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ABSTRACT

This thesis tries to determine the nature of the post-Communist Eastern European systems of civilian control over the armed forces. In addition to this, it tries to identify why and how most Eastern European countries have adopted since 1989 Western models of civilian oversight of the military, formally abandoning their previous Communist models. The combination of Western paradigms, Communist legacies and pre-Communist patterns of civil-military relations have led since 1989 to new, hybrid forms of civilian control over the armed forces. The continuity of traditional types of civil-military relations (before and after 1989) has clashed during the post-Communist period with the discontinuity created by the adoption of new norms and principles in the interactions between civilian institutions and military establishments. The new Eastern European models include, in addition to Western characteristics, a commonly-agreed civil-military division of labour in policymaking processes dealing with security and defence issues.
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INTRODUCTION

Acknowledging the direct relationship between systems of control over the military and national/international security is common sense. As early as the 19th century, various scholars claimed that the way civil-military relations are viewed in various countries influences their political stability, their military presence in the world and, ultimately, their own security. Since then, there has been a growing understanding that different systems of control over the armed forces could lead to different outcomes in terms of national/international security. This issue, therefore, transcends the area of domestic policies and becomes international. On the one hand, the type of relationship between the military establishment and civilian authorities in a certain polity is important for the latter’s political character and its development. On the other hand, it is one of the key elements in placing a country in the international arena, facilitating, delaying or blocking the accession of a country, or a group of countries, to military or political international organizations.

This thesis puts this relationship in the context of post-Communist Europe. The thesis assumes that since 1989 most Eastern European states have adopted Western models of civilian control over the military. Thus, they agreed to abandon their previous Communist models of oversight, due to the transformation of the international context and to the new nature of their domestic political systems. They have promoted the idea of a profound transformation of their civil-military relations but that has not happened as smoothly as initially predicted. Nevertheless, in most Eastern European countries, the formal changes
have fundamentally altered the way military leaders and civilians interact when dealing with security and defence issues.

The thesis, more specifically, clarifies why and how Romania and Bulgaria have adopted, since 1989, new models of civilian control over the armed forces. The research indicates, from a comparative perspective, the way in which these two countries have promoted policies of mimicry in the process of transformation of their national armed forces. It identifies the balance between domestic and external factors affecting the post-Communist evolution of the Romanian and Bulgarian civil-military relations and the process through which these types of factors have affected each other. Most likely, we will discover that the changes have been triggered in two distinct ways: the willingness of these countries to join Western politico-military structures has led to processes of domestic reforms in order to meet the criteria for membership in those international organizations, while the latter pushed Romania’s and Bulgaria’s military reforms in a direction that has best met those organizations’ interests. Nevertheless, this process has led to a relatively unexpected situation in which the models of civilian control over the armed forces set up in these countries are based – at the same time – on Western liberal characteristics, Communist traits and national specificities.

This study focuses primarily on the issue of civilian control over the armed forces, not on the much larger topic of civil-military relations. It deals with the period from the revolutionary changes of 1989 to November 2002, when Romania and Bulgaria were formally invited to join the North Atlantic Treaty Organization (NATO). However, the
interaction between the military establishment and the political authorities during the Communist period in Romania and Bulgaria is reviewed in a separate section in order to provide a background for the post-1989 context. Throughout this study the concepts of “control” and “oversight” of the armed forces are interchangeable. The group of “Eastern European” countries comprises the Baltic states (Estonia, Latvia and Lithuania), the Visegrad states (Poland, the Czech Republic, the Slovak Republic and Hungary), Romania, Bulgaria, Albania and the countries of ex-Yugoslavia (Slovenia, Croatia, Bosnia-Herzegovina, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia). The “Western” group comprises the European countries that were not part of the former Soviet area of influence and also includes Canada and the United States of America (USA). By “armed forces” or “military” it is understood in this context the army, the navy, the air force and their General Staff; therefore, there are not included under the umbrella of “armed forces” or “military,” from the perspective of this study, paramilitary structures or militarized types of police, gendarmerie, border guards and other similar institutions. Focusing extensively on the military establishment per se is not within the scope of this thesis; the focus will be rather on civilian authorities, either interacting with the armed forces or simply deciding the military’s roles and functions.

This study examines three hypotheses: (i) the transformation of Eastern European systems of control over the armed forces has been achieved, since 1989, mainly by copying Western models; (ii) the transformation of post-Communist Eastern European systems of civilian control over the military has been triggered mostly by external factors; and (iii) the adoption of Western models of civilian control over the armed forces
in Bulgaria and Romania has led to the creation of new, hybrid forms of oversight of the military. The research is explanatory, investigating the causal relations between various domestic and external factors and the achievement of new systems of civilian control over the military as well as the nature of these systems. It uses a combination of research methodologies, such as comparative analysis and the use of case studies. This combination addresses the issues regarding the internal and external validity of the study. The research is interdisciplinary as it analyzes complex phenomena such as the redefinition of the role and position of the military in society and of countries in an international context, the development of these processes and its causes.

The thesis consists of four chapters, the last one being a conclusion summarizing the findings and analyzing the nature of the new Eastern European systems of civilian oversight of the armed forces. The chapter following this introduction provides an overview of the theoretical perspectives on this study’s topic, proposes the concepts of Communist and Western control over the military used to undertake the research and analyzes the nature and essential developments in Romanian and Bulgarian Communist civil-military relations. The second chapter deals with the factors determining the change in the field of civilian control over the armed forces in post-Communist period Eastern Europe, specifically in Romania and Bulgaria – the why question. The third chapter evaluates the issue of legal frameworks in the two countries and the relations between their legislatures, executive powers and civil societies, on the one hand, and the military, on the other. It equally addresses the issue of how the systems of civilian control over the military have changed from 1989 to 2002.
I. ANALYTICAL FRAMEWORK

This chapter deals with the major theoretical perspectives on the issue of civilian control over the armed forces. It approaches various theories, focusing, nevertheless, on the Communist (authoritarian) and the Western (liberal) ones. In addition to providing an overview of the major approaches used by various analysts in order to study the Communist and Western systems of control over the military, this chapter also focuses on the interaction between civilian leadership and the armed forces in Romania and Bulgaria before 1989.

During the Communist period, the patterns in the organization of a system of civilian control over the military varied from country to country in Eastern Europe. Thus, countries such as Romania and Bulgaria followed different paths in setting up systems of civil-military relations. Nevertheless, all these dynamics were consistent with what is usually known as “Communist models” of civilian oversight of the military. Until 1989, despite variations in terms of domestic organization and international relations, these two countries were entirely part of the Communist bloc and used typical Communist models of civil-military relations.

When, in the 1990s, Romania and Bulgaria started, more or less shyly, to adopt measures consistent with “Western models” of civilian control over the armed forces, their civil-military relations became blurred. This happened because of the inconsistency between
the newly adopted norms and principles (expressed through a Western type of legislation, for instance) and the historically constituted types of practical behaviour (e.g., emphasizing the importance of informal civil-military interactions and disregarding existing legislation). The discontinuity in terms of legal frameworks and formal rules of conduct (seen more clearly after mid-1990s) has clashed with the continuity in terms of unofficial, but still very influential, types of civil-military relations. This is the main reason why this chapter focuses relatively extensively on the Communist period, although this study’s main hypotheses deal with post-Communist issues. In order to understand the post-Communist developments an understanding of the Communist practices is imperative.

After providing a few elements dealing with methodological issues, the chapter analyzes the Communist models of civilian control over the military establishment and offers a summary of the developments in the field of political oversight of the armed forces in Romania and Bulgaria during the Communist period. The chapter then focuses on the Western models of civilian control and ends with a synthesis of the main findings.

I.(I). Methodological issues

The problem of definitions and of the “meaning of terms” has been, according to Karl Popper, “an inexhaustible source of confusion and of [a] particular kind of verbiage,” which “has bread that poisonous intellectual disease of our own time” that he called “oracular history.” By trying to use the so-called “essentialist method of definitions” of
Aristotle (i.e., trying to acquire encyclopaedic knowledge to determine the meaning of concepts), the social scientists have proved to be on the wrong track. They have “remained arrested — Karl Popper says — in a state of empty verbiage and barren scholasticism.” Using Aristotle’s doctrine of definitions — this scholar adds — philosophers and social scientists have begun to feel that one could not argue about definitions. This situation seems to have led to “disillusionment with argument” and “despair in reason.”¹

A solution to this apparently unsolvable problem has been offered by what modern science calls “the nominalist form of inquiry,” as Yossi Shain puts it, i.e., the adoption of operational, short definitions for various concepts. Nominalism, Yossi Shain underlines, “calls for the adoption of operational definitions, ‘handy shorthand labels’ responding to the question ‘What shall we call X?’ instead of ‘What is X?’”. Such denotations can help social science to overcome vagueness, ambiguity, and infinite regression, which are the logical delight of ideologies that defy reason.”²

Therefore, in order to compare different types of civilian control over the military, this study uses so-called “nominalist” approaches in order to define concepts such as “Communist models” and “Western models” of political oversight of the armed forces. Although based on empirical evidence, it proposes these two models by stating their main characteristics in such a way as to be clearly distinct from each other. This will prove to

be particularly useful when analyzing the post-Communist types of civilian control over the military, allowing us to identify the elements of continuity and discontinuity in the Romanian and Bulgarian civil-military relations compared to the situation prior to 1989. The Communist models of oversight of the armed forces and the Western models are defined here based on the five fundamental features of each.

**The Communist (authoritarian) models** are characterized by the following traits:

- a relatively confusing legal framework, meant to consolidate not only the formal, but also the informal power of the Communist Party’s leadership;
- a focus on coercion rather than consent in implementing and maintaining policies, ensuring the Communist Party’s control over the armed forces;
- a military establishments whose leaders have a significant political influence;
- an authoritarian political system, concentrating the power in the publicly unaccountable leadership of the Communist Party;
- a virtually non-existent civil society.

**The Western (liberal) models** of civilian control over the military are based on the view that “armed forces are by nature hierarchical structures and thus inherently undemocratic and, for that reason, have to be brought under democratic control”\(^3\) [italics added]. These models are also characterized by several fundamental features:

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- a relatively clear constitutional and legal framework regulating the relationship between the civilian authorities and the military;

- a democratic political system, providing the mechanisms to ensure the free expression of people's will in a majority of situations and to facilitate public scrutiny of military policies;

- a (mostly professional) military recognizing the legitimacy of the political system and of the rule of law, and acknowledging the need for its own political neutrality;

- the subordination of the armed forces to the Government, through a civilian-led Ministry of (National) Defence, and to the Head of State, and a significant role of the Parliament in deciding on military (especially budgetary) issues;

- the existence of a civil society, involved in a public debate on military issues.

The thesis uses a comparative approach (focusing on both the Romanian and Bulgarian evolutions) in order to better underline the processes of transformation in the field of civilian control over the armed forces in the countries analyzed. The two case studies have been selected because of their relevance for this thesis. Romania and Bulgaria are countries that have initiated after 1989 extensive reforms in the field of political oversight of the military and have officially stated their desire to join the North Atlantic Treaty Organization and, therefore, to incorporate the Western models of civilian control in their domestic legislation and practical civil-military interactions. Nevertheless, they are also countries relevant for one of our hypotheses, the one dealing with the specificities of Eastern European organization in this field in the post-Communist period – i.e., they have
also maintained some of their previous types of behaviour in the relationships between
their political leaderships and their military establishments. The elements of continuity
and discontinuity between the Communist models and the Western models, proposed
above, are well reflected by the Romanian and the Bulgarian cases.

In methodological terms, there is also another useful perspective. On the one hand, they
are similar cases (from the viewpoint of today’s Western politico-military organizations’
approaches dealing with their situation, of the two countries’ post-Communist
international evolution or of their level of socio-economic and political development, for
instance). On the other hand, they are not only independent units from one another, but,
from another point of view, very different (in terms of their Communist organization or
of their role in the former Warsaw Pact, for example). This combination of a design
based on the two countries’ similar characteristics and one based on their differences
makes relevant the supposed validity of this study’s hypotheses in the larger post-
Communist Eastern European area, which could not be achieved by studying one case
alone. It also provides insights that could lead to the formulation of a new type of models
of civilian control over the armed forces.

I.(2) The Communist models of civilian control over the military

During the Communist period, this field of study would perhaps more appropriately have
been called “Party-military” relations than civil-military ones. But, although very
different from the Western liberal models of civil-military relations, for instance, the
Communist models of political oversight of the armed forces were also based, to a certain extent, on the superiority of civilians (i.e., Communist Party leaders) in the strategic decision making processes dealing with military issues. The main differences between the two models were the lack of a democratic component in Communist cases and the high level of politico-military integration.

Three major theoretical perspectives have been formulated for dealing with civilian control over the armed forces in Communist regimes. They are represented by Roman Kolkowicz, William E. Odom and Timothy Colton. Other theoretical perspectives that deal specifically with the same topic in the Eastern European context have been formulated by various authors, the most prominent of whom is Alex Alexiev. We may call Roman Kolkowicz's perspective, as some scholars suggested, the "interest group approach," William E. Odom's perspective the "institutional congruence approach," Timothy J. Colton's one the "participatory approach," and Alex Alexiev's theoretical model the "evolutionary approach."

The **interest group approach** of Roman Kolkowicz argues that the relationship between the civilian authorities and the military in Communist regimes (especially in the Soviet case) was conflict-prone, thus presenting a perennial threat to the political stability of the regime. This situation would have occurred mainly because of the military's desire to cultivate its own professional and institutional (i.e., elitist) values and to remain relatively isolated from politics and the larger society. Roman Kolkowicz talks about a certain incompatibility between the Communist Party's endeavour to hold on to its monopoly of
power and the armed forces’ need for professional autonomy: “as in zero-sum games, where any advantage of one adversary is at the expense of the other adversary, so the Party elite regarded any increment in the military’s prerogatives and authority as its own loss and therefore as a challenge.”

At the same time, the military’s effectiveness was essential to the well-being or even the survival of the regime. Nevertheless, the implementation of Communist policies in the military field would have led to “various collectivist schemes whose central objective was to prevent military elitism, but whose major effect [was] to lower discipline, morale, and military effectiveness.” While the armed forces – Roman Kolkowicz argues – seldom opposed the principle of civilian control, they did oppose the type of Party supervision that interfered with the performance of their professional duties. The author of the interest group approach adds that not only the establishment of a multiple control network in the armed forces, meant to indoctrinate and manipulate the military, led to this tense relationship between the Party and the officer corps. The so-called “divide-and-rule” policy, meant to accord preferential treatment to favoured factions within the armed forces, also contributed to this situation.

In opposition to the interest group approach, the institutional congruence approach of William E. Odom states that, in a majority of cases, “the military probably [stood] closer

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5 Kolkowicz, p. 13.
to the Party than [did] any other public institution."⁶ Odom rejects Kolkowicz's interest group approach, arguing that the armed forces' elitism was accepted by the Party, the conflict between the military professional autonomy and the subordination to Party ideology was virtually non-existent and the focus in the Party-military relations was not so much on the armed forces' detachment from society, but – on the contrary – on their integration. William E. Odom considers five different perspectives that would underline the validity of the institutional congruence approach (i.e., the lack of incompatibility or disagreement over fundamental issues, which would have characterized the Party-military relations). On the issues of (i) economic decentralization, (ii) intellectual dissent, (iii) nationality problems, (iv) political and economic liberalization in Eastern Europe, and (v) de-Stalinization, the Red Army, among other armed forces, tended to agree with the leadership of the Communist Party of the Soviet Union. Grouping all these points together serves to demonstrate that "there are firm grounds for arguing that a Party-military consensus on a variety of issues [did] exist."⁷ This made the Party control over the armed forces much more effective and easier to implement.

In order to consolidate the argumentation for his theory, Odom tries to prove that the military was just an administrative arm of the Party: "[w]hen there were cleavages in the leadership over military policy, they were intra-Party factional divisions, not just a division of Party versus military."⁸ The author argues that the military was first and foremost a political institution. Furthermore, the Party-military relationship would have

⁷ Odom, p. 33.
⁸ Odom, pp. 41-42.
had symbiotic aspects in domestic politics, by contributing to the modernization of the
Communist societies. The bottom line of the institutional congruence approach is that the
military leaders were acting as executants of Party policies; it was no viable rationale for
challenging the existing political order.

Timothy J. Colton argues that both the interest group approach and the institutional
congruence approach have important shortcomings. The ones belonging to the former are
related to its inflexibility in accounting for change: "to define the question in terms of a
single, conflictual issue ... is to limit and even distort the range of possible answers."
Likewise, the latter may also lead to an oversimplified analysis, while it implies "a
disregard for civil-military boundaries." What Timothy J. Colton proposes, instead, is a
model portraying the military and the Party as distinct entities with different agendas;
nevertheless, the armed forces were not inclined to challenge the political leadership,
because the military’s interests were well served by the Party.

The participatory approach of Timothy J. Colton retains a notion of civil-military
boundary, "one that is permeable, to be sure, but that has a definite shape and location." It
argues, however, that the Party and the military were not totally separate institutions.
Despite the conflictual nature of their relationship, the armed forces were not inclined to
use force against the Communist political leadership because of their effective
cooperation on matters of interest for the armed forces. The scope of military

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10 Colton, p. 73.
participation in Communist politics – the participatory approach suggests – was not limited to influencing “internal” military matters or “institutional” issues of broader significance; it ranged through more and more general issues, such as “intermediate” ones, dealing with interests of some military officials, but being also of primary concern to other segments of society, or “societal” issues, affecting all citizens. The military participation in Communist politics (especially in the Soviet case) and the civilian supervision over military issues constituted, therefore, “a complex set of reciprocal interactions, between institutions and across institutional boundaries.”\(^{11}\)

Despite the complexities of these theoretical models, some scholars suggest that they cannot be extensively used for analyzing the Eastern European situation. Alex Alexiev argues, for instance, that all three main models (the interest group approach, the institutional congruence approach and the participatory approach) are extremely useful in increasing the understanding of specific periods in the evolution of civilian control over the Eastern European armed forces. He proposes an evolutionary approach, a model which conceives the Party-military relations in Eastern Europe “as proceeding through stages of conflict, accommodation and participation, leading ultimately to a symbiotic relationship.”\(^{12}\)

In order to analyze the evolution of types of civilian control over the armed forces in Bulgaria and Romania prior to 1989, it seems that the evolutionary approach is of

\(^{11}\) Colton, p. 73.

particular significance. It allows us to be more flexible in studying these issues and it also allows us to incorporate all other theoretical approaches in looking for patterns of Communist civil-military relations. The study proceeds by firstly analyzing the Romanian type of Communist political oversight of the military, followed by the analysis of the Bulgarian case prior to 1989, and concludes with a short synthesis of the findings.

I.(2).(a). Romania: from conflictual to participatory Party-military relations

Using the above-mentioned theoretical models, this study demonstrates that Romania was characterized between the end of the Second World War and late 1950s by a system of civilian control over the military most closely associated with the interest group approach. Between 1960s and 1989, however, after a short period of transition, the participatory approach seems to more properly describe the Communist oversight of the armed forces in Romania. The following section of this chapter provides an overview of the evolution of the Romanian types of political oversight of the military from 1944 to 1989.

Immediately after the Soviet invasion of Romania, in August 1944, the Royal Romanian Army was forced to contribute to the overthrow of the pro-German government led by Marshal Ion Antonescu (on August 23, 1944), who had joined the Axis in 1940. The Romanian armed forces eventually participated, alongside Soviet troops, in battles leading to the defeat of the Nazi forces in the Second World War. These moves had, nevertheless, negative consequences for the Communist interests concerning Romania.
As Walter M. Bacon, Jr. puts it, "[t]he continuity of the officer corps, justified by Romania's considerable value in the anti-German war, prevented a wholesale and immediate bolshevisation of the army, a process only completed in the 1950s."\textsuperscript{13} The Communist structures, at both the Romanian and the Soviet levels, were much more cautious in their takeover of the mighty Romanian armed forces. The temporary continuity of the Romanian officer corps before and after the end of the Second World War, "as compared to its regional counterparts, further hampered attempts to 'remake' it in the Soviet image."\textsuperscript{14}

Between August 23, 1944, and March 6, 1945 (when the first Communist government, led by Petru Groza, was installed in Romania, following a Soviet ultimatum), initial plans were set up for the subordination of the Romanian armed forces to Communist interests. The plans were implemented by Soviet occupation authorities and the Soviet-dominated Allied Control Commission consisting of representatives of the Union of Soviet Socialist Republics (USSR), the United States of America and the United Kingdom (UK); the USSR was accorded control of 90% of Romania by the Commission.\textsuperscript{15} At that time, the Romanian Communist Party (RCP) had no more than several thousand members, making it one of the most insignificant in Europe. Nevertheless, the Soviets were able to impose their decision. A military protocol, for instance, was signed on October 26, 1944, between Romanian representatives and the Allied Control Commission which led to the


\textsuperscript{15} This decision was based on the so-called "percentage agreement" of October 9, 1944, between Winston Churchill and Joseph Stalin, who, in Moscow, arbitrarily established the Soviet influence in Romania at 90%, while the United Kingdom obtained the same percentage in regard to Greece. The Soviet influence in Bulgaria was established at 75% and in Hungary and Yugoslavia at 50% each.
disbandment of an army headquarters (the 3rd Romanian Army), 4 corps commands, 14 divisions and other military units.

