

CRIMINAL JUSTICE AND POLICING IN THE KINGDOM OF NEPAL

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Nestled in the cradle of the highest mountains on earth, it is not surprising that Nepal has come to be known as the kingdom where deities mingle with mortals. In the Nepalese Himalaya, called the "Abode of the Gods," there is Mount Everest, the world's greatest peak also known as Sagarmatha or "The Brow of the Oceans" by the Nepalese. Local Sherpa artists picture the peak as the god Chomolungma riding a snow lion through clouds of many hues (Anderson, 1985).

Nepal is an independent kingdom situated south of the Great Himalayan Range and bordered by Tibet to the north, India to the west and south, and Sikkim to the east. Nepal's total area is 56,139 square miles (140,797 sq km). The terrain is heavily mountainous, only 14% of the land is arable, 13% is pasture, and 32% is forested. At the time of the latest census in 1960 its total population was 16.5 million. The capital, Katmandu (Kathmandu, officially) is the only urban center in the country and has a population of about 300,000.

Nepal is the world's only Hindu kingdom. King Prithvi Narayan Shah of the Gorkha tribe unified the country in 1768 and described his new kingdom as "a root between two stones." The Gorkha king may not have appreciated

The author had the privilege of spending two weeks in the month of July, 1987 visiting the Kingdom of Nepal and doing research on the organization and management of policing. The author is indebted to the courtesy and hospitality of His Majesty's government. Particular gratitude should be given to Mr. Hem B. Singh, the Police Chief, and to Mr. Ratna Shumsher Rana, the Additional Police Chief, and to members of their staffs. References to crime statistics in Nepal made in the body of this paper are taken from the official reports by the Ministry of Home Office handed to this author by staff members in the Police Chief's office during an interview on July 29, 1987.

of marriages and the management of communal land. But while clans play an important role in determining social power and prestige, social status is mainly determined by the outlawed caste system. Traditionally there has been a prohibition on marriages between certain clans in order to preserve the purity of lineage among clans (Adler, 1983).

Language in Nepal is a complicated problem not only because of the large number of languages spoken but also by the fact that, in many cases, these languages do not belong to the same family group. The national language, Nepali, stems from the Indo-Aryan branch of the Indo-European family. It is a derivative of Sanskrit and is similar to Hindi in its basic form and vocabulary. But several other languages--Maithili, Bhojpuri, and Kumaoni--are spoken by considerable segments of the population especially in the Tarai area (Rose, 1971). On the whole, there are no fewer than 36 languages and dialects spoken in Nepal.

Although Hinduism is considered the predominant religion of Nepal, it has been deeply influenced by Buddhism and vice versa. There seem to be no overt conflicts between the two. For instance, many elements of Shamanism, a folk religion based on the belief in supernatural beings as personifications of natural phenomena, have been assimilated into both religions. Bon, a distinct type of Shamanism with a strong Buddhist influence, is particularly common in the northern areas of Nepal. The latest census figures show that Buddhists form about 10% of the population and are mostly located in Katmandu valley and along the northern border. A substantial Muslim community of over 200,000 is found in the eastern Tarai area. The rest of the population belong to the Hindu faith.

The standard of living in Nepal is quite low for most of the population. Per capita income in 1982 was a mere \$140. Families suffer from inadequate diet, sub-standard housing, and from the general unavailability of modern social services. Although there is plenty of water in Nepal, the difficult terrain, the lack of available manpower, and the lack of modern water distribution facilities often create a shortage in clean water supply. The overwhelming majority of the population are peasants who can only produce just enough food to feed themselves. They live in simple and sparsely furnished dwellings and many farmers are in constant debt to moneylenders who also happen to be the large landowners of the village. There are comparatively few radio receivers in the country but a modest television service has begun and a paucity of newspapers is now available (Adler, 1983).

The low standard of living in Nepal has created many corollary problems chief of which are shortages in medical services. Diseases, premature death, and inadequate nutrition are periodically reported. There are only three doctors in Nepal for every 100,000 people, and only one per 100,000 outside of the Katmandu Valley. Consequently, one out of every five children dies in the first few weeks of life, and 35 out of 1,000 die between one and four years of age. Contributing to this tragic statistic are hunger, inadequate hospitals, and poor sanitation (Anderson, 1985). This unfortunate condition is now being rapidly alleviated by aggressive government programs supported by foreign aid primarily from the United States and Great Britain.

Approximately 90% of Nepal's working force is directly engaged in agricultural pursuits. Of the total arable land, 61% is classified as suitable for wet cultivation and 30% for dry cultivation. The principal crops are rice, corn, millet, wheat, oilseeds, sugar cane, tobacco, jute, which are exported primarily to the United Kingdom.

Industry plays a comparatively minor role in Nepal, with approximately 1% of the working force engaged in such labor. However, a few medium-scale industries and a large number of small-scale industries, most of which are connected with the processing of food and agricultural products, have been started in the Tarai.

Perhaps the greatest obstacle to rapid economic development in Nepal is the inadequate transportation system. This, however, is being overcome through major government projects. By the mid-1970s, an adequate road linked Katmandu Valley with India and Tibet, new roads were now underway to connect Pokhara Valley in the Western Hills with India and Katmandu, and construction of a 500-mile East-West highway running the entire width of the country had commenced.

