

Significance of Madhesi Movement in Nepal and its Implications on India's National Interests

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Abstract

With the transition of monarchy to democracy after the Jan-andolan-II, Nepal witnessed a new political crisis. The Madhesis who are often branded as 'Indian migrated people' by the Nepali hill elite classes started a protest movement urging inclusion of their demands in the constitution. However, they felt betrayed when the constitution makers of Nepal failed to acknowledge their demands. As a result, Madhesi's launched large scale protest movement pushing Nepal into the zone of instability. enjoy an open border, allowing unrestricted movement of people and trade across the border. The Indian concern is that any unrest in the Terai will eventually spread across the border and may pose a security risk for India. Peace and stability in Nepal are in India's best interests as much as Nepal's. The purpose of this paper is to examine how the Madhesi movement in Nepal matters for India and how India dealt with the Madhesi issue.

Keywords: Madhesi, national interest, open border, security, movement

Date of Submission: 14-12-2023

Date of Acceptance: 30-12-2023

I. Introduction

Historically, India and Nepal share a strong bilateral relationship built on mutual respect and cooperation, with profound cultural links, shared religious practises, ethnic and linguistic similarities. There are 1,800 kilometres of unrestricted and unprotected border between India and Nepal. Both of these nations have extensive socio-cultural and ethnic ties. The open border between the two South Asian neighbours allows its citizens to interchange ideas and ideals across the border. It is natural therefore that any political turmoil in Nepal would have an imminent spill-over effect in India. In the recent times, the Madhesi movement in Nepal has attracted the foreign policy analyst to review the Indo-Nepal diplomatic relations. In the wake of the Madhesi movement in 2015 after the announcement of new Nepalese constitution, the country had witnessed five months border blockade along the Indian border, which pushed Nepal into severe humanitarian crisis. However, India did not remain untouched from the effects of Madhesi movement in Nepal. The Madhesi issue has left deep imprint on the India's long term national interest.

Historical Background of the Madhesi Movement

Geographically speaking, Nepal is positioned between China and India. To the east, west, and south, it shares borders with India, while to the north, it has a border with China. Thus, Nepal is geographically landlocked by the two South Asian giants India and Nepal. Nepal has three geographical zones: mountainous, hilly, and Terai or Madhes. The Terai and the Madhes often commonly used interchangeably, but the terminology has different usage. The Terai or Tarai is the fertile lowland belt stretching from west to east across southern Nepal and into India and Bhutan, located between the foothills of the Himalayas and the Indo-Gangetic alluvial plain. Terai cover nearly a quarter of the country's total land, spanning 885 kilometres from the Mahakali River in the west to the Mechi River in the east and varies in breadth from four to 52 kilometres. To the north, the Tarai comprises some low hills (the Siwalik range) and valleys (the inner Tarai). The Terai region encompasses 21 of Nepal's 77 districts. Tarai has a total land area of 34,109 sq km, accounting for 23.1 percent of the country's total land area and is the home to 50.26 percent of Nepal's population, according to the 2011 census. However, the term Madhes is not restricted to the geographical identity rather it is being associated with cultural connotations. The term Madhes, besides referring to geography, it is also associated with a cultural identity. In the minds of those who live there, Madhes has a distinct geographical, cultural, and linguistic identity. The marginalised communities residing in Nepal's Terai area have used the term 'Madhesi' to express

their aspiration for a distinct identity¹. In particular, it denotes those living on the plains who adhere to the Hindu caste system, however it also includes the Tarai Janajatis, the Muslims (almost all of whom live in the Tarai), and other ethnic minorities. Madhesis are culturally, linguistically, socially, and racially tied to India². They share socio-cultural and ethnic characteristics with people from Bihar and Uttar Pradesh in India. As a result, Madhesis in Nepal are often labelled as Indian agents by Nepali higher caste hill people, and they face prejudice.

