

*Himalayan Journal of Development and Democracy, Vol. 5, No.1, 2010*

## **Understanding Nepal's Madhesi movement and its future trajectory**

**Pramod K. Kantha<sup>7</sup>**

Wright State University

In early 2007, Nepal's hitherto sleepy Terai region became the epicenter of its continuing political turbulence. The Seven Party Alliance (SPA) of pro-democracy parties and the hitherto insurgent Maoists, known as the Communist Party of Nepal-Maoist (CPN-M) had signed a Comprehensive Peace Agreement (CPA) in November 2006. As the two sides were forging a governing partnership, the country's Terai region, home to almost half of Nepal's population, was threatened by a violent movement that quickly engulfed the entire region. What had started as a protest against the exclusion of vital Madhesi issues (federalism, proportional representation etc.) from the just promulgated Interim Constitution turned into a massive rebellion resulting in the deaths of dozens of protesters. Spearheaded by a little known Madhesi civil society organization, the Madhesi People's Rights Forum (MPRF), the movement showed resilience and ferocity. First denounced by the SPA government and the Maoists as foreign-inspired and regressive, the government had to quickly accept many of the Madhesi demands.

To date the Madhesi movement has several accomplishments to its credit. Thanks to this movement, federalism and regional autonomy have become central to the state restructuring, the victims of Madhesi protests have officially been recognized as martyrs, and the Madhesi parties gained the fourth and fifth positions in the Constituent Assembly Elections of April 2008, with important role in the volatile coalitional politics of the country. Never before had the Madhesi parties have so many seats in the national legislature. The Madhesi leaders since have occupied high profile positions: President, Vice-President, and, for a time the Foreign Minister.

As Shahdevan (2003) points out, ethnic conflicts in South Asia tend to fester into "major wars marked by heavy loss of lives and destruction of property." The success of Nepal's Madhesi in quickly ascending to power positions is an anomaly. Although the jury is still out on the longer

---

<sup>7</sup>Pramod Kantha is an Associate Professor of Political Science at Wright State University. He expresses his gratitude to Wright State University, College of Liberal Arts, for its travel grant to support his research on Nepal's democratization and the state of Madhesi Movement during summer 2010.

term trajectory of this movement, its achievements are noteworthy. How definitive is the success of the Madhesi movement and how does one explain its course? What was the nature of the Madhesi uprising? Has there been a real shift in the attitude of Nepali elites toward the Madhesi issues? Are the Madhesi issues likely to be resolved peacefully? Many such questions about the Madhesi movement remain still unanswered. During my field study in Nepal in July-August 2010, I posed some of these questions to numerous Madhesi politicians, civil society leaders and ordinary citizens. My paper combines my field study observations with scholarly research to examine the dynamics of Madhesi movement.

### **Madhesis and the paradox of their marginalization in Nepal**

The Madhesis constitute 33 percent of the total population; however, Madhesi leaders have blamed the census for under recording the Madhesi population. They claim this percentage is well above 40 percent. Yet, defining a Madhesi is problematic. Excepting a minority of people indigenous to the region, people from both north and South (India) migrated into the Terai. It is in view of such migration pattern that Gaige (1975) called Terai as “geographically and culturally a transitional region between the hills and the plains (p. 11).” The only clear marker of Madhesis is their mother tongues, which are part of one of what Gaige calls “the plains language category.” This category includes Hindi, Urdu, Maithili, Bhojpuri, Bengali, the dialects of these languages such as Awadhi, and Morang Pradesh dialects and languages spoken by relatively few people such as Jhangar, Marwari, and Raji (p. 15). Lacking any other distinct socio-cultural markers as a group, the Madhesis clearly lack what Weber (1994) regarded as key elements of a nation, “common descent and homogeneity (p. 22).” How did the Madhesis unite to launch a powerful protest movement? How did the term Madhesi become a rallying factor?

