Each country has its own specific background. Our understanding and experience of military culture and role of the military in politics would not be stranger than that of the experiences of other countries. Military is entrenched and continues to dominate the civilian governments, mostly in developing or third world countries of the world regardless of the overwhelming parliamentary mandate received by a government. The nature of society and culture, level of political mobilization, international environment and dynamics of the military and connections across the boundary between the civil and the military are the main circumstances which help determine the civil-military relation. Most developing countries except some of the monarchical states are either newly evolved or decolonized. In developing countries, lower level of social cohesion, fragmented socio-political class, absence of strong and articulate middle class, lack of socio-political mobilization, low level of institutionalization, weak and ineffective political parties, leaders and social organization, poor political management and inability of leaders to govern with consent are common phenomena that create overall anxiety and uncertainty about the future. Such characteristics not only create a question of legitimacy to the new rulers but also allow the military to expand its role. Against this background, this chapter deals with the military history, tradition and background of the country that play important role to restore and institutionalize democracy established in Nepal since 1950. It also focuses on how the political culture and social-political practices create social hierarchy that do not allow democracy to take roots before and after 1990.

Civil-Military Relations: An Overview

American political scientists examine civil-military relation as an interaction between armed forces, political elites and citizenry, focusing on the influence of the military high
commanders on the making of foreign and defense policy. Internal dynamics of the military is also recognized as an important factor to determine the civil-military relation. Military history of the particular state, socio-economic background of the officer crops, process of recruitment, promotion, grooming, education and training and other opportunities also are vital aspects of developing a pure professional military. It is very difficult task to contextualize the role of military in the changing scenario, especially in the process to convert it from tradition to modernity. The military ethic and mind should be gradually changed to achieve a broadly professional set of institution as required after any political change. Liberal and basic education with specialization and advancement of promotional system according to the merit rather then seniority based require changing traditional military mind and ethic for its modernization and professionalization in the changing context.

But the traditional societies, having the experience of mass militia or autocratic character of military, does not easily internalize the change. Nor transitional societies may have the strong economy, leadership, modern political forces required for adequate social-political and economic transformation. Thus, no transformation is possible without taking the traditional force into confidence. But the traditional forces manifest an integration of political and military elites. Most standing armies were formed either by crown or the communities, and officered by the members of the nobilities. Such elite integration works to ensure the loyalty of the army to the crown as shared ties of land, family and ideology forged an identity of interests between the military and the ruling class. It gives a birth to a "blending of the management of military and civil affairs". Such allies are tightened mostly by religious tradition for establishing a single power centre in the name of Allah, Church and Raj Dharma such as in Pakistan, European countries and Nepal respectively.


Traditional rulers are reluctant to put armies in the hand of their subject, as they knew such a practice had egalitarian consequences that could undermine aristocratic dominance. Militia system, on the other hand, has preserved the idea of community based military obligation in aristocratic states like in Nepal, several princely states of Indian sub-continent and other colonial North American and European states during the nineteenth century. The idea was that all men, who belonged to the community were subject, having obligation to serve in the military when called upon by their own either states or communities to fight for liberation or against colonialism. Several experiences show that the shift from the mass militia to standing army has inherent character making the military claim due share in power structure as “guardians of the government”. Nature of formation of national army also determines the role of the military in politics and governance. The youngest country of South Asia, Bangladesh, where national army emerged from nationalist struggle having self image as liberator has been determining the evolution of politics, is illustrious example in this regard. Thus, the experiences of both the traditional army-mass militia and aristocratic army- are not compatible with the concept of military professionalism in modern terms. Because, the professionalism does not recognize the traditional concept of defining the military as “a state within the state”, but prefers to put it under constitutionalism. Military leaders after assuming executive power through coups formed political parties to legitimize their actions in Bangladesh. Contrary to the experience of Bangladesh, no military man of Nepal Army, which was also formed during the unification of Nepal neither could emerge as a leader, nor had been involved in the practice of party politics before 2006. The reason was that Nepal Army was under supreme command and control of the King at the centre; his command was continued up to 2006, but Mukti Bahini was under the Awami League, a political party. The command of Bangladesh National Army changed with the changes of party

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leaders after 1971. Such trends made it stable and political leadership dependent on it even after formation of "Swadhin Bangla".

Similarly, the military background, tradition and formation of the military establishment itself may not be a sole source to determine the civil-military relations. Mission and vision of the new leadership is equally important to give a new shape of such relations. Otherwise the political leadership and democratic system themselves can be subordinated and controlled by the military. India and Pakistan having similar military background have different experiences because of political exertion of towering personality of Jawaharlal Nehru in India for decades and crisis of leadership in Pakistan after the death of Muhammad Ali Jinnah shortly after its emergence. The former challenges the American approach to the military affair and later supports it, since the US, super power of the world, advocates that "a small standing army" is ideal. It defines the large military force is "a threat to liberty", "democracy", "peace" and "economic prosperity". The rationale is that the military is recognized as legitimate source of violence and a principal supporter of war. It not only leads the war but gives burden to the state also for arranging armament and other extra management for such war. Thus, warfare anyway threatens to the liberty of the people, one of the key components of democracy. Final-days of Gorkha conquest under the regent of Queen Lalit Tripura Sundari and Kaji Bhim Sen Thapa proved the logic how the military led the war for its own interest that, in turn, led to the Sugauli Treaty in 1816 losing two-third territory of the conquered land. Also the way the military in Pakistan waged Kargill war with India against the consent of civil leader of the country in 1999 also proved it. Internally, even in the name of fighting for terrorism or insurgency in the country, TADA and POTA were precondition for military mobilization even in India that certainly cut civil-liberty. Nepal also had introduced TADA after 2001 for mobilizing the RNA while there was the Maoist insurgency giving more authority to the security agencies.

Generally the civil-military relations depend on who has the authority to command military and how it is controlled, and how is its relation with the state and society. The command and control systems are varied irrespective of a polity. The USA and India have dual control system (President and Congress/parliament, i.e. executive and

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Dhurba Kumar, a security analyst in Nepal, while talking to the researcher said it.
legislative authority) with the separation of power and check and balance. Role of Judiciary is equally important and can ask questions against the decision or action made by the both. In Britain, Council of Ministers and parliament are the highest bodies to control and command the military, and Crown is titular in this regard. In China and North Korea, the military is controlled and commanded mainly by the supreme authority of the respective countries, the Party headed by the top leadership. Military in both the communist countries are under the model of civilian control but not democratic control. The democratic control is the control of the military by the legitimate, democratically elected authority with the provision of check and balance and separation of power. So, every civilian control does not necessarily imply democratic control, but all democratic control indicates undoubtedly civilian control of the military. The concept of civilian control itself has been differentiated as subjective and objective in nature. Many civilian dictators, irrespective of ideology or nature of regime—communist, authoritarian, and oligarchy—control and command the national forces, as real allies of the regime. But the objective civilian control is possible only in democracy, where opposition voices are recognized, decision on military and security matter is taken by consent of respective civil and military elites institutionally.

But generally the military's primary consideration may not be direct exercise of supreme political power, but protection and advancement of its professional and corporate interests. Such interests are national security, weapons and equipment procurement from abroad, defense expenditure, protection and promotion of their perks and privileges. Their major expectation to the civil authority is military autonomy and civilian non-interference in the internal military matter like promotion, transfer, posting for maintaining service discipline and professionalism. If senior commanders are confident of existing political experience, organizational resource and institutional strength, they

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can protect their interest without assuming power. The government led by Julfikar Ali Bhutto in 1971 and Nabws Sharif in 1999 and B.P Koirala in 1960 was sacked by a coup in Pakistan and Nepal respectively because of their policies of reform. Nepali experiences also suggest that most controversial issues leading to cooling civil-military relation are recruitments, promotions and retirements of the senior officers, or mobilizations. Most civilian leaders hardly try to understand the rationale of democratic control, but politicized the military in the name of ‘civilian supremacy over military’ ignoring structural constrains and customary evidences. Military seems independent, while civil authorities are divided into civilian authority and coalition partner in the cabinet, and largest parties and oppositions in parliament in this regard. The practices led ultimately to either subjective control or military dominance in politics. The conflict between General Rukmangad Katuwal and Pushpa Kamal Dahal Cabinet in 2009 in Nepal was output of such practices of “Civilian Supremacy”. In Great Britain the persistent interference of parliament and crown in military affairs made military discipline impossible before they signed bill of rights.

The civilian control itself is challenged by some scholars who prefer to term ‘civilian oversight’ on the basis of “the theory of shared responsibility”. Bland thus describes the shared responsibility, “...military is managed and maintained through the sharing of responsibility for control between civilian leaders and military officers. Specifically, civil authority is 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”. No effort of civilian leadership for subjective control does help for professionalism but political loyalty that is practiced mostly by the communist regimes. For, there is no difference between the party and its government as

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13 UCPN (Maoist) has been agitating to establish “Civilian Supremacy” over military from the day when then Prime Minister Pushpa Kamal Dahal resigned from the post accusing other parties in the government and parliament, and the president of not cooperating him, while his party decided to sack the then COAS in the accusation of not following the civilian order.


military is treated as a branch of the Communist Party\(^{16}\) that corrupts the professionalism of the military. Similarly, the civil-leaders, who lack not only understanding about military character but capacity to differentiate the role of the military from other security agencies, create problem in civil-military relations.

The military continues to be the most formidable and autonomous political actor capable of influencing the nature and direction of political change. Military generals adopt three major strategies to ensure their interest in the changing political context: constitutional and political engineering, co-opting of political elite to influence the process, and the assumption of the civilian role by some of the key generals\(^{17}\). Exercises of military men in Nepal in 1990 while making the new constitution, confidential meetings with the top Maoist leaders after Comprehensive Peace Accord was signed, and their sudden presence at the Office of the new Prime Minister after political change in 2006, etc., are some of the examples of how military takes interest when opportunity arises. It also gave the sense that military officers felt threatened in democracy made bid for ensuring the professional and corporate interest of the military in the changing context. The royal patronage enjoyed by the military officers in the past had helped maintain the balance between the Palace and the army. Many general were appointed as ambassadors and in other posts during the royal regime.

Military officers think that the “The Army serves the state, it is above the parties”\(^{18}\) which mostly prefer to work for personal and partisan interests. Most senior officers accused the civil leaders of being incompetent to handle the competent military officers\(^{19}\).

Historical exercise and social composition of the Military in Nepal could hardly allow the military to perfectly developing the professional “Military Mind” that may “be approached from: (1) military ability and quality, (2) its attributes or characteristics and

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\(^{19}\) On the basis of interviews with different in-service and former senior military officers.
(3) its attitudes or substance. Nor did it help to suddenly change its traditional "Military Ethic with respect to (1) basic value and perspective, (2) national military policy, (3) the relation of military with the state. The military mind that defines the attitudes, values, views of the military makes them not only subjective and arbitrary, but also opposes democracy if the situation remains uncertain.

If past experiences are any guide, the rulers' policy to categorize people into 'Aryan martial tradition', 'martial race', inferior and unwarlike, and superior and warlike qualities resulted in discrimination. Feeling of castes and social classes excluded them from the service in army. However, political leaders compelled the British rulers in India to initiate the Indianization of commissioned ranks even before its independence. It could help the process of inclusion of the 'qualified Indians' in Indian Army with the spirit of secularism and federalism after 1947. Panjabi and Pathan domination in Pakistan, and Chetriya including some other ethnic domination in Nepal has still continued after political change. Neither military mind nor ethic was changed with the pace of time and situation. Contrary to it, the newly adopted policy of recruitment and the criteria fixed for it created further exclusion. It symbolized the military institution as an ally of feudalism commissioning the people only either from "military family" or "community" or from higher class in top brass. Similarly, vibrant civil-society and media, high level of political mobilization and social diversity and plurality, prevent military from plotting any coup in India. Moreover, military is not unknown to the reality that India is a highly heterogonous and diversified country on which no military rule seems to be possible.

External dimensions also expand the role of military The way American Ambassador visited in the military regional Headquarters in 2004 and Indian especial envoy stayed in Military Quarters in 2006 show how the foreign powers play in the country by making military as an instrument. Similarly, the RNA which could hardly brief security situation

of the country to the PM and concerned committee in parliament, briefed the US Assistance Secretary, Cristina Rocca, in 2003 at RNA Headquarters about the security situation and military policy to control it. The large army in a poor country like Nepal and its dependency for lethal and non-lethal weapons, training and education, and other exposures on other countries become the main source of intervention in its internal matter. The historical links between the Indian and the Nepal Army have also brought them closer to one another. So no personal relations seemed to have worked in influencing decisions on the Nepali army. The dismissal of General Katuwal by the Maoist led government in 2009 had thus sparked off controversy over the issue that went in favour of the sacked General.

Origin and Development of Military Establishment in Nepal

In the wake of Gorkha conquest, Prithvi Narayan Shah (P.N. Shah), king of Gorkha principality and founder of unification of Modern Nepal, realized the necessity of a strong and well-trained permanent army in the country for offensive and defensive purposes. However, it was impossible at that time due to lack of a strong economy of hilly Gorkha principality. Due to the unending rivalry between the two king brothers — Drabya Shah of Lamjung and Narahari Shah of Gorkha — and continuous attack of Lamjung on Gorkha, King P.N. Shah had followed the strategies of his forefathers who used to use the subjects of their principalities as a temporary army between the age group of 12 to 80. He also established a good relationship with the subjects of Gorkha for economic and military support. That is why, on the one hand, Gorkha principality remained independent, and the Gorkhalis were made skilful for warfare and were known as a military clan within and outside the country. People’s orientation to the military either by directly recruiting in the military or by serving the military helped them to adopt military culture in the Gorkha principality.

24 Brief to U.S. Assistant Secretary of State (a policy Brief presented by the Director General of the Royal Nepal Army (RNA) to the visiting U.S. Assistant Secretary of the State, Kristina Rocca, at the RNA Head Quarters, Bhadrapal, Kathmandu, 17 December 2003.
25 One of the principalities in Baisi and Chaubise before the unification of Nepal in 1768.
After P.N. Shah defeated the Bengali army under Gurjin Khan, he had seized all the weapons and established a permanent army with five companies in Gorkha in 1773 and started to train local people as professional military by using the weapons and methods of the defeated Indian military. Other neighbouring principalities had no option except to be compelled themselves to make a policy for forming a trained and permanent army to defend the offensive action of P.N. Shah who had a dream to unify Nepal through military conquest. This led to the beginning of the process of militarization within the country.

