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THESIS

**CIRCUMVENTING COUPS: POWER TRANSITIONS
AND THE CIVIL-MILITARY RELATIONS OF NEPAL
SINCE THE 1950s**

by

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December 2020

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CIVIL-MILITARY RELATIONS OF NEPAL SINCE THE 1950s**

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ABSTRACT

Since the 1950s, the political landscape of Nepal has undergone a series of changes, transitioning from monarchy to a federal democratic republic. In the process, it experienced recurrent political instability in the form of power-centric partisanship, a Maoist insurgency, volatile attempts at constitution adoption, and country-wide civilian protests. Theoretically, such upheavals should have produced intervention by the Nepali Army (NA) in the political system. Instead, the military has been headed by a civilian master in the form of either an executive or constitutional monarch—ceremonial presidents as a symbol of authority, and mainly as executive prime ministers. This thesis illustrates the inherent institutional attributes of the NA that circumvent possibilities of a military coup in Nepal.

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LIST OF ACRONYMS AND ABBREVIATIONS

APF	Armed Police Force
BPOTC	Birendra Peace Operations Training Center
CMR	Civil-Military Relations
COVID-19	Coronavirus Disease 2019
GPOI	Global Peace Operations Initiative
HADR	Humanitarian Assistance and Disaster Response
ISDP	Internal Security and Developmental Project
NA	Nepali Army
NC	Nepali Congress
UN	United Nations
UNEF	United Nations Emergency Force
UNOGIL	United Nations Observer Group in Lebanon
USINDOPACOM	United States Indo-Pacific Command

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I. INTRODUCTION

Since the 1950s, the political landscape of Nepal has undergone an overhaul, transitioning from monarchy to a federal democratic republic. In the process, it experienced recurrent political instability in the form of power-centric partisanship, a Maoist insurgency, volatile attempts at constitution adoption, and country-wide civilian protests. To put it into perspective, since 1950, Nepal has had several constitutions (1951, 1959, 1962, 1990, 2006, 2015), a referendum on the system of government (1980), two constituent assembly elections (2008 and 2013), and a decade-long insurgency (1995–2006).¹ In Huntington’s framework, Nepal would represent a case of political decay rather than political development.² For Perlmutter, such a situation presents the right “social conditions contributing to praetorianism.”³ To Finer, similar conditions give the right opportunity for military intervention.⁴

Theoretically, such upheavals should have produced the obvious intervention by the Nepali Army (NA) in the political system. It is clear, however, that since the 1950s, the Nepali military has been headed by a civilian master. This civilian control has taken the form of either executive or constitutional monarchs, ceremonial presidents as a symbol of authority, or mainly as executive prime ministers. Yet, for unexplained reasons, the NA did not do justice to any of the arguments presented by Huntington, Finer, or Perlmutter. Instead, the NA has embraced change set by the civilian leaders. Given this background, the thesis investigates the inherent institutional attributes within the NA that circumvents coups d’état.

¹ “Nepal Profile - Timeline,” BBC News, February 19, 2018, <https://www.bbc.com/news/world-south-asia-12499391>.

² Samuel P. Huntington, *Political Order in Changing Societies* (New Haven, CT.; London: Yale University Press, 2006), 4.

³ Amos Perlmutter, “The Praetorian State and the Praetorian Army: Toward a Taxonomy of Civil-Military Relations in Developing Polities,” *Comparative Politics* 1, no. 3 (1969): 385, <https://doi.org/10.2307/421446>.

⁴ Samuel Edward Finer, *The Man on Horseback* (Rutgers, NJ: Transaction Publisher, 2006), 72.

A. MAJOR RESEARCH QUESTION

Why has the NA never staged a coup despite recurrent political upheavals in Nepal since the 1950s?

B. SIGNIFICANCE OF THE RESEARCH QUESTION

First, answering the question leads to an understanding of the behavior of militaries in constantly changing political scenarios through the case of the NA. Examining instances of the NA adapting to the political changes, while Nepal transitioned from monarchy to a republic, can provide valuable insights for civil-military relations (CMR) scholars. In addition, it provides a different lens through which to identify the nature of NA vis-à-vis its relations with the civilian masters since the 1950s.

Second, the question allows research at the micro level, unlike most CMR research projects on Nepal, which are macro-level analyses of the NA vis-à-vis its relations with the executive and the society. It is imperative to understand this relationship, as it is much deeper than usually portrayed. In fact, very little attention is given to the historical facts, for instance the NA's role in the nation-building process, or its nationwide ritualistic participation at the grassroot-community-level cultural ceremonies that mark historical events. Historically, the NA is older than the modern state of Nepal itself. Most CMR literature on Nepal tend to disregard this factor and is therefore incomplete.

The question also gives an alternative point of view to understand the employment of the NA in various political upheavals, rather than viewing it with a blanket perception of a praetorian army. Unlike the judgmental narratives that constantly appear in the CMR of Nepal that portray it as a facilitator of coups, the question bears importance as it highlights legal provisions in the employment of the military as a benchmark for military actions that have never resulted in a coup. The research therefore contributes to the study of the CMR of Nepal that presents unusual conditions rather than applying a top-down approach of applying CMR theories developed in a different context to Nepal.

The question is significant to CMR theories, Nepali history scholars, members and scholars of the NA, and, in general, whoever wants to understand the NA through data rather than through face-value narratives. Given the military strength, popularity, and scope

of its missions, combined with political upheavals, the absence of military coups is quite a phenomenon. Above all, the non-existent coverage of this phenomenon for so long in the field of Nepali CMR is itself questionable. Therefore, it is a significant question that needs to be addressed.

Finally, the question is relevant to policymakers of Nepal where a constantly shifting democratic exercise has become the pattern in Nepali politics since 1950, requiring sensible and well-informed decision making. The question therefore seeks answers that go beyond existing literature on the CMR of Nepal. This question is also potential food for thought for policymakers to go beyond the lens of CMR theories and gauge the exceptionality of Nepali CMR that circumvents coups time and again by embracing change while disregarding praetorianism.

C. LITERATURE REVIEW

This literature review gives readers an understanding that evolution of CMR theories is a constant phenomenon, and the study of Nepal allows such theories to evolve towards providing a more sophisticated framework for understanding countries that do not share western experiences. The literature review is presented in three parts. To set the stage, the first part examines theories of praetorianism and military coups, as this character of the military necessitated CMR theories in the first place. The second part investigates prominent control-oriented theories of CMR that explain how these theories aim to control the praetorian character. The final part explores literature related to changing politics and the CMR of Nepal, which explains the absence of vital data-based study in the field of Nepali CMR.

1. Praetorianism and Military Coups

The concept of praetorianism, praetorian state, society, and system remain important in the literature of CMR scholars as they seek to contain such behavior in the military. Technically, the purpose and context (competing for political authority or political participation) are not necessarily different except for the organization involved in politics such as the military, student unions, political parties, elites, masses, etc. In his seminal work *Political Order in Changing Societies*, Huntington broadens the spectrum of

praetorianism. As he explains, “Praetorianism in a limited sense refers to the intervention of the military in politics,” but he insinuates that the absence of a particular term for politicization of various social forces allows such forces to be termed as “praetorian society,” which serves the same purpose.⁵ He further elucidates, “In a praetorian system social forces confront each other nakedly,” with no legitimate intermediaries.⁶ Therefore, when Huntington uses the term to explain political decay, he means to use it in a broader term and not just in the military sense.

Further amplification can be found in Huntington’s *Political Development and Political Decay*. He identifies praetorian states oscillating “between extreme democracy and tyranny.”⁷ Despite similar oscillations and underperforming political institutions, however, Huntington’s comparison between civic polity and praetorian societies⁸ does not reflect Nepal’s military. The absence of coups and direct intervention in Nepali politics therefore takes the NA out of the scope of praetorian society, regardless of the fact that Nepal is still struggling for political stability.

Conceivably, the most relevant literature to Nepal is Samuel E. Finer’s work *The Man on Horseback*. Finer’s relevance to this thesis is in two parts. First, his description of the relationship between “the levels of intervention” and “the levels of political culture” gives a template to measure possible outcomes⁹ during the various political regimes of Nepal. Second, in Finer’s words, Nepal is a “proto-dynastic regime” where “the military are the decisive political factor.”¹⁰ Though the changes in the political system have now made Finer’s classification of Nepal as “*empirical autocracies and oligarchies*”¹¹ redundant, the argument does leave some room to gauge the current position of the NA.

⁵ Huntington, *Political Order in Changing Societies*, 195.

⁶ Huntington, 196.

⁷ Samuel P. Huntington, “Political Development and Political Decay,” *World Politics* 17, no. 3 (1965): 417, <https://doi.org/10.2307/2009286>.

⁸ Huntington, *Political Order in Changing Societies*, 198.

⁹ Finer, *The Man on Horseback*, 139.

¹⁰ Finer, 3.

¹¹ Finer, 4.

His arguments of disposition requiring motive and mood in the military to intervene, however, particularly the mood, are in a psychological realm. This psychology, however, is rather leadership oriented and should have resulted in different outcomes in different times. But the NA has had a rather uniform adherence to all regimes that transitioned from one to the other, without military coups despite political upheavals. The historical events clearly show the NA's loyalty to the executive based on existing constitutional provisions, until changed by either interim legislation or new constitution.

Amos Perlmutter's *The Praetorian State and the Praetorian Army: Toward a Taxonomy of Civil Military Relations in Developing Polities* provides specific perspective vis-à-vis "social conditions contributing to military praetorianism."¹² He narrows down the definition of a modern praetorian state as the "one in which the military tends to intervene and potentially could dominate the political system."¹³ Citing Huntington, he clarifies praetorianism as being "a useful operational tool to explain a relationship between political development and modernization."¹⁴ This explanation bears weight also to historically explain the political development of Nepal and foresee the future. Key takeaways from his work are his classification of the types of praetorian armies, which is a definitive template to piece together the kinds of military intervention. His justification of the Thai Army's praetorian behavior rooted in traditional bureaucracy¹⁵ is not reasonable, however, as all militaries are bureaucratic, but not all are traditionally praetorian. Though in a different book, Perlmutter contradicts himself and explains that "The military profession is a voluntary one...confined to a bureaucratic-hierarchical situation."¹⁶ The same could also be said for NA as it is professional and bureaucratic, yet

¹² Perlmutter, "The Praetorian State and the Praetorian Army," 385.

¹³ Perlmutter.

¹⁴ Perlmutter.

¹⁵ Perlmutter, 402.

¹⁶ Amos Perlmutter, *The Military and Politics in Modern Times: On Professionalism, Praetorians, and Revolutionary Soldiers* (London, New Haven, 1977), 1.

traditionally older than the Thai Army,¹⁷ but with no record of a coup. This reality further demonstrates that the NA, though traditionally bureaucratic, has not resorted to coup d'état.

Perhaps a more convincing theory to identify how countries repeatedly handle coups professionally is given by Naunihal Singh in his work, *Seizing Power: The Strategic Logic of Military Coups*. He argues that success or failure of military coups “rests entirely upon what happens within the military once the coup attempt begins.”¹⁸ He further elucidates that the intra-military factions usually tend to challenge coups, so he applies game theory's coordination game to define the behavior of the mostly undecided masses within the military, whose support is detrimental. For Singh, the result of the coordination game—or in this instance military coups—depends on convergence of incentivized collective action (i.e., “If you change the players' expectations, you change their behavior as well.”)¹⁹ A three-tiered approach to his work gives an idea of the difference between the coups staged from the top, the middle, and the bottom and the range of activities these tiers are likely to take to manage the convergence of incentivized collective action. Irrespective of the fact that Nepal never experienced an independent military-staged coup, the coordination game theory as proposed by Singh is equally meaningful to gauge military behavior during civil-military collusion and differences.

2. Control-Oriented Theories of CMR

Coups d'état, the quintessential embodiment of military intervention in politics, give momentum to control-oriented theories of CMR. Unlike the relatively recent arguments of “the trinity of control, effectiveness and efficiency,”²⁰ most CMR theories have a narrower view of curtailing the possibilities of insubordination by the military. Given the increasingly unconventional missions of the NA, ranging from infrastructure

¹⁷ “History of the Nepali Army,” Nepali Army, accessed May 13, 2020, <https://www.nepalarmy.mil.np/page/history>.

¹⁸ Naunihal Singh, *Seizing Power: The Strategic Logic of Military Coups* (Baltimore: Johns Hopkins University Press, 2014), 5, <http://ebookcentral.proquest.com/lib/ebook-nps/detail.action?docID=3318826>.

¹⁹ Singh, 6.

²⁰ Florina Christiana Matei, “A New Conceptualization of Civil-Military Relations,” in *Routledge Handbook of Civil Military Relations* (Abingdon, UK: Routledge, 2013), 26–35.

development to nature conservation,²¹ the control-oriented CMR theories are insufficient to examine the CMR of Nepal. More importantly, the interpretation of the increasing missions of the NA, sometimes also in the form of aiding the civil authority (stability operations), has mischaracterized them as praetorianism in the past. These theories hold value to understand the CMR psychology (who guards the guardians?), however, as opposed to the dynamic nature of CMR, unique to the political relationships between various stakeholders in a state.

Pioneering the control theory field, Samuel P. Huntington argued for maximizing military professionalism through objective civilian control, or “by militarizing the military, making them the tool of the state.”²² Though it kindled the interest of many, it has been widely scrutinized by other CMR scholars.²³ Particularly, professionalism itself has been the point of contention. Although *The Soldier and the State: The Theory and Politics of Civil-Military Relations* hints that “antimilitary ideologies” may be reasons for military dominance in the government in western societies,²⁴ such beliefs do not correctly reflect developing democracies. It may be useful in generalizing the type of CMR control in Nepal, but it does not provide a theoretical framework from which to study the absence of military interventions. This research thus aims to examine such absence in Nepal.

Morris Janowitz’s “convergence theory” takes a rather sociological approach to his CMR theory. Unlike Huntington, he points out that the separation of the military from the civilian is at the heart of the problem, which “runs the risk of creating new forms of tension and unanticipated militarism.”²⁵ He argues that the modern military is “continuously prepared to act,” maintains “protected military posture,” and is directed by “the minimum

²¹ “Nepali Army Beyond Primary Duties,” Nepali Army, accessed May 4, 2020, <https://www.nepalarmy.mil.np/page/bpd>.

²² Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: The Belknap Press of Harvard University Press, 1957), 83.

²³ Thomas C. Bruneau, “Impediments to the Accurate Conceptualization of Civil-Military Relations,” in *The Routledge Handbook of Civil-Military Relations* (Abingdon, UK: Routledge, 2013), 13–21.

²⁴ Huntington, *The Soldier and the State*, 95.

²⁵ Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (Glencoe, IL: The Free Press of Glencoe, 1960), 440.

use of force,” which makes it a “constabulary force.”²⁶ His theory bears importance as it is ideally the closest to NA’s military posture in a limited sense and is cognizant of the evolving roles of the military. His spectrum of engagement is too wide (from nuclear to overseas bases),²⁷ however, and goes beyond the NA’s constitutionally defined roles and responsibilities. This theory definitely justifies the NA’s embedded role in the Nepali society and its peacekeeping role, but it does not capture the political reality of Nepal, which is more complex as this research will illustrate.

Later, Peter D. Feaver acknowledged CMR as “the entire range of relationships between the military and civilian society at every level”²⁸ but which at its core implies control. He uses “agency theory” based on “principal-agent framework” to explain changes in the CMR of the United States during and after the Cold War.²⁹ Feaver limits the CMR to a “working and shirking” relationship; working implies obedience by the military (the agent), while shirking implies avoidance of orders, deserving punishment by the civilian masters (the principal).³⁰ While he is doubtful of its application in other political settings,³¹ its application in a “flawed democracy” like Nepal makes little sense.³² Therefore, this lens does not encompass the intricacies of the CMR of Nepal.

Interestingly, Michael C. Desch’s *Civilian Control of the Military: The Changing Security Environment* puts forward the combination of intensity and types of threats influencing CMR. He points out that domestic political violence “has been one of the primary precipitants of the complete breakdown of civilian control of the military in

²⁶ Janowitz, 418.

²⁷ Janowitz, 418–19.

²⁸ Peter D. Feaver, “Civil-Military Relations,” *Annual Review of Political Science* 2, no. 1 (June 1, 1999): 211–41, <https://doi.org/10.1146/annurev.polisci.2.1.211>.

²⁹ Peter D. Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University Press, 2003), 1.

³⁰ Feaver, 3.

³¹ Feaver, 12.

³² “Democracy Index 2019,” The Economist Intelligence United, accessed May 19, 2020, <https://www.eiu.com/topic/democracy-index>.

various countries.”³³ His analogy of the “four combinations of threats—high or low, external or internal” also provides a template to gauge the level of civilian control of the military.³⁴ His argument that military engagement in insurgencies undermines civilian authority cannot be the benchmark of a failing CMR, however. In fact, counter-insurgencies are military-run operations in most cases. In Nepal’s case, the NA was mobilized to counter the Maoist-insurgency, but under constitutional accord granted by the civilian authority. Hence, Nepal remains a distinctive case, even by Desch’s empirical examples.

Nonetheless, James Burk provides the most compelling diagnosis of various theories of democratic CMR that consider the dichotomy between liberal and civic-republican values of a democratic state.³⁵ He rightly identifies the differences in the approach to define CMR problem between a liberal democratic theory and the civic-republican theory. According to Burk, the former (represented by Huntington) is concerned with protecting democratic values while the latter (represented by Janowitz) is concerned with sustaining democratic values through civic-participation.³⁶ He also recognizes that there is no one-size-fits-all democratic CMR theory as it “is vaster today and demands a more varied and comprehensive treatment than it has yet received.”³⁷ Though his scope of study is primarily directed towards Western militaries, this revelation is significant as it helps to contextualize Nepali CMR based on local events. Furthermore, it provokes a debate, if Nepal should protect democratic values (liberal democracy) or widen civic-participation (civic-republican) to sustain democracy, considering Nepal a federal democratic republic.

³³ Michael C. Desch, *Civilian Control of the Military: The Changing Security Environment*, Johns Hopkins Paperbacks, 2001 (Baltimore: Johns Hopkins University Press, 1999), 5.

³⁴ Desch, 6.

