# National Security
## Security Sector Reforms and Civil-Security Relations in Nepal

Dev Raj Dahal, Head, FES, Nepal,

**Introduction**

Self-preservation is the mainspring of a national security strategy. National security is a highest public good; the benefits of its outreach include all the citizens. In the absence of national security neither democracy, nor development not even peace can be organized. The UN defines security as freedom from want and freedom from fear. This means secure citizens are those whose basic needs, civic freedoms and identity are guaranteed and they are not intimidated by any force, internal and external. National security essentially means the state of the health of the nation within which citizens enjoy life, liberty, property and participation in the productive life of society. Political stability, economic well-being and equitable distribution of resources are its essential preconditions. If any society has a high incidence of death, violence, crime, killing, kidnapping and extortion, whatever the causes, the citizens living there will never feel safe and sound. Ordinary citizens measure the standard of national security through the ability of national leaders "to rise above narrow and special economic interests of parts of the nation," and "focus their attention on the more inclusive interests of the whole" (Wolfers, 1968:148).

The peacefulness of environment of a nation is based on the sound civil defense, a modicum of trust among citizens themselves and with the national institutions of governance. The sources of threat can be extra-systemic (inter-state tension, cross-border terrorism, unwanted immigration, climate change, fuel and financial crises, refugees etc) or intra-systemic (civil war, poverty trap, inequality and exclusion of citizens from ecological, social, economic and political resources). One source of threat reinforces the other systemically and is linked with macro and micro issues. The comparative and competitive strengths of any nation in material possessions, such as hydropower, ecological diversity, tourism, manpower and productive potential and the proper utilization of these resources can contribute to its viability. This means the *government cannot construct a national security without understanding the systemic crises* at five dimensions: protection of national "community values vs. the destructiveness of warfare; the behavior of economy vs. the structure of the polity; the location of ecological system vs. political boundaries; pluralistic cultural identities vs. loyalty to a given state; and human rights vs. state sovereignty norms" (Brown, 1992:117). The optimal resolution of these systemic crises is crucial to the state-society harmony within the nation-state and safe adaptation in the international system.

How can civil and defense security agencies of Nepal collaborate to safeguard national and public interest and ensure the well-being, dignity and freedom of all Nepalese citizens? How can they exercise professionalism, impersonality and neutrality to beef up national integrity system when each change in government involves massive reshuffle of security and administrative personnel? How does security as a highest collective good is equally distributed in society so that citizens are free to pursue their productive life? What are the legitimate ways to achieve the synergy of hard capital of state institutions and soft social capital of civic institutions (political parties, civil society, media and other socialization agencies) for the coherence of state-society ties in achieving governance goals[1] and implementation of peace accord through constitutional process? In the introductory note, this paper defines national security, the second section narrates the nation's geopolitics, the third section explains the changing patterns of security and stability in Nepal, the fourth section focuses on modernization of public security agencies and the fifth section suggests measures for democratic control of security mechanism.

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[1] **Governance goals are**: national security, law and order, voice, civic participation, service delivery and non-violent resolution of multi-polar and multi-layered conflicts.

## Geopolitics of Nepal

Nepal occupies a central part of Asia geopolitics between two advanced technological super-states —China in the north and India in the east, south and west each with over one billion population, leading infrastructure, software technology industries, high growth markets and highest engagement of multilateral institutions. This potentially makes it a transit corridor for increased Sino-Indian competition for trade and commerce. Its location in the geopolitical underbelly of China, Tibet and India's heartland states of Uttar Pradesh, Bihar and West Bengal constitutes its strategic geography vital to their security, stability, progress and peace. An increasingly open and democratic Nepal in the future is more likely to be swayed by the ongoing geo-strategic competition between them and the great powers for their influence.

As globalization will unglue its historically evolved centripetal forces and denationalize them on the basis of self-chosen linkages, the nation will become a site of internal conflicts of elites nourished by geo-strategic contest of external drivers of conflict in search of internal allies. Existence of over two-dozen insurgent groups in Tarai, Nepal's southern flatland, and simmering crisis in Tibet involve the high stake of neighbors as they pose an external security dilemma. Similarly, internal security dilemma has kept a powerful brake on the pacification of Nepali politics through the enforcement of peace accord. In this context, understanding the nation's geopolitics is crucial to maintain a balanced foreign and security policy of the country.