After March 6, 1945, though, the process of taking control over the Romanian military was significantly accelerated. The Communists started to implement their policy of purging the officer corps. According to one Soviet source, the total number of Romanian officers purged during 1945 alone “amounted to 30 percent of the entire officer corps.”

Starting from the summer of 1945, Soviet military “advisers” were appointed in key positions in the Romanian armed forces. They were to insure a smooth Communist takeover of the Romanian military, which was not an extremely difficult process due to the presence of the Soviet army of occupation in Romania. They also represented the warranty for the functionality of a system of direct Soviet control of the Romanian armed forces. Another important element in this equation was the later presence of Securitate officers (the Romanian secret police) in the military structures. In 1946, about 14,000 officers were also removed from the military. The armed forces’ reaction was directed against these measures, which not only interfered with the performance of their professional duties, but were also intended to destroy the very structures of the military institutions.

Nevertheless, the Communists’ actions were, at that time, unstoppable. On December 30, 1947, King Michael of Romania was forced to abdicate and to leave the country after being pressured by the country’s new political authorities. This was also the year marking

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the appointment of Politburo member Emil Bodnarus as Romanian Minister of Defence (in this position until 1955). He was, according to various analysts, a “Muscovite,” the only one to actually survive the so-called “nativization” purges of the early 1950s. His close relations with the Soviet leadership and his important role in taking control over the Romanian military seem to have been strong enough to allow his political survival. All these events consolidated the Communist control over the Romanian military for a long time.

As Alex Alexiev underlines, in late 1940s it became “an overriding goal of [P]arty efforts on the military field to totally politicize and indoctrinate the officer corps and assure that its members were not only loyal, but also committed to the Communist world view,”\(^\text{17}\) although those actions were officially illegal, according to the country’s laws. Numerous officers were purged in early 1950s at the personal suggestion of Nicolae Ceausescu, the Chief of the Higher Department for Education, Culture and Propaganda of the Romanian army between 1950 and 1954 and, later, President of Romania. Nevertheless, “[t]hroughout the late 1940s and early 1950s, the purging of officers from the ancien regime kept pace with new commissions.”\(^\text{18}\) Ceausescu himself was one of almost 2,000 political functionaries appointed by the Communists in key positions in the armed forces during that period and being given military ranks. He received the rank of Major General, later Lieutenant General, despite not having any formal education in this field. The growing influence of poorly educated functionaries dealing with military issues

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contributed to the consolidation of a tense relationship between the political authorities of the country and the military establishment.

The Higher Department for Education, Culture and Propaganda, created in 1945, and the Army General Inspectorate for Education, set up later, had the role of introducing the Communist political control in the Romanian armed forces. The latter was transformed, in 1948, in the Army Higher Political Department, officially operating under the leadership of the Party’s Central Committee. Likewise, as Ilie Ceausescu underlines, “the political apparatus in the military regions, arm commands, big units, military education establishments, was reorganized in the form of political departments or sections, contingent upon the respective echelon, known under the common name of political bodies.”19 In addition to these measures, the Party implemented another policy, whose goal was to change the class structure of the army (especially of the command corps). The consequences of these policies were clearly expressed by the results of an official survey, showing that, by 1962, “over 65 per cent of the commanders of subunits, all commanders of units and large units, the commanders and executives of the army commands, armies and central departments of the Ministry [of National Defence] were [C]ommunists.”20

The de-Stalinization, initiated in the Soviet Union by Nikita Khrushchev, led to a process of re-nationalization of some Eastern European armies. In the Romanian case, this process, meaning inter alia the elimination of the Soviet influence in Romanian military

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20 Ceausescu, p. 288.
affairs, "picked up momentum in the late 1950s and early 1960s."\(^{21}\) 1958 was a key moment in the evolution of the relationship between the armed forces and the Communist leadership: the withdrawal, that year, of Soviet troops from Romania would ultimately lead not only to an anti-Soviet Romanian military policy, but also to a qualitatively new nature of Party-military relations. A shift from the interest group approach to the participatory approach can be identified in the Romanian case. The Party started to realize that it needed the military more than ever before; while the armed forces were still unwilling to unconditionally back every Party policy, their interests were still better served by their subordination to the Romanian Communist Party alone, not also to the Communist Party of the Soviet Union. Furthermore, the military stated its intention to acquire an increasingly consolidated autonomous status in relation with the Party. Alex Alexiev speaks about both an internal and a foreign political dimension of military autonomy: "[d]omestically, the military no longer found itself totally subordinated to the political factor as it [had been] during the Stalinist period ... On the external plane, the Romanian military ... achieved a considerable degree of emancipation from foreign control, both in the context of the Warsaw Pact and Soviet-Romanian bilateral relations."\(^{22}\)

In 1964, when Nikita Khrushchev made an attempt to integrate the bulk of all Warsaw Pact countries under Soviet command, the Romanian Politburo strongly opposed the idea. The statement of the April 1964 Romanian Communist Party plenum openly asserted the independence of Romania, including the relative independence of its armed forces: "[i]t

\(^{22}\) Alexiev, "Party-Military Relations," p. 211.
is up to every Marxist-Leninist party, it is a sovereign right of each socialist state, to elaborate, choose, or change the forms and methods of socialist construction."²³ Starting from 1965, under the leadership of President Nicolae Ceaușescu, Romania continued to promote its autonomy. The Romanian Prime Minister Ion Gheorghe Maurer met in 1967 the United States (US) President Lyndon Johnson. A recently disclosed US Central Intelligence Agency report states that Ion Gheorghe Maurer openly expressed Romania’s desire to consolidate its relationship with the United States of America. Romania’s attitude towards its relations with the Soviet Union and the USA was clearly presented by the then Romanian Prime Minister, who said that his country is "signalling for a left turn, but turning right."²⁴ In 1968 the Romanian President Nicolae Ceaușescu welcomed in Bucharest the French President Charles de Gaulle; in 1969, the US President Richard Nixon visited Romania. The new focus of the Romanian foreign policy on multilateral relations (i.e., strengthening relations with Western states, non-aligned countries, such as Yugoslavia, and with China) put an end to the Soviet influence on Romanian military issues. The control over the armed forces became a national process only, totally separated from the Warsaw Pact or Soviet activities.

This situation was especially obvious after 1968, a key moment in the Romanian-Soviet relations, when Romania refused to participate in the Soviet-led invasion of Czechoslovakia, as many other Warsaw Pact countries, such as Bulgaria, did. This came after Romania opened, in 1967, diplomatic relations with the Federal Republic of

Germany and refused to break diplomatic relations with Israel (which the USSR imposed to all other Warsaw Pact countries). The self-imposed Romanian isolation from Warsaw Pact activities was materialized in the Romanian decision to deny any request for international military manoeuvres on its soil and for its participation in international military exercises or actions. The country’s new military doctrine started to focus on the national character of the Romanian defence and the notion of “people’s war,” instead on the Warsaw Pact’s concept of collective defence. The new context created, however, conditions for new potential tensions between the RCP and the Romanian armed forces. As Robert R. King puts it, given the previously close military relations between the Soviet and Romanian armed forces, “there [was] a more favourable attitude towards the Soviet Union among military and security officers than [was] found in the Romanian [P]arty or among the Romanian population.25

To better protect the country from a potential Soviet military invasion, but also to ensure its control over the armed forces and undermine their professional autonomy, the Romanian Communist Party issued in 1972 a new Law on National Defence, among whose provisions was the setting up of an extensive system of paramilitary organizations. “The most widespread form of defence participation [was] in the Patriotic Guards, a militia organization in which a majority of able-bodied civilians [were] organized,”26 initially set up in 1956. They were trained and equipped by the Ministry of National Defence, but were coordinated directly by the Party in peacetime. The Local Air Defence

Formations and the Youth Homeland Defence Formations were other paramilitary organizations, less important, but meant both to increase the defence credibility of the country and to eliminate the armed forces’ monopoly over the military power. A previous form of paramilitary organizations, the Patriotic Combat Formations, directly subordinated to the Party, had been organized as early as late 1944 and early 1945. The creation of all these institutions was clearly expressed in the post-War Romanian Communist “Military Doctrine of the Whole People’s Fight.” According to its official line, “[the entire] population could be turned into a huge camp in which the men and even the women, the old and the children get trained and prepared for a possible conflict.”

The oversight of the Romanian armed forces per se was exercised not so much by the Grand National Assembly (i.e., the Parliament) and the Government (through its Ministry of National Defence), which had constitutional responsibilities in the fields of security and defence, but by the Party and its Secretary General, Nicolae Ceausescu. One of his main means of exercising control over the Romanian military was to coordinate the activity of a Defence Council, consisting of high ranking Party, state and military figures (including the Prime Minister, the Minister of National Defence and the Chief of the General Staff). This institution had a complex structure, at various levels (a central administration, branches at the level of local territorial-administrative units and other local offices), but it was subordinated, nevertheless, to the Party’s interests.

27 Ceausescu, p. 265.
It was not only the marginalization of the armed forces and the reduction of military budgets (among the lowest in the Warsaw Pact) that contributed to a tense relationship between the army and the Communist leadership in Ceausescu's Romania. The armed forces were also used as a source of cheap labour in non-military projects, such as construction, industrial and agricultural ones. Some scholars talk about several aborted coups d'état meant to topple the regime. Walter M. Bacon, Jr. says, "the plotters reflected the officer corps' frustration with, and resentment of, its professional marginalization." One of the most significant military attempts to challenge the regime came in the 1971 conspiracy involving a former commandant of the Bucharest garrison, General Ion Serb, and the then Soviet military attaché in Romania, Colonel A.F. Mussatov. Even the Romanian revolutionary events of 1989 are said to have been modeled after a 1983 unsuccessful plot to overthrow the Ceausescu regime.

Nevertheless, during the Ceausescu regime (but also for some years prior to Ceausescu's rise to power), the military shared common goals with the Romanian Communist Party. Communist decisions were backed by the armed forces, while the Party allowed the army to define some of its priorities and to implement some of its own policies. This, Alex Alexiev underlines, "[was] not the old type of political socialization for which the [P]arty used the military during the Stalinist period, but a qualitatively new, military-political

29 Watts, p. 96.
socialization, which appears to [have served] the institutional and philosophical needs of
the military as much as those of the [P]arty.\textsuperscript{33} The fundamental shift, initiated by the
Romanian Communist Party, from Soviet-backed internationalism to nationalism seems
to have had a very important role in a relative rapprochement between the army and the
political authorities. The military leadership began to exercise, to a certain extent,
influence in the spheres of arms production and foreign policy. Moreover, to retain the
military support for its policies, the Party integrated a significant number of senior
military leaders into its political structures. Party-military differences, Walter M. Bacon,
Jr. argues, "[d]id exist, but they [were] mitigated by a rational, yet uninstitutionalized,
process of political give-and-take, which [left] neither fully satisfied nor dysfunctionally
dissatisfied."\textsuperscript{34}

The existing dissatisfaction of the military with Communist Party policies was,
nevertheless, clearly expressed in December 1989 when the armed forces played a
decisive role in the overthrow of the Ceausescu regime. The military, however, only
backed the actions of a second echelon of Party leaders involved in staging the uprising
against the Ceausescu regime. It did not collaborate with the leaders of the revolutionary
movement from the very beginning and when it started to collaborate it did so reluctantly
(mainly because it sensed an opportunity to improve its status in the new political
context). The army was, during the events of December 1989, as before, a relatively
distinct institution from the Party, having its own internal agenda.

\textsuperscript{34} Bacon, Jr., "The Military and the Party in Romania," p. 175.
I.(2).(b). Bulgaria: from conflictual to congruent Party-military relations

Similar to the Romanian case, the period between the end of the Second World War and late 1950 was generally characterized in Bulgaria by a conflict-prone relationship between the Communist authorities and the armed forces, i.e., by a situation most closely associated with the interest group approach. Unlike the Romanian case, the period from 1960s until 1989 was rather more appropriately characterized by the institutional congruence approach than the participatory approach.

Immediately after the Communist coup d'état of September 9, 1944, and the switch from the German to the Soviet side on September 10, 1944, the new Bulgarian leadership initiated the takeover of its armed forces. This meant, first of all, purging a significant part of the Bulgarian officer corps – the first such step led to the removal of some 800 officers, including 42 generals.\(^{35}\) The local Communists were backed in their actions by the Soviet political influence and military power. Again, similar to the Romanian case, Soviet “advisers” were used to infiltrate the military leadership in order to gain total control over the armed forces. The Soviet Union was given, on October 28, 1944, permanent chairmanship of the Allied Control Commission that was to remain in Sofia until the signature of a peace treaty (the USSR being accorded by the Commission 75% control of Bulgaria). As early as December 1944, “the highest echelons of the Bulgarian

army were reorganized, with Colonel (later General) Ivan Kinov, a Bulgarian-born Soviet officer being appointed Chief of [the General] Staff."

On March 5, 1946, when Winston Churchill (already out of power) delivered his now famous "Iron Curtain" speech at Westminster College in Fulton City, Iowa, the curtain of Soviet domination had, indeed, fallen for Bulgaria. In July 1946, a new stage in the process of reorganizing the Bulgarian military was marked by the decision of the National Assembly (i.e., the Parliament) to enact a bill stating that the authority over the armed forces was to pass from the Minister of Defence to the entire Government. Two months later, the Bulgarian Minister of Defence, Damyan Velchev, was forced to resign and was sent as ambassador of his country to Switzerland. As J. F. Brown puts it, "Velchev had served the Communist cause well, but he was a man of character and had influence in the army in his own right. Therefore, he could not [have been] trusted to control such an important instrument of power." The leadership of the Ministry of Defence was placed into the hands of General Ivan Kinov and "[t]he chief of cadres was changed, as well as the chief of reconnaissance, both of them royal officers. Deputy Ministers, all [C]ommunists, were appointed to assist the [M]inister." Prior to this move, other Communists were awarded high positions in the military leadership: General Kroum Lekarski was appointed Deputy Minister of Defence and General Vladimir Stoychev Commander of the First Bulgarian Army, while Captains Peter Iliev and Dimiter Popov were directly involved in the "dissolution of the royal

36 Crampton, p. 147.
army.”39 About 2,000 officers were purged in 1946 alone. Until the Red Army left Bulgaria at the end of 1947, one third of the officer corps was further purged that year, because of their alleged non-Communist views. As a consequence of all these measures, the Bulgarian military was integrated within a system in which “political loyalty to the new regime became a more important criterion than professional competence for the selection of new officers,” as Glenn E. Curtis argues.40 This led to a tense relationship between the Party and the officer corps and to a significant loss of military effectiveness that worried even the Soviet authorities.

The political indoctrination of the military officers was achieved through the creation of the so-called “soldiers’ committees,” which were the “revolutionary organs” of the Communist power in the Bulgarian armed forces that existed until September 9, 1944. Starting from that date, the institution of “assistant-commanders” was set up (an official order for their creation being issued on September 22, 1944). The “assistant-commanders” were supposed to “help” the military commanders in the politicization of the Bulgarian military. As Slavcho Trunski put it, “[t]heir main task was the moral and political consolidation of the army. They were the surest support of the Party and the People’s Government in the army. It was through them that the Bulgarian Communist Party [BCP] secured the political leadership of the armed forces.”41 In addition to these measures, the Communist leadership implemented policies meant to change the social/class content of the military, by purging “bourgeois” elements and promoting people with peasant or working backgrounds that would easily support the new political

39 Trunski, p. 48.
41 Trunski, p. 51.
regime. It is estimated that, by 1950, no less than 82% of the Bulgarian officer corps already had the “appropriate” background. Generally speaking, the Bulgarian Communists re-organized their entire armed forces after the patterns of the Red Army.

The politicization of the Bulgarian armed forces was further implemented through the activity of a special body, the General Political Administration, subordinated directly to the Bulgarian Communist Party’s Central Committee. This body had organs in all army units, alongside ones belonging to Komsomol (i.e., the largest youth organization in the country), which was also subordinated to the Central Committee. Similar to the Romanian case, immediately after their rise to power, the Bulgarian Communists also set up a system of paramilitary organizations that were supposed to counterbalance the armed forces’ strength. They formed, in September 1944, the National Guard, composed of reliable Communists.

Once the Bulgarian Communist Party gained total control of the armed forces, in 1950s, a transition from the interest group approach to the institutional congruence approach can be sensed in the civilian control over the military. The joint politico-military leadership of the armed forces (and of the country) blurred the distinction between the military establishment and the Party leadership. The Bulgarian army would eventually be transformed into a mere administrative arm of the Party, supervised by both the Bulgarian and the Soviet Communist leaderships. It would become a people’s army, as opposed to an elitist military establishment. The Bulgarian armed forces continued to be guided by

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the Soviet military doctrine, their forces acting “according to programmes and regulations in which the experience of the Soviet army [was] widely reflected.” As Valery Rachev and Sergei Tassev put it, the doctrinal concept at that time could be described as “counterforce deterrence,” or a doctrine of balance, Bulgaria being assigned the function to neutralize the NATO members in the Balkans (i.e., Turkey and Greece).

Todor Zhivkov’s rise to power, as First Secretary of the Bulgarian Communist Party, in 1954, did not bring any significant change in the Party’s policies vis-à-vis the military. The political intervention of the Communists and Komsomol members in the armed forces meant not only providing the general principles for the military activity, but even coordinating some exercises and drills. As some of these exercises were multi-national, the political activists wanted to make sure the army was acting based on the Party’s very criteria in the security, defence and foreign policy fields.

The appointment, in 1962, of Dobri Dzhurov, one of Todor Zhivkov’s friends, as Minister of Defence, reinforced the strong party control over the Bulgarian military. In 1965, when plans for the most important attempted coup d’état in Bulgaria’s Communist history were set up, the plotters did not receive the armed forces’ support. Nevertheless, as “some army officers were ready to act upon their dissatisfaction,” Todor Zhivkov decided to impose even greater constraints on the army’s autonomy. At that time, it was

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42 Barany, p. 67.
alleged that a military clique, including two Major Generals, had been associated with the plot (led by Ivan Todorov-Gorunya and other members of the Party’s Central Committee), most probably because of Todor Zhivkov’s close relationship with Moscow. For the army, this relationship meant a double control, Bulgarian and Soviet, over military affairs. The plot provided the First Secretary – R. J. Crampton argues – with “a welcoming chance to bring into line the only power factor which he did not yet totally dominate: the army.”

The attempted coup was followed by another wave of purges, senior officials in the Bulgarian armed forces being targeted. Nevertheless, the sentences for the conspirators were relatively mild and the purged officers were offered other professional positions. The armed forces had almost been brought in line with the Party’s military policies; the Communist leadership did not want a worsening of the situation. In 1968, when the Soviet Union asked for a Warsaw Pact military intervention against the Czechoslovakian uprising, the Bulgarian army was among the first Communist armed forces that – using the Communist official perspective – “rendered military assistance to fraternal Czechoslovakia by sending armed forces to check the counter-revolution which threatened its socialist system.” The events of 1968 revealed the relative insignificance of the Warsaw Pact and the real Soviet control over the majority of Eastern European military establishments: the Bulgarian army (as the Hungarian, Polish and East German armed forces) was not subordinated during the invasion of Czechoslovakia to a Warsaw Pact command, but to a Soviet one.

46 Crampton, p. 185.
47 Trunski, p. 73.
The new Bulgarian Constitution of 1971 stated that the Bulgarian Communist Party had the role of a "guiding force in the society and the state." Its decisions in the military field were, therefore, compulsory for the armed forces. Some analysts of the Bulgarian military field argue that the most important decisions concerning the army were taken by the leadership of the Military Department of the Bulgarian Communist Party’s Central Committee, which maintained close communication links with Todor Zhivkov. That William E. Odom’s theoretical model was the closest to the Bulgarian case after early 1960s is reinforced by the fact that the vast majority of military officers were Party members or members of the Komsomol. Dobri Dzhurov himself was a member of the Bulgarian Communist Party’s Central Committee. Relevant for the validity of the institutional congruence approach was also the fact that, starting from 1960s, the dual control system (political and military) in the armed forces was replaced by a unified control system: the same person was responsible for both the political indoctrination of the troops and their military training.48

At that time, various Bulgarian institutions had responsibilities in dealing with military issues. The most important of them was the Central Committee of the Bulgarian Communist Party, led by the Party’s Secretary General. To this institution, we can add, however, the Ministry of Defence, the State Defence Committee ("created in 1971 as a working body on security and defence matters under the State Council, then the highest

state organ\textsuperscript{49} that seems to have had a significant influence and the State Planning Committee, which participated especially in the process of resource allocation for the armed forces. Information about the detailed activity of the State Defence Committee has never been published, nor about its full composition and its responsibilities. The State Planning Committee's "special" department (dealing with security and defence issues) was also characterized by secrecy and very limited public access to information about its activity.\textsuperscript{50} The entire process of policymaking in this field was carefully coordinated by the leadership of the Bulgarian Communist Party. In most cases, nevertheless, even the Party's senior leaders (especially Todor Zhivkov) had to take decisions that were compatible with the Soviet and the Warsaw Pact's major policies.