³⁵ James Burk, “Theories of Democratic Civil-Military Relations,” *Armed Forces & Society* 29, no. 1 (October 1, 2002): 7–29, <https://doi.org/10.1177/0095327X0202900102>.

³⁶ Burk, “Theories of Democratic Civil-Military Relations,” 12.

³⁷ Burk, 22.

Lately, CMR scholars have acknowledged that a rather parochial view of control alone is insufficient to address CMR issues. Citing Feaver's "civil-military problematique," Bruneau and Croissant have strongly argued that "civilian control concerns one side of the civil-military problematique, military effectiveness concerns the other side."³⁸ Although they agree that pinpointing effectiveness is elusive, they highlight effectiveness being ascertained by preparedness to accomplish assigned roles and missions³⁹ measured against three key attributes.⁴⁰ "Defense planning" involving multiple agencies, "structures and processes" to formulate and implement the plan, and finally "resources."⁴¹ The wide empirical study on their "control-effectiveness nexus" ranging from democracies to non-democratic states also concludes that "while civilian control may be necessary for military effectiveness, democratic civilian control is not." This finding further justifies that CMR greatly differs between nations, and Nepal is no exception.

A more recent article by Matei and Halladay, acknowledging a widened spectrum of missions and roles of the armed forces, advocates efficiency in addition to effectiveness and democratic civilian control.⁴² In light of post-Cold War missions, the article stresses the inclusion of security sectors (military, police, and intelligence) into "the 21st-century civil-military calculus."⁴³ It also pinpoints the importance of military behavior during democratic consolidation,⁴⁴ which resonates with the NA's behavior during political transitions. The automatic inclusion of efficiency in the equation of democratic-civilian

³⁸ Thomas C. Bruneau and Aurel Croissant, "Civil-Military Relations: Why Control Is Not Enough," in *Civil-Military Relations: Control and Effectiveness Across Regimes* (Boulder, CO: Lynne Rienner Publishers, 2019), 1.

³⁹ The article lists out six different roles and missions that essentially demonstrate the variation in the conventional roles and missions of the military, ranging from conventional war fighting, countering insurgency, counterterrorism, and fighting crime to peacekeeping and humanitarian assistance.

⁴⁰ Bruneau and Croissant, "Civil-Military Relations: Why Control Is Not Enough," 4–5.

⁴¹ Bruneau and Croissant, 4.

⁴² Florina Cristiana Matei and Carolyn Halladay, "The Control-Effectiveness Model of Democratic Civil-Military Relations (Unpublished Article)," in *Oxford Encyclopedia of Military Intervention in Politics* (Oxford, n.d.), accessed May 26, 2020.

⁴³ Matei and Halladay, "The Control-Effectiveness Model of Democratic Civil-Military Relations (Unpublished Article)."

⁴⁴ Matei and Halladay.

control of the military⁴⁵ triggers a need to critically analyze the Nepali defense budget since the 1950s. It also reinforces that “effectiveness is elusive in practice as well as in principle.”⁴⁶ The article concludes by suggesting the “enduring benefit of the nation” through “dialogue and compromise about matters of policy between civilian and military leaders, as well as mutual insight, knowledge and understanding.”⁴⁷ Yet it lacks the solution to the looming trust deficit of the armed forces by the civilian masters. This psychology gives rise to the archetypal urge to control the military in the first place, which in Nepal is a much later discovery; the relationship has always been more than war-fighting alone. Therefore, Nepali CMR needs deeper study, which this thesis proposes to do.

3. Changing Politics and CMR of Nepal

While there is a lack of literature on coups in Nepal, some scholars have suggested that the royal takeover by King Mahendra in 1960 and by King Gyanendra in 2005 were military-assisted coups.⁴⁸ Though the deployment of the military is often debated legally, the literature is not convincing in its definition of a military coup or for that matter a praetorian army or even a modern pretorian state. The closest Nepal has come to a coup can be traced back to an attempted coup made by Kunwar Indrajit Singh back in 1952, where an armed government entity known as *Rakshya Dal* seized government buildings, the airport, and communications and which was later crushed by the army.⁴⁹ This event is in fact a good example of an incentivized collective action failing to converge based on coordination game theory proposed by Naunihal Singh, explained earlier.

⁴⁵ Matei and Halladay.

⁴⁶ Matei and Halladay.

⁴⁷ Matei and Halladay.

⁴⁸ Michael Hutt, “King Gyanendra’s Coup and Its Implications for Nepal’s Future,” *The Brown Journal of World Affairs* 12, no. 1 (2005): 111–23; International Crisis Group, “Nepal: Responding to the Royal Coup,” Working Paper, February 24, 2005, <http://www.dspace.cam.ac.uk/handle/1810/226883>; International Crisis Group, “Nepal’s Royal Coup: Making a Bad Situation Worse,” Working Paper, February 9, 2005, <http://www.dspace.cam.ac.uk/handle/1810/226889>; S. D. Muni, “‘Royal Coup’ in Nepal: Why and What Now?,” *Economic and Political Weekly* 40, no. 7 (2005): 617–18.

⁴⁹ George L. Harris, *Area Handbook for Nepal, Bhutan, and Sikkim*, 2d ed. (Washington, 1973), 303–13, <http://hdl.handle.net/2027/mdp.39015019183683>.

The peer reviewed article *Civil Military Relations and the Maoist Insurgency in Nepal* by Prakash Nepali and Phanindra Subba chronologically tries to identify CMR in Nepal leading to Maoist insurgency. It sufficiently explains the scrutiny over the military prior to and during the insurgency and gives an account of the lack of confidence in the civilian political elites on the loyalty of the military. It provides misleading ideas on monarchs' intent to woo "the army while emasculating it as a political force" on the one hand, while on the contrary not granting "an explicitly political orientation or role."⁵⁰ While it indicates the struggle between the king and the multi-party camp, it fails to explain the legalities to which the parties agreed to mobilize the army. Rather, it insinuates a non-cooperation from the military to go against the Maoists insurgents.⁵¹ Most importantly, the claim that the "peasant stock under the leadership of junior and middle ranking officers mostly from middle-class and lower-middle class backgrounds" bear the brunt of countering the insurgency is unsubstantiated.⁵²

The duo's article also fails to mention the Internal Security and Development Program (ISDP) carried out by the government in 2001 to respond to security and developmental challenges.⁵³ Therefore, unlike the authors' claim of military insubordination, the constitutional focus of the NA to mobilize during the ISDP and later under the state of emergency has not been included. The military has implicitly been given a subtle political flavor of a praetorian army and has been used loosely without a substantial theoretical framework of praetorianism. These lapses clearly show a wider misunderstanding of NA's character, which at times is laced with uncorroborated praetorian narratives. Legally, the NA's mobilization has always been constitutional as opposed to political interventions by the NA.

⁵⁰ Prakash Nepali and Phanindra Subba, "Civil-Military Relations and the Maoist Insurgency in Nepal," *Small Wars & Insurgencies* 16, no. 1 (March 2005): 86–87, <https://doi.org/10.1080/0959231042000322576>.

⁵¹ Nepali and Subba, "Civil-Military Relations and the Maoist Insurgency in Nepal," 93.

⁵² Nepali and Subba, 98–99.

⁵³ Stuart Gordon, "Evaluating Nepal's Integrated 'Security' and 'Development' Policy: Development, Democracy, and Counterinsurgency," *Asian Survey* 45, no. 4 (2005): 598–602, <https://doi.org/10.1525/as.2005.45.4.581>.

The immediate aftermath of the end of the Maoist insurgency in Nepal, however, leading to the culmination of possibly the most conspicuous CMR tussle in Nepal, has had rather mixed after-action reviews. The tussle ended with the resignation of the sitting prime minister and the reversal of his decision by the president, while the mainstream media including the opposition accused him of unconstitutionally sacking the chief of the NA.⁵⁴ On the contrary, some literature present it as a notable case of military insubordination to civilian supremacy.⁵⁵ Arturo C. Sotomayor in his article *The Nepalese Army: From Counterinsurgency to Peacekeeping*, while conforming to his book *Myth of the Democratic Peacekeeper: Civil Military Relations and the United Nations*, labels the subject as “Coups predisposition and lack of civil-military interpenetrability [Sic],”⁵⁶ in an effort to prove the NA’s international engagement being counterproductive to security sector reform.⁵⁷ While both his arguments are debatable, the coup predisposition angle in particular never materialized into a coup. It is evident that the case of the NA is an anomaly, and it constantly circumvents coups, despite opportunity and hint of disposition as identified by Sotomayor. His persistence on security sector reform may have led him to forgo constitutional provisions, thereby taking these events as insubordination, but as time would tell, there were no coup predispositions at all.

D. POTENTIAL EXPLANATIONS AND HYPOTHESES

This thesis will test the following hypotheses:

⁵⁴ “Nepal’s Presidential Office Defends Move to Reinstate Army Chief,” ProQuest, accessed May 4, 2020, https://search-proquest-com.libproxy.nps.edu/docview/460031910?rfr_id=info%3Axri%2Fsid%3Aprimo; “New Nepal Government to Reverse Army Chief’s Sacking - ProQuest,” accessed May 4, 2020, https://search-proquest-com.libproxy.nps.edu/docview/459778075?rfr_id=info%3Axri%2Fsid%3Aprimo.

⁵⁵ Arturo C. Sotomayor, “The Nepalese Army: From Counterinsurgency to Peacekeeping?,” *Small Wars & Insurgencies* 25, no. 5–6 (September 3, 2014): 161–63, <https://doi.org/10.1080/09592318.2014.945640>; Kriti Singh, “Armed Conflict in Nepal: From Parliament to the Siege of Kathmandu,” in *Armed Conflicts in South Asia 2010: Growing Left-Wing Extremism and Religious Violence* (London: Taylor & Francis Group, 2011), 1008, <http://ebookcentral.proquest.com/lib/ebook-nps/detail.action?docID=1122978>.

⁵⁶ Sotomayor, “The Nepalese Army,” 1008.

⁵⁷ Sotomayor, 1010.

- (1) The NA circumvents coups because of its neutral political relationship with the state.

Historically, NA is intertwined with the nation-building process. With the evolution of a participatory form of politics in Nepal, however, especially after the 1950s, the NA's behavior is found to be neutral and away from partisan politics. The NA has legally backed different regimes as they have come to power and accepted changes in the CMR. The attempt at staying neutral has allowed the NA to avert any possibilities of becoming a political force. It has avoided coups as part of remaining a neutral force.

- (2) The NA deliberately circumvents coups and it is institutionally driven.

The disposition according to Finer is manifested in the form of motive and mood. In Nepal's case, the motive and the mood are institutionally driven as opposed to being motivated by personal behavior. A clear pattern in the decision making of NA leaders can be observed particularly in times of severe CMR tensions, and the outcome of such tensions, that are devoid of military coups d'état.

- (3) The NA circumvents coups because of self-preservation instincts.

The institutional obligation to preserve the institutional integrity, and the organizational cohesion of the NA, drives the NA to circumvent coups. The restraint against coups complements the NA's institutional cohesion as such restraint keeps the NA from being a political force. Therefore, the decision making of the NA leadership, during times of CMR tensions, is driven by institutional obligations to maintain the cohesion and integrity of NA.

E. RESEARCH DESIGN

The research is a qualitative historical analysis of the NA in relation to various CMR theories and ideas documenting Nepali CMR. It chronologically traces major political events resulting in political change and studies the NA's adjustment to those changes. The research critically examines the CMR during such changes to test the specified hypotheses. The CMR vis-à-vis the NA and the civilian authority is examined through the prism of established CMR and political science theories. In addition, this

research analyzes both primary and secondary source literature that assume credibility specific to CMR and political science as well as credible news and articles related to events concerning the politics and CMR of Nepal. This research also investigates recorded print stories, audiovisual interviews, and speeches of dignitaries involved politically or militarily in Nepal.

F. THESIS OVERVIEW

This thesis contains five chapters. A chronological analysis of the CMR of Nepal and power transitions, and the related explanatory theories are covered in Chapter II. Chapter III examines the NA's historical relationship with the people and the state, its contribution to the nation-building process, and the NA's role in the peaceful conclusion of political transitions since the 1950s. The chapter also explains the NA's expanding roles, including its engagement in the United Nations (UN) peacekeeping missions, as a means to further Nepal's international profile. Chapter IV expands on the institutional influencers that obligate the NA's decision making to preserve its organizational and institutional integrity and cohesion. Finally, Chapter V concludes the thesis and presents a summary of findings and recommendations.

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II. COUP D'ÉTAT: THEORY VERSUS PRACTICE IN NEPAL

Since the 1950s, the four major power transitions in Nepal have materialized without military coups d'état. Understanding this absence of military coups d'états in Nepal requires understanding the intricacies of transition of political power in Nepal in relation to theories of military intervention in politics. Such transitions have been the results of political struggle between the Ranas, the monarchs, the democratic movements, and later the Maoists. Consequently, the political changes led to internal crisis and threats to national stability and sovereignty. At times, the power transitions also threatened the NA's cohesion and its corporate self-interest. Likewise, the new political masters routinely sought to dislodge the NA's link with the vanquished powers, while new legal and constitutional arrangements secured the NA's dependability with respect to the succeeding elites. Eventually, such transitions were successful in establishing completely new forms of government, including new obligations with respect to CMR.

Several theories suggest that the military at times of internal crisis, such as threats to national stability, sovereignty, and threats to its position, will likely challenge the regime in power.⁵⁸ Nevertheless, since the 1950s, despite providing sufficient conditions for a military takeover, all transitions of power never produced a coup. The power transitions in Nepal since the 1950s and the instability that followed are devoid of military takeovers. Likewise, the nationwide instability that followed political transitions was largely left to the management of the political elites. The four major power transitions since the 1950s and the NA's acceptance of the post-transition CMR therefore stand out as a unique phenomenon that directly contradicts theories of military intervention in politics.

A. POWER TRANSITION I: THE END OF THE RANA REGIME (1951)

The end of the Rana regime displays three distinct attributes that shaped the political course of Nepal and that establish conditions for military takeovers according to theories of military intervention. First, the political compromise between the Ranas, the

⁵⁸ Samuel Edward Finer, "Motives Disposing the Military to Intervene," in *The Man on Horseback* (Rutgers, NJ: Transaction Publisher, 2006), 32–60.

monarch, and the Nepali Congress (NC), which was mediated by India, inevitably influenced the political course of Nepal but largely undermined Nepal's sovereignty. Second, the co-option of the Rana elites by the new system as part of the political compromise led to the dissolution of the majority of the NA rank and file, against the corporate self-interest of the NA. Finally, the political instability that resulted from party politics and infighting within the NC eventually laid the groundwork for the next transition of power. In essence, these attributes provided theoretical conditions—Finer's disposition (manifest destiny and corporate self-interest of the military) and opportunity (overt crisis) to intervene calculus, Desch's logic of low external and high internal threat, and Perlmutter's social conditions—for a possible coup d'état by the military.⁵⁹

The year 1950 marked the culmination of organized political movement against the Rana regime, who had been ruling the country since 1846.⁶⁰ King Tribhuvan took asylum in the Indian embassy in March 1950 and later escaped to India while joining with the democratic forces, mainly the NC. This alliance reinforced the movement against the Ranas. The political as well as armed movement both from within and outside Nepal ultimately led to the regime's demise in 1951.⁶¹ Meanwhile, the newly independent India negotiated the terms between the Ranas, the monarch, and the NC that was leading the anti-Rana movement.⁶² Eventually, King Tribhuvan returned and an interim government was formed, guided by The Interim Government of Nepal Act, 1951,⁶³ which incorporated both Ranas and non-Rana ministers.⁶⁴ The Interim Government of Nepal Act, 1951 also formally dislodged the NA's link with the old regime while establishing the king as the

⁵⁹ Finer, 83; Michael C. Desch, *Civilian Control of the Military: The Changing Security Environment*, Johns Hopkins Paperbacks, 2001 (Baltimore: Johns Hopkins University Press, 1999), 14; Amos Perlmutter, "The Praetorian State and the Praetorian Army: Toward a Taxonomy of Civil-Military Relations in Developing Polities," *Comparative Politics* 1, no. 3 (1969): 95–96, <https://doi.org/10.2307/421446>.

⁶⁰ BBC News, "Nepal Profile - Timeline."

⁶¹ James Heitzman, "Nepal: Historical Setting," in *Nepal and Bhutan Country Studies*, ed. Andrea Matles Savada (Washington, DC: Federal Research Division, Library of Congress, 1993), 36–41.

⁶² Heitzman, "Nepal: Historical Setting," 40.

⁶³ "The Interim Government of Nepal Act, 1951," Constitution Net, accessed June 15, 2020, <http://constitutionnet.org/sites/default/files/1951%20Constitution%20English.pdf>.

⁶⁴ Heitzman, "Nepal: Historical Setting," 40.

supreme commander of the NA. The praetorian oligarchy ended formally, and a new political era began.

The role of newly independent India in the political course of Nepal was not far from interference; it influenced the CMR to address Indian security concerns in Nepal by bringing it under India's security umbrella, which undermined Nepal's sovereignty, challenging the "manifest destiny of the soldiers" to protect their sovereignty and disposing them to intervene.⁶⁵ To begin with, the signing of the 1950 Treaty of Peace and Friendship between Nepal and India had Nepal essentially accede to the demands of an emerging regional power of the subcontinent. Article 5 of the treaty confined Nepal to the purchase of arms and ammunition either from India or with consultation of India, while Article 8 cancelled treaties entered into on behalf of India between the British Government and Nepal.⁶⁶ Likewise, the leverage of the Indian political advisor with the king and Indian influence over the NC were also conspicuous.⁶⁷ Finally, the arrival of an Indian military mission to modernize the NA in 1952,⁶⁸ including the presence of Indian military check posts along the Nepal-China border, also suggest Indian assertions in Nepal.⁶⁹ Likewise, Prime Minister Nehru's (1947–1964) concerns over communist China and his public remarks of India's borders being in the Himalayas inside Nepal's territory also justified Indian security concerns in Nepal.⁷⁰ Similarly, the then Indian ambassador's clout in shaping Nepali government policy was considered notorious even among foreign diplomats.⁷¹ Collectively, these events shaped the political course to accommodate Indian

⁶⁵ Finer, *The Man on Horseback*, 83.

⁶⁶ "Treaty of Peace and Friendship," Ministry of External Affairs India, accessed June 13, 2020, <https://mea.gov.in/bilateral-documents.htm?dtl/6295/Treaty+of+Peace+and+Friendship>.

