

Madheshi Nationalism and Restructuring the Nepali State

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This paper attempts to capture the rise of Madheshi nationalism both in historical context and contemporary politics. The author's direct and indirect observations at times (before, during and after the recent Madhesh uprising of the January-February 2007) and the findings of a nationwide survey conducted recently in March-April 2007 are also used as resource materials.

The January-February 2007 Madhesh uprising – a 21 day long mass movement participated in by large masses of the Madheshi population – was an unprecedented event parallel to *Janandolan II* of the April 2006. It was a landmark event in bringing out regional based ethno-nationalism as one of the prominent issues in the national discourse on restructuring the Nepali state. Before that, public debate on ethno-nationalism was Janjati-centric and social scientists belonging to Janjati – geographer Harka Gurung, sociologist Krishna Bahadur Bhattachan, political scientist Mahendra Lawati are some to mention here – are well known for their assertion of the Janajati identity and rights in their writings. Indeed, the issue got prominence due to academic responses from non-Janajati scholars, i.e. Dor Bahadur Bista, Prayag Raj Sharma, Dilli Ram Dahal etc. among the native scholars and also writings by foreign scholars, e.g. Lionel Caplan, David Gellner, William Fisher, Marie Lecomte-Tilouine, and many other anthropologists. There is a single, highly commendable, political study of Madhesh by Frederick Gaige. Preference of Madheshi scholars are art, culture, language, literature, pure science, math and other technical subjects (Dahal 2005: 20; Burkert 1997: 242) but not social sciences which has its own implications for putting the Madhesh behind other issues in public debate till the recent past. Unlike introduction of Janjati identity for which Janjati scholars play pioneering roles, the Madhesh identity has been historically asserted by political activism and it gets a solid recognition as an impact of the recent Madhesh movement.

As inclusive democracy is one of the three key contents of restructuring the Nepali state project – the other two being: persuasion for republic and transformation of the armed conflict against the background of the Communist Party of Nepal (Maoist)'s insurgency (1996-2006) – registration of a group into excluded category has its own advantage, both materially and symbolically. The post-*Janandolan II* transitional governance arrangements offered some benefits to Janjatis, women, and Dalits, but they granted nothing in the case of the Madheshis. Thus, the recent Madhesh explosion was a natural outcome of the Madheshis' resentment against the Nepali state for its long ignorance and negligence to their grievances. It was so powerful and effective that Girija Prasad Koirala, the Prime Minister of the eight-party coalition government including the CPN (Maoist), was forced to proclaim twice within a single week that federalism would be instituted and that the number of constituencies in the Tarai would be increased. Accordingly the Interim Constitution was amended twice within less than three months of its promulgation on 15 January 2007. The Madhesh uprising, thus, has to its credit the achievement of federalism and redistribution and increment of electoral constituencies in favour of Tarai, both being important and substantial steps towards more inclusive democracy. Vijaya Karna, a Madheshi activist,

praised this achievement: “It gives Madhesh a separate identity; it produces federalism; it compels the state to increase representation of the Madhesh in the state apparatus; it helps Madheshis to get citizenship card without much pain; and above all it boosts up morale and confidence of the Madheshi people.”¹ Below is an excerpt of a direct observation report from 16 to 26 January 2007 on the Madhesh uprising in Janakpur city of Dhanusha district.²

Madhesh *bandh* (general strike) was called by the Madheshi Janadhikar Forum (MJF), backed by the Tarai Jantantrik Mukti Morcha (TJMM) of both factions (Goait and Jwala Singh) and participated in by workers of the Nepal Sadbhavana Party (NSP). Most of the demonstrators were from the age group of 12-25 and the number of demonstrators increased almost double in every next day. Schools along with shops were closed; the movement of all forms of transportation was disallowed and those attempting to defy the ban were destroyed or burnt. Demonstrators carried out the sticks and organized *masal* (torch) rally every evening. Tyre burning took place at every corner of the city. Police deployed were mostly Madheshis and their actions sometimes went to the extent of firing but they failed to control the situation. Instead, the protesters defied the curfew and burnt government offices, banks and some private properties. A copy of the Interim Constitution was burnt every day.