Madhesi protest in Nepal began in the year 2007. In January 2007, an NGO called the Madhesi Janadhikar Forum (MJF) went on strike to protest the newly promulgated Interim Constitution, arguing that it was not inclusive. Madhesi groups alleged that the 2007 interim constitution of Nepal did not reflect the major demands of the Madhesi people, and thus failed to provide an inclusive constitution. The protests movement suddenly turned violent when a CPN Maoist cadre shot and killed a protestor in a central Tarai town. Later, the demands led to a 22-point agreement between the Madhesis and the government of Nepal. The Madhesi revolution dramatically altered the Tarai's and Nepal's political landscape. This unrest created an ideal environment for mushrooming the Madhesi political organizations and groups. A year later, in February 2008, Madhesi groups under the umbrella of United Democratic Madhesi Front (UDMF) launched an indefinite strike claiming the government was indifferent in meeting Madhesi concerns outlined in the 22-point agreement. The second phase of the movement ended with the conclusion of eight Points deal between MJF and Nepali government. Madhesi movement for the third time erupted with the promulgation of new constitution of Nepal in September 2015. When the Madhesi discovered that the new Nepalese constitution failed to address their concerns, they started a massive protest movement which continued for five months. Madhesi shut the Indo-Nepal border transit as part of the movement. This led to shortage of essential supplies and services in Nepal and experienced a serious humanitarian crisis. The Nepalese authorities blamed on India's unseen hand behind the movement. Nepali government alleged that Madhesis of their own could not afford to organise and continue such a large scale movement without India's support. India, on the other hand, refuted all of these charges, claiming that the Madhesi issue is a Nepalese internal matter, and that the Nepalese government should resolve the crisis amicably by including minority rights in their new constitution.

Major demands of the Madhesi movement:

- 1.Regional autonomy with the right to self-determination.
- 2.To implement the idea of proportionate inclusion, as outlined in the interim constitution, in order to offer access in governmental organisations. Likewise, seats in the national legislature should be distributed proportionally. Given that the Madhes region comprises 51% of the population, 83 of the 165 electoral seats suggested for direct elections should be allocated to the provinces in the Madhes region.
- 3.Election districts for the Madhesi people should be drawn strictly on the premise of population, with no consideration given to larger geographical factors.
- 4.To guarantee that all children of Nepali women are accorded full citizenship rights, there must be fair citizenship rules in place. No one should be treated differently because of their naturalisation status or their ancestry. Presidential, Vice-Presidential, Prime Ministerial, Chief Justice, Speaker of Parliament, Chairwoman of National Assembly, Provincial Governor, Provincial Premier, Provincial Speaker of Assembly, and Chief of Security Bodies positions are limited to natural-born residents under the new constitution.

How the Madhesi Movement Matters for India?

During the last decade, the Madhesi issue had occupied all headlines in the domestic politics of Nepal as well as it substantially influenced the foreign policy of Nepal. The Madhesi movement had also played a defining role between Indo-Nepal relationships. India being the world's largest democracy has advocated the notions of sovereign, secular, socialist, and democratic republic and has institutionalised the philosophy of "unity in diversity." The Indian Constitution lays forth for its citizens the core democratic ideals of justice, equality, liberty, and fraternity. Being a democratic global mouthpiece, India has consistently raised its voices supporting the concerns of disadvantaged minorities groups throughout the world. Thus, it is imperative for India to do the same for under-represented groups in its immediate neighbourhood. Madhesi movement in Nepal attracted India's attention, when they launched a popular movement against their own government demanding justice and right to equality. Besides seeking representation and federalism, the Madhesi struggle included a fight for respect and citizenship rights. The Madhesis expected that the constitution would address their grievances and resolve these issues by fostering collaboration and dialogue. In this respect, India's

¹ Nihar Nayak, "Madhesi movement in Nepal: Implications for India", *Strategic Analysis*, Vol. 35, No. 4, July 2011, p.641

² See for details Shailendra Kumar, "Madhesis and India's Foreign policy with Nepal", *Alochana Chakra Journal*, Vol. 9, No.6, June 2020, p.80

engagement could not be denied in the constitution making process of Nepal. Delhi assisted Maoists and democratic parties in 2005-06 in reaching a political agreement, which finally resulted the end of the monarchy and also the endorsement of the peace process. In addition, on February 28, 2008, the United Democratic Madhesi Front (UDMF) and the government of Nepal agreed an eight-point deal to terminate the indefinite Terai strike. It is interesting to note that, the Indian embassy in Kathmandu hosted the final round of talks, with the agreement being brokered by outgoing Indian ambassador S. K. Mukherjee³. In accordance with the terms of the agreement, the Madhesis would have an independent province and be fairly represented in state institutions. This was verified by Shiv Shankar Mukherjee, India's ambassador to Nepal at the time⁴. As a guarantor of the peace process, India has a right and a moral obligation to participate in the transformation process in Nepal.

