Chapter I

INTRODUCTION

Such princes and republics of Modern times as have no national troops for defense or attack ought well to be ashamed of it; for they should bear in mind that their not having armies of their own is not from the want of men fit for military services, but that the fault is wholly theirs, in not knowing how to make soldiers of their men. And there is nothing more true\[r\] than that, if there are no soldiers where there are men, it is not owing to any natural or local defect, but is solely the fault of the prince\footnote{Niccolo Machiavelli, 	extit{The Prince}, New York: The Modern Library, 1940. p175, as cited in Regmi, M.C. (1999), 	extit{Imperial Gorkha: An Account of Gorkhali Rule in Kumaun (1791-1815)}, Delhi: Adroit Publishers.}.

The chapter is a conceptual analysis with a short introduction of the research problem. It tries to analyze the historical and practical aspects of Nepali politics after the formation of modern Nepal in 1768. However, the focus has been on the post-1990 democratic experiences and the role of the King-military alliance in the thesis. The question, why the military has continued supporting the King and what factors make the King the key player in Nepali politics needs to be discussed just for the purpose of introducing the subject, though it has been dealt with in detail in other chapters of this thesis. Moreover, whether Nepal is still under the shadow of traditional monarchy or has it developed its own potentials of being a democratic state, draws our attention. Is democracy only a Western import? And had it not developed its intrinsic capacity to checkmate the ambitious monarch who ruled with the backing of the army? Could militarization or militarism, as we witness in other countries in South Asia, be comparable to deal with the threat against the established system in Nepal? All these issues have to be examined with a sound conceptual analysis of the interconnectedness of democracy and military. To make it more explicit, clear some of the key issues have been defined in this chapter. Thus, ‘Democracy’, ‘Democratization’ ‘Militarization’, ‘Militarism’, relation between the monarchy and democracy, and civil-military relation and the concept of democratic control of armed forces have been conceptualized in this chapter.
Military Tradition and Struggle for Democracy in Nepal

Military is the mainstay of power in authoritarian regimes that tries to enjoy legitimacy when it obtains power. The logic they have is either to remove a regime established by the colonial state or remove an "ineffective [or incompetent] government" whether it is elected by the people or nominated by other powers. In most developing countries, where political communities are badly split; political institutions have little power, less dignity and no ability to regain their strength, the elected government simply cannot govern the country because of the tradition of authoritarianism that stratifies and divides society highly on the basis of caste and class, and parochial political system prevailing in the country. Some of these pervasive features against democracy are: (a) ignored people; (b) traditional institutions, persons and groups are particularly crucial which are significant actors for politics; (c) the scope of the political system is limited and ineffective compared to that of multiparty system; and (d) the institution, person and group may or may not monopolize but performs all three functions—legitimating of political system, recruitment of political leadership, and interest aggregation and policy making.

In such a case, security of regime may be threatened more than the security of the state. Under such circumstances, the prevailing situation leads the state elite to concentrate their resources in the army and use it to crush ongoing and possible opposition or internal rebellion mounted by democratic groups or ethnic and separatist forces or radical communists. Thus, Nepal is no exception as it has been facing the same trends since 1775 A.D. i.e., after the death of Prithvi Narayan Shah, the founder of modern Nepal. Not only the ruling elite, but opposition also has been adopting the trends of militarization. People of Nepal struggled either through armed or non-armed means since the 1940s. However, such struggles were not going smoothly as defined by Baral due to "historical jumps" which means that Nepal's political development is characterized by perennial trends of uncertainty and incoherence. Hence, it jumps from one place to the other bringing forth newer trends which are not necessarily helpful for the evolving a system. Directly or indirectly, military and militants have been involved in such movements or struggles whether such involvement was for emancipation of the people or suppression of their

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activities. The reality is that the struggle conducted by the people in every decade was against the state authority: Makai Parba in 1920\textsuperscript{3}, Prachanda Gurkha Episode in 1932\textsuperscript{4}, Praja Parishad in 1940\textsuperscript{5}, anti-Rana Movement in 1950, Royal Coup and imposition of Partiless Panchayat system in 1960, Jhapa Uprising in 1971, Anti-Panchayat turmoil and Referendum in 1980, 1\textsuperscript{st} Mass Movement in 1990, collapse of multiparty system in 2002, 2\textsuperscript{nd} Mass Movement in 2006, Regional and cultural violence, particularly at Tarai-Madesh, Eastern hill and Chure Bhaver after 2006.

The leadership of the military, especially the officer corps, were often recruited from the elite who were around the centre of power. Above all “in ruining economics and the military can itself attain political and economic power or competing armed factions can try to appropriate their own slice of the cake, resulting sometimes in civil war, warlordism and state disintegration”\textsuperscript{6}. The ruling structure developed on the basis of Hindu caste stratification because of provision of distributing land to the civilian and especially to the military personnel under the provision of Jagir and Birta. It led ultimately to feudal political system. The members of noble families who controlled civil-military authority under the king were confined to fulfill their personal, group and class interests rather than the interest of the country and people. General public had no access to and control over power and resources of the country. As a result, on the one hand, society was divided on the basis of power and property, especially land—ruling and the ruled, and the rich and the poor. In spite of separating the civil and military authority and provision of recruitment, promotion, retirement and removal after 1950, military personnel at the top level who can influence decision-making are from the so-called high caste and class showing the exclusionary nature of the state structure.

\textsuperscript{3} A satiric book, Makaiko Kheti (cultivation of Mize) was written and published by Krishna Raj Adhikari. The satire was directed at PM Chandra Shamsher Rana. The author had questioned the socio-economic reform for the interest of the people. So he was arrested and kept in jail till his death.

\textsuperscript{4} A group of youth, calling themselves as Prachanda Gorkha, were planning to bomb in a house of a very senior Rana ruler, but the plot leaked out and the youth were arrested and detained in jail before the plane got succeeded.

\textsuperscript{5} Praja Parishad, a political party was formed in 1935 to restore democracy in Nepal with the concept of constitutional monarchy. Its leaders and activists were spread all over Kathmandu valley in 1940. They were arrested and jailed on the accusation of having attempted to assassinate the Rama ruler and his family. Four of them were sentenced to death and others remained in jail for a longtime. See in detail, Bishnu Pathak and Devendra Upreti, “The Culture of Militarization in South Asia: Both Army’s New Recruitment in Nepal”, \textit{Situation Update- 81}, March 17, Kathmandu: Conflict Studies Centre, 2009, p.5.

Similarly, the treacherous scheme for giving priority in building-up military and defense budget also formed a culture of militarization even during the unification of Nepal. The division of people in four castes as per the Hindu tradition marginalized the non-Hindus, as the role of Brahmmins and Chhetries was vitalized while the Vaishya and Sudra were subordinates to them for running the system. This tradition is still continuing despite a lot of changes that have taken place over time. Hence, militarization in Nepal is intertwined with the traditional rulers—both the Shahs and Ranas, whose thrust was to perpetuate an exclusionary state.

The military was used as the source of power for which the family members of the king and nobilities were involved in conspiracies and treachery. The result of involvement of military in countless parvas (massacres) before 1950 was that every king who succeeded the throne during 1777-1823 was a minor and during that period, the country was virtually ruled either by nayabs (regents) or mukhtiyar (prime minister). Military had failed to support the king and royal family during the rule of Rana oligarchy in Nepal. The military supported the Ranas in 1950 and later the Shah Kings, though it could not prevent the Royal massacre in 2001 that ended the entire family of King Birendra and other close relatives. Neither did it help in investigating the incident, but, ironically, it helped King Gyanendra, who in the eyes of general public was a grand-designer of the Palace Massacre. Yet the king either to suppress the democratic movement or to make democracy fail used it. To retain traditional power of the monarchy, militarization had been adopted by strengthening the number of personnel, increasing the defense budget, importing arms, and demanding military assistance from foreign powers. He ruled through acts and ordinances in favour of military, declared a state of emergency (SoE) that suspended the constitutional provision relating to civil liberty and adopting military deployment since 2001.

Monarchy had always been at the centre (except during the Rana oligarchy) of power and the military was looked upon as its ally. The royal family was pathetically divided after 1832 due to internal conflict and tensions because of the ambition of respective queens to

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secure the throne for their own sons or for some other personal reasons. Accordingly, nobilities contested for the post of Mukhtiyar and other top executive and military positions. Such struggle for power usually ended in bloodshed and massacres. Moreover, the measurement of power of any nobilities and members of Royal family was on the basis of support of military to grab and maintain the power. No prime minister of Nepal during 1777-1846 died a natural death. All of them either “committed suicide” or “fell prey to the bullets of hired assassins”. During the Rana period (1846-1950), the military was under control of the Ranas, thus providing political stability for more than a century.

Analyzing the political history of Nepal, it is found that whenever the king was a minor or incompetent, or the regent was less political, the prime minister became strong, courageous and clever in reducing the monarch to a mere figurehead, while all powers vested with the prime minister. It showed that military alone did not initiate any conspiracy but was involved and used by the power-seeking rulers and conspirators. Even the civilian leader using absolute authority was “interested to establish himself as Shri 5” [honorific for King], but was not able to do so. As both the military and king have similar class interests, one civil leader could be in power until he served or acted in the interest of the royal family or could not threaten the absolute power of monarchy before the Rana Rule. The rise of Bhimsen Thapa, Mathbar Singh Thapa, Gagan Singh and Jang Bahadur Kunwar, known as “Rana” clan, and elimination of them from the political scene are because of controlling and using the capacity of military by these civil leaders. Unlike these evidences, even during the Panchayat and after 1990, the civil-leader in government could be forced to resign from the post, but could not suspend the military officer, if there was a serious tussle between them.

10 Ibid.
11 Because of psychological faith of military in the monarch who had the traditional legacy of forming, developing and establishing military, whose loyalty and obedience was always to the king.
12 If any member of the royal family felt that he was in danger from civil-authority, the king or his favourite queen used to “eliminate them [latter] from the political scene forever” either by inciting the military to “kill and destroy [his] enemy” or by using Pajani (shuffling) system.
Military was the mainstay of politics that determined the power of rulers. Due to the tradition of loyalty of military to the king, militarization was increased for making the king strong, who was trying to rule by not only hiring and firing the prime ministers but also by forming the governments under his chairmanship. The kings occasionally became their own prime ministers in the post-1950 and the post-2002 period. In the post-1960 period, the king was both supreme and active leader. The king-military tandem made democracy fail due to the parties' weakened position and the use of the military by the king. On the basis of experiences in the post-1990 politics, it can be said that the main problems for the elected governments were: (1) king's negative attitude to deploy the army against the Maoists; (2) non-cooperation of army in the field after its mobilization; and (3) pressure built on the government by the army for fulfilling its own pre-conditions for entering into the combat operation in the Maoist affected areas. After the involvement of the army, the military seemed to dominate the civilian government so much so that the army had its own spokesman to monitor the activities carried out by it during the operations. During the period 2001-2005, the trends of militarization were on the increase greatly affecting the other sectors.

Civilian authority had promoted the process of militarization in Nepal after 1996 with both executive and financial support in accordance with demand of military. As a result, civil functions collapsed, and dependence and trust on coercive force had increased since 1996 especially after 2001, for solving the “law and order” problem for “national security”. Putting the Armed Police Force under the command of the military had further tightened the army grip over the other security agencies. The manner in which the elected governments confronted the non-cooperative army in the past had shown that the constitutional provision, that the army was under the control of the government, proved wrong. Practically, the king-army alliance continued to bypass the agenda of each elected government. Thus, today political parties have a unanimous view on putting the army under the control of the elected government.

