

PILDAT

**International Conference
Civil-Military Relations**

October 21-22, 2008
Hotel Avari, Lahore, Pakistan

**India's Democratic Oversight
of the Defence Forces:
What Made it Possible?**



PILDAT

**International Conference
Civil-Military Relations**

October 21-22, 2008
Hotel Avari, Lahore, Pakistan

**India's Democratic Oversight
of the Defence Forces:
What Made it Possible?**



PILDAT is an independent, non-partisan and not-for-profit indigenous research and training institution with the mission to strengthen democracy and democratic institutions in Pakistan.

PILDAT is a registered non-profit entity under the Societies Registration Act XXI of 1860, Pakistan.

Copyright ©Pakistan Institute of Legislative Development And Transparency – PILDAT

All Rights Reserved

Printed in Pakistan

First Published: December 2008

ISBN: 978-969-558-109-4

Any part of this publication can be used or cited with a clear reference to PILDAT.

Published by



Pakistan Institute of Legislative Development and Transparency
No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan
Tel: (+92-51) 111-123-345; Fax: (+92-51) 226-3078
E-mail: info@pildat.org; Web: www.pildat.org

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES:
WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

CONTENTS

Preface

Profile of the Author

India's Democratic Oversight of the Defence Forces: What Made it Possible?	09
Introduction	09
India and Pakistan: A Shared Legacy: A Divergent Course	09
Setting the Ground Rules	09
Charismatic Leadership	09
The Congress Party	10
Fragile Democracy of Pakistan	10
Institutional Restructuring in India	10
Same Rank of Services Chiefs	10
Cabinet Committee on Security	10
National Security Council	11
Parliamentary Oversight of the Defence Sector	11
Role of the Key Actors Critical for Democratic Oversight of the Defence Sector	12
Ingrained "Idea" of Democracy	12
How has India channelled the military's role or influence in security issues within the parameters of democratic governance?	12
Military Control in Operational Matters	12
Corporate Interests of the Indian Military	12
National Strength versus Military Strength	13
Strains in Civil-Military Relations	13
- Menon-Thimayya Stand-off	13
- The 1962 War with China	14
- The 1975 Emergency and Civil Military Relations	14
- Operation BlueStar (1984)	14
Lessons from India	15

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES:
WHAT MADE IT POSSIBLE?.....

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

Preface

India's Democratic Oversight of the Defence Forces: What Made it Possible? is a paper presented by **Mr. Mr. Narendra S. Sisodia**, Director, Institute of Defence Studies & Analysis, Delhi, at the **PILDAT International Conference on Civil-Military Relations**: October 21-22, 2008, Lahore, Pakistan.

PILDAT International Conference on Civil-Military Relations was held from October 21-22, 2008, at Lahore, Pakistan. The objective of the Conference was to showcase international and regional experiences and best practices in improving civil-military relations. Experts on civil-military relations from India, Turkey, Indonesia & Europe were part of the conference to present case studies and best practices on how to maintain and manage civil-military relations within an established constitutional and legal framework and move towards democratic consolidation. Pakistani Experts and academics, representatives of political parties and a large number of young professionals and students also participated in the two-day conference to discuss and brainstorm issues affecting civil-military relations in Pakistan and to reiterate the parameters of exclusive domains, as well as the overlapping and shared areas, of the civil and the military in Pakistan as a way forward for the country.

The paper is published as part of the PILDAT Publications Series on Civil-Military Relations.

Acknowledgement

We wish to acknowledge the support provided by the Friedrich Ebert Stiftung (FES) for organising PILDAT International Conference on Civil-Military Relations. The paper has been prepared and published as part of the Conference.

Disclaimer

The views expressed in this paper belong to the author and are not necessarily shared by PILDAT. Furthermore, the opinions, findings and conclusions or recommendations expressed in this paper are those of the author and do not necessarily reflect the views of the Friedrich Ebert Stiftung (FES).

