



CIVIL MILITARY RELATIONSHIP

Civil Military relationship in India has been the subject of intensive analysis and discussion in India specially after Independence. Usually the topic is taken to mean the interaction between the civilian bureaucracy in the Ministry of Defence and the Military establishment. But in its broader sense it includes the civilian Ministers /State Ministers heading the Ministry of Defence also. With the creation of a separate Department of Military Affairs under the Chief of Defence Staff, the interaction between the Military and the civil bureaucracy in the Defence Ministry has substantially reduced. However why does this acrimony between the two verticals still remain? For this we will have to go back a bit in history.

The British Indian army grew out of the East India Company's involvement in the disputes between the Indian states in the eighteenth century. There were three separate armies in the Presidencies of Calcutta, Bombay and Madras. However, by the Regulating Act of 1774, these three separate armies were brought under control of the Governor General in Council. The concept of civilian control over the military was an established principle in Britain and this was extended to India. The Presidency Councils in turn exercised control over the local military commanders in their jurisdictions.

After 1857, all the possessions of East India Company came under the control of the Crown and the three Presidency armies were gradually amalgamated in one under a Commander-in-Chief in 1895. In 1905, the civil military relationship led to discord between the then Commander-in-Chief, Lord Kitchener and the Viceroy Lord Curzon. The Viceroy wanted the Defence Department to be headed by a civilian who would vet independently the proposals received from the Commander-in-Chief but Kitchener was not agreeable to the same and wanted to head the Military Department of the Government. The British Government supported Kitchener and Curzon resigned on this issue. Kitchener was now not only the commander of all military forces in India, but also became the Military Member of the Viceroy's Council-a post that was hitherto kept separate. This gave the military an outsized position within the government.

The Indian political leaders were quick to grasp the issues. In the budget of 1903, Gopal Krishna Gokhale argued that "Indian finance is virtually at the mercy of military considerations as the latter was being given excessive weight in the governments consideration of the matter. In 1907, Gokhale argued against privileging the narrow standpoint of a soldier. The newly constituted legislative assembly while discussing the recommendations of the Lord Esher Committee tabled 15 resolutions as recommendations to the Viceroy, which covered the central "structural problem of civil military relations". They argued for establishment of similar civil military relations as in Britain. To realise the "principle of ultimate supremacy of the civil power" they also demanded that the Commander-in-Chief cease to be a Member of the Executive Council. This was not agreed to and it was argued that the ultimate control of Defence administration continued to vest in the Secretary of State in India, who was subject to parliamentary control. In this way the civilian control continued. The Army Department was put under the control of the Commander-in-Chief but the Department was headed by the Secretary who was a military officer of the rank of Major General. He could not independently examine the proposals received from Army Headquarters but had to issue orders under the name of the Government of India for the same.

It was in 1921, that a civilian was again appointed as secretary and in 1936, the department was renamed the Defence Department. Together with it, a Department called the Department of Military Finance was also created. All proposals having a financial bearing were scrutinized by it. Budget preparation, overview of expenditure and other aspects of financial control were vested in that Department.

In September 1946, when the Interim Government was formed, Prime Minister Nehru made it a point that the Commander-in-Chief no longer had a seat at the political decision-making table, as he had until then combined the role of Defence Member and Commander-in-Chief of the Viceroy's Council. In the new structure, the Commander-in-Chief was out of the Cabinet, and all the important communications and decisions now had to go through the civilian officials and the Member heading the Department of Defence. Sardar Baldev Singh, a civilian, was appointed the Military Member of the Executive Council.

INDEPENDENCE AND AFTER

Nehru, the first Prime Minister of Independent India realized the importance of keeping the military subordinate to the civilian political authority. Symbolically, shortly after Independence Nehru moved into the Flagstaff House, the Commander-in-Chief's mansion to use as his own official residence.

Nehru then adopted a policy of separating the unified armed forces structure, in which the Army and the Commander-in-Chief dominated and might be a potential threat to civil power, into one in which the Army, Navy and Air Force each had their own command structure and were headed by separate Commanders-in-Chief. In Parliament, the Prime Minister emphasized the point that "civil authority is and must remain supreme". In 1955, the Government further downgraded the position of the Commanders-in-Chief to that of Chiefs of Staff and all the Chiefs of Staff were made co-equal.