Therefore, whoever wanted power found the military as the best constituency. It put both civil and military fields under the command of the power wielders, despite the lip service paid to the kings who lost power due to internal conflicts. This pattern continued from generation to generation until the Rana regime was overthrown in 1951. In 1950, the
military was used for suppressing the anti-Rana movement that was waged by the Nepali Congress for the establishment of democracy. During the era of party politics in the post-1950 Nepal, the monarchy that was restored in 1951 following King Tribhuvan's participation in the anti-Rana movement, once again started playing politics against the political parties. This was again the revival of the monarchical rule in Nepal under which the king could consolidate his absolute powers. Eventually, in 1959, he gave a constitution that made the king sovereign and source of power, despite the provisions made for parliament, elected government and accountability of the government to parliament. The constitutional provisions also gave wide-ranging discretionary powers to the king who subsequently used it for terminating the parliamentary process itself. On 15 December 1960, King Mahendra used the army to arrest the Prime Minister and other leaders. During the early phase of the royal rule in the 1960s, the army continued to be used against opponents. The army put down the armed insurgency launched by the Nepali Congress in the 1960s, though king's other strategies too worked in his favour. The Sino-Indian border conflict and the Chinese threat that it would come to the rescue of the King in case Nepal was invaded by any power (India) also came as a boon for the royal regime after 1960.

The traditional rulers of Nepal always found military as their ally. Those who could get the support of the military could stay in power. In the post-1950 politics until today, all rulers therefore perceive military as the bastion of traditional power structure. Even after democracy was restored in 1990 and when the constitution was being drafted, the military was used by the traditional power as a means to pressurize the Constitution Recommendation Commission for making Nepal a Hindu state, for making the King sovereign and head of the military\(^\text{14}\). What was more surprising was the mindset of the so-called democratic leaders in government and outside who always avoided the issue of monarchy and military. Conscious as they were of the interest of the king, political leaders invariably went on avoiding the agenda of military. Hence, democracy was not complete in the sense that power was divided between the Palace and the elected government. This issue came to light more prominently when the elected Prime Minister wanted to use the army against the Maoists but failed to do so. How democratic leaders

found themselves helpless during the crisis could be found in the statement of the Home Minister in 2000\textsuperscript{15} and the resignation of Prime Minister G.P. Koirala in 2001. Asking the rationale of the standing army, Home Minister Govinda Raj Joshi asked "What was the use of the Standing Army when it does not help the government?"\textsuperscript{16} Similarly, the so-called ‘Royal’ army which worked in tandem with the monarch during 2002-2006, was involved in ruthless operations not only to suppress the “terrorist” Maoists but also the parliamentary political parties considering them as an “ally” of the Maoists. Fortunately, the army, as in 1990,\textsuperscript{17} could not save the “charismatic King”\textsuperscript{18} since 2006, but accepted the political change and tried to change itself with the changing circumstances.

The foregoing short narrative provides some clues so as to understand the politics of the country. Even after a long struggle for democracy, political institutions did not take roots and political actors continued to look upon the Palace as the centre of power, although the spirit of the 1990 constitution was to create a constitutional monarchy and multiparty democracy. How the constitutional spirit was violated and how politicians compromised their principle at the cost of democratic values is examined in detail in other chapters.

**Struggling Democracies in South Asia: Role of the Military**

The origin of democracy cannot be separated from the development of states, as democracy is a special form of polity of the state. The development of the currently existing states took place essentially along two paths: (1) long historical process in Europe and parts of Asia (China, Japan and Thailand), and (2) decolonization and state formation after liberation from European colonial rule\textsuperscript{19}. The process of democratization

\textsuperscript{15} Press Statement of Home Minister, Govinda Raj Joshi, 24 September 2000.
worldwide has crossed three successful courses and two reverse waves in different times. Only few have successfully completed the transitional phase and consolidated democracy. The large portion of the world society is yet to cross the "grey zone of democratization" which covers the "defective democracies, semi-authoritarians or partially liberalized authorities. Several renaissances, reformations and enlightenment broadened the concept of democracy. Following the two World Wars, the UN system was established that helped to spread the spirit of democracy across the world. Countries like the UK and the USA led the liberal democratic ideals which as advocated by scholars, has no better alternative.

South Asia, where most countries have been independent and sovereign only after the Second World War, is not an exception to the world trends. Countries in the region, except India and Sri Lanka, have had experience of unstable governments or weak roles of political parties in providing governance. In Pakistan and Nepal, the authoritarian regimes representing military and monarchical institutions, respectively, have taken parties as "foreign imports or unnatural" to the regime brought about by the new rulers whose rise to power was/is possible through military intervention or help. They have been repeatedly seizing the power from democratic governments through coups and rule the country in accordance with the regime's interest with the backing of military. In Bangladesh, the role of military in politics can not be ignored because of the change of Mukti Bahini, the militant organization formed for independence movement of Bangladesh, into National Military. In Nepal, the Royal Nepal Army has a tradition of its loyalty to the King who had been using the army against democracy since the fall of the Rana regime in 1951.

One of the obstacles to democracy in South Asia is state structure itself that is unable to adopt or accommodate the spirit of inclusive democracy in spite of rhetorical pronouncement of democracy. Most of the states of South Asian countries have been facing ethnic conflict due to the demand of ethnic minority for cultural and regional autonomy. Nevertheless, the states have been adopting military solution by repressing.

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them in finding out ways for peaceful settlement of the conflict through negotiation. Even India, who that is claiming itself as the "highest democratic country", has deployed its military in counter insurgency operations in Nagaland (Naga), Mizoram (Mizo), Jammu and Kashmir, Assam (ULFA) and Manipur (Meitei) from time to time since the 1950s for "maintaining law and order" in the country. However, "it has never attempted to influence political decision or dialogue. On the other hand, the involvement of the army in domestic affairs in India has enhanced its responsibility in more than one state. Moreover, the legal basis made by legislation and cabinet through ordinances such as TADA, POTA, etc., has suspended civil liberties due to the consideration of power provided to military, such as search and arrest without warrants and enforcement of curfew order "in sensitive and badly affected areas".

Similarly, when other territorially concentrated groups in South Asian Countries such as Liberation of Tamil Tiger of Eelam (LTTE) in Sri Lanka, Chakma at Chittagong Hill Tracts in Bangladesh, and Baluchistan (Baluch) in Pakistan, have developed an organizational strength in political and military term, then the respective governments that have tried to suppress these groups and regions. According to P. Sahadevan, "more advanced form of militarism is internal war, entailing continuous and prolonged military engagement between insurgents and security forces". In South Asia, as many as ten ethnic conflicts have reached an internal dimension of varying intensity: six of them have erupted in India, two in Pakistan and one each in Sri Lanka and Bangladesh.

On the other hand, national politics and civil government in South Asian countries except India and Sri Lanka have been either influenced or dominated directly or indirectly by the military. In India, where the armed forces that are never involved in decision-making, even the nuclear and chemical weapon issues are seen as strengths of democratic governments and the armed forces themselves accept this philosophy unquestioningly, and legitimately claim it as an important national institution. Indian army has been...

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23 India has made several laws for providing power to military for maintaining law and order in the country. Some of them are: the Armed Force Special Powers Act, 1956 (subsequently amended), the National Security Act (1980), the Essential Services Maintenance Act (1967), the unlawful Activities Prevention Act(1967), the Terrorist Affected Areas (Special Courts) Ordinance (1984), and TADA 2002.


deployed in different parts of the country for counter-insurgency but it has never tried to exert military power for political achievement. It only obeys orders given to it by the civilian political authority.  

For slightly less than half of its experience, Pakistan has been either under military rule or military dominated governance. Even during the rest of the period, the army has had significant influence in politics. The political and the constitutional history of Pakistan during the last 65 years has been chiefly that of “marches and counter-marches in respect of presidential and parliamentary, military rule vs. democracy, army-bureaucracy axis vs. civil society, personalized politics vs. democratic institutionalization”. For half a century Pakistan has remained under “direct or indirect military rule”. With the prevalence of politicization by both right and left, the army lost its neutrality and thereby its ability to act independently of any particular political group, but the military started to rule the country by developing a theme of Islamic ideology, imposing martial law, using kinship system and bypassing political leaders. Not only political, but also civil liberties, have been curtailed by the tradition.

The development of the military as an institution started in Pakistan at a time when the country was passing through several crises of state formation and for searching a national identity. Its efforts to establish constitutionalism failed several times. The political forces had been weakened in the country by manipulation of the military-bureaucratic elites, who were reluctant to accept the supremacy of the representative institutions. Moreover, they had appropriated real political power for themselves while allowing politicians to exercise normal authority, the bureaucratic-military leaders had their part in building up and playing off one group against another. The way the corporate interest of the military was linked in the national security context during and after the cold war neglecting the human security and governance aspect is argued that “money spent on arms procurement and salaries of uniformed and civilian personnel engaged in maintaining the military machine would be more productive if it were spent on education, health, development of

infrastructure and the environment". Military has been intervening in politics in Pakistan, just like in other developing countries.

The politicians have failed to deliver to the country a workable political structure as they were neither capable nor to be trusted to run the affairs of the state. Moreover, they were corrupt, irresponsible, power-hungry and lacked essential vision for constructing the Pakistani state in the true spirit of the independence movement. Thus, the military establishment views that political stability that is beyond the capacity of the political leader is dangerous for the internal and external security of the country. While the politician also had attracted enough disfavour, this allegation was enacted to justify the imposition of martial law in 1958, 1969, 1977 and 1999, at a time when international "alignment" was also a helpful factor in calculation of military in capturing the state apparatus. The logic has been proved by the political scenario in Pakistan not only after 1960 during the cold war but also after 2001 when the war was waged against terrorism. Moreover, the military personnel were appointed in the government also during the Ershad period. Due to the establishment of this tradition, the army is the mainstay of power even while civilian governments were holding office. The dismissal of Nawaz Sharif from government in 1999 by the military was a case in point. Sharif had two-thirds mandate in parliament, but the military prevailed in politics. Even the general election held by Pervez Musharraf was only for getting legitimacy of his regime, since he was both Commander-in-Chief of Army and President of Pakistan and got ridiculously more than 99% of casting vote. Three different presidents including Zia Ul-Haq dissolved the national and provincial assemblies in order to dismiss the government. The power of judiciary was curtailed in various ways after the military rulers adopted martial law. The Superior court could not challenge the executive decisions emanating from the office of Chief Marshal Law Administrator (CMLA) in the form of martial law order, ordinance


etc., since 1977-1990. Massive influx of arms had been received legally during the cold war and after 2001 in the name of “War on Terrorism”, and illegally during the Afghanistan crisis.

In the wake of liberation of Bangladesh, the *Mukti Bahini* fought against the Pakistan Army for independence of Bangladesh, then East Pakistan. No one can therefore doubt the politicized role of military in liberation of Bengalis. Hence, military intervention, coup or countercoup and assassinations not only against the elected government as in Pakistan, but also between the military factions, became the tradition in Bangladesh. Such interventions thus became the major cause of democratic instability in both the countries. Two military leaders in Bangladesh, General Ziaur Rahman and General Husein Muhammad Ershad, formed political parties to cast themselves as leaders of legitimate political parties, and used state authority and military instrumentality to govern as heads of political parties that subsequently went through the exercise of general elections. Both the military leaders intensified militarization by sidelining the developmental aspect, thereby ruining the economy by providing more facility to army


32 After the emergence of Bangladesh in 1971, Parliamentary Democracy, Nationalism, Socialism and Secularism was the spirit of Constitution of 1972. Due to the politicized role of military and alienation of military with so-called nationalist bourgeoisie and radical left wing that were turned against the elected government, Sheikh Mujibur Rahman (who was assassinated by some military officers in 1975), democracy collapsed. As a result, Fourth Amendment to the Constitution that changed the form of government from parliamentary democracy to one-party presidential system with authoritarian power in head of the state without any form of check and balance and the elected government collapsed because of bloody military coup. Zia himself was assassinated by the rebel within the army. Ershad himself had to leave the post of president due to the failure to get support of army for imposing martial law. See in, Mohammad A. Hossain, “Transition of Democracy” in *South Asia: Vision and Perspectives*, Lahore: South Asian Regional Dialogue, 1994.