Islamabad
December 2008

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES:
WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

Profile of the Author

Mr. Narendra S. Sisodia

Mr. Narendra S. Sisodia took charge of IDSA (Institute of Defence Studies & Analysis) in September 2005. He retired as Secretary in the Ministry of Finance in January 2005. Prior to this assignment, he was Secretary, Defence Production and Supplies, Ministry of Defence. Mr. Sisodia graduated from St. Stephens' College Delhi and obtained a Master's Degree from Harvard University, USA, where he was a Mason Fellow. Mr. Sisodia joined the Indian Administrative Service in 1968. In Government of India, he served as Joint Secretary, Ministry of Defence from 1988-94. As Additional Secretary in the National Security Council Secretariat, he was closely associated with the work of the Kargil Review Committee. Subsequently, he was appointed as a member of the Task Force set up to recommend measures for Reforming the Management of Defence. He was also responsible for providing resource support to the Group of Ministers on Reforming the National Security System. As the first Additional Secretary of the newly constituted National Security Council Secretariat, he was closely associated with the nascent NSCS and other support structures of the National Security Council like the Strategic Policy Group & the National Security Advisory Board. He has also been Vice Chancellor of Mohan Lal Sukhadia University, Udaipur. He is a member of the National Security Advisory Board.

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES: WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

Introduction

Independent India had inherited a whole range of daunting problems. The partition of India and the unprecedented communal violence in its aftermath, led to massive migration of settled populations. Soon thereafter, India had to fight a war in Kashmir. Given its size and diversity, political consolidation of the new nation was in itself a challenge. Despite efforts at planned development, economic growth remained painfully slow for a number of years, making the task of poverty alleviation specially difficult and economic disparities continued to persist and even deepen. Even as the Government grappled with many internal challenges, it had to fight wars with China in 1962 and with Pakistan in 1965 and 1971. Despite many unfavourable circumstances, Indian democracy has continued to grow from strength to strength, with the supremacy of Civilian rule over its Armed Forces firmly in place.

India and Pakistan: A Shared Legacy: A Divergent Course

India and Pakistan were borne of the same womb and shared a common colonial legacy, especially of the highly professional Armed Forces. The British Commander-in-Chief enjoyed a pre-eminent position but he operated under the control of the Governor-General and the Secretary of State. As Prof P.R. Chari has observed: 'A tradition of civil supremacy over the military apparatus was the common heritage of India and Pakistan.'¹ And yet, Pakistan's experience of civil- military relations has been very different. It has been under direct military rule from 1958 to 1971, from 1977 to 1988 and from 1999 to 2008; even when a democratically elected government has ruled Pakistan, it has had to share power with the Military, particularly in the domain of foreign policy and national security. It is therefore natural to ask the question: 'what are the key reasons for the Indian Military, unlike that of Pakistan, never taking over the democratic polity in India?' This paper attempts to address this and other related questions on Civil-Military relations in India.

Setting the Ground Rules

From the early days of Independence, India's first Prime Minister, Jawaharlal Nehru had laid down clear ground rules. The then British General, heading the Indian Army had ordered that the lay public be kept away from the flag-hoisting ceremony, following the Independence Day. Nehru revoked the General's order and wrote back as follows: "..... In any policy that is to be pursued, in the Army or otherwise, the views of the Government of India and the policy they lay down must prevail....."²

The principle of civilian supremacy was reinforced by another stalwart of free India: Home Minister, Vallabhbhai Patel. When the British General, Roy Bucher expressed some reluctance to move into Hyderabad, Patel told him that, if he opposed the Hyderabad action he was free to resign. The General chose to comply.

The first Indian Commander-in-Chief, General K.M. Cariappa, after taking over from his British predecessors, began to offer his views on varied subjects such as the country's preferred model of economic development. In October 1952, Nehru advised him to address fewer press conferences and adhere to safer topics. By January 1953, when Cariappa was leaving office he was a chastened man and in his farewell speech he advised soldiers to steer clear of politics. The soldier's job, he observed, was "not to meddle in politics but to give unstinted loyalty to the elected Government."³

Charismatic Leadership

Through a combination of some favourable factors and conscious efforts India has been able to develop a strong political culture. At the time of independence, like Quaid-i-Azam Mohammad Ali Jinnah in Pakistan, India had a charismatic leader in Jawaharlal Nehru. He was well schooled in the theory and practice of Parliamentary democracy and truly believed in its values. Given his intellectual calibre, deep knowledge and sacrifices during the freedom movement, there was no one in politics or the

1 P.R. Chari, "Civil Military Relations in India", *Armed Forces and Society*, Vol 4 No.1, November 1977. page 7.

P.R. Chari, "Civil Military Relations in India", *Armed Forces and Society*, Vol 4 No.1, November 1977. page 7.