The education system has been rapidly expanded since 1951. Elementary and high schools are now to be found in most areas of the country. Tribhuvan University was established in 1961 to serve as the hub of a higher education system. The literacy rate, however, is still only an estimated 15%, with most of the literate population concentrated in Katmandu Valley and in the Tarai.

Modern Constitutional History

Nepal is a Hindu monarchy in which sovereign powers reside in the king. In 1846, however, power was seized by Jung Bahadur Rana who after massacring the nobles instated himself as the first of a line of hereditary Rana prime ministers. These turned out to be mostly opportunistic and brutal. But the attainment of independence by India in 1947 changed the entire political situation in Nepal, since the Rana family had depended on British support. Many Nepalis had participated in, or were influenced by, the nationalist movement in India and were making increasingly persistent demands that the autocratic Rana regime

be overthrown. The situation was further aggravated in 1949 when Communist China annexed Tibet and thousands of Tibetan refugees fled to Nepal in pursuit of true freedom.

In 1950 a revolutionary movement was launched by the Nepali Congress party in order to get rid of the Rana regime. Just prior to its inception, King Tribhuvan Bir Bikram (reigned 1911-1955), who sympathized with the movement, had sought and been granted refuge in India. A ceasefire between the warring Nepali factions was arranged in January 1951 under the auspices of the Indian government. As a compromise, a coalition of Rana-Nepali Congress cabinet was formed, and King Tribhuvan was restored to the throne. But political stability still proved elusive and periods of party-led governments alternated until the final overthrow of the Rana regime in 1951.

With the Ranas removed, a fresh attempt was made to establish a modified cabinet system of government under a constitutional monarch. But instability of the political party system continued due to the lack of an institutional political base and the experiment collapsed despite the ascending to the throne in 1955 of a new king, Mehendra Bir Bikram. It took him four years to consolidate his power and in 1959 a constitution was promulgated and general elections were held. The constitution provided for a bicameral legislature and a responsible cabinet system. The general elections resulted in an overwhelming victory for the Nepali Congress party and Nepal's first popularly elected government under the constitution. But, in December 1960, conflict between King Mahendra and his powerful prime minister led to the cabinet's dismissal, the imprisonment of many Nepali Congress party leaders, and the suspension of the constitution (Anderson, 1985).

In 1962, King Mahendra launched a new political experiment which culminated in the establishment of what is called the Panchayat Raj (rule by councils). Gram (village) and zilla (district) panchayats were established and a Rastriya Panchayat (national Council) replaced the parliament as the central representative body, but with limited legislative functions. Under this system the king retained broad powers, which he exercised virtually unchallenged since he had banned political parties and all other forms of organized opposition. A new constitution incorporating the basic features of Panchayat Raj was later promulgated by the king in December 1962. Direct elections to the local bodies and indirect elections to the district and national panchayats were subsequently held on several occasions. The post of prime minister, suspended in 1960, was reintroduced in 1966. King Mahendra died in January 1972, and was succeeded by his son, the present King Birendra Bir Bikram Shah Dev. Since his coronation a stable constitutional form of government continues. The King enjoys great popularity among his people and a true era of stability appears to be finally underway.

Overview of the Nepalese Criminal Justice System

The Criminal Justice System in Nepal is in its infancy but is changing rapidly. While crime rates in Nepal are currently among the lowest in the world as will be shown in a subsequent section, the impact of fast modernization in the country is uncertain and can precipitate a serious increase in crime in the future. In Adler's work, Nations Not Obsessed with Crime, the author presents the most articulate description of the Criminal Justice System in Nepal yet available. The following discussion is gleaned predominantly from her work.

Until 1853 Nepal had relied entirely on the "Muluki Ain," an uncoded criminal law based on religious usage and custom. In 1853 the Muluki Ain was codified and remained in effect, albeit with considerable amendments. Above all, the caste system, according to which persons belonging to higher classes would be subject to more severe punishment since they were supposed to live a purer life, was abolished. All discriminatory practices, e.g., lesser penalties for women, were removed, and a form of Panchayat democracy to regulate village and regional governing councils, was added. These amendments were later added to the constitution and currently serve as a bill of rights in support of the present system of criminal justice.

The orientation of the Nepalese criminal law is deterrent, retributive as well as rehabilitative in nature. For instance children below the age of 8, as well as mentally ill persons, cannot be punished. Children between the ages 8 and 12 who violate criminal laws can be punished by imprisonment of up to 2 months for very serious offenses, otherwise they can be warned or fined. Juveniles between the ages of 12 and 15 can be punished by up to one half of the sentences for adults, while persons above age 15 are treated as full adults.

Trials are heard in District Courts, of which there are 75 in the country. District courts can pronounce any sentence, except death sentences which require the confirmation of the Zonal Court, of which there are 14, acting as courts of appeal. To speed up the criminal justice process, a system of summary proceedings in District Courts was recently instituted, and court procedures in all courts were streamlined. District Court decisions with sentences above 3 months may now be appealed to a new layer of Regional Courts (above the Zonal Court level), while decisions with sentences below 3 months continue to be appealable to Zonal Courts. The Supreme Court exercises primary

jurisdiction in constitutional matters, questions of law of great significance, and hears appeals in murder convictions.

Under the Special Courts Act of 1958, the King may institute special courts, e.g., in corruption cases, and has indeed done so. Under the Government Cases Act of 1961, public prosecutors were appointed to each District and Zonal Court and are made responsible directly to the Attorney General in Katmandu.