The local leaders of each of the Seven Party Alliance (SPA) attempted to counter the protests by organizing *sadbhav* (harmony) rallies occasionally; but these were not effective. Despite being Madheshis, they were blamed as the stooges of the ‘hill rulers’. They avoided appearing in public places whenever street protest occurred. When the local cadres of the CPN (Maoist) once countered some MJF cadres with physical violence, its office building was attacked the next day by the protesters of a big rally. The local leaders of all the mainstream parties seemed to be in a dilemma. On the one hand, they suspected the role of reactionary elements in making the movement violent and destructive; on the other hand, they endorsed almost all the demands of the MJF. Consequently, they neither resisted nor participated in the Madhesh movement.

‘Pahadis out of Madhesh’ and ‘down with hill administration’ were the main slogans chanted in the rally. Some shops and a hotel run by Pahadi people were destroyed and burnt. None of the Pahadis were seen on the street (though they constitute one-fifth of the Janakpur city population) throughout the days of Madhesh *bandh*. In a public speech organized at the end of the day – which was everyday programme – speakers stressed the following demands: abrogation of the Interim Constitution, declaration of federalism, census before the election of Constituent Assembly, delimitation of electoral constituencies on the basis of population, inclusion of Madheshis in the state apparatus.

The observation report exhibits multiplicity of the Madhesh movement. It is a clear sign of the rise of the Madheshi nationalism associated with assertion for the Madheshi identity; it is temperamentally anti-hills so contributing to Pahadi-Madheshi tension; it is a manifestation of discontent against the systematic exclusion of the Madhesh by the state and also a quest for inclusion of the Madheshis in many forms, by the establishment of federalism in particular. It is also a deterrence against the emerging trend of left dominance in national politics in general and against the CPN (Maoist)’s aggressive campaign of party building in particular.

¹ He expressed these views while giving his speech as a resource person on one-day discussion programme on “Restructuring the Nepali State and Madhesh“ on 19 April 2007, organized in Janakpur by State of Democracy in South Asia, Nepal Chapter.

² From an observation report prepared by Lal Babu Yadav, a researcher of a study team on “Interface Between State and Ethnicity“, headed by the author of this paper.

Rise of the Madheshi Nationalism

Madhesh and Madheshi terms are contested simply because the administrative divisions of the 20 Tarai districts include a considerable portion of hill territory (32%) and the Pahadis (people of hill origin) constitute 36% in total population of the Tarai. Keshab Dhungel, the Vice President of the Nepali Congress (NC) Dhanusha District Committee, claimed “I am also Madheshi, speaking Nepali as mother tongue”.³ This is a representative voice of most of the Pahadi (hill-origin) people residing in the Tarai since a long time ago. If the term Madhesh and Madheshi separate from the administrative division of Tarai districts, these terminologies could become somehow distinct, topographically and culturally. Madhesh is plain landscape south from Siwalik hill range and the Madheshis broadly encompass people of non-hill origin. Again, such ethnic and regional identity is contested as there is no pan-Madhesh identity, culturally, religiously, or linguistically. The people of non-hill origin are divided into three distinct cultural groups: plains Hindu castes, plains Janjati groups, and Muslims. Plains Janjati group like Tharus do not consider themselves as Madheshis, except for some assimilated Tharus of the eastern Tarai (ICG 2007: 2). Cultural differences between the plains Janjatis and the plains caste groups are as large as those between the hill castes and the hill Janajati groups. Muslim identity is predominantly associated with a religious identity rather than a regional identity. Culturally speaking, Madhesh and Madheshi identity is specifically associated with the plains Hindu castes of Maithali- and Bhojpuri-speaking populations. Divergence among the non-hill origin people and distinction of one against another group is further evident from the fact that the recent Madhesh agitation was confined to the areas – from Morang in the east to Bara in the central Tarai – where plains Hindu castes speaking Maithali, Bhojpuri, and Bajika predominate. The epicentre was the Mithila belt of five districts – Saptari, Siraha, Dhanusha, Mahotari, and Sarlahi – where the proportion of Pahadis in the population varies from 7% in Saptari to 22% in Sarlahi. Leadership of all the Tarai-based regional parties and forces have come from the Maithali-speaking community.