2 Ramachandra Guha, *India After Gandhi: The History of the World's Largest Democracy*, Page 760,).

3 In his book *India After Gandhi, the History of the World's Largest Democracy*, Ramachandra Guha offers a fascinating account of the way the relationship between the leaders of independent India and the military brass evolved in the early days of independent India. See pp. 760-761.

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES: WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

armed forces who could challenge him. His 17 years of Prime Ministership provided India the stability which allowed its democratic institutions to strike deep roots. Fortunately, he was succeeded by competent leaders who could carry forward his mission. In Pakistan, after the demise of Jinnah and the assassination of Prime Minister Liaquat Ali Khan, visionary and charismatic leaders were not available.

The Congress Party

India was also fortunate in having a dominant national party-the Congress Party, which had spearheaded the national movement and had a mass base. It was an umbrella party, representing diverse regions, religions and groups, at once an official spokesperson of the nation and an agent of criticism. No other organization in the country, even the highly trained and professional armed forces, could rival its influence and reach. In Pakistan, after Jinnah, the Muslim League degenerated from a party that led a movement, to an elitist party with a narrow and weak political base. The Muslim League was controlled by a small group, and unlike India's Congress Party, had done little work among trade unions and the peasant associations. Analysing the interface between the Military and Politics in Pakistan, Hasan-Askari Rizvi has noted: "Unlike the Congress Party of India, the Muslim League failed to transform itself from a nationalist movement to a national party which could lead the nation on the road to democracy, stability and prosperity."⁴ The Congress Party committed itself to economic and social change, while the Muslim League was essentially a party of wealthy Muslim landlords who were reluctant to pursue any radical reforms. Thus, in Pakistan, neither the Muslim League nor the Awami League had a similar reach or strength.⁵

Fragile Democracy of Pakistan

India got its Constitution in 1950, whereas in Pakistan it had not been possible to promulgate a Constitution, even after 11 years of independence. During this period, Pakistan had

9 governments and 7 Prime Ministers.⁶ A cult of mediocrity was beginning to develop and power began to shift from political parties to the military and the civil service. The political elite of Pakistan comprised former civil servants, like Ghulam Mohammad, Chaudhri Mohammad Ali and Iskander Mirza.

In India, the military elite were in no position to assume positions of leadership. Independent India inherited several senior officers from the Indian Civil Service, while in terms of numbers, seniority and experience, the military leadership was relatively weaker. The civil service comprised men of ability and integrity who provided full assistance to the political leadership to usher in democratic institutions and deal with the many crises which affected the nation. From the initial years of Independent India, Nehru emphasized political participation, economic and social mobilization and open competition and criticism. Above all, he played the critical role of the nation's schoolmaster.

Institutional Restructuring in India

The Indian policy of establishing Civilian supremacy was reflected in, and reinforced through, the process of institutional restructuring. In September 1947, the British defence member in the Viceroy's Council was replaced by Sardar Baldev Singh and the Commander-in-Chief ceased to be an extraordinary member.⁷ Under India's 'only' Constitution enacted in 1950, the President is the Supreme Commander of the armed forces. However, de-facto control vests with the Prime Minister, assisted by a civilian defence minister who is a senior member of the cabinet.

Same Rank of Services Chiefs

On the eve of Independence, the heads of Air Force and Navy were elevated to the rank of the Army Chief who was no longer second to the Viceroy. The post of Commander-in-Chief was eventually abolished in 1955. The Military was no longer directly represented in the Cabinet. The civilian

4 Hasan Askari Rizvi, *The Military and Politics in Pakistan, 1947-86*, Progressive Publishers, Lahore, 1986.

5 Veena Kukreja, *Civil Military Relations in South Asia*, Sage Publications, New Delhi/Newberry Park/London. Kukreja offers a comprehensive and insightful analysis of the political Institutions in India and their impact on the Civil Military relations.

6 Ibid, See page 231.

7 P.R. Chari, "Civil Military Relations in India", *Armed Forces and Society*, Vol 4 No.1, November 1977.

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES: WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

secretary who had earlier ranked lower than the Lieutenant General, now ranked senior.⁸ The Strengthening of the Civil Service dominated Ministry of Defence was another important organizational change.

