

Self-Determination Between Two Giants: Geopolitical Obstacles to Democracy in Nepal

By Jack Shangraw

Two events in Fall 2019 put Nepal's foreign relations in international headlines. In October Chinese President Xi Jinping visited Kathmandu, accompanied by announcements of new Chinese-funded infrastructure and transportation projects in Nepal, including railways, highways, and airports.¹ But Xi's visit also had darker political undertones. Dozens of Nepali citizens who were protesting on behalf of Tibetan refugees in the country or who simply had Tibetan writing on their clothes were arrested by Nepali police, so as not to publicize any anti-Chinese sentiment in Xi's presence.²

The second event was the release by India of a new national map officially marking the disputed Himalayan region of Kalapani as Indian territory.³ Nepal has long claimed this small strip of land and considers the Indian presence there an illegal occupation. After student protestors took to the streets of Kathmandu outside the Indian embassy, demanding that India "Back off" and respect what Nepal considers to be its sovereign territory. India so far has simply shrugged off these complaints, claiming that Kalapani has always been a part of India. In the fallout of the most recent dispute, it also was revealed that China has encroached on Nepali

¹ "Bhadra Sharma and Kai Schultz, "Xi Jinping Comes to Nepal Bearing Investments, and India Is Watching," Oct 12, 2019.

² Bhrikuti Rai, "Nepali citizens detained during Xi Jinping's visit for Tibetan signage on clothes and accessories," The Kathmandu Post, Oct 17, 2019.

³ "India's updated political map stirs controversy in Nepal," Al Jazeera, Nov 8, 2019.

territory during its construction of road projects near the border, causing anti-Chinese protests in Kathmandu as well.⁴

Self-determination is a fundamental right for states in the international system. Nepal, as a landlocked, mountainous state sandwiched between the two most populous countries in the world, faces inherent challenges to its right to self-determination from China and India. Nepal's location and the actions of China and India have posed a major obstacle to Nepal's democratic transition by violating the country's right to self-determination over politics, economics, and territory.

Fostering Democracy Between Two Superpowers

Nepal's location along the Himalayan mountain range between China and India has affected much of its historical development. Nepal's population is majority Hindu and its leaders have historically shared ties to India, although Nepal remained an independent kingdom during India's period of British colonization.⁵ Nepali soldiers helped the British colonial authorities put down the Sepoy rebellion against British rule, which led to a longstanding tradition of elite units of Nepali soldiers, known as Gorkhas, serving in the British (and later Indian) armies.⁶ Today, the southern plains of Nepal known as the Tarai is home to many Nepalis who belong to ethnic groups that also inhabit Northern India and speak non-Nepali languages.⁷ The natural barrier of the Himalayas and the vast expanse of the Tibetan plateau has prevented as longstanding a connection between Nepal and the population centers of China. Since China's invasion of Tibet

⁴ Vasudevan Sridharan, "Nepal protesters burn Xi Jinping effigies over China's alleged border encroachment," South China Morning Post, Nov 12, 2019.

⁵ John Whelpton, *History of Nepal*, (2005).

⁶ Bipin Adhikari, "Gurkhas in the Indian Mutiny," Apr 9, 2015, <https://www.spotlightnepal.com/2015/04/09/gurkhas-in-the-indian-mutiny/>.

⁷ David N. Gellner, *The Idea of Nepal, Mahesh Chandra Regmi Lecture 2016*, (Kathmandu: Social Science Baha, 2016), 14-15.

in the 1950s, tens of thousands of Tibetan refugees have settled in Nepal, leading to tensions between Nepal and China regarding the politically sensitive status of Tibet within China.⁸

Nepal's road to democracy has been bumpy. After a brief foray into liberal democracy in the 1950s, the country was led by an autocratic royal bureaucracy until 1990. Nepal's Maoist insurgency caused unrest for another decade, until peace and the restoration of democracy was achieved in 2006, since which a new constitution was promulgated, and the state transitioned to the current federal democratic structure. While corruption and a lack of local government capacity have posed obstacles to efficient and responsive government, the influence of China and India have also posed a roadblock to the full implementation of a democratic state.

Violations of Self-Determination

After the end of Nepal's Maoist insurgency and the dissolution of the monarchy, a Constituent Assembly, led first by the Maoists and then by the moderate Nepali Congress party, struggled for almost a decade to draft a constitution. This process was marked by repeated interference by powerbrokers in India, who expected a hand in the country's post-war trajectory.⁹ The Indian government was especially concerned with the structure of Nepal's federal units, to ensure that the regionally-based Madhesi parties of the south, who were sympathetic to India, would have the majority in multiple provinces. This dispute culminated in India's 2015 blockade of imports into Nepal, which caused major fuel and medicine shortages in the aftermath of the devastating earthquake that occurred in April of that year.¹⁰ The Nepali government eventually gave in to India's demands on the constitutional provisions in order to have the blockade lifted.