The Study Team on Defence matters set up by the first Administrative Reforms Commission of 1966 noted that there was some misapprehension that civilian control amounted to "civil service control". As early as 1951 the first Defence Secretary of Independent India, H.M. Patel, observed that the military leadership deeply disliked the role of civilian bureaucrats in policy and administrative matters alike.

A three-tiered structure from the colonial period continued to be used in higher defence policy making. The Cabinet Committee on Political Affairs (CCPA) was the foremost national security authority. The CCPA comprised of all the senior ministers of the Prime Minister's Cabinet and was responsible for policy-making on a variety of subjects including foreign affairs and defence. The next tier below the CCPA, the Defence Planning Committee (DPC)-previously the Defence Minister's Committee- consisted of the Cabinet Secretary, the Prime Minister's special Secretary, the secretaries of finance, external affairs, planning, defence, defence production, defence research and development, and the three service chiefs. The Chief's of Staff Committee was the military component of the third tier. The other half was the Ministry of Defence's (MOD) Defence coordination and Implementation Committee (DCIC) chaired by the Defence Secretary. The DCIC coordinated defence production, defence research and development, finances and the requirements of the services.

The Defence Ministry under its Secretary H.M. Patel also changed the Warrant of Precedence, so that at public meetings and State occasions, the top Generals were clearly below the senior civil servants and elected representatives of the people. Today while the three Chiefs are higher in precedence than the Secretaries but they are below the Cabinet Secretary. Similarly today while the Vice Chiefs are of the same rank as the Defence Secretary but the Defence Secretary chairs the meeting of the Vice Chiefs. Further according to the Note attached with the Warrant of Precedence, in all public and official functions in New Delhi, all Secretaries will have a higher precedence than the Vice Chiefs/equivalents.





In his seminal work on civil military relations, the late Samuel Huntington differentiated between subjective civilian control over the military and objective control. Objective control accepted the fact that there is an inviolable military sphere of action which should not be intruded upon. Subjective control, by contrast, operated on an ideological affinity between military and political leaders.

Clearly, civil military relations do not exist in a vacuum. They respond to the times. There is always bound to be some friction between senior elected officials—who are in control of the instruments of national power for some limited amount of time— and senior officials of the military with long years of experience managing one of those instruments of national power. This happened in India at the time when Krishna Menon was the Defence Minister and General Thimmaya was the Army Chief. When the friction between the two reached the boiling point, General Thimmaya put in his resignation. Nehru persuaded him to withdraw his resignation but General Thimmaya was clearly disillusioned when Nehru did not live up to his assurances given to him.

The 1962 war with China was a disaster for India. It showed up the unnecessary interference by the civilian political leadership in military matters. The order given by Prime Minister Nehru to set up forward posts without the requisite force backing was obviously taken without consultation with the armed forces. The appointment of General B.M. Kaul as the Army Chief at that critical point showed the lack of foresight of the civilian Government and primarily its then Defence Minister Krishna Menon. The Government at that time refused to heed the advice of the earlier Army Chief to prepare and arm the Indian troops for the likely attack by China. They firmly believed that China would never attack India.

Again in 1971 when Indira Gandhi planned to send Indian troops to aid the freedom movement in Bangladesh, the then Chief of Army Staff General Sam Manekshaw advised her against it and suggested that nine months be given to make adequate preparations. The Prime Minister agreed and that is why the Indian armed forces could defeat the Pakistan army in Bangladesh in a very short period of time. Prior to that Prime Minister Indira Gandhi also signed the Treaty with Russia to ensure that if any other country tried to intervene (read China and USA) then USSR would come to its aid. Civilian diplomacy was as important as the actual battles between the Indian and Pakistan armed forces.

In the 1999 Kargil war, there were two interventions by the civilian Government. One was that the Indian armed forces were directed not to cross the international border. The Air Force had to use precision bombing to destroy the bunkers set up by the Pakistani forces on the Indian side. They were clearly told not to cross the border. The intervention by the Air Force was approved by Cabinet Committee on Security on May 25, 1999. The second intervention was again on the diplomatic front. Our diplomats kept the US Government briefed daily on the actual field situation. The result was that when the Pakistan Premier Sharif went to USA for help he was rebuffed and advised the immediate withdrawal of Pakistani forces from the Indian side.

