POLITICS OF CONTEMPT, CASUALTY AND CULPABILITY

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Some events occurring in the aftermath of the Jana Andolan II indicate about the brisk process of deconstruction of the organizational structure as well as operational code of the Nepali State. Tectonic shifts in the structural congruity of the State have been noted with the parliamentary decision of disrobing monarchical sovereignty in favour of popular sovereignty. The constitutive principles of the Nepali State composed of the erstwhile Kingdom ruled by the descendants of the first Shah King Prithivi Narayan Shah, Hinduism as a State religion, Nepali as the national language and the Army as the sturdy pillar supporting the monarchical State no longer remains valid. The myth built around monarchy as a symbol of national unity is demolished. The relevance of monarchy to the statecraft is fast eroding as the Interim Constitution 2007 has put monarchy into animated suspension.

Though, the people have yet to demand to “cut off the king’s head” in Foucauldian way,¹ the die has already been cast by the declaration of the parliament on 18 May 2006.² The king is no more reigning and ruling, secularism has become the virtue of the State, Nepali has become official language recognizing all other languages spoken in Nepal as national language, and the army is divested from monarchy to the parliament, in principle. The Interim Constitution has legally disbanded monarchy from all legitimate rights and roles in governance of the country (Article 159 [1]) snapping its political link with the State and society. The denial of the ritualistic observance of Bhoto Jatra to the king on 8 July 2007 has also broken the traditional cultural tie of monarchy with the society. The cancellation of the public holiday to mark the birth anniversary of the first Shah King Prithivi Narayan Shah celebrated as the National Unity Day³ through a public notice on 9 January 2007 by the Ministry of Home Affairs thus ended the manufactured history of ‘national unification’.⁴

Irrespective of these symbolic as well as significant moves taken towards deconstruction of history, one another piece of news report, as emanating, again from a government source, is worth considering at length in understanding the State in quandary. The news filed on 10 January says,

The Nepali Congress-Democratic vice president and Minister for Physical Planning and Works [of the SPA government], Gopal Man Shrestha, said today [that] an agreement had been reached between the eight parties and the King to adopt a loktantrik [democratic] system with ceremonial kingship. He added that there will be a front of democracy and another front of supporters of republic in the CA polls. Speaking at a press meet, Shrestha said a “secret agreement” was made between the eight parties and the King on April 24, 2006 at a time when the Jana Andolan II was at its peak. He added that the Andolan ended after the agreement. “Maoist Chairperson Prachanda did not say anything about the King at that time.”⁵
No further arguments were made on this issue. Neither denial nor endorsement came forth from any quarter except from the occasional utterances of Prime Minister Girija P. Koirala to test the water by surfing on the wave of options for retaining monarchy even in the form of a ‘baby king’, vehemently opposed by the people from various walks of life. Apparently it seems that Koirala is babbling in confusion, and accused by some as a devout Royalist; his utterances, however, have the effects of generating and testing public opinion on monarchy more coherently than the results of any survey finding. While tabling the Programme and Policies for the FY 2007-08 at the legislative-parliament on 4 July, Prime Minister Koirala said that “The old remnants of feudalism must either disappear within the country or leave the country before the constituent assembly elections” indirectly hinting at the monarchy to abdicate the throne. He further said the youth of Nepal need not fight another battle for democracy. This should be the last battle.” The practice of allocating annual budget for the King, the Royal Family and the Royal Palace under the heading number 11 is removed while presenting the budget by the finance minister, notwithstanding ‘sustenance budget’ is provisioned under different headings.

The process towards deconstructing the monarchical state, thus, has formally begun. To cap this domestic process, the most influential regional and international actors have vouched their support by boycotting the invitation of King Gyanendra to attend his 61st birthday party on 6 July. The decision of the representatives of the EU along with United States and India is both a step towards deconstructing as well as derecognizing the institution of monarchy in Nepal.

_Deconstructing History_

The first act of the SPA government led to a host of questions. Does this actually mean the end of the monarchical history by discrediting the state builder? Was that a significant decision to completely destroy the public authority enjoyed by the Shah rulers as the sovereign embodiment of the ‘popular will’? Has the military valour of Prithivi Narayan Shah, on the basis of which the Nepali State was built, been discredited? Has Prithivi Narayan Shah’s trek from the rugged hills of Gorkha to fertile Kathmandu Valley directly initiating the process of the formation of Nepali State become a sordid memory? Has the Nepali nationalism constructed around the sublime monarchical ethos become a farce? Has the decision of the Home Ministry really become a day of redemption for the people of Nepal from the bondage of the past? Are the people now freed from the ‘internal colonizer’ who founded the state on terror, emancipated?