Several essential aspects led to the relative lack of disagreement between the armed forces and the Communist Party over fundamental issues: the high level of direct defence expenditures as a percentage of the national income, the national product or the state budget and the high level of military manpower as a proportion of population (among the highest in the Warsaw Pact)\textsuperscript{51}, the Party and military support for the Soviet Union's policies, the unified control system of the armed forces and the military contribution to the education of Bulgarian youth. The validity of this perspective is reinforced by the constant Bulgarian (military and political) support for an orthodox, pro-Soviet, version of Communism, even if no Soviet divisions were stationed in Bulgaria (as in Czechoslovakia, East Germany, Hungary and Poland). As Robert Furtak underscores,

\textsuperscript{50} Dimitrov, p. 115.
\textsuperscript{51} A. Ross Johnson, p. 253.
"[t]he indissoluble alliance, friendship, and cooperation with the Soviet Union, and adherence to the principles of socialist internationalism – in the sense of subordination of national interests to those of the Soviet Union – [were] constitutional norms" in Bulgaria.  

Unlike the situation in Romania, the overthrow of the Bulgarian Communist leader, Todor Zhivkov, and his clique in November 1989 was accomplished through direct cooperation between the military leadership and Party conspirators. Petur Mladenov, the then Communist Minister of Foreign Affairs, received the crucial support of General Dobri Dzhurov, the Minister of Defence, and of the armed forces *per se* in fostering the removal of Todor Zhivkov. The bloodless political change in Bulgaria, which allowed the emergence of a reformist regime, was achieved through the same Party-military consensus that had characterized the relationship between the two institutions for several decades.

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Thus, the political events of 1989, in both Bulgaria and Romania, tend to emphasize the consistency of the changes in patterns of civilian control of the armed forces over the Communist period (from an interest group approach in the entire Eastern European area to an institutional congruence approach in the Bulgarian case and to a participatory approach in the Romanian case). The findings tend, therefore, to confirm the validity of

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the idea that the evolutionary approach is of particular significance in studying the political oversight of the armed forces in Bulgaria and Romania prior to 1989. Despite their similar position on the geopolitical map of the time, Bulgaria and Romania were characterized by Communist systems of control over their armed forces proceeding through different stages of development in each particular case and from each other.

More specifically, the Romanian military's relationship with the Party authorities evolved from a conflictual stage to a participatory, but still tense, one. Although also characterized by a conflictual relationship after the Second World War, the Bulgarian armed forces and the Bulgarian Communist leaders eventually engaged in a more congruent type of relationship. These findings suggest that the interaction between these two essential state institutions in a Communist regime depended to a large extent on an entire variety of factors; equally important, the findings suggest that this interaction was different in Eastern Europe (even in countries following the orthodox Communist path, such as Bulgaria) than in the Soviet Union. Depending on their specificities of Communist civil-military relations, Bulgaria and Romania would undergo, during the post-Communist period, different (but convergent) organizational changes in the field of civilian control over the armed forces.

\textbf{I.(3) The Western models of civilian control over the military}

Even more than in the Communist cases, the general Western models of civilian oversight of the armed forces are characterized by heterogeneity. Virtually every Western
country has its own system of control over the military, involving different rules and procedures. The types of civil-military interaction in the USA are different from those in Canada, which are again different from the ones in France, for instance. Nevertheless, the underlying norms and principles shaping the various relationships between civilian authorities and military establishments in the Western world are common for all Western countries. They have been continually discussed over the last two hundred years and more or less systematically implemented (especially after the Second World War). Leading intellectuals have been involved in the debate on the proper types of interaction between civilians and military people, between state leaderships and armed forces.

Since early 19th century, when Carl von Clausewitz wrote his classical work *On War*, not only Western statesmen, but scientists as well have agreed that the system of civil-military relations best promoting the interests of both the political authorities and the military is the Western one. Its fundamental thesis is that the civilian authorities should be independent from the military establishment and should lead the latter. For instance, "[i]f war is part of [political] policy, policy will determine its character;" nevertheless – and this is the other essential aspect pointed by the above-mentioned figures – policy should not "extend its influence to operational details. Political considerations do not determine the postings of guards or the employment of patrols,"53 for instance. Carl von Clausewitz underlined that purely military major decisions, either in peacetime or in wartime, are not only unacceptable, but also damaging. As Clausewitz put it, "[s]ubordinating the political point of view to the military would be absurd, for it is

policy that creates war [for instance]. Policy is the guiding intelligence and war is only the instrument, not vice versa.”

**Samuel Huntington** adds new nuances to the Clausewitzian perspective. Underlining the need for a professional military establishment, he argues for the necessity that civil-military relations be studied as a system composed of interdependent elements and analyzes the extent to which this system “tends to enhance or detract from the military security of the state.” His model introduces two types of civilian control over the military: subjective and objective. The goal of the former is to maximize the power of civilians in relation to the armed forces; this presupposes, however, a conflict between civilian control and the security needs of the state. Moreover, in this case, “the maximizing of civilian power always means the maximizing of the power of some particular civilian group or groups,” such as governmental institutions and social classes. The second type of civilian control involves the maximization of military professionalism, based on the separation of the political and the military decision making processes. Samuel Huntington recommends the model that emphasizes military professionalism, the objective type of civilian control in this case. “Subjective civilian control — Huntington underlines — achieves its end by civilianizing the military, making them the mirror of the state. Objective civilian control achieves its end by militarizing the military, making them the tool of the state.”

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54 Clausewitz, p. 607.
56 Huntington, p. 83.
He builds his model based on the assumption that the military institutions of a state are shaped by two forces: a functional imperative (that stems from the threats to society’s security) and a societal imperative (stemming from social forces, ideologies and institutions). Nevertheless, “[m]ilitary institutions which reflect only societal values may be incapable of performing effectively their military function. On the other hand, it may be impossible to contain within society military institutions shaped purely by functional imperatives.”57 Huntington’s professional military establishment has a complex relationship with the modern state, based on the division of labour. As a consequence of this principle, the armed forces must not only implement state decisions with respect to military security, but also remain politically neutral.

According to S. E. Finer, “[i]nstead of asking why the military engage in politics, we ought surely to ask why they ever do otherwise. For at first sight the political advantages of the military vis-à-vis other ... groupings are overwhelming. The military possess vastly superior organization. And they possess arms.”58 He argues that the armed forces may enjoy a highly important moral prestige, but, on the contrary, they would lack the “technical ability to administer any but the most primitive community. The second is their lack of legitimacy: that is, their lack of a moral title to rule.”59 This moral title should, instead, characterize the political leadership of a state; otherwise, ruling by virtue of force would invite challenge and would lead to an unstable system of governance.

57 Huntington, p. 2.
59 Finer, p. 12.
Finner’s greatest contribution to the debate on the role of civilian authorities and the armed forces in the contemporary state is actually a critique of the professional model of the military, one of whose main proponents is Huntington. Even in a system based on the principle of civilian supremacy – Finner argues – “the military’s consciousness of themselves as a profession may lead them to see themselves as the servants of the state rather than of the government in power. They may contrast the national community as a continuous corporation with the temporary incumbents of office.” Moreover, the military leaders may think that the armed forces are the only institution able to objectively analyze military issues. They may also refuse to coerce the government’s domestic opponents, if asked to do so. All these three tendencies, which Finer considers to grow out of the armed forces’ professionalism, could determine the military to collide with the civilian authorities. Finer concludes, therefore, that professionalism is not – as Huntington puts it – the universal solution to ensure the civilian control over the military establishment. “To inhibit such a desire” to intervene – Finer adds – “the military must also have absorbed the principle of the supremacy of civilian power.”

A related perspective on the issue of political oversight that would both enable the military profession “to perform its national security duties and provide it with a new rationale for civilian political control” is proposed by Morris Janowitz in his well-known The Professional Soldier: A Social and Political Portrait. His model postulates that the armed forces (or, using his terminology, the “constabulary” forces) are a creation of the larger social structure, that the military establishment increasingly resembles police

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60 Finer, p. 22.
61 Finer, p. 24.
forces and that the structure it represents should retain close links with the society. The constabulary model argues for the need of integration of the political and military decision making processes. The officer in the constabulary force, Morris Janowitz argues, "is subject to civilian control, not only because of the 'rule of law' and tradition, but also because of self-imposed professional standards and meaningful integration with civilian values." In this context, the civilian authorities must find adequate solutions for the problems faced by the military establishment and must formulate standards of performance for the armed forces.

Therefore, according to the constabulary perspective, "[i]n a pluralistic society, the future of the military profession is not a military responsibility exclusively, but rests on the vitality of civilian political leadership." This model of civilian oversight of the military is based on the assumptions that the political authorities permit the officer corps to develop its professional skills and to maintain its code of honour, while the latter "recognizes that civilians appreciate and understand the tasks and responsibilities of the constabulary force." Like the previous models, the constabulary one assumes the existence of a democratic political system, including clear rules and procedures defining the responsibilities of the Parliament, the Government and the Head of State, and a significant role for the civil society.

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63 Janowitz, p. 435.
64 Janowitz, p. 440.
What is interesting about the Western models of civilian control over the armed forces is not only that they have proved to be successful over time, in different challenging situations for the Western world, but also that these models have been adopted by the Eastern European countries after the fall of their Communist regimes. Despite conflicting approaches over specific types of civil-military interactions, the Western models have apparently been the ones best fitting the political and security-related needs of Eastern European countries since 1989. That is, they have been the models embracing "the accountability of the armed forces to democratic institutions and the supervision of military administration and operations by civilian authorities,"65 which have become goals of leaders of both the new Eastern European democracies and Euro-Atlantic politico-military organizations. Nevertheless, the elements of discontinuity in terms of patterns of civilian control over the armed forces (whose emergence has been facilitated by the will of the new political forces in the region) have not been strong enough to annihilate the elements of continuity in terms of unofficial, but still very influential, types of civil-military relations.

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What this chapter revealed was not only the existence of a wide variety of distinct types of approaches characterizing both the Communist and the Western models of civilian control over the armed forces, but also the reasons for grouping them together in two distinct camps. The two families of models offer the theoretical basis to pursue the study

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of civilian control over the military in post-1989 Romania and Bulgaria. They provide us with the methodological tools necessary to analyze the types of interactions between the military and the new political leaders in the post-Communist context. Even more important, by revealing the debates concerning the two main paradigms and, implicitly, by questioning the legitimacy of their aspirations to universality, this chapter opens the door for new models, which would specifically characterize the post-Communist Eastern European situation. The next chapters examine the above-mentioned elements of continuity and discontinuity in civil-military relations and the possible emergence, since 1989, of a new type of political oversight of the armed forces in this European area.
II. FACTORS AFFECTING THE POST-COMMUNIST TRANSFORMATION OF CIVIL-MILITARY RELATIONS IN EASTERN EUROPE

This chapter explores the main factors that have influenced the process of reform in the field of control over the armed forces in Eastern Europe since 1989. The political changes of that year imposed a dramatic reconfiguration of the relationship between the military and civilians in Eastern European countries. Several main factors have been identified as influencing this process: Eastern European policies oriented towards integration into Western organizations, a set of conditions imposed by these institutions and a Communist legacy, in addition to traditional patterns of civil-military relations in those societies.

One of the most underrepresented theoretical variables in the analysis of specific civil-military relations is the geopolitical context. Nevertheless, there is a growing tendency to look at the impact of external threats and the influence of international institutions on the evolution of national systems of civil-military relations. Since 1989, most Eastern European countries have agreed that the best option (if not the only one) to redefine their place in the world would be to become full members of Western structures. On the other hand, the Western countries, willing to meet this challenge, but also to “project stability” in neighbouring regions and – sometimes – guided by a sense of duty to reunify Europe, have defined specific criteria for membership in European and Euro-Atlantic institutions. Thus, in order to be accepted into organizations such as NATO or the European Union

(EU), the candidate countries had at least to initiate extensive programs of reform in most societal fields based on Western guidelines.

The changes in the area of civil-military relations have been formally implemented by their domestic political forces. But Chris Donnelly, a NATO Special Adviser for Central and Eastern European Affairs, underscores: “as all Western countries have had to struggle with this problem over time, there is a value in Western specialists sharing their experience and analyses of the problem, as certain elements may nevertheless be applicable to the new democracies.”² European and Euro-Atlantic politico-military organizations have become more or less directly involved in the process of transformation of the relationship between Eastern European military establishments and political forces as well. Thus, the two countries, especially Romania, have become typical examples of the Huntingtonian theory according to which a society’s institutions and processes are shaped by two forces: “a functional imperative stemming from the threats to the society’s security and a societal imperative arising from the social forces, ideologies, and institutions dominant within the society.”³

Since 1989, when Romania and Bulgaria abandoned the Communist political system, their armed forces have been subjected to a radical process of transformation. During the early 1990s, the two countries acknowledged the necessity to reconsider their

membership in the former Warsaw Pact and to look for other ways of ensuring their national security. This process was complicated by the fact that,

"for 40 years, Soviet and Warsaw Pact military organizations reflected not [only] their own national historical and cultural background, but an ideologically driven system which kept socialist countries in a permanent semi-mobilized state. In military terms, this was doubtless a most effective system, but it contributed to the destruction of the socialist countries' national economies."4

The need to become associated to the North Atlantic Treaty Organization was expressed by the two countries later, in mid-1990s, when they analyzed much more seriously the idea of formally applying for NATO membership. This led to a situation when, in order to achieve that status, Romania and Bulgaria had to initiate more radical reforms of their security and defence fields, to meet the criteria for membership imposed by NATO for all candidate countries. In addition to increasing their cooperation with Romania and Bulgaria, NATO member states underscored at the North Atlantic Alliance’s summits in Madrid (1997) and Washington (1999) their "political pledge towards South-Eastern Europe, being aware that, as the developments of recent years have proved, general stability in Europe is closely linked to the stability of this region."5

II.(1) Eastern European factors

After an initial phase, in 1989-1990, when the control of the armed forces was formally transferred in Eastern Europe from the former Communist regimes to the new

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governments, the first contacts were established, in 1991-1992, with Western politico-military organizations. Piotr Dutkiewicz and Sergei Plekhanov argue that, at that time, several options were formulated for organizing Eastern European countries’ national defence: (1) a reformed Soviet alliance, (2) neutrality, (3) regional security cooperation, (4) pan-European security and (5) integration with the West (i.e., NATO). “On balance, however, the choice for [most of Eastern] European governments (supported by the majority of population, as polls indicated) was clearly pro-NATO,”6 as it was for integration into broader Western structures, such as the EU. They have been seen as guarantors of freedom and prosperity. From an Eastern European perspective, as stated in the Vilnius Declaration (2000) of NATO’s nine candidate countries (Romania and Bulgaria included), the goal of NATO enlargement would be the creation of a free, prosperous and undivided Europe.

These choices were based not only on what Jeffrey Simon calls “euphoria resulting from the revolutions themselves [and] optimism about a ‘Return to Europe’ by joining NATO and the European Community, now the European Union.”7 They were also based on real or imagined security concerns, given the decades-long subordination of most Eastern European countries to Moscow’s interests. There were more immediate reasons as well: Chris Donnelly argues that NATO membership, for instance, would offer these states an opportunity to “maintain their sovereignty and military systems, but at a low level of

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strength, and assure their national security at lower cost.” A Reuters analysis of the reasons determining Romania and Bulgaria to actively promote the idea of their NATO membership adds some other elements to this equation: “[f]or both, joining NATO has significant symbolism, anchoring them in the West, providing stability for foreign investment and rewarding painful if not complete reforms.”

In a time of general readjustment, including in the military field, with time and money strictly limited, most Eastern European countries, “sure of their national reorientation, but without a clear idea of how to achieve it, first looked at NATO as an organization which would come and solve all their problems,” too. From a more general perspective, Piotr Dutkiewicz and Sergei Plekhanov underscore that, basically, the Eastern European countries “understood that the liberal-democratic regime [represented by NATO and the EU] was the only game in town for countries really wanting to gain access to Western institutions. No other variants were officially offered or (if existed at the expert level) permitted to be officially articulated.” As a consequence, incorporating liberal-democratic principles and practices in most areas of their societies, including in the military field (or at least in the field of civil-military relations) has been perceived as a necessity by most Eastern European countries.

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11 Dutkiewicz, p. 289.
II.(1).(a) Romania

Similar to most of its Eastern European neighbours, Romania has promoted, since 1989, the idea of its national and regional security interests being best advanced by its integration into European and Euro-Atlantic structures. As Monica Szlavik, one of the few post-Communist Romanian journalists focusing on security and defence issues, emphasizes, Romanians understood as early as 1990 that

"the world [was] changing, that the underlying principles of the classical war – specific for the Warsaw Pact, based on the defence of borders with the involvement of the entire nation – [were] changing, that the risks and challenges [were] no longer classical ones, but new, asymmetrical."\(^1\)

The new nature of international threats, on the one hand, and the opportunity to escape a political and military system they had desperately tried to avoid for decades, on the other hand, determined Romanians to look west for security and defence cooperation. But – even more – Romania has been interested in becoming a full member of most Western "clubs," given another of its strategic objectives: economic recovery, with Western help, as part of a stable area (like the one represented by NATO and the European Union).

The current Romanian Chief of the General Staff, General Mihail Popescu, eloquently expresses the common perspective of Romanians on Western integration when he says that not joining European and Euro-Atlantic organizations "would mean to remain [as a country] in a grey, undefined area. Joining NATO [for instance] not only covers

Romania’s security deficit; it has another connotation. Foreign investments in Romania would be safe. In this case, the road to the European Union would be shorter and the quality of life would increase.”\textsuperscript{13} The current Romanian Prime Minister, Adrian Nastase, reinforces this idea, formally expressing what all his post-Communist predecessors have thought: that Romania’s NATO and EU membership would attract foreign investment to this country’s capital-starved economy. Romania’s integration into the West would have another connotation as well: it could enhance the country’s geo-strategic role, but also ease the psychological isolation of the Romanian people. “We have come back to our [European] family,” Nastase said in an interview, after “an abnormal … and very painful”\textsuperscript{14} half-century in the Soviet orbit.

Since 1989, Romania’s commitment to NATO membership and its integration into European and Euro-Atlantic structures have been the cornerstones of its foreign policy. An internal political consensus on the objective of joining NATO, for instance, has ensured a wide support for the reform processes, especially in the military field. A declaration of all political parties represented in Parliament was adopted on March 7, 2001, in support of Romania’s NATO membership aspirations. Representatives of the wider society – including non-governmental organizations (NGOs), trade unions and churches – have also supported this process, as expressed in the Snagov Declaration of March 31, 2001. “Romania considers the integration into NATO and the EU as mutually reinforcing processes, because economic development outside a precisely defined

security framework is difficult and time-consuming, just as economic failure implicitly results in a shortage of resources for security,” a Romanian Ministry of National Defence document reads.\textsuperscript{15} Even the successor of the former Romanian Communist Party, the Social Democracy Party of Romania (SDPR), the country’s leading political force from 1990 to 1996, actively promoted the idea of Romania’s Western integration. This process was intensified after 1996, when a coalition led by the Democratic Convention of Romania (DCR) won the parliamentary and presidential elections. Since 2000, the country’s new ruling coalition, the Social Democratic Party (SDP), whose driving force is the SDPR, has reinforced its commitment to Western integration.

Sorin Frunzaverde, a former Romanian Minister of National Defence underscores that Romania’s Western option has been a national objective largely supported by most political forces and most of the population:

“For Romania, the [European and] Euro-Atlantic choice is a firm irrevocable decision, meaning stability and modernization. The integration, as soon as possible, of our country into NATO and the European Union is now ... a goal on which the efforts of the Romanian armed forces and of our entire nation are focused.”\textsuperscript{16}

Similar comments have been made during the last decade by most Romanian politicians, using an entire set of arguments to promote the idea of Romania’s NATO and EU


membership. Regarding the first option, as a *Washington Post* analysis suggests, “[t]hirteen years after it cast off Communism, Romania is still struggling with poverty, corruption, dysfunctional politics, incomplete economic reforms – the list goes on and on. But Romania now sees a one-stop cure for many of its ills: the North Atlantic Treaty Organization.”\(^\text{17}\) The goal of EU accession follows shortly after the goal of NATO membership in what most Romanians perceive to be a list of almost magical steps that would provide the country with long-expected well-being.