Madhesis have substantial cultural ties and "roti-beti relations" with the inhabitants of the Indian states of Bihar and Uttar Pradesh, Madhesis in Nepal are commonly viewed with suspicion and branded as Indian agents. Nepal has a long history of attributing local issues to external factors. Whenever there is a serious political crisis in Nepal, the India-Nepal relationship suffers the most. Since the Madhesi movement began in 2007, it has been generally believed across Nepal, particularly among the hill people, that India has supported the Madhesi cause in their battle for autonomy. Many Nepalis feel that India intends for a single province to serve as a buffer along Nepal's southern border, while others fear that India is seeking to divide their nation. Indicating India's participation in the Terai war, former prime minister G.P. Koirala stated, "The ongoing Madhesh crisis [2007] can be solved within a minute if Nepal and India jointly work together for it."⁵ (Nayak, 2014). Prachanda made a similar comment during the Madhesi protests against the Interim Constitution in 2007. This shows that senior Nepalese political officials felt India had ties to Madhesi movement militants. Nevertheless, India's aim for an inclusive constitution was clear during the constitution's formation. The 2015 Madhesi-led blockade and India's displeasure with the adoption of Nepal's new constitution have increased anti-Indian sentiment in Nepal. Since Madhesis have deep ties to the people of the Indian states of Bihar and Uttar Pradesh through culture and 'roti-beti relations,' they are often mistrusted and falsely accused of being agents of India in Nepal. Nepal has a long tradition of blaming outside powers for its problems within. When there is a serious crisis in Nepali politics, it is always the relationship between India and Nepal that suffers. Since the beginning of the Madhesi movement in 2007, India has been largely regarded by the hill people of Nepal to have supported the Madhesi cause in their battle for autonomy. In the eyes of the Pahadis, India is to blame for the rise of "One Madhesh One Pradesh" sentiment. All of these factors had a major role in fostering and spreading anti-Indian prejudice across the country. There is no denying that the increasing anti-India sentiment in Nepal is unfavorable for India's national interests. This idea, if it catches on, might create anti-Indian feeling in Nepal, giving China and Pakistan a foothold in the country to plot against India. In October 2015 the Indian envoy to Nepal, Ranjit Rae, voiced India's concern about the growing anti-India sentiment in the country by saying it "won't do any good to both countries". It is also anticipated that anti-India sentiments arising from the Madhes movement will have a detrimental influence on India's financial interests in Nepal. Frequent demonstrations are anticipated to have a negative impact on India's economic and commercial ties with Nepal. Anti-Indianism in Nepal might potentially damage India's hydropower projects and Indian investors' commercial activity in Nepal.

India and Nepal enjoy an open border, allowing unrestricted movement of people and products across the border. In Nepal, both Indian nationals and Indian enterprises operate. India fears that any instability in the Terai, will surely spill over. It is in India's interest as much as Nepal's to maintain peace and stability in Nepal. In the event that if the rights of the populace in the bordering regions of India and Nepal are not upheld, there would be Law-and-Order crisis in Nepal, which will have immediate political and economic repercussions for India⁶. Almost every Terai family has a roti-beti tie with families neighbouring Bihar and Uttar Pradesh. As opposed to the Maoist insurgency that was confined to the hills, the bloodshed this time was occurring on the plains, along the border with India. Following violence, there have already been reports of Madhesi

³ Pramod K. Kantha, "Understanding Nepal's Madhesi movement and its future trajectory", *Himalayan Journal of Development and Democracy*, Vol. 5, No.1, 2010, p.36.