Exclusion is the key to understanding the formation of Madhesi identity. The history of this exclusion began with the formation of modern Nepal as a nation in 1769. Gaige (1975) highlights this when he writes, “hill people were given preference over plains people settled in the Tarai, so that the plains people were relegated to a second-class status.” For example, in the pre-1950 period, Madhesis needed passports to travel to the capital, Kathmandu. Discrimination against the plains people continued in the post 1950 era by “making the acquisition of citizenship more difficult for people of plains origin living in the Tarai (Gaige, 1975, p. 87-88).” Rajendra Mahato, a leader of Terai-based Nepal Sadbhavana

Party, highlights the discrimination in these words: The Terai people were alienated from the national bureaucracy, politics, army, civil service, etc. No more than five percent Teraians were represented in the police. No Teraians were represented at all in the army. And in bureaucracy itself, despite their population, less than five percent people were represented. So there was also imbalance in national politics and bureaucracy. There also was no adequate representation of Terai people in the parliament and politics. Even for the Constituent Assembly (CA) elections we are demanding that a proportional representation of the Terai people be accepted in candidature or membership of the political parties.<sup>8</sup>

Nepal's Madhesi nationalism supports Beissinger (1996)'s assertion that "nationalism achieves political potency only in the form of collective discourse, mass mobilization or state practice (p. 100)." Following multiparty democracy since 1990 various groups engaged in identity movements. However, as Lawoti (2008) finds, the representation of many underrepresented groups, including that of Madhesis, really declined during the democratic era of 1990-2002.

### **The 2007 Movement and Its Achievements**

As Varshney (2002) has pointed out, protests are more likely in democratic polities (p. 24-25). Madhesi movement erupted against the backdrop of the successful April Movement, which for Madhesis had bitter ironies. The future trajectory of the Madhesi movement will also be largely contingent upon the fate of Nepal's still shaky political transition. The immediate spark for the Madhesi protests was provided by the promulgation of the Interim Constitution on January 15. The Interim Constitution was drafted exclusively by the members of the SPA and Maoists; the Madhesi leaders were left out. On January 16, 2007, the supporters of the MPRF showed their opposition to the promulgation of the constitution by burning its copies on the streets of Kathmandu. They opposed the constitution for omitting any reference to a federal structure and proportional electoral system. The government's effort to suppress the movement failed and the movement spread quickly to most parts of the plain region; security forces killed dozens of protesters.

---

<sup>8</sup> Quoted from Text based on a presentation entitled "Violence in the Terai and the Madhesi Movement: Prospects for Peace in Nepal." delivered by Minister Rajendra Mahto on 17 July, 2007 at the United States Institute for Peace, Washington, D. C. [http://www.nepalmonitor.com/2007/09/the\\_madhesi\\_movement\\_prospects\\_for\\_peace\\_in\\_Nepal\\_-print.html](http://www.nepalmonitor.com/2007/09/the_madhesi_movement_prospects_for_peace_in_Nepal_-print.html)

The Madhesi movement came in the wake of some critical developments. The Madhesi leaders found the peace deal with the Maoists as accentuating their marginalization. According to a highly placed political analyst, Madhesi leaders' insignificant role in the drafting of the interim constitution followed a unified rejection by the major political parties of their demand for the reconfiguration of electoral districts on the universally recognized basis of population. Moreover, concessions to the Maoists had raised serious Madhesi objections. For example, the Asian Center for Human Rights (2009) reported Madhesi militants asking if the Maoists could pick up the gun and become members of parliament, why they could not do the same (p. 5). Madhesi land owners suspected that the Maoists would grab more of their land to redistribute to their supporters, mostly the hill migrants. A badly handled riot in the western Nepali town of Nepalganj in the plain region on December 25-26, 2006 was another prelude to the movement. Sparked by confrontations between the supporters of the Madhes based Nepal Sadbhavana Party and those of the SPA, the riots' victims were disproportionately Madhesi. A report by the People's Level Civil Investigation Committee consisting of human rights groups found only 14 percent of the property destroyed in the riot belonged to the Pahadis. The most damaging for the government was the allegation that it abandoned what Esman (2004) would call "any pretense of impartiality in the face of ethnic disputes (p. 16)." The Office of the High Commissioner for Human Rights in Nepal (OHCHR) in a press release on October 22, 2007 also noted the accusation of "police acting partially" in Nepalganj agitations and in other Madhesi agitations in the months of January and February 2007. The government is yet to release the findings of an official investigation into the Nepalganj riot.

