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**NAVAL
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MONTEREY, CALIFORNIA

THESIS

**UNITED NATIONS PEACEKEEPING PARTICIPATION
AND CIVIL-MILITARY RELATIONS IN TROOP
CONTRIBUTING COUNTRIES**

by

Surendra Singh Rawal

March 2010

Thesis Co-Advisors:

Arturo C. Sotomayor
S. Paul Kapur

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**UNITED NATIONS PEACEKEEPING PARTICIPATION AND
CIVIL-MILITARY RELATIONS IN TROOP CONTRIBUTING COUNTRIES**

Surendra Singh Rawal
Lieutenant Colonel, Nepalese Army
MPA, Tribhuvan University, 1998
M Sc, Madras University, 2003

Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(CIVIL-MILITARY RELATIONS)**

from the

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March 2010**

Author: Surendra Singh Rawal

Approved by: Arturo C. Sotomayor
Thesis Co-Advisor

S. Paul Kapur
Thesis Co-Advisor

Dr. Harold A. Trinkunas
Chairman, Department of National Security Affairs

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ABSTRACT

This study focuses on Nepal's historical contribution to United Nations peacekeeping missions and identifies an empirical puzzle: Nepal suffers from unstable civil-military relations (CMR) at home, even as it supports UN peace efforts with large peacekeeping deployments. This finding is counterintuitive because the conventional wisdom on CMR argues that participation in international peacekeeping operations promotes stable CMR by making young soldiers more cosmopolitan, less nationalistic, and more resistant to calls for military "salvation" via coups in times of crisis. This work traces the policy-making process on peacekeeping issues, including the role of the foreign ministry and the military establishment, and analyses the evolution of CMR in Nepal. The study finds that while peacekeeping has provided valuable international experiences to Nepal's armed forces, the benefits of such an engagement are withheld due to its weak political institutional framework and constant political crises. The armed forces' focus is still dominated by the domestic context, while civilians pay little attention to foreign policy and peacekeeping matters. Both trends—a military focus on domestic stability and civilian apathy towards defense and foreign policy—help explain why CMR in Nepal are inherently unstable despite its military involvement in peacekeeping duties abroad.

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LIST OF ACRONYMS AND ABBREVIATIONS

BPOTC	Birendra Peace Operations Training Center
CA	Constitution Assembly
CAECOPAZ	Argentina's Joint Peace Operation Training Center
CMR	Civil-Military Relations
COAS	Chief of the Army Staff
CPA	Comprehensive Peace Agreement
CPN(UML)	Communist Party of Nepal (United Marxist Leninist)
DPKO	Department of Peacekeeping Operations
DDR	Disarmament, Demobilization and Reintegration
EIPCP	Enhanced International Peacekeeping Capabilities Program
GPOI	Global Peace Operations Initiative
GON/GoN	Government of Nepal
ITS	Integrated Training Service
JAG	Judge Advocate General
MOD/MoD	Ministry of Defense
NA	Nepalese Army
NAM	Non-Aligned Movement
NDC	National Defense College
PKO	Peacekeeping Operations
PM	Prime Minister
PSC	Private Security Company (Contractors)
ROE	Rules of Engagement
SRSR	Special Representative of Secretary General
SSR	Security Sector Reform
UNSAS	United Nations' Standby Arrangement System
UNMIN	United Nations' Missions in Nepal
UNHQ	United Nations' headquarters
UN	United Nations

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I. INTRODUCTION AND LITERATURE REVIEW

A. INTRODUCTION

Civil-military relations (CMR) focuses on the relation between civil society and military organizations in broad terms; specifically, it is the relations between the military and the civil authority of a country. Civil-military relations are categorized according to their nature, and differing environments and interactions between civilian authorities and the military result in differing outcomes.

The range of explanations available in CMR theory includes subjective and objective control of the armed forces. Analyzing various theories and modalities leads to the conclusion that "one size does not fit all." Professionalism and principal-agent paradigms offer appropriate models for explaining CMR in advanced democracies where sophisticated democratic institutions are in place. In contrast, CMR in authoritarian or non-democratic countries may be best described as subjective civilian control. However, this generalization is not sacrosanct.

International approaches to CMR suggest that peacekeeping is a tool to promote healthy CMR by providing externally oriented roles or missions for the armed forces.¹ Indeed, while many countries have taken part in United Nations (UN) peacekeeping missions since their origin in 1948, the reality is that not all peacekeeping contributors enjoy good CMR. Peacekeeping has positively affected the CMR of some countries, while other countries have yet to experience similar effects.

Likewise, peacekeeping missions serve the foreign policy goals of troop contributing nations. Although the ultimate aim of any peacekeeping mission is to establish international peace and order, the political leaders of troop contributing countries also seek to utilize international forums to achieve their countries' national interests. Therefore, peacekeeping is a foreign policy tool. Contributing troops to

¹ Michael C. Desch, *Civilian Control of the Military: The Changing Security Environment* (Baltimore: John Hopkins University Press, 2001). Desch focuses on the missions and roles of the armed forces, and asserts that an externally oriented military will have less inclination to participate in domestic politics.

peacekeeping missions is an intrinsic element of any nation's foreign policy. Master strategist Carl Von Clausewitz argues that war is a means to achieve political ends. Similarly, troop contributors seek to achieve foreign policy goals through the deployment of blue helmet troops.

For this reason, it is necessary to investigate whether participation in UN peacekeeping missions contributes to improving CMR and achieving foreign policy goals among troop contributing nations. Observations from the field indicate that peacekeeping may have mixed results, with some but not all countries improving their CMR. This raises questions about causality for most CMR and international relations theories, which often assume a positive relationship between peacekeeping engagement and civilian control.

B. RESEARCH QUESTION

Identifying why and how peacekeeping contributes to improving CMR in authoritarian and democratizing states provides insights to better understand civilian control and CMR. According to conventional wisdom, peacekeeping improves CMR by providing military personnel with civilian tasks, thus closely integrating the armed forces with civilians in the field.² However, the Nepalese case is somewhat different. In addition to its major role of protecting the country from external and internal threats, the Nepalese Army (NA) has substantially contributed to UN peacekeeping missions for more than fifty years. Unfortunately, this long and profound contribution to UN peacekeeping missions has not paid off by improving CMR, nor has it contributed to advancing the nation's foreign policy agenda.

Therefore, the research puzzle addressed in this study is to understand why a country, in this case Nepal, has unstable CMR when its military has an externally oriented mission, namely peacekeeping. The study focuses on explaining why Nepal

² Conventional wisdom suggests that an externally oriented military, in this case international peacekeeping, will have less inclination to participate in domestic politics, thereby improving civil-military relations. See Desch.

deviates from the conventional wisdom in CMR theory, and specifically, why Nepal's CMR seem so unstable even though its armed forces have an externally oriented mission.

C. IMPORTANCE

The subject matter of this study is important because one strand of the CMR literature argues that countries with externally oriented military institutions tend to have stable CMR, but Nepal does not seem to fit this model, leading to questions about both the theory and about Nepal as a case study. The Nepalese case is also relevant because it pinpoints the importance of roles and missions in CMR, especially vis-à-vis civilian control. This case study is also justified because peacekeeping is supposed to be a foreign policy tool; yet, it seems to have had unintended consequences inside Nepal. Finally, the case provides information about how peacekeeping affects military institutions, especially among developing states. If, as Charles C. Moskos argues, the military is more integrated with civilians when it performs peacekeeping, then why do we see civil-military instability among developing countries that perform peacekeeping operations?³

This study focuses on the relationship between the armed forces' roles and democratic stability in Nepal, especially in relation to the military's involvement in peacekeeping. Nepal has taken part in UN peacekeeping missions since 1958. The NA has contributed peacekeepers to different missions spanning a wide spectrum of peacekeeping operations all over the world.⁴ Yet Nepal continues to be unstable in terms of CMR. Instability here refers to instances in which the military has not followed civilian preferences, either neglecting civilian orders or imposing their own policy preferences on their principals.

³ Charles C. Moskos, John Allen Williams and David R. Segal, *The Postmodern Military: Armed Forces after the Cold War* (Oxford: Oxford University Press, 2000).

⁴ Nepalese Army in UNPKO, Nepalese Army Web site, http://www.nepalarmy.mil.np/na_un.php, (accessed August 27, 2009) and information acquired from the Birendra Peace Operation Training Center, Panchkhal, Nepal.

D. HYPOTHESIS

The hypothesis of this thesis is that any improvement in CMR is conditional on the existence of political will, interests, and active involvement for overarching peacekeeping issues, without which the CMR of troop lending countries does not improve. For this purpose, the thesis focuses on a controlled case comparison of Nepal, a country that has participated extensively on UN peacekeeping yet has recently suffered various CMR crises.

This study focuses on three sets of arguments. The first argument is that peacekeeping provides an external role for the armed forces, which ultimately allows civilians to exercise control by keeping the forces away from domestic politics.⁵ This argument, drawn from diversionary theories, is based on the assumption that roles and mission determine outcomes in defense policy.

The second argument claims that peacekeeping allows for increased levels of integration between civilian and military components, thus allowing for the civilianization of the armed forces themselves.⁶ This argument is drawn from the field of military sociology and is based on the assumption that socialization often shapes policy preferences and even identities.

Finally, the third argument is drawn from Samuel P. Huntington's argument in *Political Order in Changing Society*. It argues that CMR tend to be weak among states lacking strong political institutions, such as parties and military organizations.⁷ Moreover, the absence of a strong political institution affects military loyalties and leadership, leading to political instability and military coups.

⁵ Desch, *Civilian Control of the Military*, 2001.

⁶ Moskos, Williams and Segal, *The Postmodern Military: Armed Forces after the Cold War*, 3, 9.

⁷ Samuel P. Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), 8.

E. LITERATURE REVIEW

This literature review focuses on different approaches to CMR: Desch's approach to military roles, Moskos' analysis of the post-modern military, and Huntington's approach to political parties in changing societies.

Desch, following Huntington's argument on civilian control,⁸ focuses on missions and roles. He asserts, "An externally oriented military will have less inclination to participate in domestic politics" because all of the state power, including the military, will have to be focused externally.⁹ International security threats are likely to provide more power and support to knowledgeable and experienced civilian leadership because civilian institutions tend to be more cohesive and the military is more likely to unify from potential or actual factions when the source of threat is external. Under such circumstances, civilian leaders are more likely to exercise objective civilian control, relying on military competency to fight a war against an external enemy.

Desch argues that there are many causes for stable or unstable CMR. First, the individual personalities, character and experience of civilian and military leaders affect CMR. Second, the level of civilian control depends on institutional changes in the military, such as changes in the level of unity, organizational culture, or professionalism. Third, the level of civilian control of the military also depends on the changes in the civilian institutions of the government. Fourth, weak state institutions are less effective in exerting civilian control. Fifth, the level of civilian control depends on the method of civilian control. For instance, according to Huntington, objective control is more conducive to effective civilian control than is subjective control. Sixth, civilian control of the military is likely to be weak when there are sharp differences in opinion and culture between the military and the civilian sphere. Lastly, changes in the international environment are likely to affect the CMR, but how they affect the domestic order is subject to dispute.¹⁰

⁸ Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations*. (Belknap: Harvard, 1957).

⁹ Desch, *Civilian Control of the Military*, 14.

¹⁰ Desch, *Civilian Control of the Military*, 8–10.

Desch considers the aforementioned individual, military, state and societal variables as intervening variables that respond to domestic and international threats, thus determining the level of civilian control. He argues, "The strength of civilian control of the military in most countries is shaped fundamentally by structural factors, especially threats, which affect individual leaders, the military organization, the state, and society." He classifies threats, his independent variable, as internal and external.

It is extremely difficult to reorient the military of new democratic states, thus making improvement in their CMR less likely. However, external powers such as the U.S. can play an important role in improving the CMR of newly democratic states by providing military assistance to focus the attention of the armed forces on external missions.¹¹

Morris Janowitz asserts that the technological and organizational revolutions have narrowed the gap between the military and civilians. As a result, civilians have heavily influenced the military profession. He puts forward the constabulary model, which eliminates the concept of peacetime and wartime military. Drawing on the police concept, the constabulary model advocates subjective control because of integration with civilian values and self-imposed professional standards.

Janowitz maintains, "The constabulary concept provides continuity with past military experiences and traditions, but it also offers a basis for the radical adaptation of the profession. The military establishment becomes a constabulary force when it is continuously prepared to act, committed to the minimum use of force."¹² During the post-war period, the British forces used this concept to maintain the political stability of the members of the British Commonwealth and associate states.

Moskos, following Janowitz, argues in favor of an integration approach, and believes the line separating the military and civilians is slowly disappearing. He notes, "Peacekeeping and humanitarian missions have come to occupy a more central position

¹¹ Desch, *Civilian Control of the Military*, 122.

¹² Morris Janowitz, *The Professional Soldier, A Social and Political Portrait* (Glencoe: Free Press, 1960), 418.

in military doctrine than ever before."¹³ He recognizes that since the end of the Cold War there has been increased permeability between civil and military structures, eroding traditional military values. This leads to major changes in military institutions and CMR.¹⁴ For instance, in analyzing Canada through this lens, Moskos asserts that

The [Canadian] armed forces themselves have been increasingly democratized, liberalized, and civilianized...A high value is placed on military integration with the larger society and transparency of the civil-military interface...The dominant professional roles in the Canadian military are becoming the soldier-diplomat and corporate manager.¹⁵

In *Peace Soldiers*, Moskos explores the sociological aspects of peacekeepers vis-à-vis their military organization and professionalism, dignity and loyalty. He writes, "To the degree that a peacekeeping force deemphasizes the application of violence in order to attain viable political compromises, such a peacekeeping force approaches the constabulary model of military forces proposed by Janowitz."¹⁶ The constabulary model advocates the measured and minimum use of force to achieve political solutions. From this perspective, peacekeepers seek to use force only in self-defense. In this sense, peace soldiers can be viewed as a strict version of the constabulary model.

Moskos claims that the constabulary ethic demonstrated by peacekeepers is directly proportional to the internationalism that they display.¹⁷ He says,

Conventional military professionalism entails loyalty to the nation-state, expert command of lethal weaponry, and a willingness to employ that weaponry for chauvinistic purposes; peacekeeping professionalism requires internationalist identification, proficiency in non-coercive measures, and performance of mission in an impartial cause. Where military professionals are expert warriors serving national interest, peacekeeping professionals are an impartial and internationally legitimated constabulary.¹⁸

¹³ Moskos, Williams and Segal, *The Postmodern Military*, 3.

¹⁴ Moskos, Williams and Segal, *The Postmodern Military*, 6.

¹⁵ Moskos, Williams and Segal, *The Postmodern Military*, 9.

¹⁶ Charles C. Moskos, Jr., *Peace Soldiers: The Sociology of a United Nations Military Force* (Chicago: University of Chicago Press, 1976),

¹⁷ Moskos, *Peace Soldiers*, 9.

¹⁸ Moskos, *Peace Soldiers*, 10.

Regular armed forces focus on the achievement of victory even if it requires the maximum use of violence, and pay less attention to non-military considerations. In contrast, peacekeepers are determined to achieve peace, even relinquishing some military principles and procedures. Peace soldiers are the extreme manifestation of the constabulary ethic that favors persuasion, compromise and capitulation over punishment, perseverance and conquest. Moskos further asserts,

Even peacekeeping service itself, moreover, was typically interpreted as serving national military purposes: the opportunity for operational deployment in an overseas environment, the acquisition of experience in multinational military cooperation, and a rationale for an armed forces establishment to counter antimilitary domestic opinion.¹⁹

Huntington's emphasis on political parties and their role in facilitating political order and civilian control of the armed forces provides a third theoretical perspective. Huntington argues, "The most important cause of military intervention in politics are not military but political and reflect not the social and organizational characteristics of the military establishment, but the political and institutional structure of the society."²⁰

From this third perspective, the problem of civilian control in chaotic political situations does not rest primarily on the military. Military intervention in politics is thus one of the various forms of social interactions that takes place among praetorian societies and cannot be readily explained by narrow military explanations. Huntington emphasizes how weak political institutions attract military intervention in underdeveloped societies.

In all societies specialized social groups engage in politics. What makes such groups seem more "politicized" in a praetorian society is the absence of effective political institutions capable of mediating, refining, and moderating group political action. In a praetorian system social forces confront each other nakedly; no political institutions, no corps of professional political leaders are recognized or accepted as the legitimate intermediaries to moderate group conflict.²¹

¹⁹ Moskos, *Peace Soldiers*, 138.

²⁰ Huntington, *Political Order in Changing Societies*, 194.

²¹ Huntington, *Political Order in Changing Societies*, 192.

According to Huntington, in a praetorian society, power is divided into various forms and small numbers because of the lack of effective political institutions. For instance, the power may take the form of oligarchy, popular demagogue, or small political parties or factions ready to "sell out." The level of politicization of military institutions and individuals depends upon the weaknesses of political institutions and the inability of the political leaders to address the primary problems of the country.²² Huntington argues,

As society changes, so does the role of the military. In the world of oligarchy, the soldier is a radical; in the middle-class world, he is a participant and arbiter; as the mass society looms on the horizon, he becomes the conservative guardian of the existing order.²³

Thomas C. Bruneau advocates for "new-institutionalism" and asserts that control of the military by democratic institutions, as well as effectiveness and efficiency, is necessary for stable CMR. Indeed, an effective peacekeeping contribution requires an equally active defense ministry.²⁴ The absence of a capable ministry of defense explains the weakness in institutionalizing civilian control in Nepal. The four core areas where a ministry of defense should be efficient are budget, personnel, acquisitions, and definition of roles and missions.²⁵ Since the civilian leadership at the Ministry of Defense continues to be weak, peacekeeping in Nepal is largely a military operation, with little or no diplomatic feedback. Consequently, there is no support for the military by the political leadership, allowing the military to preserve its traditional institutional autonomy. Given that there is no diplomatic feedback, Nepal has little diplomatic leeway negotiating with the UN and other major peacekeeping actors, such as India.

The thesis also relies on the literature on peacekeeping and CMR. It is widely believed that participation in peacekeeping operations will have a positive impact on the

²² Huntington, *Political Order in Changing Societies*, 196–221.

²³ Huntington, *Political Order in Changing Societies*, 221.

²⁴ Thomas C. Bruneau and Richard B. Goetze, Jr, "Ministries of Defense and Democratic Control," *Who Guards the Guardians and How: Democratic Civil-Military Relations* (Texas: University of Texas Press, 2006), 81.

²⁵ Bruneau and Goetze, *Who Guards the Guardians and How*, 83.

CMR of troop contributing countries. A good number of studies suggest that peacekeeping participation has in fact helped to improve CMR. For instance, Deborah L. Norden believes that the military faces serious challenges when a country transitions from an authoritarian rule to democracy. By taking part in UN missions, peacekeeping not only contributes to normalizing CMR at home, but also plays a significant role in the government's foreign policy. Norden asserts, "The military's participation in peacekeeping allowed the armed forces to become a valuable player in the government's foreign policy, bringing praise and recognition, where they had previously found disdain."²⁶ Following this line of logic, Desch suggests that new democracies adopt an externally oriented defensive doctrine to achieve civilian control of military at home. He argues, "The Argentine government, in an effort to keep the country's once internally oriented military externally focused, has recently been having the military participate in international peacekeeping missions. This is a realist and beneficial post-Cold War military missions."²⁷

Drawing heavily from Janowitz's constabulary concept, Moskos explores a sociological aspect of peacekeeping vis-à-vis their military organization, and claims that the extreme ramification of the constabulary ethic inculcates persuasion, compromise, and perseverance rather than use of force and conquest in military. As Moskos argues, "In contrast with standard armed forces, the constabulary and peace soldiers are concerned with the attainment of viable political compromises rather than with the resolution of conflict through force."²⁸

However, Arturo C. Sotomayor believes that the level of military prerogatives at home and the nature of social interactions in missions can negatively affect the CMR of troop contributing countries. He argues that "domestic factors (such as different types of military prerogatives and divergent forms of bureaucratic decision-making process) and

²⁶ Deborah L. Norden, "Keeping the Peace, Outside and In: Argentina's UN Missions," *International Peacekeeping*, Vol. 2, No. 3, Autumn 1995, 347.

²⁷ Desch, *Civilian Control of the Military*, 122.

²⁸ Moskos, *Peace Soldiers*, 130.

external variables (such as dissimilar forms of social interaction in peace operations) can influence the potential effects of participation in peace operations on civilian control of the military."²⁹

F. METHODOLOGY AND STRUCTURE

This study seeks to demonstrate that Nepalese CMR has not improved despite the armed forces' externally oriented missions, specifically UN peacekeeping missions. This outcome is the result of a lack of political interests in Nepalese peacekeeping efforts. The argument is tested using a qualitative single case study, as well as comparative case study methods. The two-step approach enables the author to find the correlation between political interests and the level of CMR in Nepalese peacekeeping participation and to compare it with other nations to test the validity of the hypothesis.