To retain popular support for the system, a notion which can be easily ignored in times of major bureaucratic reforms, the plebeian "on-the-spot" inquiry procedure has been allowed to continue. Under this practice the police and the public prosecutor conduct the investigation of a case in the vicinity where the crime has been committed with the Chairman or Vice-Chairman of the village panchayat in attendance. All resident villagers are required to be present at such an inquiry and every individual must give a statement of his knowledge, if any, of the facts relating to the crime.

Despite these efforts at popularizing the criminal justice process, the geography of the country with its enormous distances and remotely isolated communities seem to continue to conspire with ancient tradition to deter reforms of the system. The antiquated nature of society seems to constrain the willingness of villagers to collaborate with the officials of the criminal justice system and to compel them to opt for resolving matters by private settlement or by revenge. Until these problems of communication and collaboration between the agencies of criminal justice and the populace they serve can be overcome and the processes of the justice institutionalized, it is unlikely that real improvements will occur. This may be, however, all to the good according to conservative jurists in the country who continue to oppose modernization in all its forms.

For the time being, however, this somewhat uneasy relationship between the informal control technique by the extended family and the official justice system seems to provide a viable control mechanism. This can be evidenced by the fact that the "headmen" of the extended families are still "duly respected and feared." They still exercise their authority to force peace and decorum within the family. They can still adjudicate minor disputes and force restitution on wrong-doing family members. Consequently, Nepalese youth below 21 years of age (theoretically the hardest age group to control) and who amount to 20% of the total population are reported by Adler to commit only 11% of the criminal acts in the country.

The correctional system has been revamped and improved since the Prison Act of 1962. The use of capital punishment has been severely restricted to high treason and security offenses listed in the Army Act. Banishment, hard labor, and whipping have been abolished. While parole and probation systems do not yet exist, the burden on prisons is occasionally eased by the remission of sentences on the King's birthday and other festive occasions.

In the area of juvenile justice, there are no special laws, courts or institutions to deal with delinquent or pre-delinquent youth, apart from a few provisions in the old Muluki Ain law. Reformers, nevertheless, have been calling not only for these, but also for broadening public school education to include civic education and the transmission of values of virtue which under urban conditions can no longer be transmitted as easily. More recreational and social programs have been called for. But, strong public support is said to be necessary to resolve the dangerously escalating conflict between the conservative old-timers and the liberal youth. With the changes that are now in progress, the crucial question might be: How long can Nepal's social

control system, of which the criminal justice system appears to be an appendix, keep the crime rate as low as it has been?

Crime Rates in the Kingdom of Nepal

In Adler's study, Nations Not Obsessed with Crime (1983), Nepal was found to be one of the ten nations with the lowest crime rate in the world during the 1970's. Her discovery was based on a comparison between crime rates in Nepal and world rates collected by the First United Nations Survey of Crime Trends, in 65 countries, published in 1975. In this section the crime rates in Nepal in the 1980's will be compared to world rates collected by the Second United Nations Survey of 70 developed and developing countries, published in 1985. Tables 1 through 5 show the crime rates in Nepal, by region, between 1981 and 1985, as reported by the Ministry of the Home Office. Table 6 indicates the average crime rate for the whole country, per offense, per year. Table 7 presents the average world crime rate, per year, for comparable offenses as indicated in the second U.N. survey.

A comparison between Table 6 and Table 7 shows that the average rate of homicide in Nepal is about 1/4 the world average; the average rate of fraud is about 1/200 the world average; the average rate of robbery is about 1/225 the world average; and the average rate of burglary is about 1/500 the world average.

Two caveats, however, must be emphasized at this point. First, attempts at validating the crime rates of Nepal were not made due to constraints on time and resources. This should not, however, appreciatively undermine the validity of this comparison, since, (a) the world composite is based on equally unvalidated figures, and (b) the essential purpose of this section is to give the reader a general understanding, rather than a precise valuation, of the level of criminality in the Kingdom of Nepal. Second, the apparent low criminality

TABLE 1
CRIME STATISTICS
MID-WESTERN REGION

CRIME VS.	YEARS			
	Jul 81-Jun 82 038/39	Jul 82-Jun 83 039/40	Jul 83-Jun 84 040/41	Jul 84-Jun 85 041/42
Homicide	42	46	41	39
Rape	18	18	14	10
Deceity	22	8	26	12
Aggravated Theft	7	6	5	6
Other Thefts	191	172	99	88
Drugs	15	8	5	7

TABLE 2
CRIME STATISTICS
CENTRAL REGION

CRIME VS.	YEARS			
	Jul 81-Jun 82 038/39	Jul 82-Jun 83 039/40	Jul 83-Jun 84 040/41	Jul 84-Jun 85 041/42
Homicide	104	120	104	120
Rape	12	27	17	8
Deceity	60	72	64	53
Aggravated Theft	21	17	15	9
Other Thefts	432	437	288	226
Drugs	87	46	27	81

TABLE 3
CRIME STATISTICS
EASTERN REGION

CRIME VS.	YEARS			
	Jul 81-Jun 82 038/39	Jul 82-Jun 83 039/40	Jul 83-Jun 84 040/41	Jul 84-Jun 85 041/42
Homicide	79	101	81	94
Rape	16	20	22	17
Deceity	125	112	58	56
Aggravated Theft	17	19	20	24
Other Thefts	367	397	319	255
Drugs	12	17	20	19