KARGIL REVIEW COMMITTEE REFORMS

After the Kargil war, and after the receipt of the Kargil Review Committee Report (authored by K. Subramaniam) the Government of India set up a Committee under the then Home Minister L.K. Advani, to review the entire course of events leading to the Kargil conflict and recommend reforms necessary in the fields of intelligence, Internal Security, Border Management and Higher Defence Management. The implementation of these recommendations led to closer civil-military working at various levels. A Defence Procurement Board was set up under the Chairmanship of the Defence Secretary and this included the three Vice Chiefs of the Army, Navy and Air Force as well as the Secretary Defence Finance, Secretary Defence Production and Secretary Defence Research. They were to decide jointly on Defence items to be procured. Another Defence Acquisition Council was set up under the Defence Minister to finalise the defence equipments and platforms required as well as whether they should be Made in India or should be bought outright from the manufacturers. Similar Councils were created for the Departments of Defence Production and Department of Defence Research. Thus in all these bodies the Armed Forces became empowered to give their advice directly to the Defence Minister and voice their concerns on all the issues that came up before these Councils.



The Reforms also established a Secretariat for the proposed Chief of Defence Staff (CDS) and till that post was created, it came under the Chiefs of Staff Committee. The CIDS (Chief of Integrated Defence Staff) who heads the Secretariat, is charged with examination of the Budget proposals received from the Army, Navy and Air Force Headquarters and with the approval of the CDS, recommend the budgetary allocations to the Ministry of Defence. Though these recommendations are scrutinized by the Department of Defence, Finance as before but it is the CIDS to whom the queries were now directed and not the Defence Secretary/Joint Secretary concerned. Thus a large part of the civilian functions in this area are now with the Military.

It is true that the armed forces had been demanding for a long time that they should also man posts in the Defence Ministry as well as be Staff officers to the Defence Minister. This was not conceded to by the Government but to ensure that the Government should benefit from direct military advice it was decided to create the post of Chief of Defence Staff (CDS) in the Ministry of Defence to be manned by a Military officer.

CHIEF OF DEFENCE STAFF

On 31st December, a day before his retirement, the Indian Army Chief, General Bipin Rawat was elevated to the post of CDS. He served as the first Chief of Defence Staff of India until his demise in a tragic helicopter crash on December 8, 2021.

While the Defence Secretary continues to be the Chief Defence Advisor to the Government, the CDS will be the Chief Military Advisor to the Government. A distinction has thus been made between the functions of Defence and the Military functions.

FUNCTIONS OF THE CHIEF OF DEFENCE STAFF

The functions and duties of the Chief of Defence Staff are as follows:

1. To head the Department of Military Affairs in the Ministry of Defence and function as its Secretary,
2. Permanent Chairman of the Chief of Staffs Committee,
3. Principal Military Advisor to the Minister of Defence on all Tri Service matters,
4. To administer the Tri Service organisations/agencies/Commands,
5. To be a member of the Defence Acquisition Council chaired by the Minister of Defence,
6. To function as the Military Advisor to the Nuclear Command Authority,
7. To bring about jointness in operation, logistics, transport, training, support services, communications, repairs and maintenance, etc. of the three Services,
8. To ensure optimal utilization of infrastructure and rationalize it through jointness among the Services.
9. To implement the Five-Year Defence Capital Acquisition Plan and two-year roll on Annual Acquisition Plans, as a follow-up of integrated Capability Development Plan,
10. To assign inter-service prioritization to capital acquisition proposals based on the anticipated budget, and
11. To bring about reforms in the functioning of three Services with the aim to augment/ combat capabilities of the Armed Forces by reducing wasteful expenditure.



OTHER ISSUES IN CIVIL MILITARY RELATIONSHIP IN INDIA

The Defence Ministry does not work in isolation. It has to interact with various other (civilian) Ministries like the Ministry of Finance (for Budgeting), the Ministry of External Affairs (which decides of foreign policy and strategy), the Ministry of Shipping/Ports (for use of Ports and building of ships and submarines), the Ministry of Railways (for movement of Troops), the Ministry of Petroleum and Natural Gas (which supplies fuel for the vehicles and the Air Force) Ministry of Home Affairs under which the Intelligence Bureau and the para Military forces function and the Cabinet Secretariat, under which the external intelligence agency, RAW, functions. There is also the National Security Advisor and the National Security Council which advises the Government on overall security matters. Then there is the Department of Space, which helps in putting up communication and other special purpose satellites which help the Military.