⁶⁷ "Situation in Nepal" Secret Intelligence Files, accessed June 13, 2020, <http://www.secretintelligencefiles.com/Content/swwf.cab158/0015/025>.

⁶⁸ Rajkumar Singh, *Global Dimension of Indo-Nepal Political Relations: Post Independence* (New Delhi: Gyan Publishing House, 2009), 412.

⁶⁹ Sam Cowan, "The Indian Checkposts, Lipu Lekh, and Kalapani," *The Record*, December 14, 2015, <https://www.recordnepal.com/wire/indian-checkposts-lipu-lekh-and-kalapani/>.

⁷⁰ Robert Trumbull, "India Views Nepal as Red Raid Route: Army Journal Voices Theory New Delhi Usually Avoids in Conciliatory China Policy," *New York Times*, November 3, 1953.

⁷¹ Cowan, "The Indian Checkposts, Lipu Lekh, and Kalapani."

security concerns at the cost of Nepal having to surrender her sovereignty. Politically, the NA was reduced to becoming an auxiliary of the Indian military, guarding Nepal's frontiers in the north.

"The manifest destiny, the providential mission of the soldiers as saviours [Sic] of their countries," as Finer quoted President Romulo Bétancourt (1959–1964) of Venezuela to justify the motives disposing the military to intervene,⁷² however, did not materialize in Nepal. The NA showed no signs of meddling in political power to reverse the decisions of the political elites. The Interim Act of 1951, and the popular political will of the country to discard the old regime, overshadowed the developments of the Indo-Nepal relations.

The second attribute concerns the undermining of the "corporate self-interest of the armed forces" with the dissolution of the majority of the NA rank and file, including the militia, by the Indian military mission in 1952, yet again disposing the NA to intervene.⁷³ The structural changes made by the Indian military mission to modernize the NA reduced its size to only 6,000, while the militia that was established in the 1880s by Nepal was scrapped completely.⁷⁴ The NA did not contest the political decision, which is unexplained and absent in historical accounts.

The two narratives that are available in scholarly literature and news archives that explain the purpose for modernizing the NA through the introduction of the Indian military mission are not convincing; they are against the notion of "national interest" in Finer's words.⁷⁵ The first one claims the need to reform Rana traditions in the NA and create a new merit-based military hierarchy "capable of formulating basic military policies."⁷⁶ This narrative, however, was formulated only after *Rakshya Dal*, a paramilitary force created to rehabilitate the military wing of the NC, revolted in 1952, asking for an all-party

⁷² Finer, *The Man on Horseback*, 32.

⁷³ Finer, 47.

⁷⁴ Douglas C. Makeig, "Nepal: National Security," in *Nepal and Bhutan Country Studies*, ed. Andrea Matles Savada (Washington, DC: Federal Research Division, Library of Congress, 1993), 201; Singh, *Global Dimension of Indo-Nepal Political Relations: Post Independence*, 412.

⁷⁵ Finer, *The Man on Horseback*, 35.

⁷⁶ Bhuwan Lal Joshi and Leo E. Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation* (Berkeley and Los Angeles: University of California Press, 1966), 101.

representation, as one of many demands.⁷⁷ The NA actually helped to crush the revolt as directed by the government. Likewise, in the recent past, NA contingents had taken part in World War II and assisted India during the Hyderabad Action with successful results.⁷⁸ Therefore, the NA evidently was capable of formulating basic military policies. The second narrative points towards India's fear of Communist China's incursion into Tibet.⁷⁹ While the fear may have been valid, the results of the NA's modernization process clearly were contrary to a strong and disciplined modern army, since the NA was drastically reduced to a mere 6,000 as mentioned earlier. Evidently, the post-Rana regime CMR failed to address the corporate self-interest of the NA.

While it can be argued that the top-ranking Rana military elites were co-opted by the new system, which therefore prevented coups, the "strategic logic of military coups" according to Naunihal Singh suggests otherwise. The cooption was conspicuous to the point that, out of ten ministers in the cabinet, half were Ranas, including the prime minister, the defense minister, and the foreign minister, who also used to be generals in the NA during the Rana regime. According to Naunihal Singh, however, coups can also be coordinated by the middle-ranking and low-ranking officers.⁸⁰ In fact, the middle-ranking officers are those that have control of the fighting units and often use hard power at their disposal to coordinate coups.⁸¹ By contrast, the coup attempts from the low-ranking officers are usually termed as mutinies, and their chances of success are often extremely low.⁸² The transition of power from the Rana regime is devoid of coups as well as mutinies from the NA, however, despite glaring attributes that provided "motives disposing the military to intervene."⁸³ The co-option of top Rana elites by the new system in the

⁷⁷ Joshi and Rose, 100.

⁷⁸ S.B. Singh, "Nepal and the World War-II," *Proceedings of the Indian History Congress* 53 (1992): 580–85; Prem Singh Basnyat, "Hating Mahendra," *My Republica*, accessed June 15, 2020, <https://myrepublica.nagariknetwork.com/news/26869/>.

⁷⁹ Times, "India Views Nepal as Red Raid Route."

⁸⁰ Singh, *Seizing Power*, 10.

⁸¹ Singh, 37.

⁸² Singh, 37.

⁸³ Finer, *The Man on Horseback*, 32–60.

government partly explains an uncontested dissolution; it does not, however, explain how the middle- and low-ranking officers were convinced to retire en-masse. Evidently, against Finer's justification, "the corporate self-interest of the armed forces" being a crucial motive disposing the military to intervene,⁸⁴ did not result in a military intervention in Nepal. Perhaps, the knowledge that coup attempts usually fail when staged by middle- and low-ranking officers, as explained by Naunihal Singh,⁸⁵ was common knowledge in Nepal. Since the coup was never staged, the failure of theory to explain the phenomenon remains the only fact.

Finally, the last attribute concerns political infighting within and among political parties that threatened the stability of a fragile nation undergoing transition, pushing it to an "overt crisis"—in Finer's words, a perfect "opportunity to intervene."⁸⁶ The 1950s political culture of party politics in Nepal was mired in constant competition for leadership, particularly within the NC, which exhibited authoritarian trends and nationalistic narratives including agitational united front tactics.⁸⁷ Between 1951 and 1955, the cabinet reshuffled five times and included three different prime ministers and a chief councilor.⁸⁸ The agreement primarily related to party politics oriented towards remaining in political power. The struggle between Bisheshwar Prasad Koirala and his brother Matrika Prasad Koirala for control over the party and the government was conspicuous.⁸⁹ At the grassroots, the discontent was evident. As mentioned earlier, *Rakshya Dal* had revolted, demanding all party representation in the government out of many demands.⁹⁰ The NA successfully crushed the revolt as directed by the government. Likewise, the Union of Low-Grade Government Employees, associated with the communist party, crippled the functioning of

⁸⁴ Finer, 47.

⁸⁵ Singh, *Seizing Power*, 10.

⁸⁶ Finer, *The Man on Horseback*, 72–77.

⁸⁷ Heitzman, "Nepal: Historical Setting," 42.

⁸⁸ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 83–123.

⁸⁹ Joshi and Rose, *Democratic Innovations in Nepal*, 98–100.

⁹⁰ Joshi and Rose, 100.

the government through strikes.⁹¹ The nation was clearly in an “overt crisis,” which provided the NA “the opportunity to intervene.”⁹² The NA did not intervene but the prevailing circumstance definitely helped to lay the foundation for the next transition of power.

Given the account of the aftermath of the fall of Rana regime, the theories of military intervention in politics clearly support the possibilities of the NA taking over the political power; yet the NA never staged a coup. By Finer’s standards, “both disposition and opportunity to intervene,” result in military interventions.⁹³ As explained earlier—“the manifest destiny of the soldiers,” “corporate self-interest of the armed forces,” and “national interest” are all motives disposing the military to intervene.⁹⁴ Likewise, the humiliating reduction of the NA in addition to sovereignty issues emanating from Indian security concerns in Nepal could easily have enticed the “mood to intervene.”⁹⁵ The “overt crisis” as an “effect of domestic circumstances” stemming from inter- and intra-party political wrangling did give the NA “the opportunity to intervene.”⁹⁶ In the NA’s case, however, “the calculus of intervention” of “both disposition and opportunity to intervene” did not result in a coup d’état.⁹⁷

Similarly, from Perlmutter’s standpoint, social conditions that contribute to praetorianism (military intervention in politics) are rooted in “structural weakness or disorganization; the existence of fratricidal classes, including a politically impotent middle class; and low levels of social action and of mobilization of material resources.”⁹⁸ The social conditions that Perlmutter described were akin to those of the post-Rana regime transition of power. The political narrative that drove the movement to overthrow the Rana

⁹¹ Joshi and Rose, 101–2.

⁹² Finer, *The Man on Horseback*, 75.

⁹³ Finer, 83.

⁹⁴ Finer, 32–60.

⁹⁵ Finer, 61–70.

⁹⁶ Finer, 75–77.

⁹⁷ Finer, 83.

⁹⁸ Perlmutter, “The Praetorian State and the Praetorian Army,” 95–96.

regime was in fact based on improving such social conditions, but instead the new power elite deteriorated the conditions further. While Perlmutter is careful about determining the outcome as a result of the presence or absence of these conditions,⁹⁹ the social conditions in Nepal after the demise of the Rana regime evidently did not produce a coup.

In spite of all the factors that could have produced a coup, however, the NA acknowledged the terms of the Government of Nepal Act, 1951, thereby accepting the legal leadership of the king as its supreme commander.¹⁰⁰ While the new regime's control over the military was achieved to a point of total ineffectiveness, the absence of tangible resistance from the military points towards an alternative answer. The legal (Act or a Constitution) and widely approved political direction of the country seem to base the NA's dependability upon its organizational role and its future. The trend is visible throughout other transitions of power that emerged in the following period. As far as the political situation after the demise of the Rana regime is concerned, there is little doubt that the joint political efforts of the king and political elites in favor of a sovereign Nepal, to move away from Indian intervention, radically shaped the political process for a second transition of power including the CMR that was to follow.

B. POWER TRANSITION II: THE REVIVAL OF ABSOLUTE MONARCHY (1960)

The CMR that ensued with the revival of absolute monarchy presented neither disposition nor opportunity for a military intervention, which makes it a standalone case among the four power transitions since the 1950s. The revival of absolute monarchy in Nepal can be attributed to the post-Rana regime political culture, however, and the aspirations of a stable and sovereign Nepal devoid of conspicuous Indian interference. These aspirations seem to have converged in the leadership of King Mahendra, who took over after King Tribhuwan passed away in 1955. The 1959 constitution of Nepal and the first practice of a nationwide election in the history of Nepal were his political innovations. The post-election partisan political culture had him do away with the underperforming

⁹⁹ Perlmutter, 96.

¹⁰⁰ "The Interim Government of Nepal Act, 1951."

partisan practice in 1960, however, reviving absolute monarchy. Like the previous transition of power, the NA followed the popular political drive and the legal directives of the supreme commander, as stipulated by the 1959 constitution. King Mahendra also introduced a new and indigenously formulated “guided democracy,” commonly known as the *Panchayat* system, through the introduction of the 1962 constitution, which fortified the position of absolute monarchy in Nepal.¹⁰¹ As for the CMR, the *Panchayat* era government practiced firm civilian control over the military focusing on military effectiveness; this is evident from the growth in size, budget, roles, and missions and the results of military operations the NA undertook, both nationally and internationally.

The time frame between 1951 and 1955 also witnessed a struggle for power between the king and the democratic forces. The king’s push towards moving from an interim constitution of 1951 to a more permanent constitution through a constituent assembly was opposed by the NC, which demanded an election.¹⁰² The struggle for power can be credited to the provision of executive authority being vested in the king according to Article 22 in the Interim Government of Nepal Act, 1951.¹⁰³ With the accession of Mahendra as the King of Nepal in 1955, however, the political development of Nepal took a different turn. His statesmanship gradually overshadowed the leadership of the political parties, which assisted in laying the foundation for absolute monarchy.

In 1959, the long overdue but short-lived multi-party constitution was made public by King Mahendra.¹⁰⁴ The provision of executive authority being vested in the monarch through Articles 10 and 10.5 of the 1959 constitution is often considered as King Mahendra’s spin to usurp power.¹⁰⁵ Technically, if compared to the consensus-built interim act of Nepal, 1951, Article 22 is not that different at all. The additions are Article

¹⁰¹ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 395–419.

¹⁰² Heitzman, “Nepal: Historical Setting,” 42–43.

¹⁰³ “The Interim Government of Nepal Act, 1951.”

¹⁰⁴ BBC News, “Nepal Profile - Timeline.”

¹⁰⁵ “The Constitution of the Kingdom of Nepal, 1959,” Constitution Net, accessed June 15, 2020, http://constitutionnet.org/sites/default/files/1959_constitution_english.pdf.

10.2, which empowers the prime minister and the cabinet, and Article 10.5, which makes the king the final decision maker if and when his discretionary decision is required.¹⁰⁶ In the first election, under the 1959 constitution, NC won a landslide victory with a two-thirds majority. The conflict within the party leadership rendered the victory useless, however, as the party was deeply divided.¹⁰⁷

By 1960, King Mahendra's political shrewdness sidelined the ambitions of the NC leadership, who were often at loggerheads with each other.¹⁰⁸ By contrast, King Mahendra was able to forge a wider consensus to steer the country out of the political turbulence that was at large. With the help of those against power politics within the NC and from the opposition, King Mahendra declared a takeover of the government in December 1960, citing lapses in national security, abuse of authority by the elected officials, incitement of regionalism and ethnicism by political parties, the resulting threat to peace and sovereignty, and dragging the monarchy into party politics.¹⁰⁹ The takeover is often labeled a royal coup, unlike other Asian countries where Western-style parliamentary institutions were being abolished because of non-delivery, but Nepal's case was different.¹¹⁰ "Probably the most important was the relatively minor part played by the military in the royal coup....There was no "Young Turk" [*Sic*] faction in the Nepal state army with pronounced political views and ambitions."¹¹¹ The NA was simply following the orders of its Supreme Commander with the authority vested upon it by Article 64 of the Constitution of the Kingdom of Nepal, 1959.¹¹²

¹⁰⁶ "The Interim Government of Nepal Act, 1951"; "The Constitution of the Kingdom of Nepal, 1959."

¹⁰⁷ Anirudha Gupta, "Nepali Congress and Post-Panchayat Politics," *Economic and Political Weekly* 29, no. 43 (1994): 2798–2801.

¹⁰⁸ Gupta, 2798.

¹⁰⁹ Shikhar TV, "King Mahendra's Direct Rule Speech," April 9, 2020, video, https://www.youtube.com/watch?v=VhTxBpduN_Q.

¹¹⁰ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 385.

¹¹¹ Joshi and Rose, 385.

¹¹² "The Constitution of the Kingdom of Nepal, 1959."

Two years later, in December 1962, the *Panchayat* constitution was introduced under the aegis of those who broke away from the NC, with some being “architects of Mahendra’s party-less panchayat [Sic] system.”¹¹³ A wider consensus was also forged by King Mahendra to accommodate the communists and those who had nationalistic sentiments.¹¹⁴ The opposition party leaders of the previous NC-led government supported the move as well.¹¹⁵ Essentially, the *Panchayat* system was a party-less, four-tiered electoral system starting from the village- and town-level assemblies and moving up to the district, zone, and ultimately the national-level assembly.¹¹⁶ The 1962 *Panchayat* constitution formalized absolute monarchy and institutionalized the *Panchayat* system for almost three decades. Towards the end of *Panchayat* system, the growing discontent surrounding minimal political participation, mainly of political parties, escalated into a wide-scale demonstration throughout the country, ultimately leading to the system’s demise. The system lasted until 1990, with King Birendra being the last king of the *Panchayat* regime.

Nevertheless, for the NA, the *Panchayat* system achieved firm constitutional control of the NA through Article 83, which gave the NA the “Royal” prefix while maintaining the king as the supreme commander.¹¹⁷ Article 83A likewise gave the king the power to appoint the Commander-in-Chief,¹¹⁸ which naturally led the NA’s leaders to submit to the monarch. On the other hand, an increase in recruitment and military expenditure can be observed primarily to reinforce the heavily reduced manpower of the NA and the increasing participation in the United Nations (UN) peacekeeping operations,

¹¹³ Gupta, “Nepali Congress and Post-Panchayat Politics.”

¹¹⁴ Enayetur Rahim, “Nepal: Government and Politics,” in *Nepal and Bhutan Country Studies*, ed. Andrea Matles Savada (Washington, DC: Federal Research Division, Library of Congress, 1993), 168.

¹¹⁵ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 391.

¹¹⁶ Heitzman, “Nepal: Historical Setting,” 46.

¹¹⁷ “The Constitution of Nepal, 1962,” Constitution Net, accessed June 16, 2020, http://constitutionnet.org/sites/default/files/constitution_1962.pdf.

¹¹⁸ “The Constitution of Nepal, 1962.”

during the *Panchayat* period.¹¹⁹ The system also marked the withdrawal of the Indian military check posts from the Nepal-China border, completed in 1970.¹²⁰ Likewise, in 1974, a major disarmament campaign against the Tibetan fighters called *Khampas* using Nepali territory to attack Chinese positions was launched by the NA successfully.¹²¹ The NA's roles were also widened through its involvement in nature conservation and nominal construction duties.¹²² By 1990, the NA committed to multiple United Nations observer missions while contributing contingents in Lebanon and the Sinai peninsula.¹²³ In addition to achieving control of the NA, the *Panchayat* system was also geared towards building an effective military. In essence, except for the absence of democracy, Nepal's CMR was at its best, as it incorporated authoritative control without CMR friction, and effectiveness—a rather modern CMR paradigm.

From a CMR perspective, the NA remained loyal to its supreme commander and maintained its apolitical stance. The NA was content with the responsibilities it was being trusted with. Domestically, the NA had successfully disarmed the *Khampas*, while internationally, the NA was promoting Nepal through United Nations peacekeeping missions beyond the borders of India and China. A similar effort by the Mongolian military is documented in the CMR-related *Discovering Peacekeeping as a New Mission: Mongolia* by Thomas C. Bruneau and Jargalsaikhan Mendee.¹²⁴ The collective civil-military effort to extend Mongolia's diplomatic reach beyond the borders of Russia and China is

¹¹⁹ "Armed Forces Personnel, Total - Nepal | Data," World Bank, accessed June 16, 2020, <https://data.worldbank.org/indicator/MS.MIL.TOTL.P1?locations=NP>; "Military Expenditure (% of GDP) - Nepal | Data," accessed June 16, 2020, <https://data.worldbank.org/indicator/MS.MIL.XPND.GD.ZS?end=2018&locations=NP&start=1970>.