If the first act of the government has answered all the related questions in positive, the second act of the disclosure of the _truth_ by a minister is negative with significant implications for the future architecture of the Nepali State. First, it suggests that the _Jana Andolan II_ had also ended in a compromise arrived with the active participation of the Maoists by becoming one of the eight parties negotiating with the King. The second is the continuing deception of the political parties to the people and the betrayal of their trust. And the most ominous is the hypocrisy of the Maoists whose revolutionary élan had caused immeasurable loss of lives and properties along with making the State collapse, but for want of power.
The Maoists are perhaps rejoicing with their success by “razing the city of God to the ground”, as long dreamed by Karl Marx, to overlord the Nepali State that would again be founded on terror. It therefore leads me to recall what Albert Camus wrote 56 years ago: “All modern revolutions have ended in a reinforcement of the power of the state”. Marx’s interpretation of history, according to Camus, is that when it [men] is [are] “deprived of power, it [they] expresses itself [themselves] in revolutionary violence; at the height of its power, it risks becoming legal power, in other words, terror and trial”.

Presently, the Maoists are bargaining for their best from within the government and by fielding unrestrained prowess of the Young Communist League (YCL) as ‘urban guerrillas’ in the streets. The Maoist ministers have even threatened to quit the government on the issue of change of guard to their security. The Maoist Chairman claims that the army is more powerful than the prime minister. The Maoist leaders have also complained that the country is run by India and the United States, not by the government of Nepal. Notwithstanding this, they have unashamedly stayed in the government enjoying state perks and privileges. The Maoist leaders have become infamous for their incredible public utterances. Though their credibility has dipped as their image has never been resonant, they are still indispensable forces in the transitional politics with anticipated cooperation on issues related to elusive peace and stability, albeit prevalent anarchy. The Maoists who had acted as counter-elites and optimized the prospect of change are also behaving in the way as the leaders of their partners in government. Hence the challenge that Nepal faces is holding leaders accountable for their deeds making the rule of law to prevail.

Although the first act committed by the SPA government is a rupture in history, this process to come was already signaled and foreshadowed by disfiguring of the statue of Prithivi Narayan Shah during the Jana Andolan II demystifying the icon of the dynastic legitimacy of the Shah rulers. That was a sheer vandalism committed in an act of fury by the people, but the same act demonstrates the truth that the people have refused to coexist with the past. The decision that the SPA government had taken to bury the ‘glorious past’ is therefore a continuity of a revolutionary situation fraught with violence in which the people are immerse with. Derrida views such a situation as ‘future anterior’. Accordingly, he opines, “All revolutionary situations, all revolutionary discourses, on the left or on the right justify the recourse to violence by alleging the founding, in progress or to come, of a new law. As this law to come will in return legitimate, retrospectively, the violence that may offend the sense of justice, its future anterior already justifies it.” The destruction of the concept of self-immanence of the monarchical order central to the constitutive principles of the Nepali State is critical in the political repertoire of the renewal of the margins in the nation building enterprise.

Dissecting with history is indeed a painful process, however. History is a fact of life. It is not only related to the genealogy of a community or a state, it is also a narrative of the community or a state on the basis of which the present is founded. Thus history is integral to the memory of a community with sentiments and symbols and with the construction of culture in identifying the self and the others. The present at creation has a historical past. It lives subconsciously in the memory of the people that guides their momentous
behaviour when occasion demands. Thus history is not a dead thing as some would like to make it. Historical records are facts of life. However, ‘the facts’ as Carr said, ‘do not speak for themselves’. The interpretation and presentation of the facts, as in the case of Prithivi Narayan Shah’s digbijaya (victory) and ‘unification’ of scattered territories into a modern kingdom was simply a “Bir Gaatha”, as historian Pratyoush Onta would like to call it. This elitist mode of historiography, however, is not above controversies.

But when history overlaps the political space resisting with tradition, custom and culture and collective memory of the people, it not only reflects in the ‘silent cry’ but also in the grievous recollection of nightmares and genocidal violence as replicated, for instance, in the partition history of the Subcontinent. Particularly in India, the partition history is reviving the popular consciousness than the ethos of the ancient Ram Janamabhumi instrumentalized as a political weapon by the Bharatiya Janata Party (BJP), and brutalized with fascist urge against the Muslim minority in Gujarat by Hindutva in 2002. Partition history, though horrendous, focuses on the people, the core of the silent mass that reconstructs the country despite their sufferings and losses. They also construct their belonging and awareness identity as refugees, settlers or indigenous people in relations to the State they live in. The experiences and livings of these toiling masses of the faceless people become the subaltern history, loosely used here to indicate the ethos of the common people.