P.N. Shah had made a policy by prioritizing the allocation of manpower in the two fields — agriculture and military — that had to be observed for the welfare of the state. Being aware of the geographic and economic situation of Gorkha and its viability to cope with his dream of unification, the priorities had been given to tilling the field for achieving the main goal — strengthening the military capability and developing the defense budget of the homeland thinking that this would be a milestone for both offensive and defensive purposes. Perhaps about half of the able-bodied men of the Gorkha state would account for the professional military. The remaining men who were cultivating the land were also seasonally recruited for military service as irregulars during the winter season.

However, during the unification process, the King had made a two-edged policy. Focusing on physical and mental fitness and skills of the army, as well as guerrilla warfare policies and tactic, he used Pandey (Chhetri) as Dhal (shield) or defenders and Basnet (Chhetris) as Tarbar (weapons) by giving them leading roles in accordance with the suggestion and categorization of people by his maternal uncle — Brahmin as Chalakh (clever), Chhetri as Bahadur, Sahasi Furtilo ra Charito (courageous, brave, smart and

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27 Ibid.
28 First of all Jaya Prakash Malia, the king of Kantipur (now Kathmandu) had adopted the policy to make a permanent army by recruiting the people named Nagas (from Nagarjun near the Kathmandu valley, now lying in Kavre district) outside the valley. And the king of Bhaktapur, Ranajit Mall, ordered neighbouring villages of the capital to form a permanent army and had started to train the local youth by collecting and choosing them for the participation of local people.
29 Because Gorkha principality had neither mines nor income from commerce, the main source of economy of Gorkha was agriculture based on the hill slopes or pukho, where crop production is comparatively lower than the Tarai area. Generally in the hills at this period only one crop a year was produced. See, M.C. Regmi, *A Study in Nepali Economic History: 1768-1846*, Delhi: Adroit Publishers 1972, pp.37-44.
30 Gorkha had no advantage in manpower comparatively over its neighbours and rivals among them, such as Lamjung had 28,000 roofs and Palpa had 24,000 roofs but Gorkha had hardly 15-20,000 men. Generally, the fighting season was the wintertime. During the season, agricultural activities were low and farming groups were included in military campaigns. See, Ludwig F Stiller, *The Rise of the House of Gorkha: A Study in the Unification of Nepal: 1768-1816*, Ranchi: Patna Jesuit Society Stiller, 1975, p87.
fast), Magar as loyal and honest but slower than these castes. On the other hand, he made a policy to include able people from other castes in army “without discrimination” on the basis of age, skill, experience, and ability.

The standing army of the Gorkhali ruler had a narrow social and territorial base. The subject population of the Gorkhali was divided into two categories — eligible or ineligible for military recruitment. P.N. Shah had instructed his successors to recruit military only from the four communities — Khas, Thakuri, Magar and Gurung. Other several communities, collectively called as praja (subject) which included Rai, Limbu, Kushel, Darai, Kumhale, Danuwar, Chepang, etc., were categorized as ineligible. The Tarain community in south and Bhotiya people from the Himalayan region in the north were ineligible because of absence of warrior tradition among these communities. On the other hand, P.N. Shah did not use Brahmins to serve his armies, but used their intellect as consultants and strategists in terms of warfare policy-making, statecraft and guerilla warfare. This kind of mindset of the Shah ruler in categorizing the people for decision-making and military purposes is responsible for determining the present power structure of the state.

Besides the accessibility in the military and administrative work, the land distribution policy of the king to the nobilities working in civil-cum-military administration and to the local influential persons of defeated principalities helping the military in newly conquering area recognized not only the role of military as "heroism" who got emotional support of the people, but their economic status as well as social prestige was also highly appreciated in the society. Thus, the attraction to the military profession was also increasing because of their duly increasing share in the newly conquered area as reward through the state under Birta and Jagir assignment. In addition, politically their status

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32 P.N. Shah used to include the defeated army of other principalities in his military organization “without discrimination” but he never gave a leading role to them. Armed forces of other principalities were from dominant castes and ethnic communities of the principalities such as Magar, who were in a dominant position in the principalities of western Nepal, and Rais who were in eastern Nepal. Ibid.


34 On the other hand, the second pillar of P.N. Shah — strength of army — was guaranteed by providing them land exempt from major taxes, so that they could fight without anxiety for the welfare of their family. According to P.N. Shah “an important point is that the soldier [was] required for the king and
was high mainly because of lack of division in civil-military functionaries. One could be a Kaji under the king in civil-function and commander of the military unit in the field during the war. Importance had been given to the martial arts of the person rather than that of civil-administrative activities of the same. Such kind of state running method of the kingdom helped not only to determine the class structure of the state where military-cum-civil personnel were on the topmost in political and administrative hierarchy just under the king and prince, but it created the military as an unchallengeable and independent power that could determine the ruler of the country also. Secondly, there was a symbiotic relationship between the strong leadership and the military, which being always a highly professional institution, wanted to be commanded by strong leadership without whom institutional discipline could not be maintained. Thus, sometime in the history of Nepal during and after the unification, civilian leaders such as Bhimsen Thapa were able to lead the country with the support of military in spite of the then system that provided de-jure power of the country to the incumbent king. Therefore, it can be observed that the main objective of the military establishment of Nepal was to fulfil the interest of the king to geographically unify the country – than to serve the security interest of the people, though the people were also one of the major components of the state, among others such as sovereignty, territory and government. It can be proved from the policy of the then king who had given priority to the military considering that the people in general were for its backing, enhancement and consolidation. Hence, the role of the military was vitalized keeping it in frontline and the rest supported it physically, mentally and financially.

**Land-Military Complexities and Emergence of Political Force**

The principle followed in regulating succession to the throne in the kingdom reduced the status of the king’s brothers, cousins and uncles to that of dependent relations who had should be given their house and land and that they should farm it, so that they can support themselves by both means”. The civil and military administration not compartmentalized and the land — only source of revenue for the state — was distributed under different schemes to the civil and especially military personnel. See, Nava Raj Pant, *Sri 5 Prithvinarayanshahako Upadhesha*, (Teachings of King Prithvi Narayan Shah) in RNAHQ, Nd, p.17; Ram Sharan Mahat, *In Defense of Democracy: Dynamics and Fault Lines of Nepal’s Political Economy*, New Delhi: Adroit Publishers, 2005, p.40.

royal status without power. The members of this group of royal relatives enjoyed real power only as regent for a minor king or as a Chautariya, but not all of them could be accommodated as regent and Chautariyas. The dissatisfaction in the King’s brothers was started shortly after the conquest of Kathmandu Valley was completed in 1769, when P.N. Shah did not adequately rewarded his brothers, who presumably wished to be rewarded with a kingdom each. His powerful personality prevented his brothers from opposing him openly during his lifetime, but they had withdrawn into forced retirement and one of his half brothers, Mahoddam Kriti Shah, sought refuge in Tanahu, one of the Chaubisies or Twenty-four principalities.

The conquest and consolidation of new territories led to the strengthening of the Shah monarchy. The rule of king P.N. Shah's immediate successors was characterized by intense rivalry for real power. Such a situation created factions within the Royal family on the one hand, and the intra-family rivalry weakened the Shah rulers on the other. Internal conflicts and tensions within the royal family compelled the nobility to adjust their political tactics for the sake of their own survival. All were guided by the spirit of personal gain and family advancement. Whenever an opportunity presented itself, the courtiers' families did not fail to enhance their position at the cost of the royal power around which power, prestige, prosperity or property represented by land grants distribution.

During the unification of Nepal, the core group of people who had access to the military and administrative work were granted land as reward and salary under the Birta and Jagir assignment, respectively. In the same manner, land was distributed to local influential persons of defeated principalities who helped the military by providing information and moral support and helping to establish the Gorkhali styled administration in newly conquered areas. These land distribution policies of the kingdom were made on the basis of

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37 This trend, which was already in evidence during the reign of King Pratap Singh (1775-1777), became more pronounced during the regency of Queen Rajendralakshmi (1777-1785). It started from the eastern hills, seems to have grown highly influential during the rule of King Pratap Singh and was actually entrusted with the task of imprisoning the new king’s brothers and uncles at Nuwakot. Regent Queen Rajendralakshmi relied more on the officers drawn from those new families with influence outside the original jurisdictions of Gorkha, whereas the officers who belonged to the old Gorkha-based families naturally turned to Bahadur Shah, King P.N. Shah's second son, for support and guidance. Regent Queen’s right hand man was Survajit Rana, a Magar officer from her parent’s home district of Gulmi in west Nepal. See, Bhuwan Lal Joshi, and Leo E. Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, Kathmandu: Mandala Publications, reprinted, 1966, as reprinted in 2004, p.159.
of access of the few handful people to military and administrative power of the state. It inevitably created the socio-economic hierarchy among the people. Thus, the beginning of the stratified society and people was made. At the same time, it helped to determine the class structure of the state. As P.N. Shah conceived of the state as resting on two sturdy pillars — a contented peasantry and a loyal army, and as categorizing the people — eligible and ineligibles on the basis of caste and region to which they belonged, ultimately created power and class structure of the country. The policy-enriched people overnight and made them socially highly prestigious and politically powerful as well. The logic according to him was that the state could not be run without the support of the peasantry. But he never tried to promote the cultivator — on whom the economy of state was dependent — by granting any favour except pressuring them for paying more tax and helping the military. In contrast to this, the second pillar of P.N. Shah — the strength of army — was guaranteed by providing army men with land exemption from major taxes, so that they would be able to fight without anxiety for the welfare of their family. According to P.N. Shah “an important point is that the soldier [was] required for the king and should be given their house and land and that they should farm it, so that they can support themselves by both means”. The civil and military administration was not compartmentalized and the land — the only source of revenue for the state — was distributed under different schemes to the civil, and especially to military personnel:

1. Land was assigned to government employees as emoluments under the scheme of Jagir for rendering civil and military functions of the state in lieu of cash payment or salary.

2. Birta land had been ordered for the widows and the sons of the military personnel who died in battle for their support until they were able to either assume the role of tenants in their own right or to serve in the army.

3. Some territory was also assigned as Birta land to an increasing number of those who showed exemplary valour in the battlefield.

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41 Ibid.
(4) *Birta* land was also granted to the other influential local persons of other principalities who facilitated the conquest of the Gorkhali ruler or pacified the local people in accordance with the interest of Gorkhali territorial occupation.

(5) Land was assigned as *Guthis* for the maintenance and services of the temples in recognition to the divine blessing for the military victories.

P.N. Shah himself instructed that at the time of the annual *pajani*, he was to assign lands to the military commanders according to the strength of their units to maintain it from the possibility of reducing the size of lands. Contrary to this, the numbers enrolled in the army or serving as irregulars under the *Umraons* were directly limited by land assignments. Similarly, the army was opened to the fighting caste of the whole country in the later days, and was not kept merely for the native of Gorkha. It was the opportunity to the better life for the fighting castes of the whole of greater Nepal as long as these men were willing to serve in a common cause. Many Limbus in the east (who served with the army even in battle against their own people\(^42\) and Kumaonis (who served with the army were actually greater than the number of soldiers from Nepal), served mostly in the irregular companies\(^43\). Services rendered by them were rewarded but the King did not assign the land to all of them except to *Umraon* (Commander of the irregular companies) who in turn recruited and rewarded his irregulars. Land was assigned directly to the regular who could be recruited from fighting castes. The major differences between regulars and irregulars lay in the manner of assigning lands to them. In other words, only men from the fighting class who wished to serve the Gorkhali army faithfully were guaranteed "a living and source of income"\(^44\).

The most important thing was that the Gorkha's land was increased through the army, the simple hill men were able to share in the additional wealth that was brought to the state only through the assignment of the military *Jagir*. Apart from that, the status of most peasants of Gorkha could not be changed by the increased size of the state. "As long as the Gorkhali peasants remained on the land as a simple farmer, his taxes remained the same, his tenancy rights remained the same, and so his life remained the same"\(^45\). The

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\(^{44}\) Ibid, p.628.

peasant had to surrender half of his crop in taxes, regardless of the government that actually ruled the land. The Gorkhali conquest mainly gave the right to the government in Kathmandu to appropriate the revenue, or to assign it to the army, or an official of the state, or to a citizen as reward for his service for the state. What was most important was that the only a group of army could share this increased revenue, but the direct result of this practice set up a more complex relationship between army and the land. Basically, the military's interest was not merely in expansion of "greed", but assignment of Jagir during the period, though it played a very important role not only for unification but also for development of the country giving encouragement to the development. Most increased revenue of course went to individuals and not to the government.

Similarly, the conquered land in Tarai had a lot of forests and was not cultivated. It was assigned as Jagir for the regular maintenance of the army and as Birta in reward for excellent military service holders. Jagirdars and Birtawals were able to enhance their income by developing and exploiting the wasted land. Accordingly, a policy was given to Kaji Abhiman Singh Basnet for clearing the forest as well as resettlement the immigrants from India on the condition that they settled there and cleared the land within two years and any delay on it was tantamount to giving land to others. That was a positive encouragement not only for resettlement of habitants in the uncultivated land, but also for further developing it. The plan increased the revenue that otherwise used to go to the individuals. Jagir and Birta systems were monopolized by the hill people from the so-called 'warrior clan'. The desire of these people for land encouraged them to join the military, which in turn could benefit them for their long-term career. Even the state was ready to pay salary in cash to those on regular basis. Hence, the average noble found the income of the land more attractive. The number of persons who entered into the army escaping village life thus increased significantly.

After the death of P.N Shah, confrontation between hill military clans and military-cum-peasantry came to the foreground because of land-military complex. It seemed as a great danger to the unity of the state. Secondly, the army, especially officer crops, developed...
into distinct force in the government with its especial interest. Successful commanders had collected a very large portion of the land in the ratio of the progress of Gorkhali conquest. Even pajani system could not remove their land. Since the land reflected the status and prestige as well as wealth of the persons, it became the main interest for those whose major exercise would naturally influence the pajani for themselves and their relatives who remained in the same position and status. The result of this practice was the involvement/interference of the military in state politics\textsuperscript{49}.