The methodology adopted for this thesis is a case study approach focused on Nepal as a deviant case that does not fully adjust to the existing or conventional literature. It focuses on multiple observations of a single case with divergent outcomes in CMR. The thesis analyzes Nepal in different political periods, allowing examination multiple observations across time and thus encompassing some internal variations. The thesis uses qualitative analysis to determine the nature of the CMR during four critical periods: the first democratic period, from 1950 through 1960; the authoritarian *Panchyat* period, from 1961 through 1989; the second democratic period, from 1990 through 2006; and the third democratic period, from 2006 through April 2009. The four periods are determined by the nature of Nepal's political system at each time. This approach offers a number of methodological advantages. Dividing a single case into multiple periods increases the number of observations within the study.

Although Nepal began participating in UN peacekeeping missions in 1958, the entire first democratic period, 1950-1960, is analyzed because during this time, Nepalese political leaders sought an internationalist approach by involving the military in the UN.

²⁹ Arturo C. Sotomayor, "Unintended Consequences of Peace Operations for Troop-Contributing Countries in South America: The Cases of Argentina and Uruguay," in Chiyuki Aoi, Cedric de Coning and Ramesh Thakur (eds.), *Unintended Consequences of Peacekeeping Operations* (New York: United Nations University Press, 2007), 172.

Although this is a relatively a short period, it gives an idea of military leadership, peacekeeping participation and the state of CMR at the initial stage. During the *Panchayat* period from 1961 through 1989, Nepal had a stable CMR. However, the political system was authoritarian and the king subjugated the military to his own political preferences. During the democratic period from 1990 through 2005, the NA remained under the dual command of the king and the prime minister, and the king and the political parties tried to subjugate the military for their own political ends. Civil-military relations gradually went from bad to worse when the United Communist Party of Nepal (Maoist), hereafter referred to as the Maoists, entered the political mainstream and tried to force the military to submit to their own political goals. By the end of the Maoist government, CMR had reached its lowest point.

The thesis then seeks to explain the correlation between civilian interests in military matters and CMR using a comparative case study method. It compares and contrasts the Nepalese case with Argentina, a case in which peacekeeping participation by the Argentinean military greatly improved CMR. Argentina was chosen because there are many similarities between Nepal and Argentina, especially in regard to their political history and peacekeeping participation. Both countries started taking part in UN peacekeeping missions in 1958 and both increased their peacekeeping participation after the end of the Cold War.

This research relies mostly on primary and secondary sources. Primary resources include local newspapers, archives, speeches and official documents from the government. It also relies on secondary sources, such as books and journals on CMR and peacekeeping. Some of the tertiary sources for the research are encyclopedias and related web sites.

The plan of this thesis is as follows. Chapter II gives an account of different periods in Nepalese politics from 1950 to 2009, and the situation of CMR. This chapter divides Nepalese politics into four major periods based on major political changes and the system of governance. Chapter III presents important aspects of Nepalese peacekeeping participation from 1958 to 2009. Although the nature of peacekeeping participation did not depend much on the political system of governance in Nepal,

peacekeeping participation is divided into the four periods used to categorize political development for ease of analysis and understanding. Chapter III also includes a brief account of the strengths and challenges of Nepalese peacekeeping participation to facilitate a detailed understanding of Nepalese peacekeeping efforts. The chapter mentions the foreign policy implications of Nepalese peacekeeping participation, which is one of the founding objectives of Nepalese peacekeeping. Chapter IV compares the case of Nepalese peacekeeping and CMR with the case of Argentina. Despite their differences, the political developments and peacekeeping participation is common to both countries. However, Argentina is a successful case of improving CMR by peacekeeping participation, and Nepal is not a successful case. Chapter IV explains the causes of success in Argentina that are lacking in Nepal. Chapter V summarizes the peacekeeping participation and CMR.

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II. POLITICS AND CIVIL-MILITARY RELATIONS IN NEPAL

A. INTRODUCTION

Nepal has undergone an enormous political change within a relatively short span of time. However, the political problem of governance persists with the same or greater intensity, introducing new dimensions and challenges. Lately, the civil-military problem relating to the Maoists has surpassed and overshadowed other major issues, creating a severe political pathology in the country.

The United Communist Party of Nepal (Maoist), the largest political party in Nepal, is protesting and rallying every day for what they call the need "to establish civilian supremacy in the country."³⁰ The Maoists have been protesting continuously in the last few months since their government fell and the relationship between the government and the NA turned bad. The present civil-military problem is the most severe in the history of Nepal. It has its roots in the decade long Maoist insurgency (1996-2006) in which the NA was employed at the most crucial stage.

Generally, when there is a civil-military problem, the military institutions are considered relatively more responsible for the causes of the crisis than the civilian components. In some cases, however, lack of political competency, apathy or antipathies are also seen as prime factors in the pathology. Other factors can play a prominent role in exacerbating those problems. Therefore, it is imperative to dissect civil-military problems in order to understand them in a holistic manner. A correct diagnosis of a problem is likely to rationally suggest the correct treatment and prognosis. Thus, the question arises, What are the dynamics of the civil-military problem in Nepal? The answer to this question is very important to understanding the nature of the problem as well as identifying a correct solution. This chapter explains the civil-military problems in Nepal from a historical perspective, providing a historical account of Nepal's politics as the background conditions of its CMR problem.

³⁰ Mark McDonald, "Protesters Clash With Police in Nepal," The New York Times, November 12, 2009.

B. HISTORICAL SETTING

The concept of the nation-state in Nepal began in 1768–69, after the conquest of the Kathmandu valley by Prithivi Narayan Shah, the King of Gorkha.³¹ It was the final conquest that integrated the country after a series of unification battles. Prior to unification, Nepal had been divided into many tiny principalities and kingdoms. Even prior to unification a stable CMR existed in Nepal.³² During his reign, King Prithivi Narayan Shah conquered and extended the kingdom towards the east up to half of the size of present day Nepal. Although the military played a crucial role in his most ambitious unification process, he always tried to strike a balance between military autonomy and control. He even sought consent from the general populace to make decisions regarding military matters.³³ King Prithivi Narayan Shah's maxims demonstrate how cautious he was about civilian military relations at that time. He said, "If the king is wise, he will keep the soldiers and the peasants on his side."³⁴ He also emphasized the professionalism of the soldiers, and said, "Soldiers should be always honed."³⁵

The period after King Prithivi Narayan Shah, between 1774 to 1846, remained an era of struggle for political power in Nepal. Many military commanders were actively involved in politics. During this period, the state's powers were centralized and the military was modernized. The unification campaign was continued by King Prithivi Narayan Shah's successors. His descendants expanded Nepal to twice the size of its present-day territory, from the Teesta River in the east, up to the Sutlej River in the west.

³¹ Deepak Thapa and Bandita Sijapati, *A Kingdom Under Siege: Nepal's Maoist Insurgency, 1996 to 2003* (Kathmandu: The Printhouse, 2003), 13.

³² Keshar Bahadur Bhandari, "Civil-Military Relations in Nepal," Paper presented at a seminar organized by the Sangam Institute, Kathmandu, Aug 27, 2008. He writes, "People had a kind of direct access to the king (supreme military commander by virtue of his position) and they used to have a say as the stakeholder on country affair and military campaign...Even a common people could approach and advise the king - the ruler, supreme military commander and final civilian authority on nation's affair."

³³ Bhandari. He mentions, "A kind of practice of conscription existed then which established a belief that every soldier is a citizen and every citizen a soldier."

³⁴ Prithivi Narayan Shah Devko Divya Upadesh, Information and Communication Division, Kathmandu, 1953.

³⁵ Prithivi Narayan Shah Devko Divya Upadesh.

At the latter stage of the ongoing campaign, the Nepalese encountered another expansionist power, the British East India Company. The two powers clashed, and the British declared war against Nepal in 1814.

After the war with the British, a series of political crises sprang up in Nepal and ultimately empowered Jang Bahadur Rana to usurp absolute power over the country, making the king a mere figurehead. From 1846 to 1950 was a period of oligarchy and agnate regime in Nepalese history. While ruling the country, the Ranas kept the king as the ceremonial head of the state. All the executive, judicial, and legislative powers were centralized and exercised exclusively by the Ranas and their family members.³⁶ The country ran without a constitution and essential state institutions.

Ironically, the process of creating a nation state was not completed even during nearly 200 years of transition because of political upheavals and intrigues among the various forces. Bhuwan Lal Joshi and Leo E. Rose state,

After the emergence of Nepal as a nation-state in the last quarter of the eighteenth century, the primary goal of the Nepali political system became the maintenance of the status quo, which meant the continuation of the delicate balance of power among the various elite families composing the court. The transfer of the capital from Gorkha to Kathmandu in 1769 gave added emphasis to the nationwide scope of the new political system, but did not result in any significant changes in the political process itself.³⁷

This political legacy would have important impacts on political development and CMR in Nepal.

³⁶ Bhandari maintains, "A culture of family Generals and public soldier; and nepotism, favoritism, and Chakari Pratha [An essential concept which means to wait upon, to serve, to appease, and to seek favor from politically or administratively well off people] became the norm of those days. CMR in real terms did not exist and what existed was in the form of relation between the military master and public in general, and it was at its worst.

³⁷ Bhuwan Lal Joshi and Leo E. Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation* (Berkeley: University of California Press, 1966), 485.

C. MODERN NEPALESE POLITICAL EVOLUTION AND THE MILITARY

1. The First Democratic Period (1950–1960)

Until 1951, Nepal was under the oligarchic Rana rule, and the NA was loyal to the Rana rulers. The first tide of democracy ended this oligarchy. The fall of the Rana regime created a power vacuum, so the process of establishing a new political order was hindered by the critical task of reestablishing central authority in the vacuum created by the abolition of the old order. Agreement among four major forces—the monarchy, the political parties, the Ranas, and the Indian government in Delhi—created the first post-Rana government in Nepal. With the shift of the state's power to the king, the army ultimately shifted its loyalty to the king.³⁸ The ministries were weak, and rapid succession in power by various political forces made the new system further dysfunctional. The political parties competed with one another, particularly the Nepali Congress and the Gorkha Parishad, and created their own police forces to protect their leaders and to manage political rallies.³⁹ In many instances, these private police forces were out of the control of their party leaders. Leo E. Rose and John T. Scholz note, "One regional party leader's attempted coup in 1952 almost succeeded in overthrowing the first Nepali Congress cabinet by using the Congress party's own police force."⁴⁰ Rose and Scholz mention that the country faced numerous security challenges. Political unrest in the eastern hills and the *Terai*, low lands, further worsened the general disorder facing the government.⁴¹ The Rana-Congress coalition government formed on 18 February 1951 was not stable enough to exert control over any ministries, including Defense. The government fell in nine months.

³⁸ Dhruva Kumar, "Democratic Control of Security Forces," in Rajan Bhattraï and Rose Cave, eds., *Changing Security Dynamics in Nepal* (City: Nepal Institute of Policy Studies and Saferworld, 2008), 140. He asserts, "With the transfer of the Bijuli Garad (the elite armed guard), guns and ammunition from Singha Darbar (the residence of the Rana prime minister) to Narayanhiti Darbar (the residence of the king), the armed forces also shifted their loyalty back to the Supreme-Commander-in-Chief in April 1952."

³⁹ Leo E. Rose and John T. Scholz, *Nepal: Profile of a Himalaya Kingdom* (Boulder, Colorado: Westview Press, 1980), 42.

⁴⁰ Rose and Scholz, *Nepal: Profile of a Himalaya Kingdom*, 42.

⁴¹ Rose and Scholz, *Nepal: Profile of a Himalaya Kingdom*, 43.

Meanwhile, the king remained influential with the military because of his crucial position of power. The king became more powerful when the cabinet's effectiveness dwindled as the opposition political parties constantly discredited ministers. The inability of the new government to quell the growing security problems brought the king to the forefront of the state's power by amending constitutional provisions several times. Rose and Scholz point out that the king strengthened the military in order to check political disorder and counter the armed threats from private police groups.⁴² Technical experts from India were active in reorganizing the Nepalese administration and the army. Many power-sharing governments were formed before an elected government could take office. The king played a key role in choosing the members of the cabinet. In the power sharing governments, most of the time the prime minister assumed the portfolio of the defense ministry, but whenever this portfolio was given to others, the king chose the defense minister carefully to retain the loyalty of the military.⁴³ He then made the defense ministry less effective by giving it little influence in military matters.

In 1959, a new constitution was promulgated in which the king was made the source of all powers. Its various clauses severely diluted the powers of the Cabinet of Ministries, and the country swayed away from the principles of democracy. Following the first general election in February 1959, Nepal's first democratically elected government took office in May with B. P. Koirala as the prime minister, the leader of the Nepali Congress. Advocating democratic socialism, the Nepali Congress advanced free education and health care as the government's top agenda. Although the government started to achieve a "record of accomplishment unparalleled by that of any previous government in Nepal," it failed to provide even essential services on the ground.⁴⁴ The powerful landlords, and personality clashes between King Mahendra and Prime Minister Koirala became a major impediment to the working of the government.

Koirala not only became unable to look after security issues, but also could not take political leadership of the NA. There were two major causes for this failure. First

⁴² Rose and Scholz, *Nepal: Profile of a Himalaya Kingdom*, 43.

⁴³ Joshi and Rose, *Democratic Innovations in Nepal*, 291.

⁴⁴ Joshi and Rose, *Democratic Innovations in Nepal*, 291.

was the constitution itself, which created two parallel power centers. Although the constitution envisioned two power centers, the king and the prime minister, in reality the king remained more powerful and influential than the prime minister. Second, Koirala seemed over reliant on India and did not pay much attention to security problems in Nepal. He did not succeed in bringing the NA into the democratic fold and taking control of it. The Nepali Congress Cabinet had an opportunity to hold the position of the Ministry of Defense, but it was unable to pay much attention to defense affairs or to take control of the military. This allowed the king to take control of the military even when the Nepali Congress was in power. As the Koirala government was trying to establish itself, the king removed the Nepali Congress from power after just eighteen months. The king banned all political parties and took control of the government.

King Mahendra's political move would have been very difficult without tangible support from the military. Knowing that one of the main reasons for the downfall of the Rana regime was the military, King Mahendra quickly took leadership of the military. According to Rose and Scholz, the Ranas could not address the problem of the overcrowded facilities for the 25,000-man contingent that returned to Nepal after World War II.⁴⁵ It was a clear example of the lack of concern and failing to take leadership of the military and it thereby eroding their control. Realizing these weaknesses of the Ranas, King Mahendra took a keen interest in the army. He carried out reform in the army by broadening the ethnic and social bases of the officer corps in 1952. Prakash Nepali and Phanindra Subba maintain, "King Mahendra carefully weeded out overly ambitious officers and cultivated loyalty by taking a personal interest in the careers of those in the senior ranks."⁴⁶ Along with the restructuring, he gave the army the right to use the "Royal" prefix before its designation in order to show his appreciation and concern for the army.⁴⁷ This is one of the examples of the king taking leadership of the army, although the use of the "Royal" prefix may have a different interpretation in the present context.

⁴⁵ Rose and Scholz, *Nepal: Profile of a Himalaya Kingdom*, 56.

⁴⁶ Prakash Nepali and Phanindra Subba, "Civil-Military Relationship and the Maoist Insurgency in Nepal," *Small Wars and Insurgencies*, Vol 16, No. 1 (2005), 85.

⁴⁷ Nepali and Subba, *Civil-Military Relationship and the Maoist Insurgency in Nepal*.

The king established the Military Secretariat in the palace to secure total control of the military and at the same time to discourage any possible military alliances or independent power base. This mechanism also enabled him to cut off the military from any political affinity; thus, it focused on professionalism.

a. Analysis of the First Democratic Period

The nature of CMR during the first democratic period can be characterized as very unstable. This was the period of political transition and modernization of the NA. Since the Ranas were no longer in power, the army was trying to shift its loyalty to another political leader, either the king or the democratically elected prime minister. During a ten year period, many governments were formed; however, none of them could work properly. The political leaders did not pay attention to the military, as they had other political priorities. This led to the king, rather than the democratic leaders, becoming the political leader of the military.⁴⁸ After the first democratic election in 1959, the Nepali Congress party arose as a dominant political force, but the king's coup overthrew the Nepali Congress party from government just in eighteen months.

In the new political system, the purpose of the military was primarily to protect the king's own interest. Political parties viewed the NA as a private army whose allegiance had shifted from Rana family to the king's family. This made CMR unstable. The political leaders' apathy toward the military, their lack of knowledge about the military's functioning, and their perception of the military as a threat were additional reasons for the instability of CMR.

2. Panchayat Period (1961–1989)

Nepal remained under absolute monarchy for three decades after the takeover by King Mahendra. All political parties were banned in the *Panchayat* system, which most affected the Nepali Congress. Many of its political leaders were incarcerated or went into

⁴⁸ Radheshyam Adhikari, "People's Army," *Himal Khabarpatrika*, 30 May - 14 June 2006. Adhikari writes, "When democracy was established in 1951, the military was also reorganized. But the leaders did not understand the importance of the security forces and the king was able to convince the Nepali army to be loyal to him instead."

exile in India. However, some political leaders were able to escape and regrouped in India to launch attacks against the king. The Nepali Congress launched rebel attacks with the covert support of India, but the attacks were not very successful compared to the pre-1950 attacks.⁴⁹ In the meantime, the India-China War broke out in 1962. India stopped providing support to the rebels, as it wanted to maintain good relations with Nepal, a buffer state between India and China.

Nearly two years after his takeover, King Mahendra proclaimed a new constitution for Nepal, establishing a pseudo-democratic *Panchayat* system on 16 December 1962. In this partyless *Panchayat* system, a so-called guided democracy, the ultimate source of power was the king. He wielded all state power, making the separation of power among executive, legislative, and judiciary nebulous. Although the new constitution tried to address the aspirations of the Nepalese, it was hastily drafted and faced problems creating and establishing state institutions.⁵⁰ The constitution had a provision giving the king exclusive power to control the military. He was the supreme commander of the military with discretionary power "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 (Art. 64.1, 64.2)." There was also a constitutional provision that clearly spelled out that "no bill or amendment relating to the armed forces shall be introduced in either House of Parliament without the recommendations of His Majesty (Art. 64.3)."⁵¹

With the support of the military, the king wielded enormous power. This became particularly crucial following the royal coup. He could utilize this power to monopolize various government affairs, such as appointing favorable persons to administrative positions. Although the king monopolized the use of military power to fulfill his political ambitions, he always put maximum emphasis on keeping the army out of politics because he was aware of the army's past involvement in politics and interference in state affairs.

⁴⁹ Leo E. Rose and John T. Scholz, *Nepal: Profile of a Himalaya Kingdom*, (Westview Press, Boulder, Colorado, 1980), 50.

⁵⁰ Rose and Scholz, *Nepal: Profile of a Himalaya Kingdom*, 42.

⁵¹ Joshi and Rose, *Democratic Innovations in Nepal*, 291.

Bhuwan Lal Joshi and Leo E. Rose write, "Fully cognizant of the role played by the army in the mid-nineteenth century developments which deprived the ruling dynasty of all but nominal sovereign powers, King Mahendra has taken care to emasculate the military as a potent political force and with considerable success."⁵² While keeping the military out of politics and bringing it under his direct command, the king assumed the post of the Supreme Commander in Chief.

After assuming the throne, the king carefully managed the composition of the officer corps. The army's force level was increased and it was given a modest budget, but it was barred from other political influence and was made loyal to the king and the *Panchayat* political system. Keeping the military above exogenous political processes throughout the *Panchayat* era made it relatively politically sterile. In many instances, the king barred promotions of politically motivated or ambitious officers. Joshi and Rose maintain, "Whether intentionally or not, the officer corps has been remarkably apolitical since 1956, when the king nipped a potentially dangerous plot in which several lower-level officers were involved."⁵³ To make sure the subjugation of the military to the king was preserved, its members were not allowed to cast votes in elections. The subjugation of the military to the king effectively helped to keep the military out of the state's affairs, and at the same time gave him a powerful political tool to use in the event of political crisis.

By the end of the second wave of democracy in 1974, many independent third world countries experienced military rules or coups. Nepal did not face such problems, mainly because the NA was kept under the control of the king and remained politically inactive. Other plausible reasons, such as foreign training, exposure to peacekeeping missions, and the change in the composition of the officer corps to make it more inclusive also helped to avert such possibilities.⁵⁴

⁵² Joshi and Rose, *Democratic Innovations in Nepal*, 390.

⁵³ Joshi and Rose, *Democratic Innovations in Nepal*, 391.

⁵⁴ Keshar Bahadur Bhandari, in "Civil-Military Relations in Nepal," asserts, "Army got exposure to outside world through foreign training and peacekeeping operation. Composition of the officer corps increased from people in general and a group of officers graduated from Military Academy of Nepal."

