India's constant presence as a helpful and benign big neighbour with whom the Nepalese people have a unique relationship going back millennia, has not been of significant help in resolving the root causes that lie behind such frequent crises in the Nepalese polity. Its domestic logjam sits awkwardly with China's ambitious transformative plans for the entire region including Nepal, its acute sensitivities about Tibet, and its role as a balancer of Indian

---

\***The Author** is a former Ambassador of India to Austria and former Secretary General, SAARC, Kathmandu, Nepal.

influence. China's promises over the past years' turmoil somehow make Nepalese leaders sanguine about their own potential, and the ability to play India and China against one another.

The foregoing description is a simplistic essence of the situation in Nepal. However, its unravelling can strain people-to-people relations between India and Nepal. These relations are unique in South Asia. Peoples of India and Nepal have family bonds, share overwhelmingly the same religion, travel freely across borders, invest, trade, educate, and study without barriers, and generally straddle the same socio-economic and socio-political milieu. They do not pose any threat to each other by themselves. However, this uniquely open relationship can be abused by third parties for diabolical aims – like the staging of terrorist acts, hijacking of aircraft, trafficking in counterfeit currency, women and children, and other transnational crimes.

However, none of these challenges justify the generalisation of threat perceptions and indiscriminate panic. All of the problems that Nepal might pose for India are existent within India itself. Hence, one might ask: if and to what extent India's approach to Nepal's problems would be inseparable from how they are addressed domestically. It is one of the unique ironies of this neighbourly relationship that the democratic politics in both countries go back almost to the same time and beginning - that is, to the early 1950s. The political leaders in both countries have grown up together, often sharing the same academic institutions, and lofty ideas. But the disjuncture between people and the ruling classes in case of Nepal is very different from that in India. In the age of 24x7 TV, social media, and mobiles, people today on both sides of the open border are fully *au fait* with each other's predicament and aspirations, capacity and limitations as well as follies and prowess.

This setting underlines the need for unremitting efforts to contribute to the betterment of peoples and, in particular, for constant readiness on the part of India (as the bigger neighbour) to make much greater and asymmetric offers to improve the common lot. At the same time, a certain vigilance is also required against internal security failings and shortcomings which have the potential to damage vital interests. Nepal's economic development and the progress of its people ranks in importance very next to that of India's border states. This is so not because of any imperial or expansionist reasons, but simply because of the intimate flesh and bone bonds of millions on both sides. At no point can India afford to keep Nepal at a distance or deal with it as an alien nation. Indeed, the larger potential of threat to India will arise if and when signals from New Delhi to Kathmandu show any vestiges of imposed distance or alienation.

One can describe the Indo-Nepalese, or rather, the Nepal-India perspective in three fundamental binds or stalemates. First, the elite and leaders of Nepal in government live in a different world from that in which most of their common folk belong. This chasm in the past half century has been frequently obscured by default resorts to royal heritage and all that the monarchy entailed on the one hand, and by dreams of people's power in fits of democratic impulse and violent upheavals in the name of the poor, downtrodden, and oppressed on the other. None of these have brought about any enduring amelioration of the situation. Discontent simmers, and is tapped frequently by those whose credibility is low and lower. But no one from outside has tried to help the country emerge from this except India – and the cost of it for India has snowballed economically, socially, and politically. This inhibits any ambitious enterprise to transform the bilateral relationship. This is even more so when hysteria can be easily drummed up about Indian interference, manipulation, and so forth the latest example being the besieged Prime Minister Oli blaming India for his predicament. Most often, this kind of blame game has nothing to do with the real factors that produce the crisis.

Second, as regards the symbiotic people-to-people bond, the historic evolution of the Westminster style polity in both countries has meant more problems than solutions. To the people of the Sub-continent who, for centuries, freely mixed and travelled across the length and breadth of the vast landmass, the notion of hierarchy was feudal, caste based or wealth based – just like in India. So, to a Nepalese member of the ruling class, personal relationships with Indians were integral to the social organisation. Moreover, these relations did not suffer any externally imposed strangeness or distance or alienation engendered by the creation of two 'modern' governments, two different members of the United Nations, or two sovereign nations. The pervasive hold of bureaucracies in both governments took away more than they were able to give.