Central to these schemes and practices was the position of the king around whom the nobilities contested to reach near to him. The king through pajani (reshuffling, hiring and firing) system controlled all the civil-military administration. By the judicious use of his power of the pajani, he used to keep all the civil-military personnel or nobles under his direct control. The central thrust of the regime was that nobody would be able to become as powerful so as to pose any threat to the king. What is interesting to note is that in spite of enormous value of nobility in civilian and military positions — Mukhtiyar, Chautariya, Kajis, Sardars, Subbas, Jagirdars, Birtawals and other functionaries — during the unification and after, these classes could not grow and develop their capacity for exerting and asserting independent power.

On the contrary, both the nobilities divided with regard to the internal struggle for power, conspiracy and jealousy of the royal family members. Ultimately, the king himself could not maintain unity among the nobilities for the interest of king and the country. In the later days after P.N. Shah, the king himself was weak and could be influenced by his favourites. As a result, even a contributor from the Royal member in the unification of Nepal or younger son of P.N. Shah — Bahadur Shah and Mukhtiyar (Prime Minister) and Commander-in-Chief of military — Bhimsen Thapa and his nephew, Mathbarsingh Thapa, became the victims through pajani under extremely humiliating conditions\textsuperscript{50}. The result in terms of military politics and the interference of the military in state politics thus became frighteningly evident.


\textsuperscript{50} Baburam Acharya, Aba Yasto kahilyae Nākos (Never Again), Kathmandu: Sri Krishna Acharya, 2004.
Militarization and Class Stratification

As discussed above, one of the strong instruments to determine the strength of the king was the pajani system that obviously helped the king to control the nobilities but had the inherent danger of creating rivals within the members of the Royal family. What was real was that there was equal possibility to misuse the power that could create big crisis anytime, if the king could be influenced by anyone and any time. The danger of conspiracy not only from the succeeding members of the Royal members but also rival noble factions for getting power soon was always remaining. The situation made the king somewhat conscious of its importance and use. Hence the incumbent king always felt threats from the beneficiaries who could do anything in his weakening situation and his absence for power. This could become clearer while Rana Bahadur Shah handed over the reign to Girban Yuddha Bikram Shah (1799-1816). Girban Yuddha came to the throne as an infant under the regency of a step-mother having no experience in government and politics. The result was the establishment of dominance of certain families in the state who had strong military connections and who exercised a predominating control over the government structures, including the pajani. Rana Bahadur, who was in Banaras as a pilgrim, underlined clearly the danger against the unity of the state highlighting the importance of pajani. In 1801, he ordered Bhaktabar Singh Basnet to keep the pajani in his own hands warning him that if it once fell into the hands of the Pandey family, the Pandeys would control everything.

Thus, the pajani was one of the major sources of power in the state. As long as this power was in the hands of a competent monarch, motivation of the nobles of the state to remain loyal to the interest of the country and crown strongly existed because through the pajani disloyal elements could be evicted from the land, which was the basic source of their power, prestige and prosperity. The pajani thus represented an important and absolutely necessary centripetal force in the decentralized administration of Nepal at that time.

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allowed abuses and misuse, of course, but also served the vital interests of unity in the state until it remained in the hands of the strong king.

The history of Nepal shows that the *pajani* was to remain in the hands of the strong, so long as the incumbent was immature, under the active monarchical political system. The King could enforce the *pajani* only when he developed the capacity of enforcing his action. It was mainly because of the military lobby or the pressure of family groups that created not only factionalism, intrigue, and conspiracy within the royal family members, but also among and between nobilities of the House of Gorkha. Moreover, various factions engaged in the struggle had to win the support. The land was only acceptable currency in such a context. Therefore, the struggle for power itself created a greater demand for land that could be used for political purposes. It could be proved by the ten-year experience when no new lands were conquered between 1794 to 1804 i.e., during the Gorkháli westward expansion. Such land could be used for distribution to the loyalists. Only the reassignment of already occupied land remained, which meant that the land already in possession of the *Jagirdars* and *Birtawals* had to be expelled from their holdings to make room for new favourites. This situation led to the indiscriminate use of the powers of *pajani* to prove false accusations, imprisonment and even execution of leading members of the court. It was factionalism at the worst that forced the otherwise loyal military commanders and other members of the court to take their side merely to protect themselves. As narrated by Stiller, "It was a case of 'those who are not for us are against us'. And those who were in any way 'against' the party in power became the victims in the... search for lands".

Hence it could be said that Nepal required a strong man at the centre of authority during and after unification. The army was the leading factor in the unification of the country, and it was not competent to direct the consolidation and development of its own conquest. The army had to control it for making it effective. Neither the military nor the other forces were capable of controlling themselves. Only the strong royal members with the power of *pajani* could have done it through the system of *pajani*. It is mainly because Nepal was essentially a military state, both military leaders and the Royal family represented the total leadership of the country. Military leaders were not competent to

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lead the government, and the Royal family could effectively fulfil its role in the administration only when the king could prove himself strong enough to exert power to take the administration in his hand and to apply it for providing a beneficial administration of the new territories. The state had grown up around the concept of a strong king; the nature of the land and the economy of land demanded a strong king, and to deny this demand by removing him from the centre of power would be taking a risk. It was also considered as the loss of whatever unity the house of Gorkha had achieved.

The critical situation regarding the land-military complexity was prevailing during the Rana Bahadur Shah's reign when he came of age. The army was under the internal or inherent compulsion to make every effort for new conquests to maintain its position. The officer crop was particularly emerging as a strong political force, which if left unchecked, would push for constant conquest as the solution to their problems, because the Jagir and Birta system left them little scope for advancement.

Stiller has thus observed the situation that the development and exploitation of the lands already possessed offered little increase of revenues to government and no increase in land holdings or government posts to the officer crops. An increased army, on the other hand, offered more high-ranking posts for competent officers and a ready weapon for the extension of military conquests. Opposing this drive for expansion lay the fact that the time had long since come when the nation had to stop its headlong growth; the time had come to consolidate and develop an adequate and sensitive administration of its territories. There lay the way of prudence and wisdom. Taking this path required strength at the centre, but this was denied to the country during the reign of Rana Bahadur Shah.

The trends of formation and disbandment of companies during his regime and remarkable incensement of such trends during the regime of his immediate successor shows how the process of militarization was intensified during the later days of unification that was ended with the concluding the Treaty of Sugauli with the East India Company in 1816. The table given below shows the relationship between not only the territorial expansion and the militarization, but the ambitious rulers and the trends of formation and disbandment of the military, "as ruler sought to demonstrate their fitness to rule through

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54 Ibid.
55 Ibid p.294.
the perfection of the military skills"\textsuperscript{56}, hence the political significant of the military.

With military success, most of the occupied territory was assigned to military for their bravery under the Birta system and to the administrators or nobilities from the hill areas for their strict administration to establish and use the Gorkhali rule in the newly expanded territory. The direct result of this practice was the double dichotomy: "the limit of the land is army; the limit of army is the land"\textsuperscript{57}. Under these systems, a large portion of land of the country was occupied by "eligible persons" — military and nobilities from the hills. The rest of the people who served as peasants were paying 50% crops of their total production to the government in the hill areas losing their cultivating land and falling ultimately to a lower status that pushed the migration to Bhutan, north-east of India, and Burma\textsuperscript{58}.

Table II.1
Trends of hiring and firing the military

<table>
<thead>
<tr>
<th>S.N</th>
<th>King</th>
<th>Regime during</th>
<th>No. of company formed</th>
<th>No. of company disbanded</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>P.N Shah</td>
<td>1743-1775</td>
<td>5</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Rana Bahadur Shah</td>
<td>1779-1799</td>
<td>39</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Girbanuddha Bikrem</td>
<td>1799-1816</td>
<td>71</td>
<td>51</td>
<td>West Expansion</td>
</tr>
<tr>
<td>4.</td>
<td>Rajendra Bikram</td>
<td>1816-1847</td>
<td>8</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Suendra Bikram</td>
<td>1847-1881</td>
<td>41</td>
<td>28</td>
<td>Established the Rana Regime</td>
</tr>
<tr>
<td>6.</td>
<td>Prithvi Bir Bikram</td>
<td>1881-1911</td>
<td>4</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>


Furthermore, due to the control of a large portion of land by a handful of Jagirdar and Birtawal families, the government made a policy to maximize the revenue from the land by adopting Ijara (contract) system\textsuperscript{59}. Peasantry was exploited under the system by the contractors who did not duly share the production with the peasantry. Consequently, this system not only created a feudal system, but also caused the peasantry class to become


\textsuperscript{57} Nava Raj Pant, *Sri 5 Prithvinarayanshahako Upadhesha*, (Teachings of King Prithvi Narayan Shah) in RNAHQ. Nd, pp.85-88.


\textsuperscript{59} A system of tax collection under which the task of revenue collection was entrusted to contractors who were often the highest bidders in most part of Tarai.
landless peasants in Tarai. The tradition continued till 1950. Regmi has pointed out how three Rana families occupied a total of 227,105 acres, representing 42.5% of the total cultivating Birta land in Tarai, including the entire Bardiya district of western Tarai.

Figure II.1
Power Structure and Creation of Class and Social Hierarchy

King

Conquest

Militarization

Promote subject population as peasantry in agriculture and their seasonal use in military as irregulars

Sacrifice their labour as militia and pay taxes 50% of their production for defense purpose

Get nothing except exploitation of their labour with double burden

Low socio-economic status and underprivileged and unrecognized role, nor access to power and resources

Opportunity mostly to high castes — Chhetris, Brahmins and Newars to be recruited in military and Administrative work

Land grant under Birta and Jagir

Increasing prestige, power and property

High social status and access to resources and power structure

The expanding size of the nation and rapid military growth and attacks required more labour for supporting military activities such as transportation of arms, ammunition, food and other military supplies, and the maintenance and repair of trails, roads, bridges, canals and forts. The state adopted the jhara system (forced and unpaid labour) and mobilized the entire male adult population as labours of army, except members of nobilities and high officials. Therefore, the heavy burden of the warfare was borne by the peasantry who were losing the land and had to do hard work for producing enough

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surplus to feed the army, procure arms and ammunition, and meet normal government expenditure. For the military elite, war was a prized enterprise, which provided them an opportunity to acquire new land for their contribution and sacrifices in the war. The vicious circle of deprivation and injustice further widened the gap between the privileged and underprivileged, ruling and the ruled that led classification of the people—poor and rich, cultured and uncultured, and powerful and powerless etc. as described in the Diagramme above.

Ultimately, the inherent system towards militarization was responsible to create the feudal socio-economic structure of the state viewing king at the centre. Peasantry became the real subjects who obeyed the order of the king but were neither able to demand their right nor disregard the order. They were imposed to fulfil their duty but not made aware of their right. To sacrifice their life (if necessary, for the king, crown and the country) it was their duty, according to their understanding. For that purpose, the king was using the second weapon by imposing the Hindu religion for consolidating, retaining his position, and exerting his power. Expansion of Hindu religion within the country was his main strategy where the king was always in a secured position. The king was perceived as an incarnation of God, especially Vishnu, the main God of the Hindus, who had sent him to the earth for the welfare of the people. Hence, the Nepali king, representing five major Gods of the Hindus, has been using the title Sri as an honour.

Social Stratification in Nepal

The political system of modern Nepal was characterized by the highly personalized qualities centering on the person of the king who was its "model, mentor and innovator" under whom power was exercised. In traditional monarchies, the king is regarded as an incarnation of god; he is worshipped and shown total loyalty; no criticism and dissent is tolerated; hukum or order was final law that was carried out by the agencies of the state. The concept of Raj dharma or duties of the king is proclaimed in Hindu tradition. According to it, the king is supposed to look after the praja or subjects, who have no power. Coronation (Rajyabhishek) is held on the basis of rituals and religious traditions.

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Accordingly, king as a culture could be found in every realm, they should be regarded and obeyed as a king in their particular realm as they used to regard their "Supreme Authority" at the centre\(^{63}\). Thus, the character of society and polity was traditional, feudal hierarchical. The Nepali monarch's coronation is performed according to caste. Four persons who represented four castes: Brahmin, Chhetri, Vaisya and Shudra — perform *abhisekh* (sprinkling of pure water). It is in keeping with the Hindu tradition.

In traditional monarchy, monarchical societies presuppose rank or hierarchies\(^{64}\), and the state is identified with the ruler, as "Kingdom". People are called subjects whose political culture is not participatory. A big gap between the rulers and ruled exists. Various palace codes of conduct are to be followed which are not suitable for today's democratic practices. As Machiavelli states in "The Prince\(^{65}\) 

Kingdoms known to history and his servants, who, as ministers, by his grace and permission, assist in governing the realm, or by a prince and by barons, who hold their positions not by favour of the ruler but by antiquity of blood.

A vital social consequence of the Gorkha conquest was the socio-cultural change brought about by the original inhabitants of the country under the caste domination from Gorkha. Mainly the Brahmins and Chhetris who played the leading role in the conquest of Gorkha and in the formation of the "Kingdom of Nepal" remained dominant groups in other socio-political realms as well\(^{66}\). Due to the centuries-long rule of the Hindu kings originally from Gorkha, the hill tribal and the rest came under the direct influence of the Gorkha rule, thus leading to the enforcement of Hindu caste system based on orthodox Hinduized traditions and customs. Nepali language was accordingly imposed as part of the expansion of Gorkha influence as this was the only language protected and enforced by state. The way of undergoing process of adaptation of cultural practice, language and way of lifestyle of Gorkhali people by the non-Hindu tribal/indigenous/ethnic people has

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been described by different scholars as *Hinduization, Gorkhaization, Nepalization*\(^{67}\). Hence all these terms in Nepali context is a kind of cultural imposition of dominant high caste Hindu of Nepali speaking ruling elites over the ethnic-tribal people of the hills and the Tarai.