Cabinet Committee on Security

The highest political authority was vested in the cabinet, headed by the Prime Minister. However, matters relating to defence were looked after by a sub-committee – defence sub-committee of the cabinet, subsequently, renamed as the Emergency Committee and the Cabinet Committee on Political Affairs. Presently, defence matters are deliberated upon in the Cabinet Committee on Security, presided over by the Prime Minister and comprising the Defence Minister, the Home Minister, the External Affairs Minister and the Finance Minister. The Defence Secretary and the Service Chiefs are in attendance when required.⁹

At the level of the Ministry of Defence, there is a Defence Minister's Committee, comprising the three Chiefs of Staff, the Chief of Integrated Defence Staff and the concerned secretaries. While the Defence Secretary is the Defence Minister's Principal Adviser in matters of Defence, the Chiefs of Staff perform the role of Principal Military Advisers. Inter-service matters at the services level are looked into by the Chiefs of Staff Committee headed by the senior-most Service Chief.¹⁰

The important changes brought about both in their role and warrants of precedence have been a subject matter of criticism amongst many in the armed forces of India. However, it needs to be noted that these changes were only a natural corollary to the end of colonial rule and the establishment of the country's democratic structure.

National Security Council

The principle of Civilian Supremacy or democratic control runs through all organs of consultation and policy-making. India's National Security Council is headed by the Prime Minister, the concerned Cabinet Ministers, the Deputy

Chairman, Planning Commission and the National Security Adviser, who is a civilian. The National Security Advisory Board, comprising some 20 expert members including journalists, former diplomats, former Chiefs, Economists, former heads of intelligence organizations, etc., is also presided over by a civilian. The Nuclear Command and Control Structure is headed by the Prime Minister at the apex level and by the National Security Adviser at the executive level, with due representation of the armed forces.

Thus, in all organs of Government dealing with national security, the final decision-making vests with the political authority. The Chiefs of the Armed Forces are called upon to advise the competent authorities like the Cabinet Committees and the National Security Council, but are not represented in these fora. While their professional advice is duly considered, the final decisions are taken by elected leaders of the Government, responsible to the Parliament.

Parliamentary Oversight of the Defence Sector

While the defence budget is discussed and approved by the Parliament, effectively, the Finance Ministry decides the overall limits of defence spending. Budget proposals are scrutinized in some detail in the Ministry of Defence and subjected to a broad scrutiny in the Ministry of Finance. Financial powers have been progressively delegated to the Defence Services Headquarters but all major acquisitions and expenditure proposals are to be processed in the Ministry of Defence. Defence expenditure is subjected to rigorous audit by the Comptroller & Auditor General of India. Requests for force expansion and structural adjustments are also evaluated by the Ministry from a fairly early stage of the decision-making process.

To facilitate closer association of the Parliament with the functioning of ministries of the Government of India, consultative committees of Parliament were set up in 1954. These committees organize periodic meetings with the Ministers and officials concerned. As their discussions are confidential, considerable information can be shared with the members. Over the years, in answering members'

⁸ Stephen P. Cohen, *The Indian Army*, Oxford University Press, Bombay, PP 170-172. Cohen argues that an 'alliance' was created for the purpose of reducing the role of the military in the decision-making process. However, other scholars disagree with this view and correctly point out that this was a natural consequence of the transfer of power to a duly elected democratic government.

⁹ P. R. Chari – "Civil Military Relations in India", *Armed Forces and Society*, Vol. 4 No. 1 page 12

¹⁰ *Ibid*

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES: WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

questions, a great deal of information has been provided to the Parliament. In addition, the Parliament's Standing Committee on Defence and the Public Accounts Committee provide an effective forum for parliamentary oversight. Based on the detailed reports of the Comptroller & Auditor General of India, the Public Accounts Committee has been serving as a potent instrument of parliamentary oversight in matters of defence expenditure.

