



Centre for Air Power Studies (CAPS)

Forum for National Security Studies (FNSS)

CONSTITUTIONAL CRISIS IN NEPAL: INDIA'S INVOLVEMENT AND THE CHINA FACTOR

Ms Shaheli Das

Research Associate, CAPS

The political transition in Nepal has once again brought India and China face to face. The geopolitical importance of the country has been best realised in the recent times with the constitutional crisis in the country being elevated from an issue of domestic conflict to one defining the security dynamics of South Asia to some extent.

A question that intrigues is the urge to understand the motive behind these two big neighbours taking renewed interest in Nepal's political crisis. With regard to India's role in the country, eminent scholar C Raja Mohan has aptly stated: it is geographical proximity, economic interdependence and cultural intimacy that has time and again drawn India into Nepal's problems. The recent decades have witnessed the manifestation of this argument into reality more visibly. Although India has been more closely involved in the historical process of Nepal yet heightened Chinese activism in the domestic politics of the country in the recent years has laid an invisible pressure on India's incumbent Prime Minister Narendra Modi to

re-vitalize relations with Nepal. Further, India's proactive participation in Nepal's efforts of bringing about a peaceful political transition is a manifestation of its neighbourhood diplomacy. It is due to these reasons and the refurbished importance that India has ascribed to this neighbouring country that Nepal has turned out to be the only foreign destination in India's immediate neighbourhood that PM Modi has visited twice.

The promulgation of the new constitution, which is a replacement of the 2007 interim constitution, has propelled massive political turmoil in the country. The crux of the conflict revolves around the distinct advantages that have been crystallised for the Nepalese elites in Kathmandu while disenfranchising indigenous groups like the Janjatis, Madhesis and Tharus of the Terai region.¹ This marginalised section which constitutes as much as half of the total population of the country has remained largely isolated from the constitution making process.² Subsequently the new constitution stands much in favour of the elites in Kathmandu.

The intensification of the crisis owes itself to the vehement protests voiced by the indigenous majority against their underrepresentation in the national legislature and the decision of the government to redraw the political subdivisions of the country which in turn has lowered their political power. In these circumstances India as a successful democracy has tried to intervene and resolve the tensions in the domestic politics of the country and subsequently stated its preferences.

Quite explicitly India has expressed its disapproval of the new constitution and championed the cause of the disenfranchised groups in Nepal. One must bear in mind that the ideological inclination of a government greatly influences its bilateral relations with other nations. Therefore, unlike former Nepal Prime Minister Sushil Koirala who demonstrated a pro-India tilt owing to similarities in the ideology of the Nepal Congress and the Indian National Congress, the newly incumbent Prime Minister Khadga Prasad Sharma Oli has illustrated no such preferences. This along with India's proactive intervention in the present constitutional crisis in Nepal has estranged India from garnering the goodwill of the elites in Kathmandu.

On its part, India seeks to resolve the political crisis in Nepal as instability in this neighbouring country may have a spill over effect on the Indian Territory. The Madhes region borders the Indian states of Bihar and Uttarakhand. Therefore India fears that crisis in the Madhes region may have an

impact on Bihar that comprises seven districts bordering Nepal.³

Further, there is much likelihood that a state of flux in Nepal may raise the chances of the porous Indo-Nepal border being used by non-state actors to launch terror attacks against India, causing avoidable turmoil in the country.

China on the other hand has embraced a cautious approach. It has not made explicit testimonials as India but has sought to use this unanticipated opportunity to further its strategic interest in the region. Such a gradual escalation of Chinese activities in India's neighbourhood may loom large as a security threat for India in the near future. China recognises the importance of Nepal in its foreign policy agenda due to certain factors. Foremost being the security issue that Nepal stands as the southern gateway of Tibet, which in turn is the "soft belly" of China. Secondly, Nepal could act as a common ground for China to access the major markets in South Asia.⁴ To facilitate such an objective, in August 2014 China had opened up a high altitude railway from Lhasa to Shigatse, which is the second largest city of Tibet and the nearest town to the Nepalese border.