II.(1).(b) Bulgaria

Unlike Romania, whose political leaders have declared since early 1990s their desire to join most European and Euro-Atlantic structures, post-Communist Bulgaria has had a not so linear evolution in terms of defining its foreign policy orientation. The first years of the last decade were marked, from this perspective, by a significant degree of ambiguity. Nevertheless, the Bulgarian Socialist Party (BSP), which almost monopolized the country’s political life until 1997, was clearly reluctant to commit Bulgaria to integration into NATO and, to a certain extent, into the EU. In early 1990s, the Atlantic Club and the MRF (the Turkish minority’s party) were some of the few promoters of the idea of NATO membership, although their influence on the Bulgarian political life was weak. Even so, they were institutions arguing that “NATO was the only existing structure which could guarantee Bulgarian security and that joining it was a necessary part of integration

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\(^{17}\) Robert G. Kaiser, “Romania Sees NATO Membership.”
into the Western system. They also stressed that Bulgaria’s membership in NATO was not a matter for discussion with Russia,“18 one of Bulgaria’s historical allies.

The external factors were actually the ones that initiated the first steps towards Bulgaria’s European and Euro-Atlantic integration. The disintegration of the Warsaw Pact in 1991, the diminishing influence of Russia in Eastern Europe and the increasing involvement of Western countries and organizations in the processes of reform in post-Communist countries, the dramatic degradation of the security environment in the Balkans, all determined Bulgaria to review its military doctrine, its economic and political system, and – ultimately – its foreign policy. In late 1993, the Bulgarian Parliament declared the country’s willingness to join European and Euro-Atlantic politico-military organizations, such as NATO and the Western European Union (WEU), supposed to be a military body of the EU. For several years after, the steps taken towards Western accession were, nevertheless, unconvincing. The elections of 1997, bringing the Union of Democratic Forces (UDF) to power, represented the actual starting point on the road to NATO and EU membership. “In contrast to domestic policy, where controversy prevailed over how to manage the transition, consensus on the need to work for closer cooperation with the European Union and NATO [became] the dominant feature of Bulgarian foreign and security policy,” Emil E. Mintchev underscores.19

19 Mintchev, p. 48.
Similar to the Romanian case, Bulgarians started to believe that, while most of the other Eastern European countries will become part of the West, they could be left out in an undefined geopolitical “grey area.” Bulgaria’s formal application for NATO membership, in 1997, marked a major shift from previous practices characterizing the country’s foreign and domestic policies related to Western integration. For the first time since 1989, Bulgaria’s new foreign policy firmly enunciated integration into European [and Euro-Atlantic] structures as its first priority\textsuperscript{20}; although still dominated to a certain extent by the issue of NATO-Russia relationship, the foreign policy discussion has tended to focus more and more on Western integration \textit{per se}. The political victory, in the elections on 2001, of a coalition led by the Simeon II National Movement (SNM), the party of former King Simeon Saxe Coburg Gotha, guaranteed the continuity of Bulgaria’s Western oriented foreign policy.

Today’s Bulgaria sees its national security “as being directly linked to regional and European security. In this sense, accession to the European Union and NATO, and the stabilization of South-Eastern Europe are matters of national, regional and European interest,” according to the White Paper on Defence of the Republic of Bulgaria (art. 1.1). As a whole, the document indicates, the country’s national interests will be best defended in a regional and global context: “The country’s national interests and security will be best served by integration into NATO and the European Union, as well as by its development as a politically stable and economically prosperous country making an active contribution to European and regional cooperation” (art. 1.2). In this sense,

Bulgaria defines its accession to NATO and the European Union as a very important foreign policy aim, which serves the country’s long-term interests: “it considers its partnership with the member states of NATO and the European Union as strategic” (art. 1.3)\textsuperscript{21}. The current Bulgarian Chief of the General Staff, Lieutenant General Nikola Kolev, argues, for instance, for Bulgaria’s integration into the Western family of countries, based on the armed forces’ efforts to join the North Atlantic Alliance, given its strategic aim of being part of European and Euro-Atlantic structures.\textsuperscript{22}

As proved by the official and private discourse in both Bulgaria and Romania, a significant part of the reason for high levels of enthusiasm regarding these countries’ Western integration is given by a hope of improving economic and social conditions. The Romanian need for “foreign investments,” expressed by General Mihail Popescu, and the more general Bulgarian perspective on an “economically prosperous country,” presented by the White Paper on Defence more objectively express the nature of these integration processes. From their perspective, Romania’s and Bulgaria’s compatibility with Western realities is a secondary goal, as long as they are accepted into European and Euro-Atlantic clubs of their choice.

\textit{II.(2) Western factors}

Nevertheless, the integration of Eastern European countries into Western structures has not been simple. Although interested in accepting post-Communist democracies in


\textsuperscript{22} Тома Томов, “Воинът Мислител,” Стандарт, June 14, 2002.
various European and Euro-Atlantic institutions, the Western countries have defined relatively clear criteria for accession to these structures. "The strategic aim," says Javier Solana, the EU’s chief diplomat, cited by Washington Post, is "to finalize the reconstruction of Europe" after almost a century of ideological division, dictatorship and war.  

One of the reasons for NATO and EU enlargement, as many analysts argue, is the consolidation of democracy and stability in Europe. Regarding more specifically the accession of Romania and Bulgaria to the North Atlantic Treaty Organization, the German envoy to NATO, Gebhardt von Moltke, says that accepting new democracies such as the two countries would offer the current NATO member states "a larger degree of influence over their development." For the candidates, meeting the conditions related to their Western integration has represented complex transformations in the civilian administration, in the legal field and in the structure of the armed forces. NATO equally asks for clear evidence of civilian control of all military activities.

Allen L. Keiswetter, a former NATO Deputy Assistant Secretary General for Political Affairs, underlines that right from the beginning of NATO’s cooperation activities with Eastern European countries one thing was undisputed: the role of the military in the post-Communist democracies would be a major subject on the Alliance’s agenda.

24 “Romania va participa la falanga mobila a NATO,” Mediafax, November 6, 2002.
"The overriding rationale is clear. It is NATO’s conviction that democracy is the best guarantee for peace ... A democratically accountable and civilian-controlled military is thus much more likely to be developed in the legitimate public national interest than in the undemocratic and partisan interest of an elite, as was the case in former [C]ommunist countries or in authoritarian regimes more generally," Allen L. Keiswetter says.25

The civilian and democratic oversight of the military has become, therefore, a key element in the Eastern European countries’ efforts to meet the Western organizations’ requirements for membership. As military activity increasingly takes place at the international level – Hans Born adds – the civilian and democratic oversight of the armed forces, of international military cooperation and of politico-military institutions is also becoming increasingly relevant:

"at the demand of international organizations such as NATO ... post-Communist countries in ... Eastern Europe have had to restyle civil-military relations according to democratic principles. Without the democratic oversight of the military, these countries were not permitted to become members of Western international organizations."26

Western policymakers have developed an interest in Eastern European civil-military relations since 1989 – Reka Szemerenyi argues – primarily because “they needed to determine how the Soviet-trained officer corps would react to the political changes ... and whether they represented any challenge to democratization.”27 Therefore, organizations such as NATO defined in relatively clear terms what they considered being the desired models for the transformation of Eastern European armed forces and for


the interaction between the military establishment and the civilian authorities. From a broader perspective, "[h]ealthy civil-military relations are an essential element of [Western] security; this is why the Alliance has made the promotion of democratically controlled military a major part of its cooperation agenda,"

Allen L. Keiswetter adds.

Defining the existence of Western-type civilian control over the armed forces as a fundamental criterion for NATO membership, for instance, the North Atlantic Alliance suggested that meeting this requirement is a necessary, although not sufficient, condition for accession to Western politico-military structures. Marco Carnovale of NATO’s Political Affairs Division says that the democratic control of defence is a priority from a military perspective as well because of at least three reasons: (1) “it is an essential element of democracy,” reducing the probability of countries going to war against each other, (2) “far from tying its hands, democratic control of defence is useful for the military,” more transparent armed forces being more efficient, and (3) it “provides the armed forces with indispensable legitimacy.”

The North Atlantic Treaty Organization started to promote the idea of increased cooperation with Eastern European countries as early as 1991, when NATO’s Rome Ministerial Meeting led to the creation of the North Atlantic Cooperation Council (NACC), which has had an important role in establishing links between the Alliance and the post-Communist democracies. NATO “emphasized the role of shared democratic

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28 Keiswetter, p. 7.
principles by East and West. As establishing democratic civil-military relations was one of these newly shared values, NATO began actively promoting it."30

Still, it was at its Brussels Summit (1994) that NATO proposed the most important organizational arrangement facilitating Eastern European countries’ accession to the North Atlantic Alliance: the creation of the Partnership for Peace ( PfP ), involving both Western and post-Communist countries in various politico-military projects. The declaration of NATO’s Heads of State and Government issued following the Alliance’s Brussels Summit underscored the need for cooperation through “working in concrete ways towards transparency in defence budgeting, promoting democratic control of defence ministries, joint planning, joint military exercises, and creating an ability to operate with NATO forces in such fields as peacekeeping, search and rescue and humanitarian operations.”31 One of the most important PfP objectives, besides (i) transparency of defence planning and budgeting, and (ii) capability and readiness to contribute to operations under the auspices of the United Nations (UN) and the Organization for Security and Cooperation in Europe (OSCE), has been (iii) the democratic civilian control of the armed forces. “During 1994, [reforming] civil-military relations came to be seen as a fundamental requirement for NATO enlargement, partially in response to [Eastern] Europe’s request for the criteria to be clarified,” Reka Szemerkenyi underscores.32 Some Eastern European leaders feared at that time that PfP

30 Szemerkenyi, p. 64.
32 Szemerkenyi, p. 66.
was an alternative to NATO membership, not a necessary step towards that goal, as the current Romanian Chief of the General Staff, General Mihail Popescu, now recognizes.\textsuperscript{33}

Criteria for enlargement were formally proposed by NATO in 1995. They included the existence of a civilian and democratic system of oversight of the armed forces as a necessary condition for NATO accession, alongside “active participation in NACC and/or PfP, reasonable demonstration of successful performance in democratic political institutions, individual liberty, the rule of law, and so on.”\textsuperscript{34} The proposed system of control over the military was one having all the characteristics of the Western models defined in the previous chapter of this thesis. In 1997, at NATO’s Madrid Summit, the Czech Republic, Hungary and Poland were invited to join the North Atlantic Treaty Organization. In 1999, at NATO’s Washington Summit, where these three Eastern European countries were formally accepted into NATO, the Alliance committed itself to at least a new wave of enlargement and launched a program called Membership Action Plan (MAP)\textsuperscript{35}, whose role has been to better prepare NATO candidate countries for future membership. In 2002, at NATO’s Prague Summit, Romania, Bulgaria, Estonia, Latvia, Lithuania, Slovakia and Slovenia were invited to join the Alliance. These countries still have to prove their commitment to further reforms, including in the field of civil-military relations, before being formally accepted into the North Atlantic Treaty Organization.


In the context of the previous findings, the idea of borrowing Western models in order to transform the Eastern European societies since 1989 has been consistent with the entire evolution of relations between post-Communist countries and Western organizations such as NATO and the European Union. Adopting Western models in the Eastern European countries' processes of reform has been, for both parties, easier than finding new paradigms: not only that those models have already been available (and presumably successful), they also provided a common ground of discussion. In addition to Eastern European countries implementing by themselves these Western models, the European and Euro-Atlantic organizations and their member states have been involved in assisting or even directing the post-Communist democracies' evolution in the area of civil-military relations.
III. COMPATIBILITY BETWEEN POST-COMMUNIST EASTERN EUROPEAN SYSTEMS AND WESTERN MODELS OF CIVILIAN CONTROL OVER THE ARMED FORCES

This chapter analyzes the extent to which the Eastern European countries, especially Romania and Bulgaria, have implemented the Western models of civilian control over the military they declaratively adopted in order to reform their civil-military relations and the extent to which the more general requirements of those models are met in the two countries. Thus, this chapter focuses first on the compatibility between the provisions of the post-Communist legal frameworks in Romania and Bulgaria, and the provisions specific to a Western system of oversight of the armed forces. The chapter then deals with the relationships between the legislatures, executive branches and civil societies, on the one hand, and the military establishments, on the other, from the perspective of the Western models described above. It then summarizes the findings to partially form the basis for the concluding chapter of this thesis, the one dealing with the nature of the post-Communist Eastern European systems of control over the military.

III.(1) Legal and Institutional Frameworks

The law, according to a Western model of control of the military, should be “an instrument that subordinates the civil authority to the people and the military to the civil
authority.”¹ The existence of a clear legal framework defining the relations between the armed forces and the civilian authorities is a fundamental requirement of democratic civil-military relations. As Rudolf Joó, a former Hungarian Minister of Defence, puts it, “on the one hand, this provides an important prerequisite of the functioning of the rule of law; on the other, it reduces the risks of uncertain jurisdictional claims.”² From the perspective of control over the armed forces, a Western legal framework requires inter alia a clear chain of authority linking the civilian structures to the military command.

The transition from Communist legal frameworks to Western ones has not been an easy process in Eastern Europe since the revolutionary events of 1989. The results of this transformation are sometimes puzzling, begging the question of the effectiveness of the new legal provisions in terms of ensuring the civilian (and democratic) control over the military. When analyzing the post-Communist civil-military relations in Romania and Bulgaria, one has to take into consideration both the existence of appropriate legal instruments meant to regulate the various relationships between civilians and the military establishments, and the degree of enactment of this legislation.


Since early 1990s, both Romania and Bulgaria have been engaged in reforming their legal frameworks dealing with security and defence issues. In both cases, the principle of democratic civilian control over the armed forces was incorporated in their constitutions, which were adopted in 1991. Nevertheless, more specific legal provisions were provided several years later. Excepting for the laws on defence (of 1994 and 1995 in Romania and Bulgaria, respectively), more significant changes have been made only in the late 1990s and early in this decade. The pace of change during the post-Communist period has been slow and the content of the legal frameworks resulting from this process, although democratic in essence, has been relatively vague.

Identifying the necessity of their integration into Western structures (such as NATO or the EU), Romania and Bulgaria have promoted policies whose aim has been to meet the requirements imposed by these organizations. Among these policies, reforming their legal frameworks regulating the activity in various fields according to Western principles has been a very important element. NATO’s *Membership Action Plan* (section V, article 1), for example, states:

"[I]n order to be able to undertake the commitments of membership, aspirants should examine and become acquainted with the appropriate legal arrangements
which govern cooperation within NATO; this should enable aspirants to scrutinize domestic laws for compatibility with those NATO rules and regulations.\textsuperscript{3}

Similarly, the EU’s set of laws, usually known as *acquis communautaire*, has to be incorporated into the Eastern European states’ national legislations as a precondition for membership in the European Union. Nevertheless, in Eastern Europe the outcomes have tended to be different from the Western ones, as long as the old work procedures, informal networks of influence or poor civilian levels of expertise in the military field have continued to survive.

III.(1).(a) Romania

According to the *Constitution of Romania*\textsuperscript{4} (*Constitutia României*) of 1991, the Romanian armed forces are exclusively subordinated to “the will of the people,” their goal being to guarantee the sovereignty, independence and unity of the state, the country’s territorial integrity and its constitutional democracy (article 117, paragraph 1). Military personnel, like citizens holding public offices, are liable for the loyal fulfilment of the obligations they are bound to and shall, for this purpose, take the oath as requested by the law (article 50, paragraph 2).

The structure of the national defence system, the preparation of the population, economy and territory for defence, as well as the status of the military are, nevertheless, regulated by other (“organic”) laws. The Romanian *Constitution* underlines that the organization of


military or paramilitary activities outside the state authority is prohibited (article 117, paragraph 4). According to article 118 of the Constitution, the Supreme Council of National Defence (SCND) is the institution that shall organize and coordinate in unitary command the activities concerning the country’s defence and its security. The SCND reports annually to the Parliament.

The Constitution states that the Parliament is the supreme representative body of the Romanian people and the sole legislative authority of the state (article 59, paragraph 1). Its two chambers (the Senate and the Chamber of Deputies) may declare partial or general mobilization of the armed forces, declare the state of war, suspend or cease armed hostilities and examine reports of the Supreme Council of National Defence (article 62, paragraph 2). Each parliamentary chamber shall set up standing committees – called Committees on Defence, Public Order and National Security (CDPONS) – and may institute inquiry or other special committees. The chambers may also set up joint committees (article 61, paragraph 4). The “organic” laws adopted by the Parliament shall regulate, among other things, the organization of the Government and the SCND (article 72, paragraph 3). Any law shall be submitted for promulgation to the President of Romania (article 77, paragraph 1), who may return the law to the Parliament for reconsideration; the President may do so only once for every single law (article 77, paragraph 2). One of the Parliament’s main responsibilities in the field of security and defence is to assess and approve the state budget, including the budget allocated to the Ministry of National Defence (article 137).
The President of Romania represents the Romanian state (article 80, paragraph 1), is the Commander-in-Chief of the Romanian armed forces and presides over the SCND (article 92, paragraph 1). The President may declare, with prior approval of the Parliament, partial or general mobilization of the armed forces⁵ (article 92, paragraph 2) and may institute the state of siege or emergency (article 93, paragraph 1). He/she not only designates a candidate to the office of Prime Minister and appoints the Government based on a vote of confidence of the Parliament (article 85, paragraph 1), but also participates in some meetings of the Government debating upon matters of national interest, including the defence of the country (article 87, paragraph 1). The President presides over the Government meetings he participates in (article 87, paragraph 2). He/she has also the power to confer decorations and titles of honour, and to make promotions to the ranks of Marshal, General and Admiral (article 94).

The Government, in accordance to its program accepted by the Parliament, shall ensure the implementation of the domestic and foreign policies of the country, and exercise the general management of public administration (article 101, paragraph 1). The ministries, including the Ministry of National Defence, shall be organized based on the principle of subordination to the Government only (article 115, paragraph 1). According to the Romanian Constitution, the Government initiates legislation, regarding inter alia security and defence-related matters (article 73, paragraph 1), submits draft defence budgets, negotiates treaties and agreements concerning international (military) cooperation, and,

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⁵ When declared by the President, the declaration of partial or general mobilization of the armed forces has to be discussed by the Supreme Council of National Defence.
subsequent to parliamentary approval, allocates the financial resources to be made available to the military establishment (article 91, paragraph 1).

The *Law on National Defence of Romania* (Legea apararii nationale a Romaniei), adopted by the Parliament in 1994, states that leading the national system of defence is an exclusive right of the state’s constitutional authorities. They are represented by the Parliament, the President of Romania, the Supreme Council of National Defence, the Government, the Ministry of National Defence and other state authorities having responsibilities in the field of national defence (article 7). This law adds that in wartime the management of the strategic military actions is the responsibility of a Grand General Staff, subordinated to the SCND. The head of the Grand General Staff is named by the President of Romania based on a proposal of the Minister of National Defence (article 8). The Supreme Council of National Defence comprises: the President of Romania, the Prime Minister, the Chief of the General Staff, the Chairperson of the Council for Coordination of Economic Strategy and Reform, the Minister of National Defence, the Minister of Interior, the Minister of Foreign Affairs, the Head of the Political Analysis Department of the Romanian Presidency, the Director of the Romanian Intelligence Service and the Director of the Foreign Intelligence Service.

Article 32 of this law stipulates that the Romanian Government has several responsibilities in the field of defence including distribution and management of financial resources and the coordination of the ministries’ activities. The *Law on National Defence*
of Romania adds that the Ministry of National Defence is responsible for setting up and implementing the main military policies of the country. Thus, the Ministry analyzes the state’s needs in the field of defence, proposes measures for meeting the fundamental military interests of the country, supervises the activity of the officer corps, organizes the population’s involvement in defence activity and coordinates the activity of the state bodies involved in the military field (article 33). Not only the Ministry of Defence, but other ministries as well, the intelligence services and other public authorities involved in defence activity must submit reports regarding their activity to the Parliament, the Government or the SCND, annually or when required to do so (article 34).

Shortly before NATO’s Madrid Summit of 1997, when the North Atlantic Alliance invited Poland, Hungary and the Czech Republic to join this organization, Romania issued a so-called White Book on Romania and NATO (Cartea alba despre Romania si NATO), which has constituted a blueprint for subsequent decisions and legal documents dealing with this country’s Euro-Atlantic integration.

"The search for security," the White Book states, "has been a natural concern in Romania since the fall of the Communist regime. There has been no need for a great debate as to where Romania actually belongs. All responsible political parties, reflecting an overwhelming public mood, opted unambiguously for integrating Romania into NATO."

The document underlines that Romania’s option for NATO integration is a logical outcome of the fundamental changes that have taken place in the country during the post-Communist period. The government’s endeavour to join the North Atlantic Alliance is

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presented as an integral part of a broader strategy: (a) to join, as a full member, collective Western institutions, including the EU and the WEU, and (b) to conduct a foreign policy consistent with the aims and principles of these institutions in pan-European and global organizations, such as the OSCE and the UN. At the same time, an enhanced trans-Atlantic partnership and a continued US involvement in European affairs have been defined as serving the basic national interests of Romania.