The concept of Sanskritization is an advanced form of Brahminization propounded by an Indian sociologist, M.N. Srinivas. According to him, the lower caste in the caste hierarchical society adopted some customs, rites and rituals of high castes especially Brahmins and gave up their own specialties thinking that high caste people are superior and they are inferior because of the latter's impure costumes. They adopted the Brahmins' style in different forms and rituals, such as attire, food habits, and rites and social customs to claim themselves in a higher position in caste hierarchical society. So the terms, "Brahminization" and "Sanskritization" indicate the process for upward mobility of the so-called lower social categories\(^{68}\).

The description of Srinivas about Sanskritization in the Indian context is applicable to the caste-ridden society of Nepal as well, since Nepal was the Hindu Kingdom for a long time and the social structure of the country was developed on the basis of the Hindu caste hierarchy side by side during the unification of Nepal. Before the Gorkhali conquest, tribals were outside the concept of the caste system that can be proved by several literatures of scholars who dichotomized Nepal society Hindu and non-Hindu\(^{69}\). Hence the important factor behind the gradual spread of Hinduism was the fact that a Brahminic form of Hinduism had been the religion of most of the Nepali ruling elites for several centuries, so the Hindu social and ritual practices were deemed as having the greatest prestigious values among the Mongoloid communities. The process was legalized by first introducing the Legal Code of Nepal by Jang Bahadur Rana in 1854 in accordance with the Hindu Varnavastha or Caste System making it state policy for the maintenance of the Hindu law under which all the castes were governed. The highest functionary of the system was Raj Guru appointed by the government who had full of authority not only to

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advise the government on social and religious matters, to prescribe the "fitting penance" and purificatory rites for violation of caste regulations, but also to direct Dharamadhikari, chief of the court, in the cases relating to the caste. Both social pressure and legal imposition of Hindu concept gradually replaced the Buddhist social ideal introducing Sanskritized language slowly to the Mongoloid tribal groups. The central thrust of the process was to create a kind of uniformity in Multilingual, Multicultural and Multiethnic society with the concept of single voice, hamro raja hamro desh pran bhanda pyaro chha, hamro bhasha hamro bhes pran bhanda pyaro chha [Our King and country are dearer to life, our language and dress are dearer to life]. As a reward of internalization of Hindu customs, the influential people from ethnic groups were recruited as states' representatives in the civil service and military posts at village and district level, but high-ranking military and bureaucrats were recruited from the people originating from the noble family of Gorkha Court and high caste Newar of Kathmandu.

When the Malla dynasty in Kathmandu and Shah dynasty in Gorkha (said to have been founded by immigrant Hindu chiefs to protect their religious integrity from the inroads of Muslim power in India) were consolidated, the process of Sanskritization had already become a dominant social phenomenon in Nepal for many centuries and had been aided by enforced imposition of Brahminic social systems and codes of behaviour by successive regimes in Nepal. These social codes were introduced and formalized under the regimes of three of the greatest leaders in Nepal's history — Jayasthiti Malla of Kathmandu (1382-95), Rama Shah of Gorkha (1606-33) and founder of Rana political system, Jang Bahadur Kunwar (1846-77). All were orthodox Hindus who attempted to structure the Nepali society — both Hindu and non-Hindu — within a basically orthodox Hindu framework.

The social code introduced by Jayasthiti Malla under the guidance of five Indian Brahmins were specified in conformity with the Manu dharmashastra of orthodox

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70 Government of Nepal, Legal Code of Nepal, 1854
72 By dividing into 64 subgroups of the Newari population of Kathmandu valley on the basis of occupational and craft lines, Jayasthiti Malla of Kathmandu (1382-95) characterized them as Jatis in the Hindu caste system and gave equivalent position to the Buddhist elements among the Newars with that of Hindu of similar status. Even today with only slight modifications, it still forms the basis for the Newari social system. See, Bhuwan Lal Joshi and Leo E. Rose Democratic Innovations in Nepal: A Case Study of Political Acculturation, Kathmandu: Mandala Publications, 1966 reprinted 2004, p11.
Hinduism and people were classified as described in Rig-Veda. A similar role had been played by Rama Shah in the formalization and stabilization of the Gorkha social system. An incipient caste structure was introduced, making it rigid for the orthodox Hindu Brahmins and “Chhetris”, but flexible for the still largely non-Hindu tribal communities in Gorkha. A legal code based on Shastrrik or Dharmashatriya principles, suitably modified to accommodate tribal customs and practices were introduced. Mongoloid Newars and Nepali speaking Parbatiyas (hill people) were devised into many castes. The lowest castes among them were Podes and Chyames. On the other hand, the Brahmins (divided into Purbiya and Kumai) followed by the Rajputs, also called Thakuris, and the Chhetris occupied the highest social status among the Indo-Nepalese Hindu caste because of their political role as provided by Sastriya principle. The untouchables, like Damai, Kami and Sarki constituted the lowest rank in society because their duty was to serve to the upper castes in the Hindu hierarchical society.

Moreover, all tribes who did not wear the janai (sacred-thread) and who consumed liquor were the Matawalis. Opposed to the Matawalis were the Tagadharis (thread-bearers). All castes and tribes were further divided into Panichalne or Chhyoe Chhito Halnuparne jats (non-untouchable but low social status especially people with non-Hindu categories) and paninachalne jats or Chhoye Chhio Halnuparne jats (untouchable). In all, Nepali society was supposed to be constituted by Char Varna and Chhattis jat (four castes and thirty-six sub-castes) and governed in accordance with Hindu social and

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73 The system is encoded in “Dharma Sastras or Smritis” which laid down rules for every caste and occupation and in the “purushashkta” of the Rig-Veda, a hymn about the origin of the caste system or the four-fold social structure. These four orders of society were believed to have originated from the self-sacrifice of Purush — the creator. The Brahmin was said to have been born from the mouth of Purusha and was placed highest in society. Performing rites, rituals and sacrifice were his special functions; involving God was his privilege. The second rank belonged to the “Chhetris”, who were born from the arms and had the privileged wielding arms. Occupation of “Vishya” was agriculture, trade and commerce. From the feet were produced the “Shudras”. They had the lowest rank in the Varna. There were non-Varnas who were untouchable and restricted to recite and listen to Vedic text, walk together with Aryans and marry other Varnas in the scheme. The above is a literal representation of the rank and function of four varnas.


75 During the 19th century there were 68 hereditary classes in the Newar community. Accordingly, the Sivmargi Newars (Hindu in religion) were divided into 14 classes, the Banda Newars into 9 classes, the orthodox Buddhists — called collectively Udas — into 7 classes and mixed Sivamargi and Buddharamargi Newars into 38 classes. The lowest among them were Podes and Chyames. See, Mollica Dastider, Religious Minorities in Nepal: An Analysis of the State of the Buddhists and Muslims in the Himalayan Kingdom, Nirala Publications 1995, p.12.

76 These castes can serve water to any other higher castes or touchable castes.

77 These castes were restricted from serving water to any other higher castes or untouchable caste.
judicial system. Non-Hindus also were governed by the Hindu laws made by Dharmadhikari, an orthodox Brahmin that has a provision of different kind of punishment for different castes in both criminal and civil offences as given below.

Table II.2
Caste Categorization in Nepal

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Categories of Caste</th>
<th>Meaning</th>
<th>Castes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Tagadhari</td>
<td>Thread-wearing castes (twice born)</td>
<td>Brahmin (Upadhyya and Jaisi), Chhetri, Rajputs (Thakuri)</td>
</tr>
<tr>
<td>2.</td>
<td>Matawali</td>
<td>Alcohol/liquor consuming castes (people from Tibeto-Burman origin as claimed themselves as indigenous-ethnic groups)</td>
<td>Magar, Gurung, Rai, Limbu, Tamang, Sherpa, Thakali, etc.</td>
</tr>
<tr>
<td>3.</td>
<td>Pani na chalne tara choichito halnu naparne jats (Melehches)</td>
<td>Non-untouchable castes (water could not be accepted, but whose touch does not require sprinkling of water)</td>
<td>Non-Hindu people, especially Muslims and Christians</td>
</tr>
<tr>
<td>4.</td>
<td>Pani na chalne ra choichito halnu parne jats, (Dalits)</td>
<td>Untouchable castes (Dalits)</td>
<td>Damai, Kami, Sarki Musahar, Chamar, Pode, Chyame, etc.</td>
</tr>
</tbody>
</table>


Nevertheless, the social codes of both the kings (Jayasthiti Malla and Rama Shah) were formulated for comparatively small communities inhabiting a very limited area. During the unification of Nepal under the Shah dynasty, the social and legal code and political system of Gorkha was imposed on the entire country as was “required”. All Gorkhali Bhardars were recruited in local military and administrative posts under the king in the newly conquered region providing enough land to them by the government under Birta and Jagir grant. All these measures contributed to the process of Gorkhaization all over the country. Rigid steps in this direction were taken during the reign of Rana Bahadur Shah (1777-99), but it was Jang Bahadur Kunwar, the first Rana Prime Minister, who finally completed the task by introducing Muluki Ain or Legal Code in 1854 that incorporated a few basic Brahminic principles, primarily those applicable to inter-caste

78 As Hindu social and judicial system was practised, generally Brahmin was the Dharmadhikari to making rules and Chhetri was to rule the country and the other two — Vishya and Shudra were the helpers of the two higher castes.

relations and caste pollutions. The Ain modified on several occasions was always in the
direction of enhanced Hindu orthodoxy.

Further, the Tagadhari who played a leading role in the conquest of Gorkha and creation
of present Nepal, dominated in other subsequent socio-political realms as well. The rule
of the "High Castes" under the Hindu King for many centuries resulted in gradual process
of absorption of the indigenous tribes in the Hindu Caste System and underwent cultural
changes through introduction of Nepali, a Sanskrit based language, as well as of Hindu
practice. The national language Nepali stemmed from Sanskrit and other languages, and
is closely related to Hindi, particularly in its written form and utilized the same script.80
As such, increasing use of Nepali as the medium of instruction in the rapidly expanding
educational system made it the national language. Though non-Hindu social attitudes,
values and communal languages are still prevalent in Nepal, even within the
communities, Brahminic rituals, the Hindu caste system and Nepali language (Khas
Bhasa) have been adopted marginalizing the rites, rituals, language, culture and traditions
of non-Hindus. The declaration of Nepali as the national language and adaptation of it as
a medium of instruction Nepalized non-Nepali speaking ethnic and tribal people of the
country replacing their own. As a result, non-Hindus started to adopt and internalize the
ways of life, expression, norms and values of the higher castes feeling that their status
was being raised within the caste hierarchy. The process is called Nepalization by the
scholars and activists in Nepal 81. The reverse process had been started from 1963 (when a
new edition of the legal code modified most of caste, marriage and social regulation
system) by raising the issues relating to caste, class, culture, religion, language, etc.

On the other hand, upon the emergence of Nepal as a nation-state in 1768 under Prithvi
Narayan Shah, participation in political process became virtually the exclusive
prerogative of two high-caste Hindu male groups — Brahmins and Chhetris — Thapa,
Pandey, Basnet 82 and Shah 83 known as Guru, Kaji and Chautariya. This pattern was

80 Bhuwan Lal Joshi and Leo E. Rose, Democratic Innovations in Nepal: A Case Study of Political
81 Krishna Bahadur Bhattachan, "Possible Ethnic Revolution or Insurgency in a Predatory Unitary Hindu
State" in Dhruba Kumar (ed.), Democratic Conflict and Crisis of Governability in Nepal, Kathmandu:
82 Thapa, Pandey, Basnet were noble families of Gorkha principality who were exerting alternatively the
political power of Nepal after unification under the king until 1846, when Rana oligarchy was established
by Jang Bahadur Kunwar known later as Jang Bahadur Rana. Thapa and Basnet were from Chhetri
family and Pandey was from Brahmin family who used to serve as Raj Guru and Raj Purohit.
related to the ancient Hindu scriptural requirements. Its practice in Nepal can be observed because it was mandatory that the rulers of a state should always be recruited from Chhetri, or warrior caste and that they should exercise their political functions with the advice and consent of the Brahmins, the intellectual elite and spiritual preceptors. The traditional role of the Brahmin was that of an adviser rather than a governor or administrator. They fulfilled a variety of responsibilities for the rulers as priests, law-givers, astrologers, and diplomatic emissaries. Being operated under the Shah political system, they used to perform behind-the-scenes to persuade the rulers to adopt certain courses of action and ultimately constituted a powerful body in the Nepal Court under Shah. As a result, the two castes are in dominant position in the society and polity of the country even today.

Trends of Government Change Till 1950: Role of Military

In Nepal, the patrimonial system prevailed from 1768 to 1846 (P.N. Shah to the advent of Rana rule). During that period, there prevailed a perpetual state of rivalry between groups and individuals at all levels in society, and in the essential political reality consisted for driving each individual surrounded the centre engaged to expand one's personal power and influence through military control and use.

The method of changing elite in power or government was conspiracy and massacre in the history of Nepal, and the military was used by the powerful person for that purpose. Thus, noble families originating from Gorkha occupied the pivotal position in Nepal next to the Shah family and contested for positions of executive authority with military command under the general supervision of the Shahs. The hostility and sense of rivalry between the three principal noble families was so deep that no one family could expand the scope of its own political and military power. When one family rose to power, the others customarily were not only marginalized from political power but also lost economic base, mainly landholdings, on which their political position depended. As a result, the effectiveness of king, who had ultimate political authority in the country, was badly hampered by both — internal conflicts and tensions within the royal family, and

83 Shah, a ruling royal family of Gorkha Principality, made modern Nepal and they were collectively called Chautariya.

the defensive political tactic of nobility. For prerogative hukum (final voice) of the king to choose the executive head of his government, Mukhtiyar and all matters pertaining to the government was with the king.\footnote{Baburam Acharya, \textit{Abja Yasto kahiljye Nahos} (Never Again), Kathmandu: Sri Krishna Acharya 2004.}

Internal competition for getting or influencing the power between the individuals of Shah family on the other hand played a vital role for creating conspiracy and massacre.\footnote{Tbid.} There was never-ending competition between senior and junior queens for the status of favourite wife and successor rights of the Crown to their respective children. Further, the crown prince's ambition to test power soon divided the nobility. The division used to be on the basis of conflicting interest of any faction of the Shah family.\footnote{Basically the Shah family after P.N. Shah was divided in the interest of (1) King, (2) the Senior Queen (3) the Junior Queen, and (4) the King's brothers and cousins. There was a tradition that Shah King always married two queens at the same time for insuring the throne. Since succession was based on the principle of primogeniture — that is, the eldest son succeeding his father — the king's brothers, cousins, and uncles were cast in the role of dependent relations who were accorded legal status without its authority and power.} It could gain political importance only as regents for a minor or weak king.