From 1972 to 2001, throughout the reign of King Birendra, there were continuous political movements against the *Panchayat* system. Facing extreme pressure from political unrest, King Birendra conducted a plebiscite in 1980 that offered a choice between a multiparty democratic system and a "reformed *Panchayat* system." The result, which some political parties believed was rigged, favored the reformed *Panchayat* system. The political parties did not give up their political movements. In 1985, the leading political party, the Nepali Congress, launched a political protest, *Satyagraha*, also supported by communist parties. However, it was aborted when the pro-republican leader Ramraja Prashad Singh, demanding a republic system in the country, exploded bombs in the capital. Ultimately, a mass protest organized by the political parties in 1990 forced the king to lift the ban on political parties and establish a multiparty democracy.

a. Analysis of Panchayat Period

Although the king's intention was nationalist and broad in external approaches; domestically, he was focused on protecting his own regime rather than accommodating all the political forces and moving forward. This made civilian control relatively parochial and subjective. In addition to the narrow goal of controlling the army, the king also transgressed from democratic norms and made the political system authoritarian. During this period, the NA was viewed as the king's Praetorian Guard, and its high-ranking positions were predominantly occupied by a small number of elite groups in the country. For example, members of the Rana, Shah and a few other families with close ties to the king occupied the higher military positions.⁵⁵

However, the king made every effort to remain in close contact with the military and to maintain the military's allegiance to him. He periodically visited the army headquarters and various military installations throughout country. He listened to problems within the military and provided support, guidance and direction, giving due consideration to the logistical, welfare, budgetary and other requirements of the military. Rose and Scholz assert, "From the beginning of his reign, Mahendra [the king] took an

⁵⁵ The Shahs were the ruling family, and the Ranas were the de facto rulers before 1950.

active interest in the army."⁵⁶ Through continuous interaction with the military, the king acquired considerable knowledge about the military's capability, functioning and limitations. Realizing that the military can be a formidable political strength, the king always relied on the military for reining the country and warding off political mobilization against him. However, he was very careful to prevent the military from becoming involved in politics. Rose and Scholz say that Mahendra "kept active military officers strictly out of politics. Thus the army remained an important but isolated institution."⁵⁷

3. The Second Democratic Period (1990–2005)

Albeit a little late, the Third Wave of democratization affected Nepal too. This global phenomenon swept through various authoritarian regimes and decimated dictatorships.⁵⁸ In Nepal, the popular uprisings commonly known as the People's Movements ended in a negotiated settlement with the king establishing a multiparty democracy with a constitutional monarchy. This movement did not democratize the country by completely overthrowing the authoritarian regime, but rather transplanted democracy into the old system.⁵⁹ The king, because of international pressure and rising expectations from the people of Nepal, announced the lifting of the ban on political parties in April 1990.

After the king's announcement, a constitution writing commission was formed. The commission found it difficult to revise the roles and powers of the monarchy in the constitution. The king wanted to maintain his sovereignty and was unwilling to give up

⁵⁶ Rose and Scholz, *Nepal: Profile of a Himalaya Kingdom*, 56.

⁵⁷ Rose and Scholz, *Nepal: Profile of a Himalaya Kingdom*, 57.

⁵⁸ Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), 25. Huntington notes, "By 1990 democratic rumblings were occurring in Nepal, Albania, and other countries whose previous experience with democracy had been modest or nonexistent."

⁵⁹ Huntington, *The Third Wave*, 151. According to Huntington, in transplacements, democratization is produced by the combined actions of government and opposition. Within the government the balance between standpatters and reformers is such that the government is willing to negotiate a change of regime—unlike the situation of standpatter dominance that leads to replacement—but it is unwilling to initiate a change of regime.

control of the military. After some negotiation, a compromise was reached in which the political parties agreed to give the king the ultimate authority to control the military. Thapa and Sijapati write, "The issue of control over the army was resolved by providing the king with the authority to mobilize the army, but on the recommendation of a Security Council, comprising the prime minister, the defense minister, and the army chief (which, theoretically gave the civilian government the upper hand)."⁶⁰

Throughout the decade of multiparty democratic practices, the democratic forces, and especially the Nepali Congress, did not have a cordial relationship with the army. The NA was not a government priority and appeared to remain an institution outside of the government system. The neglect was evident from its meager budget allocation and disinterest in making the National Security Council functional.⁶¹ Since the institutionalization of civilian control was ignored, the NA remained apart from the democratic process.

Because of its origin, history, tradition, and role in the creation of the nation, the NA sees itself as the ultimate defender of the country. This outlook was not commensurate with the major political parties whose approaches were anti-monarchist since King Mahendra dismantled the first democratic system in the 1960's. The political parties' late arrival on the political scene and antipathy towards the monarchy forced them to show a lack of interest in the history of the creation of the country. On the other hand, the military was not only forced to remain aloof from political activities and interaction with other institutions, it was taught to be loyal to the king and the country rather than to the people and the democratic system. At the end of the *Panchayat*, the gap between the political parties and the military was very wide. Yet the ability of the political parties to fill the vacuum was not very encouraging. The NA was also very cautious to maintain its institutional sanctity and nonpolitical nature. For the most part, civilian political leaders

⁶⁰ Thapa and Sijapati, *A Kingdom Under Siege*, 35.

⁶¹ According to Bruneau and Matei, national security council is devised in the constitution to promote civilian control and stable CMR. Thomas C. Bruneau, Florina Cristiana Matei and Sak Sakoda, "National Security Councils: Their Potential Functions in Democratic Civil-Military Relations," *Defense and Security Analysis* Vol. 25, No. 3, (September 2009), 255.

could not understand the military institution and the concept of national security. This persists even today as an important aspect of civil-military problems in Nepal.

The new constitution of 1991 provided a democratic system with a constitutional monarchy but kept the army under ambiguous control. Although leeway in exercising control over the army was given to civilian leaders through the Ministry of Defense and the National Security Council, the ultimate authority to mobilize and control the army was vested in the king.⁶² Because of this constitutional provision, the political parties in the government sought to control the military through indirect means. For this purpose, political leaders tried to minimize the role of the army in the internal security of the country. For instance, before 1990, the army was represented in Security Committees at the district, zonal and national levels; after 1990, it was kept as only an invitee member in these committees. The government tried to reprioritize the roles of the army by mobilizing it in national development projects. The army, to protect its institutional interests, accepted this role to demonstrate its importance and relevance in the changed political context.

Despite all the changes in policies, the political parties did not succeed in influencing the army by manipulating key leadership positions. The resistance from within the organization came in order to maintain its nonpolitical nature in the face of a highly politicized and dysfunctional police organization. The politicians' attempt to manipulate the army forced it to seek protection from the king, thus maintaining its traditional loyalty. This also placed the army in a dichotomous position; in one respect it wanted to remain in the democratic fold, in another, it wanted protection from the king. At this crucial period, political leaders could not assume the political leadership of the national army. Meanwhile, the officer corps raised with the *Panchayat* era mindset became resistant when the vacuum created by the political upheaval was not filled by a democratic control mechanism.

The dual prerogatives inscribed in the constitution did not allow absolute control over the army by the politicians or the king. The finance ministry had tightened the

⁶² Clause 118(2) of Constitution of the Kingdom of Nepal 2047 says, "His Majesty shall mobilize and use the Royal Nepalese Army on the recommendation of the National Security Council."

defense budget, forcing the army to be compliant with politicians. This was one of the mechanisms for the democratic control of the army, but it did not work as it should. The frequent changes in the government, rapid formation of unholy alliances, and political compromises to grab power made the NA skeptical of loyalty to political leaders. The lack of political stability, schism, and extreme individualism in the political culture were some of the major factors that ended the institutionalization of civilian control. In such political turmoil, national security issues and the army as an institution remained at the periphery of the core political problems. The Ministry of Defense had never become a ministry of choice for any political party due to its stretched budgets and because the king's patronage devised in the constitution left little room for manipulation.⁶³

Mistrust between the military and political institutions was such that some even suspected that the NA and the king did not want to resolve the insurgency problem in order to weaken the government.⁶⁴ When the army submitted a plan to mobilize the troops along with development packages with the estimated cost of 6.3 to 6.5 million rupees, the government did not approve it. Instead, the government said that the plan was too costly and continued seeking police action rather than employing the army. Possible reasons for not approving the operational plan were government suspicions about the loyalty of the army.⁶⁵

Home Minister Govinda Raj Joshi resigned after the Dunai incident of 29 September 2000, in which he had a strong disagreement with the army for not providing support to the police against the Maoists' attack.⁶⁶ After the Dunai incident, the government did not consider the Maoist problem as a law and order problem that could be dealt with by a police force. Intending to mobilize the army to counter the Maoist attacks, the government tried to secure more control of the army by nominating a

⁶³ Nepali and Subba, *Civil-Military Relationship and the Maoist Insurgency in Nepal*, 92.

⁶⁴ Nepali and Subba, *Civil-Military Relationship and the Maoist Insurgency in Nepal*, 92. They write, "At the same time, some elements close to the palace and in the army, at least in the early days of the insurgency, had also been ambivalent about the Maoist threat and saw some benefit in the weakening of the civil government and the police force."

⁶⁵ Nepali and Subba, *Civil-Military Relationship and the Maoist Insurgency in Nepal*, 93.

⁶⁶ Dunai is a remote area in western Nepal.

dedicated defense minister for the first time. Before this, during a whole decade of democratic practices, there was no separate defense minister; the prime ministers also looked after the Ministry of Defense. Although the government could achieve a majority in the three-member National Security Council with the appointment of the new defense minister, the plan to mobilize the army could not have materialized without the final approval by the king.

After a decade of complete negation and isolation, when Prime Minister Girija Prashad Koirala ordered the NA to mobilize against the Maoists who had besieged a group of police personnel in Holeri in July 2001, the army showed reluctance to mobilize.⁶⁷ The army did not show insubordination; however, it set many prerequisites for mobilizing the army in counterinsurgency, such as declaration of an emergency, consensus from all political parties, and labeling the Maoists as terrorists.⁶⁸

Until the Maoists intensified their armed rebellion and the security situation went beyond the control of the police force, the government did not feel the necessity of the NA. The political leaders had so little interest in or awareness of controlling the army that the constitutionally mandated National Security Council did not take shape for a decade. This was partly because of the political leadership's lack of strategic culture and partly because of the dual authority specified in the constitution.⁶⁹ The most important factor was the mutual mistrust between the military and the Nepali Congress, which remained in government most of the time. This created confusion and difficulties when the government needed to mobilize the army. According to Dhruba Kumar:

The alleged defiance of the Royal Nepal Army to the executive order of the prime minister in Dunai (2000) and Holeri (2001) episodes suggests a gross misunderstanding persisting between the elected representative institutions and the non-elected traditional institutions of the government. Although the Article 118 of the 1990 Constitution has asserted the civilian supremacy over the armed forces through the organization of a National

⁶⁷ Holeri is also a remote area in western Nepal.

⁶⁸ Nepali and Subba, *Civil-Military Relationship and the Maoist Insurgency in Nepal*, 93.

⁶⁹ According to Clause 119(1), the King is the Supreme Commander of the army. And, Clause 119(2) of Constitution of the Kingdom of Nepal 2047 says, "His Majesty shall appoint the Commander-in-Chief of the Royal Nepalese Army on the recommendation of the Prime Minister.

Defense Council (NDC), the criterion of its smooth functioning was blurred as the king was made the Supreme Commander-in-Chief of the Royal Nepal Army with the final authority to "operate and use" the army on the recommendation of the NDC (Article 118(2) and Article 119)⁷⁰

The public reverence and allegiance for the monarchy decreased after the revolution of 1990, and further dissipated after the palace massacre of King Birendra and his family in 2001 that led to various conspiracy theories.⁷¹ The king's diminishing popularity and patronage also weakened the NA's popular support despite its active contribution to the counterinsurgency campaign.

As mentioned earlier, ever since the establishment of the authoritarian *Panchayat* system, the NA was kept away from societal influences and hence was shielded from public criticism. Most of the political parties, media, and academic circles had an attitude of indifference about the army before the revolution in 1990, but they started taking an interest and commenting on military affairs after that. Many questioned the necessity for an army in Nepal, arguing that the country faced no tangible external threats. Some felt that it was unwise to keep an unproductive standing army in the face of the two giant armies of India and China surrounding its borders. Since its involvement in the counterinsurgency campaign, the NA has been under scrutiny from various sectors.

With the NA having a reserved domain and the political leaders' failure to take an interest in military affairs, the army was forced to shield itself from exogenous threats to the institution and thereby to function as an autonomous organization. Lacking active participation in the new democratic system, the army was still considered the king's Praetorian Guard and was criticized by many political parties and others. The political parties tried to switch the military's loyalty from the king to the parties, exerting subjective civilian control. The army had fear and mistrust of political parties and the new political system, and it was unwilling to give up its prerogatives. The frequent changes in government and parochial alliances among the political parties further

⁷⁰ Dhruva Kumar, *Civil-Military Relations in a Democratic Constitution: Legacy and Lessons*, Paper Prepared for the UNDP National Conference on "Systems of Government" on 18–19 December 2009.

⁷¹ The Nepalese royal massacre occurred in 2001 in the Nepalese royal palace, when the Crown Prince, angry over disputes about his marriage, allegedly shot and killed several members of his family.

exacerbated the situation. The king's desire to take advantage of the political chaos greatly worsened the situation. Ultimately, the situation dragged the military to the central stage of politics and compelled it to defend its own interests.⁷² For instance, at the climax of the Maoist armed rebellion, the political parties were so fragmented and enervated that it took many months to form a coalition government, and the coalition fell apart within a few months. There was chaos and anarchy in the country. Indeed, it was not the military but the political situation that forced the military to intervene in politics. Huntington states, "The most important causes of military intervention in politics are not military but political and reflect not the social and organizational characteristics of the military establishment, but political and institutional structure of society."⁷³

In 2001, the government decided to establish a new security organization, an armed police force, to combat the growing Maoist insurgency. Some people believed that the new force was raised as a countervailing force to the NA. A small section of the army was also suspicious of this development. Subsequently, the relationship between the army and the government worsened with the Holeri incident, and as a result, Prime Minister Girija Prasad Koirala resigned from the government.

The mutual mistrust and prejudice between the military and the political leadership played a crucial role in the further deterioration of CMR. The army was neglected and forced to remain in austerity for ten years, simply because of this mistrust and lack of confidence.⁷⁴ In turn, the army cultivated negative images of the political parties due to the aversion towards political parties indoctrinated during the *Panchayat* system and the politician's antipathy and parochial politics. Because of the political parties' uncooperative and antagonistic nature, NA's equidistant posture slowly polarized

⁷² A speech by the army chief gave some clue to the country's hopeless political situation. In the RNA Command and Staff College on 27 March 2002, the Chief of Army Staff asked, "Who is responsible for the present state of the country? Was it mal-governance (kushasan) or was it the army? How just is it to burden the army with this difficult situation created for political reasons?" Nepali and Subba, "Civil-Military Relationship and the Maoist Insurgency in Nepal," 102.

⁷³ Huntington, *Political Order in Changing Societies*, 194.

⁷⁴ Brigadier General (Ret) Keshar Bahadur Bhandari, "Question of Loyalty and Nepal Army," Keshar's Blog, <http://kesharbh.blogspot.com> (accessed September 4, 2009).

towards the king, to whom it was loyal for 30 years. Although the marriage of convenience between the military and the king seemed beneficial in the short run, ultimately it put the military in a dilemma.

The NA received no political backing, nor did the political leaders think it necessary to give any recognition to the sacrifices made by the NA and its members during their mobilization in counterinsurgency operations. Ironically, some democratic forces rhetorically suggested that the NA and the Maoists renounce the violence and come to the negotiation table, presuming that the political parties were the outsiders, unaffected by the violence.

The Maoists declared another ceasefire in January 2003, but the ceasefire broke in the latter half of 2003. By the end of the second ceasefire, the Maoists had a strong presence in several districts in Western and Eastern Nepal and had extended their influence to cities and various urban areas. In February 2005, King Gyanendra took power using military and police forces, placing the political parties in the background. In September 2005, realizing there was no possibility of military victory, the Maoists declared a unilateral ceasefire and concluded a twelve-point agreement with the Seven Parties Alliance (SPA) with a view to presenting a common political front against the monarchy. In the face of growing pressures and citizen protests in the capital, popularly known in Nepal as the "Peoples Movement-II," King Gyanendra gave up power in April 2006.

a. Analysis of Second Democratic Period

Civil-military relations remained somewhat stable during the first decade of democratization, but became unstable after that. While the democratic framework allowed democratic control of the military by a civilian, the constitutionally structured dual authority over the military put the NA in an autonomous position. The democratic forces had broad national intentions as opposed to the king's parochial intentions in the *Panchayat* era, but there was skepticism among democratic forces over taking control of the military. However, the democratic system did create an environment to manage and employ the army in a more democratic manner. It emphasized the inclusion in the officer

corps and among the rank and file. In addition to recruiting from a remote area and the Terai region, the army also established two ethnically based battalions to make the military more national in character. Women were also inducted into the army for the first time. People started viewing the NA as a more inclusive national army, although some sectors still viewed it as a Praetorian Guard, especially when it aligned with the palace after King Gynendra's rule.

Despite their broad intentions, the democratic leaders' lack of interest in the military and the military's skepticism towards civilian leaders impeded improvements in CMR. Although *de jure* the NA was under democratic control, *de facto* it operated in a vacuum without substantial political control. Political leaders considered the NA as a threat to them, rather than their strength. The NA behaved like an autonomous organization, keeping itself independent of democratic forces during the initial years of democratization. The NA became a more unified institution when it started receiving exogenous threats from different directions.⁷⁵ The political leaders knew very little about the military. As the government turned away from the military, exerting stringent budgetary control, the NA gradually shifted its loyalty towards the king.

During the democratic period, 1990–2005, political parties' activities contributed to isolating the national army rather than making it a strong and credible institution of democracy and national security. However, during this period the NA engaged heavily in both national development and international peacekeeping. Although peacekeeping was not a new activity, the new orientation and profound involvement gave new direction and impetus making it seem like a new role. These new roles helped the army remain away from politics and achieve autonomy; thus the NA enjoyed objective civilian control during the first decade of the second democratic period. Had the army not gotten these new roles, the probability of the army engaging in politics would have been high. The army was very hesitant to be involved in internal conflicts from the very beginning. Even after its involvement in counterinsurgency operations against the Maoists, the army tried to remain out of politics to preserve its control over domains such

⁷⁵ Desch, *Civilian Control of the Military*, 15. He writes, "An internal threat to the military institution from the state and society will unify it."

as officer promotion, appointments and participation in peacekeeping operations. Then King Gynendra's political ambitions dragged the army to the center stage of the politics.

When the Nepali Congress Party was in power, the government tried to create a rivalry between the Nepalese Army and other security agencies in order to exert control over the army.⁷⁶ Although rivalry could be one means of civilian control, it did not work because the government failed to create a central control mechanism such as National Security Council with executive power. Hence, the sole "divide and rule" initiative did not work. Intelligence failure and information asymmetry between the government and the security agencies, especially the NA, led to unstable CMR and weakened the government. The new government did not feel it was necessary to restructure the old intelligence system or to establish a new intelligence agency after the huge political change. It is vital to realize that knowledge is power without which any government is likely to suffer heavily.⁷⁷ Throughout the democratic period, political leaders underestimated the importance of a reliable intelligence system. The security agencies, especially the NA, were reluctant to provide their "private" information (information known only a particular institution) to civilians. This hindered the civilians' ability to make correct and timely decisions.

The relationship between the NA and the Nepali Congress Party's government became embittered when the government wanted to use the military against the Maoist insurgency. Civil-military relations became unstable after the NA was involved in counterinsurgency operations. Desch is right in claiming that "a state facing low external and high internal threats should experience the weakest civilian control of the military. The civilian leadership is less likely to be attentive to national security affairs."⁷⁸ This is because internal threats create complex effects on various groups

⁷⁶ For instance, the government created Armed Police Force.

⁷⁷ Thomas C. Bruneau and Kenneth R. Dombroski, "Reforming Intelligence: The Challenge of Control in New Democracies," in *Who Guards the Guardians and How*, 83.

⁷⁸ Desch, *Civilian Control of the Military*, 14.

within a state, and civilian institutions are likely to be weak and deeply divided. In such situations, civilian factions try to exert subjective civilian control over the military in order to gain military support.

It is apparent that the NA was swaying away from objective civilian control to subjective civilian control around the time when political leaders tried to employ the NA against the Maoists in the Dunai incident in September 2000. Until this time, the NA seemed to maintain equidistant from the palace and party politics. The royal massacre in 2001, the political parties' attempt to mobilize the army against the Maoists in Holeri, and the Maoist attacks on an army barrack in 2001 all clearly brought the military under subjective civilian control. The new king Gynendra's political ambitions resulted in the subjugation of the military as his tool to control state power by mobilizing against other political forces in the country. The democratic political parties were trying to control the military to use against the Maoists with an ultra leftist communist ideology that aimed to annihilate the democratic forces and to establish a communist regime. In their attempt to clear the last hurdle to state power, the military, the Maoists clearly provoked and dragged the army into the center of politics.