### **From confrontation to compromise: How real a turnaround?**

The government was challenged by both pressures from the streets and a lack of any international support for its preferred policy of dealing forcefully with the Madhesi protests. Nepal government pointed fingers at the Indian indifference to the activities of Madhesi militants from across the borders and sought Indian assistance in restoring normalcy in the plain region. To Kathmandu's disappointment, however, New Delhi urged the government to resolve Madhesi' "genuine grievances." A well informed source told me that India cautioned Nepal against using military to suppress the Madhesi by warning that it could create East Pakistan type situation that resulted in the dismemberment of Pakistan and in creation of Bangladesh in 1971.

Still, the government only moved very slowly and hesitantly in making any concessions to the Madhesi leaders. Each round of concessions also marked a different stage for the Madhesi movement. The first such concession came through Prime Minister Girija P. Koirala's address to the nation on February 9, 2007, which included the guarantee of a federal system after the CA election, a mixed-proportional electoral system, and a reconstitution of election constituencies in the Terai based on population. In response, the MPRF called off its strike but its protests continued demanding the resignation of the Home Minister, who the Madhesi leaders viewed as conniving with the Maoists against the Madhesi interests. These protests ended in August 2007 when the government agreed to a charter of 22 MPRF demands; the MPRF since has accused the government of non-implementation of many of these demands.

The Madhesi movement entered another critical phase soon after the SPA reached a 23-point agreement in December 27, 2007 with the Maoists to end the Maoists' boycott of the government and to hold the CA elections in April 2008. The agreement with the Maoists, however, accentuated the divide between the Madhesi and Pahadi leaders. The divide got a boost by the defection from the Nepali Congress of a senior Madhesi leader, Mahantha Thakur, who formed a new political party, the Terai-Madhes Loktantrik Party (TMLP); the party was formed on December 28, the day after the SPA reached agreement with the Maoists. The party started off amidst widespread rumor that its formation was inspired by India as a counterweight to the MPRF.

The rise of a United Madhesi Democratic Front (UMDF) was a distinctive as well as an intriguing development of this phase of the Madhesi movement. The Front was formed on February 9 jointly by the MPRF, the Sadbhavana Party led by Rajendra Mahto, and the newly formed TMLP in order to galvanize the Madhesis. The Madhesi leaders deplored the failure of the government in implementing the 22-point agreement and called for fresh Terai agitation if their demands were not met by January 19. The UMDF also called for boycotting the CA elections unless their demands were met. The Madhesi groups also objected to the deployment of special police force in the Terai (Nepalnews 26 January 2008). The Madhesi protests that followed left the Nepali government besieged and paralyzed. Widespread disruptions of transport and communication networks left Kathmandu without supplies, especially of petroleum products – a déjà vu for the capital's residents who had seen

similar shortages resulting from the non-renewal of trade and transit treaty with India in 1989.

On February 28, the UMDF and the government signed an eight-point agreement to end the nation-crippling indefinite strike in the Terai. Interestingly, the agreement was brokered by the outgoing Indian ambassador S. K. Mukherjee with the last round of negotiations being held in the Indian Embassy in Kathmandu. The main stumbling block in the negotiations was the UMDF's demand for a single autonomous Madhesh province stretching from Nepal's Eastern most to Western most plain areas with the right to self determination. The agreement remains controversial to this day. The UMDF leaders claimed that the government accepted their demand of a single Madhes state whereas the government leaders sounded vague. Soon after the CA election, differences between the UMDF and SPA-M (the SPA and Maoist) leaders became more pronounced. Resentment at India's role in the negotiations also appeared widely in the Nepali media. Some observers also noted a direct Indian role in the formation of the TMLP; yet another evidence of New Delhi's increasing reliance on the Madhesi groups against the Maoists in view of the apparent inability of the SPA parties to resist the Maoist pressure (Thapa, 2008).

### **Nepali Politics: The post-CA election scenario**

Unlike, Lijphart's elite consensus-based approach, Nepali elites tend to favor brinkmanship to advance their interests. Hence, shifting and highly unpredictable elite interactions have been driven essentially by their respective electoral, street as well as disruptive capabilities. The Madhesis are the last to join Nepal's power circle by using the combination of these capabilities, first gaining world attention through powerful street protests, and since the CA elections, by leveraging on their strength in the assembly. Nepal's case resonates with Collier (2009)'s generalization from his broader study of the poorest and conflict prone countries that he calls the "bottom billion." Instead of a shared sense of belonging, the state functions because its component groups are suspicious of each other and can use the institutions of accountability to prevent being disadvantaged. Such societies may not be cozy, but they are viable (p. 186).