TABLE 4
CRIME STATISTICS
WESTERN REGION

CRIME VS.	YEARS			
	Jul 81-Jun 82 038/39	Jul 82-Jun 83 039/40	Jul 83-Jun 84 040/41	Jul 84-Jun 85 041/42
Homicide	84	83	77	63
Rape	9	16	10	10
Deceity	41	35	47	43
Aggravated Theft	13	14	10	6
Other Thefts	267	289	204	166
Drugs	8	9	9	33

TABLE 5
CRIME STATISTICS
FAR-WESTERN REGION

CRIME VS.	YEARS			
	Jul 81-Jun 82 038/39	Jul 82-Jun 83 039/40	Jul 83-Jun 84 040/41	Jul 84-Jun 85 041/42
Homicide	34	61	29	24
Rape	12	9	9	1
Deceity	9	13	11	9
Aggravated Theft	12	2	1	4
Other Thefts	90	73	76	46
Drugs	4	10	5	2

TABLE 6
AVERAGE CRIME RATE IN NEPAL, PER YEAR, PER 100,000
(1982-1985)

Crime	Estimated Average Population 1982-1986	Total Crimes Committed	Average Number of Crimes Per Year	Average Rate Per 100,000
Homicide (Murder)	15 Million	1,809	361.8	2.412
Rape		346	65.2	.416
Deceity (Fraud)		1,009	201.8	1.345
Aggravated Theft (Robbery)		254	50.8	.338
Other Theft (Burglary)		5,206	1,041.2	6.941
Drugs		600	120	.80

TABLE 7
AVERAGE WORLD CRIME RATE, PER YEAR, PER 100,000
(1980-1985)

Crime	Average Rate Per 100,000
Homicide	8
Rape	(inconclusive)
Fraud (Deceity)	300
Robbery (Aggravated theft)	75
Burglary	3,400
Drugs	(inconclusive)

Source: Second United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies, Milan, Italy, 1985.

in Nepal must not obviously be interpreted as solely due to the efficiency of the police system. Other variables, as mentioned earlier, enter into the equation of low crime rates, i.e., cultural, religious, social, geographical, etc. The central point, nevertheless, is that the official crime rates in Nepal in the 1980's continue to be dramatically lower than the official crime rate in the world composit.

The Police Force

The Kingdom of Nepal is indeed fortunate for having a moderate, and a most dynamic and enlightened, police leadership. Attempts to modernize the force and to mollify its practices is virtually felt all over the land and a benign relationship based on mutual respect exists between the police and the public.

The present motto of the Nepal Police Force is "Truth, Service, Security." The fundamental duty of the Nepal Police Force is to maintain law and order and to provide services to all citizens equally under the law.

As a paramilitary force, the Nepal Police flag is symbolic of its distinctive status as a "defender of truth," and is a daily reminder of its honorable duty towards Country, Crown and People. The Police Manual 2022 of 1965 explains the police colors and symbols in the following manner:

Crown	- The Sovereign
Blue Background	- International Police strength of character
Red Border	- Heroism
Lotus Petals	- Arranged in a crescent shape, the lotus petals symbolize integrity and purity
Khukri	- Nepali knife denoting courage
Baton	- International Police symbol of the defender
Stick	- Conventional police weapon.
Spea.	- Acknowledged weapon of Nepal Police
Nepal Prahari	- Written in Devnagiri script meaning 'NEPAL POLICE'



The Nepalese Police Flag

Historical Overview

During the Lichhavi period around 250 A.D., various forms of police systems known as 'Dandanayaka', Pratihara, etc. were constituted to prevent crime and mete out justice. These may still have their roots in the foundation of the police system that exists today in modern Nepal. These were followed in latter years by a variety of more effective, but politically dominated, guard systems. It was only after the unification of Nepal by Prithvi Narayan Shah that an independent organization was set up to regulate the social responsibilities of the people in return for the King's obligation to safeguarding all the villages and towns in the realm and applying equal justice.

However, during the Rana regime, oppressive police "militias" were used to terrorize the people in order to serve the interests of the ruling party, thus setting back the image of the police. In later years, the image was slightly improved with the introduction of the benevolent role of the police as Aminis and Kotwalis (trustee and defender, respectively). This was followed by major organizational changes when the functions of the police were expanded to encompass such duties as patrolling along the Indo-Nepal border, controlling illegal arms and ammunition, and the investigation of serious crimes. This later necessitated the creation of more police posts at the zonal and district levels and especially in the remote areas of the country.

However, it was only in 1952 that the national office of Inspector General of Police (later changed to Police Chief) was created and a national Police Headquarters established. The police headquarters in Katmandu operate four major divisions: Administrative Division, Financial Division, Operation Division, and Crime Investigation Division. The establishment of the headquarters led to what must be seen as a police modernization revolution. Soon after, with the passage of the Police Act of 1956, the Nepalese Police Force took great

steps toward achieving an enviable level of professionalism rarely existed among third-world countries. In 1955 the force was further expanded to include a Traffic Division which entrusted 'Ramdals' with the responsibility of regulating the ever-growing traffic in the capital city. Katmanduities, consequently, grew familiar with the sight of blue clad policemen on shimmering motorcycles patrolling the streets of their old city.

By then educated young men were called upon to join the police force and the first batch of officers were trained at Shree Mahal. This was followed by the opening of the Central Police Training Centre, in Kathmandu, for commissioned officers, Regional Police Training Centres for non-commissioned officers and constables, and many modern in-service training facilities now in existence.