The effectiveness of parliamentary control has been somewhat constrained due to concern for secrecy in matters of national security. Nonetheless, information provided to the Indian Parliament, through the Ministry's Annual Reports and in replies to members' questions, is substantial, especially when compared with several other countries. Another factor limiting the efficacy of parliamentary oversight is the lack of expertise on defence matters among politicians, civil servants and even the military. India does not have a system of shadow cabinets which promotes expertise and most political leaders tend to take interest in matters directly affecting the people or their constituencies. The relative lack of expertise among civil servants and military officials is attributable to the generalist nature of the services and limited tenures. Nevertheless, "the entire gamut of parliamentary controls strengthens the legislative and consequently, civilian control over the defence apparatus."¹¹

Role of the Key Actors Critical for Democratic Oversight of the Defence Sector

The mechanisms that exist for democratic oversight in India are perhaps not substantially different from those obtaining in Pakistan and elsewhere. It is India's experience that what is critical for the democratic oversight of the military is not so much the formal decision-making architecture, but the role that the key actors actually play. The principle of civilian supremacy is fully accepted and has been internalized by key actors and constituencies in India.¹² This principle is reinforced by the main organs of the Constitution – the Legislature, the Executive and the Judiciary. An active civil society zealously guards the basic democratic rights. Elections to the Parliament and the State Assemblies are

held in a free and fair manner with unfailing regularity, thus ensuring the legitimacy of elected governments.

Ingrained "Idea" of Democracy

Any infringement of citizens' fundamental rights and structure of the Constitution is severely punished by the electorate. The most glaring example is the electoral defeat of the late Prime Minister Indira Gandhi in 1977, even though she had herself decided to lift the two-year emergency rule and seek a fresh mandate from the people. Democracy has taken deep roots in India. As Sunil Khilnani observes in his book, *The Idea of India*: "Democracy as a governmental form will no doubt suffer the vicissitudes to which all human institutions are prey. But as an idea it has irreversibly entered the Indian political imagination".

Respect for democratic principles and practices, regular, free and fair elections, conducted by a fiercely independent Election Commission and a watchful and independent Judiciary have helped to bolster the legitimacy of elected governments. In such an environment it is inconceivable for any individual or group to act without the people's mandate.

How has India channelled the military's role or influence in security issues within the parameters of democratic governance?

How has India channelled the military's role or influence in security issues within the parameters of democratic governance? Superficially, the decision-making structures might give the impression that India's armed forces simply do not have a role in Defence policy or Defence-related decision-making. This is far from the truth. In all national security and defence-related matters, the armed forces are fully consulted and their views given due weightage. A noteworthy example of the weightage given to Military advice is the decision to defer operations in 1971 war. While the Prime Minister Indira Gandhi had proposed action early in the year, she agreed with Gen. Sam Manekshaw's advice to defer operations for a more appropriate time in the winter of 1971.

¹¹ PR. Chari page 13-15.

¹² Rebecca L. Schiff, *The Military and Domestic Politics: A Concordance Theory of Civil-Military Relations*. Schiff argues that while considering reasons for the absence of military intervention in India, "The concordance" among the military, the political elites and the citizenry must also be taken into account.

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES: WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

The Chiefs of Staff and other senior officials have direct access to the Defence Minister. The Chiefs also have access to the Prime Minister and routinely meet the National Security Adviser. Defence Services are represented in all important committees like the Defence Acquisition Council, Defence Procurement Board, Defence Production Board and Defence R&D Board.

Military Control in Operational Matters

Consequent to a high-level review undertaken by Government of India in 2001, Service Headquarters, earlier treated as attached officers, are now integrated in the Ministry of Defence. The Service Chiefs enjoy full control in operational matters¹³ and only for the most senior appointments does the Government come into the picture.

Corporate Interests of the Indian Military

As elsewhere, India's military has its corporate interests and concerns. These relate mainly to policies concerning national security, the defence budget, modernization, operational autonomy, and involvement in internal security. The pay and perks as well as relativity with other services are naturally an important concern for the Armed Forces. In matters of national security policy, India's military fully recognises that the ultimate decision lies with the elected government. It also recognizes that the civilian government has to take the final call in regard to aid to civil authority for maintaining internal order or disaster relief etc. There are occasions when the military leadership may differ with the judgment or views of civilian leaders. The civilian leadership has ordinarily respected the views of the military, but the latter do recognise that the elected government is the ultimate custodian and interpreter of the national interest.