In line with China's desire to increase its footprint in the Indian neighbourhood and subsequently exercising a covert pressure on India, disabling it to rise above the regional tensions and flex its muscles as a great power in the international realm, China is tactically using India's cards against it in Nepal. The geographic location of Nepal makes it heavily dependent on its neighbours for supplies

and transit. With India circumventing it in the east, west and south and China in the north, India's stand to unofficially blockade trade and the transfer of fuel to Nepal has had a massive impact on the country's economy. In a way, India's move has left Nepal with no option, but to lean towards China. As Harsh V Pant aptly writes, "What could have been a defining moment for Nepal is mired in internal conflict and regional posturing".⁵

China has grabbed this opportunity to further its interest in the region. As a brisk move, China has stepped forward to re-inforce its ties with this Himalayan state. Not only has China offered assurance of expediting efforts to re-open its borders with Nepal, which had remained closed ever since the massive tremors hit the country, but has also promised it the much needed supply of fuel.⁶ For the first time in history, China would be supplying gasoline to Nepal to the tune of 1000 metric tonnes. The first shipment of fuel from China is expected to reach Nepal in a few days. The Chinese assistance to Nepal at this moment of crisis has come upon as a great relief for the government and people of Nepal.

The present state of affairs demonstrates a foreseeable future of deep-seated and strong Sino-Nepalese bond under Xi-Oli administration and a sustained phase of security tension for India. With India remaining at some distance from realising its dream of being recognised as a great power in international politics, it should learn an important lesson of foreign policy behaviour from China, from this episode. China's status as a great power in international politics owes itself to strategically

planned diplomacy, be it "lying low" at some point in history to demonstrating an assertive or a win-win posture in the present times. A more nuanced stand of India without the assertion of its might on Nepal in terms of blockading the transit of trade and fuel would have denied China of a strategic advantage in Nepal. With it having surpassed India as the largest foreign investor in Nepal in 2014, there is much likelihood of Nepal preferring China over India. Clearly it is an open trial of India's neighbourhood diplomacy and a landmark episode of Prime Minister Modi's foreign policy strategy outcome.

(Disclaimer: The views and opinions expressed in this article are those of the author and do not necessarily reflect the position of the Centre for Air Power Studies [CAPS])

Notes:

¹ Ankit Panda, "India, China React to Nepal's Constitutional Crisis", *The Diplomat*, October 8, 2015, <http://thediplomat.com/2015/10/india-china-react-to-nepals-constitutional-crisis/>

² Harsh V Pant, "Nepal's Constitutional Crisis Involves its Giant Neighbours", *Yale Global Online*, October 15, 2015, <http://yaleglobal.yale.edu/content/nepals-constitutional-crisis-involves-its-giant-neighbors>

³ Dipanjan Roy Chaudhury, "Senior Officials from India in Talks With Nepal, Want to Fix Madhesis Crisis", *The Economic Times*, September 18, 2015, <http://economictimes.indiatimes.com/news/politics-and-nation/senior-officials-from-india-in-talks-with-nepal-want-fix-for-madhesis-crisis/articleshow/49005858.cms>

⁴ "Power Play: China and India Jostle for Influence In Nepal", *Post Magazine*, August 17, 2014, <http://www.scmp.com/magazines/post-magazine/article/1572819/caught-middle>

⁵ Harsh V Pant, "Nepal's Constitutional Crisis Involves its giant Neighbors", *Yale Global Online*, 15 October 2015, <http://yaleglobal.yale.edu/content/nepals-constitutional-crisis-involves-its-giant-neighbors>

⁶ "China Steps Up Efforts To Reopen Border With Nepal", *NDTV*, October 12, 2015, <http://www.ndtv.com/india-news/china-steps-up-efforts-to-reopen-border-with-nepal-1231316>