No doubt, the recent Madhesh movement has established Madheshi nationalism as a significant part of the emerging ethnic and political landscape of Nepal. It draws its force from the fact that Madhesh – south of Siwalik hills – is distinct from the middle hills of Nepal, ecologically, linguistically, and culturally. Their lifestyle, food habits, dress, language and culture are common with people who live across the Indian border in Uttar Pradesh and Bihar (Gaigne 1975: 12; Gellner et al. 1997: 240; Jha 1993). The cultural identity of the plains Hindu castes transcends national territories. The trans-national linkages along with the open border have contributed significantly to enhancing the capacity of the Madheshis to fight against the hill-dominated state. This is less true of significant plains Janjatis, such as Tharus and Rajvamsis, who lack large bodies of fellow ethnic communities just over the border. Furthermore, Maithali people have a rich political, religious and artistic heritage and so they have cultural superiority complex (Burkert 1997: 252). In contrast to the Nepalization of Janjati groups in both hill and Tarai regions, the Madheshi castes have more effectively resisted cultural assimilation. For instance, the figure for Maithali-speakers is recorded consistently at 12 percent from the time of the first census in 1952 up to the 2001 census. The presence of Pahadi people in small numbers in the five districts of the Mithila belt – 12% of the population with 15% of the territory being hilly – can be interpreted as further evidence of the Maithils’ ability to resist penetration by Pahadis. Of

³ Interview with Keshab Dhungel on 17 January 2007.

the three key instruments of Nepalization – monarchy, Hindu religion, and Nepali language – the Madhesi caste people seem conformist with the first two instruments but they have consistently resisted the imposition of the Nepali language and hill culture. Nepal democracy survey 2007 reveals that majority of respondents belonging to Madhesi castes expressed a preference for the retention of monarchy and Hindu state.⁴ Nevertheless political forces emerging in Madhesh, including NSP, MJF and both factions of TJMM, have adopted a formal position for a republic and a secular state

On language issues, an overwhelming majority of Madhesi people, regardless of caste, ethnicity, or religion, opted for the removing Nepali's status as the sole official language. In this spirit, a Madhesi scholar has appealed for the word 'Nepalese' or 'Nepalbasi' to be used when addressing the citizens of Nepal because the official title 'Nepali' may be understood to refer only to those people who speak Nepali language as their mother tongue (Shah 2007: 1). The rise of Madhesi nationalism over time can also be seen in the fact that the proportion of people of Madhesi origin (across caste, ethnicity and religion) who preferred to identify themselves with ethnic/regional identity, rather than with national identity, increased from 19 % in 2004 to 46 % in 2007. The Madhesi's preference to identify themselves with national identity decreased from 40 % to 18 % over the last three years.⁵ This same trend was not evident among Pahadis. What would be implication of the rise of ethno-regionalism for the national integration of the country? The result of Nepal democracy survey 2007 gives little comfort to secessionists, however an overwhelming majority of the surveyed respondents (more than 90%), including Madhesis to the same extent, said that they were 'proud' to belong to their community and also 'proud' to be Nepali.

Madhesi-Pahadi tension

The Madhesh activism of any form – whether peaceful movement or armed insurrection – is temperamentally anti-hill. Is it directed principally at the hill-dominated state system or is it motivated purely by a desire to provoke a communal clash? This is a contested issue. The Chure-Bhabar Ekta Samaj – a forum of Pahadis people residing to the north of the Siwalik hills which appeared in response to the Madhesh uprising – claimed that 24 Pahadis were murdered during and after the January-February 2007 Madhesh movement.⁶ This excludes the killing of 27 Maoist cadres – all Pahadis – in a clash between the MJF and the CPN (Maoist) in Gaur, Rautahat, on 21 March 2007. The TJMM and several other small splinter armed Madhesi groups have continued anti-Pahadi actions in different forms: kidnapping, extortion, killings etc. The TJMM (Jwala Singh)'s threats against Pahadis staffing the administration in Madhesh have had the effect of reducing the presence of the state in the Madhesh.

As stated above, 'Pahadis out of Madhesh' (*pahadi chor, desh chod*) was the central slogan of the Madhesh movement. The absence of Pahadis from the streets of Janakpur during the days of Madhesh upheavals clearly shows the apprehensions of Pahadis residing in Madhesh. A group of

⁴ Nepal Democracy Survey 2007 was conducted in March-April 2007 in 162 sample polling stations of the 41 sample parliamentary constituencies. A structure questionnaire was administered through face to face interview with a nation wide sample of 4,089 respondents.