4. The Third Democratic Period (2006–2009)

The Comprehensive Peace Agreement (CPA) was signed on 21 November 2006 between the government of Nepal and the Maoist rebels after months of difficult negotiations. Domestic as well as international actors welcomed the CPA. It was instrumental in addressing the two key issues, the fate of the constitutional monarchy and the end of the Maoists armed struggle. The central elements of the CPA were constituent assembly elections, formation of an interim constitution, an interim legislature, an interim government, local administration and policing, the monarchy, human rights and transitional justice, management of arms and armies, and principles of social and economic transformation. The signing of a peace agreement with the Maoists in November 2006 paved the way for Maoist participation in the government.

As a result of the April 2006 movement, the dissolved parliament was reinstated. The parliament made a bold proclamation in May that had a watershed effect on

reshaping national institutions. For instance, Nepal was declared a secular state. Not only did the parliament curtail the king's prerogatives, but also terminated the concept of king-in-parliament. Parliament hurriedly took decisions for more radical socioeconomic changes. Regarding the military, it took far-reaching decisions. The proclamations made the following declarations,

The name "Royal Nepal Army" shall be changed to "Nepalese Army"; The Existing provision regarding the National Security Council has been repealed. There shall be a National Security Council under the chairmanship of the Prime Minister in order to control, use and mobilize the Nepalese Army; Chief of the Army Staff of the Nepalese Army shall be appointed by the Council of Ministers; The existing arrangement of Supreme Commander of the Army has been revoked; The decision of the Council of Ministers on mobilizing the Nepalese Army, must be tabled and endorsed within 30 days from the special committee assigned by the House of Representatives; The formation of the Nepalese Army shall be inclusive and national in nature.⁷⁹

Amidst political turmoil and mistrust, Prachanda, the supreme commander of the Maoists, made his first open appearance in Kathmandu to sign an eight-point agreement with the SPA. This agreement was a crucial foundation for subsequent negotiations.⁸⁰ Both sides decided to dissolve the parliament and the "people's government" of the Maoists, and to form a new interim legislature. In the meantime, Maoist cadres were becoming impatient and their threats of an "October Revolution" created widespread fear. In addition, an anarchical situation developed, with marginalized and oppressed groups demonstrating to demand their rights. The ethnic activists, whose campaigns had gathered momentum after the 1990 democratic movement and were put on hold after the start of the Maoist movement, reemerged forcefully. The Nepal Federation of Indigenous

⁷⁹ Nepal Parliament Sovereignty Proclamation, website, <http://jurist.law.pitt.edu/gazette/2006/05/nepal-parliament-sovereignty.php> (accessed 12 March 2010).

⁸⁰An unofficial translation of the agreement is available at www.kantipuronline.com/kolnews.php?&nid=76803.

Nationalities demanded a secular democratic republic. They also demanded ethnically-based autonomous regions empowered with legislative, executive and judicial authority.⁸¹

In 2008, after successful Constitution Assembly elections, the monarchy was officially abolished. No political parties could secure the majority; however, the Maoists won enough seats to become the largest political party in Nepal. The former rebel leader Pushpa Kamal Dahal, aka Prachanda, was sworn in as the first Prime Minister of the Federal Democratic Republic of Nepal.

The most recent civil-military problem in Nepal developed when the Maoists talked openly about launching of an October Revolution, establishing a People's Republic in Nepal, and integrating all the Maoist combatants into the NA. Acrimonious relations with the Maoists' government were further embittered when the NA failed to stop its recruitment drive despite protests from the Maoist camp, stating that it was too late to stop. In the next move, the defense minister Ram Bahadur Thapa, a Maoist leader, refused to endorse the routine extension of the tenure of eight Brigadier Generals as recommended by the Army Headquarters. Shortly thereafter, the NA's sports team walked out of a national sports event protesting the late entry given to the Maoists' Peoples Liberation Army. Then, made desperate by their unsuccessful attempts to interfere with the army, the Maoists decided to fire the Chief of the Army Staff, General Katawal, and sent a letter to him ordering that he explain why he should not be fired for insubordination and violation of civilian supremacy. This new row in the ongoing civil-military tension has polarized political parties. Before the Maoists' decision to fire the army chief, most political parties were in favor of asserting more control over the military. However, the Maoists' unilateral decision to impose major changes in the army to serve their party's vested interest worried the rest of the political parties. This situation left the Maoists alone, without the support of any other political parties. The moment the Maoists unilaterally fired the army chief, the rest of the political parties requested that the President take a stand against the Maoists' move. The President, who cautioned the

⁸¹ "Situation Update IV," Conflict Study Centre, Kathmandu, 17 August 2006. See the International Crisis Group Report, *Towards a Lasting Peace, for analysis of ethnic demands for constitutional change.*

Maoists not to make such a sensitive decision without political consensus, finally sent a letter telling the army chief to stay in his position until further notice. The Maoist-led government finally fell when their position became untenable due to national and international pressure.

Despite the latest civil-military problem, some firmly believe that the NA has displayed a great deal of loyalty to the rulers of the day when they established themselves as legitimate rulers and underwent a successful transition.⁸² In its long history, the Nepalese Army has served political leaders in many forms, including absolute monarch, regent, oligarch, democratic ruler, and authoritarian ruler. Finally, after the abolition of the monarchy and establishment of a republic system, the army is functioning under the new government and the president as per the constitutional arrangements. Huntington asserts, "The shift from a traditional ruling monarchy to middle-class praetorian is also mediated by the military. The military is typically the most modern and cohesive force in the bureaucracy of a centralized monarchy, and the monarchy typically falls victim to those it has strengthened to serve its ends."⁸³ In fact, despite many "palace revolutions" and "royal coups," there was not an attempt at a military coup.⁸⁴ The quintessential example of the loyalty to the ruler is that the military readily submitted to the Maoist government against whom it fought a bloody battle that had caused a large number of deaths in its organization. Also, the NA protected the same Maoist leaders whom it had sought to kill during the armed rebellion once they held different governmental positions.

Nevertheless, the latest situation clearly shows that there was a dire civil-military problem despite the army's subservience to the legitimate ruler. The situation also confirms Huntington's claim that even without a coup, CMR can still be unstable. However, refuting the claim that by shirking its duties, the NA did not respect civilian

⁸² Bhandari maintains, "There exist a bit of illusion and false allegation to the army about their loyalty towards the institution of monarchism and the king. If we look behind the history of Nepal Army - its loyalty had always been towards the legal ruler (accepted or enforced) or the legally/constitutionally established government." Keshar Bahadur Bhandari, "Question of Loyalty and Nepal Army."

⁸³ Huntington, *Political Order in Changing Societies*, 202.

⁸⁴ Huntington, *Political Order in Changing Societies*, 201. In the praetorian oligarchy, the struggle for power frequently involves coups d'etat, but these are simply "palace revolutions" in which one member of the oligarchy replaces another.

supremacy, Brigadier General (Ret) Keshar Bahadur Bhandari asserts, "The army did try to be loyal to the constitutionally elected government and at the same time preserving its patronage towards the king."⁸⁵ This dilemma of dual loyalty seems esoteric. However, scrutiny reveals two main reasons behind it. First, the power sharing provision in the constitution specified dual authority over the military. Second, the loyalty towards the king was more path-dependent than politically motivated. The path dependency resulted not only because the democratic government did not try very hard to consolidate and win the confidence and loyalty of the army, but also because of the historical legacy of allegiance to the king. Although the NA did not embrace any specific political ideology and had served the democratic and communist governments during second democratic period, the army was reluctant to trust politicians because of its thirty years of subjugation under the king and the *Panchayat* system.

The Nepalese case clearly shows that CMR is dynamic, with changes that depend upon the balance of power among various political forces. In Nepal, the dynamics of CMR changed, tipping the balance, when the Maoists unilaterally decided to impose their will upon the military, ignoring the roles of other political forces in the political equation. The Maoists' action resulted in a new polarization of political forces and destabilized the balance of power between the cabinet and the President enshrined in the constitution. The Maoists' rhetoric of "civilian supremacy" remained contradictory since they themselves tried to undermine the constitutional role of the president, who is not only the supreme commander of the NA, but also the civilian head of state. Here, it is worth noting that the slogan of civilian control was chanted not only in Nepal, but also in the English Parliament in the seventeenth and eighteenth centuries in an attempt to reduce the authority of the crown over the military and to maximize parliamentary control of the armed forces.⁸⁶

According to the present interim constitution of Nepal, the President is the supreme commander of the army who must provide overall guidance and iconic

⁸⁵ Bhandari, "Question of Loyalty and the Army."

⁸⁶ Huntington, *The Soldier and the State*, 81.

leadership, but the executive must take actual political leadership of the army.⁸⁷ The prime minister, as head of the executive, and the defense minister, as head of the department, should assume leadership of the military. Other stakeholders, especially the legislature, must also show their interest in the military establishment by providing constant guidance, monitoring and supervision. The military, as the only institution with authority to hold a monopoly on violence, must be controlled with checks and balances; this is even more important during a transitional period. If any one of the branches is given exclusive authority to exercise control over the military, without checks and balances, that branch will affect an imbalance of power with other branches, monopolizing the coercive power of the military.

a. Analysis of the Third Democratic Period

Civil-military relations during the third democratic period were very unstable. The NA did not enjoy intimate relations with either the interim government or the Maoist-led government. The NA's relations with the interim government were uncomfortable. This was obvious because of the collaboration between the democratic forces and the Maoists. The relationship became even worse when the Maoists led the government. Since the NA had launched a counterinsurgency operation against the Maoists, the Maoist-led government remained antagonistic to the NA.

This period is characterized by struggle between subjective and objective civilian control. The NA wanted to maintain professionalism, autonomy and its nonpolitical nature by advocating objective civilian control, whereas the political parties, and especially the Maoists, want to bring the NA under subjective civilian control. The two major democratic parties, the Nepali Congress Party and the CPN (UML), seemed comfortable with objective civilian control as long as no political forces tried to use the military for their vested interests. However, these two parties also tended to exert

⁸⁷ According to the part 20, article 144 (2) The Council of Ministers shall appoint the Commander-in-Chief of the Nepal Army. (3) The Council of Ministers shall control, mobilize and manage the Nepal Army in accordance with the law. The Council of Ministers shall, with the consent of the political parties and by seeking the advice of the concerned committee of the Legislature-Parliament, formulate an extensive work plan for the democratization of the Nepal Army and implement it.

subjective civilian control by intervening politically when other political forces try to manipulate the military. This was evident during King Gynendra's reign in which the Nepali Congress Party tried to exert subjective civilian control when the king apparently subjugated the military in order to fulfill his interests. The Nepali Congress Party again advocated subjective control over the military when the Maoists were trying to form a government for the first time after the Constitution Assembly election. The Nepali Congress Party openly demanded control of the Ministry of Defense as a precondition to participating in the Maoist-led coalition government. The NA was also in a dilemma, despite its desire to maintain autonomy and objective civilian control. When the Maoists threatened the army's autonomy and objective civilian control, the NA tacitly sought protection from non-Maoist forces, thus, digressing away from objective civilian control.

D. NEPALESE CMR THROUGH THEORETICAL LENSES

Civil-military relations are complex, and CMR is a fairly nebulous topic in the Nepalese case. Many theories exist to explain CMR in different political settings and military institutions; it can be interpreted through different theoretical lenses. Therefore, determining what is good and bad in terms of CMR is often difficult since it depends on the context.

Many evaluate CMR in terms of coup d'état, but this is not the only form of measurement. Huntington points out that "a nation can have poor CMR without the threat of a coup."⁸⁸ For instance, although not a military coup *per se*, Nepal has experienced civil-military problems of different intensities and in different periods. During the rift between the Nepalese Army and the Maoist-led government, the army did not orchestrate a coup although CMR were still unstable. This episode of civil-military problems is considered the most severe in the history of democratic Nepal.

Janowitz suggests that good or bad CMR can be assessed by the extent to which the military interferes outside of military matters. He believes that if the military confines itself to the military sphere and does not transgress beyond it; the situation can be

⁸⁸ Huntington, *The Soldier and State*.

characterized as good CMR.⁸⁹ However, the dynamic nature of military roles blurs the distinction between civil and military roles. The limit of the military sphere depends upon the types of roles performed by the military; if a military is engaged in civilian types of roles, military and non-military matters are likely to be less distinctive. For instance, the Nepalese Army's primary roles were to defend the country from external and internal threats; however, for more than fifty years it has been involved mainly in peacekeeping missions, national development programs, and aid to civil authorities. Even after the establishment of the new political system, the roles of NA have not changed. It may be difficult to distinguish between military matters and non-military matters when carrying out non-military functions such as national development programs to construct road networks.

In explaining Nepal's CMR through the lens of Huntington's theory of civilian control, some scholars have characterized it as objective civilian control.⁹⁰ The autonomy enjoyed by the Nepalese Army, its participation in peacekeeping missions and the level of professionalism displayed in its functioning might have lead to this conclusion. On the other hand, the king subjugated the military to his own will, not that of the state. The military was treated as his private servant, making it subservient to his personal will and the *Panchayat*. This installed a form of subjective civilian control, subject to the will of the king.

Huntington's theoretical basis for objective civilian control is that a professional military readily submits to politicians; it obeys the civilian order in any circumstance.⁹¹ This hypothesis may hold true in advanced democracies such as the U.S., but may not be the case in new democracies. It generally depends upon the socio-cultural, political and economic aspects of the society.

⁸⁹ Janowitz, *The Professional Soldier*, 13.

⁹⁰ Saubhagya Shah, "Democratization of Nepal Army: Establishing Civilian Supremacy," Conference Paper presented at the Nepal Army Command and Staff College, Shivapuri, Kathmandu (22-23 September 2009). He claims, "The Nepal Army, on the other hand, has historically evolved along the objective control tradition."

⁹¹ Huntington, *The Soldier and State*.

It is true that the NA has developed its nonpolitical nature for almost half a century, following its massive restructuring. However, since the establishment of multi-party democracy and the decade-long Maoist insurgency, the whole gamut of political and social dynamics have changed. Although the NA tried to remain nonpolitical because of its *Panchayat* era legacy, it always remained in the center of politics because of its pivotal role in the political order in a changing society, and its interests, preferences, and disagreements. Currently, the peace process is stalled and the Maoists are demanding integration of their combatants into the NA. Similarly, the constitution and military acts have required the NA to be more inclusive, incorporating specified percentages of women and Madheshi, Dalit, Janjati and other ethnic groups.⁹² The Maoists, who exercised subjective civilian control over their Peoples Liberation Army by following the Chinese and Russian model and provisioning a political commissar in the military organization, expect to see a similar kind of control in the national army.

Unlike Huntington's institutional approach that suggests "militarizing the military;" Janowitz's sociological approach advocates reflecting contemporary society in the military institution by "civilianizing the military." The institutional approach focuses on the relationship between the military and the civilian leadership, whereas the sociological approach emphasizes the relationship between the military and the larger civil society. When the Nepalese constitutional mandate demands "Making the national army national in character," what types of civilian control will become the function of CMR is a pertinent question.⁹³

Under authoritarian rule, a single political party, which is likely to hold power for several years, can have a monopoly over the use of the military. Hence, it is likely to exert subjective control effectively. Even in a well-established democratic system where the political situation is stable, subjective civilian control is likely to work well. However, subjective civilian control becomes more complicated in a new democracy full of

⁹² Article 144 (4A) of the Interim Constitution of Nepal 2007 states, "In order to make the Nepal Army national in character, the entry of citizens, including Madhesis, indigenous nationalities, Dalits, women and those from marginalized areas, shall be ensured through legal provisions on the principles of equality and inclusiveness."

⁹³ Article 144 (4A) of the Interim Constitution of Nepal - 2007.

uncertainties, fragmented political constituencies, mistrust among the political forces, and a history of frequently making and breaking political alliances with individual and group interests.

Civil-military relations often consist of determining who prevails when the civilian and the military preferences diverge.⁹⁴ If civilians prevail over the military most of the time, then CMR is considered stable; otherwise not. In the latest Nepalese scenario, there were many instances where the civilians did not prevail. When the Maoist-led government tried to fire the Chief of the Army Staff of the NA, the president did not approve the move because almost all the political parties urged him not to approve. This example shows a clear rift between the civilians and the military.⁹⁵ The nature of CMR was paradoxical in this particular case.

Michael Desch asserts that civilian control over the military is likely to be most effective when the military engages in external missions. On the other hand, CMR is likely to be most worrisome when the military engages in internal roles. When the country faces an external threat, the military and civilians tend to converge and their differences diminish. During internal crises, the military and civilians, as part of the same society, are likely to have differences. For fifty years, NA has focused on external missions by participating in peacekeeping operations; however, it did not enjoy stable CMR as the theory suggests. Nepal did experience unstable CMR once it mobilized the military for internal roles, as described by Moskos.

Nonetheless, one of the important frameworks for stable civilian control of the military is the constitutional provision. If a constitution does not allow a single branch of a state to monopolize the control of the armed forces, then civilian control and CMR are likely to be good. In the U.S., the President is designated as Commander in Chief of all armed forces by the Constitution, but the Constitution also empowers the Congress to create, regulate and maintain a military, determine its size and levy taxes to pay for it. Even though the executive branch through the Department of Defense proposes the

⁹⁴ Janowitz, *The Professional Soldiers*.

⁹⁵ Twenty-three of 25 political parties were in favor of the Nepalese Army's position.

defense budget, the legislative branch, the Congress, has the ultimate right to increase, decrease, or approve the budget. The Congress has an absolute right to scrutinize and check the validity of any military expenditure.⁹⁶

According to Peter D. Feaver, military agents work when they are monitored and shirk when they are not. Therefore, civilian principals must devise optimal monitoring mechanisms in order to avoid shirking. Feaver says, "At the extreme end of shirking is the traditional civil-military concern of coup. At the extreme end of working is some ideal-type military that does everything the civilian has contracted with it to do, vigorously and without subversion."⁹⁷ Information asymmetry also plays an important role in the outcome of CMR. If the military agent holds private information that the civilian principal does not know, then chances of the agent's shirking is very high. The NA did not shirk under the *Panchayat* system because of a strong monitoring mechanism and absence of information asymmetry between the king and the military.

The conception that stable CMR prevail only in democracies may not be true. Certainly, democratic control of the armed forces is one model of civilian control that may be suitable for new and old democracies, but it is neither an ideal type nor it is a panacea for all civil-military pathologies. However, democratic control is preferable because of its widely acceptable attributes and relations with other institution of the state. Nepal has facades of democratic institutions and control mechanisms enshrined in the constitution; however, these are either ineffective or nonfunctional. This shows that merely having constitutional provisions does not ensure good CMR and civilian control. Constitutional provisions should be reinforced by enabling and empowering the institutions necessary for civilian control. Some scholars emphasize that along with control, effectiveness and efficiency are equally important. Bruneau maintains, "The three fundamental issues of CMR are: (1) democratic civilian control; (2) effectiveness in

⁹⁶ Richard H. Kohn, "The Constitution and National Security: The Intent of the Framers," in Richard H. Kohn, ed., *The United States Military under the Constitution of the United States, 1789–1989* (City: New York University Press, 1991).

⁹⁷ Peter D. Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations*, (Cambridge: Harvard University Press, 2003), 62.

achieving roles and missions; and (3) efficiency."⁹⁸ This neo-institutional framework advocates that the essence of CMR is not just the "civilian control of the military," but rather the effective use of the military as an instrument of national power by civilians to realize national interest. Without effectiveness, mere democratic control may not serve the purpose of stable CMR and national interests. Yet, civilian control is the primary requirement for stable CMR.

In democracy, the civilian control is exercised by democratic methods. The focus of democratic control is installing accountability by the strengthening the ministry of defense and making it effective with civilian leadership. Bruneau and Goetze say, "The four key competencies a MOD must master are in the areas of budgets, personnel, acquisitions, and definition of roles and missions."⁹⁹ While this framework is suitable for mature democracies, it is not easy to install these competencies in new democracies and in countries with serious political problems. Kumar maintains:

Without the rule of law, a democratic constitution, a system of checks and balances and viable, functioning institutions, it would be difficult to conceive of democratic control of security sector. Furthermore, it would be hard to maintain civilian control over security forces in a country with a weak, risk-averse, infirm and intemperate leadership that desists from taking any initiative to adopt legislations and policies and refuses to implement laws that are relevant to the security sector.¹⁰⁰

Various dynamics come into play for the outcomes of particular civil-military relations. To achieve stable CMR and effective civilian control, various combinations of civilian and military equilibrium can be applied depending upon the power-sharing agreement and other factors. Bruneau writes, "Although the 'proper' balance between democratic civilian leadership and military effectiveness in achieving roles and missions

⁹⁸ Thomas C. Bruneau, "Democracy and Effectiveness: Adopting Intelligence for the Fight Against Terrorism," *International Journal of Intelligence and Counterintelligence* Vol. 21 (2008), 450.

⁹⁹ Bruneau and Goetze, "Ministers of Defense and Democratic Control," in *Who Guards the Guardians and How*, 83.