The fragmentation of the Shah family that provided the opportunity to the court nobility to play off with its different members or factions against one another, ultimately created a series of conspiracies. For fulfilling the conspiracy against the opponent to gain, exert and maintain the power, military by the strong man was always used as an ultimate means during the Shah ruling. Jang Bahadur Kunwar established the Rana oligarchy in 1946 by mobilizing military for destroying all his opponents in the Kot massacre. He consolidated and confined power to the Rana family by plotting massacres one after another by commanding the military. After the death of Jang Bahadur, such conspiracy continued among the different factions within the Rana family for exerting the power through the military.\footnote{Satish Kumar, \textit{Rana Polity in Nepal: Origin and Growth}, New Delhi: Oxford & IBH Publishing Co. Pvt. Ltd. 1993} Even during the anti-Rana movement in 1950 and after dissolution of parliament and elected government led by B.P. Koirala in 1960, the army was used.

The first target of any new regime, after changing the leadership in the government, was to control the military, recruit its supporters and favourites, and remove the personnel recruited by opponents. Such change of the regime and elimination of former dominant factions brought a complete reversal of political alignments. Any faction in power sought to perpetuate itself by continuous and systematic elimination of all real or potential
threats to the regime. Thus, court conspiracies and intrigues were the only means available to induce changes in the government that came about usually as the climax of a successful "treacherous scheme". The Nepalese political process was soaked in blood and violence. None of the Mukhtiyars and regents between 1769-1846 died a natural death; their lives were ended either by the bullet or sword, or by their own hand in highly humiliating conditions. Any kind of plot and conspiracy was not strange in Nepali court politics. The first plot having mass killings of the civil-leaders was hatched by Bhimsen Thapa, the chief of military, since May 25, 1806. By winning the heart and mind of the king or saint, Rana Bahadur Shah, he initiated the king to sidelining the old nobilities from the political scene by using the pajani. Nobilities such as Damodar Pandey, his family members and his supporters who had sacrificed their personal interest in the unification of Nepal either had their heads chopped off or were buried in the pretext of denial of rule to the saint or king. While the Regent of minor king, Girban Yuddha — Queen Rajrajeshowri, was ruling the country in the absence of king, two princes were taken under detention. Smashing eyes of four princes — Birbhadra Shah, Bhimpratap, Bhimrudra and Kulchandra Shah, Bhimsen Thapa not only exerted their power, but also occupied their building and properties taking the regent in his hand.

Similarly, the first work of the ruler was to consolidate the power and secure his position appointing his favourites in major civil-military posts instead of his rival groups. Adopting the path, Bhimsen Thapa, being Commander-in-Chief of military and Mukhtiyar, strengthened military organization in number, skill and training. By recruiting his brother, nephews, other relatives and favourites in the higher posts of the army, he increased more military personnel than in the previous organization and had control over more than 6,000 by himself. All the military and civil personnel recruited by previous regime were removed from their posts and instead recruited his own supporters by using the prerogative — Pajani — of king Rana Bahadur Shah who had blind-belief over him.

90 After the death of his favourite queen, King Rana Bahadur Shah became a saint giving up the kingship, palace and even the country. He went to Banaras (India), but Bhimsen Thapa made him return to become king.
Ultimately, he conspired for a massacre to remove all the possible threats against his dream to exert ultimate power. As a reward, he was declared Mukhtiyar and Commander-in-Chief of military by the minor king, Girban Yuddha Bikram Shah who provided a Lal mohar (Royal seal) in which the king had ordered all the civil and military administrators "to do work in accordance with the order of Bhimsen Thapa." However, in spite of improvement of military personnel in number, training, skill and discipline, the military organization was weakening because of the recruitment of laymen in the leading officer level because of direct recruitment through pajani.

On the other hand, because of the use and involvement of military to fulfil the conspiracies, yearly appointment, renewal and removal system not only created instability of the ruling elite but also politicized the role of the military. Similarly, there was no fixed rule and regulation of recruitment, promotion, retirement, mobilization, etc., military men might not feel secure and they might not have enthusiasm to adopt the military profession where one could be removed anytime not because of lack of his skill and loyalty to his profession, but because of removal of his favourite leader from the power. Later, due to priority of militarization and rampant corruption, the economy of the country became bleak and use of the unchecked and ultimate power in a totalitarian manner by the ruler caused social and judicial disorder. Justice was far from the imagination of not only ordinary people but also of defeated nobilities. But the reality was that the civilian strongmen, if they had been granted the right to use pajani power of the king, they could also exert power until the king was either minor or weak. Otherwise,

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92 Thapa, Commander-in-Chief of military, created a false allegation against the Kaji Tribhuwan Khawas, a favourite of the king, of misusing of Rs. 18,000 from the Royal Dhukuti and gave punishment of death penalty by chopping his head. On the other hand, he taught Khawas not to accept the charge but transform it to Ser Bahadur Shahi, one of the favourites of the king. Thapa had already informed the King that Shahi also was a culprit. When a meeting was called in the night for identifying the criminal, the king indicated that the Shahi, who was innocent, might also be a criminal. At that time Thapa himself was not present in the meeting and was enjoying having food in his house. Being angry, Shahi attacked the king with a tarbar and died. Khawas killed Shahi. Khawas and others went under detention in the accusation of the conspiracy. The senior queen, who knew of the conspiracy, was burned with the king in the name of Sati. The youngest Queen, Lalit Tripurasundari, was regent of minor king, Griban Yuddha. 18 nobilities were killed in Bhandarkhal Garden, 13 were cut in Visnumati, 16 women were burnt and others about 77 males lost their lives in different ways of punishment. Women and children of the so-called criminal were chased from the country and uncountable relatives, sons and bothers, and bodyguards were killed by the Thapa regime for consolidating the ultimate power in his hand. See in detail, Ibid

93 Ibid, p.40.

if the man started to work independently without taking sympathy of the king, he could be sacked anytime by the king not only by using his *pajani* power, but also by defeating him by developing and using the parallel military might against him. Considering Thapa as a threat to monarchy itself, the king and queen developed a platoon of military named Hanuman Dal under the command of king and queen to counter the military might of Thapa. By using *pajani* right of the king, Bhimsen Thapa was removed from power. He fell down in the ditch dug by him and was compelled to commit suicide in extremely humiliating conditions while in detention.  

Another massacre was the murder of the favourite of the junior queen, Gagan Singh Bhandary, who had beset the court after the downfall of Bhimsen Thapa in 1837. Thapa was succeeded by the Pandey family (1837-41). Similarly, Mathbarsingh Thapa, nephew of Bhimsen Thapa, got the power of Commander-in-Chief and Prime Minister with the support of the queen and consolidated power with the backing of the military by taking bloody revenge on Pandey. Mathbarsingh Thapa also was killed shortly before the Kot massacre in 1846 by Jang Bahadur Kunwar, one of his nephews, for fulfilling the conspiracy of the queen herself. The queen, Rajyalaxmi had seen Thapa as a threat to her position and ambition of declaring her son as crown prince. By seizing an opportunity of splits within factions in the palace — king, queen and prince, through oral commitment to fulfil the respective ambitions of the three at the same time, Jang Bahadur became commander of three platoons of military.  

In the meantime, the meeting of the court called by queen Rajyalaxmi for identifying the culprit of Gagan Singh's assassination was converted into 'Kot massacre' (court massacre) whereby the commanding military platoons under Jang Bahadur Rana destroyed his rival groups — Pandey, Thapa and Basnet families — from the political scene of the country. This deed was accomplished by the support of the queen. Having no options but to fall into Jang Bahadur's trap, the queen appointed Jang Bahadur as the...

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96 Ibid, pp.112-114.  
97 According to the source, 29 prominent nobles were killed during the Kot massacre, 26 fled the country, and 25 others were banished. Among those killed were eleven Chautariyas (from Shah family), 6 Pandeys, 3 Thapas, and 9 members of other Chettri families. In addition, 7 Chautariyas, 2 Pandeys, 2 Thapa, 2 members of the Rajguru family, and 13 other persons fled to India. Shortly thereafter, several branches of the Chautariya and Thapa families, as well as a number of Pandeys and other Chettis and Brahmins, were banished from Nepal. And 4 Brahmins were humiliated by cutting the hair in four parts of the head (*charpate mundnu*). See, Ibid, pp.106-107.
Mukhtiyar with the title of both — Prime Minister and Commander-in-Chief of the army. The massacre assured the security and continuity of Jang Bahadur Rana's hold on the government\(^9\) in accordance with his interest and ambition\(^9\).

Being sure of not fulfilling her interest by Jang Bahadur to secure her son's immediate succession to the throne, the junior queen conspired a plot with the support of the rest of the rivals of Rana (Basnet and Thapa families) after a month of the Kot massacre for political elimination of both — Jang and his family, and assassination of King Rajendra and Crown Prince Surendra. However, the plot was being divulged by Vijaya Raj Pandit and the situation turned against the queen herself and her associates, thus once again giving an extra opportunity to Jang Bahadur to eliminate his rest potential opponents\(^10\) on 31 October 1864. It is known as the “Bhandarkhal Parva (massacre)”. He was reconfirmed as prime minister and the King also conferred on him additional honorary titles with land\(^10\).

The king had an intractable and capricious nature. After the queen left Kathmandu for Banaras with her two sons and king (Rajendra), Jang Bahadur favoured the interest of Prince Surendra who was served earlier by Jang as a bodyguard. By charging King Rajendra (who had developed a platoon of military to fight for justice to re-establishing him as king of the country) of having conspired against the state, Jang Bahadur proclaimed Surendra as the king of Nepal with the acceptance of British Government. King Rajendra too was arrested at Alau in Tarai\(^10\) and his supporters involved in his

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\(^9\) Jang Bahadur Rana's seven brothers had occupied all the major posts of civil and military administration immediately. His first brother was Kapardar, the second brother as Kaji, the third brother, Commander-Colonel for controlling the Palpa principality, the remaining three brothers were appointed as powerful Colonels in the army.


\(^10\) 13 Basnets were killed, at the same time political power of the queen was utterly shattered, her royal prerogative was removed on the advice of council of state. She was made to leave for Banaras.


\(^10\) The queen and king went to Banaras for three months by delegating the king's authority to Crown Prince Surendra as an acting king. Old nobilities from the country were provoking the king in Banaras to fight against Jang and take back the authority in his hand. Accordingly, the king had started to develop military strength in Alau of the Rautahat district of Nepal to fight against the military led by Jang Bahadur. The informers sent by Jang Bahadur with the king as his assistants informed about it. Jang Bahadur mobilized the military under command of his brother, Ranodeepsing Kunwar, to defeat the king and the military sent by Jang Bahadur destroyed most of the semi-trained military of the king, arrested the remaining including the king, and took him under detention under 300 military and civil servants until his death. The queen was not allowed to enter into the country.
military were killed in the popularly known “Alau Parva (massacre)” by a platoon of military under command of Jang Bahadur’s brother. Jang Bahadur appointed his seven brothers in major military and administrative bodies as well by succeeding overwhelmingly the Thapas, Basnets, Pandeyas, Chautariyas and the Shahas and established not only himself but his family also as the “undisputed master of the country” until the Rana rule was overthrown in 1950.

The history of Nepal shows that the mainstay of power of the country is military. The junior queen of King Rajendra had stepped into controlling the military first for causing the fall of Bhimsen Thapa who had consolidated power by the means of military establishment and command. The same queen had developed a military platoon named Hanuman Dal to secure her position and seize power from Gagan Singh Thapa, one of the potential threats to her, though the latter had enjoyed power of the state with the backing of military. Even after the establishment of Rana oligarchy in the country, the military strength was recognized as the only mainstay of power. Several coup and counter-coup staged one after another continued as an alternative means to change the government.

In the same way, the Nepali Congress (NC), which had been influenced by the non-violent movement of India led by Gandhi and had started Satyagraha movement to root out the Rana oligarchy in Nepal, had adopted military means practicing the theories of ‘Iron cuts Iron’ and ‘Tit for Tat’. In 1950, thus it had developed and mobilized the Mukti Sena for fighting against the Nepal Army deployed by the Ranas to repress the movement.

Political System Before 1950

Traditional monarchies are, to quote Max Weber, "patrimonial" and are based on feudal principles. The kings rule through "peremptory" command because he is the master in his own house. The rule by peremptory command means government by the will of the ruler.

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The state is treated as estate or personal property. The courtiers or bhardars or flatterers surround the monarch. Lands and property, etc., are distributed to such flatterers. However, the role of succession of the monarch is on the basis of patriarchal structural hierarchy. The eldest male is recognized as the head of the family and the state, and kingship is traced through the male lineage. The rest of the family members constitute the basic principle of the power structure as in the patriarchal system, even the members in the palace stand in the entirely personal relation to him. In other words, the relationship of others with the king determines their status and position in power hierarchy of not only family but also of state. The whole governing system stands entirely in his personal interest, "master-servant" relationship categorically exists among the king, his subordinate allies and the people, respectively, creating a highly structured network of administrative organization spreading throughout the society. As Shah observed, "king's position will be most secure when it is upheld by those whose positions depend on the king in the situation where ranking is not static but remains fluid. In such circumstances, important men will be deterred from overt opposition by fear of losing the favour they enjoy."

The "most fundamental obligation of the subject is the material maintenance of the ruler" and the ruler is linked with the subject "through a consensual community" which also exists separately from "its independent military force and which is rooted in the belief that the ruler's powers are legitimate insofar as they are traditional". Even the king's younger brothers and sons in Nepal do not seem to have had any inherent status in the political hierarchy independently of the ruling king's wishes or whims. Not only subjects but also high-ranking men regard the ruler as the Supreme Being, and the authority cannot be questioned, nor can it be challenged, but one can appeal to him for grace or indulgence.