⁵ *Ibid*; Krishna Hachhethu, *State of Democracy in Nepal: Survey Report*. Kathmandu: State of Democracy in South Asia/Nepal Chapter and International IDEA, 2004.

⁶ *Rajdhani daily*, 7 August 2007.

ten Pahadi people arrived in Janakpur on 23 January 2007 to carry out a project related to family planning and stayed at the Pahadi-owned Rama Hotel. That evening a group of 50-60 Madheshis vandalised the hotel but the Pahadi guests managed to escape attack by leaving their rooms and claiming to be hotel staff. The next day they shifted to the Madheshi-owned Manaki Hotel. However, they were so terrified they decided to return to Kathmandu the same day without doing any of the work for which they had come to Janakpur. They left for the airport under police protection.⁷ The fear psyche remains there even after withdrawal of the movement by the MJF. A local Pahadi woman working in an NGO in Dhanusha district said that about 88 houses in Janakpur city owned by Pahadis were sold at knock-down prices in the aftermath of the January-February 2007 Madhesh unrest.⁸

Despite incidents such as these, the leadership of the Madhesh movement, the MJF in particular, is cautious not to aggravate the situation to the extent of all-out communal violence. They certainly gave a communal flavour for the purpose of mass mobilization but did not intend to aggravate the agitation in the form of clash between Pahadis and Madheshis. The Kathmandu-based Madheshi elites who have stake in the capital of the country are aware of its backlash if the Madheshi agitation leads to a communal violence. Their intellectual contribution to the Madheshi movement would have also a role for not advancing the agitation beyond the point of no return. One of the major factors preventing a communal clash is resilience shown by Pahadis. The longstanding state bias against Madheshis may be one of the factors behind the loss of the lives of 29 Madheshis during the January-February 2007 unrest. Otherwise, scattered events creating psychological terror and physical violence in the Madhesh were evidence that attacks were one-sided and the Pahadis did not retaliate, aside from the formation of the Chure-Bhabar Ekta Samaj for the protection of the Pahadis in the Madhesh. They called *bandhs* and negotiated with the state, but never attacked individual Madheshis. Credit goes to the media as well for not giving communal flavour to the Madhesh uprising.

The Madhesh's anti-hill sentiment is manifesting in different forms. Resentment against hill domination in both national and regional politics is on the rise. The recent Madhesh uprising is also interpreted "as a political struggle for formal political influence for the traditional Terai leaders, presumingly on behalf of the Madheshi population" (Hatlebakk 2007: 20). For the 20 Tarai districts, from 1991, 88 parliamentary seats were allocated amounting to 43% of the total 205 members of the House of Representatives. In the last three parliamentary elections held in 1991, 1994 and 1999, the Madheshi MPs were 18-20%, suggesting their low political edge in comparison to the Pahadis in political representation from the Terai. Even from the Mithila belt of five districts – a hinterland of Madhesh – the Pahadis' representation in the last three parliaments was 21-29 percent of total 24-25 seats allocated for this belt. Resentment of enlightened Madheshis against such pattern is well expressed by Professor Ramavatar Yadav: "I, as being a Madheshi of Dhanusha district, feel discomfort that some one with surname like Subedi, Giri, Malla, Koirala and Dhungana (all Pahadis) represented me and my district in parliament"(2006:4).

Deterrence against the CPN (Maoist)

⁷ *Op.cit.2*

⁸ *Interview with Mrs. A, 21 April 2007.*

The Madhesh uprising has a component of deterrence against the rising influence of the CPN (Maoist). The first victim of the Madhesh unrest was Ramesh Kumar Mahato, a MJF cadre, who was shot by the CPN (Maoist) activists. This event just led to add and sharpen anti-Maoist component of the Madhesh movement. As there had already been several incidents of bloody encounters between the activists of the Madheshi groups – TJMM and MJF – and the CPN (Maoist) since before the call of the Madhesh *andolan* from 16 January 2007. The CPN (Maoist) and other political parties suspected the hand of reactionary elements and Hindu fundamentalists of India. The CPN (Maoist) supremo, Prachanda, publicly called to deal it with coercive measures which further fuelled anti-Maoists sentiment of the Madhesh agitators. The Gaur incident of Rautahat district was the climax and the final show of confrontation between the MJF and the CPN (M) in which 27 Maoists were killed.