Underlining the fact that NATO asks prospective members to have established appropriate democratic civilian control of their armed forces, the *White Book* clearly states that the Romanian military “is subordinated to the constitutional civilian institutions of the state.” Still, it recognizes that the process of establishing civilian control over the military is underway: “[t]he reform of the armed forces and of the civilian control of the military is well advanced in Romania, approaching NATO standards of compatibility and interoperability.” This document argues, nevertheless, that the Romanian defence policy is made by civilian authorities:

“[t]he military do not decide which are the national security risks, nor do they make decisions on the ways and means to counteract them. Under the current legislation, the armed forces cannot impose their point of view with regard to any particular problem of interest to the society as a whole.”

In its Annex X, the *White Book on Romania and NATO* states that the legal responsibilities of the institutions charged – according to the *Constitution* – with civilian control over the armed forces (such as the President, the Parliament or the Government) demonstrate the involvement of all branches of power (i.e., legislative, executive and
even judicial) in the oversight system. The *White Book*’s Annex X specifies that, while both the President and the Government are under parliamentary control, the President has less power in the field of civilian control over the military than the Parliament.

According to the *Military Strategy of Romania*\(^8\) (*Strategia militara a Romaniei*), adopted by the Parliament in 2000, the primary task of the Romanian armed forces is to guarantee the strict observance of citizens’ human rights in a sovereign, independent, unitary and indivisible state, while being actively engaged in the process of Western integration. The armed forces would serve a political regime based on constitutional democracy and would function according to the principle of strict democratic civilian control over the military establishment. “The armed forces are subordinated and will respond to the democratic civilian leadership of the state,” the *Military Strategy of Romania* underlines in its chapter dealing with “strategic principles.” It adds that the national legal framework establishes the political coordination of military activities as being performed by the political leadership of the state – i.e., the Parliament, the President, the Supreme Council of National Defence and the Government. Setting up policies and deciding on budgetary matters are processes that are to be transparent and conducted according to the Parliament’s decisions.

The *Military Strategy of Romania* states that the politico-military command of the armed forces is the responsibility of the national command authorities (the Parliament, the President of Romania, the Supreme Council of National Defence, the Government, the Ministry of National Defence and public administration authorities having

responsibilities in the field of national defence). The document underscores that the President of Romania is the Commander-in-Chief of the military establishment and the head of the SCND. Based on decisions made by the national command authorities, the General Staff\(^9\) is responsible for the operational and military command of the armed forces. The Supreme Council of National Defence conducts the unitary coordination of these types of activities and decisions. In peacetime, in crisis situations and in wartime, the command of the Romanian Ministry of National Defence is conducted by the Minister, who represents its institution in the various relationships with other ministries and governmental bodies, as well as other public administration authorities, and similar bodies of other states.

The Chief of the General Staff, the highest military authority, is the main military adviser to the President, the Supreme Council of National Defence and the Minister of National Defence, being responsible for the military command of the Romanian armed forces. To carry out these tasks, the Chief of the General Staff is advised by the Joint Chiefs of Staff. The General Staff exercises the practical conduct of military actions through the National Military Command Centre (Operational Centre for Crisis Situations). "The organizational structure of headquarters in peacetime and in wartime, and the standard operating procedures (SOPs) of establishing the concepts, plans, and documents for implementing them will be similar to NATO SOPs. This process aims at improving the

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\(^9\) The General Staff is the main military body of the Romanian Ministry of National Defence, responsible of the direct command and the operational capability of the armed forces. It is headed by the Chief of the General Staff – the highest military authority in the Romanian armed forces – who is appointed for a term of office of four years by the President of Romania, based on a proposal of the Minister of National Defence, approved by the SCND.
military command and control at all levels and establishing the conditions for achieving interoperability with similar NATO and WEU structures,” the document adds.

In acknowledging the need for a system of democratic civilian control over the armed forces, the *Military Strategy of Romania* states that,

“for the purpose of achieving national security objectives, Romania must get integrated into European and Euro-Atlantic institutions and enhance its role in other security structures. NATO integration is the first priority and it is the best option for Romania to advance towards a collective security environment.”

One of the most important Romanian military objectives, according to this document, is a gradual integration into North Atlantic Treaty Organization military structures. In this context, “it is imperative to intensify the efforts to join NATO.”

The *National Security Strategy of Romania*¹⁰ (Strategia de securitate nationala a Romaniei), adopted by the Parliament in 2001, also underscores the country’s desire to strengthen the civilian control over the armed forces, according to democratic principles and values (article 5.6). The document lists, as one of the main directions of action in the field of national security and public order, the ongoing development of a system of civilian control over institutions dealing with security ad defence issues. In addition to this, it emphasizes the necessity for state institutions (the military included) to set up a partnership with the larger society, taking into account the balance between the right of public access to information and the need to protect classified data (article 5.5). In the

field of national defence, two of Romania’s main priorities are the harmonization of the
national legal framework with the ones existing in NATO countries and EU member
states, and the strengthening of the parliamentary control over the military establishment.
The *National Security Strategy of Romania* argues for a fine-tuning of the coordination
activities of the SCND (article 5.6).

III.(1).(b) Bulgaria

The *Constitution of the Republic of Bulgaria*\(^{11}\) (Конституция на Република
България) of 1991 states that the Bulgarian armed forces shall guarantee the sovereignty,
security and independence of the country, and shall defend its territorial integrity (article
9). It is the Council of Ministers (i.e., the Government) that shall exercise *inter alia*
overall guidance over the state administration and the armed forces (article 105,
paragraph 2).

Nevertheless, the National Assembly (i.e., the Parliament) elects and dismisses the Prime
Minister or, on his/her motion, the members of the Council of Ministers (article 84,
paragraph 6), and creates, transforms and closes down ministries on a motion from the
Prime Minister (article 84, paragraph 7). The National Assembly and its parliamentary
committees is free to order ministers to attend their sessions and respond to questions
(article 83, paragraph 2). The permanent committees shall contribute to the work of the
National Assembly and exercise parliamentary control on its behalf (article 79, paragraph

\(^{11}\) "Конституция на Република България," July 13, 1991,
1), while *ad hoc* committees are elected to conduct inquiries and investigations (article 79, paragraph 2). Members of the National Assembly have the right to address questions to the Council of Ministers and to individual ministers, who are obliged to respond (article 90, paragraph 1). The National Assembly also declares war and concludes peace (article 84, paragraph 10), approves any deployment and use of Bulgarian armed forces outside the country’s borders (article 84, paragraph 11) and ratifies by law all international instruments which are of a political or military nature (article 85, paragraph 1).

The President is the Supreme Commander-in-Chief of the Bulgarian armed forces (article 100, paragraph 1). He/she appoints and dismisses the higher command of the armed forces, bestows all higher military ranks on a motion from the Council of Ministers (article 100, paragraph 2) and presides over a Consultative Council of National Security (CCNS), whose status is established by law (article 100, paragraph 3). The President also proclaims partial or general mobilization of the armed forces on a motion from the Council of Ministers (article 100, paragraph 4) and declares war; he/she proclaims martial law or any other state of emergency whenever the National Assembly is not in session and cannot be convened (article 100, paragraph 5).

Despite these provisions, critics of the Bulgarian *Constitution* argue that it does not sufficiently clarify “the conditions necessary for constructing an efficient mechanism that would allow the state institutions to fully implement their constitutional obligations
towards the armed forces."\textsuperscript{12} Among the issues that need to be further clarified, Valery Rachev and Sergei Tassev argue, is the division of power between the main institutions of the state, the relationship between the General Staff and various civilian structures, and the decision making processes in the fields of security and defence.

The \textit{Law on Defence and the Armed Forces of the Republic of Bulgaria}\textsuperscript{13} (Закон за отбраната и въоръжените сили на Република България), adopted by the National Assembly in 1995, gives the National Assembly more prerogatives in the military field than the basic ones outlined by the Bulgarian Constitution and specifies the prerogatives of the Council of Ministers, the Minister of Defence and the President. Thus, the National Assembly adopts long-term strategies and programs in the field of defence (such as the \textit{National Security Concept of the Republic of Bulgaria} and the country’s \textit{Military Doctrine}) and determines the size of the Bulgarian military, based on proposals of the Ministry of Defence. Regarding the Council of Ministers, this law states that Bulgaria’s main executive body shall not only lead the military establishment, implement the country’s military policies and present proposals to the President for assigning and discharging the higher command of the military, but also adopt regulatory acts and planning documents necessary for the armed forces’ activity.


The Ministry of Defence allocates the budget for the military, makes regulations, submits to the Council of Ministers the proposed name of the Chief of the General Staff\textsuperscript{14} and approves the composition of the General Staff. In addition to these actions, it shall submit to the Council of Ministers drafts on specific military issues, such as the \textit{Military Doctrine}, the structure of the armed forces and the processes of assigning and discharging the high command staff. The Minister of Defence also confers military ranks, discharges officers from military service and appoints and recalls the Bulgarian defence and military attachés abroad. As amended in 1997, the law requires that the Minister of Defence and his/her deputies shall be civilians. The amendments to this legal act also underscored an even bigger role of the Council of Ministers in controlling the armed forces and in formulating and implementing defence policies.

Although gaining control over the military intelligence and counterintelligence services and the military police, the Minister of Defence did not have access to all intelligence data such as counterintelligence and information gathered by the military police, which was sent to the Chief of the General Staff only. Amendments from 2000 state that the Military Information Agency (military intelligence) reports to the civilian Minister. The Chief of the General Staff is the highest ranking military officer, being responsible for the day-to-day management of the armed forces. Amendments from 1997 also define the situations in which orders of the Minister of Defence are to be countersigned by the Chief of the General Staff. In case of disagreement, the matter is reviewed by the Council of Ministers. Starting from 1997, the government was to present annual reports on defence

\textsuperscript{14} The Chief of the General Staff is appointed by the President of Bulgaria, based on a proposal formulated by the Prime Minister of the country.
issues. Thus, Dimitar Dimitrov argues, “the law again secured civilian supremacy in military matters.”  

The *Law on Defence and the Armed Forces* specifies that the President of the Republic of Bulgaria approves, among other things, the strategic policies in the field of defence that directly affect the functioning of the country’s armed forces. Immediately after the declaration of war or the introduction of martial law, he/she shall form, the Supreme Headquarters. This group, which assists the President in performing his/her tasks, comprises: the Prime Minister, the Minister of Defence, the Minister of Foreign Affairs, the Chief of the General Staff and other ministers and state officials. (The CCNS, also headed by the President, consists of the Prime Minister, the Chief of the General Staff, the Minister of Defence, the Minister of Interior, the Minister of Foreign Affairs, the Minister of Finance, the Chair of the National Assembly and representatives of each parliamentary group).

The *National Security Concept of the Republic of Bulgaria* (Концепция за националната сигурност на Република България) represents a collection of formally adopted political views on protecting the Bulgarian citizens, society and state against external and internal threats of any nature (article 1). Although during the 1990s thirteen other documents called *National Security Concept* were proposed by both state institutions and non-governmental organizations, the official one was adopted by the

National Assembly as late as 1998. This document underscores that civilian control over the military is guaranteed by the Bulgarian Constitution and other laws of the country (article 56). It adds that the interests of the civilian society are related to the confirmation of democracy and the civilian control over institutions (article 23). The National Security Concept of the Republic of Bulgaria underlines the provisions of the Constitution by stating that the President, the National Assembly and the Council of Ministers have responsibilities in the field of national security (article 50).

Thus, the President chairs the CCNS (article 51), while the National Assembly carries out the legislative building of the national security system. Through its permanent National Security Committee (NSC), the National Assembly exercises control over the Council of Ministers and the military regarding their compliance with the law and the effectiveness of their actions, as well as the efficient use of resources (article 52). The Council of Ministers allocates resources to increase the level of protection of Bulgarian national interests; the ministries develop and implement strategies and programs for the most efficient use of political, military and economic resources of the country (article 53). The Council of Ministers, this document adds, is assisted by a Security Council comprising: the Prime Minister, the Minister of Foreign Affairs, the Minister of Defence, the Minister of Interior, their deputies, the Chief of the General Staff and the chiefs of the intelligence and counterintelligence organizations; the President can also participate in the work of this council (article 54).
Although it focuses on the principle of civilian oversight over the armed forces less than the *Military Strategy of Romania*, the *Military Doctrine of the Republic of Bulgaria*¹⁷ (*Военна доктрина на Република България*), adopted by the National Assembly in 1999, states at the beginning that “transparency and civilian control are obligatory principles” in its implementation (article 4). It adds that the management of the defence system is administered by authorities through procedures defined by the Bulgarian *Constitution* and the laws of the country, “with the purpose of making effective use of defence resources in peacetime, in crisis situations and in wartime” (article 36). The oversight of the Bulgarian military is – according to this document – a complex set of activities, conducted primarily under the leadership of the Ministry of Defence and the General Staff of the armed forces (article 40).

The *Military Doctrine of the Republic of Bulgaria* underlines that the President is the Supreme Commander-in-Chief of the Bulgarian armed forces. When a state of war is declared, the President coordinates the defence of the country and takes decisions for the use of the military. The plans for the preparation and conduct of combat operations are just approved by the President, being developed by the Commander-in-Chief (article 67). In wartime, the Commander-in-Chief is represented by the Chief of the General Staff of the Bulgarian armed forces (article 68). The Council of Ministers approves and leads the implementation of plans and programs for the development of the Bulgarian armed forces, either in peacetime or in wartime (article 71).

The Bulgarian *Military Doctrine* "explores the military-strategic environment and defines defence policy priorities and directions of employment, build-up and development of the armed forces, in the interest of defence and promotion of peace and stability" in close cooperation with NATO, the WEU and the EU (article 2). The Doctrine acknowledges that the majority of South-Eastern European countries are currently adopting European and Euro-Atlantic models in reforming their security and defence fields (article 6, paragraph "d"). Following this trend, in implementing its defence polices, Bulgaria "defines its partnerships with, and membership in, NATO, the WEU and the EU as strategic priorities for ensuring its national security and defence" (article 21, paragraph "c"). It considers its membership in NATO and the WEU as "a prerequisite and guarantee of a stable democratic development of the country and of an effective pursuit of defence policies" (article 26). From this perspective, the *Military Doctrine* "reflects the political will to undertake all commitments deriving from future full membership in NATO, the EU and the WEU, while the systematic preparation for that is defined as a military policy priority" (article 27).

The first, unofficial, version of the *Military Doctrine of the Republic of Bulgaria*, made public at the end of 1993, focused less on the need to ensure civilian control over the armed forces. Issued in the absence of a *National Security Concept*, the *Military Doctrine* included mainly general principles about the military organization, the role of the armed forces and Bulgaria's foreign policy. It was prepared by the General Staff, accepted by the Council of Ministers, but not adopted by the National Assembly. When the *National Security Concept* and the *Military Doctrine* finally received parliamentary approval, both
were new official documents for Bulgaria. Their publication – as Dimitar Dimitrov puts it – “confirmed the primacy of the civilian sector in defence matters and, at the same time, gave the military their autonomous field for action.”\textsuperscript{18} The \textit{Military Doctrine} of 1999, Pantev Ratchev argues, “closed the circle of regulated responsibilities for national security and defence,”\textsuperscript{19} better defining the relationship between the civilian authorities and the military establishment.

The preparations to publish a \textit{White Paper on Defence of the Republic of Bulgaria}\textsuperscript{20} (Бяла книга за отбраната на Република България) started in 2000 when the general parameters of defence and armed forces were outlined. The document was finally published in 2002 “because the speed and scale of military reform [had] surpassed the plans for its implementation and [had] required a continued updating of the information therein.” The main purpose of the \textit{White Paper} is to present policy directions for the defence system, according to Nikolai Svinarov, the current Bulgarian Minister of Defence.\textsuperscript{21} Thus, a special emphasis is placed, among other things, on the civilian control over the armed forces and on the activities “aligning national crisis management mechanisms, procedures and structures with those of NATO and its member states.” According to the \textit{White Paper}, the Bulgarian military’s participation in NATO programs will make this country “an integral part of the European and North-Atlantic security and stability system, and a community of economic and cultural prosperity.”

\textsuperscript{18} Dimitrov, p. 118.
\textsuperscript{21} “Бяла книга.”
In addition to the provisions of the Bulgarian Constitution, the White Paper states that a national security secretary and a military secretary shall assist the armed forces’ Supreme Commander-in-Chief (i.e., the President) in his/her activity in the area of defence. The Consultative Council of National Security headed by the President, with the participation of representatives of the Council of Ministers and all political forces represented in the National Assembly, discusses issues of paramount importance to the country’s security at all its sessions. While the Council of Ministers provides the general leadership of the Bulgarian armed forces, the institution that is directly responsible for implementation of governmental policies in the field of defence and for exercising civilian control over the military is the Minister of Defence.

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The legal frameworks in both Romania and Bulgaria are supposed to define the spheres of activity of the institutions involved in the system of supervision of the military establishment. They actually provide important guidelines for the roles of these institutions, stipulating some of their responsibilities and setting up a system of relationships between them. Nevertheless, their shortcomings are significant.

Neither the Constitution of the Republic of Bulgaria nor the Constitution of Romania, as fundamental legal instruments, defines the concept of the “armed forces.” This creates a series of problems in terms of conceptualizing the relationship between the civilian
authorities and the military establishment. Both Constitutions also lack a clear division of power between the various actors involved in the system of civilian control over the armed forces. This leaves enough room for the military to impose their viewpoints when deciding on defence issues. Moreover, this situation creates confusion about the exact responsibilities of civilian institutions in the fields of security and defence.

As Ognyan Avramov, legal adviser and later head of the administrative staff to former Bulgarian President Zhelyu Zhelev, says, the Bulgarian Constitution gives the President the power to proclaim a state of war or emergency whenever the National Assembly is not in session and cannot be convened, but it says nothing about what should happen when the National Assembly would not endorse the President's decision. A similar problem appears in the Romanian case, when the President may declare partial or general mobilization of the armed forces with prior approval of the Parliament. The decision would have to be discussed, some scholars argue, by the SCND, which, according to the Romanian Constitution, is supposed to conduct the unitary coordination of the activities concerning the country's defence and its security.

The situation is complicated in both cases by the existence of several relatively similar institutions. In Bulgaria we can include in this category (i) the Consultative Council of National Security, headed by the President, (ii) the National Assembly's permanent National Security Committee, (iii) the Security Council, assisting the Council of Ministers, having both civilian and military staff, and (iv) the Supreme Headquarters in

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wartime. In Romania, it is about (i) the Supreme Council of National Defence, headed by the President, (ii) the Parliament’s Committees on Defence, Public Order and National Security, and (iii) the Grand General Staff in wartime. The responsibilities of these institutions, in comparison to the ones of the National Assembly/the Parliament, of the Council of Ministers/the Government or of the President, are loosely defined by the two countries’ legal documents.

The fact that the legal frameworks have been set up during the post-Communist period based on Western requirements in the fields of security and defence is obvious when one analyzes them. The frequent references to organizations such as NATO, the WEU and the European Union, and to their standards are relevant indicators of Romania’s and Bulgaria’s efforts to adapt their legal frameworks regulating civil-military relations to the Western type of legislation in these fields. However, their lack of precision and unity, expressed by their confusing provisions, undermines the very idea of an efficient civilian system of control over the military. They not only make the civilian oversight of the armed forces a difficult process, they also encourage the involvement of the military establishment in a larger discussion of the Eastern European countries’ security and defence matters.

**III.(2) Legislatures and armed forces**

The role of the legislatures in the framework of a Western model of civilian control over the military is extremely important. According to a 2001 *Model Law on the*
Parliamentary Oversight of the State Military Organization, for instance, drafted and submitted to the Inter-Parliamentary Assembly of the Participant States of the Commonwealth of Independent States (CIS) jointly by the Geneva-based Centre for Democratic Control of the Armed Forces and the Moscow-based Centre for Political and International Studies, the parliamentary oversight of the armed forces is regarded "as the central component of a broader democratic civilian oversight of the state military organization." Based on a Western perspective, the document more concretely identifies the parliamentary oversight of the military as "activities aimed at the establishment and the insurance of the adequate application of the system of legal provisions and administrative measures put in place by the Parliament in cooperation with other bodies of state power and institutions of the civil society."

The legislatures discuss and adopt laws on security and defence issues, decide on budgetary matters and control spending, request information from other institutions, control the activity of the government, ratify and denounce international agreements, and have the power to declare or suspend mobilization and the state of war. One of the most important means by which they exercise civilian oversight of the armed forces – alongside setting up the legal framework regulating the military activity – is the parliamentary control of expenditures. Nevertheless, this may prove to be a rather ineffective way of approaching the issue of oversight. Morris Janowitz calls it an

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23 This model law was adopted by the 18th Plenary Session of the Inter-Parliamentary Assembly of the Participant States of the Commonwealth of Independent States (Resolution no. 18-13 of November 24, 2001).
25 Commonwealth of Independent States.
"outmoded technique of rather limited consequence," arguing that “[i]ts effect on the military profession seems to be that of generating hostility and tension, rather than effective control and political consent."26 Organizing hearings and requesting information on security and defence issues are other important mechanisms allowing legislatures to gain knowledge and decide more effectively when dealing with the military establishment. In post-Communist Eastern Europe the role of the legislatures in the oversight of the armed forces has been considerably increased by the need to provide a new legal framework for the security and defence activity.