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Upon the emergence of Nepal as a nation-state in 1768 under the Shah ruler of Gorkha, participation of political process became an exclusive prerogative of two high-caste Hindu groups — Brahm and Chhetri, subdivided into several factions and families. Until the establishment of the Rana family rule in 1846, most elites directly involved in the political process were the members of four prominent Chhetri families — Shah as a ruling royal family, and the Pandey, Thapa, and Basnet families, as noble families. The members of the latter groups were the courtiers who exercised their influence by appeasing the Shah rulers and their family members.

The royal family occupied the pivotal position and the nobilities contested with one another for the position of executive authority and military command under the supervision of the Shah. As a result, the Shah ruler's effectiveness was badly hampered by internal conflicts and tensions within the royal family and by the defensive political tactics of the nobility. Being the prerogative of hukum (final voice) of the king to select the executive head, Mukhtiyar and all matters pertaining to the government, the queens and crown prince forced the king to delegate his authority to them and respective nobilities. On the other hand, the Kings' brothers, cousins and uncles, collectively called Chautariya, whose roles were dependent on the basis of their relation with king, queen and crown prince, could gain political prominence only as regents for a minor king or as accomplices of one of the nobilities.

The rotation of power exertion circled within the elite groups. General people of Nepal had no access to power, except for a few privileged elite. The military conquest expanded the territory in the wake of unification and widened the court politics from Gorkha. But "the actors and pattern of administration remained essentially the same", Shah King, an absolute monarch responsible to no one but himself, and ruling by divine right, had ruled absolutely in the initial years of unification. Under the early Shah administration, some powers were delegated to a small group of officials, the Bhardars from Brahm and Chhetri families, who constituted the Court of Nepal. Decentralization of power was

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adapted to some extent in the pyramid model, even if all the elite were somehow from the same class and caste even in the local level.

However, the regime under the king was never concerned about the welfare of the "subjects" who were compelled to pay more taxes to the ruler but had always been deprived of security — political, health, education, drinking water, transportation, communication, employment, etc. — to be provided by the state. In other words, people were responsible to serve the king and the country, which was not responsible to the people. The state imposed a law on the people instructing their duty and to sacrifice their rights as well, ultimately they did get nothing except cultural suppression, political exclusion, and economic exploitation. People were not citizens but "subjects" who were not aware of their political rights and had no capacity to dissent against any policy of the regime except to obey the hukum of king and his representatives. The system of ruling was same as the ancient Gorkha. They were indoctrinated by Hindu philosophy in which the king represented God "Vishnu" who provides justice to the people and performs every activity for the welfare of the people. "Social ills" such as Sati, slavery and child marriage prevailed during the 19th century. These practices had not only exploited women and the weaker section of the society, but also made their life miserable.

The Rana political system was an "undisguised military despotism" of the ruling faction within the Rana family, for the king and the people of the country. The main domestic concern of the government was the exploitation of the country's resources in order to enrich the Rana rulers and their families. No distinction was made between the personal treasury of the ruler and treasury of the government and all revenue of the government was kept by the ruler as his private income. Budget and revenue were never made public. As a system neither accountable to the king nor to the people, Rana rulers functioned as an "autonomous system" divorced from the needs of the people and tradition of the country. No peaceful dissent or protest was possible, and internal

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change within the Rana system could take place only through coup and conspiracies. Even peaceful change of the government within the Ranas itself remained beyond imagination, barring rare exceptions.

There were no other powerful nobilities in existence except the Rana family after the establishment of Rana oligarchy. Rana had already been successful in destroying the opponent and consolidating all power (including king's power) in the Rana prime minister. The paramount goal of the political system was to keep effective political control over the civil and military administration by the Ranas. The basic policy was to ensure perpetuation of the system as prescribed in 1856-84 by the King that had assigned all political powers to the Rana prime minister who was considered superior to the Mukhtiyar, executive head of the government in the pre-Rana period. It was not only due to the control of both military and civil organizations by the Rana prime minister and his family members, but also because of the prerogative of pajani power exercised by him.

The survival of Rana Political System (RPS) fully depended on the military power, even the governing system was termed by the military portfolios except the Maharaja Sri 3 Prime Minister who was the supreme Commander-in-Chief of the military. All top ranking military posts were filled by the Ranas, while the junior posts were given to the hill ethnic groups and other high castes, especially the Chhetris. The Ranas were appointed generals and colonels in the army soon after their birth or sometimes even before, as the political system under Ranas was an oligarchy of a military type and the Sri 3 Maharaja Prime minister had both the roles as head of the government and the military at the same time. He established Jangi Adda, the office of the Army and ruled the country on the basis of role of succession entirely on the basis of military hierarchy. Vitalizing the role of the military in politics, Maharaja prime minister was made stronger by the law of succession that on the one hand government appoints to this office with its supreme and autocratic character and becomes all the more prominent in the context of suppression of kingship during the Rana period. The hierarchy of the ruling system under

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115 The stand had established the principle of dual sovereignty inasmuch as the Rana PM was named Maharaja of Kaski and Lamjung, and the sovereignty over these two small states was inheritable by all the succeeding Rana PMs. Rana PM was known as Sri 3 Maharaj and supreme Commander-in-Chief, his nearest brother in hierarchy was declared Mukhtiyar and Commander-in-Chief of Nepal Army Staff. All posts were transferable to Rana family members in the order of seniority in hierarchy — Jung Bahadur, his brothers, his sons and his brothers' sons, etc.
the Rana\textsuperscript{116} was as given below, and male members of the family could occupy the given posts on the seniority basis respectively

1. \textit{Maharaja} Sri 3 Prime Minister and Commander-in-Chief of army
2. Commander-in-Chief General
3. Senior Commanding-General for the West
4. Commanding-General for the West
5. Commanding-General for the East
6. Commanding-General for the South
7. Commanding-General for the North
8. Generals
9. Lieutenant-Generals
10. Major-Generals
11. Lieutenant-Colonels
12. Colonels

With the highly stratified political system of Ranas, the people were separated from the political process. Many measures were taken by the Ranas to make the people apolitical. They devised the system of \textit{chakari} (obsequious attendance), \textit{pajani}, \textit{hajiri} (regular attendance), and \textit{baksauini} (gift and reward) for maximizing the people's loyalty to the system. As the country was virtually in the "pre-feudal" stage\textsuperscript{117}, especially in the context of sub-human conditions of the people, the physical mobility was impossible and social mobility was out of question due to prevailing rigid caste and class structure. Furthermore, the political system during the Rana rule was distinctively characterized by institutionalized differences in dress, speech and manner between the Ranas and non-Ranas. Non-Ranas were not allowed to be richer than the Ranas and were restricted even from building houses which were more modern than those of Ranas. Nor could the people get education. All these differences prompted the Ranas to perpetuate their "kingly attributes" and claim their superiority over the ruled, otherwise called \textit{duniyadars} (the commoners). The vast masses of such people were in no sense participants in politics


at the national level\textsuperscript{118}. So far as its reliance on the coup and coercion was concerned, the system was continued or unchanged fundamentally till it was overthrown in 1950 through a tripartite agreement (the Rana, pro-democratic forces led by Nepali Congress and the King) with the mediation of India. The agreement is popularly called “Delhi-Compromise”. It had been possible by the movement of mainly the popular forces including the King after he joined the anti-Rana movement in 1950. The unity of all the opponents of Rana rule from within the Rana family deprived of power also helped restore monarchy once again.

**Power Shift: Perception or Reality Since 1950**

The Delhi-Compromise, reached between the King, the Nepali Congress, and the Ranas, had underlined Nepal to be governed in accordance with the constitution prepared by a duly elected Constituent Assembly. It also included some other basic elements of democratic governance, such as (1) the election of a Constituent Assembly not later than 1952, (2) recognition of King Tribhuvan as the King of Nepal\textsuperscript{119}, (3) formation of an interim government comprising fourteen members — seven from each side (Rana and Nepali Congress), (4) amnesty to be granted to all political prisoners, and (5) freedom of political parties to operate within the bounds of law\textsuperscript{120}.

Accordingly, the fundamental rights, independent judiciary, public service commission, and other elements of liberal democracy were garneted in the Interim Constitution that was enforced in April 1951. It also accepted the king in Council implying that all his roles and functions were understood to have been taken “on the advice of his council of ministers concerned”\textsuperscript{121}. The compromise was understood as an “extra systemic change” having “neither an evolution from nor a modification of the traditional political


\textsuperscript{119} He had deserted the Rana regime by taking shelter in the Indian Embassy in Kathmandu on the eve of the anti-Rana movement launched by the NC and was flown to Delhi by a special plane sent by the government of India. After his asylum in Indian Embassy with his family, the Rana declared his second grandson-in-law or present king — Sri 5 Gyanendra Bir Bikram Shah Dev — as King of Nepal.


system". It was a product of a large number of factors mainly (a) India, (b) the king, (c) the Ranas in the higher rank deprived from the power, and (d) Nepali Congress, all playing their respective roles in the power game.

Among the five different forces within the country created by the 1950 revolution, the king, on whom the locus of power was centered, became the principal actor of the country's political process. He gradually became ambitious to be assertive who accused political parties of corruption, self-centered, “incompetent”, etc. Even though multiparty system with constitutional monarchy was the spirit of the tripartite agreement, no role of political parties in practice was recognized in the governing system after 1950. In hindsight, however, and in view of the post-1951 political developments, the “1950 revolution” restored the traditional role of the king. The power, so far exercised by the ousted Rana rulers, was only shifted to the Shah, another feudal family. In other words, power went back to Narayan Bhupendra Darbar (Royal palace) from the Singh Durbar (Office of Prime Minister), the power-centre during the Rana period.

The election of the “Constituent Assembly” declared by King Tribhuwan in 1951 was never held because of disintegration of the forces of revolution or pro-democratic forces themselves. It paved the way for revival of monarchy following the fall of the first Rana-Congress coalition government. Thus, the situation provided room for the king to act in his interest or his institution — monarchy. He started taking a number of measures for consolidating the power of the monarchy. One of the steps taken by him was the series of amendments of the Interim Constitution against the spirit of the proclamation of 18 February 1951. Shortly after a year of the Delhi-Compromise, King Tribhuwan suspended the entire provision under Chapter 3 (Sections 1 & 2) of the Interim Constitution.
Constitution that was related to the executive power of the king and the Council of Ministers. The last amendment made in January 1954 by the king said:

The inherent sovereignty of the monarch and his special prerogatives over the executive, legislative and judicial wings as the supreme head have been handed over to us by the tradition and custom of the country by virtue of the rights vested in them by our illustrious forefathers ... the supreme authority in all affairs now rests on us.

Such exercises of King Tribhuvan show, that he, known as a pro-democratic king, had created the grounds for reversal of democracy in the country. Nor did other forces stop him and his successors from changing the course. All opposition forces failed to unite to maintain the spirit of the 1950 revolution. On the other hand, different social associations, smaller groupings associated with the parties were used for maximizing his favour. How self-seeking leaders were pawned in his hand became transparent when the governments headed by T.P. Acharya and K.I. Singh of Praja Parisad (PP) and United Democratic Party (UDP) in 1956 and 1957, respectively, aborted the idea of holding an election for the Constituent Assembly that was repeatedly promised by King Tribhuvan. The king became successful in destroying the power of the NC first by splitting it into four smaller parties due to the never ending ideological and personal disputes between the two Koirala brothers (B.P. and M.P.). Then, the king started impressing the general people publicly and giving a statement against the political leaders and increasing number of "personalistic parties", their weak ideological and organizational base, continuing disintegration of democratic forces in the face of reassertion of strength by the feudal groups, and leaders' psychology of the palace as the "safest constituency" for "career roots" also provided enough ground to the king to criticize the political leaders of being self-centered and ignoring the welfare of the people. He consolidated power in his hand.

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127 Some important provisions in the Special Emergency Act, 2009 VS (1952) were that the executive authority was vested in the monarch which he could use either directly or through officers as appointed by him for that purpose [Section 5(1)]. He could act on his discretion [Section 5(4)], was empowered to enact such laws that he deemed fit under the circumstances [Section 6(1)], could abrogate all provisions of the Interim Constitution which went against the spirit of the new act [Section 8].


and ruled the country by hiring and firing prime ministers in accordance with his interest until the 1959 constitution that came as a "royal gift" on 12 February 1959. The traditional role of monarchy was re-established by the Constitution of the Kingdom of Nepal-1959. It provided an unchallengeable source of power to the King as was enjoyed by his forefathers and made him “sovereign”, “source of constitution”, and an “efficient monarch”. He was Supreme Commander-in-Chief having being armed with wide ranging discretionary powers including the declaration of the State of Emergency without the ratification in parliament. The preamble to the 1959 Constitution of the Kingdom of Nepal “gift(ed)” to the people laid down “the efficient monarchical form of Government responsive to the wishes of the people”. The constitution also provided for a wide range of vast and impressive powers to the King. Its Article 55 (emergency power of the king) became particularly useful for him for the dissolution of the parliamentary system in December 1960 with the help of military. It was exactly on the specious plea that the country was facing “an emergency in consequence of the ineptitude of political leaders and parties”. Political analysts comment that the constitution of 1959 was an experiment with a parliamentary system.