As Nepal's ecological, social, economic and technological spheres transcend the domain of the statehood confined to its territorial sovereignty, an imperative exists to see security beyond national defense planning as development and defense needs are competitive and interdependent. Human security needs today are defined by the universal ideologies of human rights, democracy, social justice and peace. They have made Nepal's survival and vital interests interdependent with the neighbors and global powers. In this context, international cooperation is essential to abolish the Hobbesian state of nature existing at various levels of security-- *individual, sub-national, state, regional and international system and foster norm-based sociability and collective action.* A well-functioning polity features "an essential *congruence* between the effective authority possessed by society's governing institutions and the behavior that must be constrained in order to maintain or further society's values" (Brown, 1992:115).

## Changing Patterns of Security and Stability in Nepal

Nepal's political institutions now rest on the commitment to popular sovereignty, parliamentary supremacy and political openness. But, the political process of Nepal revolves around powerful personalities rather than institutions. The familial and dynastic succession of leadership has bred a patrimonial culture. Poor political institutionalization[2] has blurred the boundaries between various institutions of society. From the unification days until recently there is a continuity of the state institutions, such as monarchy, Nepal Army, police, bureaucracy, tradition and law and discontinuity and fragmentation of civic institutions. Lack of a balance between the state and society created authoritarian culture in the nation. But, the security agencies of the nation have expressed absolute loyalty to those in power under all regimes-- monarchy, Ranarchy, oligarchy, liberals and even communist-led regime and helped to maintain the unity and security of the nation through state-orientation notion of security politics. Their preference for loyalty, discipline, patriotism and hierarchy has earned their image abroad in peace keeping missions.

After the unification of Nepal in 1769 AD Nepal's security was based on a policy of active defense. The advent of Rana regime in 1846 modified this policy as it maintained special security relationship with British India and isolation from the rest of the world. But, the concept

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[2] According to Robert A. Scalapino political institutionalization is the "process whereby a political structure is made operational in accordance with stipulated rules and procedures, enabling more regularized, hence predictable, patterns of political behavior, minimum trauma in power transfer, and a foundation for the effective development of policies as well as the application of justice" (1986: 59).

of national autonomy and cultural self-expression of diverse groups were not completely clocked. Nepal's traditional political system fused executive, legislative and judiciary function into a single, centralized structure as it performed overlapping functions although there was a semblance of judiciary. Police controlled and pacified the population internally, the army provided external protection and the culture provided sources of nationalism and worldview. Legitimacy was based on tradition and there were minimal functions of the state— security, stability, revenue collection and conflict resolution.

The innovation of modern constitutional state in 1950 expanded participatory resources as society demonstrated its capacity for collective action and legitimacy stemmed from election, performance and international recognition. The democratic experiments of 1950s subsequently expanded the size and scope of the state due to the need to perform many welfare functions. The state adopted the policy of diversification in international relations. During the 1960-1990 period, the reason of state held the primacy over civic rights and the state and the statespersons acted as guardian of diverse society. Public education, communication, health and economy mediated the state-society relations and helped the regime to maintain a policy of equidistance in regional and global geopolitics.

Following the success of movement for democracy the post-1990 regimes of all hues, however, de-linked the state from society through privatization, denationalization, deregulation and globalization and abdicated policy-making responsibility in favor of market forces. The withdrawal of state from society created security and authority vacuum and the onset of People's War. Vicious poverty trap for the many and resource monopoly for a few thus triggered the cycles of violence and counter violence, violation of human rights, declaration of the state of emergency by democratic governments and emigration of youth abroad to avert livelihood crisis and the fear of being drafted into civil war. These measures eroded the efficacy of democratic institutions--civil society, political parties and parliament and resurrected the role of security agencies in conflict resolution. If conflicts are managed through coercion, then the institutions of coercion become more powerful and they in turn hold bigger say in the way future conflicts are resolved (Weiner, 1986:311).