Likewise, the subaltern perspective of Nepali historiography is quite different from what the Maoists had supposedly posited. Although the ‘People’s War’ was waged with the rhetoric of fighting for the poor, destitute and marginalized, it led, unfortunately, to the marginalization of the already marginalized. The Maoists also proved themselves wrong once they ascended to the State power and become authority by continuing the policy of exclusion. For example, both the Janajati and the Madhesi perspectives even on the narrative of current history of Nepal are different. These groups of people feel that their identities have been devalued and excluded despite the political commitment made for ‘inclusive’ democracy. Hence the Janajatis are forced to negotiate with the government separately. And the Tharus, another group of indigenous people spread over western Tarai, are bent on preserving their separate identity from the Madhesi, particularly belonging to eastern Tarai. Their posture however remains non-violent.

By contrast, the Madhesi alienation has turned violent. The centre-periphery conflict is now combined with cultural and territorial claims to greater autonomy or even secession from a larger ‘nation-state’. The widespread international phenomenon of deadly conflict thus has entered Nepal as the Madhesi ire has been swollen by the repressive design of the State. On the top of it, the Maoists have reciprocated to the Madhesi demands by vowing to crush them. Perhaps forgetting his own past, the Maoist Chairman Prachanda has opined that the media should not pay attention to the violent groups led by Jai Krishna Goit and Jwala Singh as they lack popular support. Although he supported the demands of the Madhesi movement, he has, nevertheless, also proposed for mobilizing armed forces and the Maoist guerrillas to quell the Madhesi violence. Likewise, Baburam Bhattarai, another top Maoist leader has publicly chided these groups as “criminal elements,” who should not be negotiated with. Another Maoist leader C.P.
Gajurel has also expressed his reservation against the government’s proposed talks with the Madhesi agitators suggesting “there is no point in holding talks with those who are separatist in nature.” He has reiterated the Maoist position that “the outfits which are fomenting crisis in Tarai be banned and crushed.”

Sadly, the Maoist leaders are currently borrowing the vocabularies of the previous governments which were at the loggerheads with them once they had initiated the violent “People’s War” in 1996.

**Challenge to Unitary State**

Tony Hagen has described Nepal as the ethnic turntable of Asia. The population of the country is thus naturally composed of diverse ethnic and caste groups. Data enumerated by the 2001 census record some 100 ethnic and caste groups, 92 spoken languages and 7 religions predominated by Hinduism. However, a majority of people in Nepal are in minority category if the population census 2001 were to be considered as reflecting the ethnic mosaic. If Hill Brahmins (12.7 %) and Chhetris (15.8 %) constitute the majority, Kusunda, Patharkath/Kushwadia (0.0 % each) and eight other groups like Raute, Koche, Hayu etc. each comprise absolute minorities at 0.01 per cent of population. In between, there are Magar (7.1 %), Tharu (6.8 %), Tamang (5.6 %), Newar (5.6 %), Kami (4%), Yadav (4%), Muslims (4.3%), and Rai/Kiranti (2.8%) a majority of whom are in the disadvantaged category in the population structure of Nepal. Besides the dominant groups comprising Brahmins and Chhetris along with Newars the rest of the people identify themselves either as national minorities or indigenous people dominated and discriminated against in every socio-political and public spheres. This awareness has led to conscious assertion of minority rights politicising the issues of social inclusion for broadening the base of participation in the public sphere. The process of homogenization of the social sphere has been resisted despite the hegemonic control maintained by the State. Yet the issue is far from being explosive and violent.

As the country is divided into three prominent ecological zones with mountains, hills and plains, the people inhabiting these topographical regions are distinct in their features, food and cultural habits. When multiculturalism has been a recognized fact of life, Nepal is also a country with religious assortments, although Hindus are definitely in majority. Among the Hindus, the high caste hill Hindu elites have adopted “monopolistic policy” leading to marginalization of three main social groups on the basis of culture (the janajatis), on the basis of caste (the Dalits), and on the basis of geography (the Madhesi).

Diversity, dominance and hegemony are the common features in the ethnopolitical discourses as 59 Janajati groups constituting some 37 per cent of the population are groping for their identity and representation in the socio-political milieu dominated mostly by the Bahun-Chhetri combine ranging from political parties to newspaper vendors. All the major political parties are led by Brahmin/Chhetri caste people. The cases of representation in the Central Committee of political parties, including the CPN (Maoist) also evince this pattern of Brahminic domination. Available data as of June 2007 show Brahmin comprises 51.4 per cent in the Central Committee of the Nepali Congress party (NC), 38.9 per cent in the Nepali Congress (D), 58.5 per cent in the CPN (UML) and 45.7 per cent in the Central Committee of the CPN (Maoist). Likewise, the representation of Chhetris is 18.9 per cent in the NC, 30.6 per cent in NC (D), 15.4 per
cent in CPN (UML) and 25.7 per cent in the CPN (Maoist). Similarly, the ‘legislative-parliament’ presently is composed of 33 per cent of Brahmins and 18 per cent of Chhetri/Thakuri combine making a total of 51 per cent. Altogether these two caste groups combine constitutes 30 per cent of the total population in accordance with the 2001 national census records. They, however, comprise 66.2 per cent of governing elites in the state structure.25