¹²⁰ Cowan, "The Indian Checkposts, Lipu Lekh, and Kalapani."

¹²¹ Prem Singh Basnyat, "A Forgotten History," My Republica, accessed June 18, 2020, <https://myrepublica.nagariknetwork.com/news/67819/>.

¹²² Nepali Army, "Nepali Army Beyond Primary Duties."

¹²³ "The Nepali Army in UN Peace Support Operations," Nepali Army, accessed June 14, 2020, https://www.nepalarmy.mil.np/page/na_in_un.

¹²⁴ Thomas C. Bruneau and Jargalsaikhan Mendee, "Discovering Peacekeeping as a New Mission: Mongolia," in *The Routledge Handbook of Civil-Military Relations*, ed. Thomas C. Bruneau and Florina Cristiana Matei (Abingdon, UK: Routledge, 2013), 204–18.

reminiscent of Nepal's continual deployments in peacekeeping operations since 1958.¹²⁵ Such international endeavors clearly show that the obligations of a landlocked country manifest through its civil-military partnerships. In terms of opportunity and disposition for a coup d'état, the only transition of power since 1950 that presented little to no risk of a military coup in Nepal was during the *Panchayat* era.

C. POWER TRANSITION III: RESTORATION OF MULTIPARTY DEMOCRACY (1990)

The third transition of power that led to the restoration of democracy in Nepal features two distinct phases—the first presented a stable CMR, while the other created an “overt crisis” of widespread insurgency leading to the NA's mobilization and an opportunity for the NA to intervene.¹²⁶ The first phase defines the immediate aftermath of the promulgation of the 1990 constitution, which brought the NA under firm democratic control. It also captures the aspirations of the general public and high hopes for the democratic future as well as prosperity of Nepal. Historically, this is also the point where the NA stood its ground to prevent being weakened by partisan political interests as it had been in the 1950s. The second phase concerns the political instability and events forcing the NA into counterinsurgency operations in 2001. This phase also experienced widespread “political decay” of the Nepali political culture leading to the failure of the system and the beginning of a new political transition.¹²⁷ The conditions in Nepal at this time were the most powerful cue for a military takeover. History repeated itself, however, and the military welcomed the power transition without a military coup d'état.

After almost thirty years of the *Panchayat* Era, which banned the political parties, a popular movement to restore the representation of political parties through a multi-party democracy in Nepal emerged, pushing for a democratic transition in the country.¹²⁸ The impact of the “dissolution of the Berlin Wall and the Soviet Union,” and “the participatory

¹²⁵ Nepali Army, “The Nepali Army in UN Peace Support Operations.”

¹²⁶ Finer, *The Man on Horseback*, 72–77.

¹²⁷ Huntington, *Political Order in Changing Societies*, 4.

¹²⁸ Rahim, “Nepal: Government and Politics,” 152.

experiences of Nepalese in India,” influenced the movement in Nepal as well.¹²⁹ As a result, a new constitution restored multiparty democracy in 1990. Absolute monarchy ended, and the king became a constitutional monarch, confined to constitutionally defined roles.¹³⁰ The military was constitutionally brought under firm democratic control and the democratic future of Nepal looked very bright. As Michael Hutt notes, “Compared with the earlier constitutions of Nepal—particularly with the 1962 dispensation—the 1990 Constitution represented a dramatic advance in the evolution of a democratic, constitutional order in Nepal.”¹³¹ Article 118 of the new constitution formed the National Defense Council, which would advise the king on matters related to military mobilization.¹³² Widely credited to the NA’s insistence on the constitution recommendations commission,¹³³ Article 119 made the king the supreme commander of the NA, who was responsible for appointing the commander-in-chief, but only on the recommendation of the prime minister.¹³⁴ Article 68.2 provisioned for the finance bill concerning the NA to be introduced as a government bill.¹³⁵ The new constitution brought the military under democratic control of democratically elected officials, and the military accepted the terms of the political elites.

The democratic consolidation presented underlying instabilities, however. The political differences between and within various political parties was drastically different and could not be bridged. The inter- and intra-party competition was reminiscent of the 1950s politics before King Mahendra took over. The competition that ensued sidelined a faction of the communist bloc of Nepal to the point of armed rebellion. While the Maoists

¹²⁹ Andrea Matles Savada, ed., “Introduction,” in *Nepal and Bhutan Country Studies* (Washington, DC: Federal Research Division, Library of Congress, 1993), xvi.

¹³⁰ “Constitution of the Kingdom of Nepal, 1990,” n.d., http://himalaya.socanth.cam.ac.uk/collections/rarebooks/downloads/Nepal_1990_Constitution_English.pdf.

¹³¹ Michael Hutt, “Drafting the Nepal Constitution, 1990,” *Asian Survey* 31, no. 11 (1991): 1039, <https://doi.org/10.2307/2645305>.

¹³² “Constitution of the Kingdom of Nepal, 1990,” n.d.

¹³³ Hutt, “Drafting the Nepal Constitution, 1990,” 1030.

¹³⁴ “Constitution of the Kingdom of Nepal, 1990,” n.d.

¹³⁵ “Constitution of the Kingdom of Nepal, 1990,” accessed June 16, 2020, http://himalaya.socanth.cam.ac.uk/collections/rarebooks/downloads/Nepal_1990_Constitution_English.pdf.

were “adept at destabilizing Nepal’s fledgling civil society,” the national political leadership were “incompetent in managing national political stability.”¹³⁶ On one hand, the regular postponing of elections citing threats to security undermined the fundamentals of democratic value; on the other, the displacement of political party members and active civil society from rural Nepal threatened the democratic consolidation process. The impacts of insurgency set back Nepal’s national development by decades and “also damaged democratization efforts.”¹³⁷

A civil-military struggle between the then prime minister and the military is believed to have taken place after the Maoist insurgency took a violent turn in Nepal in September 2000, after the Maoists attacked a remote district headquarters of Dolpa.¹³⁸ Apparently, Prime Minister Girija Prasad Koirala wanted to mobilize the NA immediately, while Chief of Army Staff Prajwalla Shamsheer Jang Bahadur Rana refused to mobilize without a wider consensus in the House; King Birendra was equally unwilling to accept Nepali casualties in the process.¹³⁹ The mobilization of the NA required a unanimous recommendation from the National Defense Council, which then required the king’s approval. The prime minister simply lacked the political consensus in the National Defense Council and the parliament that is required to mobilize the NA.

A different route to mobilize the NA was formulated by the government, however, and a well-thought-out military plan also incorporating developmental projects known as the Internal Security and Development Project (ISDP) “was unveiled in August 2001” by the government.¹⁴⁰ Therefore, the NA’s first deployment was to support the national counterinsurgency measures to support the ISDP. The plan derailed after the Maoists attacked an NA facility at a place called Dang, in November 2001, which forced the NA’s direct involvement in offensive counterinsurgency operations. The incident produced a

¹³⁶ Gordon, “Evaluating Nepal’s Integrated ‘Security’ and ‘Development’ Policy,” 586.

¹³⁷ Gordon, 584.

¹³⁸ Ganga Bahadur Thapa and Jan Sharma, “Democracy Building and Changing Role of the Nepali Military,” *The Indian Journal of Political Science* 71, no. 3 (2010): 976.

¹³⁹ Thapa and Sharma, “Democracy Building and Changing Role of the Nepali Military,” 976.

¹⁴⁰ Gordon, “Evaluating Nepal’s Integrated ‘Security’ and ‘Development’ Policy,” 598.

wider political consensus against the Maoists, leading to the enactment of a state of emergency, through the constitutional proclamation of the king (King Gyanendra in this case).¹⁴¹ From this point on, the military employment in the counterinsurgency campaign in Nepal became a regular feature.

The military had an opportunity to intervene. The general discontent in the domestic politics and the continual delay in elections in the guise of extending the state of emergency to counter widespread insurgency led to a constitutional crisis.¹⁴² Likewise, the military was overstretched and bore the brunt of the insurgency. By Desch's logic, "a state facing low external and high internal threats should experience the weakest civilian control of the military."¹⁴³ Often dubbed a coup,¹⁴⁴ in February 2005, King Gyanendra's effort to resolve the constitutional crisis by forming an interim government to hold elections using Article 127 of the 1990 Constitution had no support of the political parties.¹⁴⁵

In an event reminiscent of the 1950s, the seven major political parties and the Maoists sided against the king in a deal brokered by India, widely known as the Twelve Point Agreement, signed in November, 2005.¹⁴⁶ Once again, the internal politics had taken a dangerous turn. The situation in Nepal for Desch would be phenomenon of the third world, where civilian control of the military is uncertain and the military intervention in politics is regular.¹⁴⁷ The NA, however, continued to follow its constitutional duties instead.

¹⁴¹ Rahul Bedi, "Nepal Emergency as Maoists Attack," November 27, 2001, sec. World, <https://www.telegraph.co.uk/news/worldnews/asia/nepal/1363635/Nepal-emergency-as-Maoists-attack.html>.

¹⁴² Gordon, "Evaluating Nepal's Integrated 'Security' and 'Development' Policy," 587.

¹⁴³ Desch, *Civilian Control of the Military: The Changing Security Environment*, 14.

¹⁴⁴ International Crisis Group, "Nepal's Royal Coup."

¹⁴⁵ Article 127 Power to Remove Difficulties: If any difficulty arises in connection with the implementation of this Constitution, His Majesty may issue necessary Orders to remove such difficulty and such Orders shall be laid before Parliament.

¹⁴⁶ David N. Gellner, "Nepal and Bhutan in 2006: A Year of Revolution," *Asian Survey* 47, no. 1 (2007): 81, <https://doi.org/10.1525/as.2007.47.1.80>.

¹⁴⁷ Desch, *Civilian Control of the Military: The Changing Security Environment*, 15.

Notwithstanding the nationwide counterinsurgency campaign, which was at its peak, the NA's role in various developmental projects, especially in opening tracks in otherwise inaccessible areas and nature conservation, continued.¹⁴⁸ Similarly, the NA's engagement in United Nations peacekeeping mission increased dramatically. Between 1990 and 2005, Nepal committed to twenty-three different missions in various forms.¹⁴⁹ Therefore, a steep spike both in the NA's recruitment and defense expenditure is also conspicuous during this time frame.¹⁵⁰ They were not just related to counterinsurgency obligations of the NA, however. The NA was simultaneously fulfilling other obligations required of it by the state.

The Twelve Point Agreement, signed between the political parties and the Maoists in India in November 2005, became the turning point for the demise of the 1990 constitution.¹⁵¹ It was also the precursor for ending the constitutional monarchy in Nepal. A stark reminder of Indian mediation is recorded in a press conference of the Maoist leaders held at the Jawaharlal Nehru University in New Delhi, documented in Associated Press archives.¹⁵² The political developments had drastically but quietly shifted in favor of the Maoist Communists. The agitation on the streets in conjunction with heightened Maoist attacks was becoming untenable to the government. Despite ample opportunities to intervene, however, the military simply kept its hands-off politics once again. The next transition of power was just over the horizon.

¹⁴⁸ Nepali Army, "Nepali Army Beyond Primary Duties."

¹⁴⁹ "Nepali Army in UN Peace Support Operations," Nepali Army, accessed July 24, 2020, https://www.nepalarmy.mil.np/page/na_in_un.

¹⁵⁰ World Bank, "Armed Forces Personnel, Total - Nepal | Data"; "Military Expenditure (% of GDP) - Nepal | Data."

¹⁵¹ Gellner, "Nepal and Bhutan in 2006," 81.

¹⁵² "India Nepal | AP Archive," accessed June 17, 2020, AP, video, <http://www.aparchive.com/metadata/youtube/7310c9404f4a3c8b999b308428894b37>.

D. POWER TRANSITION IV: THE DECLARATION OF A FEDERAL REPUBLIC (2006)

The tables had turned for the monarchy in Nepal. The alliance of the major political parties took to protesting the king's move of using Article 127 of the 1990 Constitution, in February 2005, demanding restoration of the dissolved parliament. On the other hand, the Maoists unilaterally broke ceasefire and increased their offensive. The timeline of the Maoist offensive in 2006, captured in the South Asia Terrorism Portal, gives an account of the intensity of violence the government faced during the time.¹⁵³ The combined effects of demonstrations on the streets and nationwide armed attacks took their toll on the state's functioning. Likewise, the alliance of the major political parties refused to take part in the elections announced by the government.¹⁵⁴ A marginal twenty percent turnout to vote demonstrated the fear in the general public.¹⁵⁵ The U.S. ambassador to Nepal James Moriarty's plea to the king and the political parties to unite against the Maoists did not materialize.¹⁵⁶ The alliance had been formed elsewhere through the signing of the Twelve Point Agreement. The king eventually reinstated the dissolved parliament on 24 April 2006.

The events after the signing of the November 2005 Twelve Point Agreement between the Maoists and the alliance of major political parties had three distinct phases. In the first phase, the effort of the alliance was towards laying the political groundwork to dismember the monarch's political power. The second phase was geared towards managing the Maoist combatants. Finally, the most important of all, the final phase had the alliance cement the achievements of the previous parts, by formally institutionalizing the gains by promulgating a new constitution.

¹⁵³ "Nepal Timeline Year 2006," accessed June 18, 2020, <https://www.satp.org/satporgtp/countries/nepal/timeline/2006.htm>.

¹⁵⁴ Gellner, "Nepal and Bhutan in 2006," 81.

¹⁵⁵ "Nepal Protesters Take to Streets as Royalist Candidates Win Local Elections - Nepal," ReliefWeb, accessed August 5, 2020, <https://reliefweb.int/report/nepal/nepal-protesters-take-streets-royalist-candidates-win-local-elections>.

¹⁵⁶ Gellner, "Nepal and Bhutan in 2006," 82.

Following the reinstatement of the parliament in April 2006, the peace accord between the government and the Maoists was signed on 22 November the same year. This event marked the political entry of the Maoists in mainstream politics and later their entry into the interim legislature.¹⁵⁷ While the legality and minimal national consensus of the process is highly controversial, the interim constitution of 2007, through a series of amendments, scrapped the monarchy, declared Nepal a federal democratic republic, and got rid of the Hindu status of the country. The prospect of peace by bringing the Maoists into mainstream politics overshadowed all the agendas.¹⁵⁸ While King Gyanendra left the palace, many anticipated a possible stand from the NA against the government's move, but the NA showed no signs of loyalty to the king. The groundwork to dismember the king's political influence of any form or shape had been laid.

Before the constituent assembly elections could be held to promulgate a new constitution, sufficient confidence between the armed Maoists and the leading political parties had to be built. Therefore, the management of the Maoist combatants was a precondition prescribed in the comprehensive peace accord by the signatories.¹⁵⁹ The United Nations was officially brought in for both tasks. The Maoist combatants were to remain within the designated temporary cantonments while the United Nations was to verify the eligibility of the combatants for the integration process. Meanwhile, the Maoists' weapons were to be stored under UN supervision, and a similar number of weapons belonging to the NA were to be stored in NA barracks, also under UN supervision. The NA in due time were to be confined to the barracks and a new Army Act, 2063, was to be implemented by the interim government. The NA welcomed the decision and complied without resistance. With the preconditions for constituent assembly elections achieved, a

¹⁵⁷ "Nepal Maoists Set to Join Interim Legislature - Nepal," ReliefWeb, accessed July 24, 2020, <https://reliefweb.int/report/nepal/nepal-maoists-set-join-interim-legislature>.

¹⁵⁸ "Peace Deal Ends Nepal's Civil War," November 21, 2006, http://news.bbc.co.uk/2/hi/south_asia/6169746.stm.

¹⁵⁹ "Comprehensive Peace Agreement between the Government and the CPN (Maoist)," accessed June 18, 2020, https://peacemaker.un.org/sites/peacemaker.un.org/files/NP_061122_Comprehensive%20Peace%20Agreement%20between%20the%20Government%20and%20the%20CPN%20%28Maoist%29.pdf.

nationwide election was held on 10 April 2008. The Maoists won a landslide victory, and Maoist leader Pushpa Kamal Dahal assumed the post of the prime minister.¹⁶⁰

The most prominent and conspicuous CMR feud ever to take place in Nepal developed immediately after the Maoist leader took office. The feud was primarily over a regular recruitment process of the NA that the Maoist party chairman and the prime minister contested. When the NA continued the process that had already begun, the prime minister attempted to sack Chief of Army Staff Rukmangad Katwal, an effort that was ultimately revoked by President Ram Baran Yadav. As a result, the Chief of Army Staff remained whereas Pushpa Kamal Dahal resigned after less than nine months in office.¹⁶¹ The decision was widely debated in the political circle, but in retrospect, a wider consensus that the Maoists were trying to politically influence and intimidate the national army was held by non-Maoist parties including the president. Moreover, the provision in the interim constitution were vague as far as the removal of the army chief was concerned. Hence, the constitutionality of the decision from both the prime minister and the president was not absolutely certain.

For the NA, the events leading to the promulgation of the new constitution were the most challenging in terms of maintaining harmonious CMR. For the most part, common also to previous transitions of power, the succeeding power wanted to dislodge the NA's loyalty to the vanquished power, and in this case it was the monarchy. Second, the NA was mindful of the fact that circumstances were similar to those of the 1950s. As evidence, the possible effort to tamper with the NA's cohesion was expressed by the Maoist leader himself, through his interview of November 2006, which is now available for public viewing.¹⁶² In fact, a CMR fiasco did occur leading to the sacking of the Chief of Army Staff. Similarly, issues of historical and cultural sentiments of the majority of the population, particularly the issue of religion and ethnicity, were being decided by the

¹⁶⁰ Mahwish Hafeez, "Constituent Assembly Elections in Nepal," *Strategic Studies* 28, no. 2/3 (2008): 159, <https://doi.org/10.2307/45242443>.