After the success of mass movement of April 2006 against King Gynendra's active rule the political classes removed the traditional base of Nepali identity built on monarchy, Hindu state and unitary polity and declared Nepal a federal democratic republic. The Nepal Army has been brought under civilian control. But, Nepali state is being treated by the international community as soft, fragile and weak because of its inability hold legitimate monopoly on power, control competitive violence, perform "core state functions" and successfully handle important post-conflict issues, needs and problems confronting the Nepalese society. Nepal is weak because it lacks financial resources to undertake a self-sufficient state-building processes financed by its own tax revenues and reshape conflict moderating structures and policies. It is the least institutionalized with respect to its presence in huge rural society. As a result, the tasks of stabilization of national unity and orderly participation of citizens in constitution-making, state building and the peace process in a satisfactory way remain tantalizing.

The Nepalese urban civil society and NGOs are organized in segmentary style and opposed to legitimate state power and sovereignty.  Most of the political parties are faction-ridden, organized through the stabilization of client networks and are less interested in the transformation of peoples into citizens. The most difficult problem remains that of political and constitutional instability caused by a move of constitutional actors from consensus to competitive politics, free-riding tendency of some actors who are enjoying more power than their actual social representativeness, distributional struggle of social movement actors for power, resource and identity and extra-constitutional activities of armed non-state actors thus spoiling peace and security.

The Constituent Assembly (CA) election has broadened the social, gender and inter-generational bases of political power. But, there is a lack of educational, economic, technological, institutional and leadership preconditions of modernity to sustain these bloated political classes

and structural reforms as tax contributes only 12 percent to GDP. In the future, the continuous gap between traditional politics of patronage and right-based socioeconomic revolution spawned by rising expectation of participation of citizens in decision-making will continue to make the government and political system unsteady. Incapacity of ruling political classes to cope with multiple challenges has posed the problem of governability. The unstructured, fluctuating, unsystematic, anomic and multidimensional participation of Nepalese citizens subsuming the absolutization of mini-identities of gender, class, caste, ethnicity, region and religion rather than meta-identity of citizen has made conflict an open-ended exercise. These multiple identifications of citizens have weakened their loyalty to the state, eroded any respect to rule of law and opened a new security problem. The deadlock created by the opposite conception of adjustment of armed forces, meager trust between civil and military and conflicting vision of democratic republic versus peoples' republic have provided various armed groups to free-ride causing security and authority deficit and shrinkage of development space.

The adoption of extra-constitutional mode of conflict resolution and political change every time has established the utility of a political culture of militancy of youth wing in every party and offensive understanding of politics thus compelling the Home Minister Bam Dev Gautam to admit *his inability to improve security situation in the country*. Political parties and civil society can only release the potential for national integration if the state and political system are stabilized, leadership develops institutional capacity for conflict resolution and rules of the game are accepted by all actors—actual, potential and left out. To this end, it should proceed within institutional frameworks that are capable of countering the danger of territorial, political and ethno-religious conflicts over "distributional issues" (Wimmer and Schetter, 2002:3) and enabling a mutually acceptable framework for democratic peace.

**Modernization of Public Security Mechanism**
Modernization of security sector involves the professionalization of security agencies, rationalization and democratization of their authority, differentiation of their institutions and responsibilities and inclusion of left out groups of society through common process of laws. Sensitivity to humanitarian laws is a crucial aspect of democratization. The disagreement between the Maoist's concept of security sector reform (SSR) and non-Maoist notion of demilitarization, demobilization and reintegration (DDR) of combatants in the nation's productive life must be resolved with viable, long-term and rational strategies of right-sizing, professionalization and relative autonomy of security agencies so that they serve general public and national interest. The DDR is linked with the peace process and abolition of all sorts of non-state violence from politics while SSR is linked to locally-owned broader development, training and capacity building and democratization of public security agencies. Both aim to abolish the culture of impunity and the state of nature. Creation of an interface between civic groups and security like the community police (Shrestha, 2004:438-461), can refurbish the image of security agencies thus offering relief, rehabilitation and peace dividend at the local level.