Third, the socio-economic milieu of millions of neighbouring peoples has its own autonomy and rules of behaviour that manifest in how they trade, invest, build, and execute projects or contracts. The superstructure of law makers and rulers has failed miserably in meeting the expectations of the peoples with regard to the quotidian affairs of living and livelihood. But the leaders on both sides – as though helplessly – carry on with the chant of cooperation, shared destiny, and heritage. There is – to borrow and twist an American phrase – no rubber that ever hits the road; there is simply the harsh screeching rusted metal bereft of any lubricants that dominates the traction.

Consistent and cooperative relations alone are critical to sustaining the cordiality and mutuality of good neighbourly ties between the two countries. India and Nepal need to be ready for threats that flow not from their separateness so much as their commonalities – of geography, climate, and public health environment. So, natural and climate change induced disasters, pandemics, monsoon variations, and environmental degradation are what they need to guard against and prepare for, jointly. India's unflinching solidarity with Nepalese people expressed in spontaneous and large assistance after the devastating earthquake on 25 April 2015 demonstrated the enormous bonding between the two peoples and governments. Since the rescue, relief, and rehabilitation will be a long haul, India will have to be constantly on Nepal's side to do whatever it takes to help it recover. Given the dreadfully retarded progression of republican polity in Nepal since the end of the monarchy in 2008, the problem for Indian diplomacy is to find enduring interlocutors to work on a tangible roadmap of constant cooperation.

In both countries, the poverty trap haunts political leaders, though on vastly different scales. The pressures from short term expediency have, from time to time, tended to blur the vision for the future. Perceptions of mutual interests and beneficial cooperation are too easily displaced by conspiracy theories in Nepal about India's interests, and thus derail well worked out projects and blue prints which have been made for mutual benefit. In realising this perception problem, the bigger country always opts for starting afresh after each crisis of confidence – like the crisis that bedevilled last year's excellent and fulsome start made by the Modi government and tried assiduously to carry forward.

The imperative need is to remain on guard against negativism in the diverse groups in Nepalese society working against Indian vital interests. Internal vigilance and strength are the sine qua non for building a progressively stable and friendly neighbourhood, and should move in sync with a large hearted and enlightened endeavour.

Finally, it is critical for both countries to realise the need to prevent distortion of mutual public perceptions. Even India and Pakistan at Shimla had agreed to promote good neighbourliness, and eschew hostile propaganda. Why can't the Nepalese leadership and their counterparts in India come to an understanding that this climate of gratuitous hostility and the airing of unfounded blame must be stopped? No matter who wins the political sweepstakes in Kathmandu, there should be a halt to India-bashing or enflamed hysterics. Likewise, on the Indian side too, despite the ostensible power of the fourth estate, a concerted attempt is required not to speak of Nepal in a disparaging

or condescending manner. China never does this, and thus wins public opinion in its favour. It is high time that this malaise is addressed with adequate political will. It would go a long way in removing misgivings and misapprehensions between the two countries.

\*\*\*

## ***Rise above Prejudices and Suspicions: Build a 'Naya Nepal'***

Anjoo Sharan Upadhyaya\*

A much awaited moment in the history of Nepal - the signing of a new constitution, by the first ever elected Constituent Assembly of Nepal, was marred by wide protests. This was an event for which Nepal and to a very large extent Nepal watchers across the world, had been waiting for quite some time. However, the document failed to recognise the demand for dignity and space from a significant section of Nepalese population: the people of Tarai (plain lands).

What followed were protests by the people of Tarai against the newly signed Constitution, using a technique of agitation that has been very generic to the Nepalese way of politics. This resulted in a blockade of Nepal-India connecting land routes that have been central to most of the supplies to this landlocked state. What was of utmost significance in this phenomenon was a blame game; an accusation pointing towards India, that this blockade was entirely contrived and encouraged by it. Consequently, relations between the two otherwise very friendly countries dipped to an all-time low. This is not an unfamiliar narrative in the saga of India-Nepal relations.

