

Role of Dialogue in Mainstreaming the Armed and Political Groups in Terai

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Introduction

In recent times, Nepal went through one of the most unique and peaceful transition in polity change. The Maoists, who launched the Peoples' war in 1996 to fight against the despotic rule of Monarchy, gave up the armed struggle and joined hands with mainstream political parties which resulted in the Peoples' movement of 2006. This combined effort of Nepal's mainstream politicians and the erstwhile insurgents forced the King to step down, and power was handed over to the people in April 2006. The successful April movement was followed by the signing of the Comprehensive Peace Agreement (CPA) that paved the way for confinement of the PLA and their arms in cantonments under UN supervision. CA election was conducted, and after having surprised everyone (including themselves) with a spectacular performance, the CPN-Maoists are now leading a coalition government.

In fact, the story of Nepal's conflict can be described as a lesson in itself, because no where in the world has violent conflicts of this nature hit such death end within a short time as seen in Nepal. Similarly, no transition from one polity to another has ever been so smooth and quick. However, it has to be noted with care that unless the issue of PLA rehabilitation is completed, the ongoing peace process cannot be said to have had a meaningful end. Likewise, unless the unrests in the Terai is handled with care and brought to an end with the involvement of all the aggrieved, including the armed groups, Nepal's conflict cannot be said to have come to a logical and final conclusion.

This paper examines some of the causes for the continuance of unrests in the Terai, by making an attempt to define the term "Terai" in the light of contemporary understanding. It also tries to examine certain characteristics of the armed groups active in the Terai in order to draw a critical conclusion as to how they should actually be defined. The paper advocates the role of dialogue as chief means of mainstreaming these disgruntled sections of the Madhesi society, including the moderates, whose faiths are largely rested in the ability of parliamentary democracy to deliver, but dissatisfied with the mechanism now in place. The paper also spells out what roles other institutions can play in making the dialogue a success.

Back ground

In trying to understand Nepal as a geographical entity, the area called "Terai" essentially means the southernmost part of the country, or generally meaning the plain portion of Nepal. It comprises of twenty, out of the seventy five districts of Nepal and stretches from Jhapa in the east, to Kanchandpur in the far-west. It is inhabited by ethnic groups which may be generally classified as the Paharis, Madhesis, besides other ethnic groups who do not favor being classified as Pahari or Madhesi. However, in the present political context of Nepal, if the problems in the region are discussed, it generally refers to the problems concerning the Madhesi people. The various armed groups which are active in the region largely represent the Madhesi community. Therefore, the ongoing armed struggle should be seen more as an ethnic uprising of a particular community, rather than viewing it as a regional unrest¹. In other words, these are outfits fighting against perceived discrimination of the Madhesi community by a dominant ruling elites of Kathamandu. The Madhesis are Nepalese, having close linkage to certain communities of India, in language, social, and cultural aspects. Their origin as Nepali citizen date back to as early as 1816, that is the signing of the Treaty of Sugauli, which is much ahead of Indian independence and India emerging as a sovereign nation². In the history of Nepal however, the people of Terai, especially those belonging to the Madhesi community have not received the same kind of attention as Nepali citizens. They have identity problem and face economic discrimination. Besides, they lack due political participation and have problems

related to language and culture. Also, they are marginalized in state governance system. Here, the term “madhes” is used as or near synonym of Terai, but it, and Madhesi (used for people) have distinct political connotations³.

Causes of armed struggle:

The sudden upsurge armed movements in the Terai region may be attributed to the following factors:

(1) Inspiration from the Maoists:

The history of Maoists arm struggle has come as source of inspiration for the armed groups in the Terai. There is a wrongly perceived notion that in Nepal, no political demand can be achieved unless it is done through violent means. The formation of the Madhesi Rastriya Mukti Morcha (MRMM) by the Maoists was seen as an example towards this belief. The MRMM was also responsible directly or indirectly for the spread of Armed movement in Terai. The replacement of Goit by Matrika in the MRMM as Chief resulted in formation of the Jantantrik Terai Mukti Morcha (JTMM)⁴ The Janatantrik Terai Mutki Morcha (JTMM) thus emerged as the first armed group representing the Madhesis in 2004 (BS 2061 Srawan 10).⁵ Two years after that, another disgruntled group led by Jwala Singh (Nagendra Paswan) formed a rival faction under the same name, commonly known as the JTMM-J. Since then, the birth of new armed groups through factional splits or formations of new outfits have become a regular feature.