34 Annual growth rates in the agricultural and industrial sectors in 1975-79 were 3.26% and 5.05%: by 1981-89 they had fallen to 1.85% and 2.75% respectively. In 1980-81, domestic saving constituted 3.4% of domestic production, whereas in 1988-89, it declined to 1.1%. As a result, foreign dependence increased. In 1981, per capita foreign aid was Taka 840, while by 1987 it had increased to T 2,729. On the other hand, Zia had increased the defense budget from 7% to 20% of national budget during 1977-80 for increasing the status and benefit—pay rise, subsidized ration, improved housing, etc., and followed an “open arms policy”. In Ershad’s time, this figure became formally 25.2%, but many economists claimed that total defense expenditure was more than 30% of the national budget. Because there were many projects—it spoils the distribution policy of regime, business contracts and government jobs to military etc.—all of which actually benefited the military. *Ibid,*
to pacify it. And the preference was given to military rather than to civil personnel. In spite of providing all these facilities to the army, Ershad not only had to resign due to lack of favour of armed forces to impose martial law but was also subsequently tried and convicted of criminal offences in a court of law. However, no leader of Pakistan has yet been put on trial.

Despite the withdrawal from power, the civilian government works indirectly at the behest of the military. Such moves obviously establish military as one of the important stakeholders of the system, without its help and involvement, the newly established democracy can neither be sustained nor consolidated. This has been proved by the role of Army after restoration of democracy since 1990 in Bangladesh and Pakistan. Bangladesh Defense Force Intelligence was also used by the regime to collect information to charge political opponents for their loyalty to the system. These moves are not only unprecedented, but they are also against the basic rule of established democracy. On the other hand, political parties are weak, leaders are corrupt, governments have failed to establish rule of law and showed lack of compromise even on small issues that existed between government and opposition parties led by two women leaders, Sheikh Hasina (Awami League) and Begam Khaleda Zia (Bangladesh Nationalist Party). In the case of press freedom, except print media to some extent, radio and national television has remained directly or indirectly under governmental control. These weaknesses of political parties and leaders and the established tradition of military domination and influence are the hurdles for democratization in Bangladesh.

Sri Lanka is very close to the Indian model that has helped to sustain its democratic governance ever since its independence. However, there were attempted coups in 1962 and 1966 by Roman Catholic Officers and Non-Commissioned Officer respectively, who had planned to arrest some ministers and political leaders. Since then, the civil-military relations have not faced many problems in Sri Lanka till Tamil insurgency was intensified after mid-1980s. It is reportedly said that there was dissatisfaction among the

35 A “Warrant of Preference” issued by the Cabinet Secretary on 20 September 1986 has given greater preference to the chiefs of the army, navy and air force rather than to Member of Parliament.
Sri Lankan armed forces on the ability of government to deal with Tamil insurgency with sufficient confidence, but they are totally loyal to and under control of the civil government. However, having the highest ranking among the South Asian countries in terms of human development Index, Sri Lanka now has the second highest percentage of defense spending in terms of Gross National Product (GNP) next to Pakistan\(^38\) mostly for "curbing [the] LTTE"\(^39\). Hence, the role of military in the governance in Sri Lanka is intimately connected with the ethnic problem that the country has been facing. The table given below shows the countries in South Asia in relation to military build up.

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The figures are in USD billion, at constant 2005 price and exchange rates. Figures do not always add up to totals because of the convention of rounding. In terms of military expenditure as percentage of GDP, Pakistan spends the most. The figures are: 3.2% in the case of Pakistan, 2.9% in the case of Sri Lanka, 2.7% in the case of India, 1.7% in the

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\(^{39}\) K. Subrahmanyam, "Military and Governance" p.106.
case of Nepal, 1.5% in the case of Afghanistan 1% in the case of Bangladesh. In 1990 Pakistan, Sri Lanka, India, Nepal and Bangladesh had spent 5.8%, 2.1%, 2.1%, 0.9%, 1.0% of the GDP of respective countries respectively.

Experiences in Nepal, Pakistan and Bangladesh show that the first priority of the military is to strengthen its own institutional interest. The long years of military rule in Bangladesh and Pakistan have enabled it to penetrate into the major sectors of the state and society, i.e., governmental and semi-governmental institutions. Conflictual domestic politics and poor economic conditions provided grounds to the military to intervene in politics. Military also gains from the lack of consensus among the political leader as to its role in the political process. Therefore, the tradition of power-sharing arrangement between the military and the civil that has greatly affected the national policy making and implementing authorities, should be changed immediately to facilitate democratic consolidation. The military's disposition is also influenced by the changing socio-economic character of the army officers and structural change in armed force is equally required for deepening democracy. Thus, now most civil-military experts in Bangladesh, Nepal and even Pakistan suggested that the military organization should be small but highly professional. They do not advocate winding up of the military as an institution, as the military elite understand, but suggest a rationale, affordable and practical approach to defence. One of the biggest challenges faced by the Third World countries is how to maintain a balance between national security needs, development and general welfare. Since resources are scarce, the objective of one sector may be accomplished at the expense of the other sectors of national well-being. The table given above shows the defense status of South Asian Countries in the world.

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Table 1.2
Defense Status of South Asian Countries Based on Different Indicators.

<table>
<thead>
<tr>
<th>Name of Country</th>
<th>Rank (military expenditures in US$)</th>
<th>Rank (active/reserve military strength)</th>
<th>Paramilitary strength</th>
<th>GDP Growth</th>
<th>Rank (based on % of GDP spent on defense)</th>
<th>Rank (based on active/military manpower)</th>
</tr>
</thead>
<tbody>
<tr>
<td>People's Republic of China</td>
<td>21st (10,500,000,000)</td>
<td>2nd (2,255,000,000)</td>
<td>4,969,000</td>
<td>8th (9.8)</td>
<td>104th (3,315)</td>
<td>96th (1.7)</td>
</tr>
<tr>
<td>India</td>
<td>9th (32,700,000,000)</td>
<td>4th (1,325,000,000)</td>
<td>1,293,000</td>
<td>38th (6.6)</td>
<td>142nd (1,016)</td>
<td>66th (2.5)</td>
</tr>
<tr>
<td>Pakistan</td>
<td>24th (7,800,000,000)</td>
<td>15th (6,500,000,000)</td>
<td>302,000</td>
<td>40th (4.7)</td>
<td>137th (1,044)</td>
<td>53rd (3)</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>56th (1,610,000,000)</td>
<td>-</td>
<td>-</td>
<td>33rd (5.4)</td>
<td>120th (1,972)</td>
<td>63rd (2.6)</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>70th (836,900,000)</td>
<td>-</td>
<td>-</td>
<td>28th (3.9)</td>
<td>158th (506)</td>
<td>106th (1.5)</td>
</tr>
<tr>
<td>Nepal</td>
<td>116th (104,900,000)</td>
<td>41st (90,000,000)</td>
<td>41,000</td>
<td>47th (4.0)</td>
<td>164th (459)</td>
<td>105th (1.6)</td>
</tr>
<tr>
<td>Maldives</td>
<td>132nd (45,070,000)</td>
<td>-</td>
<td>-</td>
<td>23rd (6.5)</td>
<td>100th (3649)</td>
<td>15th (5.5)</td>
</tr>
<tr>
<td>Bhutan</td>
<td>163rd (8,281,000)</td>
<td>-</td>
<td>-</td>
<td>15th (7.8)</td>
<td>118th (2,082)</td>
<td>135th (1)</td>
</tr>
</tbody>
</table>

http://www.globalfirepower.com/purchasing-power-parity.asp,
(IMF, April 2009 estimate on the basis of database available in 2008 as given in
[http://en.wikipedia.org/wiki/List_of_countries_by_GDP_(nominal)_per_capita#cite_note-0](http://en.wikipedia.org/wiki/List_of_countries_by_GDP_(nominal)_per_capita#cite_note-0),
Monarchy and Democracy: An Overview

On the question of kingship as an ideology or a polity during the ancient period, symbolic power and political power were understood synonymously. The concept of kingship is generally related to traditional society where the monarchy is legally or traditionally at the centre, is politically powerful and pervasive, and is perceived socially representative. Max Weber puts traditional monarchy like in Nepal and Bhutan in the basket of patrimonial system where the eldest male is recognized as “head of the family or tribes”. The relation between the head and other family members constitutes on the basis of basic principle of power structure, and “the members of the household stand in an entirely personal relation to him”. Similarly, “master-servant relationship” is in existence between the ruler and the ruled whose “fundamental obligation... is material maintenance” for the first. The monarchical society is highly hierarchical, ruler can have no direct contact with the people but maintains its link “through consensual community” that also exists apart from its “independent military force”. The system can be continued until the society is modernized, since traditional society believes monarch as a form of divinity or incarnation of god. Such spiritual fame projected for the sake of promotion of monarchical system is being guided by either myths or glorified histories and rites and rituals to suit the interest of monarch whose status is projected as supreme.

Traditional monarch can change the ranking position of every individual of his society and is regarded as a supreme being, who can’t be questioned but appealed or pleased. His voice and word are final law and ordinary population is ruled by his “peremptory command” that is not compatible with the concept of rule of law, the main pillar of modern liberal democracy. The government is formed and dissolved by the will of the ruler through Hukum, but not through will of the people or periodic election. Inhabitants of the traditional society are not considered citizen or people, but subject. "Subject

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47 Ibid.
political culture" is pervasive in such a society, where duties are imposed on the subject population but no rights are guaranteed.

The entire system is centered around the personification of the king. The king is model, mentor and innovator of the system that, like in Nepal, is characterized highly personal manner in which power is exercised. All these enabled the kingship system highlighting the monarch as a person and as a representative of an institution that is described for the protection and welfare of people. Thus, it makes the subject population accept the institution as supreme authority in the particular polity and society. Even the other members of the royal family like brothers, uncles, cousins have royal status having no power, and their role is depended on their relation with the king. The whole schemes under the patrimonial system are “deep-rooted in the belief that the ruler’s powers are legitimate insofar as the society is traditional”.

Religiously rigid, hereditary rule of succession, hierarchical socio-political and administrative structure and so on are the key characteristics of monarchical society whether it is traditional or modern. Even the kings in the modern world also have continued the promotion of a particular religion irrespective of not only advancement of political stability, but also of economic development. Such characteristics are common in all monarchies, both traditional and modern as was/is in the case of Nepal, Bhutan and Saudi Arabia, some European states. The Hindu, Buddhist, Islam, and Christianity respectively were adopted by these countries as state religion.

The concept of kinship as a symbol of unity itself is now debated even in England whether it has worked as “social glue” as was perceived and represents the diversified society. The society everywhere is becoming more complex and heterogeneous because of the modernization and globalization, and aspires for greater civil and social equality. In order to fulfill its role as a head of the state, the office of monarch needs to represent the overall country as it is and importantly as it wishes to be. Question is raised, whether an individual so-called “Hindu Samrat” in Nepal and “Druk Gyalpo” of Bhutan and

48 Ibid. p9
Supreme governor of Church of England” can represent the religious faith or emotional aspect of diversified society in the respective countries, where non-Hindu and Non-Druk and non-Cristian are excluded and discriminated. Similarly, an individual in role of succession is allowed to choose neither Catholic partner nor to adopt any other religion except to be Christian, how the monarch in England represents the non-Christian communities? More importantly where is the individual freedom and human right of the successors to practice their own faiths, if they feel that they were born freely and have right to adopt any religious faith out of the chain of respective royal families. Likewise, the entire family and relatives of the King Birendra in 2001 was killed by reportedly the then prince Dipendra, 19th successor of the founder of modern Nepal—P.N. Shah. It was predicated that he unlike his uncle Dhrendra was ready neither to lose his position of crown prince nor his individual right and freedom to select partner, since both are his rights but not alternatives for choice. Similarly, the highly debated and controversial case of prince Charles of England has clearly shown how the institution of monarchy not only protects and promotes single religion continuing the conventional concept of purity and impurity i.e. polluted or non-polluted, but deprives of natural and human rights.