But, in assessing the growth and development of the police force in Nepal, one must keep a perspective parallel to that of the growth and development of Nepal itself. From almost no organized structure and inadequate equipment, the force today has achieved commendable success. This can be evidenced by the presence today of a modern Operations Command Room; a Mechanized Patrol System in the Capital; a Radio Network; a Forensic Science Laboratory with a Mobile Lab Unit, a Photography Lab, a Finger Prints Division; and a computerized application to crime statistics and crime analysis. Recently other innovations were introduced that best characterize the changing nature of Nepal's basic culture. The induction of women in the Police Force in 1983 is a prime example. The hiring of women has not only helped in the humanizing of an all-male force, but has demonstratively destroyed the myth of women being unfit for the more demanding physical duties in Nepal's traditional society. But despite these impressive reforms, as the rate of national development is currently slowing down due to the paucity of resources, the difficulties in securing foreign aid, and

the high cost of technology, the speed and magnitude of the reform movement in the police force must be expected to abate considerably.

Organizational Structure

The present police force in Nepal is a national paramilitary organization consisting of approximately 20,000 men and women. As such, its members are distinctively divided between "gazetted ranks" or commissioned officers, and constables. Each cadre has a separate entry track, training requirements, and career potential. Young officers can graduate from the Central Police Training Center after 18 months of intensive training with the rank of Inspector of Police. They can move up the ranks, upon meritorious performance, to the highest rank. Constables, on the other hand, are trained at Regional Training Centers for nine months and can only achieve the rank of Sub-Inspector of Police. Only under extraordinary conditions can head constables be promoted to a "gazetted" officer's rank. In such cases they must be retrained at the Central Police Training Center for another nine months. The uniform of the force is khaki for all divisions and blue for the traffic division. All members of the force are armed, with a pistol or a revolver for commissioned officers, and a Lee-enfield, 303 rifle for non-commissioned officers and constables. But unless the situation calls for it on the basis of prior assessment, members of the force are required to keep their arms locked up in the police station. The headgear is a matching cap for officers and a beret for others. The ranks stiffly salute their commissioned officers who in turn salute their commanding officers when performing official functions.

While all police units in Nepal are under the civilian control of His Majesty's Minister of Home Office (a cabinet member) they are operationally commanded by the Chief of Police who holds a rank equivalent to Army general.

The Chief's office is in the capital, Katmandu, where all administrative and policy-related matters of the force are conducted. His office is well staffed with a number of well-experienced and educated police assistants and aids. The Chief of Police has a law degree and did post-graduate work in Nepal, India, and the United Kingdom. The Additional (deputy) Chief of Police is a graduate of the defunct International Police Academy (IACP), and the director of research and planning had done graduate studies in the United States. The Nepalese police became a member of INTERPOL in 1967 following the detection of "undesirable elements" brought about by the rapid changes and modernization in the country's urban areas. Within the framework of INTERPOL the Nepalese National Central Bureau (NCB) maintains close contact with other member countries. This has improved the efficiency of the force in locating missing persons and fugitives and the identification of foreigners involved in smuggling narcotics, boot-legging, drug trafficking, among other international crimes. Of particular significance is the contribution of the Nepalese Police to the doctrine of international peace. Given its strategic and sensitive location Nepal has aggressively maintained its political neutrality and established its position as a "Zone of Peace" in this part of the world. This can be visibly depicted in the role of the police which operates a highly efficient tourism police squad, treats foreigners with great compassion, and strives to maintain a safe environment for foreign trekkers and mountain climbers.