The Nepali case, however, is more complicated as it lacks any effective institutions of accountability barring an embattled judiciary fighting both allegations of massive corruption and attempts by politicians to undermine its independence. As a result, the ability of domestic

political actors to build and sustain a functioning state has been severely compromised leaving both Nepal's peace process as well as governance in a state of limbo. Since the ouster of the Maoist-led coalition in May 2009, Nepali political parties have made very little progress on contentious issues like the rehabilitation of the Maoist combatants currently housed in the United Nations Mission in Nepal (UNMIN) supervised cantonments, the division of power between the center and the provincial units under the proposed federal system, the demilitarization of the Maoists if they are to be part of a democratic process, etc. Unless the political parties reach a compromise, severe breakdown of the peace process may follow the termination of UNMIN mission in January 2011; nothing better exemplifies the political stalemate than the inability of the CA to elect a Prime Minister after more than sixteen rounds of voting.

Political observers in Nepal hold both positive and negative views of Nepal's current political imbroglio. Those on the applauding side view the current stalemate resulting from many complex issues that Nepali people and politicians have taken up and are seeking to resolve. They cite major breakthroughs like the end of the Maoist insurgency, the declaration of republic, and the massive mobilization of various sections of people for their fair share in the state restructuring as major cornerstones for Nepal's new democracy. The pessimists have no less impressive litany of concerns. The pessimists are haunted by extreme political uncertainty and instability, which they consider as pointing strongly to looming state failure and chaos. Among the factors they blame for producing such a situation, the Maoists' indeterminacy tops the list. The pessimists largely share the view that the Maoists have yet to convince other major political parties and international forces that their participation in the democratic process is not just a ploy to advancing their ultimate goal of establishing a one-party state. This failure, the pessimists point out, has been extremely counterproductive as it has made all non-Maoist political forces extremely dependent on Nepali army to defend themselves from feared Maoist onslaught; the Maoists' is the only party that has its own army and tens of thousands of organized, disciplined and armed cadres. Nepali politics, thus, has come to be fixated on a single political agenda: keep the Maoists out. Even key foreign players in Nepal, mainly India and the United States, share and support this agenda of Nepal's non-Maoist parties, thus, ossifying a polarization and uncertainty.

There is a general alarm at the risk inherent in this political stalemate. Prof. Lok Raj Baral, a leading scholar of Nepali politics and the nation's

former ambassador to India, described the current situation as the “biggest crisis in the country’s history.” He saw Nepal as suffering from “total dependence syndrome” with the state collapse scenario looking “closer than at any other time.”<sup>9</sup> Another leading journalist expressed concern that Nepal is fast turning into a hotbed of international rivalries, primarily between India and China, but also as a diplomatic and military listening post for others.<sup>10</sup>

### **Madhesi movement: The road ahead**

Madhesi leaders of Nepal consider the current political deadlock as a major setback to the Madhesi interests. Madhesi leaders regard the regularization of democratic process with the adoption of a constitution and the holding of national elections as key to structural reforms that will address the deep rooted grievances of the Madhesis. However, few of them are hopeful that this would happen. Madhesi leaders are of the view that the ruling elites of the major political parties, unsure of how to accommodate various conflicting demands, including those of the Madhesis, favor the current stalemate. Even a compromise among the major political parties, they bemoan, will do little to resolve the Madhesi issues. They regard the mainstream parties as patently hypocritical; the major political parties, including the Maoists, oppose the idea of real decentralization of power under a federal set up. They believe that Kathmandu elites, overwhelmingly non-Madhesis, crave the now endangered centralized state that has allowed them to amass enormous power and wealth. A well connected Nepali scholar deeply involved in the constitution deliberation process corroborated such Madhesi apprehension by describing the ruling elites as being in a “state of siege;” their paralysis is explained by their nostalgia for the past and deep fear of what is to come. They are taking refuge in the current stalemate to postpone difficult decisions as long as possible.