If one were to take the interests of the political parties as influential in decision making of the parliament and the government predominated by Bahun-Chhetri caste groups, it is preordained to surmise that their interests would prevail both in rule making and rule enforcing processes. Obviously, political power would simply ensure a sequence of inequalities in the society in spite of bewildering diversities. Dominance and subordination interacts to nourish the power to stabilize the core of the relationships in which coercion and persuasion, and collaboration and resistance will form the general configuration of power of the State sustained by unequal relationships. Govinda Neupane thus has raised the question of fair representation and social justice in his seminal study on ethnicity and prevalent inequality in Nepal.26

Nepal that has thrived mostly on the excessive centralization of power as a unitary state is increasingly being challenged by groups of disaffected people; peacefully by some and violently by some others. The Janajati groups though having warned about the unfortunate consequences of the state discrimination; are yet to go violent, notwithstanding the Khambuwan National Front, Limbuwan Liberation Front, Mongol National Organization, Tharuwan and Newa groups are all clamouring for autonomy and political power. Despite some like Khambuwan National Front was bent on violence and the Mongol Liberation Army was fielded by the Mongol National Organization, most of them want to resolve the contending issues against exclusion and discrimination peacefully through negotiations.

On the other hand, some others, as militant groups, took violence as a means to resolve the problems they face. The Janatantrik Tarai Mukti Morcha (JTMM) led by Jwala Singh celebrated violence in the Tarai demanding regional autonomy with the killing of a popular member of the parliament months before the beginning of the Madhesi Andolan.27 Numerous violent groups presently configuring in the Tarai have learned lessons from the Maoist violence leading to the latter’s success of power sharing in the central government. As a matter of fact, all the prominent groups at the forefront of the Tarai movement are led by the people breaking out from the Maoist group. The Madhesi Jana Adhikar Forum (MJF), the JTMM-Goit and the JTMM-Jwala Singh were all the part and parcel of the Maoist insurgency.

The Maoists who had cultivated diverse ethnic groups during the course of insurgency mobilization had formed nine autonomous regions on ethnic lines with a commitment to rights to self-determination and secession.28 They have, as well, promised to resolve ethnic problems within the framework of national autonomy in their much publicised 75-point programme.29 The prominence given to ethnic grievances as a strategy to encourage ethnic militancy has certainly help expand the Maoist insurgency. This policy of
appeasement, however, is now rebounding. Ironically, the Maoists are inculcating a threat to Nepali nationalism through Madhesi movement. Hence there is a truism in the Madhesi accusation of the Maoists carrying the bogey of Pahadia nationalism narrowly concepted and confined to promoting parbatia interests.

The Maoist insurgency has, no doubt, set a dangerous precedent in radicalizing as well as inspiring some people to step into their shoes.³⁰ The objective of such violent activities and fomenting terror is setting the target by attracting attention to the obscure group. The meaning of terror, as Charles Tilly has noted is the “demand for recognition, redress, autonomy or transfer of power.”³¹ Tarai as a geographical region and Madhesi as the citizens of the country have long been ignored and mistreated by the central political elites except for retaining territorial claims and amass economic returns from the region. Despite the region being the granary of Nepal, Tarai is never articulated as a social and cultural space reflecting the Nepali nationhood. Tarai remains a place to command, control and consolidate the hill dominance through migration and settlement of the hill people, expansion of administrative and coercive power and authority by co-opting some greedy Taraians in the power centre. Tarai remains a land frontier zone, open and vulnerable to penetration and, defenceless. And amongst slightly over 32 per cent of total population categorised as Madhesi, it was claimed that some 4 million are denied citizenship till recently. This denial of the entitlement to its own people by the State is the denial of the human rights.