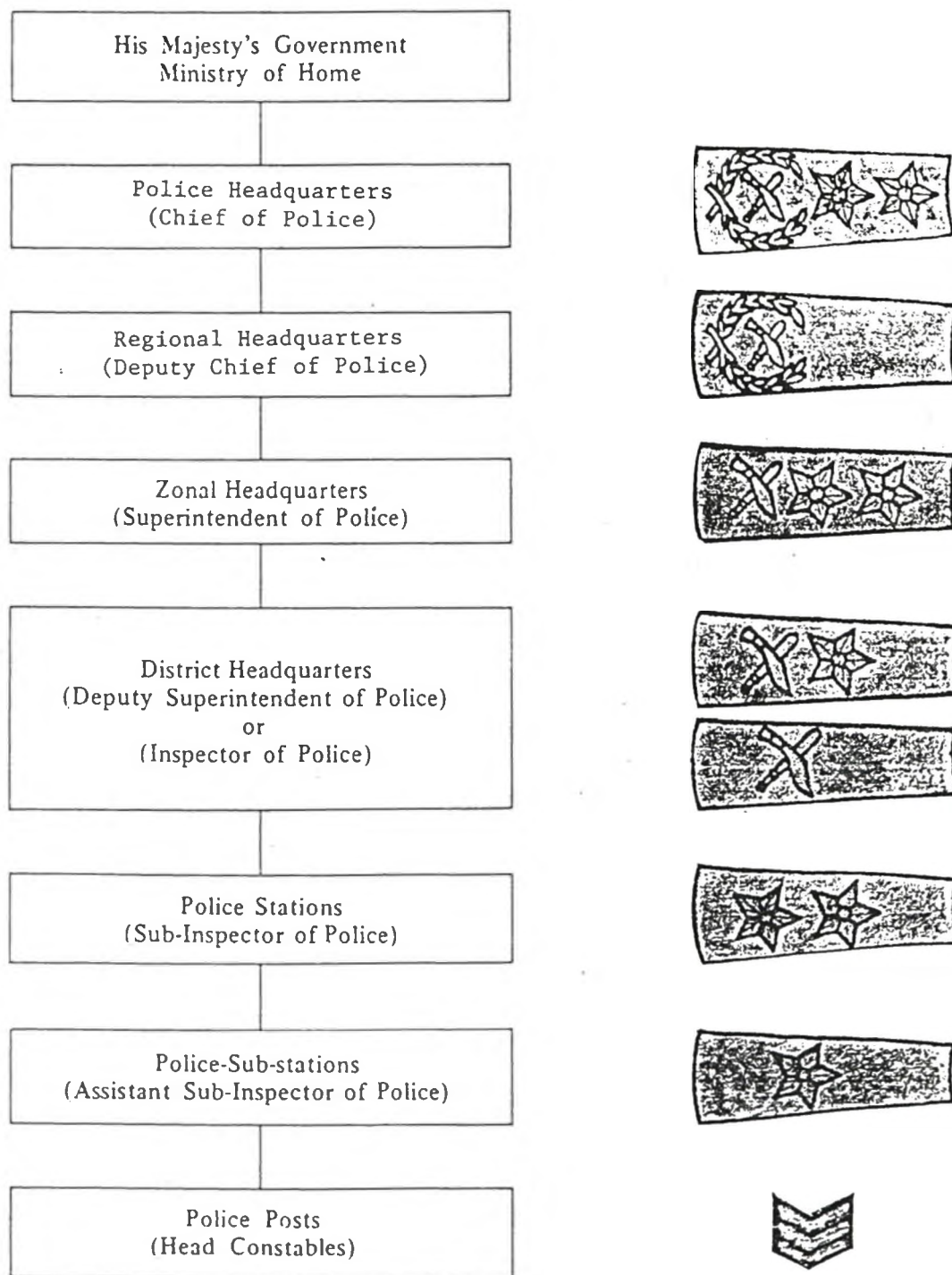
Heavily influenced by the British and the Indian police models, the activities of the Nepalese police force are divided along the three conventional categories of crime prevention and law enforcement activities, technical activities, and specialized activities.

a) Crime Prevention and Law Enforcement Activities

Forces assigned to this activity are distributed territorially in five (5) regions; the Central region, the Mid-Western region, the Eastern region, the Western region, and the Far-Western region. Each region is under the command of a Deputy Chief of Police (DCP). The responsibility of the DCP is to uniformly enforce all national policies in the region and to represent his force before the Chief of Police regarding the indigenous needs of his region or additional measures he proposes for fighting crime in his region.

Each region is divided into zones. All regions consist of three zones except the Far-Western region which consists of only two. Each zone is under the control of a Superintendent of Police. Each zone is, in turn, divided into districts. Each district is under the control of a Deputy Superintendent of Police. Each district is further divided into a number of police stations each under the control of a Sub-Inspector of police. These, in turn, are divided into a larger number of sub-stations and police posts (chowki). These are headed by a head constable (a rank equivalent to sergeant) and are located in every village and hamlet across the territory of the district. Chowkis are the smallest unit in Nepal's police organizational structure and are usually operated by a team of 9 to 15 men depending on its location.

The following chart explains the organization and rank structure in this category
(Police Mirror, 1984).



In order for the reader to appreciate the reality of the patrolling style in Nepal, one must always keep in mind the topographical nature of the country which, with the exception of Katmandu valley, is heavily mountainous with many unpassable stretches during the winter season. Moreover, adequate roads in Nepal have been, until recently, very few and police vehicles were neither readily available nor easy to keep in good working condition. This has traditionally restricted the movement of armies and travellers into the vastly remote and isolated countryside. Also, given the spiritually peaceful nature of Nepalese villages, pursuing a "vigorous" patrol practice might not only be unnecessary (if at all possible), but might run the risk of being mistaken by the populace as an act of undue nervousness on the part of the authorities. Based on these factors, police patrolling in the countryside is mostly relaxed and rather ceremonial. It is done mostly on foot or by bicycle, where the terrain allows. Nevertheless, crime deterrence in the districts is adequately sustained through formal means of intervention by the efficient network of police stations, sub-stations, and remote posts. These are manned at all times in order to receive and process complaints from the public, to intervene aggressively, and to investigate all crimes reported to them. Should there be need for back-up personnel or for sophisticated equipment, urgent requests are usually made over the radio network to headquarters in Katmandu. The primary role of the police in the countryside, therefore, appears to be reactive, nevertheless with a strong emphasis on creating an environment of general deterrence. The police thus combines the delivery of prompt assistance to the aggrieved complainants with taking swift measures against those who break the law.

In the capital city of Katmandu, an advanced practice of patrolling is conducted on a twenty-four hour basis. The usual pattern is foot patrol, although the use of bicycles has become more common. The city is divided

into 21 sectors with a neighborhood police post located in each sector. These sectors are divided into 33 conventional police beats, each manned on a three-shift basis. Front-line supervisors are regularly assigned to travel at different intervals on a modern motorcycle or by car to check the presence and professional performance of the constables on patrol. But the city, moreover, has a second line of security forces. It is saturated with traffic constables who are assigned to control the movement of motor and animal-drawn traffic in the capital's narrow streets, but are also required to assist in crime suppression and law enforcement responsibilities when the need arises or when approached by the citizens.