The concept of kingship itself is not compatible with the idea of democracy theoretically. The argument focuses on first, the principle of hereditary and second, character of monarchy which in most societies acts as regressive force within the society and polity, discouraging the concept of equality and modernity. Adrian Harvey examines that even ‘other European constitutional monarchies such as Sweden and the Netherlands—both progressive and egalitarian states—suggest that this latter point is at the very least rather more complex than some republicans suggest’. Appointing public officials on the basis of birth is incompatible with democratic principles of accountability and political choice. Similarly, the long period of office and certainty of succession—neither of which would be possible in an elected system—provide a valuable continuity. The logic to accept the monarchy as head of state as in the UK and other European countries is that outside any

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53 Ibid, p36
electoral system the hereditary head of state is not dependent upon political process and thus the office is clearly above sectional interests in practice. Certainly the monarchs are not “owned” by those who put them there.

The British model of parliamentary democracy that initiated a concept of the “king in parliament” and “King can do no wrong” never worked in Nepal. King Birendra, known as the most liberal king of Shah Dynasty, played with political parties that not only weakened democracy but vitalized his role in politics also. His gradual attempts to dominate political leaders and parliamentary practices in the pretext of either ‘unknowingness’ or ‘lack of experience’ were actually against the spirit of constitutional monarchy adopted after the political change in 1990. Highly controversial personality in the royal family, Gyanendra became king after royal massacre in 2001 and played political role as his grand-father Tribhuwan and father Mahendra played in the early 1950s and after 1960. King Tribhuwan, being confined to the palace by Ranas associated with the Nepali Congress’s movement to abolish the Rana Oligarchy in 1950, but he himself initiated such trends subsequently after the movement. The King’s ambition of being “heard and seen” and assertion for his inherent right to rule over the state as he did on 1st February 2005 left no option to Nepali people but to abolish monarchy. He claimed the country, as if it was his parental property saying that “the Kingdom of Nepal was built on the foundation of the unification process initiated by King Prithvi Narayan Shah the great”54. Gyanendra had lost legitimacy mainly because he got the office after royal massacre in 2001 as he was perceived most corrupt, and criminal involved in such a massacre55. Similarly, the experience of Nepal after 1950 showed that the monarchy and democracy could not work together because of the ambition of monarchs.

History shows that any rigidity for continuing the traditional socio-political system as status quo is harmful to any traditional institution like monarchy. The monarchy, which

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54 Text of His Majesty King Gyanendra’s Royal Address to the Nation, Kathmandu, 1 February 2005.
55 The republican sentiment was grown in Nepal since the day Gyanendra became king. While he took throne against the background of tragic royal massacre in 2001, monarchy in Nepal was no longer respected as was before. The report of Truth Prove Committee could not provide “credible” report to Nepali people that provided more suspicion to the credibility of King Gynendra. Similarly ethnic assertion for a secular state and popular demand for restructuring the Nepali State were the factors that helped to question the traditional legitimacy of the monarchy. See, Krishna Hachhethu, “Legitimacy Crisis of Nepali Monarchy”, Economic and Political Weekly, 19 May 2007. Manjushree Thapa, Forget Kathmandu: An Elegy for Democracy, New Delhi: Viking Penguin India 2005;
can initiate change or be changed itself with the changing expectation of the people, are in existence either in ceremonial or constitutional form as titular head of the state. Otherwise they are either abolished by the popular movement and representative body of the people such as Constituent Assembly in Nepal since 2006 and Parliament in England in 1648, or by traditional forces. Such forces can be military-bureaucracy nexus as had happened in Thailand since 1932. How the rigid and traditional role of the King is dangerous for the survival of the monarchy itself in modernizing world is rightly illustrated by the experience of the Great Britain. King's policies without approval of parliament and his attempts to rule country alone not only led civil war during 1642-1648, but created a confrontation also between the King and Parliament in Britain. As a result, King was not only beheaded since 1649 but chased since 1988. The King vs. Parliament kind of phenomena helped to produce an agreement between the King and Parliament on "Bill of Rights", acknowledging that the power of the Monarch came from the legislature rather than from any concept of the "divine right of kings". Such achievement opened the way for not only modernizing the society and democratizing the polity, but also existing the both—Monarchy and democracy—together in England. So, Monarchies in modern era have either adopted the reform as wished by the people or initiated systemic reforms by themselves for longevity of their existence as Aristotle pointed out that all tyrannies are virtually "quite short-lived. Unlike in Nepal, the Japanese empire accepted its conversion into constitutional monarchy after 1946 and is cooperating for democratic reform in the country. Jigme Dorji Wangchuck of Bhutan, has been reforming and restructuring the existing political and economic system by applying the concept of decentralization and establishing communication system through introduction of television and internet access to the country. The reform scheme was adopted not only for allowing the kingdom adapt to new challenges from a rapidly

56 While the parliament did not approve Charles Ist policy to raise money in England, he took the revenge by dissolving it and attempting to rule alone. As a result, he was beheaded in 1649, and England became a republic. It was King vs Parliament kind of phenomena during the civil war (1642-1648)56.

57 Similarly, King James II was replaced by William in the initiation of Parliament in response to policies that threatened to restore Catholicism in England in 1988. William and Mary (daughter of William) agreed to the "Bill of Rights" presented to them by Parliament


changing world but also strengthens some aspect of tradition by objecting its indigenousness to comply with any international standard. It moved from absolute to constitutional monarchy with a kind of guided or limited democracy, though it is quite different from the scheme of King Birendra in Nepal.

Unlike in Nepal political parties are formed and registered under the protective umbrella of the monarch by those only who are from or adopted Druk culture. The rest especially people from Nepali origin and Hindu religion have formed parties in exile. Thus, the question is raised, how can the political parties in Bhutan perform perfect political role in a free and fair manner in accordance with the spirit of liberal democracy. Huntington termed such exercise of monarchy as ‘traditionalizing policy’ of ‘modernizing monarch’, since major character of such rulers is the dilemma stemmed from his effort to combine traditional authority with modern reform. He sees "little prospect exist[ing] for significant change in the political institution" and declining "ability of the traditional monarchy to reduce discontent through this process of individual aspiration". It arises not only the ideological confusion, but problem of institutionalization also, as such regimes “can not provide any means for the assimilation of the middle class and lower class in to the system as group” 60. Finally, monarchies may attempt to maintain its authority by continuing modernization but intensifying repression necessarily to keep under control both the systemic conservatives and anti-systemic liberals who disapproved reforms and monarchy itself. The possibility can equally be seen to join hand either between the systemic and anti-systemic liberals, or ultra-“regressive” within and “progressive” out of the system.

The experience of Nepal shows that such modernization not only erodes the support of traditional classes to monarchy but produces more enemies than friends among the modern groups. Ultimately the ultra left and rights work together against liberal democrats applying the theory of enemy’s enemy is my friend. Democratic force especially Nepali Congress was badly targeted by the partyess regime from 1960 to 1990 rather than the Communist groups. People from Nepali origin in Bhutan have been chased perceiving threat to one-people-one-culture policy of the regime. Similarly, the

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reform and repression policy adopted by the kings in Nepal during Panchayat era was an aspect of centralization of power that made horizontal political participation impossible. Political change in 1990 and 2006 through mass movements are its result. King of Bhutan must be aware of it.

People have started arguing in other kingdoms of the world that there should not be any "discretionary powers" of monarch as head of the state. It can invite unpredictable constitutional crises such as in Nepal. In October 2002 when King Gyenendra (whose activities could neither be questioned nor heard even by the Judiciary) dissolved the parliament by taking advantage of small constitutional loopholes. Intellectuals in England also started to think that "If the government refused to bow to the wishes of the electorate, the Queen's power to dismiss the government...would be the only weapon left to dislodge it"\(^\text{61}\). But in Sweden the constitutional Monarch has no role at all to summon and dissolve the parliament unlike in England, Nepal and Bhutan but it is regulated by statute. According to it, the head of the state can declare the dissolution of the parliament only within the limit of its five-year term or on a majority vote in the House of Commons.

Generally traditional rulers claim legitimacy of their authority that they have popular support, but in reality they maintain such concept of authority by suppressing political opponents. While opposition is started, then the ruler becomes more dependent on the cohesive forces like military. The way King Mahendra in 1960 hatched a coup, and suppressed political leaders with the help of military showed the optimum level of misuse of military force by the monarch against the opponents and the system itself. Thus the spirit of constitutional monarchy died. When such opportunity arises, the military also takes advantage of the situation. Such a situation accelerates the process of militarization that, in turn, can absorb scarce recourse of the country. It might otherwise be used for not-traditional security for the people in building schools, roads, hospitals, factories and other projects directly related to modernization or development. In other words, military was privileged by the tax of the people who are ultimately deprived of their rights to be assured from the state which they expect in return. The least developed status of the

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country is an outcome of such practices after 1950 when Nepal and South Korea were in equal status in terms of development. Now monarchy in Nepal is gone as per the wishes of the people. The constituent assembly accomplished the process of abolition of monarchy in 2008 hoping for a new prosperous Nepal.

An Overview on Military and Democracy

To “maintain law and order for peace”, the ruling elite in both democratic and authoritarian governments use the military which gains influence over the direction of state security policy. Military intervention is considered as a response to the rapid increase of social conflict generated by several groups and parties. Political groups can only put pressure on the government for change by carrying out political activities. When the government strengthens the military neglecting the demand of minority social/regional/religious groups and use it to suppress their movements, the military can either dominate or replace civil government through direct action against the political/state authority creating adverse effects on the democratic exercise of the people. It reduces the level of participation compelling the people to withdraw from the movement and providing a “feeling of harmony and relief” through repression.

The main problem is the military’s opposition to politics. Military leaders can easily view themselves as the far-sighted, unbiased promoters of social and economic reforms in their society. However, they cannot avoid the role of political organizers to gain legitimacy. In particular, they condemn political parties; they try to rule the country without parties. Many military leaders from the time immemorial to the present have blamed parties for confusing and dividing the people. The attitude of military men is that politics, parties and election are corrupt, and that the military must intervene to remedy such a mess. The first action of military after seizing power either by its guardians or by the guidance of other traditional authority is usually to abolish the existence of political parties. The goal of military regime is not only to create its own community without defined politics, but also to establish its

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domination in the mainstream politics. By criticizing and denying the importance of politics, the military prevents society from achieving unity. Military leaders dislike competitive politics in general and parties in particular. This, however, in absence of the competitive system makes it difficult for them to produce political institutions capable of performing a wide range of functions.

When military as an institution has a long tradition of political intervention and preserves extensive political and economic prerogative, new democracies face several difficulties and much more dangerous challenges. Under the circumstances, establishing civilian supremacy is a complex problem that requires many factors for promoting democratic consolidation: skilled political leadership, unity among civilian political forces, and civilian expertise both inside and outside the government on national security matters. Thus, democratic consolidation typically requires a strategy by which military influence over non-military issues and functions is gradually reduced, and civilian control is eventually established over matters of broad military and national security policy. Such a policy, if armed conflict should come to pass, includes strategy, force structure, deployment, expenditure, and rules of engagement also. Then the challenge for democratization is to gradually roll back the military "prerogatives" that promotes the military's mission, training and expenditures around issues of security.