1. Lack of clear agenda by moderate Madhesi leaders resulting in slow progress in achieving Madhesi demands:

The moderate leadership within the Madhesi community lacks a clear vision as to how democratic movements should be carried out. Their demands are confusing. They have been shifting their demands from complete freedom of Terai to autonomous Terai region without any seriousness. Their slogan *Pradesh nahi to desh* is confusing the public. With a view to achieving more mileages, they sometimes vouched for radical means of struggle. Besides they think that the only way to put pressure on Kathmandu and the Maoists is to have the armed groups in the background.⁶ Moderates worry that a resort to arms could degenerate into violence for its own sake and criminality, which would increase Madhesis problem by encouraging the government to crack down, but still feel that “*yah hamare pahalwan hein*” (these are our fighters).⁷

2. State insensitivity towards democratic political movement:

After the success of the *Jan Aadolan* and subsequent formation of the interim government, the government did not take the democratic political movements seriously. Instead of approaching the problem with seriousness, the state adopted delay tactics in order to demoralize the moderate leaders. Though the Prime Minister GP Koirala addressed the nation on issue of Madhesis twice in Magh 2007, the first talk between the Madhesi Jan Adhikar Forum (MJF) and the government took place only in June 2007 after a gap of six months.⁸ Mainstream actors including the Maoists could have used this opportunity to make the peace process more inclusive by fulfilling some minimum pre-conditions laid down by agitating groups and creating an open environment for talks. Instead the eight parties calculated that conceding some substantive demands unilaterally could obviate the need for negotiations.⁹ This inordinate delay in reaching out to the Madhesi moderates was exploited by the armed groups.

3. Post-Janadolan Maoists adventurism, and State high-handedness:

Though the Maoists entered the peace process, use of violence did not stop especially by the newly formed Young Communist League (YCL). This intimidating tactics of the former guerrillas culminated into the killing a student agitator in Lahan on January 19, 2007.¹⁰ This incident sparked off the Madhesi agitation in the Terai which continued for 21 days. During the agitation, the state used excessive force. This resulted into death of 30 people and more than 800 people injured.¹¹ The state was now seen by the Madhesi people as furthering the interest of the Pahari dominated Government and the Maoists. These developments lend legitimacy to the arms movement.

4. Prolonged post-conflict transition and absence of state presence in rural Terai:

Between November 2006 (Signing of the Comprehensive Peace Agreement) and April 2008 (the conduct of the CA elections), the absence of state in rural Terai became pronounced. Due to the Madhesi agitations, the police posts from most of the rural Terai region were withdrawn and became confined to district headquarters. This facilitated the armed groups to carry out their activities without any hindrance. The work of maintaining law and order went to the hands of the Madhesi armed groups, and the public was made to see them as substitute for state forces.

5. Exploitation of the arms groups by vested interest groups:

The sudden upsurge of a number of armed groups in the Terai was exploited by various vested interest groups such as extreme Hindutva groups, groups who do not have faith in democratic processes, and certain international players who are interested in continuing their hold in Nepal.¹² Certain outfits like the Nepal Defense Army and Dharamvir Sena are known to openly vouch re-instatement of a Hindu Kingdom and the Hindu King.¹³ Incidents like the bomb blasts in Kathmandu and the blasts inside a passenger bus targeting civilians are claimed by the Terai Army who are less heard off for activities such as extortion.¹⁴

Characteristics of Arms groups:

None of the Terai armed groups could be termed as insurgents in the real sense. They do not indulge in political indoctrination of the masses, but are more of those known for using extreme measures as mean of political bargain. However, their political agenda is clear. They want independent Terai region, free from what they called, domination of ruling class from the hill community. No doubt there are elements within them who are indulging in criminal activities and also act as mercenaries at the instance of certain elements who do not want democracy to move forward. There are also others within the groups who take advantage of the lax law and order situation to indulge in criminal activities.¹⁵ This necessarily does not discount their capability to take some section of the Madhesi population along. Despite being loosely knit organizationally, many armed groups have the potential to create political turmoil in the region.