The denial of citizenship right is fundamental to the policy of social exclusion.³² Social exclusion comprehends a situation deliberately fostered by the state as a process “through which individuals or groups are wholly or partially excluded from full participation in the society in which they live.” Thus, social exclusion is structural in nature where the state is not neutral. In other words, it is a “soft violence” that the state pursues to deny certain bracket of its citizenry (i) the access to social services such as health and education; (ii) access to labour market except from low paying discarded jobs; and (iii) the opportunities from social and political participation. Social exclusion substantially involves the political dimension in which the state discriminates between insiders and outsiders and may exclude some social groups and include others to preserve the interests of dominant class in a society.³³ Social exclusion is, thus, a pointer to a distinction between afno and auruko manchhes.³⁴

Denial of citizenship is also the denial of belongingness. The Madhesi people have ultimately found that their identity of belongingness to the State has not changed even after the political change. Belongingness that brings entitlement was long denied as a majority of Madhesi remains stateless. This awareness identity therefore becomes crucial to the Madhesi people to pursue for their rightful place in the socio-economic and political mainstream of the State. Thus, the element of subalternity involved in the Madhesi movement cannot be ignored as it reflects the age-old discrimination against the people who have been used only for the benefits of their own compatriot Pahadia political masters. The unitary state with its centralizing authority has expressed overwhelming tendency for dominance with coercion rather than governance with persuasion. Such a behavioural pattern of the State, in sum, is a total negation of their identity and existence.
The awareness identity of continuous discrimination has thus forced the conscience of the Madhesi people (as well as other Janajati groups) to distinguish between the traditionally laid aristocratic sovereignty and popular sovereignty, as the later being the case for the Nepali peoples’ uprising against the monarchical regime. The opening paragraph of the Preamble of the Interim Constitution 2007 says, “We, the sovereign… Nepali people,” that fundamentally ensures the popular sovereignty guaranteeing equality, individual rights, ownership to private property, development and national consensus. These elements of human dignity represent the powerful forces of liberation and emancipation, as David Nugent asserts. Irrespective of the constitutional dispensation, when the awareness of challenge to human dignity increases with persistent racial, cultural, linguistic and geographical distinction the situation at the margins as the sites of exclusion, domination and difference could turn to be explosive. The Madhesi uprising is therefore a case for deconstruction of the unitary state as their demands for federalism as the state structure and proportional representation as the electoral process coupled with allocation of constituencies according to the population size are striving for destroying the core of centralized polity with exclusive hill dominance in the country. The Madhesi movement is writing a new chapter in the Nepali history that crucially focuses on the people long treated as aliens. Their agitation compelled the government to amend the Interim Constitution on 9 March 2007 ensuring the establishment of a federal state structure through elections to constituent assembly. Therefore their rights to entitlement cannot be denied.

Liberalism, as the multiparty democratic system is inclined to pursue, remains inadequate in fostering inclusive policies as the Madhesi as a social category reflects multiplicity of caste groups with majority-minority and touchable-untouchable syndrome. Hence a single template for accommodating variegated Madhesi grievances is not appropriate. The options of quota and reservation are still a puzzle. Critical chasm loaded with castism between different group remains which is difficult to eliminate only with legal measures. The caste structure of Madhesi Hindus reflecting 20 groups in the Vaisya category alone is noted as more complex and diverse and culturally too the Madhesi are most heterogeneous. As 30 per cent of hill migrants inhabit the Tarai, the process of making it ethnically autonomous will also be complicated. Madhesi therefore is not an ethnic compact and united group. The high caste Madhesi like the Rajput, Jha Brahmins pitted against the Yadavs are as old stories as their settlement. Though resentment against perceived injustice and discrimination is a uniting factor, tensions steaming from regional differences and stricter caste systems are spreading below the surface. However, ethnic diversity leading to discrimination related to identity creates a condition for conflict and violence. The perception of a dominant minority treating a numerical majority but ethnically a fragmented group as the others makes the situation more complicated in the absence of any converging interests between the contending groups.

Aspiration and Aspersion
From one perspective, the Madhesi aspiration is simply confined to the power-sharing. Their demands, as pointed out by Ram Prakash Yadav, are,
1. A liberal policy of citizenship so that most of the citizenshipless people can get their identity and fully participate in building this nation as bona fide citizens.
2. Official status for Hindi language as the ‘lingua franca’ that binds all Madhesi together.
3. Employment quota for Madhesi in civil service and army, thereby bringing them in the mainstream of national development.
4. A federal system of government to recognize their separate identity. 

Within the framework of making Nepal a federal state through elections to the constituent assembly, the Madhesi have raise their rightful demands for proper representation through peaceful movement caused by the political centre’s treatment of Tarai yet as the backwater of the national polity after Jana Andolan II. The sheer neglect and indifference amongst the leaders at the centre towards the simmering problems of Madhesi people, continued discrimination as well as state repression bordering on the communal measures (as evident in the Nepalgunj riots in December 2006) has made the situation most depressing and desperate. The peaceful protests over the promulgation of the Interim Constitution on 15 January 2007 staged by MJF turned into heinous ethnopolitical violence after it was allegedly provoked by the Maoists in Lahan. Meanwhile, the “excessive use of force” by the government had resulted into the killings of 37 people in January-February 2007 during the Madhesi uprising. Again, the government’s indifference has led to the Gaur massacre caused by the violent contention between the Maoist and the MJF forces on 21 March 2007. The carnage and misfortune could have been easily avoided had the Maoists controlled their inflated ego. The tensions brewing between the Maoists and different Madhesi groups on the one hand, and the government’s provocative measures, on the other, is gradually converting the situation in the Tarai into communal as well as sectarian conflicts.