King Mahendra promulgated another constitution of Nepal in 1962 after dismissing the elected government led by B.P. Koirala in 1960. The king’s exclusive control over the military was assured by the constitution. The supreme command of the army was vested in him as part of his discretionary powers, and he alone was empowered “to raise and maintain armed forces, to grant commissions in such forces, to appoint commanders-in-chief and to determine their powers, duties and remunerations”. It was laid down explicitly that “no bill or amendment relating to the armed forces shall be introduced in

131 Rights of the monarch are clearly written but the responsibilities of monarchy and rights of the Council of Ministers are ambiguous. Major characteristics of the constitution were: (1) King of Nepal should be a Hindu and Nepal is a Hindu State; (2) active monarchy with certain prerequisites of parliamentary system with bi-cameral legislature; (3) government was supposed to be “responsible” and not necessarily responsible “to the wishes of the people”; (4) sovereignty vested in the king; and (5) dual power — on the Council of Ministers headed by an elected PM and on the palace with sweeping discretionary powers, etc.

either House of Parliament without the recommendation of His Majesty". The king was also assured the power to grant pardons, reprieves, and respites, and to remit, suspend, or pardon any sentence passed by any court, tribunal, or authority established by the law. Finally, all powers relating to matters not provided to be the residuary also belonged to the king. In addition to discretionary and residuary powers, the king was vested under the 1959 constitution with a wide variety of emergency powers. Under these powers, the king could suspend or abrogate, in times of war and peace, a part or all of the constitution. The only restraint placed on him was that he could not suspend the constitutional provisions relating to the Supreme Court. It was stated explicitly in Article 1 "...nothing in this constitution shall affect the law, custom and usage relating to the throne by the descendants of His Majesty Sri 5 Maharajdhiraj (King)". Furthermore, the king alone was assured of the exclusive rights to enact a law relating to the succession to the throne. In addition, the king reserved the right to appoint the Chief Justice and other judges at his discretion and right to dismiss them for "misbehavior or incapacity". The constitution had also provided for the establishment of such constitutional bodies and offices as the public service commission, and the Auditor-General. Members of these bodies were direct appointees of the king and as such were responsible to him alone for their actions. In 1975 and 1980, the constitution was rewritten in the name of amendment by the king in accordance with his interest. B.P. Koirala, involved in exercise of power as a prime minister, was not well disposed to the king’s temperament. King Mahendra showed this occasionally while addressing the people in different places. Thus, the confrontation between the king and the prime minister started not only because of constitutional ambiguity and ideological differences but also due to personality clash. Eventually, King Mahendra arrested the prime minister and his senior colleagues from the Conference of Youth by mobilizing the

135 Article 64(3), Ibid.
136 Article 64, Ibid.
137 Articles 55-56, Ibid.
138 Article 55(1b), Ibid.
139 Article 63, Ibid.
military personnel in uniform and put under detention, banned political parties by accusing them of being "western import" and "disintegrationists" in nature. He also dissolved the houses of parliament elected by the people in 1960 justifying his action by stating that the parliamentary system was a "corrupt system". Instead, he lauded the partyless Panchayat System as a "buffer Political System" for "nourish[ing] ...the tree of democracy rooted in our soil and suited to our condition" in accordance with the "history and tradition of the country and wishes of the people". Then, the new political system based on Panchayat System was declared by the king on 16 December 1962. The Constitution was tailored-made to suit the active monarchical role, the partyless regime continued until the people's movement in 1990 dismantled it.

Restoration of King-Military Ties since 1950: It's Impact on Democracy

The old relation between the king and the military was reinstated with the restoration of role of the king in politics after the fall of the Rana political system in 1950 through joint effort of the then King Tribhuvan and the NC. The perception of the political leaders of NC about the king, Tribhuwan, proved totally wrong just after formation of the Interim Government in 1951. They thought that the king could be a more reliable partner of the political parties than that of conservative groups like Ranas. The king succeeded, to a greater extent, to perplex the political leaders. What was interesting was that B.P. Koirala, Home Minister of the Interim Government, ordered the military guarding the Singha Darbar (office of the prime minister), Bijuli Garat, to shift its barrack to Narayanhity Darbar, Royal Palace. The rationale behind the shifting of the barrack of the military from the office of the PM to Royal Palace was the intention and background of PM Mohan Shamsher, who was not only from the Rana family, but was also the last PM of the oligarchy, under whose control the military remained. It could therefore be used for political regression. Hence, Koirala thought it advisable to shift the military to the palace for temporary settlement, as he, being the Home Minister, was living in the palace as a guest of the King because there were no secured residences for ministers like

144 Amended Constitution in 1986.
146 Ram Chandra Paudel, Vice-Chairman of NC.
him immediately. Surprisingly, the king against Koiralala's security plan, started receiving the salute from the military from the next day early in the morning. From that day military strength of the country was shifted from the Singha Darbar to Narayanhity Darbar, the establishment of civilian supremacy in real term vanished. The logic could also be proved by several other evidences: the King continued the old tradition to decorate the leaders having the civilian and administrative role by distributing the post of military “General” as an honour to NC leader Matrika Prasad Koirala; the second PM of the interim government next to Mohan Shamsher also accepted the military post, so that he, as military perceived, could control and command the military, because the military was dominated by the ruling class having superiority complex. The PM also might have wanted to be familiar with the military by giving a sense that he, even if had fought with the army while it was under Ranas, was in the process of owning it as his own military, since he was not only the leader of NC, but also of all the modernized social, religious and political forces. Unfortunately, the civilian leader could neither be respected by the military nor was he able to control and command it. Contrary to the general expectation, PM Koirala had to face the unexpected disregard of the military while he visited the barracks. Such incidents increased the already created distance between the leaders of political parties and the military, and the king took advantage easily from such distance. Moreover, he developed the confidence that he would not only be able to woo the military, but would also take an active part in the power game of politics by using it against the political parties and groups.

Similarly, the King also sought to strengthen his position by gaining access to the traditional instruments of power — the army, the police and administrative machinery. At a meeting of army officers and men, held in March 1951, the king assured the army personnel that their rights and welfare would “occupy the first place in his mind”. He insisted that they remain loyal to the Crown in spite of the change in the Government. Likewise, the king identified with two contradictory forces at a time — with the Ranas
and the NC. The former was traditionally connected due to social relations and his traditional role as a king during the Rana regime; the latter was an ideological ally. Thus, it was possible for the re-emergence of the King as a real executive head of the state defining his position and powers in relation to the Prime Minister and other arms of the government through the Interim Government of Nepal Act, 2007 (1951)\textsuperscript{153}. The act recognized, in principle, the supremacy of the Monarch in state affairs and the NC also supported the King’s constitutional leadership, because that necessarily implied a heavy sharing of powers. Since both the Ranas and the NC leaders were coalition partners, the development conflictual situation was inevitable to the advantage of the King.

The idea of B.P. Koirala to reorganize the disbanded Mukti Sena, called the Raksha Dal, to counter-balance the military threat of Ranas, aroused the suspicion of officer crops formed by the Ranas.\textsuperscript{154} Contrary to this, the step was used not only for making the first Interim Government under Mohan Shamsher as a failure, but also established a precedent to hire and fire the PM by the king\textsuperscript{155}. The rivalry between the two Koirala brothers further weakened the democratic process thereby encouraging taking back of all powers into his hand shortly. It created political instability that automatically made people perceive the King as a symbol of unity and political stability. It also convinced the military that the king was the only the stable power centre that could assure its professional interest. Both traditional powers, the army and the King, came together for promoting their common political and professional interests that contradicted with the

\textsuperscript{154} After the Home Minister declared the Gurkha Dal as an illegal organization, a number of heterogeneous political factions led by Nepal Communists Party and the Praja Parishad, formed a united opposition front called a Jatiya Janabadi Samyukta Morcha (People’s National United Front) advocating the establishment of a formation of “People’s Government”. The distractive tactics of opposition groups made the Congress leaders realize that further association with the Rana in the government would prove disastrous. To regain the prestige, Home Minister Koirala himself initiated to reorganize the disbanded Mukti Sena to counter-balance the military threat of Rana.
\textsuperscript{155} King Tribhuvan announced formation of an Advisory Assembly to “advise and assist the government” in the prevailing crisis. PM Mohan Shamsher publicly questioned the king’s right to announce the Assembly without consulting him and his cabinet. NC group blamed the PM for challenging the King’s authority. Thus, the Ranas were waiting for an opportunity to discredit B.P. Koirala in the eyes of the public. It came rather soon when a group of Raksha Dal soldiers opened fire on a procession of students in Kathmandu on 6 November 1951. The incident was used by Mohan Shamsher as an issue to blame the Home Minister. Hence NC withdrew its participation from the coalition government. Then the king constituted a new Cabinet including 8 Congressmen and 6 Independents under the premiership of NC president, M.P Koirala excluding B.P that triggered the division between two brother and likeminded cadres within NC.
agendas of political parties, leaders and their political activities guided by socialist ideology. Observing the role of the military in “settlement of Raksha Dal Uprising” under the K.I. Singh incident, an Indian scholar writes:

The loyal role of the state army impressed on the mind of the King, made him feel the necessity to organize it more efficiently and to secure its adherence to the Crown more permanently. For this reason, the King once more ordered a general raise in the salary and allowances of the armed forces and invited an Indian Military Mission (IMM) to reorganize the Nepalese Army on modern lines.

Taking advantage of the cooling off relationship between the strong defenders for democracy in and out of the country — Jawaharlal Nehru and B.P. Koirala, a Special Emergency Power Act, 1952 (2009) was passed by the Monarchy through Advisory Assembly. The act suspended entire provision of the Interim Constitution relating to the executive power of the Monarch and the Council of Ministers abrogated all the provisions of the Interim Constitution which went against the spirit of the new Act.

The Act clearly stated that executive authority vested in the Monarch could be exercised by him either directly or through officers as appointed by him for the purpose. He could act in everything at his discretion also. It empowered the king to enact such laws and ordinances as he deemed fit under the circumstances. The Government asked for military assistance from India to suppress the rebel who created lawlessness and unrest in Western Tarai. It further consolidated the strength of the opposition vs. government by intensifying anti-India sentiment. The situation ultimately divided and weakened the political parties categorizing them in opposition as anti-Indian, and in the government as

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156 In the name of settlement of Raksha Dal Uprising under K.I. Singh in the initial stage of the M.P. Koirala cabinet, the king mobilized the military successfully to disarm and arrest them, declared a state of emergency, and imposed curfew in the capital on 23 January, and Nepal Communist Party and Rashtriya Mahasabha which had reportedly taken active part in the revolt were declared illegal, See, HMG/Nepal, Nepali Gazette, 2 Baishak 2009 VS, p.1.


159 Section 8, Ibid.

160 Section 5.1, Ibid.

161 Section 4, Ibid.

162 Section 6, Ibid.

163 In the Dhangadi District of western Nepal on the Indo-Nepal border, about 700 armed men under the leadership of Bhim Dutt Pant, described as followers of K.I. Singh, let loose a reign of terror. The incapacity of the government was once more exhibited when it was forced to ask for military assistance from India to suppress the rebels. During July 1953 a joint operation by the Indo-Nepal troops succeeded.
pro-Indian. It further helped continue the strained relationship between the military and political party leaders, putting the military and the king in a regressive basket together. The ultimate beneficiary was the traditional feudal force represented by the institution of Monarchy.

Thus, the king rewrote the *Interim Government of Nepal Act, 1951* time and again in the name of amendment\textsuperscript{164}, re-establishing the foundation of “royal absolutism”\textsuperscript{165} that “ha[d] handed over to [him] by the tradition and custom of the country” as “exercised by [his] “Illustrious forefathers”\textsuperscript{166}. The division among political parties, especially within the NC, created political instability and became responsible for weakening the good security environment in the country. Similarly, class conscious military officers with long experience of enjoyment of political power and authority of the state tilted to the king seeing no further opportunity for enhancing their corporate and professional interest under the political leaders having socialist political ideology and policies. Such political and class difference between the NC—the biggest political party and the military, also helped the king to transfer himself easily within less than four years, from a would be titular head into a most powerful and unchallengeable executive authority of the country.

As a result, the election of Constituent Assembly was never held in spite of repeated commitment of the king. Instead, he (Mahendra) gifted the new constitution to the people in 1959\textsuperscript{167} defining Nepal government as His Majesty’s Government, and Nepal as

\textsuperscript{164} As the amended version ceased to have the force of the constitution, the term Article has been replaced by 'Section' throughout.

\textsuperscript{165} The provision that the king should govern with the advice and consent of his ministers was replaced by the definition that the executive powers of the State “vesting in the King” would be exercised by him “either directly or through Ministers or other officers subordinate to him” (Section 22(1) of the third amended version of the constitution, which was published in 1954 simply as *Interim Constitution of Nepal Act*. The power of the crown to grant pardons, reprieves, respites or to commute sentences could now be with the government which, in substance, meant that the Crown and the government were inseparable, Section 23 (1). The right of the king to appoint his Prime Minister was vouchsafed section 25:1 *Ibid*. The Powers of the Advisory Assembly remain as restricted as before. See, section 57 and 58 *Ibid*. The sovereign right to pass all laws and ordinances was completely vested in the Crown (Section 30) *Ibid*.

\textsuperscript{166} The position of the crown was clearly stated through a proclamation in *Nepal Gazette*. “The inherent sovereignty of the Monarch and his especial prerogatives over the executive, legislative and judicial wings as the supreme head has been handed over to us by the tradition and custom of the country. For sometime these prerogatives of the monarch were exercised by the Prime Minister by virtue of the rights vested in them by our illustrious forefathers. Since those rights were ended by the proclamation of 18 February 1951, the supreme authority in all affairs now rests in us.” See, “Royal Proclamation”, 13 February 1954 as given in HMG/Nepal (1955), *Nepal Gazette*, 25 Magh 2011 VS, pp.123-26

Kingdom and elected Prime Minister and ministers as “servants of Crown”169. The constitution was promulgated aiming to help the “subject” and to bring political stability through the "establishment of an efficient monarchical form of Government"170.