The Police-Community Model. As mentioned earlier, the history of Nepal has been replete with autocratic regimes which used police militias to terrorize the population. The present government, under the personal attention of His Majesty the King, has prudently attempted to change that oppressive image. Therefore, under the efficient leadership of Chief of Police Hem B. Singh and his assistant, Ratna Shumsher Rana, a fitting design has been introduced to fit Nepal's unique situation; an expansive Police-Community model. The model has been well thought out, well publicized, and the entire police force has been trained to apply it effectively. In practice, the model stands out as an ideal response to the cultural, the political, as well as the police needs of Nepal. This can be explained in terms of: (a) the presence of an unusually low crime society as evidenced by the comparison cited earlier with world crime rates; (b) the relative absence of the fear of crime factor among a predominantly rural populace constantly motivated by strong religious beliefs and by reliance on protection by the Gods; (c) the reformist perspective of a national government dedicated to peaceful policies around the world and to social harmony within a nation effectively governed by indigenous social

control mechanisms; (d) the modesty of monetary resources, technical resources, and qualified human resources necessary for sustaining an aggressive police posture especially in a country crippled with a forbidding terrain; (e) the fortunate presence of a specially qualified police leadership group tenaciously committed to the transformation of an old guard system into a modern professional police force in a miniscule fraction of history.

The police-community program in Nepal was formally initiated in 1983 to "enhance stability within the society and promote cooperation with its national police force." The program seeks to "reach out to the fabric of society" by increasing police access to the people and treating them as "co-partners." Under guidance by the Headquarters in Katmandu, all police forces in the country have established a "door to door visits program" to bridge the gap between the police and the public. In a sense akin to the famous Kobang system in Japan, Nepalese constables trained as "police community agents" are encouraged to become "duly involved" with the communities they serve and to aggressively participate in resolving their problems. Included in such "involvement," is the constable's role as catalyst between the public and non-police government agencies; i.e., housing facilities, health institutions, agricultural agencies, etc. (Police Mirror, 1986).

Another focus of the police-community program in Nepal is the Family Dispute Resolution centers. Since in an archaic society inter-family frictions may flare up and inter-tribal skirmishes may escalate over ritualistic matters or territorial claims, special "coordination communities" were created for the resolution of such disputes. Police community agents are required to gather and report all information about the disputed issues, their seriousness, and to propose appropriate means for resolving them equitably. The Committee which includes in addition to police representatives others representing different

sectors of the local bureaucracy, convenes at these centers and informally adjudicates the dispute. Local leaders and spiritual leaders are usually requested to participate and to assist in the peaceful resolution of the dispute in accordance with local custom. Once this is successfully accomplished, a festive ceremony usually follows to bind the agreed upon terms of reconciliation.

Another function performed under the aegis of the police-community program is the publication of periodic reports by district and zone officials delineating what their forces had accomplished. Included in these reports, on the other hand, is a description of the stern measures which might have been taken against police officials who failed to render prompt and friendly assistance when called upon. In a sense, this function is analogous to the practice of the ombudsman in modern governments. It is believed that the publication of such reports would encourage the spontaneous support of the public which can only be persuaded by the government's honest admission of failures, as well as successes, in its service delivery function.

b) Technical Activities

The following is a brief overview of some of the more significant technical activities performed by the Nepalese Police Force:

- 1) Operations Room: This is a vital activity for the Nepalese police since it represents the nuclei of its police operational work. Day-to-day operations throughout the entire nation are directed from this room and all information is recorded for future reference. The room housed in the Police Headquarters in Katmandu is equipped with adequate computerized service, a telex service and other police communications equipment. Activities in this room have now been expanded to include monitoring crime statistics and forecasting changes in criminal trends across the country.
- 2) Control Room: This is the heart of the patrol and police assistance activity. It responds with instant aid to calls for service, i.e., crimes, accidents, ambulance service, etc. The room operates a 16999 telephone number equivalent to 911 services in the U.S., and is manned by police dispatchers on a 24-hour basis. The benefactors of this service are basically the inhabitants of the larger Katmandu area.

- 3) Police Radio Network: This is also known as the Police Wireless Section. Established about 24 years ago with four wireless sets, it now covers the entire Kingdom with 114 stations located around the country. The network provides speedy and reliable communication mechanism for even the farthest police units. The network is housed at the Police Headquarters in the capital and is connected with relaying stations in the five regions and their subsidiaries in the zones, districts, and police posts. The network has lately been hooked to patrol cars and motorcycles operating in the metropolitan area of Katmandu.
- 4) Forensic Science Laboratory: This newly established facility is located in Katmandu. It has three divisions: Toxicology, Serology, and Ballistics. Its function is to examine evidence received from all parts of the country and prepare the appropriate reports prerequisite for the trial process. Most of the cases referred to the laboratory today are poisoning by insecticides or pesticides. Next, are cases for narcotic drugs, amphetamines, and alcohol. Least of the cases referred to the laboratory are those of homicides, especially with a fire arm. Since gun control laws are strictly enforced in Nepal, most homicides take place along the border areas with India where weapons can be smuggled across the border or hand-made by natives for self-defense purposes.
- 5) Photography and Fingerprint Section: This office is located in the Police Headquarters at Naxal. It houses a depository of fingerprint sets for most inhabitants who served in the government, the armed forces, and of individuals convicted for crimes or suspected by the police. The photography section examines documents, forgeries, and assists in preparing composites of suspected persons. Services of this section are available at no charge to all police units across the nation.