⁴ See for details Prashant Jha, "India's Nepal policy: A balancing act between Kathmandu and Tarai", *Hindustan Times*, September 20, 2016, available on <https://www.hindustantimes.com/india-news/india-s-nepal-policy-a-balancing-act-between-kathmandu-and-tarai/story-vfRmcBU1gzW0SwcNSwDIAI.html>

⁵ See for details Nihar Nayak, *Strategic Himalayas Republican Nepal and External Powers* (Pentagon Press, 2014), p.55

⁶ See for details note 2, p.84

people fleeing to Uttar Pradesh and Bihar, from the districts of Kailali and Mahottari respectively.⁷ The unrest in adjoining border of Nepal will directly affect India, and therefore, India must take every precaution to prevent an escalation of the conflict along its border with Nepal.

From security standpoint, any instability in the border area is always a threat to the country. The conflict in Madhes region had given rise to a number of militant groups in Terai. Terrorists found a fertile footing in Nepal. According to a 2009 estimate by the Nepalese government's Ministry of Home Affairs, there were around 109 militant organisations operating in Nepal, 58 of them with active in the Terai area⁸. According to Harsimran Kaur, "an unrestricted border has opened up a safe passage for terrorist groups to enter India undetected"⁹. According to media sources, India's most wanted criminal Dawood Abraham was seen in Kathmandu several times¹⁰. The US State Department in a report 'Country Report on Terrorism 2018' mentioned that "Indian Mujahideen (IM) maintains ties to other terrorist entities including Pakistan based Lashkar-e-Taiba, Jaish-e-Mohammad and Harkat ul Jihad Islami. The IM's stated goal is to carry out terrorist actions against Indians for their oppression of Muslims. Indian Mujahideen has also expanded its area of operations into Nepal, which is now the biggest hub for Indian Mujahideen operatives"¹¹. Political instability in Nepal, combined with anti-India sentiment, would provide a safe haven for anti-India groups, eventually posing a security danger to India. On August 16, 2013, Indian intelligence arrested Abdul Karim, India's one of most wanted Lasker-e-Taiba terrorists, close the India-Nepal border. On August 28, 2013, Yashin Bhatkal, a co-founder of the Indian Mujahideen, was arrested near the Indo-Nepal border. The flow of illicit drugs, illegal weaponry, and counterfeit cash from Pakistan to India via Nepal has increased dramatically¹².

Nepal's instability, particularly in its border regions, enables China and Pakistan to support anti-India groups, guns and counterfeit currency circulation, trafficking, and terrorist organisations, among others. In fact, unrestricted travel over the border has led in a range of criminal, antisocial, and unlawful acts, such as robbery, theft, murder, smuggling of goods to evade customs charges, drug trafficking, exploitation of young girls, smuggling of weapons, abduction, etc.¹³ According to India's border security force, Sashastra Seema Bal (SSB), the number of victims of human trafficking entering the country has increased by 500% since 2013. Girls from border villages and the Terai region of Nepal are sold for up to Rs 50,000 to brothel operators in Delhi, Mumbai, Kolkata, and other cities¹⁴. From mid-April to May 6, 2016, the SSB seized over 2 kilogrammes of charas in the Bahraich district at Nanpara, 200 grammes of smack at the Nepal-Uttar Pradesh border in Maharaj ganj, 220 grammes of brown sugar from the India-Nepal border in West Bengal, and 2 packets of heroin worth crores at the Bathnaha border in Bihar. In just 20 days, the SSB has confiscated drugs worth a total of Rs 26,000,000. In addition, 401 litres of Nepalese liquor were recovered at the Bihar-Nepal border. In addition, around ten children were rescued from human trafficking groups operating along the Nepal-Bihar border¹⁵. Consequently, from a security standpoint, a porous and insecure border poses a serious risk to India.