Why dialogue:

By dialogue we mean a two way communication. A dialogue accepts that one has the capacity to listen and accommodate. Such an approach permits us to accommodate any different view point without abandoning ourselves.¹⁶ In the present political context of Nepal, the only way forward towards achieving a meaningful end to the ongoing peace process, and also successful drafting of the new constitution is to ensure acceptance by the maximum majority through

dialogue. In this background, dialogue with disgruntled Madhesi groups is of utmost importance. It has to be noted that the national process do not end by simply bringing the former rebels (Maoists) to mainstream politics. The peace process will be incomplete if the present Madhesi unrest is allowed to linger on without mutually acceptable solution. Therefore, dialogue with Madhesi armed groups must be taken up as second phase of national peace process. To have a meaning dialogue, the following two phases may be adopted:

(a) Confidence building measures with Moderate groups:

Though certain Madhesi political parties are coalition partners in the present government, this by itself is no guarantee of lasting peace. The general dissatisfaction still has the potential of snowballing into major crisis. The agreed terms and conditions of the agreement signed between the government and United Democratic Madhesi Front before CA elections are still to be implemented. Unless these terms and conditions are fully implemented, the Madhesi political parties (MJF, TMDP and SP) may exploit the non-implementation by walking out from the government/parliament. One indication towards such development is the decision taken by the National Working Committee of Sadhavana Party at Janakpur on 14-15 October, 2008 that “in case government and CA’s failure to implement the eight point agreement, the party will abandon the government and the CA and hit the street”.¹⁷ Similarly, there are public pressures on the other two leading parties, namely the Madhesi Janadhikar Forum (MJF) and the Terai Madhes Loktantrik Party (TMDP) to either get the eight point agreement implemented, or go for fresh agitations to be called as “third Madhesi Movement”.¹⁸ Therefore, this vulnerability can only be effectively mitigated through confidence building measure by implementing the agreed points so that these Political parties can be part of the next dialogue process, i.e. with armed groups.

(b) Talking with the Armed Groups:

The government’s recent call for talks with Terai armed groups¹⁹ is a welcomed development. However, if the dialogue is intended to be fruitful in mainstreaming them, more needs to be done than what is so far seen. The following steps needs to be taken: (1) The invitation from the government must be delivered to all groups, irrespective of their strengths and followings; (2) Have clear cut instructions to security forces to deal them pragmatically with patience and liberal approach; (3) Refrain from uttering provocative statements which discourage the armed groups; (4) Create a congenial atmosphere by doing proper home work and initiating back channels; (5) Take the CA into confidence and involve civil society and other democratic institutions in the dialogue process; and (6) Allow Madhesi political leaders to play vital roles.

Role of International Community:

One of the main groups led by Jay Krishna Goit had earlier expressed its willingness to talk to Nepal government provided the UN monitored the talk process. There are also others who desire the intervention of neighboring countries, particularly India, to mediate as broker in talk process with the armed groups. However, such outside participation will not be fruitful at this point of time. The international community must, however, lend all possible assistance to the Nepal government in order to make such dialogue meaningful. This can be done by urging the Madhesi moderate leaders to use their good influences in bringing the disgruntled armed groups to negotiating tables, and also play a constructive role to sustain the dialogue so that it does not break down in between.

Role of Madhesi political parties and civil society:

The single most positive role politicians of Terai can play in mainstreaming armed groups is to discard the dual mindset of considering these armed groups as buffer for bargaining with Kathmandu. Secondly, they must ensure that the state does not take such step which would demoralize and affect the morale of the armed groups. Similarly, the civil society must start taking the armed struggle as the problem of Madhes, and not of the state. They should, therefore begin putting pressure on these groups to opt for peaceful means through talks.