The parliamentary oversight of the military field, Andres C. Sjaastad argues, involves two elements: accountability and influence, i.e., "holding the government accountable for the defence funds it requires and for the way it spends these funds, ensuring, in other words, that defence resources are used in the most efficient and cost effective manner; and influencing the development and implementation of defence policy."27 However, the degree to which different parliaments are able to shape the content of the defence budgets presented to them by the governments, the ways the funds are spent and the nature of various military activities varies widely. Alfred Stepan, for instance, in his well-known *Rethinking Military Policies: Brazil and the Southern Cone*, identifies different responsibilities of the legislatures. These responsibilities vary because they are based on the level of the military institutional prerogatives in different societies.

The dimension of these prerogatives refers to those areas where

"the military as an institution assumes they have an acquired right or privilege, formal or informal, to exercise effective control over its internal governance, to play a role within extra-military areas within the state apparatus, or even to structure relationships between the state and political or civil society."\textsuperscript{28}

This means that in a society where the military institutional prerogatives are high, the legislature "simply approves or disapproves the executive's budgets; there is no legislative tradition of detailed hearings on defence matters; [and] the military seldom if ever provides the legislature with detailed information about the defence sector."\textsuperscript{29}

Nevertheless, when the military institutional prerogatives are low,

"most major policy issues affecting military budgets, force structure, and new weapons initiatives are monitored by the legislature; [and] cabinet-level officials and chief aides routinely appear before legislative committees to defend and explain policy initiatives and to present legislations."\textsuperscript{30}

The latter situation is the one best describing the role of the legislatures according to a Western model of civilian control over the armed forces. The extent to which the Romanian and Bulgarian legislatures have managed to exercise their prerogatives in the military field has probably placed them in a situation characterized by medium to high military institutional prerogatives, rather than low ones.

\textsuperscript{29} Stepan, p. 95.
\textsuperscript{30} Stepan, p. 95.
The Romanian Parliament comprises 485 members (its Chamber of Deputies comprises 345 and its Senate – 140 members), while the Bulgarian National Assembly comprises 240 members. As institutions directly representing the political will of the two peoples, they are supposed to have one of the most important roles in ensuring the existence of a democratic and civilian type of control over the armed forces. A major weakness, however, of both the Romanian and the Bulgarian legislatures regarding oversight functions lies in their lack of continuity. Only a relatively small part of the Romanian and Bulgarian MPs (about 25-40%) have represented their constituencies in more than one legislature. In the period 1997-2001, for instance, about 60% of the Bulgarian MPs were at their first mandate with the National Assembly; moreover, “[i]n contrast to other transition states where parliamentary expertise is slowly expanding with each Parliament, Bulgaria’s seems to be shrinking.”

This situation contributes to the lack of parliamentary expertise in the fields of security and defence. This is noticeable – Marina Caparini indicates – “in the absence of sustained or in-depth parliamentary debate on crucial defence issues and in the often low-prestige and acquiescent behaviour of parliamentary defence committees.” Not only that these committees consist of insufficiently prepared MPs, but the staffs affiliated to them are [themselves] usually unable to “undertake deeper analyses and independent assessments of defence issues.”

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31 Rachev, p. 69.
33 Caparini, pp. 18-19.
III.(2).(a) Romania

The legislative function of the Romanian Parliament is a very important one. The Parliament has responsibilities in regulating such areas as the national defence system, the organization of the armed forces, the status of the military personnel and the state of siege, of emergency or of war. The parliamentary control of the military is also exercised in Romania through two permanent Committees on Defence, Public Order and National Security, belonging to the Chamber of Deputies and to the Senate respectively. The Parliament’s two permanent Committees, established in 1990, have similar responsibilities; they even work together in special situations such as hearings for the acceptance of the Government’s members designated to run the Ministry of National Defence or the approval of the military budget.

The Romanian Senate’s Committee on Defence, Public Order and National Security consists of 11 members, belonging to various political parties that are represented in the Parliament. The Senate’s Committee set up after the legislative elections of 2000 has consisted of representatives of five different political parties and one independent senator. The Presidency usually belongs to the party (or coalition of parties) that forms the Government. An analysis of the four post-Communist Senate’s Committees on Defence, Public Order and National Security (1990-1992, 1992-1996, 1996-2000, 2000-present) reveals the relative lack of expertise in the fields of security and defence of their members. Regarding the Committee set up in 2000, only two of its members had
two are retired military officers). The Committee's President is a former film director and actor, the Vice-President is an engineer, while its Secretary is a lawyer. Similar to this, the 1997-2001 National Security Committee of the (38th) Bulgarian National Assembly consisted of only three retired military officers, in addition to engineers, lawyers, academic researchers, one journalist and one pedagogue. Given their background, Vassil Danov argues, "neither they, not the Chairman, a lawyer by profession, promoted anything to be kept in mind, like bills, interpellations, investigations or publications."^{34}

The Romanian Chamber of Deputies' Committee on Defence, Public Order and National Security comprises 25 members, also representing various political parties. This Committee has one President, two Vice-Presidents and two Secretaries. The fourth such Committee, set up in 2000, has consisted of representatives of five different political parties, one independent MP and one representing the national minorities of Romania other than the Hungarian and the Roma (these two managed to enter the Parliament through their own political parties). The main current activities through which the two Committees exercise parliamentary control over the armed forces are: (i) activities of control and documentation, as well as attending evaluation sessions, at the levels of the Ministry of National Defence and the various military components; (ii) hearings on specific issues of representatives of various institutions, including military commanders, and hearings of the candidates at the rank of general; (iii) oversight of the defence budget; (iv) analysis of reports regarding certain negative aspects signalled on the

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occasion of parliamentary debates or by the mass media; (v) organization of special committees for parliamentary investigations; and (vi) participation in training programs.

A new connection between the Romanian Parliament and the Ministry of National Defence came into being with the appointment of a Secretary of State for Parliamentary Liaison, Legislative Harmonization and Public Relations. According to the Romanian authorities, the regular contacts between the Ministry’s senior officials and the Parliament guarantee a better civilian control over the armed forces. For instance, the Ministry of National Defence regularly informs the Parliament’s Committees about the ongoing plans and objectives of the Romanian military.

III.(2).(b) Bulgaria

The Bulgarian National Assembly’s permanent National Security Committee was established in 1991; four different Committees have been set up since then (1991-1994, 1994-1997, 1997-2001, 2001-present). It comprises 21 MPs, its membership reflecting the principle of proportional representation, based on parliamentary election results. Its Presidency usually belongs to the main political force of the country, the one forming the Government.

As in the Romanian case, the Committee’s members generally lack experience in the fields of security and defence. Some of them have virtually no knowledge or background
to include Romania, Bulgaria’s National Security Committee is particularly weak”\textsuperscript{35} from the viewpoint of its effectiveness in the process of ensuring the democratic civilian control over the armed forces. As an example, the fact that an unofficial version, from 1993, of Bulgaria’s \textit{Military Doctrine} and a draft, from 1995, of a \textit{Decree on Reform in the Armed Forces} were prepared by the General Staff of the Bulgarian military and not by the parliamentary National Security Committee (or by the Ministry of Defence) is relevant from this perspective.\textsuperscript{36} Nevertheless – Nikolay Slatinski (Chairman of a former National Security Committee) and Marina Caparini add – this institution “has sought to be a positive development in establishing democratic control over the armed forces, while remaining sensitive to the need to ensure society’s support for the military. It has attempted to serve as an \textit{intermediary} between civil society and the military”\textsuperscript{37} [italics added].

The National Security Committee has the right to organize hearings and to ask for information dealing with security and defence issues from the military establishment, the Council of Ministers or other relevant institutions. It can invite the Minister of Defence, the Chief of the General Staff, the heads of special services and other officials to hearings and it can set up investigation workgroups. The Committee also evaluates and prepares draft legislation. Unlike the situation in Romania, the Bulgarian parliamentary Committee dealing with security and defence issues has to share the responsibility of oversight of the defence budget with another institution: the National Assembly’s Economic and Budgets

\textsuperscript{36} Dimitrov, p. 119.
Committee. Nevertheless, despite the significant number of institutions involved in the process of allocating financial resources to the military establishment, a study performed in late 1990s by a team of British experts revealed that there was “a lack of realism and coherence between budgets and defence plans.” That is, plans endorsed by the National Assembly are often ignored by the Ministry of Defence or by the military establishment per se, given the lack of a clear understanding of the relation “resources – forces – goals of the defence policy.”

According to the *White Paper on Defence of the Republic of Bulgaria*, a special instrument of parliamentary control in Bulgaria is the *Report on the State of Defence and Armed Forces*, which the Council of Ministers puts forward to the National Assembly on an annual basis. Ironically, though, “[w]hile parliamentarians may have access to an array of classified and non-classified information pertaining to defence, many of those who are inexperienced in defence affairs simply do not know what information they should be looking for, nor how to use it.”

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Although intended to play a very important role in the oversight of the armed forces, the post-Communist Romanian and Bulgarian legislatures have been rather superficially involved in these processes. The weak parliamentary control over the military can be

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39 Shalamanov, p. 4.
40 "Бяла книга."
41 Caparini, p. 19.
explained by MPs’ lack of expertise on military issues, but also by the limited audience for military issues, and, subsequently, by the generally unsatisfactory parliamentary interest in the fields of security and defence. At the same time, as Marco Carnovale puts it, “a parliament limited to a rubber-stamp role betrays poor democratic control of defence.”\(^{42}\) The Romanian and Bulgarian legislatures have exercised a limited degree of control over the military due to a relatively inadequate application of the system of legal provisions – that is, they have been little involved in debates over defence issues, voluntarily and informally accepting to delegate some of their responsibilities to the executive powers and the military establishments.

III.(3) Executive institutions and armed forces

The executive institutions having responsibilities in the fields of security and defence are represented in Romania and Bulgaria by the Head of State (President), the Government/Council of Ministers – i.e., Prime Minister, Minister of (National) Defence, Ministry of (National) Defence staff, armed forces’ General Staff – and other related institutions (e.g., various security councils). The President is in Romania and Bulgaria the Commander-in-Chief and the Supreme Commander-in-Chief respectively of the armed forces; the President is also the Chair of the Consultative Council of National Security (Bulgaria)/the Supreme Council of National Defence (Romania). Regarding the Government, this institution initiates legislation, directs and coordinates the activity of the armed forces, submits to the Parliament the draft defence budget, allocates financial

resources to the military establishment and negotiates treaties and agreements concerning international military cooperation.

The Government controls the military through one of its departments, the Ministry of (National) Defence. The operational activity of the military is coordinated by the General Staff, which is part of the Ministry of (National) Defence, directly subordinated to the Minister of (National) Defence. A distinct executive body is an institution whose title is Consultative Council of National Security in Bulgaria and Supreme Council of National Defence in Romania. These institutions are specialized authorities of the central public administration, whose attributions vary between coordinating policies of national defence and national security and formulating recommendations on security-related issues.

The executive institutions not only provide efficient means of control over the armed forces, they are also essential links ensuring the legitimacy of a democratic civilian system of oversight of the military. As Chris Donnelly puts it, “[t]he army is accountable to the government, the government is accountable to the army and to the parliament, and the parliament is accountable to the people.”43 The continuous supervision by the executive institutions in the military field is achieved through various devices, such as mechanisms of budget control, allocation of missions and responsibilities, and the administration of foreign affairs.44 The post-Communist period has marked a controversial transition of the Romanian and Bulgarian executive institutions from a Communist model of organization, based on the subordination to the authoritarian

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44 Janowitz, pp. 361-365.
leadership of a Communist Party, to a Western liberal one. In both cases, the transformation has been complex and difficult, while the practical results have not always been satisfactory.

III.(3).(a) Romania

In Romania, the Parliament’s inability to work in a coherent way in regulating and controlling the fields of security and defence has led to increased roles of the executive powers (the President, the Government and the Supreme Council of National Defence). For many years during the post-Communist period, for instance, the various Romanian Governments used to exercise their influence in these fields by issuing “emergency ordinances” (avoiding, therefore, long and ineffective parliamentary debates, usually blocked by the diverging interests of various fragmented political forces).

The Romanian Presidency. The President in Romania has a less important role than does the Parliament (and even the one of the Government/Ministry of National Defence, in peacetime) in the fields of security and defence. The fact that the President may declare armed mobilization only with prior approval of the Parliament and that the declaration has to be debated in the Supreme Council of National Defence exemplifies properly the President’s position in the system of oversight of the military. As a general rule – as the White Book on Romania and NATO underscores – the President’s prerogatives in the military sphere are carried out subject to the approval of the

Parliament. The lack of enough civilian experts dealing with military issues may be represented by the appointment, in 2000, of General Ioan Talpes as adviser on security and defence matters for the President of Romania, Ion Iliescu. General Talpes is not only a military officer, but also an ex-Director of the Romanian External Intelligence Service (between 1994 and 1997).

**The Government of Romania.** The Government in post-Communist Romania is accountable, according to this country’s legislation, to the Parliament and to the Supreme Council of National Defence for its acts in the fields of security and defence. The Romanian Ministry of National Defence is accountable to the Government. The Ministry may cooperate with other ministries, with specialized bodies subordinated to the Government, with central and local public administration authorities, with autonomous administrative authorities, with NGOs and with business organizations.\(^{46}\) According to the Government’s *Emergency Ordinance no. 14 of January 16, 2001*\(^{47}\), the Ministry of National Defence – among other attributions – analyzes and proposes to the SCND the necessary measures for dealing with the country’s security needs, sets up and reorganizes military units during peacetime, prepares drafts of the military budgets and supervises the budgetary implementation, makes regulations for the military’s internal activity and controls the armed forces’ structures. As in other Western countries, the General Staff of the Romanian armed forces is part of the Ministry, being directly subordinated to the Romanian Minister of National Defence.

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The head of the Ministry is the Minister of National Defence. He/she is the Chairperson of the Ministry’s Planning Council, which deals with the planning, programming and budgeting systems. The Planning Council comprises: the Minister, the Chief of the General Staff, the Deputy Chief of the General Staff for Resources, the Chiefs of the Army, Navy and Air Force, the Head of the Department for Euro-Atlantic Integration and Defence Policy, the Head of the Department for Defence Equipment, the Head of the Department for Parliamentary Liaison, Legislative Harmonization and Public Relations, the General Inspector of the armed forces and the Chief of the Human Resources Management Directorate. This council is an important one, given not only its composition and attributions, but also its role in shaping the country’s defence-related and security-related decisions and laws.

The first civilian high-ranking governmental official dealing with military issues was appointed in post-Communist Romania in 1993. The first civilian Minister of National Defence, Gheorghe Tinca, was appointed in 1994; since then, this position has been held by a civilian. Romania was one of the last countries in Eastern Europe to implement such a change. Nevertheless, since 1993-1994 it has sought to strengthen the role of civilians within the Ministry of National Defence by appointing civilian experts to a number of senior management positions and by improving their qualifications; civilian experts are also appointed as advisers. A new structure, the Department for Defence Policy and International Relations, was also established in 1994 within the Ministry of National Defence; its head, a State Secretary, has been a civilian since then. At that time, all senior management positions below the Minister of National Defence and the State Secretary for
Defence Policy and International Relations (who has the responsibilities of a Deputy Minister) were occupied by military officers.

Today, the heads of two of the Ministry’s three departments (the Department for Euro-Atlantic Integration and Defence Policy and the Department for Defence Equipment) are civilians, while the head of the third department (the Department for Parliamentary Liaison, Legislative Harmonization and Public Relations) is a retired Lieutenant Colonel. All directorates of the Ministry of National Defence (the Military Intelligence Directorate, the Human Resources Management Directorate, the Financial-Accounting Directorate and the Internal Audit Directorate) are coordinated by civilians, as well as the Ministry’s Inspectorate, while the Secretary General is a retired military officer. This is a significant development in an Eastern European country where the resistance of the military establishment to post-Communist reforms has been significant. Answering to attempts to redefine the position of the armed forces in the state system (including their relations with civilian authorities), the military Minister of Defence General Constantin Spiroiu said, in 1991, that “any attack on the military is an attack on the country.”

The Romanian Government is currently engaged in a process whose aim is to increase the proportion of civilians within the structure of the Ministry of National Defence. Moreover, as a means of ensuring the compliance of the armed forces to the Government’s decisions, the Ministry of National Defence recently initiated a campaign of conferring military ranks to civilians that would work in the military structure of this institution (e.g., the General Staff). It is worth noting that these civilians have not had any

expertise normally required for these positions, a situation that has created tensions within the Ministry, especially within the General Staff.⁴⁹ According to the Romanian Ministry of National Defence, in spite of decreasing civilian personnel to about 28,000 in 2003, the share of civilians in the Ministry’s central structures is planned to increase to 40%, as compared to 10% today.⁵⁰ Still, it is indicated that the newly hired civilians fill significant positions within the Ministry, similar to the ones occupied today by high ranking military officers. This would probably not be the case until these civilians acquire a necessary level of expertise on military issues. The Ministry’s attempts to send military and civilian personnel to various courses offered by its National Defence College are useful, but insufficient in order to provide a significant number of civilian experts in the fields of security and defence.

During the last years, the General Staff has been better integrated within the Ministry of Defence, but military officers have retained a high degree of power in decision making processes. In 1999, the Romanian Government issued an ordinance stating that the Chief of the General Staff should be named in this position for a limited period, of four years, and should be denied the possibility to hold at the same time a position of Secretary of State.⁵¹ Regarding the General Staff, the Government decided that it should be organized based on a so-called modular structure, similar to ones existing in NATO countries. The

decision was part of a general plan to organize the central structure of the Ministry of National Defence in order to match similar structures of most Western countries. 52

The Supreme Council of National Defence. Romania’s Supreme Council of National Defence plays an important role in the activity of control over the armed forces, given its attributions and its elitist composition. 53 A problem with the SCND is that, according to a series of Romanian experts, it is an institution virtually not accountable to any other authority. While the SCND’s decisions are compulsory for all Romanian citizens, “[t]he activity of the Council cannot be controlled by the Parliament in any way ... the SCND functions based on its own regulations, unknown to anyone else.” 54 The Supreme Council of National Defence decides, without the Parliament’s approval, on the organization, structure, composition and internal regulations of the institutions involved in the fields of security and defence. Decisions like the ones of 1998, when the SCND launched a process of profound reorganization of the armed forces (oriented towards their downsizing), are relevant from this perspective. 55

When it was created in 1990, some MPs proposed for the SCND a role similar to the one of the US National Security Council. Instead of a transparent institution, whose role was mainly a consultative one (as in the US case, but also the Bulgarian case), Romania’s Supreme Council of National Defence became an unaccountable entity that can regulate

55 Szlavik, “Armata se modernizeaza.”
to a large extent the fields of security and defence.\textsuperscript{56} Although it has to report annually to the Parliament,

\textQuote="[a]s far as the nature, number and importance of [its] attributions is concerned, it has to be noted that all major issues coming within the ambit of national defence are taken up by the [SCND] – mandatory and prior to their examination by any other public authorities."\textsuperscript{57}

Sometimes, the SCND approves armed forces’ proposals and, based on their provisions, adopts its own proposals addressed to the Parliament or to the President. The military, therefore, uses its relationship with the Supreme Council of National Defence as one of the multiple ways to promote its specific interests. It is worth noting that the current Head of the SCND’s Secretariat is a military officer, General Viorel Barloiu.

A 1996 study conducted by the Management and Consulting Services of the United Kingdom’s Ministry of Defence\textsuperscript{58}, analyzing the democratic control over the Romanian armed forces, recommended a re-evaluation of the SCND’s responsibilities. The study suggested that the Council’s roles and functions are unjustifiably high, some of them duplicating the responsibility of other institutions. Nevertheless, a 2002 update of the law regulating the activity of the Supreme Council of National Defence brought no major changes to this legal document. It states that the Minister of Justice should also be a member of the SCND and underlines the major role of this institution in critical situations.

\textsuperscript{57} Degeratu, p. 161.
\textsuperscript{58} M. Holmes, \textit{Studiul privind controlul parlamentar asupra Ministerului aparatului național al României si controlul democratic asupra forțelor armate}, (Bucharest: Ministerul Apararii Nationale, 1997), p. 51.
such as wartime.\textsuperscript{59} It does not, however, reposition the SCND within the system of control over the Romanian armed forces.

III.(3).(b) Bulgaria

The lack of coordination that has characterized during the post-Communist period the activity of the Bulgarian executive institutions (mainly the Presidency and the Council of Ministers) has represented a significant problem in terms of ensuring efficient civilian control over the armed forces. They "[have] more and more rarely coordinated their relations and [have] more often fought for superiority in their influence on the army. Through its National Security [Committee], the [National Assembly] gravitated between them, depending on its political bias."\textsuperscript{60} The most notable conflicts have emerged between the President and the Government, on the one hand, and between the Minister of Defence and the Chief of the General Staff, on the other.