Deepening democracy making it more liberal, accountable, responsible and representative overlaps several institutional challenges. Power must be decentralized or devolved to lower levels of grass roots. Autonomous groups and media in civil society need to develop energy, resources and organizational capacity to check the abuse of power and constitute additional means for representing interest and increasing participation as in many new democracies in Asia, Africa and Latin America. An urgent challenge after introducing democracy is to reduce the autonomous and democratically unaccountable power of the military or of the traditional and other powers backed by the military. Therefore, most scholars of civil-military relation accept that the best way for a democracy to deter a coup is to govern effectively and maintain broad legitimacy of the system and the government. However, good governance and legitimacy may take time to achieve results in any new democracies that are

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generally passing through the transition. Democracy can not be consolidated until the military becomes firmly subordinated to civilian control and commit to the democratic constitutional order.

“Civilian supremacy” gives democratically elected government unquestioned authority over all policy arenas, including defining the goals and overseeing the organization and implementation of national defense. In such a system, the role military is confined to matters of national defense and international security. The military is divested of all responsibilities and Ministry of Defense exists to enable civilian to exercise effective supervision and control of the military which must be gradually removed from the political realm, including from any non-military responsibilities. For that, successful reform also requires a long-term policy vision driven by political leaders.

Experience of the different countries of the world shows that the possibility for and nature of democratic transition depend on co-relation between the type of the (authoritarian) regime and its mode. The regimes, in which complexly merged network of elites and state, as well as political and economic power is in existence, are more difficult to democratize than regimes in which a neutral bureaucratic-administrative statehood is linked to authoritarian political leadership. A negotiated regime change makes democratization easier in comparison with violent upheavals. Thus, the feeling of nation-statehood while initiating establishment of the newly introduced system simultaneously is compulsorily required, at least at the leadership level, for time making the democratization process in transitional succeed. In the extreme case of political mess, creating transition can lead to state failure or state collapse. If so, a functioning democracy is no longer possible. In a special situation, the state should be first rebuilt after a war or change in the nature of polity. For that, national identity is also an important thing, the lack of which can hinder the democratization process, if citizenship and participation rights are contested and ethnic cleavages are politicized leading to social conflict. Again, the situation provides the pretext to militarization in the name of peace vis-à-vis democratization.

65 Ibid, p.113.
The process of democratization can also be linked to the power relations. How far and how quickly the direction of liberal democracy is developing depends on the elites in transitional regimes and their economic and political interest with power relation and attitudes within the society. The demand for “equality for opportunity” can be a lucrative agenda to the opposition for changing the government, and the situation of “unfinished reforms” can be the pretext of certain elites of the government, thus the possibility of “democratic grab”\textsuperscript{67}. The restructuring elements can be specified and raised from the respective networks of economic, polity, ideology and the military\textsuperscript{68}.

The international context in this globalized and interdependent world helps sometimes not only for the process of democratization but for the reverse course also. Poor and weak developing states are more vulnerable that mainly depend on support from the powerful and rich countries, and are influenced by the international environment easily\textsuperscript{69}. The support sometimes came in the form of pressure upon the regimes of these countries leaving fewer chances for them to survive without their consent or acceptance of the pressure of these powers. Mainly international economic relations represent a decisive source of finance and rents for many authoritarian regimes for “maintaining peace”. The poor countries were and are often in a position to finance their military expenditure from high international revenues, capital and material for either internal repression or using it against other equally powerful states. The poor and suppressed also eventually resort to violence when they are dissatisfied with the distribution of wealth in the society, as in their eyes, it is not legitimate and just. But the regimes’ incompetence to satisfy its investors or donors and order its household at least in managing level reverses the situation. That is why the international community also can be one of the helping factors to determine the future of establishing democracy and stability.

Understanding Democracy

‘Democracy’ as translated into Nepali was prajatantra, which was in essence related to the people as subjects of the King. But today, the word ‘democracy’ in the Nepali context


\textsuperscript{68} Ibid, pp. 163-165.

is also undergoing a change. Many people still use "prajatantra" because it became popular after it was introduced in the political lexicon in South Asia. However, this word is now challenged by the Nepali political scientists and others, including politicians. According to them, the spirit of prajatantra does not represent the spirit of democracy where people are fully sovereign and where 'participant political culture' or 'civic culture' prevails against 'subject political culture', as is found in monarchy.

The term, prajatantra has been substituted by Loktantra, arguing that the actual translation of 'democracy' is Loktantra or the rule of genuine people. The rationale is that the people are sovereign in framing their constitutions on a clean slate without any consideration of other power centres such as monarchy. In India and the United States, the doctrine of popular sovereignty has been well reflected in the preambles to their Constitutions that lay down "We the people ... give this Constitution to ourselves", unlike the provision in the preamble of the Constitution of the Kingdom of Nepal-1990 that stated, "I, the King ... promulgate the Constitution...". In the given context, however, democracy is narrowly defined and taken as if holding elections alone make a perfect democracy. Democracy is revisited for making it inclusive, participatory and strong with the high level of empowerment of people. Unless people are empowered, there would be no substantive democracy.

Historically, the term 'democracy' which originated from the Greek word—Demokratia, is a combination of two words: demos—people especially 'poorer', and cratia—cracy. Thus, it is understood literally 'rule by the people'. Indeed, 'the people' necessarily means both the ruling (representing the ruled) and the ruled (by their representatives). Since it is impossible in the present context for all people to participate directly in ruling unit or institution as was practiced in ancient Greece because of complexity of issues

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71 M.V Pylee, India's Constitution, Delhi: S.Chnad and Co.1999.

72 In ancient Greek, citizens did not represent women and slaves. The number of citizen was small, about 1,000. Citizens themselves used to rule in the sense that every individual, except women and slaves, could participate personally in policy decisions by discussing and voting in face to face situations and everyone had equal opportunity or chance to state a case and influence decision. But the “Athenian democracy” was neither representative nor inclusive due to exclusion of women and slaves. It can be defined as "elitist democracy".
and diversified or vague population, and also lack of knowledge of existence of universal claims of true democracy i.e. freedom, equality or rights more broadly human rights. However, Cecero’s idea of a good government and liberty of men, the Roman legal system and Gauiti’s idea on “ultimate to make law is the people and the people alone” had a remarkable influence on the succeeding generations of Europeans as well as on the development of democratic ideals and institutions. In this sense, to rule is generally “to prescribe conduct to someone else”. The movement of civil and political liberties of the English people resulted in the Magna Carta (1215) that started the democratic movement in world politics by limiting the powers of the monarch. That is why the accepted norm of “democracy” is the “best form of government” that represents the general people of the particular country, though there is no unanimity among the political thinkers about best form of government.

Democracy simply is a rule of the people and a system for choosing the government through free and fair electoral competition at regular intervals. In this sense, people’s view is sovereign in democracy as highlighted by the popular-sovereignty view of democracy. It does not mean that all people can act or express their will on each and every issue of governance. Only by voting and applying the majority principle in elections and referendum, people can express their will to form a representative government that ought not to initiate policy change without putting them to a vote in general election or without getting people’s mandate. It indicates that the people are

75 Dating back to Aristotle, “the best reliable form of government is mixed, or constitutional government in which freedom is constrained by the rule of law and popular sovereignty is tempered by state instruction that produce order and stability” Because Aristotle shows that in the state of pure democracy “where the multitude have the supreme power, and supersede the law by their decrees...demagogues spring up” and democracy degenerates into a form of despotism. Locke asserted, only a constitutional government, restraining and dividing the temporary power of the majority, can protect individual freedom. This fundamental value gave birth to the tradition of political thought-liberalism and to a concept liberal democracy that is a political system in which, individual and group liberties are well protected, there exist autonomy, spheres of civil society and private life, insulated from the state control. Other forms of representative democracy such as direct and indirect democracy, midrange concept of democracy and Pseudodemocracies etc have been conceptualized by different scholars related to democracy. See in detail, David Held, Models of Democracy, Stanford: Stanford University Press, 1987; Aristotle, The politics, edited and translated by Stephen Everson, Cambridge: Cambridge University Press, 198 p.1292; and Larry Diamond, Developing Democracy: Towards Consolidation, London: The John Hopkins University Press, 1999, pp.7-17.
sovereign not only to impose their mandate to the government but also to safeguard against abuse of power. In Rousseau’s words, “the sovereign, being formed wholly of the individuals who compose it, neither has nor can have any interest contrary to theirs”76. People can not use their sovereign rights because of lack of empowerment, awareness of their civil or political rights. Sovereign rights of people may also be not only misused and abused or seized but also curtailed either by their representatives or other traditional authoritarian powers like military and monarchy that represents the state. The policy may be adopted in the name of providing security to the people or countering “terrorism” by introducing TADA, POTA etc. that promote military but curtail civil and political rights of people77. Moreover, traditional monarchy and military as that of Nepal, Pakistan and Bangladesh respectively, have often intervened for derailing the democratic system in the country.

One of the major indicators of democracy is free and fair election. It inherently requires certain political rights of expression, organization and opposition “and these fundamental political rights are unlikely to exist in isolation” from broader civil liberties. But the electoral system itself is not enough for making democracy participatory and strong. Democracy can be measured by evaluating the level of participation that is different from forced presence of the people in the election. It is also significant to know whether the participation is "ritualistic" or "enthusiastic" as Baral has stated in the context of local participation in Nepali villages78. Because of malpractices and criminalization in election by using muscle, money and maphia or the three Ms, and low level of empowerment due to illiteracy, poverty and political awareness, the elections in most third world countries can be held with the ritualistic presence of people but they can not be free and fair in actual sense. If participation is highly enthusiastic, obviously it indicates the level of people’s empowerment. Empowerment can be measured by awareness of people about their political and civic rights with which governments can become accountable, responsive, predictable, clean and effective for governance. Diamond concludes after

77 HMG/Nepal, TADA, Kathmandu: Ministry of Law and Justice, 2001, 2003, 2004, 2005; Government of India, and Government of Sri Lanka, have already introduced and renewed the POTA time and again to curbing the ethnic insurgencies in their respective countries since long.
studies more than 170 countries' governments that the governments "chosen in this manner are better than those that are not."79

The concept of electoral democracy "is a civilian, constitutional system in which the legislative and chief executive offices are selected through regular, competitive, multiparty elections with universal suffrages."80 The concept acknowledges the need for minimum level of freedom (of speech, press organization and assembly) in order for competition and participation to be meaningful. However, only provision of election and freedom themselves are not enough in democracy. Without empowerment and wider representation of the people from all sections of society, the electoral democracy will be only "electocracy", or what Jayal says "fallacy of electoralism"81. Thus, Przeworski and his colleagues define democracy simply as "a regime in which governmental offices are filled as a consequence of contested elections"82. This concept of democracy privileges elections over other dimensions of democracy and ignores the degree to which multiparty election may exclude significant portions of the population from contesting for power or advancing and defending their interests. In other words, it may leave a significant area of decision making beyond the control of elected officials.83 Many elected regimes in various developing countries of the world suffer from substantial reserved domains of military, bureaucratic, or monarchical power that is not accountable to elected officials. Typically, the poor and women even if they are in majority, and ethnic/religious/regional and other minorities are excluded from exercising their democratic rights. Even the so-called "highest democratic" governments themselves are hardly successful in meeting the functional test of democracy, as they tend to be less liberal due to their failure to include several minority groups in the system because of their repressive activities against their human and political rights. The countries that are formally democratic have also been

80 Ibid, p.10.
responsible for creating "high level political violence, lawlessness, suppression and human rights violation" that has become widespread in the countries. Yet, despite these shortcomings, liberal democracy is still accepted as a "better" form of government as Churchill had said 'it is the best among the worst forms of governments'.