When Madhesi issues in Nepal are examined through the lens of India's interests, an analogy with Sri Lanka is often drawn. India could not overlook the fact that ethno-nationalism was on the rise in Nepal. The Tamil situation in Sri Lanka demonstrates how, if a group's genuine concerns are not handled in a timely manner, this increases the risk of radicalization and militarization among political elements inside the community, as well as how a conflict can grow into a full-fledged civil war. In such a case, India has left with few alternatives when such a minority has strong ties to communities on the other side of the border, such as the Tamils in Tamil Nadu in case of Sri Lanka. An official informed Hindustan Times, "Look at the similarities. There is a majoritarian regime, and a substantial section of the population, which is alienated and angry. This

⁷ See for details Prashant Jha, "Why India must speak up strongly on Nepal", Hindustan Times, March 17, 2017, available on <https://www.hindustantimes.com/analysis/why-india-must-speak-up-strongly-on-nepal/story-M3GXPzzHnxD0IlgBnwzhCI.html>

⁸ See for details Harsimran Kaur, "Major area disputes of Indo-Nepal relations: an analysis", *International Education & Research Journal*, vol.4, no.9, September 2018, p.12

⁹ Ibid, p.13

¹⁰ Ibid, p.14

¹¹ See for details *Country Reports on Terrorism 2018*, United States Department of State Publication Bureau of Counterterrorism, October 2019, p.287

¹² See for details note 8

¹³ See for details Rasik Rai, *The Madhesi Question in Nepal: Implications for India-Nepal Relations*, A dissertation for M.Phil degree submitted to Sikkim University February 2017, p.106

¹⁴ See for details note 8, p14

¹⁵ See for details note 8, p12

section shares extensive cross-border ethnic and linguistic links. Today, they are asking for inclusion. Tomorrow, like Tamils, they may ask for secession”¹⁶. Thus, he said, it would directly impact on India.

There is another aspect to New Delhi's role in Nepal that is often overlooked. India feels that Madhesi accommodation will bring more 'balance' to Nepal's polity, which is dominated by hill groups with deep anti-Indian sentiments. New Delhi believes that this will result in a more welcoming environment in Kathmandu.

Nepal's instability is likely to negatively affect India's political, economic, and security interests. Violence or civil unrest in the Terai region would be a catastrophe for India. The Madhesi movement's anti-India sentiment is expected to have a negative effect on India's strategic and economic interests. Since Terai maintains a close tie with India, thus a turbulent Terai may have an impact on every major highway, customs station, industrial zone, as well as Nepal's trade with India and other nations.

As two neighbouring South Asian countries, India and Nepal share a special bond. The citizens and Nepal are closely connected, culturally similar, and politically aligned in many ways. They can visit each other's countries without a visa, freely engage in cross-border investment and trade, and send their children to school in the other country. Together, they do not constitute a danger to one another. This unprecedented degree of openness, however, leaves the door open for transnational criminals to exploit it for nefarious purposes such as the staging of terrorist activities, the hijacking of aircraft, and the trafficking of counterfeit cash, women, and children.

The Madhesi movement and the deadlock between India and Nepal have paved the way for Chinese opportunistic diplomacy to bring the country closer to Beijing. Nepal reached out to Beijing for assistance when it had a supply shortage in the midst of Madhesi demonstrations. Beijing jumped at the chance, meeting 33% of Nepal's fuel requirements and opening four marine and three land ports to the country¹⁷. In an effort to reduce its dependency on India, Nepal signed a historic Trade and Transit Agreement (TTA) with China in March 2016. And in May of 2017, Nepal became a part of China's grandest initiative, the Belt and Road Initiative (BRI). Since India did not sign on to the BRI, this was a significant move in solidifying the Nepal-China partnership and an endeavour to end India's dominance in Nepal¹⁸. Since 2014, China has maintained its top position in Nepal in terms of Foreign Direct Investment (FDI), passing India to become the country with the most investment. In 2019, Nepal received a total of 88 million USD in FDI from China, 1.85 million USD from the United Kingdom, and 1.76 million USD from India.¹⁹ In the first quarter of 2020, China accounted for 90% of Nepal's FDI. The post-Madhesi rebellion of 2015 drew new attention to the significance of security partnerships. For example, the Nepal Army and the People's Liberation Army of China participated in the first-ever Joint Military Exercise (JME) in Nepal in April 2017, which was given the name "Sagarmatha Friendship-2017"²⁰. Since Nepal and China established diplomatic ties in 1955, the JME was the first of its kind. There have been high-level military delegation exchanges between Nepal and China in recent years, covering a wide range of security-related themes, from border patrol to counterterrorism to disaster relief coordination. In 2017, the PLA promised \$32.3 million in military help to the Nepalese, and another \$21 million planned for October 2019²¹.