¹⁰⁰ Kumar, "Democratic Control of Security Forces," 136.

will clearly vary from country to country and era to era...equilibrium is fundamental to the success of authentic democratic governance."¹⁰¹

The national and international environments are important factors shaping CMR. The nation's culture, history and traditions are crucial to CMR as well. The NA Chief of the Army Staff, Gen. Chhatra Man Singh Gurung, says, "A country's national security system must strike a balance between the mechanisms adopted to retain civilian control over the military and the scope of professional autonomy rendered to the military."¹⁰²

Civil-military relations involve different things for different people in different systems of governance. A successful model in a certain type of system may not be applicable to others. One size does not fit all. Culture, tradition, and perceptions matter, too. Kumar emphasizes a pragmatic approach to CMR in contrast to Feaver's assertion that "civilians have rights to be wrong."¹⁰³ Kumar says, "Maintaining civilian supremacy and stable civil-military relations does not mean that the armed forces should obey civilian orders imprudently."¹⁰⁴

E. CONCLUSION

There have been ebbs and flows in CMR in Nepalese history. The tide of the civil-military problem reached the high water mark under the Maoist-led government. The swift evolution in Nepalese politics after the end of the Maoist insurgency highlights the dynamic nature of CMR. The successful alliance between the seven political parties and the Maoists ensured the downfall of the old regime. Political upheaval and the removal of the monarch from the helm of Nepalese politics brought the alliance to the center of state power, where it sought to exert subjective civilian control over the military as it had been under the king. But, after the Constitutional Assembly election, when the

¹⁰¹ Bruneau, "Introduction," *Who Guards the Guardians and How*, 1.

¹⁰² Gen. Chhatra Man Singh Gurung, the Chief of the Army Staff of the Nepalese Army, seminar on "Developing Civil-Military Relations in the Federal Democratic Republic of Nepal" (Nepalese Army Command and Staff College, Kathmandu, September 22, 2009).

¹⁰³ Feaver, *Armed Servants*.

¹⁰⁴ Dhruba Kumar and Mohiuddin Ahmed, *Nepali State, Society and Human Security: An Infinite Discourse* (Dhaka: The University Press Ltd., 2009).

political equation changed and the efficacy of the alliance dissipated, the dynamics of CMR also changed. When the government tried to subjugate the military to serve the interests of political parties rather than the interests of the government or the state, the country faced a political disaster.

Examination of the civil-military situation in Nepal in post-Rana rule reveals different trajectories of CMR. These trajectories do not necessarily follow the political system or ideological pattern. Analysis of the political developments in Nepal suggests that rather than political system itself, other political attributes have dictated Nepalese CMR, such as political culture, weak political institutions, the personalities of political leaders, and the interests of political elites.

The first democratic period was a state of political turmoil marked by transformation and the NA's transition of loyalty. This was the period when political institutions were first introduced in Nepal, including the constitution, and CMR was unstable during this period. After the establishment of *Panchayat* system, political institutions started taking shape and CMR seemed to be stable. The three decades of *Panchayat* rule might have made the NA non-political at the institutional level, but CMR remained under subjective civilian control as the NA became subjected to the king's interests.

After the establishment of constitutional monarchy and multiparty democracy, CMR gradually became unstable because of the dual control of the NA. The nebulous constitutional provision for control of the military and political chaos led to military autonomy. During this period, the NA's professionalism also increased remarkably. Thus, the second democratic period showed many attributes of objective civilian control. In the third democratic period, with the end of the Maoist insurgency and the Maoist rise in power in a marriage of convenience with democratic political parties, CMR have been very unstable and completely polarized. Apart from the high level of political influence, the military's reserve domain and prerogatives have created tension in CMR and the nature of civilian control has oscillated between objective and subjective civilian control.

It is obvious that there are many CMR problems in Nepal. Some dimensions are normative, while others are inherently structural. The lack of a strategic culture among

the political leadership, ignorance about security, political instability, parochialism and individualism, mistrust, and a lack of common objectives and national interests are prominent factors contributing to Nepal's civil-military pathology. The Ministry of Defense's rudimentary functioning and the monarch's direct control of the army for several years are other important factors. The military's resistance to complying with civilian interests, unwillingness to give up its prerogatives, and control over its reserve domain are other impediments to stable CMR. Unnecessary interference from neighboring countries in Nepalese internal affairs is a main component of Nepalese political turmoil and has a direct link to CMR. These indicate that civilian control of the military and CMR are both dynamic and country specific phenomena shaped by several elements. Indeed, while CMR simply cannot be explained or summarized by a single variable, the most important variable behind the civil-military pathology in Nepalese history is the failure of its political leaders to take an active interest in military matters.

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III. NEPAL'S PARTICIPATION IN UN PEACEKEEPING OPERATIONS

A. INTRODUCTION

Nepal has been taking part in UN peacekeeping missions since three years after it became a member of the UN, and has contributed numerous peacekeepers in multiple missions.¹⁰⁵ Nepal commemorated 50 years of participation in UN peace support operations in 2008.¹⁰⁶ Currently, Nepal is the fifth largest troop contributor to UN peacekeeping missions.¹⁰⁷ Nepal considers its contribution to UN peacekeeping operations as a tool for implementing Nepalese foreign policy, which is guided by the principles of UN Charter.¹⁰⁸

Whenever Nepal has to claim its space in international forums, it refers to the Nepal's contributions to international peace and security through peacekeeping participation. This shows the importance of peacekeeping in Nepal's foreign policy.¹⁰⁹ Its

¹⁰⁵ The Nepalese Army in UNPKO, http://www.nepalarmy.mil.np/na_un.php (accessed Dec 19, 2009), and information received from Birendra Peace Operation Training Center, Panchkhal, Nepal.

¹⁰⁶ Nepalese Army, *The Nepalese Army in Peace Support Operations*, (Kathmandu: NADPKO, 2008), DVD ROM.

¹⁰⁷ UN, "The Ranking of Military and Police Contributors to UN Operations," 31 October 2009, http://www.un.org/en/peacekeeping/contributors/2009/oct09_2.pdf. (accessed 29 November 2009).

¹⁰⁸ Foreign Policy of Nepal, Government of Nepal, Ministry of Foreign Affairs, <http://www.mofa.gov.np/nepalun/statement6.php> (accessed December 19, 2009).

¹⁰⁹ Prime Minister Puspa Kamal Dahal, a former rebel leader, said in the United Nations, "Over the years, peacekeeping has evolved as the soul of UN. With this in mind, Nepal has been regularly sending its peacekeepers at the call of UN since 1958. We are celebrating the 50th anniversary of Nepal's continuous participation in the UN peacekeeping operations. I take this opportunity to reiterate Nepal's commitment that we will continue to provide our troops for the cause of peace worldwide. We are glad that they have earned accolades for their professional competence and performance both at home and abroad. We consider this as our modest contribution to international peace and security." Similarly, Prime Minister of Nepal, Madhav Kumar Nepal, in his address to the 64th session of UN General Assembly says, "We are proud of our men and women who have served as blue helmets and contributed to the maintenance of international peace and security with professionalism, honesty, impartiality and dedication." Delivering a speech at a program organized by the Nepal Council of World Affairs in Kathmandu, March 5, 2008, Sahana Pradhan, Foreign Minister of Nepal, asserts, "This year [2008] marks the 50th year of Nepal's participation in the UN peacekeeping operations. Our long and continued service to the cause of global peace under the aegis of UN has been well appreciated by the international community. And we remain fully committed to continue with this global responsibility at the call of UN."

peacekeeping contributions allowed Nepal to become an organizational committee member of the UN Peace Building Commission for 2008/2009 in the category of troop-contributing countries.¹¹⁰

B. BACKGROUND

After becoming a member of the UN in 1955, Nepal participated in the 1958 peacekeeping mission in Lebanon, UNOGIL. Nepal has since contributed to UN missions in the Middle East, Africa, Europe and the Caribbean.¹¹¹ As of November 2009, Nepal has contributed 74,000 troops in 34 missions around the globe, and at present, the NA has deployed more than 3,000 peacekeepers in 13 different missions (Table 1) in the capacity of military observers, military liaison officers, staff officers in mission headquarters, and as contingent members.¹¹² The government of Nepal has signed to make 5,000 troops available, as and when requested, to the UN Standby Arrangement System (UNSAS).¹¹³

The increasing demand for peacekeepers is becoming a management challenge. To manage Nepalese peacekeeping missions, the NA established a dedicated peacekeeping directorate in army headquarters. The Directorate of Peacekeeping is responsible for the management of the entire army's peacekeeping system. The main function of the directorate is to make the army ready to succeed in the complex operational environment of modern peacekeeping.

¹¹⁰ United Nations Peace Building Commission, website: <http://www.un.org/peace/peacebuilding/mem-orgcomembers.shtml> (accessed on 19 December 2009), and information from BPOTC.

¹¹¹ UN Secretary General Ban Ki Moon says, "Bravery of one Nepali soldier is very fresh in my mind. In June 2005, Maj Kabindra Jung Thapa was helping to escort a Human Rights team to a dangerous part of the Democratic Republic of Congo. They were investigating that night, one of the worst atrocities of war there. When he was leaving, hundreds of armed militia surrounded helicopter and started fire. Maj Thapa made sure that every person got inside on the helicopter; he was the last to board. Just when he got inside the helicopter, he was shot and killed. Maj Thapa died protecting his comrades, he died protecting the cause of peace, and Human Rights—he died protecting UN." *The Nepalese Army, The Nepalese Army in Peace Support Operations* (Kathmandu: NADPKO, 2008), DVD ROM.

¹¹² According to the Birendra Peace Operation Training Center (BPOTC), as of November 2009.

¹¹³ Birendra Peace Operation Training Center (BPOTC), and Himalaya Thapa, *United Nations Peacekeeping Operations and Nepal's Participation (1958-2008): An Evaluation*, Master's thesis, University of Westminster, Regent Campus, Diplomatic Academy of London, 6 August 2008.

Mission	Contingent	Observers	Staff officers	Total
MINUSTAH (Haiti)	718	-	10	728
MINUSTAH (Haiti)	350	-	-	350
MONUC (Congo)	850	22	7	879
MONUC (Congo)	175	-	-	175
UNAMIL (Liberia)	15	2	3	20
UNIFIL (Lebanon)	850	-	19	869
UNTSO (Israel)	-	3	-	3
UNMIS (Sudan)	-	9	9	18
UNAMID (Darfur)	-	10	23	33
UNMIT (Timor)	-	-	1	1
MINURCAT (Chad)	-	-	18	18
UNAMI (Iraq)	-	-	2	2
UNOCI (Ivory Coast)	-	3	1	4
Total				3100

Table 1. NA's current deployment in UN peacekeeping missions (as of November 2009)

Most NA members have participated in a UN peacekeeping mission at least once in their military career. After serving for a few years in the army, almost all NA officers participate in UN peacekeeping missions more than once. Participating in UN peacekeeping is an opportunity for professional enhancement for many Nepalese soldiers. Apart from gaining experience, Nepalese Army personnel also receive monetary benefits that help raise their living standards and keep them motivated during peacekeeping activities and in their own country.¹¹⁴ The UN allowance is four to ten times higher than a standard salary in Nepal. At the institutional level, economic benefits from peacekeeping have become an important source for the welfare fund. This shows that peacekeeping missions have become the NA's one of the major roles.¹¹⁵

¹¹⁴ The ICG report states, "UN missions not only serve an internal patronage system (allowing the top brass to reward or punish officers by granting or denying postings) but are a major source of income and prestige for the army as a whole, and senior officers in particular." International Crisis Group, "Nepal: Peace and Justice," ICG Asia Report No. 184, January 14, 2010, 13.

¹¹⁵ The recommendation of ICG Report No. 184 is to "apply pressure to the NA where it hurts most," referring to putting pressure on the Nepalese Army's participation in peacekeeping missions—a center of gravity?

C. NEPALESE PARTICIPATION IN UN PEACEKEEPING MISSIONS

1. The First Democratic Period (1950–1960)

The first democratic period from 1950 through 1960 was a time of political upheaval and transformation in Nepal. This is also the period of establishing national identity and preserving national integrity and sovereignty. The king and the political parties considered the UN to be the protector and the guarantor of national identity, integrity, independence and sovereignty.¹¹⁶ Thus, the decision to participate in UN peacekeeping missions in 1958 was a crucial one, a watershed moment in Nepalese foreign policy.

Nepalese Army in Peace Support Operations	
Mission	Year
UNOGIL, Lebanon (Military Observers)	1958

Table 2. NA's UN peacekeeping participation during first democratic period (1950–1960)

When Nepal sought UN membership in 1949, the Soviet Union raised the question of Nepalese sovereignty. Nonetheless, Nepal became a UN member in 1955. The following year saw

the 1956 vote in the UN General Assembly on the Hungarian questions, in which Nepal voted with the West against the Soviet block... [and not] with India, thus establishing Nepal's credentials as a sovereign and independent state in the international forum.¹¹⁷

¹¹⁶ Nepalese Prime Minister B.P. Koirala laid "the strongest emphasis on Nepal's historical independence and its full faith in UN as the custodian of its integrity and sovereignty." The prime minister also "pleaded strongly for an acceptance by the major powers of a plan for graduated disarmament concurrent with the establishment of a peace force under the auspices of UN. He strongly endorsed the Secretary General's constructive role in the Congo and rejected the 'troika' plan suggested by the Soviet Union for manning UN Secretariat." See Bhuwan Lal Joshi and Leo E. Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation* (Berkeley: University of California Press, 1966), 372.

¹¹⁷ Leo E. Rose, *Nepal's Strategy for Survival*, (University of California Press, 1971), 214.

The fluid domestic, regional and international political situation made Nepal's survival as a nation state of primary importance during 1950s and 1960s. In an address to the 15th Session of the UN General Assembly, Prime Minister Bisheswar Prasad Koirala said:

The foreign policy of Nepal is wholly inspired by the purposes and principles of UN. We regard UN not only as a bulwark of our independence and security, but also as the protector of our rights and freedom...We believe in the independent exercise of our judgment in considering international issues...While we welcome and are grateful for the help that is being given to us by friendly governments—those of India, the United States, China, the USSR, the United Kingdom and others—as well as by UN, we do not want any country to tell us how we should think, or how we should conduct our internal affairs.¹¹⁸

After the Rana rule and until 1960, the various governments in Nepal had different foreign policy preferences.¹¹⁹ But the king wanted to have a balanced relationship between the two giant neighbors and to maintain the sovereignty of Nepal. While the king was searching for opportunities, he found that participating in international peacekeeping missions under the aegis of the UN was the best way to retain sovereignty and national independence. Invasion or any form of aggression against Nepal by its neighbors would instantly draw the attention of the UN, not only because Nepal was a member state but also because it was an important contributor to the cause of international peace.

Despite the NA's participation in UN peacekeeping missions, civilians could not be effectively involved in peacekeeping activities. The government was weak most of the time, and the king tried to control the Ministry of Defense by influencing the selection of the defense minister. The politicians were more interested in other ministries with larger budgets than the Ministry of Defense. Therefore, the Ministry of Defense could not play an active role in Nepal's internationalist approach. In a later stage, the powers of the

¹¹⁸ Bisheswar Prasad Koirala, Prime Minister of Nepal, Address to the 15th Session of the General Assembly of the UN, New York, September 29, 1960.

¹¹⁹ Rose, 214. For instance, Tanka Prasad Acharya's government was suspicious of Indian intentions and wanted to give a novel dimension to its diversification policy by establishing a closer tie with China; M. P. Koirala and Dr. K. I. Singh were pro-Indian.

defense ministry were centralized at the king's palace under the powerful Principal Military Secretariat, which played a pivotal role in military matters thereafter.

2. The Panchayat Period (1961–1989)

The first Nepalese battalion-sized contingent, the Purano Gorakh Battalion, was deployed in Egypt with UNEF II in 1974. Throughout the whole *Panchayat* period, the NA participated in six different peacekeeping missions. In addition to UNEF II and UNIFIL, in 1966 it participated in peacekeeping missions in India and Pakistan (UNIPOM), and in 1989 in Tajikistan (UNMOT) and Afghanistan and Pakistan (UNGOMAP I/II, OSGAP I/II/III as military observers) (Table 3).¹²⁰ Nepalese peacekeepers have since made major contributions.¹²¹ Nepalese contingents have received appreciation from many force commanders and high-ranking officials for their commitment and professionalism.¹²²

Nepalese Army in Peace Support Operations		
	Mission	Year
1	UNIPOM, India/Pakistan (Military Observers)	1966
2	UNEF II Sinai, Middle East (Peacekeeping Troops)	1974
3	UNIFIL, Lebanon (Peacekeeping Troops)	1978
4	UNMOT, Tajikistan	1989
5	UNGOMAP I/II, OSGAP I/II/III (Military Observers)	1989

Table 3. NA's UN peacekeeping participation during the *Panchayat* period (1961-1989)

¹²⁰ Bala Nanda Sharma, Lt Gen (Ret), "Peace-support Operations and Nepal: Past Experiences and Future Perspectives," in Pandey and Adhikari, eds, *Nepalese Foreign Policy at the Crossroads*, 151.

¹²¹ Nepalese Army, *The Nepalese Army in Peace Support Operations*, (Kathmandu: NADPKO, 2008), DVD ROM.

¹²² Maj Gen Claudio Giaziana, Force Commander, UNIFIL, maintains, "Nepal has shown a lot of professional capabilities. They are experienced peacekeepers and they are very much able to run what is in reality the core value of a peacekeeper, to show firmness when it is necessary to be firm, and to show humanity to the range of operations when there is a case to show a humanitarian attitude." Similarly, Brig Gen Apurva Kumar Bardalai, Deputy Force Commander, UNIFIL, asserts, "In case of the Nepalese Army, they have done a commendable job, the way they have forged a damn good relation with the civilian population. They have been able to win the hearts and minds of the people and they have been able to create a situation where they have been found widely acceptable to the entire population of South Lebanon. And, therefore, the contributions of the Nepalese Army in bringing back peace and security in this disturbed region have been excellent."

From 1961 through 1971, King Mahendra played a key role in shaping and implementing foreign policy, seeking to achieve three main objectives: maximization, diversification and mobilization. He first tried to expand the playing field of foreign policy by exploiting the preferences and the clash of interests between India, China and other major powers. Then he sought to go beyond a limited reliance on a few resources. Finally, he utilized Nepal's active participation in international forums like UN and the Non-Aligned Movement (NAM) to pressure and mobilize regional and international powers in Nepal's favor.¹²³

Nepal's Zone of Peace Proposal, based on *Panchasheel*, was a reflection of Nepal's aspiration to achieve and maintain its sovereignty, integrity and independence without interference from neighboring countries.¹²⁴ A total of 116 countries supported the proposal, including four permanent members of the UN Security Council. The outcome of the internationalist approach was positive and significant. The election of Nepal as non-permanent member of the UN Security Council in 1969-70 and in 1988-89 by an overwhelming majority was the result of Nepalese foreign policy, which emphasized Nepal's association with the United Nations' peace initiative.¹²⁵

To utilize peacekeeping participation as a tool to protect Nepal's sovereignty, the king dovetailed the army's peacekeeping efforts with country's foreign policy objectives, adopting an internationalist approach to foreign policy.¹²⁶ This internationalist approach produced a synergic outcome by effectively utilizing the NA's peacekeeping participation to search for Nepal's space in international forums. The internationalism came to fruition when Nepal was chosen for important responsibilities in the UN. For instance, Nepal led

¹²³ S. D. Muni, *Foreign Policy of Nepal*, (Delhi: National, 1973), quoted in Jitendra Dhoj Khand, "National Interest and Foreign Policy," *Nepalese Foreign Policy at the Crossroads*, ed. Sushil Raj Pandey and Pushpa Adhikari (Kathmandu: Sangam Institute, 2009), 104.

¹²⁴ At the 1973 summit of the Nonaligned Movement in Algiers, King Birendra stated that "Nepal, situated between two of the most populous countries of the world, wishes her frontiers to be declared a zone of peace." In Birendra's 1975 coronation address, he formally asked other countries to endorse his proposal.

¹²⁵ Jitendra Dhoj Khand, "National Interest and Foreign Policy," in Sushil Raj Pandey and Pushpa Adhikari, eds, *Nepalese Foreign Policy at the Crossroads*, (Kathmandu: Sangam Institute, 2009), 104.

¹²⁶ It seemed that the king also wanted to divert the military's attention away from internal party politics by engaging it in a new role. He gave the military a new role by involving it in international peacekeeping missions.

the Commission of Investigation into the Conditions and Circumstances resulting in the tragic death of then Secretary-General Dag Hammarskjöld, who was killed in a plane crash at Ndola in Lusaka in 1961.¹²⁷ The internationalist approach also helped Nepal to become a non-permanent member of the UN Security Council in 1969–70 and 1988–89. Additionally, this approach helped Nepal to project its image to the international community and to maintain its sovereignty, independence and national integrity.