The recent phase of social and political turmoil in Nepal is an indication of Nepal's incapacity to integrate the people of the Tarai, the Tharus and the Janajatis, and its inability to recognise them as equal trustworthy citizens.

The deliberate disregard of the wishes of the people of the Terai with regard to the demarcation of internal boundaries of federal units, and the strange discriminatory provisions against women by a country that has been otherwise most progressive (for instance, Nepal is the only South Asian country to grant constitutional rights to the LGBT community), are not easy to comprehend. There has to be more than what meets the eye. Nonetheless, the demarcation of the provinces in deliberate refutation of the wishes of the people of Tarai demonstrates the suspicion Kathmandu has towards the emotional bonding or, in more crude terms, the loyalty that Madhesis have towards their own country. In the same vein, the generic understanding among the Hill people seems to be that most of the Tarai women marry men from India, extending citizenship to their offsprings by birth, (not by naturalisation

---

\***The Author** is Professor of Political Science, Benares Hindu University and a former ICCR Chair Professor at Tribhuvan University, Kathmandu.

as is the case under the current constitution). This, they think, runs the risk of Nepal not only losing its national identity but also its seats of power to persons of Indian origin.

The blockade that continued for four and a half months brought severe privations to people for the past several months. As has been the trend in the past, this agitation was interpreted in Nepal as one of India's making, and as a tool for interfering in the internal affairs of the country. It was largely understood as an event instigated and supported by India.

Of the various ups and downs that India-Nepal relations have experienced, this has by far been the most dismal phase in their bilateral relations. At the same time, Nepalese tilt towards China has gained unprecedented momentum. Popularity of China has grown immensely in Nepal and is often juxtaposed with India. China's "non interference in the internal affairs of Nepal", has been much appreciated, often standing in contrast to a growing Nepalese refrain: "India's interference in the internal affairs of the country".

Coming on the heels of a devastating earthquake, Nepal has not had a very happy past to take reprieve from. Also, Nepal had not even fully recovered from a decade-long (1996-2006) civil war that killed over 16,000 persons, made a sizeable number "disappear", and turned many of Nepal's democratic institutions defunct. The peace agreement of November 2006 was an inclusive agreement that placed all the players in Nepali politics on a level field: the rebel Maoists, the Nepali Congress (one of the oldest political parties of Nepal), the Unified Marxist Leninist (Communist Party of Nepal, UML) and the Madhesi parties (political parties from the southern plains). The task assigned to them, however, was too gigantic: from running the country, (the assembly also worked as the legislature of the state) electing a constituent assembly, framing and implementing a new constitution, to disarmament, demilitarisation and rehabilitation of the militant outfits. It was a mammoth project.

Though the election for the Constituent Assembly, the DDR process, and the routine governance of the country was accomplished with significant ease, the making of a new constitution hit obstacles that were insurmountable. The first Constituent Assembly failed to reach an agreement on the draft constitution despite prolonged deliberations for four years (2008–2012), a task that was left to be accomplished by its successor, the Second Constituent Assembly (2013). The new Constitution was announced on September 20, 2015.

Ironically, the current troubles of Nepal emanate from this new constitution. As mentioned earlier, the main dissatisfaction came from the demarcation of the seven provinces for the federal rearrangement of the

country. Combined with this, there are severe grievances related to the discriminatory provisions in the constitution toward women, certain sections of the populace and stipulations that are linked to entitlement of holding high offices in Nepal.

Once again the anti-India sentiments were aroused across the country. This came in handy to hold on to a position that was unacceptable to the people of Tarai, as the Hill elites were successful in swinging the sentiments of the people in favour of the status quo, thereby further reducing the chances of a proper debate on the issues, and a negotiated amendment of the basic law of the land. Hence, it resulted in a stalemate.

How has this swing been brought about? There is no denying the fact that India politically, socially and culturally has been a source of inspiration and immense influence for the Nepalese people from time immemorial. In the past, the Indian freedom struggle has inspired the Nepalese people, the Indian democratic traditions have stirred their imagination, and Women Movements in India have encouraged and sustained many similar initiatives and struggles across the land. It is, however, ironic that India has also at the same time been a pole around which much of the nationalism project of Nepal has evolved, and this has happened not always in the most benign way. The complexities of the Nepalese society and its history and politics cannot be ignored. So, whereas on the one hand Nepal has had myriad social and cultural links with India, the relationship has been vacillating.