The spirit of the election is to form a representative government that can assure the rights of the individual and groups in terms of culture, economic, political and religion. Election also turns out to be meaningless if the proper representation of all sections of society is not ensured in the formation of government that makes and implements decisions. Ethnic conflict created by the state structure itself is unable to accommodate the demands of all the historically marginalized, exploited and suppressed people because of the exploitative or repressive nature of such a state. Similarly, the "Pluralistic" or majoritarian theory of democracy "sees democracy as a way of safeguarding and reconciling individual and group interest".

Democratic philosophy insists on the right and the capacity of the people, acting either directly or through representatives, to control their institutions for their own purposes. In addition, "democracy" requires the three dimensions on equal footing: recognition of opposition (organized contestation through regular, free and fair election), popular participation (virtual right to vote and to contest for office) and civil liberties. These

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84 Liberal democracy has following components:
The elected officials control the state, its key decisions and an allocation on the basis of constitutional theory and military is subordinate to the civilian elected authority. Provision of Autonomy and check and balance among the governmental institutions has been applied. Recognition of opposition and of Cultural, ethnic, religious, and other minority groups (as well as historically disadvantaged majorities) rights should be accepted legally or in practice from expressing their interests in the political process and from speaking their language or practicing their culture. Beyond parties and elections, citizens have multiple ongoing channels for expression and representation of their interests and values, including diverse, independent associations and movements, which they have the freedom to form and join. Alternative sources of information include independent media. Individuals have to be guaranteed by their political rights and civil liberty- substantial freedom of belief, opinion, discussion, speech, publication, assembly, demonstration, petition, opposition, contestation and participation. Equal treatment under law and, individual and group liberties have to be effectively protected by an independent and indiscriminately judiciary which have to be respected by other power centres. Rule of law has to be assured that protects citizens from unjustified detention, exile, terror, torture, and undue interference in their lives not only by the state but also by organized non-state or anti-state forces. Constitutionalism has to be adopted as a principle of ruling. The constitution must not be rigid so that expectation of coming generation could be accommodated. See in detail, Diamond, Developing Democracy: Towards Consolidation, pp. 9-11. Also, Larry Diamond et al. (eds.) The Global Resurgence of Democracy, London: The Johns Hopkins University Press.1993.

different experiences\(^89\) of a particular state and society. Most systems, irrespective of basic values and norms have been claimed as democracies on one pretext or the other. If we measure democracy of most countries of the world that claims themselves as "great democracies", we can easily find that human rights violation is widespread, military and police are immune to accountability, the judicial system is ineffectual and corrupt, the poor and landless are victimized by wealthy elites and military or other traditional powers that directly or indirectly influence the decision-making process. Can such systems be considered as democratic?

**Democratization as a Process**

The term "democratize" means "to make [country] democratic" and democratization is the process to make political system "more democratic"\(^90\). The meaning of democratization can be understood as 'to strengthen democracy' or to 'introduce democratic reform'. According to the dictionary, democratization is the process of "transition from authoritarian or semi-authoritarian systems to democratic political systems, where democratic systems are taken to be approximating to universal suffrage, regular elections, a civil society, the rule of law, and an independent judiciary"\(^91\). It indicates a process for building more democratic regime through transformation or a transitional process from one form of government to a very different one\(^92\). There is

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\(^89\) First, Democracy is a form of government in which the right to make political decisions is exercised directly by the whole body of citizens, acting under procedures of majority rule, usually known as direct democracy. Second, it is a form of government in which the citizens exercise the same right not in person but through representatives chosen by and responsible to them, known as representative democracy or electoral democracy. Third, a form of government, usually a representative democracy, in which the powers of the majority are exercised within a framework of constitutional restraints designed to guarantee all citizens the enjoyment of certain individual or collective rights, such as freedom of speech and religion, known as liberal is called constitutional democracy\(^93\). Fourth, democracy is only a "people republic" with a classless society and economic equality, known as Marxist Democracy. According to Marxist, "bourgeois democracy is a shame because equal political right can't equalize political power where economic power is unequal". Their argument is that political consensus and collective ownership of means of production were sufficient to ensure the democracy.


consist not merely in voting but also in wide consultation with interest groups and in the whole process of public criticism and governmental self-justification. According to this view, "democracy requires the decentralization not the concentration/centralization of power; every voter has his quantum, making him worth the attention of those who want to govern"\(^6\). Civil liberty, without these two (opposition and popular participation) can not be truly meaningful. The polyarchy, according to Robert A. Dahl, encompasses not only freedom to vote and contest for office but also freedom to speak and publish dissenting views, freedom to form and join organizations and alternative sources of information\(^7\).

In addition to the elements given above, the duly formed government itself can have no absolutism to go beyond the limit of constitutionalism that fixes the rule of law. Thus, democracy requires: first, the absence of reserved domains of power for the military or other actors that are not directly accountable to the electorate, directly or indirectly should be under the control of civil government. Second, "vertical accountability of the ruler to the ruled" requires the "horizontal accountability of officeholders to one another through the effective implementation of the concept of institutional autonomy, check and balance among the government’s organs, and separation of power among them. This constrains executive power and helps protect legality or rule of law, the deliberative process" and constitutionalism that requires to some extent to be flexible for accommodating the divergent interest or issues of coming generation. Third, it encompasses extensive provisions for political and civic pluralism as well as for individual and group freedoms\(^8\). As a result, different interests and values may be expressed and competed through the ongoing process of articulation and representation, beyond periodic elections.

But our experience of democracies shows that the word has become a handy weapon for proving an outfit to all kinds of regimes. Hence, it is difficult to define democracy not only because of vagueness in terms of different terminologies but also because of

\(^7\) Ibid.
unanimity among political scientists about what is democratization but they draw different conclusions on the causal factors of democratization.

The process of democratization has been measured by some of the social/political scientists through economic indicators. The development paradigm connects democratization to mainly economic growth and modernization. According to Thomas A. Sanction, most political scientists agree that certain preconditions are necessary for democratization. Among them "a high level of economic development, a strong middle class, a tradition of tolerance and respect for the individual, the presence of independent social groups and institutions, a market-oriented economy and the existence of elites willing to give up power" are essential. On the other hand, Marxists define democratization as a process of democracy that is only for a "people republics" with a classless society and economic equality. According to Marxists, "bourgeois democracy is a sham, because equal political right can't equalize political power, where economic power is unequal." Their argument is that political consensus on the collective ownership of means of production is sufficient to ensure "people's democracy".

Most scholars do not agree to the thought that economic equality alone assures the political equality, where people have no civic culture, and a certain level of political awareness. The independent theorists argue that global capitalism is the cause of the same. Likewise, the bureaucratic authoritarian model challenges the development theory by claiming that modernization coincides in Latin America with the emergence of a new type of authoritarian regime. Connecting democratization with different causal factors, including historical factors, social structure and conditions, economic development, political culture and leadership, and external factors, some social scientists also accept the importance of economic indicators including national wealth, communication, industrialization, education, urbanization, the level of country's economic development that "independently affect the orientation conducive to democracy of its citizen".

According to Lipset, in addition to economic development, the significance of political

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culture, legitimacy, and suitable institution are conditions for democracy, but economic development alone does not produce democratization. The level of assurance of human security, social justice, and fundamental and human rights of the people are also considered an important measure to label the status of "so called democracy". Dahl connects democracy to what he calls "polyarchy" that tries to put focus on more liberal trends and elements of accountability. The first favourable condition is to disperse or neutralize means of violent coercion. The second condition concerns the nature of a society. A "modern dynamic pluralistic society" in which wealth, income, education, and status are dispersed among groups and individuals, provides a favourable condition for democracy. Such society disperses power sufficiently to reduce its monopolization by any single group, although it does not necessarily eliminate significant inequalities in the distribution of power. The third is cultural homogeneity that facilitates polyarchy, whereas sub-cultural pluralism is favourable for polyarchy. According to him, sub-cultures are "typically formed around ethnic, religious, racial, linguistic, or regional differences and shared historical experience or ancestral myths". The fourth condition concerns the beliefs of political activists. A country is very likely to develop and sustain the institutions of polyarchy, if it possesses political culture and beliefs, particularly among political activists, that support the institutions of polyarchy. Finally, foreign influence and control is the fifth problem of democratization. Influence of more powerful countries may be problematic for the emergence, development and function of the institutions of polyarchy in the dominated/especially developing countries. But foreign intervention or influence can also be used to implant the democratic institutions. Thus, foreign intervention and cultural homogeneity are not equally relevant to all countries.

In the 1990s, when the third wave of democracy was indicated worldwide, the definition of democratization has been widened. It includes political culture, regime legitimacy

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and effectiveness, historical development\textsuperscript{100}, class structure and degree of inequality; national structure\textsuperscript{101}, state structure, centralization and strength\textsuperscript{102}, political and constitutional structure\textsuperscript{103}, political leadership; development performance; and international forces. Agreeing on the above indicators, Huntington draws a conclusion that "cause of democratizing differs substantially from one place to another and one time to another" and emphasizes the significance of the political process of democratization. He says, "a central requirement would appear to be that either the established elites within an authoritarian system or the successor elites after an authoritarian system collapses see their interests served by the introduction of democratic institutions". He observes, "With a few exceptions, the limits of democratic development in the world may well have been reached"\textsuperscript{104}.

Opposing the main thrust of Huntington, the evolutionary theory of democratization assumes that the principles of democratization remain the same from country to country. It defines human politics as "struggle for power" and the power is for obtaining the scarce resources that is the right of everyone. Hence, the distribution of power depends crucially on the distribution of resources. If relevant power resources are captured in the hands of a few, political power is also limited in the hands of the few. If important power resources are widely distributed, political power also tends to become widely distributed. Economic development; level of education; external, local, historical and other factors are the main indicators of democratization\textsuperscript{105}.

The existence of a substantial body of citizens of intermediate wealth can exert a stabilizing influence, allowing democracy to flourish. This is usually explained by saying that while the upper classes may want political power to preserve their position, and the lower classes may want it for their upliftment, the middle class simply has less use for power and is, therefore, unlikely to pursue non-democratic means of achieving it. And a

\textsuperscript{100} In particular, colonial, traditional authoritarian and military bureaucratic experiences.
\textsuperscript{101} Ethnic, racial, regional and religious cleavage.
\textsuperscript{102} Including the state's role in the economy, the roles of autonomous voluntary associations and the press, federalism, and the role of the armed forces.
\textsuperscript{103} Parties, electoral systems, and the judiciary.
\textsuperscript{104} Samuel P. Huntington, The Third Wave: Democratization in the Late Twentieth Century, Norman: University of Oklahoma Press, 1991, pp.30-38
healthy civil society (NGOs, unions, academia, and human rights organizations) are considered by some theorists to be important for democratization, as they give people unity and strength for a common purpose.

Such theorization has been interpreted anew in a country like Nepal. Democracy and democratization have been examined with a prism of social injustice with which the Dalits, ethnic groups, women and other oppressed and suppressed people have been claiming their share in power. It is broadly called empowerment. And democracy without empowerment of all sections of society remains to be dominated by the so-called middle class or elites. The agenda of the restructuring of the state and polity has thus become a common issue of all democratic and progressive forces after the 2nd Mass Movement in 2006.

Authoritarian rulers generally exploit the diversity gaps either individually or by using the army against politicians in a group. In Nepal, the Kings have often promoted army and used it against democracy, though they also were proved "incompetent", in spite of declarations of democracy. Against this background, the upcoming section would try to conceptualize the term 'militarism', 'militarization' and 'civil-military relation and concept of democratic control', so that the defined concepts in the rest of the chapters would facilitate examination of the inter-relationship between democracy and military.