National Strength versus Military Strength

As a nation, India has never regarded any challenge to its security as an existential threat. However, in Pakistan, India is seen by many as a nation un-reconciled to the birth of Pakistan and hence an existential threat. This notion has been propagated by the Army in Pakistan to sustain its own privileged position in the country's polity. There is a

consensus in India that security challenges are best met through comprehensive national strength, of which military is just one component. Diplomacy, economic and technological strength and a vigilant citizenry all have to play an effective role for securing the nation. Further, defence of the nation is regarded as the elected government's principal responsibility and not the military's exclusive domain. India's military recognises that any attempt to usurp the legitimate authority of a duly elected government will not necessarily safeguard its interests and may, on the other hand, erode its own legitimacy, and saddle it with responsibilities it is thoroughly ill-equipped to discharge.

While India's military may seek a greater role for itself in defence policy or in decisions bearing on pay and privileges, it does not exert direct influence in matters of governance. Independent India's first Commander-in-Chief had exhorted the cadets of the Indian Military Academy as follows:-

“Remember that the army, and indeed all the services, are the servants of the government in power at the time, and the political complexion of a particular government makes not the slightest difference to this fact. As soldiers you are not concerned with politics.....It follows therefore that the army has never the slightest right to question the policy of government. Implicit obedience to the orders issued by government is essential, and only in this manner will the interest of the country be fully served.”¹⁴

The military does play an important role in matters of defence policy, procurement and defence management, but it does not have any formal or even an informal role in governance per se.

Strains in Civil-Military Relations

The relationship between the military and the civilian government has come under occasional strain. Differences

13 PR. Chari page 13.

14 Lt Gen (Retd) M.L. Chhiber, *Military Leadership to Prevent Military Coup*, page. 116.

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES: WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

of opinion on a variety of issues do occur, but are accepted as a part of the consultative process of decision-making. For instance, in matters of security policy, the military may favour a more pro-active posture or may express reservations about certain diplomatic moves. The Defence Services have invariably desired a larger defence budget and vigorously argued for additional allocations. In procurement for modernisation, they demand a greater weightage to their views and even a final say in decision-making. The Army has been expressing its reservations regarding frequent involvement in managing law and order problems. Issues of pay and perks and warrant of precedence have been a source of dissatisfaction amongst the Armed forces. These issues arise time and again when the recommendations of the Pay Commissions come up for the Government's consideration. Differences of opinion on such issues have however never resulted in a crisis situation. Governments of the day have been dealing with them with due sensitivity to the services' legitimate concerns.

Menon-Thimayya Stand-off

Have there ever been problems in civil-military relations in India? If so, how were they resolved? A review of the past six decades of civil-military relations in India would bring to light a few instances which have caused a severe strain in this relationship and led to near crisis situations. The first such instance was the period of Defence Minister, V.K. Krishna Menon's stewardship of the Defence Ministry (1957-1962). Krishna Menon as Defence Minister and Lt. Gen B.M. Kaul as Chief of General Staff used their close personal relationship with Nehru to undermine the established civil-military procedures, playing favourites and upsetting colleagues to the point of being charged with politicizing the armed forces. This so-called 'Menon-Kaul nexus' appeared to split the officer corps into pro and anti-Menon-Kaul factions. Given serious differences between him and Menon, Army Chief Thimayya submitted his resignation, but Nehru made him take it back. The matter came up for discussion in the Parliament during which the supremacy of the civil authority over the military" was once again reinforced. Recording the episode, Admiral RD Katari wrote that Prime Minister Nehru "quite properly sought to emphasise the supremacy of the civil authority over the Military. None of us in the armed force (sic) had the

remotest doubts about this, nor was there even any thought of defying it... I can say with absolute honesty that any idea that they should take the law into their own hands, despite frustrating provocations sometimes, never entered their heads, and God willing, never will." ¹⁵

The 1962 War with China

The second such period of strain followed the defeat of India in the 1962 Sino-Indian War. The defeat was widely seen as the then government's and the senior military leadership's failure. However, remedial action was soon taken. The Defence outlay was progressively enhanced and the defence forces expanded.

V.K. Krishna Menon was moved from the Ministry and with his departure, anger among the Services dissipated. A senior and competent Minister, Y. B. Chavan replaced Menon. Disgraced senior officers were replaced and grievances of field officers directly redressed. Ambassador T.N. Kaul, commenting on these measures observed: "The Chinese invasion proved indeed to be a blessing in disguise. India woke up to the need to mend her defences, unite the people and harness her resources. India had lost a battle but not the war." ¹⁶

Although now with its image considerably tarnished with the failures inevitable to governing, the Congress' convincing victory in the 1962 General Elections showed that the grand old party and its leader still commanded respect. India's government and the democratic process which kept it in power continued to be regarded as legitimate, moral and effective.