There are several explanations of this. One that has been offered by some Nepalese analysts is that the anti-India feelings get inflamed when regimes get threatened. This is a trend familiar to most nationalism projects. In the wake of the "Hritik Roshan riots," Pratyoush Onta in 2001 observed that, "The need to portray themselves as opponents of Indian interests in Nepal is paramount for the political survival of small left parties, particularly when they do not hold the deciding balance in government coalitions ... Personal opportunism and lack of principles and contemplation are the hallmarks of the Nepali politician today"<sup>1</sup>. This was as true then, as it is now; with the rider that the anti-India swing also takes place whenever things do not unfold the way the Kathmandu elite expects them to.

There is a deeper explanation of the phenomenon. To my mind, the major cause of such swings is the status of the Nepalese concept of nationalism that continues to be developing still. The shadow of India looms too large for the comfort of Nepal and it often gets defined in terms of asserting its identity by way of distancing itself from India. This is easy to understand. However,

the way Nepal looks at its own people is difficult to comprehend. The perpetual suspicion that prevails amongst the Hill elites against the Tarai politicians and people is also understandable, but not healthy for the progress of Nepal as a nation.

There is a widespread belief that the Bhojpuri, Maithili, Awadhi speaking citizens of Nepal from the plains are actually Indian origin people; that their loyalty is more towards India than towards Nepal; that they are prone to act on the behest of the Indian government and therefore need to be kept under check. Open discrimination and distrust of people who wear the Dhoti (a garment that is usually worn by Hindus in warmer regions of India) as against the Daura-Suruwal (worn by the people in colder regions of the hills); the flatland inhabitants being constantly defined as people of Indian origin, and even their National identity being suspected, are indicators of these trends. Even the term *Madhesia* is used often as a derogatory term for the people of Tarai.

It is this divisive tendency that Nepal needs to address and resolve - a crisis that is very much of its own making and perception. To attribute all the protests that take place in Nepal to India, is a denial of the genuine dissatisfaction amongst its own people because of discriminatory practices, now sanctified by new constitutional provisions. Resisting dialogue with the protesting Madhes and minorities leads to more discrimination. There is a strong suspicion in the minds of Hill people that the absence of direct access for the Hill provinces to India would be used as a bargaining chip against them. It was hoped within Nepal as well as in the international community that the present government will enter into negotiations with the Madhes parties to break this deadlock and bring this impasse to an end. The Madhes-Government task force that was established in January 2016 to address the issue of re-demarcation of federal units could not be even operationalised due to undefined terms of reference. So severe has been the disenchantment with the issue that it was only in May, when the Oli Government sensed a serious threat to its survival, that it sent the first formal invitation for talks to the Madhes parties. The Oli government's lack of inclination or rather indifference to address the Madhes issue is thus symptomatic of the deep seated suspicion against the Tarai politicians that prevails in the capital amongst the ruling elite. If the stalemate continues, there will be no respite for Nepal.

Economic development has long eluded Nepal. It is high time Nepal carries out some serious introspection, and tries to overcome its prejudices against its own people. A well integrated population is a source of strength. Nepal has

been ranked the 33rd most fragile state in the world, according to the Fund for Peace, a Washington-based research and educational institution<sup>2</sup>. This has been diagnosed on the basis of demographic pressure, refugee and IDP flows, group grievances, human flight and brain drain, uneven economic development, state legitimacy, public services, human rights and rule of law, security apparatus, factionalised elites, etc.

It will do Nepal good if it rises above prejudices, suspicions and disbelief, negotiates a mutually acceptable solution to its current differences, and starts building a *Naya Nepal*.

### **Notes**

---

<sup>1</sup> <http://old.himalmag.com/component/content/article/1943-The-Paradox-of-the-Nepali-Mindset-Hate-India,-Love-India.html>.

<sup>2</sup> <http://library.fundforpeace.org/fsi16-report>.