The general election was declared according to the constitution and was held on the scheduled date. B.P. Koirala became prime minister as his party NC won the election with more than two thirds majority, i.e., 72 percent of total seats in House of Representatives (74 out of 108 seats, though the King was reluctant to make him as PM171. Yet, after the 18 month of formation of the government under Koirala, the king used the military for arresting the elected Prime Minister having Defense portfolio and other political leaders on 15 December 1960. He imposed the state of emergency, outlawed political parties, dissolved the parliament saying that the parties were most corrupt and the system was “exported”172. Then he formalized partyless Panchayat system through Nepalko Sambidhan 2019VS (Constitution of Nepal-1962) in 1962 as he claimed that it was “rooted in our soil and suited in our environment”. Several other factors prevailing in the contemporary society and polity proved unfavorable to the new democracy and leadership. Parochial political culture of the people173 and undue play of Hindu fundamentalists174, irresponsible and unaccountable oppositional role of the other political parties175, fearful psychology of the feudal landlords176, socialist agenda of

168 Ibid.
169 "...except as provided in this constitution or any law for the time being in force, servants of the Crown shall hold office during the pleasure of His Majesty". See Article 65, Ibid.
170 Preamble of the Constitution, Ibid.
171 B.P Koirala waited for four months for forming the government under his premiership as King Mahendra was not keen to make B.P. Koirala as PM.
173 The peasant masses remained in general ignorance about the various laws which the Congress government passed to safeguard their interests, they did not search the legal remedy but revolted, that ultimately made the government fail to maintain security and order. See, HMG/Nepal, Constitution of Nepal, Kathmandu: Ministry of Law and Justice, 1962.
174 A Yogi (sant), Naraharinath of the Karmavir Mahamandal — an ultra rightist party and his follower began to spread a baseless rumour among the people in Gurkha that the NC government intended to confiscate their property, imposed taxes on women’s pigtailed, cattle heads and so on. Declaring himself as a re-incarnation of the saint, Gorakhnath, he exhorted the people to rise up in arms against a “sinful” government. This led to cases of loot and murder until the government was forced to send the army to suppress the revolt of the innocent people, See Ram Nath Pandey, “The Resurrection of Gorakhnath”, The Commoner, 11 November 1960 as given in Anirudha Gupta, Politics in Nepal: A study of Post-Rana Political Development and Party Politics, New Delhi: Allied Publishers Pvt. Ltd., 1964, p.158-59.
175 The anarchy and political uncertainty created by the feudal landlords represented by the monarchy and military was faced by the government shortly after its formation. Taking the benefit of the weak situation, Gurkha Parishad, Praja Parishad, Tarai Congress Karmavir Mahamandal and NC led by M.P.
NC\textsuperscript{177} and, personality ego clash between the ambitious king and the charismatic elected Prime Minister helped produce antagonism between the king and the PM. Lastly, the king ended the political system itself that could limit his authority as “constitutional monarchy”\textsuperscript{178}.

Most importantly, the land reforms — \textit{Birta} abolition and revision in tenancy law — enacted by the Nepali congress government disturbed the position of the landed aristocracy, which was also a dominant factor in the military. On the other hand, the weakening of position of landlords, bureaucracy and military meant weakening of the position of the king. Such kind of vested traditional interest of the feudal groups became hostile to the new government as the Prime Minister had expressed the king’s powerful constitutional position as a potential “source of direct threat”\textsuperscript{179} and willingness to further reform bureaucracy being full of “corrupt officers who had to be removed”\textsuperscript{180}. In addition, Prime Minister Koirala was of the view that Nepal did not need any standing army and it was better to follow Israel in matter of the country’s defense\textsuperscript{181}. Koirala’s
remarks created havoc among the officer crops of the military which was largely dominated by the traditional sector of the society. Thus, the PM's remark proved enough to offend such elements that were by training and temperament willing to align themselves with the king against the incumbent government.

Unlike the armies in many countries of the world in which the official class represents the cream of an educated modern elite, Nepal Army remained largely a monopoly of the Ranas and some other privileged families who occupied its higher officers on a hereditary basis. After establishing democracy in 1951, social composition of military, and junior and top ranking officers could not be changed, in spite of military reform with the help of Indian Army and law made for recruiting, promoting, grooming, training and other opportunities, and education provided to the military. The Rana political system was a kind of military despotism. Even the king and princes were compelled to marry Rana’s daughters for continuing the Shah Kingship as the rule developed by Janga Bahadur clearly stated that only the King’s son given birth by the Rana’s daughter could be declared as the prince, and hence become the future king. The tradition had been developed in such a way that neither the king nor the military officers could enjoy their individual rights to choose their partner during the Rana ruling period. Similarly, “the qualified male” interested in choosing the military career should be unmarried. The unmarried status of a male requiring the qualification to contest for non-commission officer was just for holding the military indirectly through establishing marital relationship with Rana’s daughters.

The compulsory marital relationship of the king, prince and the military officers was responsible to pacify the king from the possible threat to revolt for getting back his traditional rights. It made the army loyal to the Rana Prime Minister through the bounded relationship. Both the measures adopted by the Ranas helped for perpetuity of the family

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182 Jang Bahadur, through military power, had consolidated all the administrative and political powers and made rules to shift the post of prime minister automatically to his son, Mukhtiyar and Commander-in-Chief to his (prime minister) brother in accordance with the role of seniority. He made a rule that the king had to be a son of Rana’s daughter. So the main causes of long-term rule of Rana oligarchy were: (1) the correlation between the posts of prime minister and Commander-in-Chief of army; (2) main post of army occupied by Rana member on the basis of role or hierarchy of relationship or birth; and (3) family relation of Ranas' with the royal family that has been developed as a tradition and is still being continued. See, Tulsi Ram Vaidya et al.) Nepalko Sainik Itihas (Military History of Nepal), Kathmandu: Shahi Nepali Jangi Addha., (2049 VS./1993, p.147.
autocracy for more than 104 years. Even after the end of the Rana oligarchy, the benefit of the tradition turned to the king helping automatically to make the army loyal to monarchy in the post-1951 politics. Even today, a tradition established by the Ranas is continuing, i.e., only an unmarried male requires the qualification to contest for non-commission officer and the trend is now converting that to some military officers recruited directly in second lieutenants are getting married to the daughters of senior military officers or their relatives. It was mainly because of the class interest as the families of top major senior military officers originated from a similar background which could be represented and saved only by the monarchy in the democratic environment after 1950.

Since only the family members of the old courtiers could be inducted into the army at the officer level, this was continued till after 1951 too. Either Ranas and their relatives or many others courtiers' family members (like Basnets, Thapas and Pandeys) leaving in India after establishing Rana Oligarchy only could be selected in the officer level, as they only could meet the criteria of education and others. Hence, the higher ranking military elite tried to safeguard of the traditional institutions which had common class and vested interests. As a conservative group, they continued to be non-cooperative towards “reforms” in military organization. History shows that they had exerted their capacity to remove politicians from the government. It has been said that personal antagonism of certain top ranking Rana officers with K.I. Singh was reportedly the main cause of the fall of his Government. Similarly, alienation of some top ranking army officers from Prime Minister B.P. Koirala's office helped to succeed the Royal Coup in 1960 as they were opposing the proposal of the government to make certain changes in the military organization.

The Nepal Army remained loyal to the king in spite of the attempts made by several politicians to provoke it to be indifferent against the consolidation of the power of the

183 Till today a tradition established by the Ranas is continuing that only an ‘unmarried’ male requires the qualification to contest for non-commission officer. Because, the qualification, ‘unmarried’ was required to hold the military indirectly through establishing marital relationship with Rana’s daughters.


185 As mentioned by Lt. General (Rtd.) Bala Nanda Sharma, during the interview taken by researcher.


188 The Statesman, 5 January 1961
king. The reality was that the military did not want to be controlled and commanded by the politicians, considering them as 'subject class' people. The interest of the military did not also come into clash with the king who had been on the other hand fighting for their common class interest. Additionally, both the kings — Tribhuvan and Mahendra — paid special attention to making the military officers satisfy enlisting the support of army officers and their men towards their regime. They had provided comparatively higher salary, and greater comfort and more security to the military personnel than other staff of the government offices working at the same level. The informal process of government has always been more decisive and dominant than of formal one. The so-called back channel used to be decisive, and most decisions and steps in the process were taken after order came from the higher authority (Mathi)\textsuperscript{189}. Even if there was no order from the higher authority, the concerned body used to make decisions supposing such decisions could meet the desire of the Palace. What was observed is that the principal officers in the Royal Palace Secretariat enjoyed more power and privileges without any responsibility and accountability for their administrative errors, than of formal administrators working at the same level. In the same manner, the Principal Military Secretary of the Palace was undoubtedly more powerful than the Commander-in-Chief of the army staff\textsuperscript{190}.

In spite of the opportunity to use massive power and privilege, and recognizing military itself as the main source of power, the military never challenged the royal authority but enjoyed the privileges by developing close association with such authority. It was possible mainly because ‘the king was the true balancer’, he could allow anyone to enjoy the power while one was in a group under him (King) but ‘not allowed to accumulate power in anyone’s hand’ except him. When he thought an individual was becoming influential after a long term of office, he used to feel threat from “with the proximity of the competitors at the centre of power”\textsuperscript{191} and terminated him in anyway, whether he was from a political administrative or military background. The traditional system of pajani existed in one or other forms, and it is continuing even today. Major General Padma Bahadur Khatri and Dazzle Jang Rana, for instance, during King Mahendra’s period were given premature retirement from military service, like Tulsi Giri, Bishwa Bahadur Thapa

\textsuperscript{189} On the basis of Interview taken to Major General (Rtd.) Dilip Karki.
\textsuperscript{190} On the basis of interview with the Security Advisor of Prime Minister, Ramesh Jang Thapa
and Surya Bahadur Thapa from the post of the Prime Minister. Hence, military officers always remained subordinate to the king and could not get involved in or influence the politics under the monarchy. Such a tradition of the army was stated long ago by a foreign scholar: “the Nepalese soldiers are at all times, and under all circumstances must singularly be obedient to ‘the powers that be’, and they obey the constituted authority—be it Rajah, Rani, Prince or Ministers—most unhesitatingly”\(^{192}\). A reputed Nepali researcher or then politician observed the contemporary trends of pulling and hugging among the power practitioners around the periphery of the centre saying that “Proximity of the competitors to the centre of power reached the highest level of intensity among those who are very close to the King”\(^ {193}\). Such an attitude among and between the senior officers of military never allowed them to pose a threat to the position of the King, rather they all tried to reach closer to him.

The lower section of the military was recruited from the poorer section of hill peasantry, having socialized by subject political culture. Thus, the identification and conflict of interests between soldiers and officers could not be easily developed, hence the undemocratic culture and structure within the military institution. Such socio-economic disparity between two classes within the army\(^ {194}\) also prevented any officer of Royal Nepal Army from developing himself at such level that could put a threat to the power and influence of the king. That is why Royal Nepal Army was playing the role as subordinate ally of the King during the entire period lasting thirty years (1960-1990).

The relatives of Rana, Thapa, Basnet, Pandey, Shah and other related families basically originated from the Gorkha court politics dominated mainly by the Nepal Army (NA), as the process of military establishment itself had the system of inherent weakness that created it as a feudal class from its origin. As a result, the military became an ally of the ruler whether he was a civilian or a member of the royal family (then ruling class). The rest were its subjects who were to work for its enhancement carrying the financial burden and accepting the system imposed by them. The handful of ruling people benefited from the state and its resources were enjoyed only by them, but all the rest were not only


\(^{193}\) There was the struggle for power between Major General Sher Bahadur Malla and Brigadier General Samar Raj Kunwar. Both were officers of the Royal Guards and military Aides-de-camp and secretaries to the King Mahendra. The case resulted in the dismissal of Kunwar in 1965. See, Rishikesh Shaha, *Essay in the Practice of Government in Nepal*, New Delhi: Manohar, 1982, p.119.

deprived of the facility provided by the state, but were also exploited in a systemic way. Hence, the vast gap between the ruled and the ruler was created that could be seen even in the food habits, dress, lifestyle, rites and rituals, etc. Till today this tradition is continuing.

After the end of Rana oligarchy in 1951, the civil military institutions had been separated clearly. So was the case with other institutions — executive, legislative and judiciary. Military law had been reformed, the size of the military had been decreased, the criteria for recruitment, promotion and retirement had been fixed and the king had been made the Supreme Commander-in-Chief of Army. Moreover, The Military Act, 1959, which made the Commander-in-Chief of the army staff responsible and accountable to the King rather than the government through “Act on Right, Duty, Function and Terms” of the Service of the Commander-in-Chief 2026 (1959), further consolidated military-monarchy relationship. As a result, the experiment of the newly achieved multiparty parliamentary democracy could not work for long and lasted only eighteen months since 1960. The trends of prioritizing the socio-economic sectors were started and automatically the military was marginalized until the 1960 coup of King Mahendra who became the King after his father died since 1955.

The king, whether he was constitutional or absolute monarchy started directly controlling the military traditionally and institutionally. King Tribhuvan who had dissatisfaction with the relegation of the Crown to a comparatively minor role in the government revived the tradition of control of military by the king. Both King Tribhuvan and his son Mahendra then continued the tradition of distributing the military portfolios to the non-military persons even after the establishment of democracy in 1951. Even the first Prime Minister of the interim government formed in 1951, Matrika Prasad Koirala was compelled to request the king to provide a senior military post as an honour for keeping the military under the control of the civil government. It was formed in 1951 under the leadership of 'the subject' to whom military was not easily ready to recognize as head of the government. Even though King Tribhuvan provided a senior military post to him, the military did not respect (salute) him on his visit to the barracks in accordance with the military tradition and discipline, then he gave up the honour. Shortly after the incident

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King Tribhuvan changed the interim constitution reviving the role of the traditional monarch as provided by his "illustrious forefathers"^{196}, controlled the military under him as Supreme Commander-in-Chief of the military and took several steps for advancement of the military institution and the profession in terms of education, facility, exposure, training and opportunities to be exposure, etc.^{197}.

The Military was made loyal to the institution of monarchy during the nine years of unstable democratic political exercise. According to Paudel, the role of military was vital to delay the formation of a government under the premiership of B.P. Koirala, leader of NC, after the NC had won the election with overwhelming majority. Much time was consumed for making a king-military tandem or understanding to make not only the leadership but also the system itself fail. This was because the government formed by the socialist-democratic party had several progressive agendas such as abolition of Birta, ceiling on landholding and distribution of land with the slogan of "land to the tiller" under the land reform scheme, guarantee of religious right of everyone with the equal respect of each religion and end every root of traditional, social and economic inequalities. All issues raised by the NC were against the subject political culture and feudal socio-economic structure represented by the forces of regression. Personality ego and clash of both, King Mahendra and Prime Minister B.P. Koirala, who came from totally opposite backgrounds, worked more or less to make military hostile to political leaders. In addition, all the PMs, including the elected one B.P. Koirala in 1959 even though he had held the portfolio of Defense, also ignored the issue of democratizing and professionalizing the military, treating it as a king's military. Priority was given to the socio-economic transformation that could remove to some extent the existing socio-economic hierarchy^{198}.

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^{196} HMG/Nepal The Special Emergency Act 2009 VS (1952), Kathmandu, 1952.
^{197} On the basis of interview taken with a political leader of Nepali Congress, Ram Chandra Paudel.