The 1975 Emergency and Civil Military Relations

The next such occasion arose when Prime Minister Indira Gandhi instituted a state of national Emergency from 1975 to 1977, on the grounds of preserving internal order, but in reality to evade legal proceedings and consolidate her grip on power. This must have been an important test for the armed forces. Never in the past, the Indian armed forces' ability to respect civilian supremacy involved questioning the legitimacy of the civilian government. Many respected political leaders and others considered the imposition of

¹⁵ R.D. Katari, A Sailor Remembers, P104

¹⁶ T.N. Kaul, Reminiscences Discreet and Indiscreet (New Delhi; Lancers Publishers 1962) p. 172

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES: WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

Emergency as illegitimate. But most people in the government and the Armed Forces – at least in the initial stages – appeared to admire the order and discipline imposed by the Emergency. However, contrary to speculations, there is no evidence to show that Mrs. Gandhi or any other leader ever sought military intervention or the military ever contemplated any intervention. Lt Gen M. L. Chhiber (then Director of Military Operations), in his book has asserted that “there never was any such move or even a thought of it.”¹⁷

Operation BlueStar (1984)

Another incident which put civil-military relations to test was 'Operation Blue Star' in 1984. Mrs. Gandhi had been careful to keep the armed forces away from enforcing internal order during the Emergency. However, she was unable to avoid using them to put down growing separatist unrest in Punjab. 'Operation BlueStar' was intended to flush out Sikh militants in and around the Golden Temple in Amritsar. It succeeded in its immediate aims. Its after-effects were, however, bad for the armed forces, civilian Sikhs outside Punjab and for Mrs. Gandhi herself. In the wake of 'Operation BlueStar' thousands of Sikh troops raised the banner of revolt. These were, however, regarded as isolated cases of inexperienced and poorly-led personnel. The commissioned Sikh officers who were intimately involved in planning and execution of the operation showed utmost professional responsibility and maturity. The government learnt its lessons from this episode and its consequences. Nine hundred of the 2600 rebels were rehabilitated as part of the Rajiv-Longowal Accord. Greater reliance is now placed on swift police responses. There have been no further instances of military indiscipline.¹⁸

Despite periodic strain in civil-military relations as enumerated above, officers of the Indian armed forces have never attempted a coup. In an insightful account of the four cases discussed above, Apurba Kundu observes that this was, “partly because civilian politicians and bureaucrats have been more qualified and motivated to rule, because no such opportunity ever arose, because military grievances were never enough to force this momentous step and/or because their numbers and diversity thwarted the primacy

of any one internal group.”¹⁹

Lessons from India

Finally, does India's case offer any lessons to other countries of the region? Before this question is addressed, it must be recognized that despite a common legacy and other similarities, the contexts and circumstances of each country of the region differ.

In retrospect, not keeping recruitment of the armed forces confined to a particular class or classes and throwing it open to all communities has been helpful. It has given them a diverse and nationally representative character. Such an armed force would have no incentive to act on behalf of one narrow interest of certain groups; nor would its diversity assure it the support a dominant group. In comparison, the Army in Pakistan was dominated by certain ethnic groups and was marked by relatively greater ethnic homogeneity.

Adherence to constitutionalism, genuine democratic norms and practices have also helped in the long run. The democratic polity of India is founded on the separation and independence of its Legislature, Executive and Judiciary. It is nurtured by a fiercely independent media and an Election Commission. A number of non-governmental organizations promoted by the government and a vibrant media as well as an active civil society have been nourishing India's democratic institutions. India's federal structure, strong political parties a strong infrastructure of democratic institutions, institutionalisation of diverse centres of power and political awareness of the masses make the prospect of a military intervention exceedingly unlikely, perhaps a near impossibility.

Several years ago, an eminent political scientist of India, Rajni Kothari had pointed out that the distinctiveness of the Indian model of nation-building “lay in its ability to build a powerful institutional structure.....a unique party system, a rule-bound administrative and judicial structure, the planning machinery, a long network of autonomous institutions and plural basis of informed criticism and debate.....”²⁰

¹⁷ Lt Gen (Retd). M.L. Chhiber, *Military Leadership to Prevent Military Coup.*, page 117

¹⁸ Apurba Kundu, *Militarism in India: the Army and Civil Society in Consensus*, Viva Book Private Ltd., New Delhi Mumbai. Chennai.