3. The Second Democratic Period (1990–2005)

After the establishment of multiparty democracy and constitutional monarchy in Nepal, there was a surge in NA participation in peacekeeping missions.¹²⁸ The army participated in scores of missions.¹²⁹ There are three reasons for NA's increased involvement in peacekeeping missions after 1990. First, immediately after the establishment of multiparty democracy in Nepal, the NA was free to send more peacekeepers because it no longer had to protect the king's regime. Second, the new political leaders did not find any role for the army in the new democratic environment, except engaging a small portion of the army in national development works. Finally, there were growing demands for peacekeepers in the international arena, as the third wave of democratization and end of the Cold War resulted in a sharp increase in conflicts around the world.¹³⁰

¹²⁷ Nepal and UN, Government of Nepal, Ministry of Foreign Affairs, website: <http://www.mofa.gov.np/nepalun/statement6.php>, accessed 19 December 2009.

¹²⁸ According to the International Crisis Group Report No. 184, the number of Nepali military observers, police and troops deployed in peacekeeping operations was just under 1,000 from 2001 to September 2003. It nearly doubled in October and grew to over 2,200 in December 2003. It was 3,400 by the end of 2004, at which time Nepal was the fourth-largest troop contributing country overall (having been eleventh in 2001). It has stayed in fourth or fifth position since then and had approximately 4,300 people deployed in late 2009.

¹²⁹ The Nepalese Army in UN PKO, Nepalese Army's Website, http://www.nepalarmy.mil.np/na_un.php, (accessed December 19, 2009).

¹³⁰ Barry R. Posen, "The Security Dilemma and Ethnic Conflict" *Survival*, vol. 35, no. 1, Spring 1993, 27-47, Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991).

During this period, the majority of NA troops were deployed in peace enforcement and multidimensional peacekeeping operations in which internal armed conflicts constituted the major problems.

Nepalese Army in Peace Support Operations		
	Mission	Year
1	UNIKOM Kuwait/Iraq (Force Commander)	1991
2	UNMIH, Haiti (Peacekeeping Troops)	1991
3	UNTSO, Israel , Middle - East (Chief of Staff)	1992
4	UNISOM, Somalia (Peacekeeping Troops)	1993
5	UNPF/UNPROFOR, Former Yugoslavia (Peacekeeping Troops)	1994
6	UNGCI, Iraq (Peacekeeping Troops)	1995
7	UNTAES, Eastern Slovenia (Military Observers)	1996
8	UNPREDEP, Macedonia (Military Observers)	1996
9	UNOMIL, Liberia (Military Observers)	1996
10	UNMOP, Prevalaka (Military Observers)	1998
11	UNMIK, Kosovo (Military Observers)	1999
12	UNOMSIL/UNAMSIL, Sierra Leone (Peacekeeping Troops)	1999
13	MONUC, DR Congo (Peacekeeping Troops)	1999
14	UNAMET/UNTAET/UNMISSET, East Timor (Peacekeeping Troops)	1999
15	UNFICYP, Cyprus (Force Commander)	1999
16	UNMEE, Ethiopia/Eritrea (Military Observers)	2000
17	MINUCI, Ivory Coast (Military Observers)	2003
18	UNOCI , Ivory Coast (Military Observers)	2003
19	UNMIL, Liberia (Peacekeeping Troops)	2003
20	UNDOF, Israel/Syria (Force Commander & Staff)	2004
21	MINUSTAH, Haiti (Peacekeeping Troops)	2004
22	ONUB, Burundi (Peacekeeping Troops)	2004
23	UNMIS, Sudan (Peacekeeping Troops)	2004

Table 4. NA's UN peacekeeping participation during second democratic period (1990–2005)

The establishment of a multiparty democratic system in Nepal was a result of the worldwide third wave of democratization. Other parts of the world saw similar political agitation, conflict and transformation. The Nepalese Army continued participating in UN peacekeeping missions. During this period, political instability on the African continent created a heavy demand for UN peacekeepers. Jayaraj Acharya, a Permanent Representative of Nepal to the UNHQ in 1991, says,

Certainly, there was higher demand for peacekeeping operations around the world, particularly in former Yugoslavia, Haiti, and Somalia. And we did contribute Nepalese Soldiers...and their performances were highly appreciated by the world leaders, particularly by the ambassadors of permanent five members of the Security Council. I was told by them that the discipline, commitment and professionalism of the Nepalese soldiers in peacekeeping operations were highly appreciated by the force commanders, and they had got very good feedback and they told me that Nepal would be appreciated if it would remain on standby to contribute more soldiers to peacekeeping operations.¹³¹

Nepal has taken part in peacekeeping missions in various conflict zones, and some of the NA's high-ranking officers have filled key appointments in peacekeeping missions.¹³² Various force commanders and high-ranking officials who directly monitor and supervise international peacekeeping in the field say that the NA's mission performance is commendable.¹³³ But, the democratic government did not formulate any new policy or vision for employing the army in peacekeeping missions, nor did it interfere the NA from continuing its peacekeeping responsibilities. Thus the internationalist approach became dormant. The NA's profound contribution to UN peacekeeping missions could not be utilized to support foreign policy objectives and

¹³¹ Nepalese Army, *The Nepalese Army in Peace Support Operations*, (Kathmandu: NADPKO, 2008), DVD ROM.

¹³² Lt Gen (Ret.) Krishna Narayan Singh Thapa became Force Commander of UNIKOM mission in 1993. Lt Gen (Ret.) Victory Shumsher Rana became Force Commander of UNFICYP in 1998-2000. Lt Gen Chitra Bahadur Gurung served as Military Advisor to the Secretary General of UN. Lt Gen Balananda Sharma served as Force Commander and the Head of UNDOF, the mission in Syria and the Golan Heights, in 2004-2006. Maj Gen Pawan Jung Thapa is currently serving as Force Commander of UNMIS.

¹³³ ONUB Force Commander, Major General Derrick Mbeiskele Megyobe, says, "Nepalese Army personnel have a very polite nature and they blend in the society. They have been honored because they are disciplined and fearless." He further notes that compared to the other forces, the presence of the Nepali Army had eased the environment. For more information see the Nepalese Army, *The Nepalese Army in Peace Support Operations* (Kathmandu: NADPKO, 2008), DVD ROM.

national interests. The Ministry of Defense also kept a low profile. Without a dedicated defense minister and without the Ministry playing an effective role in peacekeeping activities, peacekeeping remained the army's private domain. This situation resulted in unstable CMR.

When the Maoists launched an armed struggle against the government, the NA faced a challenge to continue participating in peacekeeping missions. However, with the gradual increase in the size of the NA after its involvement in counterinsurgency operations, participation in peacekeeping operations was no longer hindered. Nevertheless, CMR deteriorated.

4. The Third Democratic Period (2006–2009)

After the second people's movement, and following the establishment of a republic in Nepal, the NA has participated in new peacekeeping missions in Georgia (UNOMIG), Central African Republic and Chad (MINURCAT), Iraq (UNAMI) and Timor-Leste (UNMIT) (Table 5).¹³⁴

Nepalese Army in Peace Support Operations		
	Mission	Year
1	UNIFIL, Lebanon (Peacekeeping Troops)	2006
2	UNOMIG, Georgia (Military Observers)	2007
3	MINURCAT, Chad (Military Observers)	2008
4	UNAMI, Iraq	2008
5	UNMIT, Timor-Leste	2008

Table 5. NA's UN peacekeeping participation during third democratic period (2006–2009)

There has been no change in Nepalese peacekeeping participation since the establishment of the republic system; however, Nepalese CMR has been very unstable in

¹³⁴ Nepalese Army in UN PKO, Nepalese Army website, http://www.nepalarmy.mil.np/na_un.php, (accessed December 19, 2009).

this period.¹³⁵ Nepal faces various challenges in peacekeeping. Apart from logistical and management difficulties, allegations of human rights violations are also causing some problems.¹³⁶

Despite these CMR problems, peacekeeping participation continued. The interim government led by the Nepali Congress party, the Maoist-led government, and the CPN (UML) government all emphasized and praised the NA's peacekeeping participation wholeheartedly. While there was emphasis on the NA's participation in peacekeeping missions, there has been no attempt at involving civilians in peacekeeping activities. The government did not understand the problems of the Nepalese peacekeepers, nor did it provide necessary logistic support and political direction. When democratic institutions were in place, civilians seemed apathetic towards peacekeeping operations.

D. ANALYSIS OF NEPALESE PEACEKEEPING PARTICIPATION

Historically, Nepal's shift towards internalization was an effort to pursue foreign policy goals. The Nepalese Army's peacekeeping participation was part and parcel of that effort. The UN has provided an important forum for smaller countries like Nepal to pursue its national interests and exercise foreign policy with dignity and sovereignty.¹³⁷ It has also provided small countries with moral and physical security from aggression, interference, and encroachment.¹³⁸

¹³⁵ Hira Bahadur Thapa, "Nepal's Unique Participation in UNPKOs." He asserts, "In enhancing the international image of the country, Nepal's useful contributions to the UNPKOs have been crucial. It is a fact that Nepal is one of the rarest examples in the world that has continued to respond positively to the UN's calls for troops in whatever complex the deployment mission might be."

¹³⁶ The ICG Asia Report No 184, January 14, 2010.

¹³⁷ Bishwa Keshar Maskay, President, United Nations Associations of Nepal, Nepal and the United Nations: 1956-1996 (United Nations Associations of Nepal, 1996). Maskay asserts, "For a small landlocked state, the UN has not only struggled for its right of access to the sea, but also offered the choices in foreign policy matters. Freedom of choices is the hallmark of national independence, sovereignty and identity." He also writes, "For small states like Nepal, the UN has proved not only a sounding board but a last resort to articulate national aspirations. The legitimacy of the UN comes from its role performance, where Nepal in many ways is in a better position, especially in the area of peacekeeping."

¹³⁸ Mahendra Bir Bikram Shah, King of Nepal, Address to the 22nd Session of the UN General Assembly, New York, November 6, 1967. King Mahendra said, "For, to a small country as mine, the United Nations represents the ideal as well as the practical. It satisfies us in so far as it helps us to work actively for larger unity and for peace and prosperity of mankind; it satisfies us also in so far as it secures us morally and materially against encroachment and interference from others."

Nepal's major engagement in UN peacekeeping operations came during the second democratic period, 1990–2005. This period was crucial for CMR in Nepal. Nepal started sending troops under the provision of Chapter VII of UN Charter, when its troops participated in peace enforcement mission in Somalia in 1993.

The NA acquired some experience and professionalism by operating with other professional armies. In addition, working with civilians during peacekeeping missions has considerably altered its approach to problems. Himalaya Thapa asserts, "The experience and skills developed in various UN peacekeeping operations certainly helped the Nepalese Army to launch successful counterinsurgency operations, paving the way for a political solution in Nepal."¹³⁹ The long involvement in peacekeeping missions changed the nature and working pattern of NA, which helps bring it closer to the civilian community.¹⁴⁰ Nevertheless, other unintended consequences cannot be ruled out. Saubhagya Shah argues that Nepal's growing involvement in international peacekeeping needs to be read as a double-edged sword, as the NA is unavailable for defending the home front when needed. He asserts,

While the UN peacekeeping missions to the far corners of the globe's hotspots has brought international visibility and recognition to Nepal's foreign policy based on peace and non-alignment, the time has perhaps come to reassess how such mission engagements impact its internal functioning and capability to defend the homeland.¹⁴¹

From 1990 through the end of 2000, the NA was oriented towards international missions. It was a decade characterized by policy inconsistencies between the military's internationalism and the government's internal orientation. The NA was solely focused on its international peacekeeping mission, while the political parties were entangled in

¹³⁹ Himalaya Thapa, *United Nations Peacekeeping Operations and Nepal's Participation (1958-2008): An Evaluation*, Master's dissertation, The University of Westminster, Regent Campus, (Diplomatic Academy of London, 6 August, 2008).

¹⁴⁰ Morris Janowitz mentions that by working with civilians, the soldiers change and become more civilianized, their approaches to problem solving thereby becoming more like civilian approaches. Janowitz, *The Professional soldier*.

¹⁴¹ Saubhagya Shah, "Democratization of Nepal Army: Establishing Civilian Supremacy," Conference Paper presented at Nepal Army Command and Staff College, Shivapuri, Kathmandu, 22–23 September 2009.

domestic politics. There was a clear gap between the state's approach and the functioning of one of the instrument of national power, the military. At the strategic level, Nepal lacked a coherent policy that would allow it to institutionalize the experience gained in international missions. This is why, despite long and successful involvement in international missions and interactions with other professional armed forces, the NA could not become as professional as it should have been.

In its many years of UN peacekeeping missions, Nepal has undergone through various experiences and evolution processes. The concept of peacekeeping missions emerged from the concept of collective security founded in the concept of collective defense that seeks to form alliances against any state that commits an act of aggression. During the Cold War, peacekeeping was limited to interposing troops between belligerent parties, supervising and verifying cease-fires, and observing, monitoring, and reporting. Peacekeeping duties were limited to maintaining the status quo, and emphasis was given on impartiality and minimum use of the force, in which neutral countries like Nepal, rather than the permanent members of the UN Security Council, played a crucial role.¹⁴² These missions were mandated by Chapter VI of UN charter. Examples of such missions include UNEF I, UNEF II, UNYOM, UNIPOM, UNIMOG, UNTAG, UNAVEM I, and UNOMIG. Nepal contributed peacekeepers to missions under Chapter VI. The mere presence of blue helmets was enough to restrain the conflicting parties from further hostilities. Non-enforcement was the norm of traditional peacekeeping. Parties were deterred from relying on force; deployment of peacekeepers began after fighting halted; peacekeepers used to create buffers without seizing territory; and rather than taking territory, peacekeepers aimed to restore order or defend the territory. During those days national contingents did not have to make their own logistical arrangements, as the *Wet Lease* provision provided everything from toilet paper to tanks. Such arrangements made

¹⁴² During the Cold War period the United Nations' permanent five (P-5) members did not send troops for peacekeeping missions because of the politicized and divided international context. This norm changed after the end of the Cold War, and P-5 members and middle powers started taking part in UN peacekeeping operations. Today, great powers tend to send their troops for peacekeeping missions under their own command rather than under the aegis of the UN. Lise Morje Howard asserts, "The P-5 members of the Security Council tend not to be very good peacekeepers in large part because it is difficult for the great powers to remain impartial while developing field-level capacities for learning. Lise Morje Howard, *UN Peacekeeping in Civil Wars* (Cambridge: Cambridge University Press, 2008), 332.

UN peacekeeping participation less challenging to developing countries like Nepal. Government and armed forces' peacekeeping responsibilities were limited to making political or operational decisions to participate in particular missions. The situation of CMR was not particularly challenging in the first generation peacekeeping missions.

The nature of conflict changed with the end of the Cold War, requiring a new approach to peacekeeping missions and the advent of the second and third generations of peacekeeping missions.¹⁴³ The new multidimensional peacekeeping operations focused on facilitating political processes; creating a secure and stable environment and strengthening state security apparatus; and providing a framework for ensuring that all UN and other actors pursue their activities with close civil and military cooperation as the key to success. Although Nepal participates in most of the multidimensional peacekeeping missions, the NA's Directorate of Peacekeeping's stovepipe functioning has hindered the effectiveness and efficiency of the Nepalese peacekeeping effort. The lack of civilian participation in the Nepalese Army's peacekeeping efforts has impeded the most needed changes in the present context of multi-dimensional peacekeeping efforts.

The government treats Nepalese peacekeeping participation as the sole prerogative of the NA, showing a lack of enthusiasm to control, coordinate and supervise these activities. The Ministry of Defense has not been competitive enough in managing peacekeeping efforts. The process of selecting, training, equipping, projecting and maintaining peacekeepers in conflict zones has not been effective.¹⁴⁴ Many questions have been raised about transparency and proper management of welfare funds from within and outside of the institution. Although the NA has made efforts to make the welfare fund activities transparent and better managed, these efforts are seen inadequate

¹⁴³ Michael W. Doyle and Nicholas Sambanis, *Making War and Building Peace* (Princeton: Princeton University Press, 2006), 10.

¹⁴⁴ Suresh Hamal writes, "The process of selection, training and equipping must be executed strictly with stringent standards. To send soldiers below standard to participate in UN peacekeeping operations as a welfare scheme should be stopped. The best commanders and the best soldiers and technicians should only be permitted to be included in the mission." Suresh Hamal, *UN Peacekeeping Operation as an Instrument of National Policy*, Master's thesis, Department of Strategic Studies, Tribhuvan University, January 2007, 51.

for projecting a positive image of the army and enhancing the effectiveness and efficiency of Nepalese peacekeeping efforts. There are grievances regarding mismanagement in the procurement system and lack of transparency. These problems have caused a great setback in peacekeeping efforts by tarnishing the image of the NA.

The inability to demonstrate the relative competence of civilian and military institutions has resulted in inadequate performances in diplomatic, as well as operational aspects of peacekeeping. Also, lacking a symbiotic relationship between the military and civilians with regard to peacekeeping involvement, foreign policy and security, Nepal has not been able to achieve maximum output. However, one of the reasons for this is lack of diplomatic effectiveness.¹⁴⁵

A clear example of this weakness is Nepal's inability to establish a regional peacekeeping center. The intention of hosting the first regional peacekeeping exercise was to develop *Panchkhal* as South Asia's Regional Peacekeeping Centre, according to statements reported during the exercise's launch.¹⁴⁶ Despite its favorable environment and contributions to UN peacekeeping missions, Nepal could not cash in on the opportunity to establish a regional peacekeeping training center. Although there are many reasons for why the center did not materialize, Nepalese political apathy and inaction, and diplomatic incompetency are the primary causes of the failure to realize this national interest.

Presently, BPOTC trains approximately 8000 peacekeepers annually prior to their deployment in various peacekeeping operations around the world. Its main tasks are pre-deployment and specialized training. The UK government contributed for infrastructure development and other areas of the center, while United States support is focused on

¹⁴⁵ Himalaya Thapa writes, "Despite following good principles and policies, Nepal's performance on the ground in terms of diplomacy has not been effective as it should have been." 43.

¹⁴⁶ Karniol, "Nepal Plays Host to World Peacekeeping Exercise," *Jane's Defence Weekly*, Vol. 033, Issue 5, 2 February, 2000. He writes, "The Nepal News reported that Nepalese Army Chief Gen Prajwalla Sumsher Rana proposed during his remarks launching the exercise that Nepal be declared the South Asian Regional Peacekeeping Center. The newspaper said that this initiative was supported by Commander-in-Chief US Pacific Command Adm Dennis Blair and Assistant Secretary-General of the UN Peacekeeping Department, Yong Jin Choi, who were present at the ceremony."

capacity building programs for Nepalese peacekeepers.¹⁴⁷ Similarly, Global Peace Operation Initiatives (GPOI) assistance contributes to the production of competent trainers and specialized training. In February 2009, BPOTC conducted a pilot of pre-deployment training in close coordination with the Integrated Training Service (ITS) of the UN Department of Peacekeeping Operations (DPKO). The center, which aspires to expand its outreach to regional level, also provides training to students from friendly countries and contributes instructors to other school of instruction both at home and abroad.

E. PEACEKEEPING, NEPAL, AND THE CONSTABULARY CONCEPT

There are some important differences between a nation's soldiers and its peacekeepers. Soldiers are always loyal to their nation, whereas peacekeepers are loyal to the international community. It has been seen that soldiers from some armed forces, especially from advanced countries, are reluctant to function under the command of a foreign army's commander. This is mainly because developed countries do not give high allegiance to the UN, which is not the case with the peacekeepers from Nepal and some other developing countries dedicated to international peace and security.

Peacekeeper militaries believe that peacekeepers' adherence to the principal of impartiality signifies their shift of allegiance from national parochial loyalty to a broader international loyalty.¹⁴⁸ This shift in loyalty indicates their seriousness and dedication to the UN efforts for international peace. Apart from a broader international loyalty, there are other inherent qualities that which make a normal soldier a peacekeeper. Moskos writes, "The skills of the peacekeeping soldier require such traits as the avoidance of violence, quiescent monitoring, negotiation, and compromise."¹⁴⁹ Many troop

¹⁴⁷ The U.S. has an interest in the South Asian countries contributing to United Nations peacekeeping operations. Nepal, as one of the largest and most experienced contributors, received U.S. funding to conduct regional exercises under the Enhanced International Peacekeeping Capabilities Program (EIPCP). According to Jane's Defence Weekly, "Bangladesh and Nepal have emerged as pivots central to US efforts to promote peacekeeping activities in South Asia under its EPICP." Robert Karniol, "Asia Pacific, Bangladesh and Nepal to Support Peacekeeping Bid," Jane's Defence Weekly, Vol. 31, Issue 10, 10 March 1999.

¹⁴⁸ Moskos, Peace Soldiers, 4.

¹⁴⁹ Moskos, Peace Soldiers, 9.

contributing nations try to inculcate these traits in their peacekeepers through training before sending them overseas. However, it takes time to mould conventionally trained soldiers for peacekeeping duties. The NA's participation in UN peacekeeping has over time inculcated such qualities in its members. Upon analysis, these qualities are consistent with the constabulary concept put forward by Morris Janowitz and later advocated by Moskos.