Consequently, the threshold of threats of ethnic cleansing is rising. Ever since the JTMM led by Jwala Singh has posted a circular to the government officials of the hill-origins (Pahade) to vacate the Tarai on 14 April 2007, most of the government institutions are reportedly functioning without the head and other pahade officials. Many of them have left their post and returned home as insecurity increased and the threat and fear of ethnic turmoil rise. The governmental lethargy and inability to manage the challenges emanating from the Tarai has encouraged several criminal elements. The eventual emergence of some obscure but violent Madhesi organizations like the seemingly ferocious Tarai Tigers, Tarai Cobra, and Tarai Army as well as Tarai Rebel groups have further increased insecurity among the hill people living in the Nepal Tarai. Another militant group led by Visfot Singh – a breakaway faction of the JTMM (Goit) – has emerged with secessionism as its policy plank. Ironic indeed is the situation when the Prime/Defence, Home Ministers belonging to the NC and the General-Secretary of the CPN (UML), though hill Brahmins, are the representatives of the Tarai constituencies. They have shown scant interests in pacifying the acts of fomenting violence in their own district constituencies. However, they can no more turn their blind eyes towards this systemic challenge when they are tasked to hold elections to constituent assembly.
The Madhesi uprising sensitizing the problems of inclusion has, therefore, forced the State
to turn its attention towards the issue when the entire Nepali people, perhaps with some
exception, morally allied with the justifiable Madhesi demands and supported their cause.
The unspoken alliance between Janajatis and Madhesis is crucially cushioned by women
and Dalits in critiquing the current posture of the Nepali State forcing it to open up the
avenues of equitable participation of the marginalized groups. Such a popular force has
crumbled the structure of the unitary state aspired to be replaced by the features of federal
structure. Federalism is the common plank in which the Janajati and Madhesi groups are
in unison as they are not going to settle for less than this. Hence the Madhesi movement in
its present form can be understood as an extension of the Jana Andolan-II launched with a
clear mandate of turning Nepal into a republican State.

The government, including the Maoist had downplayed the Madhesi movement as
inconsequential. They have blamed it as prompted by pro-palace conspirators conniving
with the Hindu fundamentalists and communal elements. However, they are now forced to
rethink over the entire issue as the violence has continued unabated, the satisfactory
resolution of which could only be a safe passage to socio-economic and political stability
and national integrity. Elections to constituent assembly now dangle on the resolution of
the Madhesi problem.

Although the centre-Tarai relationships have always been conflictual and dissension has
continued to influence opinion since long, the combined cultural and territorial claims to
greater autonomy from a larger nation-state has quite recent origin notwithstanding the
rhetoric “Sri Lanka bana denge” was shouted from the roof top by the Sadbhavana party
since 1980s. The list of societies experiencing such conflict in the world is long. Even the
‘United’ Kingdom has trouble in its backyard called Northern Ireland, and the 7/7 (2005)
is the evidence of quite a negative posturing present in the British society despite of
multiculturalism. However, the conflict’s model for Nepal remains Sri Lanka, not
resembling as Tamil versus Sinhalese problem but alike that between the government and
the JVP in 1971 and later 1987 – Sinhalese against Sinhalese – irrespective of being the
government against the Sri Lankan Maoists. The Pahadia-Madhesi clashes can be
contemplated on the basis of hill versus madhesi nationalism. But that will not be
sermonized by their common Hindu religion. Although it is said that ethnic animosity is
not entrenched, the political goal of madhesi nationalism could be ethnic cleansing as
indicated by the exodus of Pahadia civil servants from Tarai. The forced abandonment
of their posts by the government officials is the fresh testimony to quashing of the pahadia
hegemony and domination in the everyday life of the madhesis. The Madhesi movement
can invent a particular set of history to inform the disgruntled mass and use it for political
mobilization. For instance, take the case of a propaganda material cited below published
to misinform the public and incite violence.