K.P. Oli soon after taking office as Prime Minister of Nepal in 2017, he made his first trip to China. The symbolic visit communicated to India a shift in Nepal's priorities. In addition, on February 28, 2018, then-Nepali Prime Minister K.P. Oli said, “We can't forget that we have two neighbours, we don't want to depend on

¹⁶ See for details note 4.

¹⁷ See for details Eurasian Time Desk, “How Is India Countering The Growing Chinese Influence In Nepal?”, The Eurasian Times, 21st January 2020, available on <https://eurasianimes.com/how-is-india-countering-growing-chinese-influence-in-nepal/>

¹⁸ See for details V. Lenin Kumar, “From blockade to demonetization: India-Nepal relations”, *Stosunki Międzynarodowe – International Relations*, Vol. 56, No.2, 2020, p.81, available on <http://www.irjournal.pl/pdf-140484-67337?filename=From%20Blockade%20to.pdf>

¹⁹ See for details Rishi Gupta, “India's Nepal policy (1950-2020) and globalisation in Nepal: Challenges within and from China”, *Glocalism, Journal of culturepolitics and innovation*, 2021, p.34, available on https://www.academia.edu/49510640/INDIAS_NEPAL_POLICY_1950_2020_AND_GLOBALISATION_IN_NEPAL_CHALLENGES_WITHIN_AND_FROM_CHINA?auto=citations&from=cover_page

²⁰ See for details Rishi Gupta, “Nepal China relations: Implications for India”, *Third Concept*, vol.34, no.403, September 2020, p.12

²¹ See for details Gopal Sharma, “China to give \$21 million to Nepal army to help future disaster relief”, Reuters, 21st October 2019, available on <https://www.reuters.com/article/us-nepal-china-army-idUSKBN1X01FU>

one country or have one option” in an interview with the Hong Kong's South China Morning Post.²² It was a loud message from the Nepalese prime minister to India about the country's shifting priorities. Growing ties between Nepal and China are a potential security threat to India.

India's Response towards the Madhesi Movement

India has consistently backed Nepal's efforts to establish a democratic legal framework. When it comes to democracy, India has never been hesitant about extending a helping hand to Nepal. Delhi's mediation in 2005-06 helped Maoists and Democratic parties to reach a political accord. The accord consequently resulted the end of monarchy and initiation of peace process in Nepal. India has been actively involved throughout the developments in Nepal whether it was the elections for the Constituent Assembly, brokering Madhesi pacts with the administration, and taking part in the process of forming the government. In 2008 India acted as a mediator between the Nepalese government and Madhesi parties at the behest of then Prime Minister of Nepal, Girija Prasad Koirala. The UDMF and the government reached an eight-points deal on February 28, 2008, to halt the indefinite strike in the Terai region. Last-minute discussions for the deal took place in the Indian Embassy in Kathmandu, where outgoing Indian ambassador Shiva Shankar Mukherjee played a key role as mediator.²³ At the time, India's involvement was seen as that of an external guarantor.