In short when we talk of civil military relationship we think only of the civil bureaucracy in the Ministry of Defence and the Headquarters of the Army, Air Force and the Navy. But this is not so. This relationship and the different issues facing the Military have a much wider range. It also includes the interaction with the civilian authorities in the field not only at the time of riots, but also when troop movements are taking place. When the military acquires land for stationing the troops both in the forward areas as well as inland, the civil authorities are the ones who legally acquire the land for the armed forces or who remove encroachments on military lands.

Too much of our time is taken up in finalising equivalence levels between the civilians and the officers of the armed forces both in the field as well as at the Armed Forces Headquarters. Who will salute whom becomes more important an issue than all other matters. There are more than four lakh civilians working in the military.

There is an old Bible saying which states that give unto Caesar what belongs to Caesar and to God what belongs to God. Therefore in operational matters, the Military should be given complete autonomy and there should be no interference from the civilian side once the objective is laid down by the political masters. However, once the objective is achieved, it will be for the political masters to decide when and how to end it.

Even today when the three Chiefs want to discuss operational strategy with the Prime Minister and the Defence Minister in the War Room of the Defence Ministry, the Defence Secretary and other Secretaries are kept out of the discussions.

PAY COMMISSIONS AND THEIR RECOMMENDATIONS PERTAINING TO CIVIL AND MILITARY OFFICERS

Another contentious issue bedeviling civil military relationship is the parity in pay and allowances of the civilian officers/ employees with their military counterparts. After every Pay Commission report this issue comes up. The Military establishment wants a representative of theirs on the Pay Commission but the Government states that if they give this representation to the Military, other services would also demand that their representatives should be on the Commission also. This would defeat the concept of an independent Pay Commission for all the officers/employees of the Central Government.

The issue of one rank one pension also became a raging issue in the period 2015-16. Orders in this regard were issued on 7th November, 2015.

The military officers raised 38 anomalies in the present recommendations of the 7th pay Commission and also pointed out that the earlier anomalies were also not fully resolved till now. They blame the civil bureaucrats for this delay and procrastination.

POST RETIREMENT ABSORPTION OF ARMED FORCES PERSONNEL

The transfer and absorption of Armed forces personnel after the end of their military service into government organisations including police and other departments where their unique skills, training, discipline and



strengths can be optimally used, despite recommendations of the Parliament and Pay Commission, have not been implemented. The IPS officers heading para military organisations under the Ministry of Home Affairs have consistently opposed the induction of the jawans retiring from the Army, in their forces. The Army jawan normally retires around the age of 35 and is still youthful and energetic. He then has no option but to go back to his village and live on his pension.

In every District of India we have a Soldiers Board to look after the welfare of the ex- servicemen as well as to sort out the problems pertaining to land disputes and criminal intimidation of the families of the soldiers still serving. The cases are referred to by the Commanding officers to the concerned District Magistrate. But it takes years to resolve these disputes and the military officers are very critical of the civilian administration in this regard. The empathy for the soldiers is found missing.

CONCLUSION

There are various facets of civil military relationships in India. All these facets need to be analysed to ensure harmonious working between the two.

The servicemen in India are deeply respected by the ordinary citizens of India. Their acts of valour have become a part of folk lore and now find mention in text books also.

The military in the British days used to be kept away from the cities and located in cantonments. The British felt that the army should be kept aloof and not catch the virus of national freedom. This was the beginning of the civil military divide. The Armymen were used to suppress the freedom movement in various parts of the country. That is why in the early years after Independence, the Congress leadership took steps to keep the military firmly under Civil control.

In the first decade after Independence, there were also fears of military coup and that is why the civilian government decided to stop army recruitment only from the areas known to be populated by the martial races and have the recruitment from different parts of the country. They also took steps to diffuse the leadership in the regiments with mixed class officers.

The military in India has kept away from politics and that is why we have a more stable democracy unlike some countries in our neighbourhood.

It is hoped that this environment will be maintained.

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