**Military as an Idea**

Precisely speaking, 'militarism' is a doctrine, theory or system that values war and accords predominance in the state and society of the armed forces. Directly or indirectly, military spirit has been widely spread or injected in the polity and society of Nepal. This is the reason why militarism has been understood in three dimensions: (1) glorification of the ideals of the professional military class, (2) predominance of armed forces in administration or polity, and (3) a policy in which military preparedness is of primary importance to the state.

It can be defined simply as a situation in which "propensity to use military power, or the threat of it, for political settlement" is assured. Roadway says: "It exalts a function, the
orientation and a power relationship\(^{106}\). In policy orientation, militarism creates fear with "extensive control of military over social life", making subservient the "whole society to the needs of the army". Power relationship, on the other hand, "is crafted on the basis of military functions, its aspirations and support to the system it is imbued with"\(^{107}\). Military indicates the ultimate power of coercion of the state. Thus, militarism is a position that applies military power to achieve its desired end.

According to the International Encyclopedia of Social Sciences, militarism indicates a "fully militarized society". In the extreme case, it is possible only in centralized polities with the armed forces unilaterally determining the nature of the basis of institutions, the choice of regimes, the rights and duties of citizens and the share of national resources allocated to military functions. In the less extreme but more common case military leaders exercise great power as partners and agents of other social groups rather than as relatively autonomous forces\(^{108}\).

Militarism emphasizes on the military over civil, and has "military considerations, ideals and values over civil ones" in the state. It also encompasses wider ideological and institutional structures that promote and prioritize military strength and militarist strategies. French under Napoleon Bonaparte, German imperialism under Hitler or Japanese regime during the Second World War are the typical examples of extreme militarism. However, this sort of militarism was different from the contemporary militarism that has developed with more sophisticated means\(^{109}\). Historically, militarism was related to the role and importance of the military in a regime, and to civil-military relation. By defining militarism as a strategy to use military in a political system and to increasing reliance on force in international relation, it was confined to power politics, territorial conquest, imperialism and warfare.

Contemporary militarism has been defined in relation to social, political and economic life of the people. It indicates that the social, political and economic affairs of the country


are significant in defining militarism. On the other hand, the influence of military strength and means of powerful countries have been automatically encompassed in the area of militarism that imposes the military ethic in the society. Heroisms are associated with military stories. The state political system also has a strong military background and the military is the central or obligatory part of the state. Moreover, militarism includes the policy of a state to make military "war potential" and "power potential". Hence, militarism is generally understood as the array of "customs, actions and thought" associated with armies and wars\textsuperscript{110}.

Militarism is an ideology that has fixed ideas on issues of military, its activities and actions, behaviour and position, and policy and relationship with people, society and the state. But it is not sure and true that militarism is promoted by military efforts alone. It can also be promoted by mutual effort of civil-military authority. Sometimes civilian authorities, in the guise of traditional and authoritarian rulers, promote militarism for consolidating power. For achieving this objective, these rulers should have confidence in the military. It is difficult to distinguish the interest of professional military, rulers, and the rest of society and state where rulers do have the intention of being authoritarian or absolutist with the help and confidence of the army. Internal insurgency and mission of achieving peace through military means would create conditions for militarization. This kind of militarism is termed as "civil-militarism" by Dhruba Kumar\textsuperscript{111}.

"Militarism begins when the armed forces accompany their advice with threat of sanctions". Military can blackmail the ‘de jure government’ by encouraging “to resign, to withdraw support, to announce disagreements publicly, to demonstrate disdain for the regime, to refuse to execute its orders or to rise up in arms\textsuperscript{112}. If they succeed, armed forces begin to rule indirectly either by exercising a veto or by substituting policies and personnel of their own choice\textsuperscript{113}.

Militarization as a Process

Militarization is a trend that demands extra-ordinary attention of the rulers for building and enhancing the institution of military. It demands resources, commitment and confidence so that the military could enhance its influence both in numbers and strength. Thus, the process of militarization absorbs too much material wealth of a nation, dominates national politics, and strains the economic life of a country. Moreover, stress on militarization also hampers other social sectors as the rulers become over-dependent on the military aspect of security. In order to achieve peace, army is considered as the best constituency forgetting that other non-military aspects of security are no less significant for peace.

Generally, militarization is understood from two dimensions: first, militarization means a tendency to spread military culture by building up a military force, and second, militarization indicates the process of adaptation for military use by making military policy. That is why, one of the indicators for measurement of militarization is military policy made by the current regime whether or not the adopted policy is in favour of military interest or civil/national interest. Generally military policy can be divided broadly into two categories: strategic and structural military policy. The first defines a particular need and prescribes policies on the use, strength, and weapons of the armed forces, by dividing it into two categories: programme issue and use issue, relating to "units and uses" of forces from foreign policy perspectives. The programme issue encompasses strength of military forces, their composition and readiness, and the number, type, and rate of development of their weapons. The use issue deals with the deployment, commitment and employment of military forces, and is manifested in alliance, war plans, force movements and also representation in civilian sphere, etc. On the other hand, structural military policy is related to the domestic component and deals with the acquisition and organization of the resources drawn from society. It deals with (1) Budgetary policy: size and distribution of funds made available to the armed services, (2) Man-power policy on: the procurement, retention, pay, and working conditions of members of the armed services, (3) Procurement policy: acquisition and distribution of
supplies to the military forces, and (4) Organizational policy: the methods and forms, by which the military forces are organized and administered\textsuperscript{114}.

The process of making military supplies for equipping the army with the latest weapons, etc. also indicates militarization. In combination, the overall expansion of economy made it possible for the state to raise more taxes and to use these funds to sustain larger armies and institutes or for permanent conscription. When more destructive weapons become available, states may run in accordance with military ethic\textsuperscript{115}, and humanity can be affected more heavily than at any prior point of history of the country. The situation can compel civilian authority towards adopting a "military mind" to the extent that they have to act in the opposite direction of democratic spirit by driving the organizations of society on the basis of chain of command either subjectively or arbitrarily\textsuperscript{116}. Since military is in the prime position, which implies that the military's "priority and security must come first"\textsuperscript{117} in accordance with interest of military, other sectors suffer during the course of militarization. "National Security" based on military security doctrine is accorded priority over development needs.

Militarization can be defined simply as a situation in which the "propensity to use military power, or the threat of it, for political settlement" is made certain. It indicates both "a policy orientation and a power relationship"\textsuperscript{118}. In the policy orientation, it creates havoc and fear with "extensive control of military over social life with the subservient role of society. The needs of the army get top priority over others. Hence, militarization connects the process whereby "military values, ideology and pattern of behavior result in the militarization of the structure, ideological and behavioral patterns of state"\textsuperscript{119} with a powerful impact on civil society. Thus, militarization and militarism are mutually supportive, in which militarization is related to the material aspect and militarism to the ideological aspect.

\textsuperscript{114} Ibid, p.319.


\textsuperscript{117} Samuel P. Huntington, The Soldier and the State: pp.62-64.


\textsuperscript{119} Anuradha Chenoy, M.; Militarism & Women in South Asia, New Delhi: Kali for Women. 2002, p.5.
Civil-Military Relations and Concept of Democratic Control

The term, ‘civil-military relations’ defines the relationship between civilians (“people without arms”), the society at large, and the military (“people with arms”), established as a separate armed body in order to protect the society\textsuperscript{120}. The relationship is deeply influenced by the national history, sentiments and traditions. It depends not only on the role of army as a state institution in the particular country, subordination of the military to the political authorities as defined in law and constitutional arrangements etc., but also its relationship on the spheres of power, politics, economy, science and technology, culture and history. It is determined by public opinion towards defence and foreign policy of the regime and certain action of the military for such policy etc. The nature of the problem in civil-military relation is very intricate as both the society and the military are changing in a very complex way.

The central issue in the modern theories of civil-military relation is that of civilian control of the military. The ‘civilian control’ is used in the sense of “political control”\textsuperscript{121} and civilian here indicates as a “pre-eminence of civilian institution, based on popular sovereignty in the decision-making process concerning defence and security matters\textsuperscript{122}. Its sole spirit is that control of the instrument of violence should firmly be in the hand of “legitimate civilian authority”, but such control of the military should be based on ‘democratic principle’\textsuperscript{123}. Because democracy means sovereignty of the people, the persons in command, which represents the people only has the authority to exert the power of the state. One of the basic principles of the representative democracy is that politicians who exercise the political power are responsible to those who have elected them and in whose name they formulate and implement policies being accountable to the parliament and independent judiciary. It makes the elected leadership as ‘supreme

\textsuperscript{121} One of the senior army officers of NA defined the term, civilian control as “political control” in an interview with the researcher.
\textsuperscript{123} Dhruba Kumar, while talking to the researcher during the interview. See also Hans Born, “Democratic Control of Armed Forces: Relevance, Issues and Research Agenda”, pp.155-58
authority' that controls all the institutions of the state including military. The military on its part should follow the legitimate order of the civil authority while translating its defense policies into action. Bland explains that “civil control of the military is managed and maintained through the sharing of responsibility for control between civilian leaders and military officers. Especially, civil authorities are responsible and accountable for some aspects of control, and military leaders are responsible and accountable for others. Although some responsibilities for control may merge, they are not “fused”\textsuperscript{124}.

A question is raised here whether the ‘civilian control’ and ‘democratic control’ of armed forces give similar sense and meaning, i.e., whether these two terms are synonymous. The answer is no. Not every civilian control does necessarily represent the ‘democratic control’. Democratic control implies respecting democratic norms and values that limit the absolutism of the civilian authority itself by applying the theory of checks and balances, and separation of power between three organs of the government: executive, legislative, and independent judiciary. All of them should perform their respective roles under the law, i.e., constitutional provision. Sarvas differentiates the meaning of the terms that “It [democratic control] is not only control in the strict sense but includes also guidance by political actors who provide democratic management. Democratic control always implies civilian control, but civilian control is not necessarily democratic control. For example, the political oversight of the Czech communist regime over the military forces was civilian, but not democratic”\textsuperscript{125}. In the 20th century, the relationship between the state and the army as reflected in the writings of Mao Tse-tung and Samuel Huntington remain important. Mao, following the class struggle logic, was clear that the army has to be an extension of the party. The communists took it for granted that the party reflects the will of the people and therefore it is imperative that the army implements the wishes of the people by faithfully following the instructions of the party. Going by this logic, carrying out the dictates of the party was the same as being loyal to the wishes of the people. As early as 1929, Mao stated clearly in Selected Works Vol. 1,

that the "Chinese Red Army is an armed body for carrying out the political tasks of the revolution"\textsuperscript{126}. The fusion of party and the security wing of the state remains a central feature of Maoist thinking.

In the case of Nepal, the Maoists have not yet made their views clear on this issue but their confrontation with the president and the army chief makes it clear that they view the army as a political and economic instrument of the Maoist party. Similarly, Huntington argues more clearly that civilian control has "to do with the relative power of civilian and military groups.... Civilian controls achieved to the extent to which the power of the military groups is reduced. Consequently, the basic problem in defining civilian control is how can military power be minimized? In general, two answers exist...subjective civilian control and objective civilian control"\textsuperscript{127}. Military leaders have been playing multiple roles in most communist countries of the world: as members of the ruling party, members in cabinet and commanders in military institutions. Thus, there is no existence of check and balance and separation of power between the organs of the government, but total authority to the ruling elite or party alone to influence all aspects of politics and governance.