Moskos argues that ad-hoc units and those with proportionately more officers tend to be more constabulary in nature compared with regular intact units with deep-rooted traditions and *esprit de corps*. The regular intact units are more concerned with soldierly qualities like valor, aggressiveness, regimental prestige and loyalty towards the nation. Since civilianizing is one of the attributes of a constabulary, and peacekeeping contingents tend to become civilianized as they increase the ratio of officers to other ranks in their peacekeeping contingents, peacekeeping troops reflect the constabulary attitude.¹⁵⁰ The NA deploys peacekeeping contingents by forming ad-hoc units for specific six-month UN tours, and demobilizes them after their tour of duty. The NA's ad hoc units have more officers and Junior Commissioned Officers (Warrant Officers), resulting in a high ratio of officers to other ranks. The roles of *Subedar Major* (the most senior Warrant Officer) and Sergeant Majors (the most powerful figures in a regular unit) are less powerful in such ad-hoc units. If Moskos is right, over fifty years of such experiences may have inculcated a constabulary nature in the NA.

Additionally, on the country's national day and other occasions, Nepalese contingents organize parades, cultural programs and sports competitions with the local people and other contingents, fostering cross-national contacts.¹⁵¹ Nepalese troops interact with civilian communities in a day-to-day basis while working together. The NA organizes Nepalese media reporters' visits to mission areas to give them first hand

¹⁵⁰ Moskos, *Peace Soldiers*, 59.

¹⁵¹ Pyar Jung Thapa asserts, "The RNA troops serving in the UN peace keeping operation are exposed to different cultures and social environments through exchanges and meetings during ceremonies, parades, sporting events and their day to day dealings with locals." See "The UN Peace Keeping in the New World Order and the Role of Royal Nepal Army," *Nepal's Participation in the United Nations Peacekeeping Operations: Report of the Round Table*, edited by Bishwa Keshar Maskay and Dev Raj Dahal, (United Nations Association of Nepal, Institute of Foreign Affairs, 1995), 33.

information about Nepalese peacekeeping activities in the field. Thus, NA members are very close to civilians and work with them in completely new environments to establish good working relationships. This is challenging as well as stimulating. Taking part in UN peacekeeping missions is also an opportunity to be operational in the field. Before its involvement in counterinsurgency operations in Nepal in 2001, the NA had a very few opportunities to deploy its soldiers in the field to hone their skills.¹⁵² Similarly, a civilian Special Representative of the Secretary General (SRSG) heads a UN peacekeeping mission. This propagates a culture of civilian supremacy among the contingents of troop contributing countries and may have influenced the NA as well. Many years of such interactions may have evolved a stable CMR between Nepalese peacekeepers and the civilian body of the UN. According to Moskos, "The form of civilian control over UN peacekeeping forces comes close to a pure model of objective control."¹⁵³

The performance of Nepalese peacekeepers reflects high standards, with strict adherence to the minimum use of force, impartiality, the Rules of Engagements (ROE), and human rights. Continued practice in peacekeeping missions has institutionalized a certain level of human rights standards in the NA.¹⁵⁴ The minimum use of force, a tenet of UN peacekeeping operations, was emphasized during counterinsurgency operations and other internal security mobilizations in Nepal.¹⁵⁵ However, there are allegations of human rights violations by Nepalese Army's personnel during mobilization in

¹⁵² Thapa, 33. Pyar Jung Thapa says that the mission areas provide an opportunity for participating nations to hone their professional skills in war or conflict stricken environment which not be possible in the home countries in peace time. The RNA [Royal Nepalese Army: now called only Nepalese Army] has benefitted from this aspect because of its exposure especially in the sphere of modern weapons technology, communication systems, working procedures, as well as various experiences gained from low intensity conflict operations carried out in mission areas.

¹⁵³ Moskos, *Peace Soldiers*, 82.

¹⁵⁴ "The exposure to international peacekeeping has ensured that it remains one of the few organizations in Nepal where the teaching and practice of Human Rights has been long institutionalized. However, the army leadership needs to be more conscious and aware of rights violations being committed by servicemen as a result of error in individual judgment and action." Rahul Thapa, "Double Standard against the Men in Uniform," *Nepalnews.com*, web address:http://www.nepalnews.com/archive/2006/others/guestcolumn/feb/guest_columns_feb06_09.php (accessed on 16 November 2009).

¹⁵⁵ Nirendra Prasad Aryal, JAG Brig, "Rules of Engagement," *Human Right Journal* 2008, Nepalese Army, Kathmandu, 2008, 31. The NA's Soldier's Card emphasizes the use of minimum force and also treating the enemies humanely, with respect and dignity. "Force" was generally defined as the use of physical means to impose the will of the Nepalese government during counterinsurgency operation against the Maoists insurgents, whereas it was the will of the United Nations' in peacekeeping operations.

counterinsurgency operations.¹⁵⁶ Therefore, it is pertinent to analyze the NA's human rights violations during its counterinsurgency operations in Nepal vis-à-vis the excellent performance of the same soldiers in UN peacekeeping missions. Despite the emphasis on minimum use of force and human right protections, HR violations by NA members during counterinsurgency operations have been recorded. The puzzling question is what caused Nepalese soldiers with such fine records of accomplishment in the UN missions to perform so poorly in their own country. Was it purely a problem of NA soldiers, or was there something more? This is a puzzling question.¹⁵⁷ Although some human right reports point to the chain of command and accountability, according to the NA such violations were individual mistakes on the part of NA members and were not policy driven and intentional.¹⁵⁸ And the NA claims that it has "tried to minimize the grievances of the concerned and has taken adequate steps to ensure that violators are brought to justice."¹⁵⁹ It is logical for the NA to be sensitive to human rights issues, not just because of its duty, but also to maintain its good image vis-à-vis UN peacekeeping. Major General Netra Bahadur Thapa, Adjutant General of NA, asserts, "The Nepalese Army has earned a very good reputation in UN Peace Keeping Operations and we do not want to

¹⁵⁶ ICG, "Nepal: Peace and Justice," Asia Report No. 184.

¹⁵⁷ A large number of reports with various conclusions have been published in this regard. It is noteworthy that the vast majority of the Maoist combatants were killed not only in an offensive operation by the Nepalese Army, but also in defensive retaliation to the Maoists' attack on NA troops. Some cases of HR violations by members of the Nepalese Army have been seen as reprisals for attacks against their family members. Other cases of HR violations were as consequences of torture during interrogations. Apart from individual mistakes by Nepalese Army members, the defunct government intelligence apparatus also played a key role, resulting in improper interrogations by unskilled security forces that killed some detainees. Not recognizing the fact that "knowledge is power," the government did not invest a reasonable amount of funds and resources for intelligence. The weakness of intelligence gathering was also a serious flaw in security forces, including the Nepalese Army. Whether the long participation in UN peacekeeping operations led to a passive mentality of giving low priority to intelligence systems, a basic norm in the UN, could be a subject for further research.

¹⁵⁸ Rookmangud Katawal, General, Chief of the Army Staff of the Nepalese Army, Human Rights Journal 2008, Directorate of Human Rights, Army Headquarters, The Nepalese Army, Kathmandu, (2008).

¹⁵⁹ Dharma Bahadur Baniya, "History of the Human Rights Organizations of the Nepalese Army," Human Rights Journal 2008, Director of Human Rights, the Nepalese Army, Kathmandu, 2008, 1. According to him, the NA has punished 14 personnel found guilty of violating human rights while participating in UN missions over 50 years (the percentage of violators amounts to 0.02). It has punished 67 personnel found guilty of violating human rights during security operations in Nepal.

tarnish that at home."¹⁶⁰ Whatever the justifications, there should be no protection or impunity for human right violations. This is where civilian control is relevant, and where accountability and responsibility come into play.

The reality is that the overall nature of the NA has gradually changed over the half century of its participation in UN peacekeeping missions. The emergence of constabulary ethics indicates that Nepal is slowly departing from its traditional military posture. The behavioral adherence to the minimum use of force, and this becoming universal as well as normative in the entire military institution, indicates a shift in the NA's character.¹⁶¹ The attitudinal change among Nepalese peacekeepers varies with individuals' personality and field experiences. The change is more evident in officers who take part in UN peacekeeping missions more than once and who are highly intermingled with civilians. On the other hand, some allegations of HR violations and excessive use of force by the NA during counterinsurgency operations indicate the paradoxical development of a constabulary ethic among Nepalese soldiers. Establishing the causes of this problem is a matter for further research.

F. FOREIGN POLICY ASPECTS

The Interim Constitution of Nepal (2007) states, "the Foreign Policy of Nepal shall be guided by the principles of UN Charter, nonalignment, the *Panchasheel*, International law and the norms of world peace."¹⁶² The previous Nepalese constitution, the Constitution of the Kingdom of Nepal (1990), also states that the UN Charter shall be one of the five guiding principles of Nepalese foreign policy.¹⁶³ The Ministry of Foreign

¹⁶⁰ Netra Bahadur Thapa, Major General, Nepalese Army, Human Rights Journal 2008, Directorate of Human Rights, Army Headquarters, The Nepalese Army, Kathmandu, (2008).

¹⁶¹ Moskos, *Peace Soldiers*, 93.

¹⁶² The Interim Constitution of Nepal, 2007, Clause 35.21. The constitution says, "The state shall adopt the foreign policy of Nepal guided by the principles of the United Nations Charter, nonalignment, the *Panchsheel*, international laws and the norms of world peace."

¹⁶³ Ministry of Foreign Affairs, Government of Nepal, "Nepal and UN," website: <http://www.mofa.gov.np/nepalun/statement6.php>, accessed 19 December 2009.

Affairs claims that Nepal has consistently supported UN efforts to maintain peace and security by its continued participation in the UN.¹⁶⁴

The success of the Nepal's previous foreign policy came from its continuous active engagement in UN peace initiatives that started with its first peacekeeping mission in 1958.¹⁶⁵ Nepal had some tangible results from its successful foreign policy during 1970s and 1980s. For instance, 116 countries, including four permanent members of the UN Security Council, supported Nepal's zone of peace proposal, which was based on five principles of peaceful coexistence, *Panchasheel*, and aimed at maintaining national sovereignty and independence. As another example, Nepal was elected as a non-permanent Security Council member in 1969–70 and 1988–89 with overwhelming majorities.¹⁶⁶

Nepal's peacekeeping participation and foreign policy did not continue to parallel one another after the establishment of democracy in 1990.¹⁶⁷ Before, Nepal had an "equidistance" or "equiproximity" policy regarding its two giant neighbors India and China. At the same time, Nepal supported internationalism to maintain national identity. The NA's peacekeeping participation dovetailed with an internationalist approach to

¹⁶⁴ Nepal and UN, Ministry of Foreign Affairs, Government of Nepal, "Nepal and UN," website: <http://www.mofa.gov.np/nepalun/statement6.php>, accessed 19 December 2009.

¹⁶⁵ Pyar Jung Thapa, "The UN Peace Keeping in the New World Order and the Role of Royal Nepal Army," in *Nepal's Participation in the United Nations Peacekeeping Operations: Report of the Round Table*, edited by Bishwa Keshar Maskay and Dev Raj Dahal (United Nations Association of Nepal, Institute of Foreign Affairs, 1995), 31. Pyar Jung Thapa writes, "Nepal was selected for the supervision of peace at the Indo-Pakistan border after the 1965 war. The RNA sent seven officers as observers during the mission for a period of seven months. This mission had a lot of significance for the foreign policy of Nepal and especially of the principle of neutrality keeping in view the close relationship with India and the fact that lot of domiciled Nepalese were involved in the war vis-à-vis the Indian Gurkhas. The trust that both the nations had when agreeing to keep Nepalese military officers in the area projected the non-aligned policy of Nepal."

¹⁶⁶ Jitendra Dhoj Khand, "National Interest and Foreign Policy," in *Nepalese Foreign Policy at the Crossroads*, 106.

¹⁶⁷ Lt. Gen. Bala Nanda Sharma (Ret.), "Nepal's Preparation for Future Peacekeepers and Recommendations," *The Telegraph Weekly*, Vol. 26, No. 22 (July 15, 2009) 2. "Participation of Nepal's security forces in Peace Operations should be an extension of Nepal's peace and security policy. It should be enshrined in the constitution as our effort to help the world community to bring international peace and security. Accordingly, in this win-win proposal government ministries and agencies must support the security forces." Similarly, Himalaya Thapa maintains, "In order to continue Nepal's participation in international peacekeeping it is important that Nepal address the present weaknesses [of diplomacy]." Himalaya Thapa, *United Nations Peacekeeping Operations and Nepal's Participation*.

foreign policy. However, after the establishment of the democratic system, the country's leaders ignored the internationalist aspect of foreign policy. In principle they keep pursuing an equidistance foreign policy, but in reality, they relied mostly on India. There are many reasons for the digressed foreign policy practice. One of the main reasons is political instability and the short life of regimes in Nepal. The political parties were always focused on making and breaking the government, and almost all the sectors were politicized. Huntington writes,

In all societies, specialized social groups engage in politics. What makes such groups seem more "politicized" in a praetorian society is the absence of effective political institutions capable of mediating, refining, and moderating group political action. In a praetorian system, social forces confront each other nakedly; no political institutions, no corps of professional political leaders are recognized or accepted as the legitimate intermediaries to moderate group conflict.¹⁶⁸

Since political attention to the internationalist approach was not sufficient, the NA's participation in UN peacekeeping missions continued without meaningful political-diplomatic congruity.¹⁶⁹ This resulted in diplomatic setbacks. For instance, by eliminating Nepal, Indonesia was elected as the UN Security Council's non-permanent member for a two years term starting in January 2007.¹⁷⁰ There could be many reasons for this failure including the weakening of Nepali diplomacy on various fronts. However, some posit that it also points to the ineffectiveness of recent Nepalese peacekeeping initiatives. Chiran Thapa writes, "Despite Nepal's contribution to numerous UN led peace operations, the rejection of Nepal's candidacy by an overwhelming majority at the General Assembly clearly suggests that the international community deems Nepal as less

¹⁶⁸ Huntington, *Political Order in Changing Societies*, 196.

¹⁶⁹ Rabindra Khanal, Dr., "New Direction in Nepal's Foreign Policy," *The Telegraph Weekly*, Vol. 26, No. 22, July 15, 2009. Khanal asserts, "Now the foreign policy that Nepal has adopted long ago needs some revision...Nepal's emphasis should be more on increased cooperation with the United Nations and its specialized agencies...It should seek more roles to play in the United Nations."

¹⁷⁰ UN News Center, "Four Security Council members elected but one still up for grabs," <http://www.un.org/apps/news/story.asp?NewsID=20270&Cr=security&Cr1=council>, accessed 15 December 2009.

capable of serving global security interests."¹⁷¹ In the face of Nepal's widely lauded participation in peacekeeping, why Nepal is unsuccessful in international forums is a serious issue.

G. CONCLUSION

Over fifty years, the NA's participation in UN peacekeeping has been remarkable. Although Nepal's first democratic period was full of chaos, the political forces in the country realized the necessity of taking an internationalist approach. Therefore, this period was a watershed in Nepal's peacekeeping participation as well as its approach to foreign policy. The *Panchayat* period was an extension and consolidation of the same policies with enhanced participation. The positive outcome of the peacekeeping effort was seen during the 1970s and 1980s. After the reestablishment of democracy in 1990, Nepalese peacekeeping efforts increased tremendously, but foreign policy did not go along the peacekeeping contribution. Despite some shortcomings, Nepal's performance in peacekeeping missions has been very successful and widely acclaimed. Nepal could have benefitted highly, both diplomatically and politically, but it did not. Yet Nepal's peacekeeping participation has continued since the republic was established. Despite many political ups and downs and changes in political system, there is no difference in opinion in Nepal about its participation in peacekeeping operations. This clearly indicates that there is a consensus among the Nepalese political parties that peacekeeping participation contributes to Nepal's vital interests.

Participation in peacekeeping missions can have effects at the individual level that can ultimately influence military institutions. There are different possibilities regarding the nature of civilian control exerted upon the peacekeeping contingents. On the one hand, peacekeeping participation exerts objective control of the military because of more autonomy and professional freedom, and the interaction with foreign militaries.¹⁷² On the

¹⁷¹ Chiran Thapa, "Rudderless Diplomacy," Nepali Perspective, November 7, 2006, <http://nepaliperspectives.blogspot.com/2006/11/rudderless-diplomacy.html>, accessed on 15 December 2009.

¹⁷² Moskos, *Peace Soldiers*, 82.

other hand, the social interactions with civilian components of missions as well as with the local population erode the military tenets of individual soldiers, making them more civilianized.¹⁷³

Different types of missions affect civilianization or professionalization trends differently. Multidimensional peacekeeping operations, in which much of the mission consists of civilian activities, tend to civilianize a soldier. Peace enforcement operations are less likely to exert civilianizing effects. If peacekeepers interact with forces from countries that have civilian control, such as the U.S. or the U.K., then the soldiers are more likely to emulate their professional behaviors. On the other hand, if they are exposed to inferior or less professional armed forces, then soldiers are unlikely to acquire professional knowledge.

The nature of Nepalese CMR has various shades, and single theoretical lens cannot explain it in a holistic manner. Especially since the establishment of multiparty democracy in 1990, CMR has not been stable in the Nepalese case. On the face of it, the argument that countries with externally oriented military institutions tend to have stable CMR does not seem to fit in the Nepalese case. Despite civilianization of the military and the development of a constabulary attitude, stable CMR did not seem to occur in the Nepalese scenario. Another argument, positing that peacekeeping tends to cultivate objective civilian control, also does not seem to fit in the Nepalese case. However, in the Nepalese case, peacekeeping participation has engraved various attributes of objective civilian control such as professionalism and autonomy. At the same time, peacekeeping participation has been civilianizing and has developed the constabulary attitudes

¹⁷³ Sotomayor, *Unintended Consequences of Peace Operations*, 181.

described by Moskos in the Nepalese peacekeepers.¹⁷⁴ For instance, the Nepalese Army put an emphasis on minimum use of force and sought political rather than military solutions, during counterinsurgency operations in Nepal. The Nepalese Army's uninterrupted participation in peacekeeping missions during two major political revolutions in 1990 and 2006, and during its active involvement in counterinsurgency operations, indicate that the NA has been transforming into a "peacekeeper" military as described by Paul Shemella.

¹⁷⁴ Paul Shemella, "The Spectrum of Roles and Missions of the Armed Forces," in Bruneau and Tollefson, eds., *Who Guards the Guardians and How: Democratic Civil-Military Relations*, 125. Shemella writes, "Establishing a reputation for one's country should result from a public debate, punctuated by decisions that guide the funding, structuring, preparation, and employment of military forces. A country's brand is both the result and the function of what was described...as macro roles. Many governments go beyond merely assigning macro roles to their military forces; they actively 'market' their countries to the rest of the world through branding...Peacekeepers countries are specialists in peace support operations and regard peace operations as the most important macro role their military forces perform. Peacekeeping as a macro role has grown in popularity for both global and domestic political reasons. It enables governments to gain international prestige (often at minimal cost) and to develop more professional armed forces, which remain focused beyond the nation's borders."

IV. A COMPARATIVE CASE STUDY OF ARGENTINE AND NEPALESE PEACEKEEPING AND IMPACTS ON CMR

The Argentine case is cited as an excellent example of how peacekeeping can impact CMR in a positive way. The Argentine case also shows how a dovetailed military and political internationalist approach enhances foreign policy goals and changes the deep-seated interventionist attitude of the military. This case is comparable with the Nepalese scenario in many respects, and especially in regard to political history and peacekeeping activities. Both countries are geographically isolated and had a history of military involvement in politics. The comparison between the two is plausible because both started taking part in UN peacekeeping missions in 1958 and increased their peacekeeping participation after the end of the Cold War. Both countries adopted internationalist approaches, and both had good cooperation with the U.S. in peacekeeping activities. Both countries mobilized their armed forces for major military operations before a drastic change in the political system, and both suffered a negative image of the military in their post-democracy periods. Overall, both countries had intense civil-military tensions during a post conflict situation. There are some significant differences between the two countries as well. Their geographical proximity, size, and social, cultural and economic conditions are different. In addition, Argentina is a regional power, and had lost a war against the United Kingdom in 1982, which is not the case for Nepal. This chapter analyzes the similarities and differences between the Argentine and the Nepalese peacekeeping participations in five key areas: dovetailing civilian and military internationalism, civilian involvement in peacekeeping activities, providing new roles for the military, the role of the Ministry of Defense and the Ministry of Foreign Affairs, and the outcomes of peacekeeping participations.