¹⁶¹ "Nepal's Maoist Prime Minister Resigns after Clash with President," *the Guardian*, May 4, 2009, <http://www.theguardian.com/world/2009/may/04/nepal-maoists-army-chief-president-maseeh-rahman>.

¹⁶² *India Nepal* | AP Archive.

interim government through amendments to the interim constitution that lacked wider consensus. The NA had plenty of opportunities and possible disposition to intervene. Nonetheless, the trend continued, and the NA defied the theories of military intervention in politics.

Taking into account Naunihal Singh's practical approach of considering "Coups as coordination game," the Nepali CMR at the time, theoretically, could have easily resulted in a very successful coup by the NA.¹⁶³ Particularly so, because Singh's logic does not necessarily endorse the military's political beliefs as an important factor during coup attempts.¹⁶⁴ According to him, "If the strategic logic of a coup attempt is one of coordination, then we would expect a coup to be won by the side that is best at manipulating information and expectations, which is not necessarily the side with the most brute force or popularity."¹⁶⁵ In this event, the army chief had the informational advantage and also the necessary brute force and the popularity, which though not required by theory, could still have resulted in a successful coup. Yet the military did not resort to praetorian behavior and instead followed the constitutional provision and the political elites.

Following the end of this CMR fiasco, the government aimed to promulgate a new constitution by the stipulated timeframe. Failing to do so, the declaration of a second round of constituent assembly election was announced, which was held in 2013. By then the NA had become a trusted entity of the government. The NA assisted the government to provide a secure environment for the second constituent assembly elections. As a result, the elected constituent assembly eventually promulgated a new constitution in 2015. Article 266 established the National Defense Council for making recommendations for the mobilization of the NA to the executive.¹⁶⁶ The power of the supreme commander is vested in the President and the provisions to accommodate principles of equality and inclusion in

¹⁶³ Singh, *Seizing Power*, 21–39.

¹⁶⁴ Singh, 21.

¹⁶⁵ Singh, 22.

¹⁶⁶ "Constitution of the Federal Democratic Republic of Nepal, 2015," accessed June 17, 2020, https://www.constituteproject.org/constitution/Nepal_2015.pdf.

recruitment is included in the constitution.¹⁶⁷ The 2015 constitution also authorizes the Public Commission Service to conduct a written examination of any potential army officer. The role of the NA is constitutionally widened for participation in developmental purposes, disaster management, and loosely framed “others” or other purposes through Article 267.¹⁶⁸ The transition of power was institutionalized formally, and the NA largely assisted the process without a coup.

E. CONCLUSION

Contradicting the theories of military intervention in politics, the transitions of power in Nepal since the 1950s were devoid of military coups. In terms of relative comparison of the CMR in Nepal since the 1950s, the *Panchayat* system presented an exceptionally stable CMR, the one without a civil-military conflict. The absence of democracy during this period clearly spelled firm political control being vested in the king. Nonetheless, the *Panchayat* system steered the NA into being functionally effective, and it proved to stay well within the military circle. No wonder, the sheer absence of civil-military struggle is a testament to this case. Likewise, the initial stage of the promulgation of the 1990 constitution was a better format without a doubt. This time around, the democratic control was achieved while the NA’s cohesion was not disturbed. These two cases in particular are exceptional in the larger power transition dynamics of Nepal where the theoretical conditions required for a military coup d’état, or praetorianism, do not necessarily apply.

Nonetheless, the immediate aftermath of the fall of the Rana regime and immediate pre- and post-insurgency Nepal present disposition and opportunities for military intervention in politics. Clear evidence links the political developments during these timeframes to theoretical preconditions required for praetorianism. Finer’s disposition and opportunity to intervene, or Perlmutter’s social conditions contributing to praetorianism, or even Desch’s logic of internal disturbance contributing to frequent military interventions as a third world phenomenon are glaring in Nepal’s political development. Similarly,

¹⁶⁷ “Constitution of the Federal Democratic Republic of Nepal, 2015.”

¹⁶⁸ “Constitution of the Federal Democratic Republic of Nepal, 2015.”

Naunihal Singh's coordination game theory could easily be applied to the NA pulling off a successful coup.

Instead, a clear pattern of following legal constitutional arrangements regarding the NA, by the NA, during and after each power transition is evident. The cases presented clearly show that the NA has neither presented itself as an obstruction to change or transition of power nor taken advantage of the situation to grab power. The few accounts of CMR tensions are mostly legal and have not been about military takeovers. This character of the NA therefore presents a dichotomy between the conditions present in Nepal and the trend in the behavior of the military as far as military intervention leading to coup d'états are concerned.

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III. THE NEPALI ARMY AND THE NEPALI STATE

One possible explanation of the dichotomy between the NA's behavior of circumventing coups and the existence of favorable conditions for a coup d'état in Nepal during political transitions since the 1950s is the longstanding neutral character of the NA. This relationship is that of an enabler of Nepali statehood as opposed to usurper of political power, which emanates from the NA's history. The very formation of the NA is in fact intertwined with the unification of Nepal and Nepali statehood.¹⁶⁹ The historical accounts of the NA and the unification of Nepal are preserved and celebrated at the grassroots through cultural ceremonies that are as much alive as when they began. Therefore, the neutral character of the NA is derived from the implicit acceptance of the will of the people, which the NA expresses by adhering to legal provisions. This adherence is critical to its political relationship with the state, which in turn circumvents coups.

The neutral character of the NA is manifested in many ways: through activities that highlight boundaries embedded in them, that prevent coups from happening, particularly during transitions of power. Though the immediate aftermath of political transitions began with a tense CMR, over time, the succeeding powers have tended to increase the scope of the NA's missions and roles. The NA's role in assisting the peaceful transition of political power since the 1950s is one of the key activities that explains the absence of coups. Regimes' post-transition reliance on the military is evidence of this relationship. This has been the case since the 1950s regardless of the political philosophies of the ruling elites. The same is true of the NA's role in promoting Nepal in the international arena through peacekeeping missions that resonate with Nepal's national political interest of projecting commitment to international peace and multilateralism.

As illustrated in the following sections, the historical legacy of the NA is crucial to how the NA's roles have evolved over time and over transitions. While the NA's neutrality facilitates it to stand as a neutral security apparatus of the Nepali state, the same function also allows for a peaceful transition of highly unstable political transitions. This trend is

¹⁶⁹ Nepali Army, "History of the Nepali Army."

noticeably uniform throughout political transitions in Nepal since the 1950s. As a result, we find the NA's role expanding over time, irrespective of political philosophies brought about by the transition of political power. Similarly, Nepal's commitment to international peace and security, being projected through the NA, is a continuation of policy. Remarkably, these activities have remained alike, during and after political transitions of Nepal since the 1950s. In essence, the NA's political relationship with the state is based on its neutrality, evident from the activities the NA has been increasingly involved in, in every transition of power since the 1950s, that automatically circumvents coups.

A. HISTORICAL CONTRIBUTION TO THE NEUTRAL CHARACTER OF THE NEPALI ARMY

Historical contribution of the NA in the nation-building process shaped its interaction with other institutions in the state. The NA deliberately maintains its historical contribution through contemporary projects that highlight unification of Nepal.¹⁷⁰ The NA's image as a key contributor to the formation of the Nepali nation-state has been vital to the NA's existence, especially during power transitions since the 1950s. Historically, the sole purpose of establishing the NA in 1744, by King Prithvi Narayan Shah, was to form a common nation by unifying multiple petty kingdoms, against the threat of rising British control over the Indian sub-continent.¹⁷¹ The same purpose is embedded in the NA's neutral character as a unifier, as opposed to a politically inclined military, having partisan preferences.

In *The Formation of the Concept of Nation-State in Nepal*, Richard Burghart explains the evolution of a Nepali nation-state, which according to him was an alien concept in the governmental discourse until the Anglo-Nepal War (1814–1816).¹⁷² He acknowledges, however, the fact that “the formation of this concept also occurred in an intracultural context that cannot be separated analytically from Nepal's intercultural field

¹⁷⁰ “Unification Trail Programme Boosts National Unity,” GorakhaPatra, accessed August 27, 2020, <https://risingnepaldaily.com/nation/unification-trail-programme-boosts-national-unity>.

¹⁷¹ Nepali Army, “History of the Nepali Army.”

¹⁷² Richard Burghart, “The Formation of the Concept of Nation-State in Nepal,” *Journal of Asian Studies* XLIV, no. 1 (November 1984): 101.

of relations.”¹⁷³ By intracultural and intercultural, he is referring to the pre- and post-Anglo-Nepal War diplomatic exchanges between Nepal and the British East India Company where alien concepts of a nation-state were being understood by substituting it with indigenous notions and terminologies.¹⁷⁴ Particularly, the concept of defined boundary being a prerequisite of a nation-state became a contentious issue for the Nepali authorities, which eventually led to the Anglo-Nepal War, which had the NA at the forefront.

While the concept of a nation-state may have been alien to Nepal, the NA’s role in unifying Nepal and protecting her sovereignty from British incursion is a historical fact that is relevant to the NA’s institutional cohesion, even today. Evidently, the need for an army and a unified nation to counter the impending threat of the British had already been identified by King Prithvi Narayan Shah. “One day that force will come”¹⁷⁵ is his bold description of the British military might and a warning to his successors through *Dibya Upadesh*, or his instructions, disseminated in 1774.¹⁷⁶ Along with the anticipation of impending British aggression, the *Dibya Upadesh* also had instructions on how to strengthen the military, and the modus-operandi to be incorporated if and when attacked by foreign aggressors.¹⁷⁷ The legacy of unification started by King Prithvi Narayan Shah continued even after his death in 1775.¹⁷⁸ It technically ended after the culmination of the Anglo-Nepal War (1814–1816), resulting in the Treaty of Sugauli (1816) that dictated Nepal’s current boundaries.¹⁷⁹ Along with the NA’s role in unifying Nepal and protecting her sovereignty, the teachings of King Prithvi Narayan Shah are equally important to the

¹⁷³ Burghart, 102.

¹⁷⁴ Burghart, 115.

¹⁷⁵ Ludwig F. Stiller, *Prithwinarayan Shah in the Light of Dibya Upadesh* (Ranchi, Bihar, India: The Catholic Press, 1968), 42.

¹⁷⁶ Stiller, 38.

¹⁷⁷ Stiller, 65–69.

¹⁷⁸ Stiller, 37.

¹⁷⁹ BBC News, “Nepal Profile - Timeline.”

NA. Evidently, as a reminder, the newly built NA headquarters in Kathmandu also features a newly built statue of King Prithvi Narayan Shah.¹⁸⁰

Likewise, the NA's contribution to the nation-building process are widely approved at the grassroots and celebrated through unique cultural practices all across Nepal. These cultural festivals require the NA's compulsory participation by ritual. These ceremonies are a large part of local communities and are celebrated as a joint venture between the NA and the locals throughout Nepal. For instance, it is customary for the NA to participate in a major festival called *Indra Jatra* in Kathmandu Valley.¹⁸¹ While the festival used to be celebrated even before Kathmandu was unified by King Prithvi Narayan Shah, the festival also marks the day he attacked Kathmandu in 1768, as part of the unification campaign.¹⁸² Militarily, the victory over Kathmandu Valley was pivotal to the overall unification campaign. Similarly, a remote town in Khalanga, Jumla celebrates a ceremony by swapping old flag poles made out of whole tree trunks with new ones. The tree trunks are cut, dragged, and stood up jointly by the NA and the local community.¹⁸³ Apparently, one of the tree trunks represents offering made by Bahdur Shah, King Prithvi Narayan Shah's son, who captured Jumla during the unification campaign. Last but not least, is *Bhagwati Jatra*, celebrated in Palpa district.¹⁸⁴ The festival marks the victory of the NA over the British in the battle of Jitgadh, and it is customary for the local NA unit and its commander to participate. Finally, the Army Day ceremony is celebrated in *Shivaratri*, which is a common festival celebrated throughout Nepal.¹⁸⁵

¹⁸⁰ New Spotlight Magazine, "COAS General Chhetri Unveils King Prithvi Narayan Shah's Statue," SpotlightNepal, accessed September 10, 2020, <https://www.spotlightnepal.com/2018/08/08/coas-general-chhetri-unveils-king-prithvi-narayan-shahs-statue/>.

¹⁸¹ "Indra Jatra Festival | Indra Jatra 2076 / 2019 | Kathmandu Nepal," accessed August 1, 2020, Mero Lens, video, https://www.youtube.com/watch?v=N_9Iid-eiv8.

¹⁸² BBC News, "Nepal Profile - Timeline."

¹⁸³ "Linga Khada Jumla," accessed July 30, 2020, Saroj Shahi, video, <https://www.youtube.com/watch?v=vlmh5TXSjBc&t=336s>.

¹⁸⁴ Suraz K.C., "Bhagwati Jatra Celebration of Victory," September 30, 2019, video, <https://www.youtube.com/watch?v=8on11JzjQjg>.

¹⁸⁵ Kantipur Daily, "Army Day 2020 | Maha Shivaratri | Nepal Army," February 21, 2020, video, <https://www.youtube.com/watch?v=b4Z6X2hw5tc>.

These contributions reinforce the NA's supportive character at the grassroots, as well as in the confidence of the political elites; evident through the activities the NA has been increasingly entrusted with, regardless of multiple political transitions since the 1950s. Paradoxically, the "increased civilian dependence on the military" that results in military intervention in politics, according to Finer, fails to be true in Nepal's case because of the NA's neutrality.¹⁸⁶ Likewise, the activities with which the state therefore entrusts the NA on one hand implicitly set the boundaries for the NA to uphold and on the other benefit that NA. Collectively, these benefits and boundaries force the NA to remain outside of politics as an institution.

Since the 1950s, as a boundary, the NA has accepted the popular will of the people backed by legal provisions during each transition of power, eventually allowing the NA to assist political transitions later on. Likewise, the increasing roles and missions of the NA since the 1950s have been a result of the NA bearing a neutral character; justifying the NA's utility during peacetime, keeping the NA's role current and relevant. Similarly, as the NA engages in UN peacekeeping operations, it helps foster Nepal's international profile, but it also helps the NA's institutional wellbeing, thereby disincentivizing possibilities of military interventions. Therefore, the political relationship of the NA with the state is based on the neutral character of the NA, which adheres to boundaries derived from the popular will and current legal provisions, consequently also benefiting the NA and preventing coups.

B. THE NEPALI ARMY AS ENABLER TO POLITICAL TRANSITION

Since the 1950s, the NA's political relationship with the state has allowed the political elites to find utility in the NA's neutrality and the ability to render security services to assist in the peaceful transition of political power, fueled by the will of the people, and new legal provisions, thereby circumventing possibilities of a coups d'état. Since the 1950s, the NA's assistance to power transitions as a result of a wide political consensus has had a significant impact on keeping the political agreements on track. Evidently,

¹⁸⁶ Finer, *The Man on Horseback*, 72.

dealing with armed rebellion of *Rakshya Dal* in 1952, the NA's counterinsurgency operations of the early 2000s, security during elections in 1990s, including during constituent assembly elections of the post-2006 transition, are examples of such assistance. Therefore, the NA's role has been largely complementary to the outcome of political changes in Nepal. While the neutrality of the NA may have served as the coup preventing ingredient, it also served to create newfound political trust between the NA and the new civilian masters, eventually establishing a CMR without coups during transitions.

The CMR geared towards assisting the political transition is conspicuous since the 1950s. In the immediate aftermath of the post-Rana regime in 1951, the new political challenge would have been to disarm and demobilize the armed faction of the Nepali Congress called *Mukti Sena*. While there is speculative analysis that the NA was reluctant to provide the paramilitary force *Rakshya Dal* with weapons, the evidence prove that the NA did provide one thousand rifles to *Rakshya Dal* as asked of it by the government.¹⁸⁷ Likewise, when the *Rakshya Dal* revolted in 1952, threatening the peaceful transition, the NA, as asked by the government, put the revolt down.¹⁸⁸ The post-Rana regime case is evident of the fact that the NA's actions were meant to support the peaceful transition of power as opposed to exploiting the opportunities of military intervention. Likewise, regardless of the fact that the NA's size was to be reduced, the NA accepted the terms of military reforms of 1952, which broadened the ethnic and social base of the officer corps.¹⁸⁹

It is evident that the *Panchayat* era ensured a strong civilian control over the military, with particular attention to "emasculate the military as a potent political force—and with considerable success."¹⁹⁰ The NA remained loyal to the political direction of the new system, however. During the *Panchayat* era, the NA's role in disarming the *Khampas*, as asked of it by the government, was effectively conducted.¹⁹¹ Similarly, national

¹⁸⁷ Nepali and Subba, "Civil-Military Relations and the Maoist Insurgency in Nepal," 94.

¹⁸⁸ Nepali and Subba, 95.

¹⁸⁹ Nepali and Subba, 85.

¹⁹⁰ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 390.

¹⁹¹ Basnyat, "A Forgotten History."

aspirations for better international relations through military deployments in peacekeeping missions, which began during *Panchayat* era, were professionally carried out by the NA. In fact, the trend continues until today.

In the aftermath of the 1990 political transition, Nepal was troubled by the Maoist insurgency that spread across the nation and severely challenged the gains of the 1990 power transition. With the establishment of the National Defense Council, the control of the military was vested in the council through Article 118 of the 1990 constitution.¹⁹² The lack of unanimity and political consensus in the National Defense Council and the parliament hindered military mobilization initially, the NA eventually mobilized for counterinsurgency operations. The NA first mobilized as a security element in a much more comprehensive Internal Security and Development Project (ISDP) in 2001.¹⁹³ Likewise, the newly built Armed Police Force (APF) was trained and equipped by the NA on directions of the government.¹⁹⁴ After Maoists attacked Dang barracks in November 2001, the NA mobilized for offensive counterinsurgency operations.

The transition that made Nepal a secular federal democratic republic equally has the NA's share to claim as far as peaceful transition of power is concerned. Amidst fear and mistrust in the Maoists regarding the NA's loyalty, the Maoists were reluctant to simply lay down arms. Through the Comprehensive Peace Accord of 2006, the leading political parties agreed to manage the arms and armies of the Maoists and the NA with the help of the United Nations.¹⁹⁵ Though it was symbolic for the NA to lock down equal number of arms in containers to match the number of weapons belonging to the Maoists, the NA's gesture was done in good faith. The NA loyally followed the directives of the government. Likewise, verified Maoist combatants who were qualified to join the NA were

¹⁹² "Constitution of the Kingdom of Nepal, 1990," n.d.