The ideological perspective regarding the relationship between the army and the state affects the overall framework of oversight mechanism, both legislative and civilian, as well as coordination of the security wing with other branches of the government. Democratic control in civil-military relation is always a two-way process of interaction between not only the military elite and the civil authorities, but military and society also at large. The democratic government, i.e., executive authority has full power to determine the size, type and composition of the armed forces; to define the military and national security policy and concept of military reforms, to propose budgets etc., for which it needs the confirmation of the legislature and relies on civil-military exports, so the representatives of military establishment has always great influence for defence and security related matters. Thus, generally the military elite try to interpret the concept of the widely accepted theory of civilian control and supremacy over armed forces in their own way so that they can vitalize the existence of a strong army in accordance with their

\textsuperscript{126} Prakash Chandra Lohani, 'Democratization' of Nepali Army, \textit{The Republica}, 1 November 2009.

corporate, professional and individual interest. Sarvas rightly claimed that "the armed forces prompt express concerns in every society and it is up to the democratic controlling institutions to supervise the parameters within which the military is allowed to mediate its interests. The professional military corps interprets world events in a way that enables them to achieve the greatest share of sources. Not only institutional and corporate loyalties, but also the personal interests, are voiced by professional soldiers"\textsuperscript{128}.

Thus, the main problems while practicing democratic control are thus considered as lack of capacity to curtail the power of military establishment through efficient management of the civil-military relation. The second problem is to discipline the army in such a manner so that no harm caused to the state and its citizens. Third is double "subordination"\textsuperscript{129} whether the army should obey the state (constitution), or the a particular government in the office in the given situations: (1) when political orders are incompatible with military professionalism, (2) when political orders are illegal, or (3) when political orders are incompatible with the basic morality\textsuperscript{130}, and finally it is the problem of relationship between expert military versus the non-expert minister, whose controlling military is dependent on the expertise of the same military. Some specific problems regarding democratic control can be labeled as the "erosion of the primacy of the politics"\textsuperscript{131}. A survey of social science literature on military in politics suggests five broad factors considered as causes of either conditions for military intervention in politics or absence of it: (1) international organization of the military establishment, (2) socio-economic development, (3) level of political institutionalization, (4) professionalism and civilian control of military, and (5) foreign influence and proximity of other military coups\textsuperscript{132}.


\textsuperscript{131} Hans Born, \textit{Multiple Control and Armed Forces in Democracies: The Case of the Netherlands}, Breda: The Netherlands 2000, pp.29-33.

There are three types of democratic controls in practice in the world: vertical control\textsuperscript{133}, horizontal control\textsuperscript{134} and self-control\textsuperscript{135}. The aim of all the types of democratic control of armed forces are common: (1) to protect human rights of all members of society, (2) to align the goal of political leaders and military leaders, to legitimize the use of force, (3) to curtail the discretionary power of military within certain parameters and to avoid autocratic rule, and (4) to balance the societal and functional imperatives, in fact to manage the social character of the armed forces\textsuperscript{136}. To achieve the targeted aim, good civil-military relation is required.

The strong civil-society can also play a transformative role in changing the civil-military confrontation to cooperation. The democratic control need not be limited to budgetary and performance oversight, but should include development of structures and regulations. The civil society groups can mediate and translate the security issue between the wider society and the defense establishment. They can make military questions meaningful to society and to resonate social concerns to the defense establishment through official statements, military press briefings, and election of parliamentarians with an interest in security matters. Transformation can be materialized without information. A degree of consensus about what needs to be kept secret for strategic reasons rather than maintaining military privilege and power practice by the both honestly. But there also needs to be a level of knowledge and understanding of security issues at the social and political level, and a willingness in the military to accept social change\textsuperscript{137}. The civil society can be an important part of “security policy community” that helps change the existing countervailing mentality of not only civil-military functionaries, but military and society also.

\textsuperscript{133} Controlling through budget, legislation, micro-management, appointment of generals, parliamentary inquiries, the use of countervailing powers within the armed forces, i.e., inter-service rivalry.

\textsuperscript{134} Controlling through the involvement of societal institutions like the media, NGOs, religious institutions, external research institutes, military unions, integration of civilian and military law institutes and national ombudsmen.

\textsuperscript{135} Not controlling by dictating the democratic value top-down, but through internalization of those values via education and training that helped create political neutrality to military officers.

\textsuperscript{136} Hans Born, “Democratic Control of Armed Forces: Relevance, Issues and Research Agenda”, p.155

Rationale and Scope of the Study

This study is integrated with my earlier study, but that could not encompass all the complex issues of democracy and military in Nepal, mainly because of two causes: first, a detailed study was not possible because of time limitation given by the university. Hence, no first-hand data was collected for testing the hypothesis. Second, the study could not include the main struggle of the people for “full-fledged democracy” after King Gyanendra took over power on October 4, 2002 by sacking the elected government and ruled the country with the help of military until the 2nd Mass Movement since 2006. After restoring democracy in April 2006, several steps towards democratizing the military and the country have been taken by the new government and the restored parliament. Without including these developments that are most relevant for the subject, the research would be incomplete. Therefore, the decision has been taken to continue the topic in which a detailed study will be done by collecting first-hand data. The limitation of the study has been overcome by extending it till 2007, when the Maoist party was one of the coalition partners of the government, interim Constitution had already been endorsed by the restored parliament, and the date of Constituent Assembly was fixed to determine the forthcoming polity by framing a new constitution.

Research Questions and Hypothesis

Political developments in Nepal during 1990 to 2007 is the main focus of the study, since various governments formed under the mandate of elections, royal nomination, Chairmanship of king, and mandate of Mass Movements (Mass Movement-I was held in 1990 and II in 2006) were functioning during the period. In addition, an interim government formed after the successful Mass Movement II had already been in full shape and was running under the Premierships of G.P. Koirala, leader of the Nepali Congress (NC) till the completion of the Constituent Assembly election in 2008. The civilian leader, who became incompetent several times during the 1990s, became the successful civilian leader during the tenure of interim government, 2006-2008. The military, which never supported the leader while there was a conflict of interest between its non-professional commanders—the PM and the king, helped the leader for a smooth political transformation, for changing the monarchy to federal republic during the period. The military, which made civil leaders
incompetent to implement the major responsibility of the government (providing security to the people, conducting periodic elections, and countering "terrorism") as directed by the king, could not go for the rescue of neither the king nor the institution of monarchy in spite of his will as well as order. Contrary to it, the civilian leaders and the military worked together for making the peace process smooth, conducted the CA election as per the mandate of the JanaAndolan and established the best civil-military relations. Since the main objective of the study is to examine various factors, which, on the one hand, made positive relationship between the strong leadership and the military; and negative correlation between democratization and militarization on the other. The study has mainly focused on searching for answer of the following questions:

- How has the formation of Modern Nepali State created and developed the military culture and social stratification?
- How has the history played a vital role in creating and developing civil-military relation in Nepal and how de-facto rulers have invariably used the military for gaining, exerting and maintaining power?
- What are the causes of militarization vs. democratization in Nepal during 1951-2006?
- What are the main problems of adaptation and indigenization of democracy after 1990 that provided enough ground to the traditional institutions—the monarch and the military in tandem against the democratic norms and spirit?
- Why has the military been found to be non-cooperative with the civilian government and why the national army is not respected by the people?

These questions have been generated for developing the thesis on the basis of some of the following hypotheses.

- The process of democratization is dependent on the continued unity of democratic and Maoist parties after 2006.
- The Nepal Army's continued loyalty to the civilian leadership is conditioned by the unity of democratic process.
- The parochial political culture, crisis of leadership, intra and inter-party conflict, king's interest to be assertive, followed by the Maoist insurgency, were the major
causes of the democratic crisis after 1990 until 2006. The scenario changed due to the alliance formed between the non-Maoist alliance and the Maoists since 2006.

- Restructuring of the Nepali state and democratization of the military would help to restore and promote democracy. However, from a futuristic point of view, if the political parties fail to forge unity among them, the army may be tempted to grab power on various excuses as has happened in other parts of the world.

Methodology of Study

The study is mainly descriptive and analytical. Data has been collected from both primary and secondary sources. Relevant books, journals, published and unpublished articles, government reports, census records, constitutions, parliament reports, newspapers and magazine, articles, speeches, reports from governmental and non-governmental organizations, including selected websites, have been used for gathering necessary data related to the subject matter. First-hand data have been collected during field visit through interviews using different checklists in accordance with the various roles of the respective people. Interviews have been taken from different political leaders who were in the government after 1990, especially as Defense and Prime Ministers. Interviews have also been taken with: journalists, political analysts, leading human right activists, retired and in-service military officers, including the then COAS and the Second-in-Command. Similarly, the idea of ex-PLA commanders and Maoist ideologue, who were involved in the insurgency, have been understood to identify their perceptions, the weakness of the then RNA in the field, while they were moved out for suppressing the "People's War". Case studies, where military activities were reported as human rights violations by different governmental and non-governmental right organizations are also analyzed on the basis of such interviews.

Structure of the Thesis

The present study is divided into seven chapters. Chapter I is devoted exclusively to the conceptualization process of democratization and role of the military. Since both the issues—military and democracy—have continued to dominate the politics of the country in recent times, all political parties and members of the civil society have come to the conclusion that
the control of the army by the elected government is a must if democracy is to consolidate. Thus, introducing the research topic with a brief historical development, the first chapter tries to conceptualize the terms-‘democracy’ and ‘democratization’, ‘militarization’ ‘militarism’ and civil-military relation and concept of democratic control of armed forces. These concepts are explained and analyzed fully with the help of empirical evidences that have highlighted the civil-military complexities existing in the country. Without an in-depth understanding of the background of the subject, it seems difficult not only to deal with the present context and to make the thesis coherent or consistent, but also to prove the rationale of the research within the period, 1990-2007.

Thus, Chapter II deals with the civil-military complexities before 1990, with a brief introduction to the formation of modern Nepali state. It links the history that helps develop military culture and complex relation between civil and military, military and society in terms of religious, cultural, economic, political and legal aspects. Testing the hypothesis whether there was shift of power to the people after 1950, it deals with the cause of lack of democratization during the 'democratic period', 1950-1960 and militarization vs. democratization during the 1960s.

Similarly, Chapter III deals with Royal Nepal Army (now NA) as an institution of the country. Trends of recruitment, social and organizational structure and orientation are also addressed. It also explains its role not only in guarding strategically important places and involvement in the development activities of the country, but also in broadening the foreign policy through its active participation in the United Nations peace keeping mission. Likewise, it analyses why the national institution has not been able to represent the social character of the state, and how the social background of military elite plays an important role in determining the civil-military relation. Why the issue of restructuring the NA came up also needs to be highlighted.

Chapter IV deals with the military-democracy interface in 1990-2002 when there were duly elected civilian governments with different characters: majority, minority and coalition. The chapter focuses on the intertwined relationship between the king and army, and its impacts on democratic governance after 1990, highlighting the role of army during the constitution-making process and its impact on the 1990 constitution. It also elaborates how the king-military tandem made the elected government helpless in responding to the Maoist
insurgency. How the external environment and forces can be an important factor for the militarization has also been dealt with in the chapter.

Chapter V deals with people's struggle for democracy after 2002 when the incumbent elected Prime Minister compelled dissolution of the HOR under pressure of the king and then again how the king sacked the elected PM. It also highlights the situation that helped polarization of political forces in support and against the king that helped Seven Party Alliance (SPA) to shake hands with the Maoists. Analyzing the role of the military in the 2nd Mass Movement, it deals with the role of external factors for restoration of democracy in 2006.

Chapter VI analyzes the power shift, highlighting the steps taken by the restored parliament and new government for democratization of military. It deals with the issues raised by the people for democratization of NA, and activities and commitment of military to the interim government, peace process and democracy. The relationship between the Maoists and the military in the context of peace process is also discussed in the chapter with a broad analysis of the prospect of ex-PLA integration into NA.

Chapter VII, the last chapter as conclusion, tries to encapsulate the entire developments of civil-military relationship, hinting at the emerging trends in the country. Political parties' failure and lack of unity among them are likely to be crucial for maintaining the supremacy of civilian authority.