The concept of democratic oversight was never practiced in Nepal due to a lack of political will, financial constraints, inter-institutional coordination and communication and absence of expertise to do so. But, this is important to remove the trade off between security's over preoccupation with nationalism than democracy and political parties' excess preoccupation with democracy than nationalism and establish a correlations between the two as both democracy and nationalism make these institutions accountable to sovereign citizens. There is also a need to strength cross-bonding social capital at inter-institutional level so as to overcome the problems of collective action in the maintenance of security and rule of law. Samuel P. Huntington has developed four central concepts as measurement and durability of the state focusing on the degree to which the political system is "*adaptable, complex, autonomous and coherent*" (1968:13). These measures are important for the institutionalization of political parties and security agencies in Nepal. Crisis management and structural transformation require the

capacity of state to redress the root causes of conflict and create structures that fulfill basic human needs and security. The key to the future of national security is civil-security collective action in areas of public and national interests including the development of stable democratic political culture responsive to public needs as well as preservation of its changing environment caused by continuous political turmoil (Webersik and Thapa, 2008:1).

**Democratic Control of Security Agencies**

This is the central aspect of creating a legitimate public order where different actors accept the rules of social conduct and undertake mutual accountability. Key strategies are:

- *The reason of state establishes that its legitimate monopoly on power is prerequisite to defend the citizens from external threat and performance governance functions.* Without a strong, unified and disciplined security structure the democratic state cannot protect its citizens from external encroachment and internal conflict and pursue national development policies.
- *Modern democracy requires the primacy of civilian control* (elected parliament and government) *over security components especially on matters of security expenditure, the disposition of structure, control over internal promotions, the kind of military technology to be acquired, purchase of equipments, military tasks, doctrine and security strategy.* In Nepal it is essential to separate clear responsibilities between the Nepal Army, APF, Police and Intelligence Agencies to determine each other's jurisdictions and establish unified security governance.
- *Institutionalization of civil-security relations is important for coherence and synergy of the tasks and prevent the rise of militarism occurring at societal (armed groups, militant youth wings and radicalism in political party) levels.* Institutionalization helps to gain legitimacy to both sides-- political parties and the security agencies, establish relationship with political structures and leadership and cope with the societal challenges jointly.
- *Professionalism of security agencies on public affairs and parliament and government on security matters are crucial to build mutual confidence.* For this, establishment of special committee in the parliament and political parties on security affairs and regular dialogues on civil-security relations are important to build trust and confidence between the two. It also helps monitoring the compliance of democratic values and civilian oversight. It is difficult to develop professionalism of security agencies if high level of personalized authoritarianism in the government and political parties coexists with impersonal political and legal institutions of the state and state mechanism are often utilized to expand the party leaders' political constituencies than serving the ordinary citizens.
- *A project of civic education (enlightenment) is essential* to provide exposure and constructive engagement of all the stakeholders on the principles and practice of national security, democracy, human rights, constitutionalism and rights and responsibilities of citizens so that they develop cultivated capacity to take effective roles in the political system and learn the art of compromise for good governance.

**Conclusion**

A sound civil-security relation is central to enhance national security in Nepal and contribute to achieve three national tasks—building modern state, inclusive democracy based on a new social contract and sustainable peace rooted on the realization of human security. But, this requires the political leadership to remove the five defects of democracy, such as skewed access of public to power, denial of opponent groups' claim to power, erosion of the legitimate state monopoly on power, narrow power base restricting pluralistic politics in opinion and democratic will formation and the mode of rule violating basic democratic values (Meyer, 2004:34-35). Rectification of the defects of democracy and democratization of security agencies must be accompanied with a formulation of national security doctrine, institutionalization of dialogue and regular identification of sources of threat by various stakeholders of society; and

strengthening of National Security Council through interdisciplinary team of experts coordinated by Defense and Home Ministries who can also inform about early warning of fault-line conflicts and suggest measures for early response. Mutual appreciation of each other's roles and responsibilities between civil and security forces is crucial for the construction of a post-conflict Nepal and build a shared, peaceful future.

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**Note**: Presentation made at a seminar organized by Nepal Ex-Policemen Organization and Friedrich-Ebert-Stiftung, November 16, 2008, and Nepal Police Academy in Kathmandu on November 20.