¹⁹³ Stuart Gordon, "Evaluating Nepal's Integrated 'Security' and 'Development' Policy: Development, Democracy, and Counterinsurgency," *Asian Survey* 45, no. 4 (July/August 2005): 598–601, <http://www.jstor.org/stable/pdfplus/10.1525/as.2005.45.4.581.pdf?acceptTC=true>.

¹⁹⁴ Nepali and Subba, "Civil-Military Relations and the Maoist Insurgency in Nepal," 94.

¹⁹⁵ "Comprehensive Peace Agreement between the Government and the CPN (Maoist)."

systematically absorbed into the ranks and file of the NA.¹⁹⁶ Moreover, for the second round of constituent assembly elections, as directed by the government, the NA eagerly planned for and provided security during the elections.¹⁹⁷

The neutral character of the NA is important to its actions, which are governed by legal parameters instead of political interests. Regardless of political principles of the political elites, the NA since the 1950s has consistently assisted political transition of power through legal and constitutional provisions. In retrospect it is evident that the NA's behavior to the peaceful settlement of power transitions has been uniform and complementary to the state's requirements of the time. Hence, assisting transition of power directed through legal and constitutional provisions has preserved the NA's neutrality, keeping it away from power competition.

C. THE NEPALI ARMY AS A POLITICAL SOLUTION

The NA's neutral character has been equally important in establishing the NA as a reliable solution to politically charged problems, regardless of the post-transition political philosophies of the political elites, making the NA a relevant force with utility for political leaders even in peace, which naturally circumvents coups. The positive relationship between the NA and the post-transition political elites, emanating from increased civilian dependence on the NA contributes to the prevention of military interest in political power. By contrast, Finer points out that "Increased civilian dependence on the military" gives military the opportunity to intervene.¹⁹⁸ The NA's neutral standpoint forces the NA to follow directions prescribed by legal and constitutional provisions, however, even though they are politically polarized. The NA's inherent resourcefulness, expertise, and neutral stance allow it to stand as an alternative to otherwise politically divided solutions—partisan interest groups and partisan contractors. Therefore, as a trend, the post-transition constitutions have brought the military firmly under civilian control, but simultaneously,

¹⁹⁶ "Ex-Maoist Fighters Join Army in Nepal but Challenges Remain," Reuters, August 26, 2013, <https://www.reuters.com/article/us-nepal-maoists-army-idUSBRE97P0H020130826>.

¹⁹⁷ "Nepal Votes in Landmark Poll; Army Blames Rogue Maoists for Blasts," Reuters, November 26, 2017, <https://www.reuters.com/article/us-nepal-election-idUSKBN1DQ01O>.

¹⁹⁸ Finer, *The Man on Horseback*, 73.

the post-transition conduct of the political elites since the 1950s reveals an increasing dependence on the military. This dependence in turn has resulted in more resources for the military, bolstering its strength and capability. The results clearly exhibit a shift in the intent of new political leadership from controlling the military to using military expertise as a solution for political problems.

Since the 50s, the roles and missions including the size and expenditure of the NA have increased. While the roles of the NA are not explicitly defined in the Government of Nepal Act, 1948 and 1951 including the constitutions of 1959, 1962, and 1990, the spike in the size and military expenditure of the NA according to World Bank data can be noticed since the *Panchayat* era.¹⁹⁹ Likewise, since 1975 the NA has also been in environmental security.²⁰⁰ Currently more than six thousand NA troops are involved in nature conservation roles across twelve conservation areas.²⁰¹ The NA also engages in humanitarian assistance and disaster response (HADR) duties. Disregarding minor incidents, the most current full-fledged employment of the NA for disaster management purposes was in 2015, when an earthquake measuring 7.8 on the Richter Scale devastated Nepal. Operation *Sankat Mochan* was officially launched to manage the effects of the earthquake with nationwide NA deployments.²⁰² Likewise, infrastructure development is another area where the NA has constantly been employed since the *Panchayat* era.²⁰³

Unlike the older constitutions, the 2015 Constitution is rather explicit in what it wants the army to do. According to Article 267.1 the role of the NA is to protect “Nepal’s independence, Sovereignty, territorial integrity, autonomy and national unity.”²⁰⁴ Similarly, Article 267.4 specifies that the “Government of Nepal may, in accordance with Federal Law, mobilize Nepal Army for works relating to development, disaster

¹⁹⁹ World Bank, “Armed Forces Personnel, Total - Nepal | Data”; “Military Expenditure (% of GDP) - Nepal | Data.”

²⁰⁰ Nepali Army, “Nepali Army Beyond Primary Duties.”

²⁰¹ “Nepali Army Beyond Primary Duties.”

²⁰² “Nepali Army Operation Sankat Mochan,” Nepali Army, accessed June 18, 2020, <https://www.nepalarmy.mil.np/page/operation-sankat-mochan>.

²⁰³ “Nepali Army Beyond Primary Duties.”

²⁰⁴ “Constitution of the Federal Democratic Republic of Nepal, 2015.”

management and others.”²⁰⁵ While the word “others” in Article 267.4 may be ambiguous, the NA, since Nepal became a federal democratic republic, has been mobilized for a multitude of tasks including providing security in elections and undertaking mega-scale construction projects.²⁰⁶ Lately, the NA has been employed also to procure medical equipment required to counter the coronavirus disease 2019 (COVID-19)²⁰⁷ as well as assisting the government’s larger effort to counter COVID-19.²⁰⁸ Likewise, the incumbent Defense Minister Ishwor Pokhrel’s interview also clarifies the political intent to use the national asset in times of dire needs.²⁰⁹

While there is plenty of opposition to projects that involve the NA, most of the projects were awarded to the NA as a result of politically charged struggle between the incumbent and various interest groups. For instance, putting down the rebellion of *Rakshyall Dal* in 1952 required a non-partisan security entity to crush the force that was essentially formed to rehabilitate the armed cadres of the NC. The NA stood up as a neutral solution to the political problem and crushed the rebellion. Likewise, employing the NA in the 1991 parliamentary elections²¹⁰ is another example of the NA’s neutral status being useful in a multiparty competition. Similarly, the NA’s role in assisting the post-2006 peace-process—integration of the Maoist combatants in the NA and providing security during the second constituent assembly elections—is no different.²¹¹ The most recent examples of the NA standing as an neutral solution to politically charged problems are that

²⁰⁵ “Constitution of the Federal Democratic Republic of Nepal, 2015.”

²⁰⁶ “Nepali Army Fast Track Road Project,” Nepali Army, accessed June 18, 2020, <https://www.nepalarmy.mil.np/fasttrack/home>.

²⁰⁷ “Nepali Army NA Brings Medical Supplies From China,” Nepali Army, accessed June 18, 2020, <https://www.nepalarmy.mil.np/viewnews/436>.

²⁰⁸ “Government Decides to Deploy Army in Some Covid-19-Hit Areas,” Kathmandu Post, accessed August 1, 2020, <https://kathmandupost.com/national/2020/05/30/government-decides-to-deploy-army-in-some-covid-19-hit-areas>.

²⁰⁹ Yoho Television HD, “Ishwor Pokhrel Interview,” July 29, 2020, video, 58:40-59:10, <https://www.youtube.com/watch?v=decMXs1sdl0>.

²¹⁰ Fred Gaige and John Scholz, “The 1991 Parliamentary Elections in Nepal: Political Freedom and Stability,” *Asian Survey* 31, no. 11 (1991): 1057, <https://doi.org/10.2307/2645306>.

²¹¹ Hafeez, “Constituent Assembly Elections in Nepal,” 164; Sam Cowan, “The Nepal Army Has Been Deployed for Elections, and That’s Bad News for Democracy,” *The Record*, June 26, 2017, <https://www.recordnepal.com/category-explainers/nepal-army-deployed-in-local-election/>.

of the Kathmandu-Terrai fast-track project and the procurement of medical supplies by the NA for COVID-19 response.²¹² The government was under pressure by various interest groups to award the contract to competitors, which would have resulted in the government losing tax payer's money. Eventually, the NA the neutral entity and stood as an alternative agency that could deliver the results. Such employment of the national military, however, has embroiled the NA in corruption allegations and at times has become counterproductive to the NA's image.²¹³ Nevertheless, the NA stands as an alternative solution to politically charged problems as a result of its neutral character.

The positive political relationship built on the state's reliance on the military based on the NA's neutrality, therefore averts possibilities of military intervention in politics, as it keeps the NA relevant in peacetime and finds military utility. In essence, the neutral character of the NA keeps it relevant to the demands of the political elites, as long as it satisfies the legal limits entrusted upon them, by the legal contract also endorsed by the people. Therefore, finding utility in otherwise non-military roles and tasks is a political solution for the political elites; but for the NA, finding its utility in such roles and tasks also makes it a relevant force reinforcing its existence, therefore circumventing coups as a trend since the 1950s.

D. THE NEPALI ARMY AND UNITED NATIONS PEACEKEEPING MISSIONS

The NA's participation in UN peacekeeping missions is an important feature of the NA's political relationship with the state; it actively promotes Nepal's international aspirations on one hand, and on the other, it assists the NA's institutional well-being and

²¹² "Previous Deals Scrapped, Govt to Build Fast Track," Kathmandu Post, accessed September 13, 2020, <https://kathmandupost.com/money/2016/12/23/previous-deals-scrapped-govt-to-build-fast-track>; "Fast Track to Lost Track," Kathmandu Post, accessed August 27, 2020, <https://kathmandupost.com/opinion/2017/03/21/fast-track-to-lost-track>; "Public Accounts Committee Begins Investigation into Omni Group's Procurement of Medical Supplies," Kathmandu Post, accessed August 27, 2020, <https://kathmandupost.com/national/2020/06/23/public-accounts-committee-begins-investigation-into-omni-group-s-procurement-of-medical-supplies>.

²¹³ "NA Top Brass Involved in Tarai Fast Track Graft," The Himalayan Times, November 8, 2019, <https://thehimalayantimes.com/nepal/nepali-army-top-brass-involved-in-tarai-fast-track-graft/>; "Nepal Army Denies Defamatory Claims of Corruption," The Himalayan Times, June 10, 2020, <http://thehimalayantimes.com/nepal/nepal-army-denies-defaming-claims-of-corruption/>.

keeps the NA from intervening in politics. The NA's role in implementing Nepal's foreign policy through participation in UN peacekeeping missions resonates with the principles of conforming to world peace and multilateralism. "Successive Nepali governments viewed the regular contribution to the UN missions as a contribution to good international citizenship and a way to raise Nepal's international profile."²¹⁴ At the domestic front, a common view of the political elites and the military towards participation in UN peacekeeping missions also ensure a good CMR, since both benefit from it. Likewise, remittances from participating in UN peacekeeping missions "assist not only individual soldiers, but also the Nepal Army welfare program," which includes "medical, educational facilities and humanitarian support to veterans and their families."²¹⁵ Similarly, exposing the NA's rank and file to "the complex operational environments of modern peacekeeping" also provide "opportunities for professional development."²¹⁶ Therefore, the NA's neutral image is equally important to Nepal's foreign policy aspirations as well as the NA's institutional wellbeing, which complements the NA's coup-averting behavior.

Since the acceptance of Nepal's membership in the UN in 1955, the Nepali political elites have had a common perspective of building a positive international profile committed to peace and multilateralism. Representing Nepal for the first time, the then Foreign Minister Chuda Prashad Sharma's (1956–1957) speech at the eleventh session of the UN General Assembly in 1956 clearly states the expansion of Nepal's friendship and goodwill with all states.²¹⁷ More pronounced remarks were made by the leader of the Nepali delegation Surya Prasad Upadhyay during the 820th plenary meeting of the fourteenth session of the UN General Assembly in 1959. Referring to peacekeeping efforts of the United Nations Emergency Force (UNEF) and Nepal's participation for the first time in United Nations Observer Group in Lebanon (UNOGIL) in 1958, he stated that, "It has been amply proved by our experience that a small but efficient United Nations force will be

²¹⁴ "Peacekeeping Contributor Profile: Nepal," Providing for Peacekeeping, accessed August 31, 2020, <http://www.providingforpeacekeeping.org/2014/04/03/contributor-profile-nepal/>.

²¹⁵ "Peacekeeping Contributor Profile."

²¹⁶ "Peacekeeping Contributor Profile."

²¹⁷ Chuda Prasad Sharma, "United Nations General Assembly Eleventh Session" (Speech, Plenary Meeting 602nd, UNHQ, NY, November 29, 1956), 428, <http://undocs.org/en/A/PV.602>.

necessary on a permanent basis if the United Nations is to fulfill its great responsibility of keeping peace in the world.”²¹⁸ The most recent remarks of the incumbent Foreign Minister Pradeep Kumar Gyawali (2018–present) at the seventy-fourth session of the UN General Assembly reiterates Nepal’s commitment to “dedicated, reliable and professional services to United Nations peace operations for more than six decades.”²¹⁹ Regardless of changes in the political system, here we can evidently observe the continuation of foreign policy principles of world peace and multilateralism based on the UN charter being adhered to in Nepal.²²⁰

The NA accordingly has judiciously professionalized its peacekeeping capabilities and institutional wellbeing through decades of participation in UN peacekeeping missions. Beginning in 1958, a modest deployment of only five military observers to UNOGIL has expanded to over 1,32,524 participants covering 43 different UN missions by 2020, with current UN deployment figures reaching 5,124, as of August 2020.²²¹ The deployments range from providing leadership positions and staffs in Force Headquarters, observers and contingents including those with niche capabilities—Special Forces, medical teams, and engineers.²²² Institutionally by 1986, the NA had established an ad hoc peace operations training center.²²³ Currently the center, commonly known as Birendra Peace Operations Training Center (BPOTC) is a UN-accredited state of the art training facility that boasts quality pre-deployment trainings and hosts multi-national training events often conducted in cooperation with the United States government’s Global Peace Operations Initiative (GPOI) and United States Pacific Command, now the United States Indo-Pacific Command

²¹⁸ Surya Prasad Upadhyay, “United Nations General Assembly Fourteenth Session” (Speech, 820th Plenary Meeting, UNHQ, NY, October 5, 1959), 349, <http://undocs.org/en/A/PV.820>.

²¹⁹ Pradeep Kumar Gyawali, “United Nations General Assembly, Seventy-Fourth Session” (Speech, 10th Plenary Meeting, UNHQ, NY, September 27, 2019), 45/61, <http://undocs.org/en/A/74/PV.10>.

²²⁰ “Nepal’s Foreign Policy,” Ministry of Foreign Affairs Nepal, accessed September 1, 2020, <https://mofa.gov.np/foreign-policy/>.

²²¹ Nepali Army, “The Nepali Army in UN Peace Support Operations.”

²²² “The Nepali Army in UN Peace Support Operations.”

²²³ “The Nepali Army in UN Peace Support Operations.”

(USINDOPACOM).²²⁴ On the welfare front, the remittance earned from peacekeeping missions have enabled the NA to generate significant funds, commonly known as the Army Welfare Fund, to legally address the welfare of the serving and retired NA members and their families.²²⁵ Various NA-run educational institutes, hospitals, and welfare programs are managed by the Army Welfare Fund.

Evidently, the UN peacekeeping missions have a multidimensional advantage that glues together the political elites and the NA, regardless of the political philosophy that guides those in power. A constant foreign policy approach concerning UN peacekeeping missions is therefore conspicuous in all transitions of power since 1950s. A political rift with regards to UN peacekeeping missions therefore would be counterproductive, not just to Nepal's foreign policy aspirations but also to the institutional wellbeing of the NA. A coup d'état on the NA's part would easily jeopardize Nepal's standing in international relations as well as the advantages the NA gains from the UN peacekeeping missions. As a result, the neutrality of the NA allows the political elites to find utility in UN peacekeeping missions as a tool of foreign policy and is an important factor that forces the NA to circumvent coups.

E. CONCLUSION

The political relationship of the NA with the state is complementary, progressive, and widely approved at the grassroots. They are crucial to the NA's existence as a cohesive and a neutral force, often at odds with CMR theories of military intervention in politics. Yet, these relationships and the resulting activities maintain the balance required in a CMR without military intervention in politics. Collectively, these relationships define the NA's character and purpose, which compel the NA to repeatedly circumvent coups, particularly during power transitions. The political relationship between the NA and the state shaped by the NA's neutrality may be the driving factor for the NA repeatedly circumventing

²²⁴ "Achieving Continued Success Through the Global Peace Operations Initiative," United States Department of State, accessed September 1, 2020, <https://www.state.gov/achieving-continued-success-through-the-global-peace-operations-initiative/>.

²²⁵ "Army Welfare Fund," Nepal Law Commission, accessed September 1, 2020, <http://www.lawcommission.gov.np/en/archives/20258>.

coups. The intricacies of implicit boundaries of popular will of the people and the NA finding relevance in peacetime, however, including legal bounds as a result of political transitions, and the institutional wellbeing of the NA equally contribute to the NA's non-intervening character. These relationships are also important, when it comes to the NA's unbroken history since 1744, despite various political upheavals, especially after the 1950s, and regardless of those political philosophies.

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IV. THE INSTITUTIONAL OBLIGATIONS OF THE NEPALI ARMY

Considering the constant political turbulence and power transitions that have characterized the political setting in Nepal since the 1950s, the NA has illustrated a commitment to preserving itself as an institution that has contributed to the coup-less political transitions in Nepal. Despite the opportunity and disposition to intervene, the leadership of the NA at different times since the 1950s has promoted non-interference in politics. Therefore, with the exception of the military modernization of 1952, the NA has survived every transition of power without facing an extensive reorganization by the civilian authorities.

Finer's concept of opportunity and the disposition to intervene, vis-à-vis Nepal, have been discussed at length in Chapter II. What remains to be explained is the mood of the organization and its leadership, however, manifested through various tiers within the organization, in transitions of power. Naunihal Singh describes the three tiers of coup initiators within the military organization—the top, the middle, and the bottom—arguing that the top tier of any military institution has the greatest chance of pulling off a successful coup, while the chances of success shrink (i.e., when the coup is instigated by the lower tiers).²²⁶ As witnessed in Nepal, the middle- and low-ranking officers of the NA have never attempted to stage a coup; instead, the instances of CMR tensions in Nepal have been limited to the top leadership of the NA. Despite the possibilities of producing a successful coup, the decisions of the NA top tier, particularly during the 1990 and post-2006 CMR tensions, present a pattern of acceptance of change.