A. DOVETAILING CIVILIAN AND MILITARY INTERNATIONALISM

After the establishment of democracy in 1983, the Argentine government adopted a new approach to foreign relations and national security. In this approach, the new government maintained a highly active presence in the international arena while the

military was involved in UN peacekeeping missions. Norden says, "With respect to the government, UN participation fits neatly into the overall internationalist political orientation; for the military, interest stems from more institutional and professional concerns."¹⁷⁵

Like Nepal, Argentina started sending military observers to Lebanon in 1958. Its peacekeeping activities began expanding in 1990 when its second democratic president, Carlos Menem adopted an internationalist approach. He encouraged the armed forces to take part in peacekeeping missions all over the world and to assume a new professional role. This approach perfectly suited the armed forces, as they also sought a new role was after their 1982 defeat by the U.K. The president carefully chose a highly qualified defense minister with expertise in foreign policy, the UN system and the military.¹⁷⁶ The success of Argentina's internationalist approach and its establishment of stable CMR show that a very capable, mature and influential minister is required in the Ministry of Defense. Norden says, "Argentina's military became increasingly oriented towards international missions, both in terms of leadership (especially the Minister of Defense) and with respect to actual participation."¹⁷⁷ Menem integrated foreign policy, security and economic policy to produce a synergic effect; the military contributed tremendously to his internationalist approach. The nature of CMR in Argentina since the establishment of democracy and Menem's adoption of internationalist approach can be termed very stable. The president took a keen interest in the army and established intimate relations with it. At the same time he had a broad national interest in taking leadership of the military.

Nepal's peacekeeping participation increased tremendously after 1990, but political leaders and the Ministry of Defense did not pay much attention to NA's peacekeeping efforts, considering them as purely military missions. Not one single democratic government adopted an internationalist approach to peacekeeping to make it

¹⁷⁵ Deborah L. Norden, "Keeping the Peace, Outside and In: Argentina's UN Missions," *International Peacekeeping*, Vol. 2, No.3 (Autumn 1995), 331.

¹⁷⁶ Norden, *Keeping the Peace Outside and In*, 333.

¹⁷⁷ Norden, *Keeping the Peace Outside and In*, 333.

commensurate with foreign policy; nor did they discard peacekeeping. The NA continued to participate in peacekeeping, but without tangible political or diplomatic involvement. In Nepal, unlike Argentina, peacekeeping participation and foreign policy were never in tune with each other during the entire democratic period. The lack of political guidance and direction made diplomacy weak.¹⁷⁸ The NA was under the dual command of the government and the king and had a poor image among civilians. The army was kept aloof from the country's democratic framework until the Maoists made governance untenable by their armed movement. During the democratic period, almost all governments were focused on narrow interests rather than on redefining foreign policy, security and economic policies.

B. CIVILIAN INVOLVEMENT IN PEACEKEEPING ACTIVITIES

Argentina's peacekeeping participation has other important implications for CMR. The coordinated efforts of the Ministry of Defense and the Joint Chiefs of Staff for peace operations improved CMR and civilian control of the military. Because of its external orientation, the military structure and organization were modified, and the decision-making process, procurement and recruitment policies were transformed. Civilian participation in Argentina's Joint Peace Operation Training Center (CAECOPAZ), as instructors and as students, helped to promote CMR. Politicians, diplomats, and psychologists taught subjects such as International Humanitarian Law, International Law, and Psychology. Increasing the involvement of civilians in peacekeeping activities resulted in establishing institutional and legal frameworks that reduced military prerogatives. This strengthened CMR. If civilians were not involved in peacekeeping activities, the environment would be conducive for greater military autonomy and reserved domain, which would result in bad CMR.¹⁷⁹

¹⁷⁸ Chiran Thapa, "Rudderless Diplomacy," Nepali Perspective, November 07, 2006. Web address: <http://nepaliperspectives.blogspot.com/2006/11/rudderless-diplomacy.html>, accessed on 15 December 2009. He asserts, "Nepal's diplomacy is plagued by a triple whammy. First, Nepal does not have a coherent foreign policy. Second, Nepal does not have competent diplomats. Third, Nepal does not have the luxury of allocating adequate financial resources for diplomatic ventures."

¹⁷⁹ Sotomayor, *Unintended Consequences of Peace Operations*, 180.

Compared to Argentina, the Nepalese face impediments in using their peacekeeping participation for good CMR. There is a lack of meaningful coordination and cooperation between the army and the Ministry of Defense, which resulted in low foreign policy achievement and inadequate performance in peacekeeping operations. Nepal's military structure and organization have not been modified to keep pace with the changing international environment. Decision-making, selection, training, deployment and procurement policies have not been as efficient and transparent as they should be. Although significant number of civilians, foreign military personnel and international organizations' personnel are invited to the BPOTC, the quantity and quality of civilian involvement are not sufficient to improve CMR. Few politicians, diplomats, professors, lawyers, and peace experts are involved in peacekeeping instruction, seminars, discussions, research and strategy formulation. Hardly any publications relating to peacekeeping activities are generated within or outside of the NA. Civilian professors and educators are not incorporated into the framework for peacekeeping instruction. There is lack of coordination, cooperation and knowledge sharing among the NA, Nepal police and the armed police force. Because of this, Nepal lacks a concrete strategy for participating in future peacekeeping missions as well as best practices and lessons learned.

C. PROVIDING NEW ROLES FOR THE MILITARY

With the end of the Cold War, the role of international organizations has increased, and the UN especially has become a key player in resolving anarchy and conflict in various parts of the world. The transformation of the world order forced many militaries to redefine the nature of potential threats and the purpose of their organizations. With regime changes, many military institutions have faced serious challenges to their identities, causing serious civil-military problems. Norden believes that taking part in international peacekeeping missions can help to relieve such tensions.¹⁸⁰ She suggests that Argentina's international peacekeeping approach helped to diffuse a serious civil-

¹⁸⁰ Norden, *Keeping the Peace Outside and In*, 347.

military crisis in its post-democracy period. This approach helped to change the military's embittered relationship with political leaders and its interventionist attitudes.

The Nepalese post-conflict situation is comparable to Argentina's post conflict situation under the rule of its first democratic president, Raul Alfonsin. After coming into power, Alfonsin confronted the military head on while trying to establish democratic regime. Norden notes that he cut the military budgets "to the point that soldiers trained without bullets and pilots without fuel."¹⁸¹ Sotomayor says, "The re-democratization process of Argentina left the military without a role and in a moribund state, as civilians drastically cut budgets and closed military industries."¹⁸² Immediately after taking office, Alfonsin ordered the prosecution of military personnel in the courts for violations of human rights. According to Norden,

Within the armed forces, frustration brewed. Already in disarray from the disastrous Falklands/Malvinas conflict, the military now found more enmity than leadership in the newly elected democratic government. It was a time when many within the armed forces would have eagerly embraced an opportunity for apolitical professionalism, yet professionalization was not offered as an option. Instead, the government directed its efforts towards demilitarization—weakening the armed forces, rather than redirecting them.¹⁸³

When civil-military tension was at its height, Menem's farsighted vision changed the whole situation into a win-win strategy. He created a new role for the military by reshaping Argentina's position within the international community and pursued a liberal economic plan by extensive privatization. In this new vision, economic and foreign policies were intricately linked, with emphasis on cooperative security, diplomacy and trade. The previous narrow emphasis on national sovereignty and competition was seen as outdated. Argentina underwent a profound transformation in foreign policy and

¹⁸¹ Norden, *Keeping the Peace Outside and In*, 331.

¹⁸² Sotomayor, *Unintended Consequences of Peace Operations*, 174.

¹⁸³ Norden, *Keeping the Peace Outside and In*, 335.

established good relations with the United States. As Norden writes, "Argentina's new internationalism, from economic policy to peacekeeping, has been inseparable from the country's new allegiance to the United States."¹⁸⁴

D. THE ROLE OF THE MINISTRY OF DEFENSE AND THE MINISTRY OF FOREIGN AFFAIRS

The Ministry of Defense and the Ministry of Foreign Affairs play an important role in promoting stable CMR by engaging in international organizations like the UN when the military participates in international missions. The active engagement of civilians in the UN helps to establish good relations with mission heads, allowing civilians to intervene in military affairs. However, the mere fact of civilian intervention may not exert positive effects on CMR. A mature and well thought out intervention is likely to have positive effects. In the Argentine case, there was a positive impact because of the two-level strategy, domestic and international, adopted by the Ministry of Foreign Affairs. At the domestic level, the political strategy was to send maximum military personnel on peacekeeping missions so that the military would be busy on international missions and remain out of domestic politics. At the international level, Menem pursued the internationalist foreign policy extensively in order to fulfill national interests. These two strategies converged, supporting each other. This also transferred the decision making authority of peacekeeping from the military to civilians, thereby allowing civilian control of the military. However, it is worth noting that civilian intervention took place in Argentina only after Argentina was defeated in the Falklands War. The reorientation of Argentina's foreign policy and approach to security generated public debate among scholars, policy makers and think tanks, which created more civilian expertise in defense policy and contributed to improved CMR. It also led to increased publication by journalists and scholars on peacekeeping issues.¹⁸⁵

Peacekeeping participation requires equipment and a considerable investment. With a budget allocation just large enough to pay for salaries, the Nepalese government

¹⁸⁴ Norden, *Keeping the Peace Outside and In*, 339.

¹⁸⁵ Sotomayor, *Unintended Consequences of Peace Operations*, 181.

has barely invested in enhancing the professionalism of the army. This has a severe impact on the NA's professionalism and performance in peacekeeping missions. Although NA personnel gained personal benefits and some professional experience on an individual basis, the lack of necessary logistics, including equipment and weaponry, prevent the institution from instilling needed professionalism.

The Argentinean government acquired resources for enhancing peacekeeping participation through various means. Commensurate with the internationalist approach, Argentina took measures such as appropriate training and an emphasis on the English language for peacekeepers. The Ministry of Defense submitted a proposal to the UN in an effort to establish a multinational training camp in Argentina. Argentina also created a standby force for peacekeeping missions. However, Menem restructured the military while reforming and reconstructing peacekeeping activities.

Although the NA increased its peacekeeping participation after 1990, it could not increase its logistics capability because of the government's stringent control of the budget. The NA tried to supply logistics from its own private welfare fund created with contributions from soldier's peacekeeping allowances.¹⁸⁶ To make its peacekeepers competent and efficient, the NA established the Birendra Peace Operation Training Center, and hopes to develop the facility into "a full-fledged center of excellence" and possibly a regional center.¹⁸⁷ Because the government has not assumed significant political and diplomatic roles, NA's endeavor to make the BPOTC a regional level peacekeeping training center is less likely.

E. THE OUTCOMES OF PEACEKEEPING PARTICIPATIONS

Despite the problem of finding financing for peacekeeping, Argentina gained significantly from its political investment. Its internationalist policy helped in debt

¹⁸⁶ "Welfare," Nepalese Army official website, <http://www.nepalarmy.mil.np/welfare/index.php>, accessed 5 January 2010.

¹⁸⁷ General Dharmapal Bar Singh Thapa, Nepalese Army, "Future Course of United Nations Peacekeeping Operations," in *Nepal and the United Nations*, edited by Mohan Prasad Lohani and Damber Bir Thapa (United Nations Association of Nepal, 1996) 179. Thapa says, "It may be desirable that a regional training center for peacekeeping forces of the SAARC countries be established—possibly in Nepal."

negotiations and created a more credible image of the government. Its internationalist policy also helped Argentina to play an important role in the international arena, fulfilling its national interests, while the military enjoyed the benefits of acquiring modern equipment and other logistics. In contrast, despite its army's highly regarded participation in peacekeeping, Nepal could not take advantage of peacekeeping to advance its national interest because of the lack of government interest and the dilemma it faces in foreign policy.¹⁸⁸

Participation in peacekeeping missions by the Argentinean armed forces provided tangible benefits at the individual and institutional levels. Individual participants enjoyed an opportunity to travel, professional enhancement and monetary benefits. The institution also benefitted by increased professionalism among their soldiers with relatively less investment. According to Norden, "Argentina's relative geographical isolation, the military's lack of professional experience, the constrained economic conditions and the armed forces' pressing need to improve their image all contribute to a higher level of receptivity to international peacekeeping."¹⁸⁹

Despite the high emphasis on international peacekeeping missions, the military's primary role is to defend the country from internal and external threats. Peacekeeping missions remain the second highest priority. Over time, the concept of national security has been transformed and international security has been superimposed on domestic security. However, the Argentinean military still holds that national defense cannot be risked in the interest of cooperative security, and the nation-state continues to be the basic subject of international negotiation.

¹⁸⁸ Seminar on Nepalese Foreign Policy, Sangam Briefs, Vol 1, Issue 1 (July 2009), 3. The Seminar Report says, "The conclusion of [Lt. Gen. (Ret) Bala Nanda Sharma's] presentation [Peace Support Operations and Nepal: Past Experiences and Future Perspectives] was that although Nepalese Peacekeeping Operations are held in high esteem worldwide, there is not much to praise the government or the attitude of the political leadership about when it comes to supporting the soldier in these difficult missions. His question—Have we been able to produce even one candidate for the United Nations Secretary General's post in spite of our 60 years of services in its peacekeeping missions?—must have generated private appraisals by the participants about the way we have been conducting our foreign policy."

¹⁸⁹ Norden, *Keeping the Peace Outside and In*, 340.

While peacekeeping missions have played an important role in promoting CMR in many instances, they have not always strengthened CMR. Sotomayor notes, "Different levels of military prerogatives have varying consequences when they interact with variables such as participation in peace operations."¹⁹⁰ The quality and quantity of military prerogatives and reserve domain plays an important role in determining CMR, as "Involvement in peace operations is likely to improve civilian control in democratizing countries that have low levels of military prerogatives."¹⁹¹ Checks and balances, transparency and strong sense of accountability from both the military and civilian sides are necessary to avoid unintended and negative consequences for civilian control. According to Sotomayor, "Participation in peace operations can have unintended and even negative consequences for civilian control, unless Foreign Ministry and civilian bureaucrats assume a very active role in the decision-making process regarding peace deployments."¹⁹² Additionally, Sotomayor also argues that involvement in peacekeeping operations required a large investment of resources in Argentina, which corrupted top civilian decision makers.

F. CONCLUSION

The comparative study of the Argentinean and Nepalese cases shows that mere participation in peacekeeping missions does not promote stable CMR. Both countries have participated extensively in peacekeeping missions, especially since the end of the Cold War. Not only were there similar levels of peacekeeping participation, but both countries also experienced the process of democratization. However, there was a sharp difference in one respect: Nepalese political leaders were not involved in peacekeeping activities, while the Argentinean political leadership was deeply involved in decision making about peacekeeping activities and policies to dovetail peacekeeping with Argentina's foreign policy goals. By participating in peacekeeping missions, Argentina became a successful example of both stable CMR as well as foreign policy goal

¹⁹⁰ Sotomayor, *Unintended Consequences of Peace Operations*, 179

¹⁹¹ Sotomayor, *Unintended Consequences of Peace Operations*, 180.

¹⁹² Sotomayor, *Unintended Consequences of Peace Operations*, 183.

achievement. In contrast, because of lack of political leadership, Nepal could not utilize its contribution to peacekeeping missions to realize its foreign policy goals or to achieve stable CMR. Unlike Argentina, Nepal has not been successful in dovetailing its foreign policy with peacekeeping operations by adopting an internationalist approach and creating a symbiotic relationship between civilians and the military.

V. CONCLUSION

This thesis focuses on Nepal's historical contribution to UN peacekeeping missions and identifies an empirical puzzle: even while Nepal supports UN peace efforts with large peacekeeping deployments, it suffers from unstable civil-military relations at home. This finding is counterintuitive because the conventional wisdom in CMR argues that participation in international peacekeeping operations promotes stable CMR by making young soldiers more cosmopolitan, less nationalistic, and more resistant to calls for military "salvation" via coups in times of crisis. Why does Nepal suffer from constant civil-military crises if the armed forces have a well-defined external mission to perform? Why has participation in peacekeeping operations not exercised a larger positive effect on Nepal's CMR?

To answer these questions this study first analyzed Nepal's political history and evolution in terms of civil-military relations. The analysis in Chapter II indicates that the armed forces have had a dynamic and at times quite unstable relationship with their fellow civilians. After the establishment of a constitutional monarchy and a multiparty democratic system, the Army enjoyed a certain level of autonomy due to the balance of power between the king and the government. During this period the armed forces also underwent professionalization in the form of military instruction, education and training. To some extent, peacekeeping contributed to these efforts, as UN demands created domestic pressures for larger and more professional forces.

Nevertheless, the latter half of second democratization period, which took place from mid 1990s to 2005, saw an increased sense of uncertainty and reinforced feelings of mutual distrust among political actors and the armed forces. By the 1990s, CMR in Nepal had deteriorated, a result of the conflict between the king, Nepal's traditional supreme commander, and the emerging political parties. Although the military enjoyed professional autonomy, the nebulous provision in the new constitution regarding the control of the military led to political chaos, especially in the face of internal threats like the Maoist insurgent movement. The Maoists, with whom the Army had fought a bitter

military campaign, subsequently came to power, generating even more mutual distrust between civilians and the military. Political instability in Nepal generated two negative dynamics in CMR: it politicized the armed forces, and most political parties tried to subjugate the military to their own political interests, leading to a fragile system of subjective civilian control.

Consequently, CMR in Nepal have been subject to dynamic and dramatic changes in the past two decades. Ironically, throughout this time of political turmoil, Nepal continued to contribute to UN peace efforts with peacekeeping troops. In fact, Nepal's peacekeeping participation increased in the 1990s, precisely when the country was facing its most severe domestic problems. There is substantial evidence that the military benefited both professionally and economically from its international experience. However, the country did not gain concrete diplomatic benefits from its international contributions. In fact, Nepal's regional neighbors, India, Pakistan and Bangladesh, often get far more international credit than Nepal for their peacekeeping contributions.

Furthermore, Nepal's large peacekeeping deployments during the 1990s did not seem to help de-escalate the emerging crisis in CMR. Although a military coup did not take place, there was rampant speculation of a military rebellion by armed forces dissatisfied with the civilian government. Why was there political instability in Nepal at a time when its armed forces were deployed abroad in UN peacekeeping missions?

A close look at Nepal's political evolution indicates that political instability had an effect on CMR, as state institutions, whether the King or Parliament, were unable to exert civilian control during times of political transition. At the same time, civilians share the blame. They turned their backs on the conduct of military operations, including peacekeeping, because of their lack of expertise and inability to trust in their own judgments. To some extent, lack of civilian interest in defense matters has eroded CMR, too.

Consequently, the evidence presented here seems to support, at least in principle, the argument developed by Michael C. Desch in *Civilian Control of the Military*. In Desch's view, "states that face primarily internal threats are likely to have inattentive

civilian leaders working through weak and divided institutions. The civilian leadership is likely to adopt subjective control mechanisms, and the military is likely to be highly unified but internally focused.”¹⁹³

Paradoxically, the Nepalese case also shows that one of Desch’s policy recommendations for countries facing internal threats, participation in peacekeeping, is unlikely to resolve crises in CMR in all transitional societies. In his book, Desch argues that “the Argentine government, in an effort to keep the country’s once internally oriented military externally focused, has recently been having the military participate in international peacekeeping missions. This is a realistic and beneficial post-Cold War military mission.”¹⁹⁴ As analyzed in Chapter IV, the conditions that made Argentina so successful in pacifying the military through peacekeeping are not present in Nepal today. Civilians are not actively involved in peacekeeping strategic decisions, so they often delegate such operations to the military, thus increasing the military’s institutional autonomy. In such scenarios, peacekeeping is merely a military mission dominated by the armed forces with no clear civil intervention or foreign policy goals.

Although peacekeeping participation tends to promote objective civilian control, the nature of civilian control in the troops contributing countries depends heavily on the nature of domestic political involvement and interest in military matters. Peacekeeping contributes to civilianizing the military through interactions between the armed forces and diverse civilian communities in the field. Indeed, the military is more likely to become civilianized through interactions with civilian staff members, including non-governmental organizations, UN civil personnel and diplomats. However, these interactions will not prevent a CMR crisis when there is political instability at home. As this study shows, despite its involvement in peacekeeping, the military is likely to intervene in domestic politics when the country suffers from political turmoil and internal threats such as insurgency.

¹⁹³ Desch, *Civilian Control of the Military*, 119.

¹⁹⁴ Desch, *Civilian Control of the Military*, 130.

Given this analysis, what can countries like Nepal do to improve its CMR while it contributes to peacekeeping? This study provides at least three policy recommendations for countries facing CMR challenges in times of political transition. First, it seems imperative to develop programs targeted towards civilian education in defense matters, enabling civilian leaders to become more knowledgeable about military issues and thus more capable of making informed policy decisions. Second, since peacekeeping is an external mission, diplomats and bureaucrats in the Foreign and Defense Ministries should be more heavily involved in the decision-making process regarding peace operations. This can allow for more civilian integration in the decision making process, while also contributing to improving relations between civilian and military staff members. Likewise, this can assist in identifying clearer foreign policy goals when Nepal contributes to peacekeeping operations. Finally, the military has to come to terms with democracy and engage in profound organizational reform that includes more transparency, especially when it comes to peacekeeping operations.

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