India has played a role in influencing or steering Nepal towards a constitutional statehood. Throughout the constitution-drafting process from 2009 to 2015, India consistently backed the demands of Madhes-based parties²⁴. The Modi government has prioritised strengthening connections with India's neighbours. Former Indian Prime Minister Manmohan Singh and his UPA coalition government showed little interest in strengthening ties with Nepal. For example, during the UPA Government, the Minister of External Affairs only made two trips to Kathmandu and no Indian Prime Minister visited the country between 1997 and 2014. As a contrast, Indian Prime Minister Narendra Modi visited Nepal twice in 2014, emphasising the need for the constitution to reflect the hopes and dreams of all Nepalese citizens during both of his trips. He suggested that the government of Nepal to draft a constitution focused on "sahmat" (consensus) instead of "bahumat" (majority). While in Kathmandu in August 2014, PM Modi spoke to the Constituent Assembly, stressing the importance of designing the constitution with the foresight of a "rishi-man," or sage, taking into account the concerns of citizens across cultural backgrounds and geographic regions. Prime Minister Modi addressing the Constituent Assembly said: "Let the Nepali Constitution be one in which all sections of Nepali society feel that it is a bouquet where one flower represents them and their aspirations, the Prime Minister said. "Har Nepali ko lage ki yeh ek aisa guldasta hai jismein mere ek phool ki bhi mahak hai". May the sanvidhaan (Constitution) represent the ideal of "Sarvjan Hitay, Sarvjan Sukhay." A Constitution unites, it does not divide, the Prime Minister said"²⁵. During his second visit to Nepal, in November 2014 for the SAARC summit, Modi was more specific and urged country's political leaderships to establish a constitution by agreement rather than a majority vote in legislature and to offer citizens from all backgrounds—whether pahad or Madhesi—a sense of ownership. If that wasn't enough, India's Minister of External Affairs, Sushma Swaraj, went to Nepal five times to convey India's concerns about the constitution. Furthermore, two days prior to the constitution's launch, Foreign Secretary S. Jayshankar travelled to Kathmandu as a special consul of the Indian Prime Minister.²⁶ At the last minute, he made a sincere attempt to persuade Nepalese authorities to include the concerns of the disgruntled parties in the constitution. During the visit to Kathmandu, he was hoping to solicit the government's help in maintaining social harmony. The Ministry of External Affairs statement on 19 September 2015 clearly echoes the need for consensus building: "India has been strongly supportive of constitution making in Nepal. We would like its completion to be an occasion for joy and satisfaction, not agitation

²² See for details, "Nepal's Tight-rope Diplomacy with China and India", Indra Stra, 18th June 2018, available on <https://www.indrastra.com/2018/06/Nepal-s-Tight-rope-Diplomacy-with-China-India-004-06-2018-0024.html>

²³ See for details note 3, p.36

²⁴ See for details Kamal Dev Bhattarai, "Why India Ditched Madhes", The Annapurna Express, March 10, 2019, available on <https://theannapurnaexpress.com/news/why-india-ditched-madhes-1317>

²⁵ See for details, "PM's historic address to Constituent Assembly of Nepal", Narendra Modi, August 3, 2014, available on <https://www.narendramodi.in/pms-historic-address-to-constituent-assembly-of-nepal-6421>

²⁶ See for details Jhabakhar Aryal, The Nature and Impacts of 2015 Indian Unofficial Blockade in Nepal, (Norwegian University of Life Sciences, May 2019). P.8, Retrieved from https://nmbu.brage.unit.no/nmbu-xmlui/bitstream/handle/11250/2618546/Master%27s%20Thesis_%20May%202019_Jhabakhar%20Aryal_Final.pdf?sequence=1&isAllowed=y

and violence. We hope that Nepal's political leaders will display the necessary flexibility and maturity at this crucial time to ensure a durable and resilient Constitution that has broad-based acceptance".²⁷

However, India was not successful in his attempt to gather the widest possible consensus on his position. The political leaders denied postponing the promulgation, and on September 20, 2015, the constitution was signed, ignoring the Indian government and the demand of the Madhesis. This sparked a massive Madhesi uprising that lasted for five months. Nepal's administration blamed India for the embargo, which fuelled anti-Indian sentiments among the country's hill elites and other citizens. Beijing sensed an opportunity and promptly began strengthening its connections to Kathmandu. Worried about the increased Chinese influence over Nepal and flowing anti-India sentiments, New Delhi voices claimed that India's long-term objectives in Nepal would be best served by not supporting the Madhesi movement in view of the strengthening partnership between Nepal and China. As a result, after the Madhesi riot in 2015, India cautiously shifted its focus in sustaining its relations with the Kathmandu administration, while putting the Madhesi question on wait. For instance, Hindustan Times in a report published on May 16, 2017 claimed that "Indian diplomats in Kathmandu have told Nepal's Tarai leadership to drop the demand of changes in constitution and participate in the second phase of local elections scheduled next month, a move being seen as a dramatic U-turn on a policy crafted over two years."²⁸ Moreover, during the trip of Nepal's prime minister to India in September 2016, both the countries reached in a number of negotiations in an effort to bridge the trust gap. These included India providing Nepal with USD 1 billion in economic assistance to aid in the country's post-earthquake reconstruction, as well as USD 100 million and 250 million Lines of Credit (LoC) to develop roads and power infrastructure in Nepal.²⁹ The diplomatic talks led to the fourth round of the Joint Commission in October 2016. "The Joint Commission provided an opportunity to review political exchanges and bilateral cooperation in all areas and to provide necessary political guidance for further enhancing the traditionally warm and close relations."³⁰ In addition, Indian President Pranab Mukherjee visited Nepal for three days from November 2 to 4, 2016, with the hope of mending the country's strained relationship of trust. After a gap of 18 years, this was the first State visit by an Indian President to Nepal which was intended to bridge the gap of mistrust. India has taken a number of diplomatic measures to help Nepal, including bolstering development cooperation and providing humanitarian relief in the wake of the COVID-19 outbreak. During the COVID-19 outbreak, as part of India's efforts to bolster its diplomatic ties with Nepal, India provided Nepal the COVID-19 vaccine that was developed domestically in India.