The leadership of the recent Madhesh movement were all Maoists at one point. Splitting from the CPN (Maoist), they have confronted their one-time Maoist colleagues and also competed with political parties to capture support within Madhesh. During the Madhesh unrest, some leaders of the mainstream parties were victimized, but relatively less so when compared to the suffering of the Maoist activists. In retrospect, there would appear to be some irony in the fact that the CPN (Maoist) provided the basis for the rise of militant Madheshi nationalism – which was in conformity to its strategy of ethnicization of their insurgency – but this later turned and backfired in a spectacular way. With the slogan – ‘say it with pride, we are Madheshi’ – the CPN (Maoist)’s front organization Madhesh National Liberation Front (MNLF) – formed in 2000 – was actively mobilized in the Madhesh during the time of insurgency. Most of the demands raised by the MJF and other Madheshi groups – i.e. inclusion, federalism with right to self determination, language and culture rights, reservation etc. – have already been raised by the MNLF. Replacement of the MNLF founder leader Jai Krishna Goait by Matrika Prasad Yadav as leadership of the front in July 2004 led to a split with the formation of TJMM by dissidents. The dissidents, hence, confronted with the Maoist cadres and they actively campaigned that the CPN (Maoist)’s pro-Madheshi posture was fake. This position was accepted by several other small Madhesh armed groups including a splinter group of the TJMM (Jwala Singh) and the MJF. Nepal Democracy Survey 2007 revealed the Madheshis’ anti-Maoist posture: the majority of respondents belonging to the Madheshi castes and Muslim ‘distrusted’ the CPN (Maoist) nor did they believe in the CPN (Maoist)’s recent commitment to multiparty system. By contrast, the majority of the hill respondents showed trust in the Maoists’ commitments.⁹

The local Madheshi leaders of the NC, UML and other parties gave up the idea of countering the Madhesh unrest when it became clear that it was turning into an anti-Maoist agitation. The call for *sadbhav* rallies – which was effective in Nepalgunj against communal violence happened just before the starting of Madhesh *andolan* from 16 January 2007 – appeared ritualistic. It was a tactical resistance against the CPN (Maoist). The flags of established parties failed to deter the CPN (Maoist)’s long aggressive campaigns launched by its People Liberation Army (PLA) during the insurgency period and by the Young Communist League (YCL) in the post-*Janandolan* II time. Whereas the militant Madhesh uprising proved an effective counter to the CPN (Maoist). To quote from the ICG report, “For the Maoists, the Tarai violence was a wake

⁹ Party-wise disaggregated data of the same survey and a subsequent elite survey show that the majority of parties’ sympathizers and majority members of the present interim parliament ‘distrusted’ the CPN (Maoist).

up call: much of it was directed against their cadres, whose appearance of domination was shattered” (2007:1).

Awareness against Hill Migration

The presence of hill origin people in Madhesh in substantial number, 36% of the total population of 20 Tarai districts, is a factor that contributes to Madheshi nationalism. Politicization of demography has been used for two contrasted purposes. The Tarai as home of nearly half of the total population of the country – for which the Pahadis contribute one-third numerically – has been used for bargaining purpose in favour of the Madhesh and the Madheshis. At the same time, migration from the hills has been propagated as the state’s concerted plan to assimilate the Madheshis into the fold of hill culture and to establish hill political dominance in the Tarai. Certainly the Nepali state encouraged migration from south of the border in the past and from hill to the Madhesh since the 1950s which served the interest of small hill elites. Land and forest are the two major resources of the Madhesh that have been distributed disproportionately in favour of the hill people. One cannot deny the fact that hill migration was used as one of the instrument for homogeneous model of Nepalization which has adverse impact in the Madhesh so far its cultural uniqueness, economic interest and political power structure are concerned. Four major factors – end of malaria, land reform act of 1964, launching of several resettlement projects in the Madhesh, and construction of the East-West highway – led to flow of hill dwellers into the Madhesh.