c) Specialized Activities:

These activities are of two kinds. The first includes standard specialized functions exercised by most police forces. The second is exclusive to the Nepalese Police Force. The former encompasses such duties performed by the Immigration Division, Tourist Police, Traffic Police, Mounted Police, Vehicle Registration Division, Police Hound Squad, Police Library, and other less significant activities. The later, which seem unique to the Nepalese police, include the following more significant ones:

- 1) Nepal's Police Mountaineering Division: This force was created in 1976 to cope with the increasing flow of tourist trekkers and mountaineering expeditions. The force gained worldwide fame when in its second year of operation it successfully displayed one of its teams of fifteen policemen including photographers and doctors and conquered the famous

Tukuche peak. This was followed by other successful ventures in collaboration with Japanese and Austrian teams on Ganesh I in 1977, Karyolung and Bhrikuh Himal in 1982. The role and scope of the Division is designed in conjunction with Nepal's Adventure Foundation in order to encourage world mountaineers to pursue their sport in a safer and more secure fashion. Another goal set up for the Division is environmental preservation. At the present time a special team of police mountaineers has been engaged in the Mount Everest region attempting to clean the area between the mount and its extended southern slopes. Plans have also been made for erecting a 3000 meter long pulley system between Camp I and Camp II. Team members continue to shuttle debris to the lower camp area where it is carried in the traditional way in baskets over the treacherous Khumbu icefall to Base Camp. The rubbish is then burned and buried.

2. Dipendra Police Boarding High School: The idea of a police high school is exclusively Nepalese since it was found that police personnel loathed transfers from one region to another because of the problems of finding proper schools for their children. Each time someone was transferred to another region, he or she was faced with the dilemma of either leaving his family behind or making his children grow up without a proper education. The school was formally inaugurated in 1984. It is nestled on a hill amidst spacious playgrounds and a beautiful terraced garden. An added sense of pride is associated with the school since it was constructed by members of the force who contributed time and labor toward the fulfillment of their dream goal. Not surprisingly, the school is exclusively open for the children of police personnel. Admission is granted to all children of police personnel regardless of rank, location, or social status. Children of senior officers rub shoulders with children of junior officers and constables. Children of the latter group routinely receive government subsidies to pursue their education at the school. Curriculum at the school is the same as in other high schools in the Kingdom. But, students are particularly trained in athletics and sportsmanship. They are encouraged to study and graduate on time. While most of the graduates later choose policing as a career, those who do not are counted upon to go back to their villages and serve as role models of discipline and good citizenship.
- 3) The Police Band: This is another popular feature of the Nepalese Police Force. A few more bands have been created to serve in the regions. The band serves as a catalyst to police morale by symbolizing artistic excellence. Since its inception the original band has become a celebrity among the people of Nepal who see it as another avenue for bridging the psychological gap between the government and the deprived masses. The band plays routinely on holidays, spiritual feasts and on His Majesty's birthday in state and city parks. The band is also a source of economic gain for the police department which rents it out during marriages and other family ceremonies. A new charm has lately been added to the band by the creation of a Women's Police Band. The women band is particularly specialized in playing pipe and drums, as well as orchestra.

- 4) Police Welfare Center. Since police personnel in Nepal are forbidden to have second jobs to enhance their income, the police department sponsors and operates a few enterprises where it employs police wives through the Police Welfare Center. As an example, the police department manages a hosiery industry. The enterprise hires police wives who need an additional income and produces woolen sweaters, socks, gloves, caps, among other products. The enterprise serves as a vehicle for employment for needy police families as well as an additional source of police revenue. Products of the Center are primarily used by members of the force itself at a considerable savings to the government. The Center concept obviously shows the extent of entrepreneurial thinking that dominates police thinking in developing Nepal.
- 5) The King's Baton: Another project characteristic of the professionalization revolution in Nepal's Police Force is the King's Baton. Each year the honor of receiving this highly coveted award goes to the zonal police force which distinguishes itself above all others. Performance of each zone is routinely monitored and recorded throughout the year and a quantitative assessment is made. Evaluation is made in the areas of maintenance of law and order, discipline, administrative efficiency, crime control and investigation, and police community relations. The ceremony of awarding the winning zone is usually an elaborate one and is attended annually by His Majesty the King. The competition serves as a powerful inspiration among police units and underscores the Department's determination to seek and maximize police productivity among its divisions.

Conclusions

Nepal is an ancient country Western observers know very little about. Nestled in the higher elevations of the Asian Himalayans, the country has been handicapped by a forbidding geography, a poor economy, and an ultra-conservative society. At the present time, the country is engulfed in an unprecedented modernization revolution. But, most surprisingly, it is the police who is taking the lead in the social transformation movement. Taking advantage of an unusually stable form of government and a traditionally docile and low crime population, a devoted and a highly enlightened police leadership group has been silently achieving successes never before experienced in the Western world. A modern police force has been created--almost from scratch--in thirty years with all the trimmings of an advanced structure, modern technology,

a police-community program, and, above all, an old-fashion discipline. As a result, the old society has not been replaced and modern ways of policing have not been imposed. The emerging product is an ingenious adaptation of the old and the new in the form of a highly professional, people-oriented, and economical police force. The country, subsequently, enjoys one of the lowest crime rates in the world and has thus earned the label of a "country not obsessed with crime."

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