II. Conclusions

In view of the fact that India and Nepal share an open border, the ramifications of violence and instability in the Terai would impact India's security. India's involvement into the Madhesi issue can be analysed from the point of view of the Madhesis' cross-border ethnic links and familial relationships specially with Indian states of Bihar and Uttar Pradesh. Furthermore, India was the guarantor of the 2008 Eight Points Agreement between the Nepalese government and Madhesi groups. Moreover, Nepal has always found India in every political change and peace process. Thus, India, being the largest democracy in the world and the guarantor to the 2008 agreement, has a moral obligation to raise its voice against any form of discrimination towards the Madhesi people by the Nepalese government. On the other hand Nepal viewed India's stance on Madhesi issue as an interference into the sovereignty of Nepal. Nepali political leaders blamed India's invisible hand behind the Madhes movement. During the period of Madhesi protest Nepal-China relationship reached a new height. The Nepali leaders approached China to counter-balance India. In the wake of anti-India sentiment after the Madhes movement China has been aggressively increased its presence in Nepal. Thus, Madhesi movement in Nepal seemed to be negatively impacted India's interest. The combination of instability in the border area and porous border between the two Himalayan nations has significantly increased India's strategic, security and economic danger.

²⁷See for details Pattanaik, S. S. *New Nepal, Old Politics*, September 28, 2015, Retrieved from <https://www.idsa.in/>: https://www.idsa.in/idsacomments/NewNepalOldPolitics_ssattanaik_280915

²⁸See for details Prashant Jha, India 'shifts' stance, asks Madhesis to drop demand for changes in constitution, May 16, 2017, retrieved from <https://www.hindustantimes.com/india-news/india-shifts-stance-asks-madhesis-to-drop-demand-for-changes-in-constitution/story-29xYUN0YocCnRFTSiyOWOP.html>

²⁹ See for details Ministry of external Affairs, *India-Nepal Joint Statement during the State visit of Prime Minister of Nepal to India*, September 16, 2016, Retrieved from <https://www.mea.gov.in/index.htm>: <https://www.mea.gov.in/bilateral-documents.htm?dtl/27407/IndiaNepal+Joint+Statement+during+the+State+visit+of+Prime+Minister+of+Nepal+to+India>

³⁰ See for details, Ministry of External Affairs, *India-Nepal Joint Commission Meeting (October 27, 2016)*. Retrieved from <https://www.mea.gov.in/index.htm>: https://www.mea.gov.in/press-releases.htm?dtl/27540/IndiaNepal_Joint_Commission_Meeting_October_27_2016

Therefore, India should revisit its foreign policy approach to secure its national interest in Nepal. India must adjust its approach to protect its interests in Nepal. The fact that India maintains strong cultural, historical, and people-to-people links with Nepal gives it an edge. Since public opinion has a significant influence on the foreign policy of any nation, India should reap the benefits of this. India must ensure that her promises to Nepal are kept. While India could hardly prevent Nepal from reaching out to China, but it should ensure that Nepal's relationship with China takes India's interests into account. India's foreign policy can not dare to ignore the geo-political importance of Nepal, therefore, India need to wisely act in matters of the Madhes issue to secure India's national interests.

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