However, it is oversimplistic to lump everything in one basket as there are many causes behind the changing demography of the Tarai. Three major points here:

1. In the Tarai, the Pahadi population increased substantially from 6% in 1952/54 to 36% in 2001. The Madheshi activists overlook one of the reasons why this happened. In the past when Nepal was divided into 32 districts, all Tarai districts were geographically confined to plains areas south of the Siwalik range. When internal territory was restructured into 75 districts in 1963, hill areas north of the Siwaliks was included in the Tarai, which accounts 32% of total land of 20 Tarai districts. “All the Tarai districts have varying proportion of Siwalik and mid-mountain areas, the highest being 77.5% in Nawalparasi district, 51.5% in Chitwan district, 50.8% in Banke district and 41 % in Kailali district to the lowest 8.9% in Sunsari district and about 7% in Jhapa district, the average being 32.4% for the 20 districts” (Shah 2006: 2). It is not only because of migration but mixing of plain-hill lands into the boundary of Tarai districts that cause the presence of hill origin people in substantial number in the Tarai districts. If areas north of the Siwalik are taken away from the Tarai district in the federal project in making, the number of Pahadis in Madhesh would reduce substantially which contributes to rejuvenate cultural territory of Madhesh.
2. Pahadis constitute the majority in seven Tarai districts (Jhapa, Morang, Chitwan, Nawalparasi, Dang, Kailali, and Kanchanpur) and most of these are traditionally the homeland of the plains Janajatis, not of plains caste groups. The case of Nawalparasi is different as its territory has a 77.5% hill landscape which explains why Pahadis are the majority in that district. The major victims of the flow of hill migration are the plain Janajatis.

3. In the rest of the Tarai belt (from Saptari in the east to Kapilbastu in the west) known as homeland of Mithali- and Bhojpuri-speaking Madheshi castes – hill migrants are numerically insignificant. Settlements of Pahadis in these districts are concentrated along the East-West highway.

Discontent against systematic exclusion

The recent Madhesh movement is an outburst of anger against systematic exclusion of Madhesh since long ago. The Anglo-Nepal war of 1814-16 – in which at least some Madheshis took the side of British India (Goait 2007: 3) – was the starting point of the existing discrimination against Madhesh. The prohibition on Madheshis in the security forces was its legacy. Madheshis had to obtain a written permission to enter the Kathmandu Valley during the Rana regime (1846-1950). Only in the post-1950 period did the Nepali state actively and aggressively launch several programmes to integrate the Tarai, culturally, economically and administratively. The state designed scheme of national integration and acculturation through the imposition of Nepali language (as the only official language and medium of education) and hill culture adversely impacted to the Madheshis. The Citizenship Act of 1963 is biased against non-Nepali speaking population and consequently many Nepali citizens of the plains origin were either deprived from citizenship certificate or they faced much difficulty in process of acquiring citizenship cards.

The advent of democracy in 1990 and its reinstatement in 2006 with a new vigour of inclusive democracy failed to feed ethnic and regional aspirations of the Madheshi people. On one single issue – citizenship issue – the post-1990 government took some initiatives – formed a commission to study the problem of citizenship distribution in Madhesh; distributed citizenship cards to 34,900 Madheshis in 1997; and passed the Citizenship Act 1999. But the Supreme Court foiled these steps by declaring latter unconstitutional. This is humiliating to the Madheshis and for which the UML's ambivalence policy and the palace's obstructionist role were responsible. The extreme politicization of the citizenship issue has exacerbated the problem. Distribution of citizenship certificates across the country in January-April 2007 through door to door visits recorded the number of its distribution, 1.5 million in Tarai and 1.02 million in the hills.¹⁰ This may have revealed an earlier exaggeration of the citizenship problem for political gain since a government commission formed in 1994 reported that 3.5 million people residing in the Tarai had been deprived of citizenship certificates.

The post-1990 period witnessed the rise of ethnicity and regionalism. The constitutional provision of 'right to protect and promote own language and culture' was experimented with introducing mother tongue, Maithali as official language in District Development Committee of Saptari and Newari in Kathmandu municipality. But the Supreme Court voided this decision. Discrimination against Madhesh was distinct in many other cases. For instance, to the satisfaction of some excluded groups, the government formed Dalit Commission, Women Commission and Foundation for Indigenous Nationalist in the post-1990 period, but none of similar inducement to the Madheshis. The Madheshis were not listed when the governments of both the pre- and the post-*Janandolan* II initiated for reservation policy to the excluded groups. Moreover, the Deuba government, with consent of all major political parties, took a decision, in 2002, overriding the constitutional provision of delimitating parliamentary constituencies on the basis of population in aftermath of the national census. The population of Tarai increased from

¹⁰ *The Rising Nepal*, 18 April 2007.