As described in the following sections, during CMR tensions in 1990 and the post-2006 transition, the NA leadership maintained cohesion and institutional integrity of the NA by not interfering in transitions. These decisions were institutionally driven by the self-

²²⁶ Naunihal Singh, *Seizing Power: The Strategic Logic of Military Coups* (Baltimore: Johns Hopkins University Press, 2014), 9–10.

preservation instinct of the NA, as opposed to being individual decisions of the leaders, which will be illustrated below. As a result, the NA survived the tumultuous political power transitions that have perpetuated changes in the political landscape of Nepal, with differing impacts on the NA as an organization. These impacts have influenced the NA's sense of institutional obligation to preserve its organizational integrity and cohesion, which has contributed to the coup-averse behavior of the NA.

A. ORGANIZATIONAL IMPACT OF CHANGING CMR AND DECISIONS OF THE NEPALI ARMY

The transitions of 1990 and 2006 witnessed significant CMR tensions in Nepal and demonstrated the NA's institutional self-preservation instincts. The tension in 1990 concerned the future of the NA as expressed in the new constitution, as it was being drafted.²²⁷ Further CMR tension ensued following the 2006 transition, when the decision of the prime minister to sack the chief of the NA was revoked by the president.²²⁸ What is noticeable in both transitions is the decision of the NA leadership to maintain the NA's neutral organizational integrity and the cohesion maintained by the NA rank and file. Most critically, the leadership was concerned about the possible disintegration of the NA should it unnecessarily assert any partisan interest.²²⁹ Overall, the decision by the NA leadership to maintain institutional stability during these different political transitions demonstrates an institutional culture stronger than any politically charged individual ambitions to grab political power.

²²⁷ Michael Hutt, "Drafting the Nepal Constitution, 1990," *Asian Survey* 31, no. 11 (1991): 1030, <https://doi.org/10.2307/2645305>.

²²⁸ "Nepal's Presidential Office Defends Move to Reinstate Army Chief," ProQuest, accessed May 4, 2020, https://search-proquest-com.libproxy.nps.edu/docview/460031910?rfr_id=info%3Axri%2Fsid%3Aprimo; "Nepal's Maoist Prime Minister Resigns after Clash with President," *The Guardian*, May 4, 2009, <http://www.theguardian.com/world/2009/may/04/nepal-maoists-army-chief-president-maseeh-rahman>.

²²⁹ "Interview with Retired Chief of Army Staff General Rookmangud Katawal," accessed October 28, 2020, Image Channel, video, 21:00-27:00, <https://www.youtube.com/watch?v=okalahSyuqw>.

1. The Case of Cooption and Firm Civilian Control

When compared to 1990 and the events following the 2006 transition, the political circumstances of 1951 and 1960 were very different, as they did not result in tense CMR. The cooption of the Rana leadership by the new system on one hand resolved the potential CMR tension, and on the other, it took a heavy toll on the organizational integrity of the NA. The organizational disintegration of the NA as a political decision brought upon the NA by the government was a byproduct of *Rakshya Dal*'s revolt in 1952.²³⁰ Bhuwan Lal Joshi's and Leo E. Rose's work, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, states that "the vulnerability of the government to an armed coup....demonstrated the need for a reliable, well-disciplined army."²³¹ This sudden decrease in the NA's numeric strength rendered the NA ineffective even to secure its borders, resulting in the establishment of Indian military posts stationed along the Nepal-China border out of Indian concerns over communist China.²³² Likewise, in 1960, the NA accepted the authority of the supreme commander (King Mahendra) enshrined in the Government of Nepal Act 1951, which negated potential CMR tension.²³³ As discussed in the Chapter II, "There was no 'Young Turk' faction in the Nepal state army with pronounced political views and ambitions."²³⁴ The CMR during this period remained under firm civilian control (though not democratic), and its impact on the organization was positive. The NA's size grew in accordance with the increasing roles and function being entrusted to it by the supreme commander, both nationally through internal deployments and internationally through UN peacekeeping missions.

²³⁰ Bhuwan Lal Joshi and Leo E. Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation* (Berkeley and Los Angeles: University of California Press, 1966), 101.

²³¹ Joshi and Rose, 101.

²³² Robert Trumbull, "India Views Nepal as Red Raid Route: Army Journal Voices Theory New Delhi Usually Avoids in Conciliatory China Policy," *New York Times*, November 3, 1953; Sam Cowan, "The Indian Checkposts, Lipu Lekh, and Kalapani," *The Record*, December 14, 2015, <https://www.recordnepal.com/wire/indian-checkposts-lipu-lekh-and-kalapani/>.

²³³ "The Interim Government of Nepal Act, 1951," Constitution Net, accessed June 15, 2020, <http://constitutionnet.org/sites/default/files/1951%20Constitution%20English.pdf>.

²³⁴ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 385.

2. The Case of CMR Tension

Unlike the previous transitions, the political transition in the 1990s and post-2006 presented a tense setting for the CMR of the country and a test of the NA's ability to maintain neutrality. In both the settings, the NA illustrated its institutional strength and the ability to contain dissent. CMR tensions initially took center stage in 1990, when the NA leadership, the Chief of Army Staff General Satchit Samsheer Jung Bahadur Rana, led a team of generals to convince the Prime Minister Krishna Prasad Bhattarai to have the NA remain under the supreme command of the constitutional monarch rather than under partisan control.²³⁵ The NA leadership disseminated the same viewpoint to its rank and file so that it could relay this request to the constitution recommendations commission, formed to collect national-level recommendations to be incorporated in the new constitution.²³⁶ The NA's concern, as described earlier, was of being placed under the sole command of the executive, which could compromise the neutral stance of the national army. Different political stakeholders in the constitution drafting commission, however, understood this initiative as the NA's push to undermine democracy.²³⁷

The events following the promulgation of the 1990 constitution never resulted in a power grab by the NA, however. Instead, the CMR tension from the military's perspective arose from its desire to maintain its neutrality constitutionally in the context of a highly competitive partisan politics, by demonstrating organizational cohesiveness and leadership. As a result of the tension, an agreeable middle path was formulated by the constitution drafting commission. Organizationally, Article 118 established the National Security Council with the powers to mobilize the NA.²³⁸ The NA maintained its neutrality, remaining under the supreme command of the head of state and a non-partisan constitutional monarch. This instance demonstrates that the decision making of the NA

²³⁵ Ganga Bahadur Thapa and Jan Sharma, "Democracy Building and Changing Role of the Nepal Military," *The Indian Journal of Political Science* 71, no. 3 (2010): 976.

²³⁶ Hutt, "Drafting the Nepal Constitution, 1990," 1030.

²³⁷ Hutt, 1030.

²³⁸ "Constitution of the Kingdom of Nepal, 1990," n.d., http://himalaya.socanth.cam.ac.uk/collections/rarebooks/downloads/Nepal_1990_Constitution_English.pdf.

during a major shift of political power aimed to avoid being dragged into partisan politics and losing its neutral stance. Moreover, the organizational cohesion being maintained in the NA rank and file during this political crisis gave the NA a firm base to convince the prime minister and the constitution recommendations committee of the importance of the NA remaining neutral.

A still graver CMR tension with more severe consequences for the NA's cohesion and institutional integrity ensued after the 2006 transition of political power. Upon assuming the office of the prime minister in 2008, the Maoist supremo Pushpa Kamal Dahal engaged in transforming the state institutions according to Maoist agenda.²³⁹ The firing of the Chief of Army Staff General Rookmangud Katwal in 2009 by the prime minister was a deliberate effort to assert Maoist interest in the NA.²⁴⁰ The situation produced stiff resistance from the military leadership, which awaited the decision of the supreme commander (the president), as the prime minister's decision was not constitutionally guaranteed. The firing was eventually revoked by President Ram Baran Yadav, and the opposition, including the civil society, were against the move.²⁴¹ As a result, the move polarized the constituent assembly in favor of the president's decision.²⁴² Since the interim constitution did not explicitly have a clause for the removal or reinstatement of the army chief, the constitutionality of the decision of both the prime minister and the president became debatable.

Meanwhile, the NA leaders facing the CMR challenge brought about by the 2006 political transition maintained the cohesion of the institution, amidst rumors in the media about the ongoing dispute among the leadership of the NA. The top three leaders, namely, and in order of seniority, General Rookmangud Katawal, General Kul Bahadur Khadka, and General Chattra Man Singh Gurung, issued a joint statement dismissing the rumors

²³⁹ "Nepal's Maoist Prime Minister Resigns after Clash with President."

²⁴⁰ Madhur Singh, "Nepal's PM Resigns, in New Crisis for Maoists," *Time*, May 4, 2009, <http://content.time.com/time/world/article/0,8599,1895650,00.html>.

²⁴¹ "Nepal's Maoist Prime Minister Resigns after Clash with President"; "Nepal's Presidential Office Defends Move to Reinstall Army Chief."

²⁴² "Nepal Government Splits over General's Firing," CNN, accessed October 3, 2020, <https://www.cnn.com/2009/WORLD/asiapcf/05/03/nepal.army/index.html>.

and confirming the general public that there were no disagreements in the NA's chain of command.²⁴³ Despite efforts of the Maoists to influence the NA's loyalty by forcing a change in leadership, the leadership was able to steer the organization away from political partisanship.

Juxtaposing the two CMR incidents of 1990 and 2009, the decision making of the NA leadership demonstrated a pattern of standing firmly for the institutional integrity and cohesion of the NA. These incidents took place in different times in totally different political settings, and under different leadership. Both manifested a similar pattern of behavior from the NA leadership, however. In both cases, the NA leadership took a stand against the assertions of partisan interests in the national army while maintaining the cohesion of the NA rank and file during times of political transition. The cohesion of the NA acted to safeguard the neutrality of the NA. The decisions were therefore institutionally driven as opposed to individual decisions.

B. SELF-PRESERVATION OBLIGATIONS

This pattern of institutional decision making with regards to the NA's neutrality, cohesion, and institutional integrity arises from the self-preservation instincts of the NA, derived largely from historical precedence and recurrent political interventions in the security institutions of Nepal. The NA's institutional memory holds accounts of organizational dismantling in response to perceived political threat. Similarly, the post-1990 interventions in other security agencies such as the Nepal police, by the political parties, also contributes to the self-preservation instincts of the NA. These precedents collectively contribute to the self-preservation instincts of the NA as an institution, particularly since the transition of 1990, because they drive the NA to keep out of politics.²⁴⁴

²⁴³ "NA Top Brass Puts up United Front," The Himalayan Times, accessed April 30, 2009, <https://thehimalayantimes.com/news-archives/latest/na-top-brass-puts-up-united-front/>; "Joint Statement of Nepali Army Leadership," accessed October 3, 2020, Nagarik News, video, <https://www.youtube.com/watch?v=wG11hjUmWBQ>.

²⁴⁴ Image Channel, "Interview with Retired Chief of Army Staff General Rookmangud Katawal."

1. Political Alignment and Perceptions of Vulnerability to Coups

The immediate aftermath of the fall of the Rana regime created two issues that held important lessons for the NA: the perception of the NA being politically loyal to the Ranas among the new political elites and the politically motivated rebellion by *Rakshya Dal*. They both had a political flavor, and eventually, they did not go well for the NA. Together, they triggered the modernization of the NA by the new political elites in an effort to diminish the threat of armed rebellion by the NA. Consequently, they dramatically reduced the size of the NA, rendering it ineffective to the point of having to rely on the Indian military to secure Nepal's borders.²⁴⁵ These events inculcated the importance of maintaining a professional posture in the NA for preserving its institutional integrity.

The NA's first critical lesson in self-preservation occurred with the transition of 1950, when the NA was immediately labeled as a Rana-loyal military by members of the NC. The political elites' drive to modernize the NA was in fact to "end Rana traditions in the army."²⁴⁶ The Rana elites were co-opted by the new system, evident from the formation of the first cabinet, consisting of half Rana ministers (also generals by rank) and half NC ministers, headed by a Rana prime minister.²⁴⁷ The king assumed the position of the NA's supreme commander through the Government of Nepal Act of 1951.²⁴⁸ The NA's loyalty was now bound by this act, which replaced the Government of Nepal Act of 1948 which had the Rana premier as the commander in chief. Yet, despite the new system in effect, the NC members in the cabinet were not confident of the NA's loyalty to the new system.

The NC-led government's lack of confidence in the national army rebounded on the NA when the *Rakshya Dal* rebelled. In January 21, 1952 the *Rakshya Dal*, a paramilitary force established to rehabilitate the armed faction of the NC, revolted,

²⁴⁵ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 101; Cowan, "The Indian Checkposts, Lipu Lekh, and Kalapani."

²⁴⁶ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 101.

²⁴⁷ Joshi and Rose, 84–85.

²⁴⁸ "1951 Constitution English."

exposing the “vulnerability of the government to an armed coup.”²⁴⁹ They seized important government offices and installations such as the secretariat, the prisons, the communications installations, and some military ammunition depots.²⁵⁰ The king declared a state of emergency and “invested Prime Minister Koirala with full power to govern without the advice of the Cabinet, if deemed necessary.”²⁵¹ The *Rashtriya Mahasabha* (a political party) and the communist party linked to the incident were declared illegal.²⁵² The incident, also commonly known as the K.I. Singh episode, named after the leader of the rebellion, was eventually crushed by the NA.

In addition to punishing the *Rakshya Dal*, however, the government also invited the Indian military mission to reorganize and modernize the NA in 1952, illustrating an increased need for military modernization.²⁵³ The *Rakshya Dal* was disbanded and absorbed into the Nepal Police and some into the NA, but the logic of having to punish the NA also emanated from the government’s perception of the NA’s perceived political alignment with the Ranas. As a result, the NA was reorganized into a smaller institution. This massive reduction of the NA’s size was a difficult lesson for the NA. This early inability to preserve its institutional integrity became embedded in the institutional memory of the NA, which constantly reminds the NA of the consequences of having political alignments and the government’s sensitivity to its vulnerability to coups from the armed forces.²⁵⁴

2. Learning from Political Interference in the Security Sector

Likewise, the partisan assertions that are conspicuous in the NA’s sister organizations in the security apparatus have presented stark examples for the NA to preserve its institutional integrity and cohesion by staying away from partisan political

²⁴⁹ Joshi and Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation*, 101.

²⁵⁰ Joshi and Rose, 100.

²⁵¹ Joshi and Rose, 101.

²⁵² Joshi and Rose, 101.

²⁵³ Joshi and Rose, 101.

²⁵⁴ Samajkoawaj TV, “When Was the Nepali Army Established? Brigadier (Retired) Prem Singh Basnyat PhD,” July 24, 2020, video, <https://www.youtube.com/watch?v=wG0CHyjLdzk>.

alignments. The Nepal Police are increasingly politicized, especially since the 1990s, and the issue has become more apparent, particularly after 2006. The post-1990 democratic discussion to reorient the police force to a “people-focused service” was diminished as a result of politicization of the force by the parties.²⁵⁵ As a result, the negative effect in the morale of “competitive police officers” (professional and with no political affiliations) also served “to inculcate wrong values in the minds of young entrants to premier services,” which is a major concern for the police force in general.²⁵⁶ The post-2006 removal and replacement of high-ranking police officers by various administrations have become a challenge for the police force. According to an op-ed published in *myRepublika [Sic]*, a prominent Nepali newspaper and a partner of The New York Times, the “political interference....inside the police organization have perverted leadership succession and affected organizational integrity.”²⁵⁷ The often criticized but hardly addressed issue of partisan assertion in the police force serves as an example for the NA to avoid at all cost as it clearly politicizes the organization, particularly considering similar efforts of partisan assertions in the NA after the 1990 transition of power. The post-1990 political assertions have also been highlighted by the retired Chief of Army Staff General Rookmangud Katawal in an interview hosted by Image Channel, a prominent Nepali television channel.²⁵⁸

Similar political interference in the NA to replace the Chief of Army Staff in service of a partisan agenda were witnessed after the 2006 transition of power. The decision to replace General Pyar Jung Thapa in 2006 and the decision to remove General Katawal in 2009 are examples of such efforts to assert partisan influences.²⁵⁹ Interestingly, the former

²⁵⁵ “Politics and Policing,” Kathmandu Post, accessed October 4, 2020, <https://kathmandupost.com/opinion/2017/02/24/politics-and-policing>.

²⁵⁶ Kathmandu Post, “Politics and Policing.”

²⁵⁷ Shreya Paudel and Samar SB Rana, “Nepal Police in Federalism,” *My Republica*, accessed October 24, 2020, <http://myrepublica.nagariknetwork.com/news/92857/>.

²⁵⁸ Image Channel, “Interview with Retired Chief of Army Staff General Rookmangud Katawal,” 21:00-27:00.

²⁵⁹ “Magna Carta- Nepali Times,” *Nepali Times*, accessed September 20, 2020, <http://archive.nepalitimes.com/news.php?id=11835#.X2e3kmhKhPY>; “Nepal’s Presidential Office Defends Move to Reinstate Army Chief.”

case did not result in a CMR tension, nor did it result in the removal of the Chief of Army Staff. The latter required presidential endorsement to reinstate the Chief of Army Staff, which resulted in the resignation of the prime minister. In both cases, the self-preservation instinct to protect the institutional cohesion and neutrality of the NA swayed the decision-making processes. From a CMR perspective, it can be argued that the NA's actions during these instances were outright disobedience of the executive as suggested by S.D. Muni in his paper *Nepal in Crisis*.²⁶⁰ But in Nepal's case, the political circumstances were driven by ulterior partisan motives without legitimate ground. They were done with the motive to bend the loyalty of a neutral and cohesive force, to make it a political one as "the Maoist secretariat had decided to immediately sack him" (General Katawal).²⁶¹ Essentially, the self-preservation instinct of the NA has made it resistant to partisan influences, which in turn maintains the NA's neutral character and automatically averts military intervention in politics.