The Madhesi leaders’ outlook for the future exudes both confidence and alarm. Their confidence arises from the success of the Madhesi mobilization during the movement. The view that Kathmandu’s grip over Madhesh is a relic not current reality is widely held among Madhesi leaders and Madhesi population. In the current draft of the interim constitution this reality has been accepted by division of the Madhes region into three provinces. Although the projected federal structure does not meet the demand for a single unified Madhes province, Madhesis,

---

<sup>9</sup> Interview with the author in Kathmandu in August 2010

<sup>10</sup> Interview with the author in Kathmandu in August 2010



elites as well as commoners, believe that, 2007 movement was successful in asserting Madhesi identity. With more around 80 members in Constituent Assembly and demonstrated disruptive power of Madhes proven by the 2007 movement, the Madhes has forced itself into the center stage of Nepali politics.

Yet, the Madhesi leaders are aware that there is no room for complacency. The benefits of this movement are yet to percolate to the popular level. Most demands of the Madhesi movement remain unimplemented. There is growing alienation in the Madhes, especially among the young Madhesis; Madhesi leaders are increasingly losing their support and are viewed as typical of Nepal's "predatory elites," the main beneficiaries of political changes. Several Madhesi lawmakers have expressed fear that another Madhesi movement is already brewing in the region. Life in the region is bedeviled by complete absence of law and order, disruption of business and industries and complete breakdown of institutions of governance and education. Lack of governmental authority in the region is compounded by corruption in the government and complicity of public officials and politicians with criminals (Jha, 2008).

Growing power rivalry among the Madhesi parties has compromised the Madhesi leaders' ability to unite behind the Madhesi issues. For example, the MPRF, the largest Madhesi party, has been rocked by defections and internal squabbles driven more by self interests than by differences over policies and issues. Reports of disaffection within the ranks and files with the party leadership's penchant for power have also been in the news. In January 2009, for example, a group of 38 out of 52 MJF lawmakers opposed their party members in the government by urging the Prime Minister to relieve them from their cabinet positions (Kantipuronline, January 6, 2009). The Madhesi leaders also have to contend with divisiveness of Madhesi identity from Terai groups that resent being labeled Madhesi. The Tharu and Muslims, for example, have engaged in persistent campaigns to protest such labeling and demand greater representation. In April 2009, the Maoist-led coalition agreed to address the demands put forth by the Tharuhat Joint Struggle Committee (TJSC) to prevent their threatened series of protests. Hence, Madhesi leadership will have to operate in the context of its own diversity and cannot, to put it in Gorenberg (2000)'s words understood "entirely at the level of the whole ethnic group (p. 117)."

## **Bibliography**

*Himalayan Journal of Development and Democracy, Vol. 5, No.1, 2010*

Asian Center for Human Rights (2009). *Briefing Papers on Nepal*, Issue # 3 <http://www.achrweb.org/briefingpapers/Madhes2009.pdf>

Beissinger, Mark R. (1996). How nationalisms spread: Eastern Europe adrift the tides and cycles of nationalist contention. *Social Research* 63: 91-146.

Collier, Paul (2009). *Wars, Guns, and Votes*. Harper Collins.

Esman, Milton J (2004). *An Introduction to Ethnic Conflict*. Polity Press, Cambridge, MA

Gaige, Frederick H (1975). *Regionalism and National Unity in Nepal*. Berkeley: University of California Press.

Gorenburg, Dimitry (2000). Not with one voice: An explanation of intragroup variation in nationalist sentiment. *World Politics* 53: 115-42.

Jha, Prashant(2008). Madhesi groups will now have to move to the next stage. *Nepali Times Weekly* May 16-23, 2008, <http://www.nepalitimes.com.np/issue/400/TaraiEye/14793>

Lawoti, Mahendra (2008). Exclusionary Democracy in Nepal 1990-2002. *Democratization*, 15 (2): 363-385.

Shahdevan, P (2003). Ethnic conflict in South Asia. *Working Papers*, [Joan B. Kroc Institute for International Peace Studies](http://www.ciaonet.org.ezproxy.libraries.wright.edu:8443/wps/sap01/index.html) 1999 <https://www.ciaonet.org.ezproxy.libraries.wright.edu:8443/wps/sap01/index.html>

Thapa, Manjushree (2008), The Impact of the Maoist Victory in Nepal, 7 May, 2008. [www.opendemocracy.net](http://www.opendemocracy.net) <http://alternatives-international.net/article2065.html>

Varshney, Asutosh (2002). *Ethnic Conflict and Civil Strife*. New Delhi: Oxford University press.

Weber, Max (1994). The Nation. In John Hutchinson & Anthony Smith (Ed.), *Nationalism* (pp. 21-25). New York: Oxford University Press.