43% in 1991 to 48% in 2001 which, according to the 1990 constitution, required an increment of parliamentary constituencies in the Tarai. The decision not to follow this constitutional provision for the next 25 years was a clear discrimination against the Madhesh.

The accumulative effect of the state's long discrimination has placed the Madheshis in disadvantaged position. Madheshis constitute one third of the total population of Nepal but their share in the power structure is much lower than this, i.e. 11.2% in integrated index of governance, 17.4% in parliament, and 96.3% (100 national) in integrated human development index. The figure of integrated human development index excludes data of the plains Janjatis, Muslims, and Dalits – the most marginalized groups among non-hill origin people residing in the Madhesh.

Assertion for Inclusion

The cry against exclusion obviously means a quest for inclusion. Historically, the Madheshi activism for inclusion has been advanced passing through four stages. The Nepali Tarai Congress, formed in 1951 under the leadership of Bedananda Jha, introduced the Madhesh activism. It set three key agendas: autonomous Tarai region, recognition of Hindi as national language, and inclusion of Madheshis in the civil service. This party failed to get people's endorsement in electoral politics as it lost all seats in the 1959 parliamentary elections. After its leader Jha was co-opted in the Panchayat politics, the first stage of Madhesh activism was disappeared. Only since the mid-'80s, the Madheshi identity politics has been revived under the banner of Nepal Sadbhavana Parisad – which later turned into NSP after the restoration of multiparty system in 1990 – led by Gajendra Narayan Singh. It has upheld the key agendas set by the Nepali Tarai Congress and added some new contents, i.e. federalism, reservation, and distribution of citizenship card to the Madheshis. The NSP partly succeeded to get electoral endorsement on its policy platforms as it gained 3-6 seats in the last three general elections held from 1991 to 1999. The NSP's contribution is confined to a revival and sustainability of the Madhesh based identity politics. The escalation of the Maoist insurgency in the Madhesh since 2000 imputed to raise a militant Madheshi nationalism. But its ethno-regional content was overshadowed by a larger picture of its image as a communist insurgent. The CPN (Maoist)'s unique contribution to the Madhesh activism is that it stressed more on the issues related to socio-economic change which have had a greater appeal to the downtrodden strata of the Madhesh society, Dalits. The entry of the MJF in the Madhesh activism has helped to enlarge the canvas of the Madheshi nationalism and raising the militant Madheshi activism.

Part of reason that explains limitation of the Madheshi activism in the past and its expansion at present is leadership. In the past, leadership was dominated by high caste Madheshis (Brahmin, Bhumihar, Kayastha and Rajput) who constitute less than 3 % of the total population of the Madheshis. The rigid hierarchy and stratification of Hindu caste societies of the Madhesh limits the capacity of leadership from the forward group so far as mobilization of the people is concerned. Now the leadership of the Madhesh activism has come from the Yadavs, Shahs, and similar castes group, which are numerically the most important. To say it in other words, politicization of Madhesh nationalism has advanced from an elite business with leadership of the forward group to a mass consciousness with leadership of the backward group. The MJF upholds all the major issues put forth by the early risers of the Madheshi activism, but its stands on

federalism, on increment of the Madheshis' say in national politics, and on inclusion of the Madheshis in the state apparatus, and on affirmative actions are more sharp and powerful.

Federalism

Most demands of the Madheshi movement revolve around its central thrust, federalism. Federalism and its form are contested at multiple levels. Nepal democracy survey 2007 reveals a clear division that majority respondents of hill origin favoured retention of unitary system whereas the majority respondents belonging to plains castes and Muslims preferred a federal system. Nevertheless the interim coalition government had already proclaimed that Nepali state would be restructured into the federal form by a new constitution to be framed after the election of Constituent Assembly. There is no unanimity among the forces championing for federalism on its form. The NSP has already proposed a region-based federalism dividing the Tarai into two parts, East Tarai and West Tarai. The CPN (Maoist) also proposed two Tarais – Madhesh and Tharuwan –but the criteria it suggested is a combination of ethnicity and region. The MJF's demand is to make the Tarai a single unit, the Madhesh province.