“Madhes are Indians. They should never be appointed to the civil service posts higher
than Kharidar and Mukhiya.” This statement is attributed to King Prithvi Narayan Shah
as his ‘upadesh’ by a Madhesi activist Bijaya Karna in the opening sentence of his latest
article.42 No source is cited from which he has quoted the statement. But this sentence is
not traceable in Prithvi Narayan Shah’s Dibya Upadesh. Karna is deliberate in infusing a
sense of militancy amongst those disgruntled elements who had already sharpened their
criticism and contention against monarchy without contemplating the likely effects of this intentionally distorted ‘historical fact’ and churning of disinformation fanning the flame of dissension. Although nobody will dispute the fact that Madhesi are still looked at with a jaundiced eye by the Pahadia political elites, it does not, however, justify the acts of producing ‘manufactured truth’ by telling white lies in support of Madhesi Andolan that actually needs no justification. Perhaps this propaganda can reap a good harvest for the author who also runs a NGO, but not for his compatriot Madhesi citizens and the country as a whole.

Ethnic conflict has a peculiar mind-boggling pattern witnessed around the world when neighbours turn bloodthirsty demons. According to Anthony Smith, the politics of ethnonationalism everywhere has been fuelled by the triple process of the purification of culture, universalization of closeness and territorialization of memory. Smith has sensibly defined the concept of nation as a named human community occupying a homeland and having common myths and a shared history, a common public culture, a single economy and a common rights and duties for all members which shapes the concept of ethnic as “a named human community connected to a homeland, possessing common myths of ancestry, shared memories, one or a more elements of shared culture and a measure of solidarity, at least among elites.”

With its distinct physical feature and human geography the Tarai presents a segregated identity where more than 93 per cent of Madhesi population lives. This feature has tempted some violent groups to opt for secession that Goit stood for asserting that Tarai was never a part of Nepal. Hence the process of deconstruction of the Nepali State is at its height as the groups led by Goit and Jwala Singh factions of the JTMM have demonstrated their secessionist urge rather than the insurgents of the Maoists type who had fought closely to seize state power. The armed rebellion groups in the Tarai are preparing for a showdown with the State not to over run its capital city but to dissuade the State from fighting in the territory they are trying to liberate by asserting their separate identity. The nature of the Madhesi movement, therefore, is quite different from the Maoist insurgency. The objective of its armed groups like JTMM-Goit is liberation to achieve freedom, not simply an end to “semi-feudal state”.

The disclosure of Ram Raja Prasad Singh, the mavarik Madhesi leader, who was requested to lead the separatist movement of the Tarai by the Madhesi agitational leaderships, thus, is a powerful expression of a burgeoning situation far from being conducive to peace and amity. This is another perspective with growing acceptability amongst the Madhesi youths. The temptation towards secessionism could further grow with the State’s negligent and delaying tactics. Killings have continued intermittently despite the threats of reprisals by the Chief of Army Staff subsequently endorsed by Prime Minister Koirala the next day while visiting the Army Headquarters. Demands for the “self-rule” but not secession, and “cry freedom” as well, are the high pitch slogans raised by both Madhesi Janadhikar Forum (MJF) and Janatantrik Tarai Mukti Morcha (JTMM-Goit), two front running groups in the Madhesi movement.
The movement however has forked to two different directions. Whereas the MJF has prioritize negotiations as the best way to settle its scores with the centralized State, the JTMM –Goit and Jwala Singh are against any semblance of negotiated settlement. In its third round of negotiations with the State concluded on 28 July, the MJF has proposed to dissolve the ‘interim parliament’ with the announcement of the programme for the elections to the constituent assembly. It has demanded to relinquish the constituency delimitation committee’s report and make the proportional representation system for the fair representation of all types of people. The leader of the MJF Upendra Yadav has also proposed to restructure the existing Election Commission with the representatives from the marginalized groups and reconstitute the government to make it inclusive for holding impartial elections. The MJF however is not optimistic about any positive response from the government on these issues as the commitment made by the government during the first round of negotiation in Janakpur remains unimplemented. However, the MJF has no alternative than to wait for the cabinet decision before making another move.

The failure of negotiation perhaps would be more costly; it would justify the position of the violent Madhesi groups and fuel their energies to continue disruptive activities inviting the State reprisals, thus fulfilling their objective of destroying the possibility of holding the constituent assembly elections in November with continuing chaos and anarchy. If the negotiations for self-rule or autonomy fail, the sound bytes of cry freedom could increase.

Some Observations
As the situation stands presently, the Madhesi movement cannot be peripheralized anymore by the central authority. It has already cast a shadow over the future architecture of the Nepali State. The reality is that the dynamics of movement has undermined the political sway of the Nepali Congress Party from its Tarai vote bank. The Maoists, as well, are totally routed after the Gaur massacre. The destruction and demolition of the statues of pahadia leaders in the Tarai are a reflection of Madhesi ire. This is also an indication of the moderates loosing ground rapidly to the emerging violent groups. The looming fear is that the colour of violence would be ethnic rather than ‘class’ as depicted by the Maoists during the ‘People’s War’. Ethnic violence could be genocidal as witnessed in numerous other countries. The question however is that are the Nepali leaders claiming to be true representatives of the people waiting for such inhumanity to occur before making any sensible decision to address the critical ethnic challenge.