What Role can Media play?

Media around the world has been often accused of sensationalizing news without actually taking into account the short term or long term implications. The Nepali media in general and the Terai media in particular are not much different. There are instances where the media senselessly portrayed the armed groups giving a larger than life picture of them. This encouraged them not only to intensify their activities, but also to create terror among the people without being involved physically.²⁰ The media can help the state by correctly presenting the strengths and weaknesses of different outfits which will enable proper assessments. It should refrain from acting as agents of either parties and disseminate impartial and transparent information. The present practice of media being used as agents of the government should be avoided. The media must also objectively present the views and inner feelings of the common people with regards to how violence is being viewed. Certain news which may act as hurdle to dialogue should be avoided in public interests.

Conclusion:

In a multi-lingual pluralistic society like Nepal, there can't be greater disaster than getting into conflict situation. Nepal was devastated by ten years of Maoists peoples' war. However, the country is also fortunate to have seen an end to the decade long conflict through mainstreaming of the former rebels which is the outcome of the Maoists realizing the futility of violence. This conflict however cannot be said to have ended unless the present unrests in the Terai is brought to an end. Dialogue with the disgruntled groups in the region therefore is the only way forward to ensure lasting peace in Nepal. The Maoists who are now leading the government, and who have earlier experienced the bitterness of being ditched by successive governments must not give back what they once received and treat dialogue with Terai groups with seriousness. Similarly, the armed groups and political parties in the Terai must value the importance of dialogue if the people's aspirations are to be fulfilled. Solutions can only be found when people talk to each other. Therefore, serious dialogue between the stakeholders seems to be the only alternative left to give peace a chance.

Reference

1. The main group active in the Terai, namely the Janatatrik Terai Mukti Morcha (JTMM) is purely represented by Madhesi activists
2. India became independent nation on August 15, 1947. Before that, the country was known as British India
3. Nepal's Troubled Terai Region, Policy Report, July 2007: International Crisis Group
4. Vijay Prasad Mishra, *Madhesi Vidhrohko Naliveli*, A Martin Chautari Publication, p/43
5. ibid
6. Chandrakishore: *Dhul Mul Niti*.....Kantipur Daily, October 23, 2008
7. Nepal's Troubled Terai Region, Policy Report, July 2007: International Crisis Group...p/16
8. Government, MPRF Talk underway: The Kathmandu Posts, dated June 1 2007.
9. Nepal's Troubled Terai Region, Policy Report, July 2007: International Crisis Group...p/16
10. Student dies as Maoist cadre opens fire, curfew clamped in Lahan, www.ekantipur.com dated 19 January, 2007
11. Bhaskar Gautam: *Madhesi Vidhrohko Naliveli*, A Martin Chautari Publication, p/16
12. Chandrakishore: *Dhul Mul Niti*.....Kantipur Daily, October 23, 2008
13. Vijay Prasad Mishra, *Madhesi Vidhrohko Naliveli*, A Martin Chautari Publication, p/55
14. Kiran Nepal, *Kathmandu Bomb Kadtko Bhitri Pato*, Himal Khabar Patrika dated 18th September, 2007
15. Chandrakishore, *Banduk Bisaunae Bato*, an article in Kantipur Daily, October 6, 2008
16. Murli Manohar Joshi, Dialogue of Culture and Civilizations in the Global World, - A speech delivered at the seventh International Likhachev Scientific Conference held on 24-25 May 2007 at St. Petersburg, Russia, can be read in Man & Development, March 2008. p/171
17. Sadhbhavna Party National Working Committee Meeting decision- point 3-5
18. Indication made by Jay Prakash Gupta in a Nepal-India Conference in Varanasi, India in September 2008
19. Government Invite Terai groups for Talks: The Kathmandu Post, dated October 4, 2008.
20. Local FM stations voicing the propaganda of armed groups as news has encouraged publicity through violent acts.