C. REINTERPRETING MOTIVES INHIBITING MILITARY INTERVENTION

Nepal's case illustrated some aspects of Finer's concept of "motives inhibiting the military from intervention" but at the same time, it also challenges some important notions.²⁶² His reasons for the lack of the military's intervention in politics are akin to institutional influencers of the NA—particularly the three inhibiting factors that may stop the military from intervening in politics—yet their implications are different in Nepal. He argues that professionalism is not the silver bullet that inhibits militaries from intervening in politics, because it usually takes a professional military to pull off a successful coup, but it is still a necessary factor that may work in most cases.²⁶³ Likewise, he argues "fear for the fighting capacity of the armed forces, or of a civil war tearing them in two, or even for their future as a force of any kind" can contribute to coup-circumventing behavior of the

²⁶⁰ S.D. Muni, "67 : Nepal in Crisis – NUS Institute of South Asian Studies (ISAS)," accessed November 3, 2020, <https://www.isas.nus.edu.sg/papers/67-nepal-in-crisis/>.

²⁶¹ Thapa and Sharma, "Democracy Building and Changing Role of the Nepal Military," 980.

²⁶² Samuel Edward Finer, *The Man on Horseback* (Rutgers, NJ: Transaction Publisher, 2006), 23–32.

²⁶³ Finer, *The Man on Horseback*, 32.

military.²⁶⁴ But, above all, he points to the “acceptance of the principle of civil supremacy” by the military being vital to the military not intervening in politics. Observing the NA through Finer’s lens, one can argue that the NA’s institutional obligations have them all, but with a twist when it comes to fear.²⁶⁵

The NA’s behavior in all transitions of power since the 1950s conforms to the behavior of a professional military and exhibits acceptance of the principle of civil supremacy. Often scholars consider the royal takeovers of King Mahendra in 1960 and King Gyanendra in 2002 as military coups.²⁶⁶ Technically, however, they are not military coups because legally the civil-supremacy of the king has to be factored in. The constitutionality of the monarch’s use of the military in both cases was definitely a legal battle, and observers remain highly polarized about whether they were. As for the NA, it continues to conform to the principle of civilian supremacy, because, as Huntington suggests, the king was just as civilian as any parliamentarians.²⁶⁷

The twist, however, is in the fear factor as identified by Finer, which in the NA manifested itself as a resistance to partisan political interference as opposed to submitting to undue political pressure. This fear contributed to the professional behavior. The NA’s institutional decision making during the 1990 and 2006 transition of power, including the 2009 CMR tension, therefore shows a pattern of institutional behavior aimed at preserving the institutional integrity. This institutional integrity is vital to the NA’s fighting capacity, as it prevents the NA from being torn apart by a civil war, as Finer argued. The NA leadership’s institutional concerns about organizational integrity can therefore be understood as fear motivated. Instead of submitting to party assertions, however, the NA stood its ground to maintain its fighting capacity, prevent a civil war, and preserve the future of a cohesive NA. Resisting civilian authority in power may sound like the loss of

²⁶⁴ Finer, 32.

²⁶⁵ Finer, 23–32.

²⁶⁶ S. D. Muni, “Royal Coup and Its Implications,” ORF, accessed October 24, 2020, <https://www.orfonline.org/research/royal-coup-and-its-implications/>.

²⁶⁷ Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: The Belknap Press of Harvard University Press, 1957), 81.

civilian control over the military, but the resistance in the NA's case led to the maintenance of civilian authority. Therefore, the decisions of the NA leadership were institutionally motivated, to keep the NA neutral and institutionally cohesive, and to preserve the sanctity of the concept of legitimate civil supremacy.

D. CONCLUSION

The decision making of the NA leadership through various political transitions has provided constant evidence that it arises from institutional sources rather than individual leaders. Similarly, the decisions clearly emanate from concerns of potential political partisan assertions, subjugating the cohesion of the neutral force that the NA strives to remain. Historical precedents of disintegration as well as organizational challenges faced by other security agencies, as a result of political interference, are strongly embedded in the NA's institutional memory. Eventually, these factors collectively work to circumvent coups on the NA's behalf.

Similarly, in comparing the NA's institutional obligations and Finer's argument of "motives inhibiting the military to intervene," it is evident that the NA has its own way of remaining out of politics. The NA's actions and leadership decisions have stood the test of time, and without a coup since the 1950s. The hard-learned lessons of organizational disintegration in 1952, the political assertions of 1990, 2006, and 2009, and the examples of sister organizations are a stark reminder and an answer to why the NA strives to remain cohesive and neutral and avoid staging coups d'état as an obligation.

V. CONCLUSION AND RECOMMENDATIONS

The investigation found that the inherent institutional attributes of the NA are primarily responsible for circumventing coups despite frequent openings for the NA to intervene. Nepal's frequent political transitioning between various governments and regime types have tested the NA's susceptibility to coups d'états. The legal provisions (i.e., of the government at the time), the will of the people, and the NA's institutional memory have been the major restraints that helped to shape its institutional character since the 1950s. Essentially, the NA has accepted transitions of power and is likely to repeat the same given similar circumstances. There are misconceptions on much of the literature about the legalities of how and why the NA is mobilized in various roles, which misrepresents the fact that the NA mobilizes within the legal framework. Overall, the findings of this study illustrate that the dominant CMR theories of military intervention in politics do not reflect the case of Nepal.

A. THEORIES DO NOT LINE UP IN NEPAL

The CMR theories of military intervention in politics do not account for why the NA has not intervened in Nepali politics. The political landscape of Nepal transcended Finer's description of Nepal as a unique "proto-dynastic regime," becoming a federal democratic republic.²⁶⁸ In between, the country also experimented with the "guided democracy" of the *Panchayat* system, followed by multiparty democracy under a constitutional monarch.²⁶⁹ Nepal's political development since the 1950s can perhaps more accurately be described via Finer's notion of "countries of low political culture" where "there is no clear and well established political formula."²⁷⁰ In such cases, Finer expects the military to intervene in politics and easily "reshape it by a new political formula

²⁶⁸ Samuel Edward Finer, *The Man on Horseback* (NJ: Transaction Publisher, Rutgers, 2006), 3–4.

²⁶⁹ Bhuwan Lal Joshi and Leo E. Rose, *Democratic Innovations in Nepal: A Case Study of Political Acculturation* (Berkeley and Los Angeles: University of California Press, 1966), 395.

²⁷⁰ Finer, *The Man on Horseback*, 115.

which legitimizes their own pretensions.”²⁷¹ All transitions of political power in Nepal since the 1950s have established a new political system, however, without triggering a military rule, even during political transitions that were mired in CMR tensions. The recurring absence of military intervention in Nepali politics is therefore a deliberate effort on the NA’s part, emanating from its institutional attributes.

The lack of military coups in Nepal in spite of the low level of political culture challenges Finer’s arguments of military intervention in politics. In Nepal, despite the presence of “both disposition and opportunity to intervene,” Finer’s calculus of intervention did not result in a coup.²⁷² Furthermore, Nepal’s case continues to contradict Perlmutter’s theory of praetorianism that results from declining social conditions, and even Desch’s threat-related CMR theory vis-à-vis military intervention in politics as a result of domestic political violence.²⁷³ Why the theories of military intervention in politics do not explain Nepal’s case is a pressing question requiring answers.

The argument put forward by Finer to explain the motives inhibiting the military from intervention may relate to Nepal’s case to an extent. However, a reinterpretation of Finer’s argument vis-à-vis the NA’s case is necessary to contextualize his theory. He highlights three factors that inhibit the military from intervention—professionalism, fear for the fighting capacity or being torn in a civil war, and the acceptance of civil supremacy.²⁷⁴ He also explains, however, that professionalism can be a double-edged weapon (i.e., it takes a professional military to stage a successful coup). Similarly, accepting civil supremacy in practice requires institutional backing, which can be noticed in the NA’s case during the CMR tensions of 1990, 2006, and 2009. The logic of fear for the fighting capacity and the fear of being torn in a civil war are valid concerns of the NA, as they relate to the NA’s cohesiveness and institutional integrity. The NA resisted civilian

²⁷¹ Finer, 115.

²⁷² Finer, 83.

²⁷³ Amos Perlmutter, “The Praetorian State and the Praetorian Army: Toward a Taxonomy of Civil-Military Relations in Developing Polities,” *Comparative Politics* 1, no. 3 (1969): 385, <https://doi.org/10.2307/421446>; Michael C. Desch, *Civilian Control of the Military: The Changing Security Environment*, Johns Hopkins Paperbacks, 2001 (Baltimore: Johns Hopkins University Press, 1999), 5.

²⁷⁴ Finer, 23–32.

interference, however, as opposed to submitting to political pressure in 1990, 2006, and 2009, in order to maintain its cohesiveness and institutional integrity. In CMR parlance, these instances can be interpreted as refusal of civil supremacy, if not put in the right context. Therefore, adding the institutional attributes inherent in the NA to Finer's argument (motives inhibiting the military from intervention) makes the argument complete and comparable in the NA's case.

B. THE THREE REASONS

There are three overlapping and interrelated rationales as to why the NA repeatedly circumvents coups, defying the CMR logic of military intervention in politics: The NA's neutral political relationship with the state, its institutionally influenced decision making, and the institutional self-preservation instincts of the NA.

First, it is of utmost importance to the NA to maintain its politically neutral character. This neutrality maintains the NA's grassroot-level popularity and allows the NA to present itself as a professional entity rather than a political force. In essence, neutrality fosters trust in the NA among the political elites, which has manifested through the incumbent governments' interaction with the NA, particularly after the military modernization efforts of 1952. As a result, the NA often finds itself being engaged in assisting political transitions to reach a peaceful conclusion instead of exploiting the opportune political crisis. Likewise, neutrality presents the NA as an alternative to undertake otherwise politically charged problems such as construction projects and procurement, though this is a very contentious issue in its own right. The NA's utility to the state as a professional and neutral institution is also conspicuous in the NA's involvement in UN peacekeeping missions, where the NA actively promotes the state's international profile on the one hand, but on the other it also secures NA's institutional wellbeing. Any disturbance in the NA's neutral political relationship with the state is therefore likely to disturb the coup-averse behavior of the NA.

Second, the NA's decisions to keep out of politics and circumvent coups is institutionally driven. In other words, the institutionally influenced decision making of the NA steers the leadership away from acting on personal whims, despite the presence of what

Finer describes as opportunity and disposition to intervene, especially during transitions of power involving CMR tension. The CMR conflicts that took center stage in Nepal during the 1990 political transition and again in 2009, following the 2006 transition of political power, manifested this trend in the decision making of the NA leaders. They displayed the NA leadership's consistent decision to protect the organizational cohesion of the NA and its institutional integrity from partisan political influences. In particular, they involved a show of cohesion among the top tier of the NA leadership, whether in the form of NA generals visiting the prime minister concerning the constitutional neutrality of the NA in the new constitution of 1990 or a televised joint press statement confirming the NA's cohesiveness from the top three leaders of the NA in 2009.²⁷⁵ Put together, these incidents show that the decision making of NA leaders is strongly influenced by the NA's institutional obligation to remain neutral and cohesive and away from partisan political motivations. Such decisions have proved to circumvent coups in Nepal's case.

Finally, the NA's decision to circumvent coups arises from its self-preservation instincts, formed as a result of historical incidents such as the dissolution of *Rakshya Dal* in 1952, and the post-1990 deleterious partisan political intervention in the NA as well as the NA's sister organization, the Nepal Police. A politically motivated *Rakshya Dal* being disbanded by the then government in 1952 had an impact also on the NA, reducing the NA's size significantly and rendering it incapable to defend the country's sovereignty. The issue of sovereignty therefore became contentious when the Indian military stepped in to establish check posts along Nepal's northern border, citing its concerns about communist China.²⁷⁶ These incidents are part and parcel of the NA's institutional memory, which strengthens its self-preservation reflexes. Likewise, partisan political intervention in the Nepal Police and its impacts on professional policing have been equally alarming to the NA as a security sector member. Similar efforts by the political elites to divide the

²⁷⁵ Ganga Bahadur Thapa and Jan Sharma, "Democracy Building and Changing Role of the Nepal Military," *The Indian Journal of Political Science* 71, no. 3 (2010): 976; "NA Top Brass Puts up United Front," *The Himalayan Times*, April 30, 2009, <https://thehimalayantimes.com/news-archives/latest/na-top-brass-puts-up-united-front/>.

²⁷⁶ Robert Trumbull, "India Views Nepal as Red Raid Route: Army Journal Voices Theory New Delhi Usually Avoids in Conciliatory China Policy," *New York Times*, November 3, 1953.

leadership of the NA, both in 2006 and 2009, were successfully quashed by NA leaders.²⁷⁷ Evidently, the NA remaining institutionally intact and cohesive during CMR tensions is a result of the NA's self-preservation instincts. In turn, the self-preservation instincts keep the NA away from political motivations, and therefore away from coups d'état.

C. THE VIRTUOUS CIRCLE

The three rationales that obligate the NA to circumvent coups d'état form a virtuous circle. That is, the three institutional attributes of the NA that circumvent coups reinforce one another, "resulting in a continuous process of improvement" and thereby forming a cycle.²⁷⁸ For instance, the neutral character of the NA is essential to the NA's approval by the society and the incumbent in power, but it also reinforces the NA's self-preservation instinct. As a result, institutional influence is prominent in the decision making of the NA, which is heavily influenced by those self-preservation instincts, derived from the NA's need to remain neutral. Therefore, we see these institutional attributes at play when the NA is confronted by a CMR conundrum, which collectively result in the NA's coup-averse behavior.

The phenomena may have been completely absent in the immediate aftermath of the fall of the Rana regime, because in 1952, the disintegration of the NA was allowed by the leaders as a result of transition of power, but gradually it evolved. The strengthening of the NA during the *Panchayat* era instilled in the NA the value of being cohesive as an institution, and under a common non-partisan leadership. With the political developments of 1990, the NA's institutional memory of disintegration compared with what it had become by 1990 meant that the NA had no desire to repeat the history of disintegration. Hence, the NA's push to remain constitutionally under a non-partisan monarch can be understood as the first instance of the virtuous circle at play. By 2009, the virtuous circle

²⁷⁷ "Magna Carta - Nepali Times," Nepali Times, accessed September 20, 2020, <http://archive.nepalitimes.com/news.php?id=11835#.X2e3kmhKhPY>; "Nepal's Presidential Office Defends Move to Reinstate Army Chief," ProQuest, accessed May 4, 2020, https://search-proquest-com.libproxy.nps.edu/docview/460031910?rfr_id=info%3Axri%2Fsid%3Aprimo.

²⁷⁸ Merriam-Webster, s.v. "virtuous circle," accessed November 11, 2020, <https://www.merriam-webster.com/dictionary/virtuous+circle>.

had matured, having gone through the process also in 2006. In both 2006 and 2009, the partisan assertions in the chain of command of the national army were rejected cohesively by the NA. These outcomes were the result of a matured virtuous circle of neutrality, the self-preservation instinct, and institutionally influenced decision making reinforcing each other. On the one hand, this virtuous circle maintains the NA's institutional cohesion, and on the other, it keeps the NA away from politics, which in turn circumvents coups.

D. RECOMMENDATION TO CMR SCHOLARS AND DECISION-MAKERS

1. A Case-Led Approach to Understanding CMR Theories Rather Than Pre-accepted Notions Shaped by Normative Planning

It is of utmost importance to NA leaders to understand both the evolving nature of CMR (i.e., that theories keep evolving) and that CMR is dynamic (i.e., relations are based on political developments, as we know from Nepal's experience that even constitutions change). The NA as an institution is already leading CMR discussions regularly at the Army Command and Staff College, and therefore the NA has an edge to provide a case-based approach to teaching CMR theories as it justifies the dynamic nature of CMR.²⁷⁹ Therefore, a case-led approach to understanding CMR theories is as important as understanding the political climate. In understanding the political climate, the factual will of the people is the primary consideration as opposed to what is being projected by the party cadres, particularly during transitions of political power.

2. CMR and the National Security of Nepal

A thorough deliberation among security experts regarding the role of CMR in the development of national security policy, national security strategy, and the defense plan is a must. Critical issues in Nepali CMR are often documented by scholars in terms of right and wrong or democratic and undemocratic rather than in terms of the impact of CMR on national security. For example, Indra Adhikari's book *Military and Democracy in Nepal* concludes on a rather aspirational and naive note—"only political institutions and a sound political culture can make civil-military relations durable"—but her book does not account

²⁷⁹ New Spotlight (last), "Civil Military Relations Nepali Perspective," SpotlightNepal, accessed October 17, 2020, <https://www.spotlightnepal.com/2019/02/09/civil-military-relations-nepali-perspective/>.

for the political culture of partisan politics of Nepal that undermine established national democratic institutions and how they impact national security.²⁸⁰ To her, the NA is mainly a royalist institution requiring democratization, often involved in “*Malami, Shalami and Gulami*” (funeral procession, salute and buttering) among other tasks, but she does not consider the constitutional provisions throughout various political transitions to which the NA has routinely adhered.²⁸¹ Her work leaves simple questions unanswered: should the military have defied the executive authority being vested in the king, in the post-1960 scenario? Or should the NA have disregarded the executive authority of the cabinet, endorsed by the parliament to fight the Maoists? Or even, should the NA have denounced the executive authority of the incumbent government to crack down on violent protestors infiltrated by the Maoists (terrorists then) in the thick of a counterinsurgency campaign? Or, would not the NA rejecting the executive authority to mobilize at the time be outright violation of constitutional provisions? And most importantly, were the NA’s actions constitutionally in line with achieving Nepal’s national security concerns as directed by the incumbent government? Therefore, a shift in the focus of CMR to its impact on the national security of Nepal is necessary, instead of bickering on the rights and wrongs of a very dynamic CMR of Nepal.

E. RECOMMENDATION FOR FUTURE RESEARCH

The 1952 modernization of the NA and the politics surrounding the event needs a thorough study. This event is also a stark reminder of how little literature there is about the process. The details are seldom found and are limited to the event being mentioned as a political outcome of the fall of the Rana regime as opposed to how the NA went through the modernization process as an institution. Interestingly, the rehabilitation of the majority of the NA members who were fired (the NA was reduced from 48,000 to 6,000 in the modernization process) as a result of the process is completely missing. The research would help to understand the CMR of Nepal that created its institutional legacies.

²⁸⁰ Indra Adhikari, *Military and Democracy in Nepal* (New Delhi: Routledge, 2015), 334.

²⁸¹ Adhikari, 325–34; Adhikari, 148.

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