The Bulgarian Presidency. As in the Romanian case, the President of Bulgaria does not have a high degree of power when dealing with military issues. "As a Supreme Commander-in-Chief, the President approves plans and scenarios, appoints and dismisses the high-ranking military [officers], but cannot make a professional assessment of the documents['] and people[']s quality," retired Bulgarian Captain Vassil Danov argues.\textsuperscript{61} This would make his/her acts a mere formality, the President being forced to rely on information provided by either the leadership of the Ministry of Defence or the General

\textsuperscript{59} Anca Hriban, "Legea CSAT are forma dorita de Iliescu," Ziua, June 19, 2002.
\textsuperscript{60} Danov, p. 51.
\textsuperscript{61} Danov, p. 51.
Staff. This situation has characterized the Bulgarian Presidency since early 1990s, when, according to various sources, the heads of the military establishment “treated mockingly the newly elected head of state [Zhelyu Zhelev], refused to pay him honours, set his military (in)competence at defiance, and tried to misinform him on a number of important issues.”62 The President’s advisers on security and defence issues have generally been military officers, thus reflecting the lack of civilians with enough expertise in these fields.

The Bulgarian President is assisted by a Vice President, whose responsibilities are not clearly defined in law. The lack of reliable information necessary for taking decisions in the fields of security and defence characterizes the Vice President’s situation. It is somehow ironical from the perspective of civilian control over the military that the current Bulgarian Vice President, Angel Marin, is a retired Major General dismissed in 1998 from the armed forces for opposing military reforms and Bulgaria’s NATO membership. His example demonstrates better than any other the opposition of some military officers to the post-Communist changes in the Bulgarian military establishment and to the majority of reform programs being promoted by the country’s civilian leadership. Prior to being fired, General Marin had been the commander of the country’s artillery force. At that time, the then Bulgarian Minister of Defence, Gueorgui Ananiev, a civilian, even asked military prosecutors “to examine whether General Marin should be prosecuted for making political comments that conflict with government policy.”63

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62 Danov, p. 51.
The Council of Ministers of Bulgaria. An analysis of the amendments to the Law on Defence and the Armed Forces of the Republic of Bulgaria, from 1997 and 2000, indicates that the authority of the Council of Ministers, of the Ministry of Defence more specifically, in the military area has increased over the years.\textsuperscript{64} Thus, these executive institutions have acquired more influence in key areas such as the defence planning and the general coordination of military activities. In order to guarantee a more efficient control over the armed forces, the civilian leaders of the Ministry of Defence coordinate the military intelligence and counterintelligence services, the military police and the Ministry’s Inspectorate. The Inspectorate not only controls the military establishment in a general sense, but also recommends appropriate ways of action in various fields. According to the \textit{Law on Defence and the Armed Forces of the Republic of Bulgaria} (article 40), the Inspectorate of the Ministry of Defence can exercise oversight of the implementation of ministerial orders, of the effective execution of the defence budget and military reforms, and of the discipline within the armed forces.\textsuperscript{65} The civilian Chief Inspector reports directly to the Minister of Defence.

A 1997 amendment to the \textit{Law on Defence and the Armed Forces} according to which the Minister of Defence should necessarily be a civilian (a requirement that could be hardly found in many other countries’ legislations, Romania’s included) suggests a significant degree of influence in military matters of the civilian leadership of the Bulgarian Government. Its authority was partially confirmed in 1997 when the then Minister of Defence, Georgi Ananiev, dismissed Colonel General Tsvetan Totomirov from the

\textsuperscript{64} Ratchev, pp. 38-39.
\textsuperscript{65} “Закон.”
position of Chief of the General Staff, replacing him with Colonel General Miho Mihov. The fact that Bulgaria was, after the political changes of 1989-1990, one of the first Eastern European countries to appoint a civilian Minister of Defence (in 1991) has also been relevant for the evolution of Bulgarian civil-military relations. Tensions between the new leadership of the Ministry and the military establishment emerged, though, suggesting the armed forces’ unwillingness to take orders from inexperienced civilians. This situation led to a hybrid system, characterized by an unclear division of responsibilities between the Ministry’s leadership and the General Staff (the latter being, according to a Western organizational model, a distinct entity within the Ministry of Defence, usually under the Minister’s supervision). Thus, in early 1990s, a First Deputy Minister of Defence was also the Chief of the General Staff, while the commanders of the Army, Navy and Air Force were Deputy Ministers of Defence.

This structure has been reformed. Since 1991, “the Ministry of Defence [has been] reorganized and a new management structure [has been] introduced.” In 1993, the then Minister of Defence, Dimitar Ludzhav, created within the Ministry a National Security Research Centre meant to train military and civilian personnel in matters of security and defence. Currently, the civilian Minister of Defence directs, according to the White Paper on Defence of the Republic of Bulgaria, the defence planning, the social, educational, health, information and personnel policies, and the budget allocation for the

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67 Dimitrov, p. 119.
Ministry. The three Deputy Ministers of Defence, the Secretary General and other key officials are also civilians. The Deputy Ministers are members of the Ministry’s Political Cabinet, a structure which is supposed to assist the Minister of Defence in the formulation and development of decisions on security and defence issues. Amendments from 1997 to the Law on Defence and the Armed Forces of the Republic of Bulgaria have significantly increased the influence of the Minister of Defence in key areas of the system of control over the armed forces. Another situation has emerged, nevertheless: the civilian leadership of the Ministry of Defence and the General Staff have started to act as distinct entities, sometimes duplicating their work. Moreover, “specific functions (directorates) appear to have shifted so often that it is very difficult to assess the effectiveness of communication between civilian Defence Ministry bodies and the General Staff directorates.”

Another problem arises when we determine that “[t]oo many of the present civilian [Ministry of Defence] staff are retired military officers ... The inflow of civilians in the [Ministry] is still moderate, especially in terms of defence expertise.” This seems to be a consequence of the Communist tradition of civil-military relations that prohibited the involvement of civilians in military matters. Some analysts say that the appointment in 1994 of retired Admiral Dimitur Pavlov as Bulgarian Minister of Defence can be explained precisely by the lack of civilians with enough expertise in military matters. During the first post-Communist years, as Vassil Danov puts it, “[e]xcept for a few experts at the level of office directors and department heads, [the Ministry of Defence]

69 “Бяла книга.”
71 Ratchev, p. 42.
appointed a number of incompetent civilian specialists with no sense of mission or attitude of permanent stay in the system.” This would have led to what Velizar M. Shalamanov and Todor D. Tagarev call major problems in the Bulgarian Ministry’s system of defence planning, such as: lack of certain functions, no holistic approach to defence planning, no long-term thinking and cultural challenges. The two Bulgarian authors (the former – an ex-Deputy Minister of Defence, the latter – a high-ranking Ministry of Defence official) add that “the decision making process [within the Ministry] is highly inconsistent and unpredictable.”

Recently, the influence of the civilian leadership of the Ministry of Defence in military matters has increased significantly. The current Minister of Defence, Nikolai Svinarov, demonstrated this when he held a 2001 meeting whose aim was to define a new structure of the Bulgarian armed forces without inviting either the Chief of the General Staff, General Miho Mihov, or the Chiefs of the Bulgarian Army, Navy and Air Force (Major General Kiril Radev Tsvetkov, Vice Admiral Petar Petrov and Lieutenant General Stefan Ivanov Popov respectively). Nevertheless, according to sources from the Bulgarian Ministry of Defence, the high-ranking military officers “were puzzled, they could not understand how they were going to bring into force something they had not proposed.” Still, “[t]he concept of democratic control is sometimes [mistaken in Bulgaria for] the appointment of civilian government officials,” a study conducted by the Directorate of Management and Consultancy of the UK Ministry of Defence reads. It indicates a tense

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72 Danov, p. 52.
73 Shalamanov, p. 5.
75 Danov, p. 52.
relationship between the civilian leadership of the Bulgarian Ministry of Defence and the General Staff, a problem that has not really been solved during the post-Communist period.

The Consultative Council of National Security. Bulgaria’s Consultative Council of National Security was set up in 1990; it was primarily designed to advise the President in his decisions on security and defence matters. Its responsibilities were more clearly formulated in 1994, although the institution did not acquire decision making powers. Since then, the CCNS has directly influenced the activity of the Council of Ministers (including the Ministry of Defence) and of the military establishment per se. According to the 1994 law regulating its activity, the CCNS can make recommendations on general security and defence topics, but it is not allowed to consider issues of a more detailed nature (dealing strictly with military problems, for instance).

The President can invite to the CCNS’s meeting other persons than its regular members. To a recent meeting, for instance, dealing with Bulgaria’s Western integration, the President invited the Minister of Justice and the Minister of Environment and Water. Its consultative character (suggested, otherwise, by its title) makes the CCNS similar to the US National Security Council, as the President’s principal forum for considering security and defence issues. The CCNS’s function seems to be, however, more limited than the National Security Council’s, a US institution that also serves as the President’s principal arm for coordinating policies of a military nature among various governmental agencies.

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As our two case studies suggest, the Romanian and Bulgarian executive institutions no longer base their activity on a Communist model of organization. But they do not yet function according to a Western model, either. The fact that the legal frameworks regulating their activity are Western-like is not enough to justify Romanian and Bulgarian arguments that these institutions are similar (if not identical) to their Western counterparts. Setting up limitations regarding the powers exercised by democratically elected Presidents or appointing civilian Ministers of (National) Defence does not mean acquiring democratic civilian control according to Western standards. As many researchers of the post-Communist Eastern European civil-military relations have put it, "[t]hese attempts [have] achieved only an illusion of civilian control."^77

As seen in the Romanian and Bulgarian cases, the lack of enough civilian experts dealing with military issues has been one of the greatest problems faced in setting up a system of democratic civilian control over the armed forces. This leads to, and is reinforced by, a lack of a professional civil service, "a corps of administrators whose political neutrality is unquestioned and who are competent and expert enough to execute governmental policy,"^78 upon whose existence depends an effective implementation of civilian decisions in the fields of security and defence. The political instability and the virtual

absence of an educational system to prepare experts in the military field, have only exacerbated the problem over the years. Rudold Joó says, “the image the [armed forces] have of civilian politics suffers: politicians are seen as very temporary creatures, whose impact on defence policy is, after all, negligible. Last but not least, democracy itself is discredited. To some, the division of power can be seen as equating to weak government, pluralism as synonymous with disorder.”

Even when the democratic system does not suffer, it is generally difficult to call the system of control over the military “civilian.” If most advisers to security and defence policymakers are military, and the latter are not experts in the military field, then “the army, not the government, is controlling defence policy.” This situation is related to an unwillingness of the countries’ political forces to challenge the military establishments: “[t]he apparent trend among ... Eastern European ministries of defence ... is to wait for a new generation of administrators to emerge, leaving the current qualified but overwhelmingly military ministry staff in place.” Meanwhile, Romania and Bulgaria function based on a hybrid system of control over the armed forces, characterized by both a democratic legal framework giving civilians a final “say” in military matters and a relatively unaccountable practice of military influence on security and defence issues.

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79 Joó, p. 99.
81 Caparini, p. 18.
III.(4) Civil society and armed forces

Whereas in a Communist regime the involvement of the civil society in a system of control over the military is virtually non-existent, in a Western one the civil society usually plays a very important role in a public debate on security and defence issues. The term “civil society” used in this study refers to the combination of different groups such as mass media, NGOs (including unions of reserve military officers), pressure groups, academia, research institutes, think tanks, advisers to political parties, local government personnel and churches. Their involvement in a public debate on military issues is facilitated by the information provided by Government’s public relations services, mass media subordinated to the Ministry of (National) Defence, various officials and civil servants (e.g., members of Parliament), and by their interactions with the previous groups. (The most important players belonging to the first category are, nevertheless, mass media, NGOs and academia.) Together, all are supposed to form what – in the Western world at least – is known as a “strategic community,” one dealing primarily with security and defence issues. Such a community would provide, among other things, the link between policymakers and the general public.

The role of the civil society in a democracy is very important given the fact that agreements reached by its component groups with official bodies in discussions of security and defence issues confer further legitimacy to decisions made by a political regime in the military field. The acceptance of civilians at almost all levels of military-
related work is a precondition of a Western system of control over the armed forces. Ben Lombardi underscored that the role of the civil society is “to foster public discussion of defence and security matters, as well as to create a pool of interested and qualified specialists whose expertise can be drawn upon by policy-makers.”\(^{82}\) The debate on military issues and the civil society’s awareness of these matters facilitate public accountability. From a more functional perspective, Reka Szemerkenyi says, “[p]ublic support for the military is a prerequisite for stable civil-military relations in a democratic society;” nevertheless, this public support “requires an understanding of the military and of its professional and social needs.”\(^{83}\) The problem in Eastern Europe is that, although the civil society, with most of its component parts, has tended to be actively engaged in a public debate on military issues since 1989, its expertise in this field is extremely weak and its involvement ambiguous. Thus, academia is still isolated and is perceived as a purely educational establishment, the mass media are superficial and “can become easily politicized, independent research institutes and NGOs are only nascent at best, pressure groups tend to focus on a single issue – mostly conscientious objection – and government public relations is in its infancy.”\(^{84}\)

Efficient programs aimed at improving the public expertise and involvement in the fields of security and defence are necessary if the Eastern European states are really committed – as they say they are – to implementing Western models of oversight of the armed forces. Academia could play a significant role from this perspective, not only through

\(^{84}\) Szemerkenyi, p. 54.
involvement of qualified academics or academic institutions in discussions of military issues but also through specialized programs offered for students interested in these fields. Nevertheless, neither aspect is characterized by excellence, due to various reasons, such as lack of expertise in the fields of security and defence, lack of interest in the academic activity or lack of proper funding. Acknowledging the need for improving the competency of civilians and military personnel, Laura Richards Cleary appreciates that not only educational institutions or mass media, but also "NGOs can provide an independent forum for the discussion of international or institutional problems."85 They can significantly contribute to the public debate on military issues and to the efficiency of the "strategic community." But NGOs' frequent involvement in political life or the interest of most of them in funding opportunities rather than in the activity for which they have been set up make the Eastern European non-governmental organizations qualitatively different from their Western counterparts (especially less efficient).

The mass media should have one of the most important roles in involving the civil society in a debate on military issues. Nevertheless, the journalists' lack of expertise in the fields of security and defence, the mass media's tendency to focus on superficial and spectacular, mostly negative, aspects of military activity, or their lack of accurate information make them in – at least in Eastern Europe – inefficient instruments of oversight of the armed forces. A specific type of media, the ones specialized in military matters, are still subjected, formally or informally, to direct control of the Governments (usually of the Ministries of Defence). They were the armed forces' propaganda machines during the Communist period and they still maintain their identity as

85 Richards Cleary, p. 105.
instruments of public relations for the military. Independent media specialized in military issues are virtually nonexistent in Eastern Europe. But “to be effective, the media need to have as much information as possible from domestic sources, within the limits of national security. The military tends only to provide positive information and to delay giving out negative information.”

Therefore, in addition to an informed national debate on security and defence issues, in which a special role is played by civilian experts at various levels, in a Western system of control over the armed forces there is a need for “sufficient transparency of decision making to allow for a throughout public scrutiny” of military matters, as underscored by Marco Carnovale. A public relations service set up by the Ministry of (National) Defence, for instance, should provide accurate information and should avoid propaganda as much as possible. From a Western perspective, the Eastern European Ministries of Defence should avoid promoting Communist practices such as abusing the concept of military secrecy in order to deny information requests formulated by various groups or individuals. Nevertheless, as Chris Donnelly puts it, “[p]ost-Communist military society is still a society closed to civilians and which resists civilian interference … The military fears depredations by ignorant civilians. It has a strong sense of its own loyalty and, in defence matters, it is convinced that it knows best.”

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86 Szemerkenyi, p. 63.
87 Carnovale, p. 33.
III.(4).(a) Romania

Freedom of expression, access to information and media rights are guaranteed in Romania under the provisions of the Constitution and other laws. Based on this, elements of an emerging civil society are more and more active in setting up and consolidating a Western-type system of control over the Romanian armed forces. At the same time, the military establishment tends to be more transparent, therefore more accountable. But the Romanian civil society as a whole "is still very young, insufficiently delineated, and inexperienced in practicing democratic methods."  

Excepting for the military academic organizations, the universities in Romania focus to an insignificant extent on security and defence issues. Military academic institutions such as the Bucharest-based *Academy of Higher Military Studies*, the Bucharest-based *Military Technical Academy*, the Constanta-based "*Mircea cel Batran*" *Naval Academy* and the Sibiu-based "*Nicolae Balcescu*" *Land Forces Academy* have military staffs and are therefore indirectly subordinated to the Ministry of National Defence. Their academic freedom is constrained by their clearly defined position in the military system and the requirement of promotion of unified viewpoints, imposed by the undemocratic nature of the armed forces. Regarding the civilian universities, even well-known ones, such as the *University of Bucharest*, the Cluj-Napoca-based "*Babes-Bolyai*" *University* or the Iasi-based "*Alexandru Ioan Cuza*" *University*, are characterized by a lack of academic programs dealing with security and defence matters. Like the entire Romanian civil society, the civilian universities lack university staffs specialized in military issues and,  

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89 Diaconescu, pp. 195-196.
sometimes, do not seem to be aware of the necessity of including such topics in university curricula.

Another important component of the civil society, the Romanian NGO sector is in full expansion, trying to cover most fields of key importance for the society. Literally tens of thousands of non-governmental organizations have been officially registered in Romania since 1989. Nevertheless, NGOs that focus on security and defence issues, directly or indirectly, are just a few. The European Institute for Risk, Security and Communication Management, the “George C. Marshall” Association, the Group for Social Dialogue and the “Manfred Woerner” Euro-Atlantic Association (all Bucharest-based) are partially representative of this narrow section of the Romanian NGO sector. Virtually all of them focus *inter alia* on military issues in the context of Romania’s efforts to join Western organizations, such as NATO and the European Union. Some of them deal with human rights in the armed forces, especially in the process of transformation of the military establishment. The Bucharest-based *League for the Defence of Human Rights*, for instance, has published regularly a bulletin that contains allegations of human rights violations. Most of the others tend to engage in public debates on various topics related to the armed forces’ roles and functions in the post-Communist period.

As Ionel Nicu Sava puts it, from a Western point of view, “the role of the NGO sector in Romania seems to be on the right track. However, fund raising and partisan attitudes affect to a certain extent the NGO sector’s future development.”\(^90\) This has a negative

\(^90\) Ionel Nicu Sava, “The Role of Public Opinion and NGOs in Shaping the Legal Framework of DCAF in the New East European Democracies. The Case of Romania,” paper presented at the seminar *Legal*
impact on the creation of a "strategic community," as one of its most important component parts presents obvious weaknesses. Therefore, although NGOs dealing with military matters do exist and the legal framework regulating their activity is already in place in Romania, their influence in the discussion of the country's security and defence choices is questionable.

Even if one could sense a tendency of the Romanian mass media to responsibly deal with military issues, they are not yet able to perform the role reserved for this sector according to Western models of control over the armed forces. If not totally missing from the section of the civil society dealing with security and defence matters, the Romanian mass media misunderstand their roles and functions in a democratic system. Even serious media organizations such as Adevarul, Evenimentul zilei, Romania libera or Ziua suffer from these weaknesses. Looking for "sensational reporting at any cost, they have published false, misleading, or even slanderous news, sometimes in combination with elements of truth, however reproduced in a partial or incomplete manner, or maliciously taken out of their context."\(^{91}\)

Speaking about the specialized military press, all those media organizations are subordinated in Romania to the Ministry of National Defence. More specifically, "[t]heir editorial offices are subordinated – in terms of command and logistics – to the commanders of [grand] units who are also acting as garrison commanders and,

\(^{91}\) Diaconescu, p. 201.
respectively, to the Information and Public Relations Directorate [of the Ministry of National Defence] – from a professional point of view." Newspapers and magazines such as Jurnalul militar, Observatorul militar or Spirit militar modern are the most representative in this category. They reflect the military official viewpoints and have little freedom in choosing the topics of their stories and the perspectives used for approaching various subjects.

But the access to information itself is still a challenging process in Romania. Sometimes the journalists are not aware of their rights and responsibilities to ask for specific information from military authorities. Usually, however, it is the military establishment itself that refuses to offer it, using the justification of secrecy. Although the Ministry of National Defence’s public relations central structure was set up as early as 1991, the scope of its activity has been rather limited. In theory, according to military officials, “the information requested by the media, various organizations, or private citizens will be released completely and on a timely basis.” In reality, that is seldom the case, due to the armed forces’ reluctance to offer information that could potentially harm the generally positive image of the military establishment in Romania.