⁸ Gopal Sharma "Nepal detains Tibetan refugees in crackdown as China's influence grows", Reuters, 2016. <https://www.reuters.com/article/us-nepal-tibet-refugees-idUSKBN13A2BQ>.

⁹ Prashant Jha, *Battles of the New Republic* (Hurst, 2014)

¹⁰ Shyam Sundar Budhathoki and Hellen Gelband, "Manmade earthquake: the hidden health effects of a blockade-induced fuel crisis in Nepal," *BMJ Global Health*

Nepali reliance on the Indian border for trade, a natural consequence of its geography, thus limited the ability of an elected body to draft a national constitution without the interference of a foreign power, violating self-determination.

China's influence has played a larger and larger role in the past several years, especially given Chinese President Xi Jinping's focus on expanding China's regional clout under the Belt and Road Initiative.¹¹ The ideological kinship between Nepal's governing Communist Party and the Chinese state has led to further speculation that China will increasingly compete with India for influence in Nepal.¹² China is currently funding several major infrastructure projects in Nepal, including highways, airports, energy projects, and a proposed new rail link between Tibet and Kathmandu that was announced during a recent state visit of Xi Jinping to Kathmandu.¹³ Alarming, during Xi's visit dozens of Nepali citizens were arrested for wearing clothing or making statements that supported Tibetan freedom or Tibetan refugees, demonstrating the Nepali government's willingness to bow to ideological pressure from Beijing.¹⁴ Additionally, the tourism industry, on which Nepal is increasingly reliant, sees Chinese visitors as a means of expanding the sector, leading to government-backed efforts to make Nepal more attractive to Chinese tourists.¹⁵ All of this taken together shows the growing reach of the Chinese state into the internal decisions of the Nepali government. Policymakers must increasingly consider the economic ramifications of taking actions unpopular with China, which constrains their ability to represent the interests of their constituents, preventing real self-determination or meaningful

¹¹ "Nepal joins China's 'One Belt, One Road' initiative, possibly alarming India," South China Morning Post, 2017.

¹² Ibid.

¹³ Gopal Sharma, "Nepal eyes railway deal with China during Xi visit," Reuters, 2019.

¹⁴ Bhrikuti Rai, "Nepal: People held for Tibetan signage on clothes during Xi's visit," Asia News Network, 2019.

¹⁵ Sangam Prasain, "After Xi Jinping's visit, Nepal is expecting a surge in Chinese tourists," Kathmandu Post, 2019.

democracy. The territorial disputes mentioned above demonstrate how these economic and political violations of self-determination can translate into actual territorial incursions as well.

The chart below summarizes the violations of self-determination faced by Nepal as well as potential paths forward to address these situations:

| | China | India | Solutions for Nepal |
|--------------------|---|--|--|
| Political | Suppression of Tibetan refugees during official visit; influence over foreign policy statements | Interference in Nepal's Constitutional process | Addressing internal corruption, increasing accountability to citizens, expanding partnerships with other countries |
| Economic | Increasing economic investment, risk of dependence | 2015 Trade Blockade | Expand trade ties beyond China and India, use leverage between the two large countries |
| Territorial | Territorial encroachment as part of infrastructure projects | Kalapani Dispute | Garner support from the international community in negotiations with India |

Conclusions

While Nepal's geography has complicated its ongoing transition to democracy, it also provides opportunities going forward. China and India are large and powerful neighbors with overlapping spheres of influence in Asia. Nepal's government, recognizing this rivalry, must try to leverage the interests of its neighbors in a way that strengthens Nepali democracy, rather than constrains it. Instead of bowing to pressure from India or China to undertake or not undertake a policy decision, Nepal should instead act assertively and threaten becoming closer to the other neighbor as a way of maintaining their sovereignty. Fighting corruption, which is a major issue in Nepal, will also be necessary to successfully implement this shift, so that politicians or other Nepali powerbrokers cannot be bought off by Chinese or Indian interests. Fostering democracy

as a small country between two superpowers remains a challenge, but with effective leadership it needs not be impossible.

Nepal's situation is not unique, as many other small countries still find themselves under indirect domination by the regional powers in their geopolitical neighborhoods. If large countries are able to determine the modes of economic development, political systems, or internal policies open to their neighbors, they are denying them full membership as independent states in the international system. This poses a clear violation of the principle of self-determination as has been established in international law. Acting together, countries such as Nepal must work to expand the application of the right of external self-determination to indirect neo-colonial forms of domination. In order for meaningful democracy to expand and thrive around the world, powerful countries must be held accountable by the international community when they seek to deny self-determination to their neighbors.

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