Debate of making Madhesh as a single or many units in the proposed scheme of federalism lies on setting the principle of forming federal units – homogeneous or heterogeneous. If heterogeneity as criteria for constituting federal units is taken as a model, the present vertical division of the country – five development regions, fourteen zones and 75 districts – is perfect to remould the existing territories into federal structure. There are only 12 districts where a particular caste/ethnic group constitutes a majority community (Chhetri in 7, Gurung in 2 and each of Tamang, Tharu and Newar in 1 district) in total population of the respective districts. In this scheme, the Madhesh will become a single federal unit of diverse population, plains castes, Pahadis, plains Janjatis and Muslims. The political purpose of discontent against one Madhesh by the Tharus is understood that it will not serve their interests. Since the plains castes constitute a majority of 59% (28% plain Janjati and 13% Muslim) among the non-hill origin people of the 20 Tarai districts, it will be change of their master only, from hill high castes to plains high castes, if the idea of 'one Madhesh one Pradesh' is structured.

Federalism is in essence a remedy of and respect to diversity. Constituting of homogeneous federal units helps to reduce communal tension and clash. Avoidance of the possibility of communal violence in the future should be taken as one of the prime considerations while restructuring the Nepali state into the federal units. For the creation of homogeneous federal units, the boundary of the present vertical divisions of the country into five development regions, 14 zones and 75 districts should be deleted first. This means, in the context of Tarai, taking out the landscape of the north of Siwalik from Madhesh which in turns help to rejuvenate cultural territories of the diverse plains origin groups of the Tarai. Making the surrounding areas of the East-West high way as a separate unit under the union government further contributes to the proposal of making cultural territories of many federal units. Taking into consideration of diversity of the Madhesh in terms of culture, language and religion, making one Madhesh many Pradeshs is sensible while constructing federal units.

The Madhesh, in the context of the rise of regional based ethno-nationalism, is going to be different from the past. Increment of the Madheshis' share in national politics through an electoral system which ensures proportional representation based on the strength of population

and their domination in regional power structure through a federal system are the critical issues. In principal the Nepali state, though reluctantly, met these demands. Now the tension is how to translate these demands/promises into political structure. It is certainly a complex task that entails dealing with multiple tensions, between a hill-dominated state and emerging Madheshi political forces/parties, between Madheshis and Pahadis, between plains castes and plains Janjatis, between forward and backward groups among the Madheshi castes, and between those who profess peaceful means and others who have taken up arms. Due to the imminence of the constituent assembly elections, it would be sensible to negotiate all outstanding disputed issues at the time of framing the new constitution.

References

- Burkert, Claire. 1997. "Defining Maithali Identity: Who is in Charge?". In David N. Gellner et al (eds.), *Nationalism and Ethnicity in a Hindu Kingdom: The Politics of Culture in Contemporary Nepal*. Amsterdam: Harwood Academic Publishers, pp. 241-274.
- Dahal, Dilli Ram. 2005. "Democracy and Regionalism: Perspectives from the Nepali Tarai". *Nepali Journal of Contemporary Studies*, 1.4:1, pp. 11.27.
- Gaige, Frederick H. 1975. *Regionalism and National Unity in Nepal*. Delhi: Vikas Publishing House.
- Goait, J.K. 2007. "History of Tarai in Nepal". In <http://medhesi.wordpress.com>. (4 April 2007).
- Hachhethu, Krishna. 2004. *State of Democracy in Nepal: Survey Report*. Kathmandu: SDSA/N and International IDEA.
- Hatlebakk, Magnus. 2007. "Economic and social structure that may explain the recent conflicts in the Terai of Nepal". (Unpublished paper)
- ICG. 2007. *Nepal's Troubled Tarai Region*. International Crisis Group.
- Jha, Hari Bansa. 1993. *The Terai Community and National Integration in Nepal*. Kathmandu: Centre for Economics and Technical Studies.
- Shah, Shree Govinda. 2006. "Social Inclusion of Madheshi Community in Nation Building" (unpublished).
- --- --- 2007. "Peaceful Resolution of Ethnopolitical Movement in Nepal Madhesh". In www.nepalnews.com. (23 April 2007).
- Yadav, Ramaabatar. 2006. "Madheshi Hunda" (Being Madheshi). In Basanta Thapa and Mohan Mainali (eds.). *Madhesh: Samsya ra Sambhabana* (Madhesh: Problems and Opportunity). Kathmandu: Social Science Baha.