III.(4).(b) Bulgaria

Although a key element of the official policy of Bulgarian state institutions, “the civilian democratic control of the armed forces has not yet gained an effective social support,”

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92 Diaconescu, p. 198.
94 Ratchev, p. 32.
as a Bulgarian social scientist puts it. Overall, the civil society is superficial and ineffective, within the context of a public debate on military issues that seems to be marginalized in the media, although the situation is still better than in the Romanian case. Bulgarian institutions belonging to civil society are more involved in the discussion of the roles and functions of the armed forces than their Romanian counterparts. Among major obstacles that prevent the Bulgarian civil society from becoming a decisive element in the debate on security and defence matters Ivan I. Krastev has identified the previous lack of such type of public involvement, the absence of influential NGOs and the high degree of domestic politicization of this debate (e.g., the issue of Bulgaria’s NATO membership),\(^ {95}\) including in the mass media discourse.

Similar to the Romanian case, the military academic institutions, such as the Dolnomitropolia-based “Georgi Benkovski” Air Force Academy, the Sofia-based “G. S. Rakovski” High Military Academy or the Varna-based “Nicola Vaptzarov” Naval Academy, are the only ones dealing in Bulgaria with security and defence issues at a satisfactory level of expertise. As military organizations, they are supposed, nevertheless, to promote messages and policies compatible with the official ones of the Ministry of Defence, of the General Staff and of other official security bodies of the state. The civilian universities, such as the University of Sofia, the Blagoevgrad-based American University in Bulgaria or the “Paisii Hilendarski” University of Plevdov, are still in their infancy in the process of establishing programs and specializations dealing explicitly with military issues.

Regarding the NGO sector, the *Atlantic Club of Bulgaria*, the *Centre for Liberal Strategies*, the *Centre for the Study of Democracy*, the *Institute for Regional and International Studies*, and the *Institute for Security and International Studies* (all Sofia-based) are some of the most important Bulgarian non-governmental organizations acting in the fields of security and defence. Their areas of interest vary from security challenges in South-Eastern Europe and their impact on the military establishments to the new security and defence agenda for the Balkans to the changing nature of civil-military relations in post-Communist Bulgaria. Compared to Romania, Bulgaria has a more significant NGO sector involved in the discussion of the country’s military priorities, both qualitatively and quantitatively; this is even more important given the much smaller size of Bulgaria’s total population. According to Ionel Nicu Sava, in Bulgaria the non-governmental organizations related to military activity “are a couple of dozens, [maybe] more than in all European NATO countries together.”

Some of the Bulgarian NGOs have been very influential, being involved not only in organizing conferences and workshops on military matters, but even, for example, in drafting various laws. Between 1990 and 1998, when the *National Security Concept* was officially adopted by the Bulgarian National Assembly, no less than thirteen other documents having the same title have been produced by various bodies, including non-governmental organizations. Two of them, drafted upon the request of the Bulgarian President of 1991 and the Prime Minister of 1995 are – as Plamen Pantev underscores – “a specific indicator of the breakthrough in the field of communication between civilian

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96 Sava, p. 7.
experts and official members of the security [and defence] institutions in Bulgaria, including the military."\textsuperscript{97}

But suffering from a lack of funding and "handicapped by the frequent changes in administration, on average nearly every year since the beginning of 1990,"\textsuperscript{98} the Bulgarian NGO sector still has a long way to its proper place in a Western system of control of the armed forces. Its relations with the Ministry of Defence or the Parliament, for instance, are not strong enough to allow an important impact on military policies, its expertise is not yet adequate and the number of its component parts is still modest. Moreover, as Emil G. Mintchev indicates, the environment has not been friendly enough to encourage NGOs’ development: they have been working "under extremely difficult conditions, struggling against the anarchy of domestic political life, the polarization of society, Balkan provincialism, and a heavy financial burden in order to sustain even their lowest-key activities and to remain in contact with the outside world."\textsuperscript{99}

Regarding the mass media, "[t]here are few journalists with experience in [security and defence] issues and, in general, the level of journalistic professionalism in Bulgaria is low. Newspapers print sensational stories designed only to appeal to readers who have no ability to judge their accuracy,"\textsuperscript{100} as M. Mae Johnson puts it. Evgeni Alexandrov adds:

“the aggressiveness and the bluntness displayed by certain journalists and media sometimes border on nihilism and are not conducive to a civilized discussion of the country’s problems. This also applies to the very delicate issue of the civil-military relations.”\textsuperscript{101} Responsible articles on military issues could be found in more important newspapers such as \textit{Dnevnik, Monitor, Sofia Echo} or \textit{Standart}, but, overall, the quality of journalistic approaches on security and defence matters is relatively low. However, the freedom of speech may have as an ultimate result a more coherent public debate on military issues and more accountable state authorities. Significant media organizations specialized in topics related to armed forces do not seem to exist in Bulgaria.

In theory, as is the case with other Eastern European military establishments (the Romanian one included), the Bulgarian armed forces are “guided by the principles of timely and accurate dissemination of information where all users enjoy equal rights, access to information about the army ... non-admission of party propaganda, continuity and honesty of the army-society dialogue.”\textsuperscript{102} In fact, in all these cases openness is still a problem, given not only the specific character of military activity, but also the continuity in terms of Communist practices emphasizing the necessity of avoiding civilian interference in armed forces’ matters. Compared to the past – Dimitar Dimitrov argues, from a Western point of view – the “current practice is very promising, but it is not enough.”\textsuperscript{103}


\textsuperscript{102} “Бяла книга.”

\textsuperscript{103} Dimitrov, p. 127.
Thus, an analysis of the relationship between the armed forces and the civil society in Romania and Bulgaria reveals the immature nature of the civil society and its weak influence in decisions concerning military affairs. This situation seriously challenges the idea of existence of a Western system of control over the military in the two countries. A comparison of the two case studies shows that, overall, there are also differences between the Romanian and the Bulgarian case. The findings presented above suggest that the part of civil society dealing with security and defence issues is more developed in Bulgaria than in Romania.

Overall, this chapter presents evidence for the idea that, although the models used by Eastern European countries in order to reform the field of their civil-military relations have been Western ones, the outcomes are only to a certain extent similar to the situation in NATO member states, for instance (the source of these Western paradigms). The continuity of patterns in the types of interactions between civilian institutions and military organizations since 1989 has been a constant reminder of the difficulty to implement Western models of civilian oversight of the armed forces in Eastern Europe. The role of the Romanian legislature seems to be slightly more important in a system of control over the military than the Bulgarian National Assembly’s role (a positive aspect according to a Western paradigm of civil-military relations). Similarly, the Bulgarian
civil society seems to be better organized in an attempt to articulate a community of independent voices expressing alternative perspectives on security and defence issues than the Romanian civil society. Nevertheless, the situation in both countries suggests that an attempt to subordinate the armed forces exclusively to the will of civilian forces (i.e., political forces outside the military establishment *per se*) is not only difficult to materialize, but also undesirable. The next and last chapter explores the idea of a possible incompatibility between the Western paradigms and the Eastern European realities in the field of civil-military relations.
IV. CONCLUSION

Encouraging the emergence of democratic systems of control over the armed forces in post-Communist Eastern Europe is part of a larger Western concern to "project stability" in the world (especially in neighbouring regions), through implementation of democratic principles. A review of the main characteristics of the post-Communist Eastern European systems of civilian control over the military reveals, nevertheless, a relatively unsuccessful attempt to transform the civil-military relations in this part of the world according to Western standards. This chapter provides a summary of findings, a discussion of the hypotheses and new perspectives on the nature of the interaction between civilians and military establishments in post-Communist democracies.

Analyzing comparatively our findings from the perspective of both Communist and Western models of control over the military, one could conclude that the new Eastern European system of oversight of the armed forces are characterized by both Communist and Western traits. Thus, although the legal and institutional frameworks in Romania and Bulgaria are based on democratic principles, they are still relatively confusing when it comes to explaining specifically how the armed forces are controlled and, even more important, who exactly is responsible for that. The Romanian and Bulgarian political systems, democratic as they are, do not manage to aggregate the interests of various groups potentially interested in, or already active in, the fields of security and defence. Although it would be somehow inappropriate to say that most decisions taken in military
areas are autocratically imposed (on the military establishment by a few political leaders or on the civilian authorities by the armed forces), they certainly do not reflect a broader societal consent, obtained through public and informed debates, since no such consent can be achieved. Sometimes the new political forces are not much more accountable to the population than the previous Communist regimes in the area of civil-military relations and the formal subordination of the armed forces to the Government, to the Head of State and to the Parliament is only partial, while it is still the military itself providing the civilian authorities with professional advice on most security and defence matters. Regarding the involvement of an emergent civil society in the discussion of military issues, this process is hardly significant in Romania and Bulgaria.

The research seems, therefore, to be consistent with the idea that the transfer of Western liberal norms in the area of civil-military relations in Eastern Europe, even through policies of mimicry, has not led to the achievement of Western systems of control over the armed forces. Although the transformation of the Eastern European systems of oversight of the military has been carried, since 1989, mainly by copying Western models and has been triggered to a large extent by external factors, these systems are, so far, stuck in a grey area, being characterized by both Communist and Western features. Should we introduce into this picture national elements of civil-military relations, specific for each individual country, we have the image of a complex set of interactions between the military establishments and the civilian authorities in a continuously changing environment.
The continuity of patterns of civil-military relations in Romania and Bulgaria (before and after 1989) has conflicted, during the post-Communist period, with the discontinuity represented by the adoption of new models of civil-military interaction. Romania, characterized by participatory relations between the Communist Party’s leadership and the armed forces during the last decades of the Communist period, has been able since 1989 to more easily adopt Western models of civilian control over the military. The Western focus on a professional politically neutral military establishment, for instance, has been relatively compatible with a Romanian notion of civil-military boundary, whereas in the Bulgarian case the post-Communist transformation has been complicated by the country’s previous type of civilian control over the armed forces. The post-1989 influence of Bulgaria’s institutional congruence Communist approach, analyzed in the first chapter, has been one of the factors preventing since 1989 a radical transformation of the type of its civil-military relations. The larger the extent to which a country’s political authorities and military institutions were integrated during the Communist period, the more difficult the transformation of their civil-military relations based on Western models after 1989.

Nevertheless, as the previous chapter underlined, the Eastern European countries’ decision to join European and Euro-Atlantic structures, combined with the requirements for membership in various Western organizations have led, since 1989, to a specific dynamic involving systemic changes in Eastern Europe, based on Western recommendations. The changes have not been superficial, as some analysts suggest; nevertheless, the processes of transformation have not led every time to the expected
outcomes designed by Western and even Eastern European political architects. Often, the programs of reform have been set up and implemented because the West has required them, “not because they [have been] seen as intrinsically necessary and worthwhile.”

Regarding the issue of oversight of the armed forces, most researchers tend to agree that Eastern European governments have promoted it as a priority specifically because European and Euro-Atlantic organizations have defined it as such. Although finding the assessment harsh, Marina Caparini recognizes that Eastern European governments (often composed of leftist or former Communist parties) “have been [repeatedly] accused of valuing civilian control mainly as a means to the end of NATO membership, rather than inherently attaching value to the concept as a hallmark of democracy.”

Piotr Dutkiewicz and Sergei Plekhanov propose an original approach, the “politics of mimicry,” to explain these developments. They argue that the Western models adopted for the transformation of the Eastern European countries are only sometimes compatible with the models previously used by those societies, which has the potential to lead to a situation in which the new paradigms are adopted primarily as “a cover for the intractable old norms.” Moreover, as the field of civil-military relations is “an especially persuasive case study of the politics of mimicry, [involving] institutions which are deeply conservative by nature,” the synthesis of old and new norms, even (or especially) in cases of low compatibility between them, would “allow a society to protect from external

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challenges, through mimicry, its search for an indigenous path of transformation.\textsuperscript{4} From the perspective of this study, the approach proposed by Dutkiewicz and Plekhanov could mean that the Western models adopted by the Eastern European societies in the field of civilian control of the military have been used not only as vehicles for the integration of these countries into the Western world. They have also been used as instruments facilitating a smooth translation from Communist models to new paradigms regulating the relationship between post-Communist political forces and military establishments in Eastern Europe.

Most researchers focusing on the issue of post-Communist transformation of Eastern European civil-military relations have noticed a significant degree of incompatibility between the Western models officially embraced by the new Eastern European political forces and the previous patterns employed by these countries in the military field. Using the terms proposed in the first chapter of this study, the continuity of old practices has had since 1989 a significant impact on the civil-military interaction, as the discontinuity introduced by the new Western norms and principles has done as well. Mentioning the different social and political traditions, "as well as the elites' habits and proclivities" separating the West and Eastern Europe, Anton A. Bebler argues that "[t]hese discrepancies should warn against the mere copying or simplistic transplanting of the Western institutions and procedures to the East."\textsuperscript{5} Adding to this view, Ben Lombardi tries to explain the rather rhetorical adoption of Western norms through the existence in Eastern Europe of political cultures "unable to provide adequate support for Western

\textsuperscript{4} Dutkiewicz, p. 277.
beliefs – beliefs that run counter not only to those views officially sanctioned by the former Communist regimes, but also to societies that preceded World War II.\textsuperscript{6} The reluctance of both the Eastern European armed forces and civilian authorities to initiate profound reforms in the field of civil-military relations, despite their official commitment to this process, could be related to what Chris Donnelly sees as factors normally affecting the military field, i.e., "domestic history plus historical national culture. An army reflects its society and is much more shaped by it than by a potential [as opposed to an imminent] threat."\textsuperscript{7}

Both the Romanian and the Bulgarian armed forces have tended to be involved, since 1989, in various debates concerning not only the two military establishments’ future development or the two countries’ military involvement in international affairs, but also issues affecting the society as a whole, from a broader perspective (which are, in a Western context at least, the responsibility of the political leaders alone). In the Romanian case, a 1990 affair and another one, ten years later, are highly relevant from this perspective. In early 1990, a so-called Action Committee for the Democratization of the Army (ACDA), representing military officers, actively promoted the idea of a change in the first post-Communist Government’s policies concerning the armed forces, including a halt of the newly initiated process of transformation of the military. Pressed by about 1,000 soldiers demonstrating in front of the Government’s building and embarrassed by an open conflict between the Ministry of National Defence and ACDA’s

leaders, Romanian President Ion Iliescu asked for the resignation of General Nicolae Militaru, the Minister of National Defence.\(^8\)

Since 1990, although recognizing – in the new international context – the need for civilians as first authorities in deciding on security and defence issues, the Romanian armed forces have retained a large degree of autonomy in the military field. They have tended to reveal very little information regarding not only internal affairs, but also the military’s involvement in various events of high relevance for the Romanian society, including the revolutionary events of 1989. The military’s strong corporate identity has prevented civilian inquiries in what the armed forces consider to be issues of their responsibility. A 2002 incident, involving the current Minister of National Defence, Ioan Mircea Pascu, who threatened journalists questioning the country’s readiness to join NATO from a military point of view, is one of several relevant examples in this sense.\(^9\)

From another perspective, in late 2000, a newly constituted Military Officers’ National Association (MONA), including as members active personnel, stated that its goal was to solve problems negatively affecting the country’s security and defence. More specifically, its leaders suggested that the association would deal, among other things, with the issues of corruption and antisocial and antinational activities.\(^10\) Legally, the Romanian active military personnel cannot be members in organizations dealing with political issues, as the ones mentioned above. Although the Romanian civil society and

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the political class reacted negatively to MONA’s goals and this project seems to have failed, the simple fact that this organization was constituted reveals a constant need of the military to have a “say” in the country’s general evolution.

Similar developments have taken place in the Bulgarian case. In mid-1992, for instance, when the then Bulgarian Chief of the General Staff, General Ljuben Petrov, stepped into conflict with the leadership of the Ministry of Defence, trying to prevent the processes of staff renewal in the Bulgarian armed forces, the entire Government, headed by Philip Dimitrov, had to resign. The military establishment, given maybe the Bulgarian tradition of the last part of the 20th century of institutional congruence (i.e., the joint politico-military leadership of the armed forces and of the country), has tended in the post-Communist period to be involved in the main debates concerning Bulgaria’s evolution. In addition to their history of participation in national politics, M. Mae Johnson identifies three other reasons for the armed forces’ tendency to intervene in national decision making, especially in the fields of security and defence:

“ambiguities in the present legal/institutional framework leave open for speculation the ultimate authority in decision making ... the polarized domestic political situation has stalled reforms in all areas and weakened the credibility of state institutions ... the generally low level of civilian expertise in security and defence issues allows the military to maintain their influence and authority in these arenas.”

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Civilian attempts to subordinate the armed forces have been successful to a certain extent only. The Western models of oversight, underlying the need for military's political neutrality and its strict subordination to the state's political authorities, have proved to be rather inappropriate for describing the civil-military relations in the two countries and unsuccessful as a basis for changing these relations since 1989. The need for fresh approaches became obvious in both Western and Eastern European circles, especially in mid-1990s, when the first significant problems of implementing the adopted models suggested a possible incompatibility between the new paradigms and the local practices in the area of civil-military relations. Three new approaches may be particularly useful in this context.

Trying to overcome the lack of an appropriate theoretical basis able to describe and to be used in reorganizing, the interaction between civilians and the military in other parts of the world than the West (represented primarily by the USA), Rebecca L. Schiff proposes a so-called "theory of concordance." She argues that the physical and ideological separation between political institutions and the militaries is historically and culturally bound to the West, especially to the American case. By contrast, her theory argues that

"three partners – the military, the political elites and the citizenry – should aim for a cooperative relationship that may or may not involve separation, but does not require it. This concordance theory sees a high level of integration between the military and other parts of society as one of several types of civil-military relationship."13

Taking into account the cultural and historical conditions that may encourage or discourage civil-military institutional separation, the theory of concordance "highlights dialogue, accommodation and shared values or objectives among the military, the political elites and society."\textsuperscript{14}

Similarly to this, Nansen Behar proposes the "paradigm of partnership," an approach based on three key ideas: "distributed responsibility, mutual trust and support in defence management. Partnership suggests not merely control over the military on the part of civilians, but a policy of building inner consensus."\textsuperscript{15} He argues that the models currently employed in Western democracies are not only unadjusted to transitions of the kind undergone in Eastern Europe, but to the conditions of the 21\textsuperscript{st} century themselves. He adds that "[t]he trend to impose the Anglo-Saxon meaning of the notion ‘control’ [in countries like Bulgaria, for instance] is an inadequate purpose."\textsuperscript{16} The notion of civil-military partnership proposed by Behar would solve the problem of a so-called "exhaustion" of the Western models in providing valuable outcomes for Eastern European countries.

Synthesizing the previous approaches and adding new elements to them, Douglas L. Bland proposes his own perspective, the "theory of shared responsibility." It argues that most of the previous theories "are too narrowly conceived and miss critical aspects of the

\textsuperscript{14} Schiff, p. 12.
\textsuperscript{16} Behar, p. 12.
problem [of civilian control over the armed forces], and they are too bound by the culture and national politics of their proponents."\textsuperscript{17} Instead, the essence of his approach is that civilian oversight of the military is "managed and maintained through the sharing of responsibility for control between civilian leaders and military officers. Specifically, civil[jian] authorities are responsible and accountable for some aspects of control and military leaders are responsible and accountable for others."\textsuperscript{18} Their interaction would be regulated by sets of rules and sanctions, different from country to country, placing constraints on both civilians and military establishments. Bland sees the proposed approach as a useful instrument for organizing Eastern European civil-military relations in the historical, cultural and political context of that part of the world: before Western models – he suggests – can be transferred to Eastern Europe, "leaders require the support of a theory of civil-military relations that more closely resembles their own experiences and that transcends ethnocentrism, political systems and time."\textsuperscript{19}

The analysis of the evolution of Eastern European civil-military relations since 1989 tends, therefore, to suggest that the Communist models of control over the armed forces or the Western ones are no longer appropriate to describe the interaction between civilian institutions and military organizations in post-Communist democracies. New models, based on the idea of cooperation between the two parties, according to clearly defined standards, may more objectively express the post-1989 type of civil-military interaction in Eastern Europe and constitute the basis for its healthy future development. Therefore,

although similar to the Western models of civilian control over the armed forces, new post-Communist Eastern European systems of military oversight could be further conceptualized as based on both (i) a relatively clear legal and institutional framework regulating civil-military relations and (ii) a significant level of involvement of the military establishment in the general discussion of security and defence issues. While (iii) the political system would be a democratic one and (iv) the civil society would be involved in a public debate on security and defence issues, a commonly agreed civil-military division of labour in the policymaking processes dealing with military matters could more appropriately describe the post-Communist situation in Eastern Europe.

The armed forces' involvement (although not a brutal one) in Eastern European countries' political processes since 1989 has suggested not a risk of military dictatorship, but a tendency of military establishments to express their views on security and defence issues. Especially in a volatile political context and in a European area where the military establishments have traditionally provided the expertise on military matters, the armed forces have expressed the need for the integration of these institutions into the larger society, according to their qualifications; this would be the opposite of a situation characterized by civilian policies of assimilation or segregation. If efficient, these Eastern European models of civilian control over the armed forces may become new paradigms used in the transfer of liberal norms to the countries of today's Commonwealth of Independent States and even other post-Communist political entities.
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