¹⁹ Ibid page 192.

²⁰ Rajni Kothari, 'Why Has India Been Democratic And Why Not' (Typescript, Delhi: Lokayan, n.d.) pp. 29-30 quoted in Veena Kukreja p. 219

INDIA'S DEMOCRATIC OVERSIGHT OF THE DEFENCE FORCES: WHAT MADE IT POSSIBLE?

PILDAT INTERNATIONAL CONFERENCE
CIVIL-MILITARY RELATIONS
October 21-22, 2008

The decision of India's political leadership to strengthen the Civilian Ministry of Defence helped the process of diffusion of authority and power. Over the years, the Ministry has provided the Ministers an independent capacity for analysis and an instrument of checks and balances. In Pakistan, the relationship between the Ministry and the Army has been promiscuous, giving complete autonomy to the latter in matters of strategy, budget, procurement, personnel and even in their contacts with foreign powers.²¹ It has enjoyed a veto power in policy decisions concerning foreign policy and national security.²²

India's Military, like that of Pakistan, has remained highly professional. However, the evolution of civil-military relations in Pakistan shows that professionalism does not necessarily prevent military involvement in politics. Owing to a number of advantages that the Pakistan army has enjoyed, it believes that "it has the wherewithal to handle any type of administration, even if outside its military orbit."²³ In his classic study of the Indian Army, Stephen P. Cohen had concluded that professionalism may "contribute to intervention in politics, if civilian authority decays." A relatively inefficient and ineffective civilian apparatus in Pakistan heightened the military's concerns about its own position and integrity, which have contributed to its frequent intervention. The civilian rulers and officials in Pakistan have also allowed the military 'free ingress' and enhanced the military's presence and status at the cost of their own domain and authority.²⁴

An important lesson that can be learnt from India is that the civilian leadership derives its strength "from the legitimacy of the political process." The civilian elites must also demonstrate their capacity to lead through their actions. In the words of Cohen they "must continually supervise and dominate, especially in areas where civilian and military interests overlap. Not only must the military be taught that civilian control is the norm, civilians must demonstrate their effectiveness."

The military in India was never inclined or given an

opportunity to assume for itself a role larger than what a professional military should do. In Pakistan, the military has become the guardian of the "ideological frontiers" and "ideology" of Pakistan. This has given the Pakistan Army the authority to intervene in politics on the pretext of protection of Islam and Ideology of Pakistan. With the military's accommodation in the National Security Council, it became a supra decision-making body.²⁵ The position of the Army has been further strengthened by the vast economic empire under its control and the commercial interests it has developed. The relative success of these commercial enterprises is attributable partly to the Army's capacity to influence political processes and secure a variety of tax exemptions and benefits. In India, the Armed Forces were never allowed to develop such vested interests in politics.

The fact that external threats to India's security were never allowed to be unduly exaggerated has been helpful in the development of healthy civil-military relations. While India has been involved in wars with two of its neighbours, there is a consensus that the ultimate security of the nation lies in its comprehensive national strength, of which military is a vital but not the only component. If a military is regarded as the ultimate guardian of the nation's ideology and national security, it is likely to develop a vested interest in exaggerating threat perceptions. A nation obsessed with an exaggerated sense of insecurity is likely to keep the military on a high pedestal.

21 Shuja Nawaj in his book *Crossed Swords: Pakistan, its Army, and Wars Within* (Oxford) notes that the military budget which was once subjected to scrutiny by the civil through a well established system of powerful financial advisors and the Ministry of Defence, has become a "black box". Page 575.

22 Owen Bennett Jones, *Pakistan: Eye of Storm*, pp 275-276.

23 Shuja Nawaz, *Crossed Swords, Pakistan, its Army and Wars Within*, Oxford University Press, Karachi, page 573

24 Ibid, page 577

25 Hasan Askari Rizvi, *The Military and Politics in Pakistan* (1947-86) page 258



No. 7, 9th Avenue, F-8/1 Islamabad Pakistan
Ph: (+92-42) 111 123 345 Fax: (+92-51) 226 3078
E-mail: info@pildat.org URL: www.pildat.org