Perhaps the deconstruction of history is an imperative for a state in making that has vowed to be inclusive with a constitution made by the people through the elections to the constituent assembly. The denial of this right to the people under any pretext would, thus, be depriving them of their much coveted role of exercising their sovereign rights. In such a context it would not be the monarchy but the political parties themselves, which would be the real and critical impediment for institutionalizing democracy fundamentally based on the popular will as mandated by Jana Andolan II. Elections to constituent assembly are essential in legitimizing the political process developed after the success of Jana Addolan II and the decisions made afterwards. Otherwise, the political process itself would be illegitimate as it was initiated with the restoration of the legitimately dissolved parliament
under the erstwhile 1990 Constitution by a political decision of the king on 24 April 2006. Recall the ‘secret agreement’ as pointed out earlier that ended the Jana Andolan. Deconstruction, though, has initiated a change, however, without recognizing the fundamental challenges facing the citizenry and grievances they have put across the political board for due consideration. The ethnic challenges posed through raising demands for provinces, regional autonomy, or even self-determination are the cases of further democratization of the State providing a vibrant political constituency not only for discourses and debates but also for broadening participation of general mass in restructuring the Nepali State.

Notes

4. While launching his second coup on 1 February 2005, King Gyanendra has asserted in his address to the nation that “The Kingdom of Nepal was built on the foundation of the unification process initiated by King Prithvi Narayan Shah the Great.” See Gorkhapatra, 2 February 2005. This implies his inherent rights to rule the country directly.


21. See “Prachanda backs Madhesi cause,” *The Himalayan Times*, 2 February 2007. Prachanda has however denied that he had ever suggested for mobilizing the national army and the Maoist guerrillas against the Madhesi movement. Clarifying the confusion, Prachanda said that he has talked about the mobilization of the Nepali Army and the People’s Liberation Army together – as it should be understood that the state has two armies – in case the reactionary forces would try to conspire against the people’s achievements of the 19-days long *Jana Andolan* and the People’s War, both at the Eight-Party meeting as well as at the Press Conference. But the context has been distorted. See the Interview given by Prachanda, Chairman, CPN (Maoist) and Supreme Commander, People’s Liberation Army, Nepal, to *Janadesh* Weekly, 13 February 2007. Despite his denials, Prachanda has favoured stringent police measures to be taken against the Madhesi. See “Abha Ekaisaun Shatabdiko Naulo Janabidroha Hunechha,” *Janadesh* Weekly, 20 March 2007.


30. See “Donation demands terrify traders in Inaruwa, Itahari,” The Himalayan Times, 29 July 2007. The JTMM-Goit and Madhesi Tigers are in extortion spree in these districts in the name of donations from business persons in particular. They have warned that “those failing to pay the amount demanded will be killed.”
32. Since January 2007 the government has distributed a total of 2,571,998 citizenship certificates of which 121,086 certificates are distributed in the Sarlahi district in the Tarai and 123 in mountainous district of Manang. This is done in view of the forthcoming elections to the constituent assembly. See Kantipur Daily, 12 May 2007.
46. See “We want a free country, neither Nepal nor India,” (Interview given to Sankarshan Thakur by Jaikrishna Goit of JTMM-G, Tehelka. Com). Also see his another interview, “Bandukle Jitna Sakandaina,” (Gun alone can’t win), Nepal Weekly, 5 August 2007:15.

48. See, CoAS Rookmangud Katawal’s speech in Kantipur 1 July 2007; On 1 July, Prime Minister Koirala, who also holds the Defence portfolio, has given directives to the army to be alert to face any eventuality. See “Chunauti Samanama Taiyar Rahana Nirdeshan,” (Be ready to face challenges), Kantipur Daily, 2 July 2007.

49. See, Interview of Jwala Singh, “Sambidhansabha Garna Dinna,” (We will not permit to hold elections to Constituent Assembly in Tarai), Nepal Weekly, 5 August 2007:17.


51. For the Madhesi perspective on talks with the Eight Party Alliance Government see, “Maobadisita Sahakarya Garna Taiyar Chaun,” (We are prepared to work together with the Maoist), as told by Kishor Biswas, the Central Co-chairperson of Madhesi Jana Adhikar Forum (MJF), Jana Aastha Weekly, 1 August 2007:2.